

d) The victim was a child abducted in violation of Section 2 of Article 27;

e) The defendant committed the murder for remuneration or the promise of remuneration or employed another to commit the murder for remuneration or the promise of remuneration;

f) At the time of the murder, the defendant was under a sentence of life imprisonment;

g) The defendant committed more than one offense of murder in the first degree arising out of the same or separate incidents;

h) The defendant committed the murder while committing or attempting to commit robbery.

2. Whether sufficient mitigating circumstances exist as enumerated under the law which outweigh the aggravating circumstances. The mitigating circumstances are as follows:

a) The defendant has no significant history of prior criminal activity;

b) The first degree murder was committed while the defendant was under the influence of extreme mental or emotional disturbance;

c) The victim was a participant in the defendant's conduct or consented to the act;

d) The defendant was an accomplice in the first degree murder committed by another person and his participation was relatively minor;

e) The defendant acted under extreme duress or under the substantial domination of another person;

f) The capacity of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law was substantially impaired;

g) The age of the defendant at the time of the crime.

3. Based on these considerations, whether the defendant should be sentenced to life imprisonment or death.

4. Recommendation of a death penalty can be made only upon unanimous decision of the jury.