

2018

**TRIAL COURT
CASE 2
STATE OF MINNESOTA V. WILLOW**

CASE MATERIALS

Issues involving Free Speech and Drugs

FACTUAL BACKGROUND

After school on Tuesday, March 8, 2017, Vice Principal Cameron Addison spotted Chris Willow distributing the underground newspaper called Outside Voices on the New Prague High School Campus. Even having earned very good grades, Chris had dropped out of New Prague High last December after turning eighteen years old. The year before Chris dropped out, Chris had been suspended for smoking marijuana on campus.

Chris was passing out copies of the newspaper and speaking to seven or eight high school students ranging from freshmen to seniors. The Vice Principal could not hear everything Chris was saying, but Addison did hear the phrases, “Give yourself an alternative to the boring school newspaper - read this and spice up your life.”

Chris stopped talking as soon as Addison approached the group. The Vice Principal went up to Chris and said that only authorized people were allowed on campus and that Chris would have to leave. Chris said, “This is a free country! I’m not doing anything wrong!” but agreed to leave after spitefully throwing the rest of the newspapers all over the ground. The Civics teacher, Jody Sills, saw the entire episode from the teacher’s office on the second floor.

Addison picked up the newspapers and was about to throw them away when this article caught the Vice Principal’s attention:

COMMENTARY

WHAT’S HAPPENING!!! “Spice Use: Living Life to the Fullest.”

By Chris Willow

Do you want to stop wasting your youth and start having fun? I was in your shoes one short year ago and then I started really living!! I found the answer to all your problems: SPICE!!! You too will start feeling like you belong; you’ll make new friends, you’ll feel like you can do ANYTHING!!! Discover the answer that millions of kids, athletes, movie stars and even parents have found. JUST SAY “YES” TO SOME REALLY RAD STUFF!!!

As usual, your parents, teachers and even the president have lied to you. SPICE ISN’T HARMFUL . . . IT’S JUST PLAIN FUN!!! They just want to stop us from having a good time, AS USUAL! I’ll prove to you that all the adult hype about how dangerous SPICE is, is completely bogus. Come see me and you’ll learn—and I’m not talking book learning—REALLY LEARN, how to live life to the fullest.

Come talk to me at my “office” next to Sandra’s Pizza Place on Thursday around 7:30 p.m. See about getting a subscription to this newspaper and the “fringe benefits” that get thrown in with the deal. (Much better than the “chemistry” you get in school!) I’ll show you how you can really start living (even flying!) with NO PROBLEM from your parents or the law or no big outlay of cash.

DON’T PASS UP THIS OPPORTUNITY!! IT’S YOUR CHOICE!!! ARE YOU READY TO SAY GOODBYE TO YOUR BORING, NOWHERE LIFE AND HELLO TO THE REST OF YOUR LIFE?

Vice Principal Addison was furious after reading this article and hearing what Chris had said to the students. Addison had no doubt that Chris was advertising to sell drugs to New Prague students with this article and his earlier harangue to the students. The Vice Principal did not want this kind of influence to affect the New Prague student body, so Addison contacted the police and told them about the article, what Chris had said and what Addison suspected they meant.

The police assigned Officer Dana Allen to the case. Officer Allen read the article, looked up Chris Willow's profile picture on myface.com and went to Sandra's Pizza Place the following Thursday night. The police officer knew exactly where it was. Over the last few years Officer Allen had made several arrests for drug use and sale at this spot.

Officer Allen hid behind a parked car about thirty feet away and watched Chris and several other people engage in suspicious behavior. Allen could hear and see almost everything even though it was already dark and the only light came from a street lamp. Chris was standing near a car with the trunk open. The officer could see that there were some newspapers in the trunk. At first Chris was talking to three unidentifiable people who looked as if they were about thirteen or fourteen years old. They walked away soon after Officer Allen began watching.

Someone who was later identified by the officer as Leslie Osbourne walked up and talked with Chris for a little while. Leslie gave Chris a couple of dollars. Then Chris, who was right-handed, wrote something down in a little blue notebook. After this transaction Leslie walked away and ran into someone later identified by the officer as Nickie Dean. Leslie and Nickie stood around talking about twenty feet away from Chris.

About ten minutes later someone subsequently identified by the officer as Jesse Anderson approached Chris. They whispered for a while and then began to argue about something. Officer Allen could not hear everything they were saying and Jesse eventually stomped off. About five minutes later, someone later identified by the officer as Alex Emery walked up to Chris. Officer Allen saw Alex give Chris some money and Chris made a note in the blue notebook. Chris then put what looked like a packet of synthetic marijuana into the blue notebook and handed it to Alex.

Based on what the police officer just saw and the background information surrounding the case, Officer Allen decided to arrest Chris Willow and Alex Emery. Officer Allen approached Chris and Alex. When the officer approached them Alex quickly tossed the notebook back to Chris. The officer said, "I am a police officer and you are both under arrest for violating Minnesota law." Chris and Alex started to run away and Officer Allen ran after them. Officer Allen saw Chris toss the notebook into the bushes but did not have time to stop and look for it. A truck blocked the alley, so Chris and Alex couldn't run any further. Officer Allen caught, arrested and Mirandized Chris and Alex, both of whom declined to make any statements. Allen then immediately radioed back-up officers for assistance.

When the back-up officers arrived, Officer Allen turned Chris and Alex over to them and went to inspect the bushes adjacent to the parking lot of Sandra's Pizza Place and the trunk of Chris' car. Officer Allen found a packet of spice wrapped with a blue rubber band under a branch in the bush. Approximately a foot away from the packet of spice, Officer Allen found the blue notebook and next to it a key which turned out to be the key to the trunk of Chris' car. The

notebook looked brand new and only the first page had writing on it. The following information was found on that page:

<u>Name</u>	<u>Amount Paid</u>	<u>Phone Number</u>
Jesse Anderson		
Leslie Osbourne	\$ 4.00	555-0714
Alex Emery	\$ 30.00	555-9665

Chris was also found carrying about sixty dollars in small bills.

The officer also looked into the open trunk of Chris Willow's car, which Chris referred to as the "office." A half empty box of blue rubber bands was in plain view, which the officer then seized. After some investigation it was discovered that Chris Willow secured copies of Outside Voices with blue rubber bands. All of the items were examined for fingerprints but none of the prints were clear enough to make a positive identification.

CHARGES

The prosecution is charging Chris Willow with two charges (counts):

1. Felony - Inducing a minor to take drugs (Minnesota Statutes Section 11353).
2. Felony - Selling a controlled substance or an analog of a controlled substance (Minnesota Statutes Section 11352).

In the pretrial motion the defense will argue that Chris' First Amendment rights prevent Chris from being prosecuted on the first charge (or count). If the defense prevails on the pretrial motion, in this competition, the only charge at trial will be for selling drugs. If the judge rules in favor of the prosecution, both charges (1 and 2) will be decided during the trial. The seizure of evidence from the trunk, in plain view of the officer, is not at issue in this case. Whether or not (a) marijuana is a controlled substance or (b) synthetic marijuana is an "analog" of a controlled substance are not issues in this case.

DESCRIPTION OF THE CHARGES

Adult Inducing a Minor to Take Drugs Minnesota Criminal Code, Section 11353

Every person 18 years of age or over who in any voluntary manner solicits, induces, encourages, or intimidates any minor with the intent that the minor shall violate any provision of this chapter... shall be punished by imprisonment in the state prison for a period of three, five or seven years.

Jury instructions regarding the charge

The defendant is charged with soliciting, inducing, encouraging or intimidating a minor to take a controlled substance or an analog of a controlled substance, in violation of Minnesota Statutes.

To prove the defendant guilty, the prosecution must prove that:

- (a) Defendant was 18 years of age or older;
- (b) Defendant solicited, induced, encouraged or intimidated another person to take a controlled substance or an analog of a controlled substance; and
- (c) That the target of defendant's actions was a minor, under the age of 18.

Selling a Controlled Substance or an Analog of a Controlled Substance Minnesota Criminal Code, Section 11352

Every person who transports, imports into this state, sells, furnishes, administers, or gives away (or attempts to do any of the foregoing) any prohibited controlled substance or analog of a prohibited controlled substance (unless upon the written prescription of a physician, dentist, podiatrist or veterinarian licensed to practice in this state) shall be punished by imprisonment in the state prison for three, four or five years.

Jury instructions regarding the charge

The defendant is charged with selling or furnishing an analog of a controlled substance, in violation of Minnesota statutes.

To prove that the defendant is guilty, the Prosecution must prove:

1. The defendant sold or attempted to sell a controlled substance or an analog of a controlled substance;
2. That the defendant knew of the substance's nature or character as a controlled substance or as an analog of a controlled substance;
3. The controlled substance or analog of a controlled substance in question was synthetic marijuana (an analog of marijuana); and
4. The controlled substance or analog of a controlled substance was in a usable amount.

Selling for the purpose of this instruction means exchanging a controlled substance or an analog of a controlled substance for money, services, or anything of value.

A usable amount is a quantity that is enough to be used by someone as a controlled substance. Useless traces or debris are not usable amounts. On the other hand, a usable amount does not have to be enough, in either amount or strength, to affect the user.

The State does not need to prove that the defendant knew which specific controlled substance or analog of a controlled substance that the defendant sold/furnished/administered

A person does not have to actually hold or touch something to sell it or furnish it or give it away. It is enough if the person has control over it or the right to control it.

STIPULATIONS

Both sides stipulate to (agree and admit) the facts that:

- 1) A half empty box of blue rubber bands was found in the trunk of Chris' car.
- 2) Synthetic marijuana found in the packet which was retrieved from the bushes and verified by chemical analysis.
- 3) The car was registered to Chris Willow.
- 4) Marijuana is a "controlled substance" for purposes of the statute.
5. The synthetic marijuana found is an "analog" of a controlled substance, for purposes of the statute.

WITNESS STATEMENT
Prosecution Witness
Dana Allen

1 My name is Dana Allen. I am thirty-two years old- I have been an investigator for the New
2 Prague Police Department for six years. For the past two years I have specialized in undercover
3 narcotics, especially the sale of synthetic marijuana.

4 On March 8, 2017 I was assigned to investigate a possible drug sale alluded to in a newspaper
5 article in Outside Voices. On Thursday, March 10, 2017, at about 7:30 p.m., I went to the spot
6 identified in the newspaper article which was the parking lot adjacent to Sandra's Pizza Place, a
7 well-known spot for drug transactions in town. I've made several arrests for sale or possession of
8 drugs there during the past two years.

9 I hid behind a parked car and identified Chris Willow from his myface.com profile picture. I was
10 about thirty feet away and could see everything clearly. When I first arrived the suspect was
11 standing near a parked car, reaching into an open trunk. Willow was talking to three thirteen or
12 fourteen year-olds. Willow was saying things like, "Hey, just try it and I guarantee it will change
13 your life." I didn't get a good look at these three kids so I was unable to question them later.
14 Then Leslie Osbourne walked up to Willow. I could hear almost everything that was said.
15 Osbourne gave the suspect some money, then Willow wrote something down in a small blue
16 notebook. As Osbourne walked away Osbourne said something about looking forward to getting
17 something from Willow. Osbourne was about to leave the parking lot but ran into Nickie Dean
18 and the two of them stood around talking.

19 About ten minutes later, Jesse Anderson came up to the suspect. Anderson handed Willow some
20 money and said, "Where's the stuff?" Willow looked through the notebook and said, "I don't
21 have anything for you." Anderson got very angry and called the suspect a liar. Anderson yelled
22 that if Willow did not give "it" to Anderson for the ten dollars, Willow would be really sorry.
23 Willow refused to give Anderson anything. Anderson unsuccessfully tried to grab Willow's blue
24 notebook and then stormed away angrily.

25 At 8:00 p.m. Alex Emery walked out of the side door of Sandra's Pizza Place. The suspect
26 looked happy to see Emery. Emery gave Willow some money, Willow made a note in the blue
27 notebook and put what looked like a packet of spice (synthetic marijuana) inside the notebook
28 and handed it to Emery. After I witnessed this transaction I approached the two of them. Before I
29 identified myself as a police officer Alex quickly handed Chris the blue notebook. Then I told
30 them that I was a police officer and that they were under arrest.

31 As soon as I identified myself as a police officer they started to run towards the alley. Adjacent to
32 the parking lot there were some bushes. Willow was slightly ahead of Emery and I was behind
33 Emery. I saw Willow pull out the notebook and toss it into the bushes. I had no time to go
34 looking through the bushes so I continued after Willow and Emery. A vehicle was blocking the
35 alley, cornering Willow and Emery. I arrested them and read them their Miranda rights. Both
36 declined to make any statements.

37 I turned Willow and Emery over to the back-up officers and searched the bushes where I saw
38 Willow toss the notebook, and then the trunk of Willow's car. I found the spice packet with a

39 blue rubber band wrapped around it under one of the branches in the bush. Approximately a foot
40 away I found the notebook and the key to the trunk of Willow's car. In Willow's car trunk I
41 found a half empty box of blue rubber bands and several copies of the newspaper.

WITNESS STATEMENT
Prosecution Witness
Cameron Addison

1 My name is Cameron Addison. I am forty-two years old. I have been a teacher and Vice
2 Principal at New Prague High School for eleven years.

3 Chris Willow attended New Prague High School for two years before dropping out last
4 December after turning eighteen. I do not think that Chris is a bad kid, but Chris caused a lot of
5 trouble at New Prague High. Chris was in my office at least two or three times a month for
6 disrupting classes, harassing teachers and students, and cheating. Chris was suspended once for
7 smoking marijuana on campus grounds. I was disappointed when Chris dropped out but, given
8 Chris' inability to take advantage of what New Prague High had to offer, I suppose it was the
9 best thing.

10 One of my duties as Vice Principal is to review the articles to be published in the school
11 newspaper. The last article that Chris wrote advocated drug use and even allegedly polled some
12 of the students and teachers who extolled the virtues of drug use. I told Chris that this article was
13 inappropriate for a school newspaper but I suggested that, if Chris was so interested in drugs,
14 Chris could write an opinion piece discussing the pros and cons of legalizing drugs. I remember
15 Chris saying something about not wanting to do some stupid opinion piece instead of a story that
16 would really get kids to experience the joys of drugs. Chris rejected the idea and threatened to
17 drop out if the article was not printed. The next thing I heard was that Chris had dropped out.

18 On Tuesday, March 8, 2017 at about 3:30 p.m. I was walking from the administration building to
19 my car in the parking lot when I saw Chris passing out copies of Outside Voices and telling
20 seven or eight kids how much better Outside Voices was than the school newspaper. I heard
21 Chris tell them to listen to his special offer to "spice up" their lives.

22 As I walked towards the group Chris stopped speaking and the crowd dispersed. I went up to
23 Chris and said that unauthorized persons were unwelcome on the New Prague campus and I
24 would call the police if Chris did not voluntarily leave. Chris mumbled something about First
25 Amendment rights but turned to leave anyway. As Chris walked away Chris threw the rest of the
26 newspapers onto the ground.

27 I was just glad that Chris left and decided to pick up the scattered newspapers. When I saw the
28 headline that said, "Spice Use: Living Life to the Fullest," I decided to read the paper cover to
29 cover to see what trash Chris had written. It became clear to me that Chris was Using this paper
30 to advertise drugs. I was so enraged and afraid of the effect this newspaper-could have on my
31 students that I contacted the New Prague Police Department and demanded that they investigate
32 this possibility. I was not in the least surprised that Chris was arrested for selling drugs.

WITNESS STATEMENT
Prosecution Witness
Leslie Osbourne

1 My name is Leslie Osbourne. I am sixteen years old. I am a sophomore at New Prague High.

2 I don't really know Chris Willow, but I've seen Chris around on campus. I read a copy of
3 Outside Voices and I thought it was really funny. I went to see what Chris had to say on
4 Thursday night, March 10, 2017. I decided to get a two month subscription for four dollars. I
5 gave Chris the four dollars, and Chris wrote my name down in the notebook and told me I would
6 be receiving the next issue soon.

7 As I was leaving I saw my friend Nickie Dean and we stood around talking for a while. If I
8 looked to the side I could see Chris and the other people who walked up to Chris. I could see
9 everything but I could only hear part of what was being said. I was only half paying attention
10 because I was involved with my conversation with Nickie.

11 I saw Jesse Anderson go up to Chris and I was vaguely aware that they were arguing about
12 something. There was no punching or anything like that so I didn't really concern myself with
13 the whole thing.

14 A little while later I saw Alex Emery go up to Chris. I couldn't hear what they were really saying
15 but I did see Alex give Chris several dollars and Chris put some sort of packet into the blue
16 notebook and handed it to Alex. I wasn't surprised because Chris is known around school as a
17 good "connection" for buying drugs. I was kind of surprised that Alex was buying because I
18 thought Alex wasn't into that stuff.

19 All of a sudden Officer Allen appeared and Chris and Alex took off. I saw Chris throw the
20 notebook into the bushes. After Chris, Alex and Officer Allen had run away I went to the bushes
21 to look for the notebook. I didn't take anything but I did see the notebook and a key. I also saw a
22 little plastic packet, but I don't remember any blue rubber band around it. It was dark and I
23 couldn't see that well but I don't think anything else was in the bushes. I didn't want to hang
24 around too long, because I figured the police would be back soon. So I left and went home.

WITNESS STATEMENT
Prosecution Witness
Jesse Anderson

1 My name is Jesse Anderson. I am seventeen years old. I am a junior at New Prague High. I knew
2 Chris Willow when we started at New Prague High School. I've never really liked Chris, we
3 don't have much in common. I never used drugs before, mainly because they were too expensive,
4 but the newspaper made it sound like Chris was practically giving them away. I have never
5 bought from Chris before but I have friends who have.

6 On Wednesday, March 9, 2017 I arranged to buy some spice from Chris. Chris was willing to
7 sell some for seventeen dollars. Fifteen for the stuff and two for a subscription to the stupid
8 newspaper. I said I'd give Chris fifteen but I didn't want the newspaper. Chris agreed but
9 demanded five dollars up front. I gave Chris the five dollars and said that I'd bring ten to
10 Sandra's Pizza Place the next night at the usual meeting place for this type of deal.

11 I got there at about quarter to eight. I handed Chris the ten dollars but Chris looked in the
12 notebook and said I owed seventeen. I got angry and told Chris that I thought we had decided on
13 fifteen and that I put up five bucks yesterday. Chris claimed that no such deal was made and
14 refused to give me the spice. I knew that Chris was doing this because I wouldn't buy the dumb
15 subscription. I agreed to give Chris twelve dollars but Chris still wouldn't give me the stuff. I
16 was getting angrier and angrier and demanded my five dollars back. Chris still denied knowing
17 anything about it. I grabbed at Chris' blue notebook, to prove that I'd already paid five dollars,
18 but I could not get it. I was so angry that I told Chris I would get even somehow and I left.

19 After I left Chris I hung out near the alley. I was there for about half an hour when all of a
20 sudden I saw Officer Allen chasing Chris and Alex. While Chris and Alex were being arrested I
21 saw Leslie Osbourne check out the bushes. I didn't see anything else, just Chris and Alex being
22 chased and Leslie going to the bushes.

WITNESS STATEMENT
Defense Witness
Chris Willow

1 My name is Chris Willow. I am eighteen years old. I attended New Prague High School for two
2 and a half years before I decided to drop out in December. I dropped out because I was wasting
3 my life in high school. The faculty and administration stifled my creative talents and I thought I
4 could learn more on my own.

5 Since I dropped out I have been living with my mother and working on my newspaper, Outside
6 Voices. My newspaper does advocate drug use but I do not use drugs now and the whole thing is
7 more of a hype to sell the newspaper than anything else. I just wanted to print a newspaper
8 people would buy so I wouldn't have to get a regular, boring job. I figured the drug stuff would
9 at least interest people enough to come to the parking lot next to Sandra's to listen to me pitch the
10 newspaper. I never intended to sell drugs and if people got the wrong impression from my article
11 I'm sorry.

12 On Tuesday afternoon, March 8, 2017 at about 3:30 I was distributing my newspaper to some of
13 the high school students. All of sudden Vice Principal Addison came out of nowhere yelling and
14 screaming at me to get off the campus. I told Vice Principal Addison that I had a right to be there
15 and I wasn't causing any trouble but Addison just threatened and ranted about calling the police
16 if I didn't leave. Addison's been out to get me for years ever since I was suspended for protesting
17 the arbitrary drug policies by using a little marijuana. So I decided to leave, but I was mad so I
18 threw the rest of the papers I was carrying on the ground. Served Addison right for making such
19 a fuss over nothing.

20 On Thursday, March 10, 2017 I arrived in the parking lot next to Sandra's Pizza Place at about
21 7:15 p.m. I got out of my car and opened up the trunk, which I call my office, and set up shop.
22 When I first got there three kids, about thirteen years old, came up to me and asked me some
23 questions. They didn't stay very long and I'm not sure who they were. Leslie Osbourne came up
24 to me at about 7:30. Leslie asked me some questions about the newspaper and said that it was
25 really funny. Leslie gave me four dollars which is the price for a two month subscription. I
26 entered Leslie's name and the amount paid into the notebook I had just bought so I could keep
27 track of the subscriptions.

28 About fifteen minutes later Jesse Anderson showed up. Jesse and I have practically been arch
29 enemies since the beginning of high school. Jesse's a real druggie and has become really
30 paranoid over the last couple of months. Jesse would do anything to get drugs. Jesse shoved ten
31 dollars in my face and demanded some spice, I told Jesse that I only sold newspapers, no drugs.
32 This made Jesse really angry and Jesse said I was lying, that I had drugs to sell and I wouldn't
33 sell any because I didn't like Jesse. Then Jesse started raving about five dollars Jesse supposedly
34 gave me the day before. I told Jesse that someone else must have taken the five bucks during one
35 of Jesse's drug trips. After trying to grab my notebook Jesse finally gave up and left.

36 A little while later Alex Emery came up to me. Alex had been selling subscriptions and handed
37 me thirty dollars that had been collected. I recorded the amount in my book. I had told Alex that
38 if enough subscriptions were sold I would let Alex write for my newspaper. I was really happy

39 that Alex sold so many subscriptions so I put the key to the trunk of my car inside the notebook
40 and handed it to Alex. I told Alex to start work Friday after school and compile a list from the
41 names in the notebook so that we would know who was getting a copy of Outside Voices. After I
42 handed Alex the notebook Officer Allen came up to us. When the Officer came up to us I guess
43 Alex got scared and handed the notebook back to me. I suppose Alex thought that I'd protect the
44 subscribers' anonymity in case anything was up.

45 Officer Allen told us that we were under arrest. Just as a reflex action we began to run. I was
46 afraid that we'd been framed for something. It did not even occur to me that our transaction
47 looked like a drug deal. I was just afraid, I wasn't running because I thought I had done
48 something wrong. As I was running I remembered the notebook with the names and phone
49 numbers of my customers so I decided to throw the notebook into the bushes to protect the new
50 subscribers in case we got in trouble. I know it was a stupid thing to do but I just was not
51 thinking. Of course Officer Allen caught us immediately and arrested us.

WITNESS STATEMENT
Defense Witness
Alex Emery

1 My name is Alex Emery. I am eighteen years old. I attend New Prague High. Next year will be
2 my last year.

3 Chris Willow is my best friend. I think Outside Voices is great and I really wanted to write some
4 articles for it. Chris said that if I sold enough subscriptions I could write a couple of articles but I
5 couldn't share in the profits. I agreed to do it. I spent the whole week trying to convince people to
6 subscribe and I did pretty well. I sold seven two-month subscriptions and one one-month
7 subscription.

8 I met Chris next to Sandra's Pizza Place on Thursday, March 10 at about 8:00 p.m. I gave Chris
9 the thirty dollars I collected and Chris put the key to the "office" into the blue notebook and told
10 me to start work on Friday by compiling a list of the names and phone numbers of the
11 subscribers.

12 I was so scared when Officer Allen came up to us that I just passed the notebook back to Chris
13 and ran off as soon as Officer Allen said we were under arrest. I didn't even think about it. While
14 Chris and I were running I saw Chris throw the notebook into the bushes. Officer Allen caught us
15 less than a minute later and arrested us.

WITNESS STATEMENT
Defense Witness
Nickie Dean

1 My name is Nickie Dean. I am sixteen years old. I am a sophomore at New Prague High.

2 As I was leaving Sandra's Pizza Place at about 7:30 p.m. on Thursday night, March 10, 2017, I
3 ran into Leslie Osbourne whom I know from my English class. Both Leslie and I were standing
4 so that if we looked to our side we could see Chris Willow. I had never met Chris before, but I
5 knew about Chris' reputation as a troublemaker at New Prague High. That night I didn't know
6 that the person in the lot with us was Chris Willow. I was wondering what Chris was up to so I
7 watched everything that happened in the parking lot.

8 I saw Jesse Anderson go up to Chris and it was obvious that they were arguing. Something about
9 fifteen dollars and "the stuff." Jesse was getting really angry and I thought Jesse might punch
10 Chris but Jesse just finally ended up leaving.

11 A little while later I saw Alex Emery go up to Chris. Alex had tried to sell me a subscription to
12 Outside Voices the day before but I didn't want anything to do with it. I could hear almost
13 everything that they were saying, something about keys and subscriptions. I saw Alex give Chris
14 some money, and Chris put a key into the blue notebook and handed it to Alex.

15 All of a sudden Officer Allen appeared and Chris and Alex took off. I saw Chris throw what
16 looked like the notebook into the bushes. I didn't want to get involved with whatever was
17 happening so I just went home.

WITNESS STATEMENT
Defense Witness
Jody Sills

1 My name is Jody Sill. I am twenty-seven years old. I have taught at New Prague High for two
2 years, but this is my last year. I am really tired of seeing good kids like Chris Willow completely
3 ignored and abused by this school system.

4 On Tuesday afternoon, March 8, 2017 I heard a big commotion outside my office window. My
5 office is on the second floor so I could see and hear everything that was going on. Chris was
6 passing out newspapers and saying things like, "Give yourself an alternative to the boring school
7 newspaper, read this and spice up your life." I hadn't seen Chris since last December so I was
8 glad that Chris was still active with the newspaper. Vice Principal Addison went up to Chris and
9 told Chris to immediately get off the campus or Addison would call the police. Chris mumbled
10 something at the Vice Principal and then threw the rest of the newspapers on the ground and left.

11 Chris Willow was a student in my civics class last year. It was hard to get Chris to attend my
12 class but when Chris was there Chris really contributed to class discussions and I could tell that a
13 lot of thought went into Chris' comments. Most of my students like and trust me, so I get to
14 know them better than most of the other teachers. Chris would stay after school and talk to me
15 about what was going on.

16 Chris came to me last December and told me about the problems Chris was having with Vice
17 Principal Addison. I read the article that Addison rejected and, although there were some
18 unacceptable parts, I felt that it could have been turned into a decent newspaper article.

19 I have never seen Chris intoxicated. I think that Chris likes to shock people and that was the
20 primary reason for writing the article printed in Outside Voices. Chris did similar things in my
21 civics class and it had a good effect on student discussions. In all my years as a teacher, I have
22 never met a kid like Chris, someone who fights for what they believe. Even when suspended for
23 smoking marijuana, Chris was trying to make a point. We had just finished a unit on civil
24 disobedience and, given Chris' beliefs about drugs, Chris felt it was a duty to protest against the
25 school policies and the law. It's a real shame that Chris dropped out. Although I certainly don't
26 condone drug use or Chris' behavior, Chris is a very bright kid. Had the school system been
27 devoted to teaching and reaching the kids, instead of babysitting them, Chris would have stayed
28 in school and perhaps gone on to college.

PHYSICAL EVIDENCE

Only the following physical evidence may be introduced at trial:

1. The handwritten page from a notebook (attached)
2. The newspaper article (attached).
3. A map of the scene (attached)
4. The key to the trunk of Chris' car.

Exhibit ____

[handwritten page from a notebook]

<u>Name</u>	<u>Amount Paid</u>	<u>Phone Number</u>
Jesse Anderson		
Leslie Osbourne	\$ 4.00	555-0714
Alex Emery	\$ 30.00	555-9665

Exhibit __
[Newspaper Article]

COMMENTARY

WHAT'S HAPPENING!!! "Spice Use: Living Life to the Fullest."

By Chris Willow

Do you want to stop wasting your youth and start having fun? I was in your shoes one short year ago and then I started really living!! I found the answer to all your problems: SPICE!!! You too will start feeling like you belong; you'll make new friends, you'll feel like you can do ANYTHING!!! Discover the answer that millions of kids, athletes, movie stars and even parents have found. JUST SAY "YES" TO SOME REALLY RAD STUFF!!!

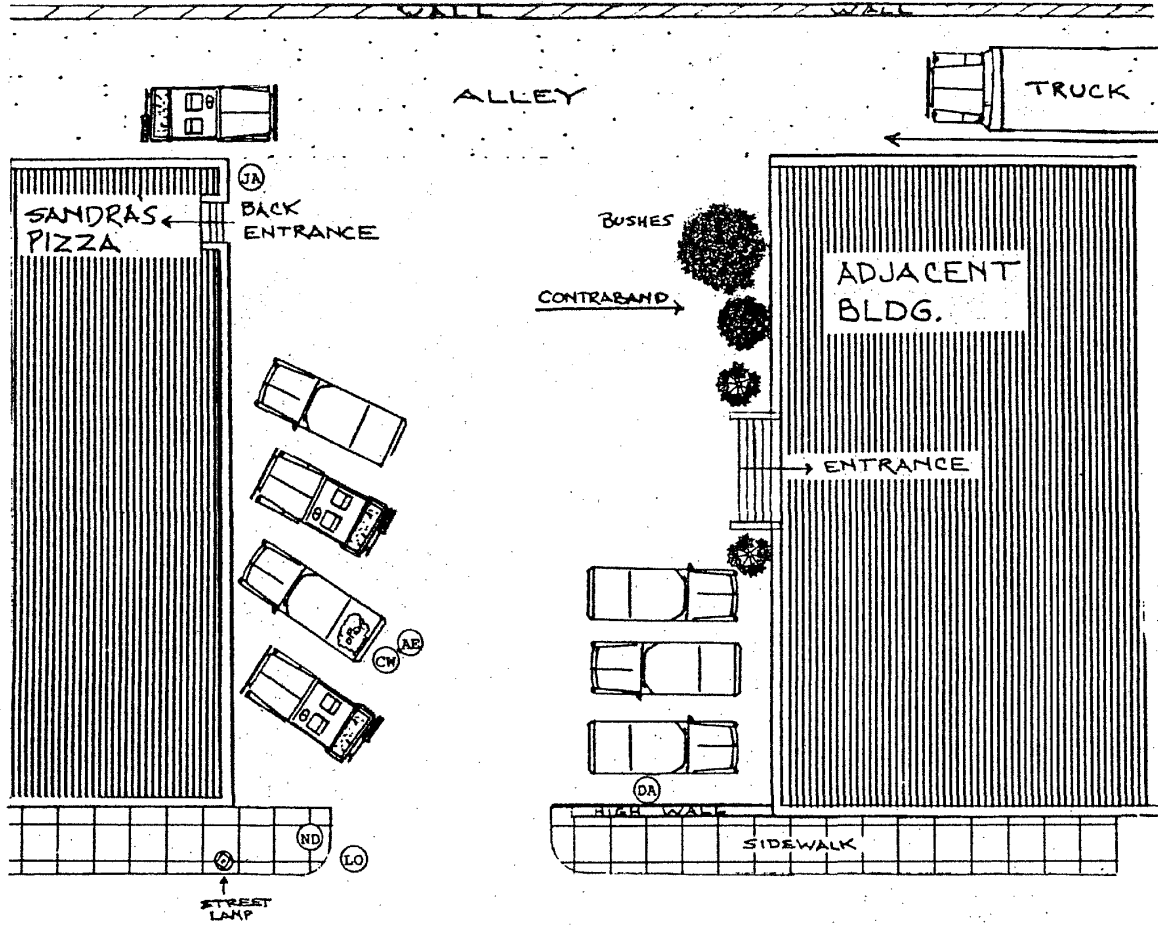
As usual, your parents, teachers and even the president have lied to you. SPICE ISN'T HARMFUL . . . IT'S JUST PLAIN FUN!!! They just want to stop us from having a good time, AS USUAL! I'll prove to you that all the adult hype about how dangerous SPICE is, is completely bogus. Come see me and you'll learn—and I'm not talking book learning—REALLY LEARN, how to live life to the fullest.

Come talk to me at my "office" next to Sandra's Pizza Place on Thursday around 7:30 p.m. See about getting a subscription to this newspaper and the "fringe benefits" that get thrown in with the deal. (Much better than the "chemistry" you get in school!) I'll show you how you can really start living (even flying!) with NO PROBLEM from your parents or the law or no big outlay of cash.

DON'T PASS UP THIS OPPORTUNITY!! IT'S YOUR CHOICE!!! ARE YOU READY TO SAY GOODBYE TO YOUR BORING, NOWHERE LIFE AND HELLO TO THE REST OF YOUR LIFE?

Exhibit __
 [Map of the Scene]

OFFICIAL DIAGRAM



Legend

- (DA) -- Dana Allen
- (JA) -- Jesse Anderson
- (ND) -- Nickie Dean
- (AE) -- Alex Emery
- (LO) -- Leslie Osbourne
- (CW) -- Chris Willow

For use at Trial, refer to The Rules of Competition (Section III, Conduct of the Trial, Rule 19).

