



2018 Youth Law Fair

**Saturday, March 17, 2018
9:30 a.m. - 2:30 p.m.**

**H. Carl Moultrie Courthouse
500 Indiana Avenue NW, Washington, DC 20005**



2018 Youth Law Fair Program

Rally vs. Riot: When Words Ignite

Saturday, March 17, 2018
H. Carl Moultrie Courthouse

9:30 a.m.

Registration is open! [1st Floor Atrium]

10:00 a.m. – 10:45 a.m.

Courtroom Tours [3rd Floor Exhibitor's hall]

10:00 a.m. – 1:30 p.m.

Law and Education Related Exhibits [3rd Floor Exhibitor's hall]

10:45 a.m. – 11:30 a.m.

Opening Speak Out Session [3rd Floor Atrium]

DC Courts Welcome remarks: Chief Judge Robert E. Morin

DC Bar Welcome remarks: Patrick McGlone

11:30 a.m. – 1:00 p.m.

Mock Trial Sessions [3rd Floor Courtrooms]

1:00 p.m. – 1:45 p.m.

Students Lunch [3rd Floor Atrium]

Do not forget to fill & submit the quiz to get in the prize raffle!

1:45 p.m. – 2:30 p.m.

Closing Speak Out Session [3rd Floor Atrium]
& big raffle!

2018 Youth Fair Mock Trial Problem

At the start of the fall semester, GetAlong High School decided to host an open public forum for representatives from student organizations to introduce themselves and their focus to the entering freshman class. In light of recent free speech incidents on other campuses, the school also announced that it would vet the organizations when their representatives went to sign up, in order to ensure the event did not end up as a forum for hate (or other unprotected) speech. Sign-ups were to be conducted with the school's secretary—Rosa Parker—two weeks before the event. Unfortunately, on the day of sign-up, Ms. Parker suddenly became ill and had to leave school. The temp agency replacement sent to fill-in for Ms. Parker did not know the school. As a result, no organizations were vetted before the school's forum event.

Sign-ups for the events included Theresa Marshall, as president of the school's Underrepresented Minorities Union (UMU, formerly the Black Student Union). The UMU organization represented, and provided a safe space for discussions by the school's Black and Latino students. Marshall was a senior and had been president of the organization for the last two years. However, given the recent social-political tensions being aired on campuses nationally, her organization saw an increase in both membership and issues of interest. Accordingly, Marshall signed-up to speak at the school's forum on these issues largely affecting Latino/a and Black students.

Theresa had always been interested in law school. As a result, she worked hard to obtain an academic and personal record that would make her an attractive applicant for a good undergraduate, and then law school. Her hard work paid off and, a week before the forum, Theresa was accepted to the prestigious Georgetown University. She was accepted on early admission, and with a full scholarship.

Danny Dumpster was also a senior at the school, and president of the newly formed "Students for A Return to America's Past Again" organization. Danny signed up to speak during the school's forum in hopes of gaining recruits for this new organization. Ms. Parker knew Danny; she knew he was an outspoken opponent of Deferred Action for Childhood Arrivals (DACA) and similar URM (Under Represented Minorities) issues. Danny was considering a career in politics like his father, however, he had no college acceptances at that time.

On the day of the forum, the group's order of presentation was to be random. As a result, Theresa and Danny went next to last, and last, respectively. Theresa rose to speak; from the start, she appeared poised, polite, and respectful in presenting her organization's goals and interests. However, when she began speaking about their intended efforts at supporting DACA and like political concerns, Danny began to heckle her. Specifically, he began to loudly chant "send them back; build the wall and send them back." This chant caught on among his supporters in the audience and they began to chant too. This only made Theresa's supporters push back with a chorus of "Dump Dumpster." Concerned that her message had been lost and that things would worsen if the forum continued, Theresa turned from the podium to leave the stage. As she descended the stairs into a rowdy crowd, she was jostled and struck the school's security officer, Alexander Smirnov, in his jaw.

The school's Security Officer, Alexander Smirnov, was duly licensed by Pinkerton Security. He had worked as a security officer for 10 years, but started at GetAlong High only three months ago. He had no prior interactions with Theresa or Danny. Officer Smirnov was wearing his uniform on the day of the forum. He did not see Theresa fall, and so when she struck him he assumed it was an intended assault. Officer Smirnov immediately detained and arrested Theresa, telling her to submit peacefully. Theresa, because she neither heard nor comprehended his heavily accented command over the roar of the crowd, tried to flee. Unsuccessful, she was apprehended, arrested, and charged with the following offenses: 1) Disturbing the Peace, 2) Assault on a Police Officer, and 3) Resisting Arrest. After hearing of the arrest from a local news broadcast, Georgetown University informed Theresa that she would lose her scholarship if she was found guilty on all three charges.

**FOR PURPOSES OF THIS TRIAL, THE FOLLOWING LAWS AND
LEGAL DEFINITIONS APPLY**

A. LEGAL DEFINITIONS:

"First Amendment Protected Speech" does not include hate speech, defined as speech which attacks a person or group on the basis of attributes such as race, religion, sexual orientation, or ethnic origin.

"Law Enforcement Officer" shall mean any officer or member of any police force operating and authorized to act in the District of Columbia, including any licensed special police officer by a private security company.

"Justifiable and Excusable Cause" for a person to use force to resist an arrest, shall not be found when such an arrest is made by an individual he or she has reason to believe is a law enforcement officer, whether or not such arrest is lawful.

B. OFFENSES CHARGED:

1) § 22-405. ASSAULT ON MEMBER OF POLICE FORCE.

It shall be unlawful for any person to, without justifiable and excusable cause, to assault a law enforcement officer on account of, or while that law enforcement officer is engaged in the performance of his or her official duties.

2) § 22-405.01. RESISTING ARREST.

It shall be unlawful for any person to, without justifiable and excusable cause, intentionally resist an arrest by an individual who he or she has reason to believe is a law enforcement officer.

3) § 22-1321. DISORDERLY CONDUCT.

It shall be unlawful for a person to engage in hate speech, and/or threatening, or abusive language, with the intent and effect of impeding or disrupting the orderly conduct of a lawful public gathering, or similar proceeding.

C. OFFENSE PUNISHMENTS.

Any person found guilty of any of the above offenses, for each offense, shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned not more than 1 year or fined not more \$1,000, or both.

THE JURY SHALL DECIDE THE FOLLOWING ISSUES

1. Is Theresa Marshall guilty of assaulting Pinkerton Security Officer Alexander Smirnov?
2. Is Theresa Marshall guilty of resisting an arrest by Pinkerton Security Officer Smirnov?
3. Is Theresa Marshall guilty of disorderly conduct during the public form at GetALong High School, in Washington, D.C.?
4. Is Danny Dumpster guilty of disorderly conduct during the public form at GetALong High School, in Washington, D.C.?

WITNESS SCRIPT: THERESA MARSHALL

My name is Theresa Marshall and I am currently a senior at GetALong High. I am also the president of the school's Underrepresented Minorities Union (UMU). The UMU works to provide a safe space for discussions by the school's Black and Latino students. Although historically UMU has been only moderately active, I'd say that since the last presidential election things have heated up. Our membership is the largest it has ever been during my work with it, and I consider myself the voice of our members. Because UMU now has so many active members, I signed up to speak on our issues at the school's forum.

I guess it was just the luck of the draw that had me speaking right before Dumpster. We were the last two forum speakers on that day. When I began to speak, I knew I was poised and I talked generally about the focus of our UMU organization, and some of the upcoming activities. One of the activities I mentioned, involved efforts to provide a safe place for DACA students. However, when I began to speak about these efforts, I suddenly heard him chanting from the speakers' table behind me "Send them back! Send them back! Build the wall and send them back!" This insulting chant caught on amongst Dumpster's supporters who also chanted. Because their heckling was so rude, my UMU supports (who are normally quite respectful) replied back chanting "Dump Dumpster."

I knew Dumpster from my PE classes. I knew he ran with a loud pack and that once they started heckling, it would not be easy to stop them with reason. I figured the best thing for me to do was to get off the stage and see if I could get my supporters to just peacefully leave the auditorium with me. I did not want the day to turn into anything like a riot. Unfortunately, as I started down the steps, I must have been pushed because I lost my footing and fell. To make matters worse, as I fell, I accidentally hit Officer Smirnov in the jaw as he stood facing (squinting) out towards the UMU crowd. Although I apologized immediately, explaining I had been pushed, he was clearly upset! He stood there, in his uniform, yelling something at me. Because of the loud crowd, and his heavy accent, I am not sure what he said. Then suddenly, he grabbed my wrists. I pulled back and he grabbed me harder. The next thing I knew, I was in handcuffs and under "arrest." He said, "you are under arrest for resisting arrest, assaulting a police officer, and disturbing the peace" through protest! It was horrible.

To make matters worse, because of the speed of social media, the Georgetown University's admissions officer called me to say she was sorry but it was the school's policy that it could not give scholarship

monies to students who receive/d a criminal conviction. She wished me luck with my trial and said that if I was convicted on all charges she would have to withdraw the full scholarship offer extended just a week earlier! I couldn't believe it! I have worked all my academic life to make good grades and help others so that I might one day attend Georgetown University, and later its prestigious law school! I'm a DACA recipient and without scholarship assistance I won't be able to afford college! It's all the fault of that mean-spirited Danny Dumpster and that near-sighted "rent-a-cop" Smirnov! Oh why did I ever try to assist my fellow UMU members so close to the end of my high school term. It must be true, "no good deed goes unpunished."

WITNESS SCRIPT: DANNY DUMPSTER

My name is Danny Dumpster, I am a senior at GetALong High, and I am the president of the newly formed "Students for A Return to America's Past Again" (SFRAPA) organization. Unlike Theresa, I don't have set plans for when I graduate. However, the guidance counselor said I should become an officer in a school organization in order to beef up my resume and make me more appealing to employers and maybe a college or two. I started my SFRAPA organization because my parents are big Trump supports and I like his message, it's catchy. I also like public speaking, and felt that as a new organization SFRAPA needed explaining so I signed up for the school's free speech forum.

I wasn't really sure what I was going to speak about so I left that portion of the application blank. So you can imagine my surprise when our forum application was accepted. I didn't really mind going after Marshall because, like I said, I still hadn't figured out what I was going to say. But when she started in with that DACA crap, I got so mad. Remembering what my dad chanted the night before, I began to chant: "send them back; build the wall and send them back." Who knew; before I knew it dad's chant caught on and all my followers were loudly screaming it! Ha, this made the UMU's furious though. They turned on us and started screaming back "Dump Dumpster!" That was so mean! Then, the next thing I knew, Marshall went off and hit Officer Smirnov in the jaw. It was a wild day at high school. I always liked Officer Smirnov. He was hard to understand sometimes, but he always treated me and my crew nice. He never hassled us or nothing. I don't think she should have hit him; that UMU crew is mean.

WITNESS SCRIPT: OFFICER ALEXANDER SMIRNOV

My name is Alexander Smirnov, and I am the school's security officer. I am a security guard licensed by Pinkerton Security. I wear the officer uniform and everything. I am only 5'1" so my uniform runs large on me; otherwise I look nice. I am a native of Russia. I came to the United States with my family when I was 12. I am now 55. I have a wife (Natasha) and two children. They attend Catholic school because I don't like the public high schools. I have worked as a security officer for 10 years. I have taken all their courses. I have worked at GetALong High School for three months. Although I have not had any prior's problems with Marshall before she hit me, her UMU members sometimes make me nervous. They speak Spanish really fast sometimes and it sounds like they are angry. My English is not so good so I am taking language classes at night to make it better. Although I don't know Dumpster except to speak with him in the hallways, he has a nice smile and he speaks slow.

On the day of the forum I was standing at the bottom of the stage steps, nearest the UMU crowd, because I didn't want trouble. The audience was getting loud, and people were pushing and shoving. Then suddenly, Marshall hit me in the jaw! I yelled at her "hey stop." "Why did you hit me?" She said nothing and fled. I caught up with her because the crowd was leaving. When I grabbed her, she looked surprised and asked me what I wanted. I told her she was under arrest for assaulting an officer. She said "what" and started to leave. Then I told her she was also under arrest for resisting arrest. I grabbed her and she yelled something to me in Spanish which—even though I don't speak Spanish—I knew wasn't very nice. I finally detained Theresa and charged her with: 1) assault on a police officer, 2) resisting arrest, and 3) disorderly conduct by inciting her UMU members to riot.

WITNESS SCRIPT: ROSA PARKER

At the start of fall semester, as the administrative assistant for GetALong High School, I decided that the School should host an open public forum for representatives from student organizations to introduce themselves and their focus to the entering freshman class. In light of recent free speech incidents on other campuses, I also announced that the School would screen the organizations that sign-up to ensure the event does not end up as a forum for hate (or other unprotected) speech. Signs-ups were to be conducted

through me. I had been with the School for over 20 years and I knew almost all the students there. I was born and raised in that neighborhood and I bet I knew half of their parents, and even their siblings. Even though I was hard of hearing and didn't get paid much, I still worked at the School as my way of giving back to a community that raised me.

But lately, I had seen the School take a turn. The students weren't getting along as well and so I thought the public forum would be a great way for the old students to introduce themselves to the new and for everyone to (hopefully) get along. To ensure that I would monitor the sign-up sheet to make sure organizations possibly promoting hate speech were not represented without caution. I knew Dumpster; and knew he was an outspoken opponent of DACA and similar UMU issues. He was a senior, whose recent rhetoric indicated he might be considering a career in politics like his father. He had no college prospects at that time. One thing was clear though, Dumpster and Marshall did not get along. So I was determined to keep those two apart.

Unfortunately, on the day of sign-up, I took suddenly ill and had to leave school. The task of sign-ups was overseen by someone from a temp agency who knew no one at the school, and let everyone sign up. Thankfully, I was better on the day of the forum. I saw the whole thing. In my opinion, Dumpster started it.

2018 Youth Fair Witness Prompt Questions

** Note: Everyone should feel free to add their own questions.
These are suggestions to get everyone started **

THERESA MARSHALL

1. Please state your full name for the court.
2. Where do you go to school?
3. What grade are you in?
4. What school groups do you associate with?
5. What is your role in that group(s)?
6. Do you know Danny Dumpster?
7. Have you and Danny spoken, on behalf of your respective groups, at any other events before?
8. What, if anything, did Danny say to you before the school's speech event here?
9. How many of your members did you bring with you to the event?
10. Describe, in your own words, what happened.

OFFICER ALEXANDER SMIRNOV

1. Please state your full name for the court.
2. Who do you work for?
3. Describe our duties as a security officer?
4. Describe your training?
5. How long had you worked as a security officer at the School?
6. Describe what your duties on the date in question?
7. Describe what the crowd was like when you saw Theresa Marshall?
8. Did you see Ms. Marshall fall?
9. What did you say when you approached Ms. Marshall after you were hit?
9. What were you wearing, and doing then?
10. What was her response to you?

DANNY DUMPSTER

1. Please state your full name for the court.
2. Where do you go to school?
3. What grade are you in?
4. What school groups do you associate with?
5. What is your role in that group(s)?
6. Do you know Theresa Marshall?
7. Have you and Theresa spoken, for your respective groups, at any other events before?
8. What, if anything, did Theresa say to you before the school's speech event here?
9. How many of your members did you bring with you to the event?
10. Describe, in your own words, what happened.

ROSA PARKER

1. Please state your full name for the court.
2. Are you employed?
3. Where do you work, and what are your duties?
4. How long have you worked at the high school?
5. Did you know Theresa Marshall from working there?
6. Describe your observations of her as a student?
7. Did you know Danny Dumpster from working at the high school?
8. Describe your observations of him?
9. What were you to have done, regarding the sign-ups for the speech event, and why did you feel that it was that necessary?
10. If you were present, what did you observe during the school's speech event?

