

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

UNITED STATES OF AMERICA

PLAINTIFF

v.

CRIMINAL ACTION NO. 3:93CR-82-S

DONALD G. FORD and
SANDRA HUTCHINS FORD

DEFENDANTS

COURT'S INSTRUCTIONS TO THE JURY

Ladies and gentlemen of the Jury:

Having found the defendant, Donald G. Ford, guilty of money laundering as charged in Counts 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34 of the indictment, and having found the defendant, Sandra Hutchins Ford, guilty of money laundering as charged in Counts 32 and 33 of the indictment, I will now instruct you on the law you are to apply with respect to forfeiture of property. You are instructed to render special verdicts concerning certain property of the defendants that the United States alleges to be subject to forfeiture as a result of the defendants' crimes. All of my previous instructions regarding the credibility of witnesses, duty to deliberate, and the rules of law that I previously instructed you to follow in deciding this case also apply to your deliberations regarding the forfeiture aspect of this case.

Each forfeiture count and the evidence pertaining to it should be considered separately.

Any verdict you reach in the jury room must be unanimous. In other words, to return a verdict you must all agree. Your deliberations will be secret. You will never have to explain your verdicts to anyone.

Title 18, United States Code, Section 982(a)(1) states that a defendant convicted of the crime of money laundering, under either 18 U.S.C. § 1956 or § 1957, must forfeit to the United States any real or personal property involved in such offense or any property traceable to such property. It is up to you to determine from the evidence what property, if any, the United States has proved was involved in such offense or is traceable to such property, and is, therefore, subject to forfeiture.

Property “involved” in the offense includes the money being laundered and any property used to facilitate the laundering offense. Property “traceable” to such property includes property which was not directly linked to the acts of money laundering but which has been shown by the evidence to be derived from property directly linked to the crime.

In order to meet its burden of proof with respect to these forfeiture counts, the United States must prove that it is more likely than not that the particular property was either involved in the crime of money laundering or is property which is traceable to such property.

Special Verdict Forms have been prepared for your convenience. You are instructed to consider each count listed on the Special Verdict Forms and determine from the evidence whether the United States has proven that it is more likely than not that the property identified for each count was either involved in the crime of money laundering or is traceable to such property, as those terms have been defined in these instructions.

If you believe that the United States has met its burden with respect to any one or more of the counts, you will write in the amount of property, if any, that is to be forfeited to the United States on the line next to each such count under the heading "Amount to be Forfeited." The amount that you write on this line cannot exceed the amount of "Property" for that particular count. If you find that the United States has not met its burden with respect to any of these counts, you will write in zero (0) on the line next to each such count under the heading "Amount to be Forfeited."

When your foreperson has completed the forms, signed and dated them, you will end your deliberations and return to the courtroom.