

Selected Mini-mock trial cases

WITNESS STATEMENTS

Prosecution Witnesses

Mr. Tilman, P.I.
Matt, classmate
Sandy, science partner

Mr. Tilman, Private Investigator

I have been a private investigator for ten years. Before that, I was a police officer for seven years. In the last five years, I have worked with many schools in trying to solve the drug problems. I recommended to the administrators at Jackson School to start searching the lockers and student belongings. I believe this helps to reduce the drug use in the schools.

On April 22, I was searching ten students' lockers and belongings. When I reached Alli's backpack, I found a small amount of marijuana in a zippered compartment in the inside of the backpack. It was a good place to hide the marijuana, because the inside compartment is hard to see and I almost missed it. I asked Alli if the marijuana was hers. She said she didn't know anything about the stuff. She was very embarrassed.

Matt, classmate

I was one of the ten students in the search. Mr. Tilman went through my locker and my backpack before he searched Alli's things. I was standing next to Alli. She seemed nervous when Mr. Tilman started the search. I saw Mr. Tilman pull the marijuana out of Alli's backpack. She said "Oh no!" and then said she didn't know anything about it.

I have been going to school with Alli since I moved to this city four years ago. As far as I know, Alli has never been in trouble. She has a few friends who get into trouble, but she's a good kid.

Sandy, science partner

I am Alli's science partner. We do all of our experiments together. Recently, Alli hasn't been completing her parts of the assignments. She blames it on all of the other school activities she is involved in. I think she has some other problems. She seems confused when she is in class. In fact, last week, she made some mistakes in a chemistry experiment which caused a small explosion. No one was hurt and there was no damage, but I was pretty scared. Alli and I have been friends for a long time.

WITNESS STATEMENTS

Defense Witnesses

Alli, defendant

Rob, Alli's cousin

Ms. Swanson, band director

Alli, defendant

I know nothing about the marijuana that was found in my backpack on April 22. I purchased the backpack at a garage sale on Saturday, April 19. The sale was at the house of a group of adults who have lived there since they graduated from college in 1976. I went to the sale with my cousin, Rob, who lives next door to the house. The backpack was in good shape, and very cheap, so I bought it. I never dreamed it would get me into this much trouble.

I am a good kid. I have never been in trouble before, except for being asked to leave class because I was talking too much. I am involved in lots of extra activities. I am on the dance line, play clarinet in the band, and am a member of the girls track team. I work part time at a neighborhood grocery store.

Rob, Alli's cousin

I was with Alli when she bought the backpack. We found it at a garage sale next door to my house. The house is owned by a bunch of adults who used to be "hippies." I remember when they had lots of very loud parties that would end when the police came to break them up. Once my mom helped one of the men fix the lawnmower and they offered her some marijuana as a thank you.

My cousin never gets into trouble. She doesn't use drugs.

Ms. Swanson, band director

I am the band director. I have had Alli in my music class and in the band for several years. She is very talented and hard working. She spends much of her free time practicing with a few of the other students. I have noticed recently that she seems a bit distracted, but that's normal in the spring. I don't think Alli uses drugs.

INSTRUCTIONS TO THE JURY

The prosecution must set out such a convincing case against the defendant that the jury believes “*beyond a reasonable doubt*” that the defendant is guilty.

THE LAW

It is a petty misdemeanor to possess or give away a small amount of marijuana. The law defines a small amount of marijuana as 42.5 grams or less. For the first offense, the court may fine the person up to \$200 and require him or her to participate in a drug rehabilitation program.

Minn. Stat. 152.01, Subd. 16 (1988)

Minn. Stat. 152.15, Subd. 2, Cl.5 (1988)

Minn. Stat. 609.0331 (1988)