

# OMG! I Thought I Deleted This!



## 18th Annual Youth Law Fair

Saturday, March 18, 2017  
9:30 a.m. - 2:30 p.m.

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



## 2017 Youth Law Fair Program

Saturday, March 18, 2017  
H. Carl Moultrie Courthouse

9:30 a.m.  
Registration Opens [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]  
*D.C. Superior Court Welcome remarks: Chief Judge Robert E. Morin*  
*D.C. Bar Welcome remarks: Annamaria Steward, D.C. Bar President*

11:30 a.m. - 1:00 p.m.  
Mock Trial Sessions [3rd Floor Courtrooms]

1:00 p.m. - 1:45 p.m.  
Student Lunch [3rd Floor Atrium]

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

1:45 p.m. - 2:30 p.m.  
Closing Speak Out Session [3rd Floor Atrium]  
& Raffle Drawing

## 2017 Youth Fair Mock Trial Problem

After recently moving with her family from Connecticut to Washington, D.C., Anita, a fifteen-year-old sophomore, enrolled in Hope Public High School. The first two people Anita met at her new school were Darryl, an eighteen-year-old senior and the school's star basketball player, and JoJo, one of Darryl's teammates, who was also an eighteen-year-old senior. Anita and Darryl quickly became friends and romantically attracted to each other. When Darryl asked Anita out on a date, she told him that her parents would not let her date yet. JoJo also was interested in dating Anita, but she did not like him because he was always teasing his classmates and playing mean pranks on them.

Although Anita and Darryl saw each other every day at school, Darryl was frustrated that he could not spend time with Anita outside of school. After a few discussions about exchanging personal photos between them, Anita decided to show Darryl how much she liked him by taking some nude photographs of herself, along with a video of her undressing. Anita felt awkward and uncomfortable taking such photos and video, but she was sure that Darryl would like them and was sure he would not share them with anyone else. Anita then texted the photos and video of herself to Darryl with a message saying, "Here's a part of me for when we're apart."

Darryl was at basketball practice when Anita sent him the text with the nude photos and video. Immediately after practice, Darryl's teammate JoJo borrowed Darryl's phone to call his brother to pick him up. When JoJo went to use the phone, Anita's text, photos, and video popped up on the screen. As a practical joke, JoJo quickly posted Anita's photos and video to various social media accounts, including Darryl's.

When Darryl later checked his social media accounts, he saw Anita's nude photos and video, but did not know how they ended up there. Darryl became upset, wondering whether Anita had sent the photos and video to anyone else. He assumed that Anita had taken them for someone else because he certainly would not have wanted her to post them on social media. Angry and confused by Anita's actions, Darryl deleted all of the posts and closed all of his social media accounts. Unfortunately, before Darryl deleted all the posts, several of Darryl's friends, friends of friends, and other acquaintances copied the posts and photos and reposted them to various other social media sites and accounts. By the end of the day, more than 25,000 people had viewed Anita's nude photos and video and many had reposted them.

Anita quickly learned from her friends that her nude photos and video were all over social media. She sent a text to Darryl that said "I hate you and never want to see you again." Anita then locked herself in her room for several days and cried inconsolably. She did not tell her family or friends what had happened because she was embarrassed, hurt, and ashamed. Later on, Anita also learned that her summer internship, as a Junior Counselor in a Summer camp, was withdrawn after a few parents complained about the inappropriate pictures of her that had surfaced online.

Anita's older brother Sam saw Anita's nude photos and video on social media sites and convinced himself that Darryl had somehow forced or coerced Anita to take them. Sam then posted comments on various social media sites stating that Darryl was a sex offender who preyed on young girls and took lewd photographs of them to share with other sex offenders and perverts. These comments jeopardized Darryl's chances of receiving a college basketball scholarship with a highly visible university program that he had been working towards ever since middle school. The program didn't think that he would be a good representative of that institution.

The next day, Hope Public High School's principal Bea Frank called Darryl into her office to express her disappointment that he would post inappropriate photos and the video of another student on social media. When Darryl denied doing it, the principal, feeling she had no other choice, expelled Darryl, and reported him to the police.

When JoJo learned what had happened to Darryl, he went to the principal and told her that he had actually been the one who had posted the photos and video to Darryl's social media accounts, as a practical joke. JoJo expressed remorse for his actions and the harm that he had caused to Darryl and Anita. Because JoJo admitted to posting the photos and video of an underage girl, the principal had to notify the police.

Officer Rule interviewed Anita, Darryl, JoJo, and Sam about the incidents. All of them waived their Fifth Amendment rights against self-incrimination and told their version of the events. After reviewing the evidence, the police later charged Darryl and JoJo with distributing illicit photos of a minor.

***For purposes of the trial against Darryl Wilson and JoJo Smith,  
the following laws apply:***

- (a) It shall be unlawful for any person to knowingly produce, transmit, deliver, publish, or otherwise share, using any means including by computer, cellular telephone, or other electronic media, any visual depiction including any photograph, film, video, picture, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, sexually-explicit conduct involving a minor or minors.
- (b) This statute shall not apply to possession of a visual depiction by a person not more than 4 years older than the minor or minors depicted in it, who receives it from a minor depicted in it unless the recipient knows that at least one of the minors depicted in the still or motion picture did not consent to its transmission.
- (c) Definitions:
1. The term “visual depiction” includes undeveloped film and videotape, data stored on computer disk or by electronic means which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format.
  2. The term “sexually explicit conduct” means graphic or simulated indecent exhibition of the genitals or pubic area of any minor.
  3. The term “minor” means any person under the age of eighteen (18) years.
- (d) Any person found guilty of this offense shall be punished by a term of imprisonment of not less than five (5) years and not more than twenty (20) years. Any person found guilty under this statute also shall be registered as a sex offender with the District of Columbia Sex Offender Registry.

**The jury will decide the following issues.**

- Is Darryl Wilson guilty of distributing illicit pictures?
- Is JoJo Smith guilty of distributing illicit pictures?

**WITNESS SCRIPT: ANITA COOPER**

My name is Anita Cooper. I am fifteen years old. My family and I moved from Hartford, Connecticut to Washington, D.C. four months ago. I am a sophomore and on the Honor Roll at Hope Public High School.

The first two people I met at Hope Public High School were Darryl Wilson and JoJo Smith. They are both seniors and play on the school’s basketball team.

I really didn’t like JoJo much because he was always teasing people and playing mean pranks on them. He knew I was shy, but he was always coming up and trying to kiss me or grab me. He says that I’m too stiff and uptight.

I instantly liked Darryl when I met him. He was kind and polite. He is also a good student and a star basketball player. I was surprised that he was friends with JoJo, because they’re so different.

Darryl and I started spending a lot of time together at school. I really liked him and he seemed to like me. He wanted to start dating me outside of school, but I told him that my parents would not let me. Darryl kept asking me to try to persuade my parents to let me see him outside of school. He even offered to meet them to tell them that he had good intentions. I tried discussing it with my parents, but they still refused. So we had to make the most of the time we saw each other at school and after-school activities. We’d hold hands or walk arm-in-arm in the hallways. We would sneak kisses or hugs whenever we could. I even joined the pep squad, even though I wasn’t into it, just so I could spend a little more time with Darryl.

I was worried that Darryl might get frustrated that I couldn’t go out with him or see him outside of school or after-school activities. In fact, JoJo told me that I was going to lose Darryl because of it.

Darryl and I discussed texting selfies to each other so we could see each other even when we were not together. We first texted goofy photos of ourselves to each other. Darryl asked me to text more photos of myself to him. He told me that I was beautiful and wanted to see more of me. I decided to show Darryl how much I really liked him by taking photos of myself undressing and showing my private parts. At first, I felt very uncomfortable but I started feeling more comfortable after I turned on some sexy music and started dancing like I’d seen in some music videos. It was fun, so I decided to make my own video of myself, dancing nude on my phone.

I then sent the photos and video to Darryl with a message saying, "Here's a part of me for when we're apart." A few hours later, friends at school began calling me and told me that the photos and video were all over social media. I was shocked, upset, and so hurt that Darryl would share those intimate photos and the video with other people. I guess he wasn't the good person I thought he was. I texted him immediately: "I hate you and never want to see you again."

I was so embarrassed that the photos and video were all over social media and that my friends and even strangers had seen me that way. I stayed in my room, where I cried and cried for days. I also could not eat or sleep. I had never felt so lonely and depressed in my life. My parents and brother kept asking me what was wrong, but I just could not discuss it with them. How could I tell them I had done something so stupid? I even considered committing suicide, but decided against it because it would make my family so sad.

My troubles didn't end with my friends and strangers seeing me in those photos and video online. I also lost my summer internship as a Junior Counselor at a camp after some of the campers' parents complained about the photos and video. I was really looking forward to that internship.

I later learned that JoJo, not Darryl was the person who posted my photos and video on social media. He later apologized to me, but the damage had already been done. My relationship with Darryl is also broken. He was so disappointed and hurt that I would think he wanted me to take and send him those kinds of photos and video. Darryl also was upset that my brother Sam, in trying to defend me, posted really bad comments about him on social media. Although I know my life will go on, despite this awful event, I still don't know how many people have copied my photos and video from the Internet. It's really creepy to think that total strangers may be able to see the photos and video of me for many years in the future. This stupid event hasn't just hurt me, it's hurt Darryl, JoJo, Sam, and my family. I really regret that I ever did this.

## **WITNESS SCRIPT: DARRYL WILSON**

My name is Darryl Wilson. I am eighteen years old and a senior at Hope Public High School. I was on track to receive a basketball scholarship at a great college until this incident with Anita.

I met Anita Cooper shortly after she transferred to Hope Public High School. I instantly liked her, even though she was a little shy. I

liked that she wasn't a wild girl. She's cute and I thought she was very smart until she did a really dumb thing that has ruined both of our lives.

Anita and I hung out a lot at school and I was very attracted to her. I wanted to see her outside of school, but she said that her parents wouldn't let her see me. They are very strict. We ended up spending as much time as we could together. She even joined the pep squad so she could see me after school at basketball games. When we couldn't be together after school, we'd talk on the phone a lot and sometimes texted goofy photos to each other so we could look at each other when we were apart. It was pretty harmless.

JoJo was a friend of mine and was on the basketball team with me. I've known JoJo since we were little kids. He's always been a practical joker. I think he was jealous when I started spending more time with Anita than with him at school.

One day right after basketball practice, JoJo borrowed my phone to call his brother to come get him. I didn't think anything about it at the time, since I knew JoJo had dropped his phone in the river while he was trying to impress some girls. What a goofball!

After JoJo returned my phone to me, I checked my social media and e-mail accounts. I was shocked to see photos and a video of my girlfriend Anita showing her doing some nasty dancing without any clothes on. I was so upset. I thought I knew her and couldn't believe she had done that. I wondered who she had sent those photos and video to and became jealous. I certainly would have never wanted her to do anything like that for me. I also couldn't believe that she would send them to someone. I guess you never really know people. I deleted all of Anita's photos and the video from my social media/e-mail accounts and closed them.

A few hours later, I got a text from Anita saying that she hated me and didn't want to see me again. Well, I told her that I really didn't want to see her either. I couldn't believe what she had done! The next day at school, everyone was talking and joking about Anita's photos and video. Although I was angry with Anita, I also felt a bit sorry for her. How embarrassing to have that stuff spread all over the place.

I later was shocked to see that Anita's brother Sam posted comments about me on social media sites, claiming that I was a sex offender who preyed on young girls and took photos of them to share with other sex offenders and perverts. I was shocked, hurt, and so angry. My family always taught me to respect girls and women. I would never do any of those horrible things Sam said about me.

Even days later at school, everyone was still talking about Anita's photos and video. It was awful. Then Principal Frank called me into her office to say how disappointed she was in me for posting the photos and video of Anita. When I tried to explain that I had nothing to do with it, she told me that I was lying. She also took my phone from me.

JoJo later came up to me and apologized. At first, I didn't know why. Then JoJo said that he had seen a text from Anita to me the day he had borrowed my phone. He opened the text, saw the photos and the video, and decided to play a joke on Anita and me by posting them on social media accounts, including my account! How stupid could he be! Although I know he didn't mean any harm, I still don't know if I'll be able to forgive JoJo for what he did.

Anita's and JoJo's actions have cost me a lot. The college that offered me the basketball scholarship revoked it after seeing Sam's horrible posts about me. Now the police claim that I distributed child pornography and they arrested me. What did I ever do to deserve this? I wish I had never met Anita and JoJo. I've always tried to do the right thing. Now my life is a mess because of those two.

## **WITNESS SCRIPT: JOJO SMITH**

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My name is John Smith Jr., but all my friends call me JoJo. I'm eighteen years old and a senior at Hope Public High School. I'm on the basketball team.

Darryl Wilson was one of my oldest and best friends. We've known each other most of our lives. He's the serious, thoughtful friend. I like to tease people and play jokes on them. People call me the class clown.

I met Anita when she transferred to Hope Public High School. I really liked her at first. I was even attracted to her, even though she was shy. It turns out that she liked Darryl more than me. Anita and Darryl started spending more time together. I didn't like that.

I lost my phone when it fell in the river as I was trying to impress some girls by taking a selfie of me balancing on a branch overhanging the river. I didn't fall in, but my phone fell from my hand and was lost. That's the third phone I lost this year. My parents refused to buy me another one. Now I just have to borrow other people's phones to call my brother to pick me up from basketball practice.

One day I borrowed Darryl's phone and noticed that Anita had just texted him. I couldn't resist, so I opened the text and my eyes almost fell out of my head. In the text, there were photos of Anita and a video of her with no clothes on doing these crazy dances. I decided to play a joke on both Anita and Darryl by sending the photos and video from Darryl's phone to his social media accounts, including one for the high school. I didn't mean any harm, I just thought it was funny and would embarrass them.

I couldn't believe what happened after I sent the photos and video. Almost immediately, people at school and total strangers started talking about them and saying bad things about Anita and Darryl. It got real crazy after that. I saw that Anita's brother posted things about Darryl being a pervert and sexual predator. Then, Darryl told me that Principal Frank called him into her office and accused him of posting Anita's photos and video. She also took his phone from him.

I felt so bad for Darryl, so I went to the principal and told her that I had posted Anita's photos and video. She was so disappointed in me. I told her I was so sorry and wished I could take back my stupid actions. I also promised that I'd never play any jokes on anyone again. She told me that she had no choice but to call the police.

I told Darryl what I had done and that it was my fault that all this bad stuff was happening to him. I expected him to hit me, but he just looked sad and confused. I guess he couldn't believe that his friend would have done something so awful to him.

The police came and arrested Darryl and me. Now I feel bad. Darryl is in trouble because of me. They say that we distributed child pornography. Here, I thought I was just playing a joke on my friends, now we are in so much trouble because of me. I wish I could take it back and do this all over.

## **WITNESS SCRIPT: OFFICER RULE**

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My name is Rule. I am a Lieutenant with the Washington Metropolitan Police Department. I work in the district where Hope Public High School is located.

On January 30, 2017, I received a call from Principal Bea Frank at Hope Public High School. She advised me that she suspected some of her students of distributing nude photos and a video of an underage female student later identified as Anita Cooper. She told me over the phone that she had spoken to Darryl Wilson and JoJo

Smith about their roles in posting the photos and video on social media sites. She also told me that she had taken Darryl's phone.

I searched social media sites that Principal Frank had told me about and saw the posted photos and video. It looked as though they had been reposted on other sites as well. I also picked up Darryl's phone from Principal Frank and had it analyzed by our specialists after obtaining a warrant to search it. From the analysis, I saw that Anita had sent a text containing the photos and video to Darryl. It then appeared that Darryl had posted them to his and other social media sites. It then looked like Darryl had erased the text from his phone and the posts from his social media accounts.

I interviewed Anita, Darryl, and JoJo at length about the incidents and accurately prepared their statements as they were given to me.

I also interviewed one other individual - Sam Cooper, Anita's brother - based on information I received and developed during the investigation.

Sam admitted to me that he was convinced that Darryl had somehow forced or coerced Anita to take the photos and video of herself. According to Sam, there was no way that his little sister would have done that on her own. He became enraged after seeing the posts with her photos and video. Sam decided to post comments about Darryl on various social media sites claiming that he was a sex offender who preyed on young girls and took nasty photos of them to share with other sex offenders and perverts. Sam also said that Darryl was lucky to be alive after doing what he did. I advised Sam that if he hit or harmed Darryl, I would have no choice but to arrest him.

Based on JoJo's admission and the other interviews, along with my review of the photos and the video and having determined that they were electronically posted on social media sites from Darryl's accounts, I have asked the United States Attorney's Office to charge Darryl and JoJo with distribution of child pornography.

## 2017 Youth Fair Witness Prompt Questions

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

### **ANITA COOPER**

1. Please introduce yourself to the court.
2. Did you send illicit pictures and a video using your phone?
3. Who did you send the pictures to?
4. Did you agree to have the pictures distributed?
5. Did you think about posting these pictures on your social media accounts?
6. What did you do when you saw the pictures on social media?
7. Did you tell Sam, your brother, to post these remarks about Darryl?

### **DARRYL WILSON**

1. Please state your name.
2. Do you have many social media accounts?
3. Do you keep your accounts and phone protected by a password?
4. Did you receive the pictures and video sent to you by Anita?
5. Did you ask Anita to send illicit pictures to you?
6. How did you discover that your account was violated?
7. What did you do when you saw Anita's pictures on line?
8. Did you and JoJo plan this prank together?
9. Does JoJo have the passwords to your accounts?

### **JOJO SMITH**

1. Please introduce yourself to the court
2. Did you post Anita's pictures to different social media accounts?
3. How did you get a hold of Anita's pictures?
4. How did you get a hold of Darryl's phone?
5. Did you delete the pictures from the phone after distributing them?
6. Did you distribute the pictures to yourself in order to repost them?

### **OFFICER GERRY RULE**

1. Please state your name.
2. Who do you work for?
3. Describe your duties with MPD.
4. How did you hear about this case?
5. Do you know who posted the pictures in the first place?
6. Do you know who shared the pictures on social media?
7. Can we recall all of the posted and shared pictures?

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