

High School Mock Trial 2023

In re S. Khan

Errata Sheet

Please note:

The errata sheet serves to clarify or correct errors in the Mock Trial case and/or rules, and does not address team strategy, coaching, or judging protocol. If a question received does not meet the criteria for errata (e.g. pertains to an evidence question), an email response will be sent to the individual advisor.

Errata 12/20/2022

- 1. Where were the chairs that Blair Georgiu and Stevie Khan were sitting in located in the Deans' Office?**

There are chairs positioned across from Dean Silva's desk.

- 2. According to Exhibit E, SRO Memorandum of Understanding, Part 3, section C: Level and Type of Commitment from the Police Department and School District, the SRO office must have certain specifications. Does the map in Exhibit G depict all the furniture included in SRO Nowak's office?**

Exhibit G does not display all furniture in SRO Nowak's office. The office has two chairs seated across from SRO Nowak's desk, as well as a bookshelf along the wall. Nowak also has access to the conference room down the hall which contains a round table and six chairs. The conference room can be secured by locking the door.

- 3. Line 2 of Stevie Khan's witness statement says, "I live with my parents and our Amanda, in Harmony, Buckeye." Who is Amanda?**

There was a typo in the statement. It should read "I live with my parents and our *corgi* Amanda, in Harmony, Buckeye." [Emphasis added]

Errata 11/29/2022

- 1. What are the dimensions of the guidance counselor's office?**

No elaboration needed.

- 2. Blair's witness statement makes clear that they are a junior in high school and that they serve as the chair of the Trillium High School Honor Board. Exhibit D Part 3 states that the Honor Council president is an elected senior. Is this an inconsistency?**

Yes, there was an error in Exhibit D Part 3. The Trillium High School Honor Council, also referred to as the Honor Board, may be chaired by a junior or senior student. Please see the updated Exhibit D Part 3 included in this document.

Errata 11/15/2022

- 1. Do we know where Adrian Sato's office is located?**

No elaboration needed.

- 2. In several instances, there seems to be conflicting information about Dean Remi Silva's inquiry about a criminal investigation. Are these discrepancies intentional?**

No elaboration needed.

- 3. The case file states that Adrian Sato is a Licensed Professional Clinical Counselor (LPCC). In Ohio, Adrian's background would not qualify them for this licensure. Can we assume that the requirements are different in the state of Buckeye?**

Adrian Sato qualifies for the license they hold under the laws of the state of Buckeye.

- 4. What is Trillium High School's locker search policy?**

No elaboration needed.

- 5. What are Trillium High School's hours?**

The first bell rings at 7:30a.m. and the final bell rings at 2:23p.m.

- 6. Are the eggs pictured in Exhibit B the eggs served at the alumni breakfast, or is it just a random picture of eggs?**

Exhibit B is the TikTok Stevie Khan references in lines 124-125 of their witness statement on page 100 of the case file.

Errata 11/01/2022

- 1. Do we know the dimensions on Exhibit G?**

An updated Exhibit G with a scale is attached to this document.

- 2. Exhibit E (the Memorandum of Understanding) bears no signatures. It is not mentioned in any of the witness statements. Which witnesses are familiar with its contents?**

OCLRE does not stipulate which witnesses may testify about any exhibits included in the case materials. It is up to each team to make supportable inferences that connect witnesses to particular exhibits, and to lay the foundation in their questioning to show that witnesses would have knowledge of the exhibit in question.

- 3. Did Stevie Khan need a hall pass to return to class from the administrative office?**

Trillium High School students need a hall pass, issued by any staff member, when out of class during the school day, unless accompanied by a staff member.

- 4. The last bullet point of Exhibit D on page 126 is cut off. Is the exhibit complete?**

Exhibit D is composed of excerpts of the Honor Code Policy. Exhibit D, as included in the case materials, is complete.

- 5. Was Dean of Students Remi Silva designated by the principal to receive information about Honor Council cases?**

Yes.

- 6. Does SRO Nowak carry a gun?**

SRO Nowak carries a department issued service weapon visible on their person.

- 7. There is a discrepancy in the witness statements regarding the time when Officer Nowak first appeared in the doorway of Dean Silva's office. Can/should that discrepancy be clarified?**

No elaboration needed.

- 8. What time is dismissal from school at Trillium High School?**

The dismissal bell at Trillium High School rings at 2:23 p.m.

Errata 10/18/2022

- 1. Which side bears the burden of proof in this case and what is the standard of proof?**

In a motion to suppress, the State bears the burden of proof, the standard of which is a preponderance of the evidence. Because this mock trial case is a motion to suppress, the prosecution bears the burden of proof. As such, the prosecution will present their case in chief first and will have an optional two-minute rebuttal after the defense's closing argument.

2. Are Ohio cases binding in the state of Buckeye?

Only cases decided by the Supreme Court of the United States are considered binding precedent for the State of Buckeye. Other cases (e.g. Supreme Court of Ohio) are persuasive authority.

3. What specific statement(s) is the defense trying to suppress?

It is up to the teams to argue the point at which, if ever, Stevie Khan's questioning became custodial and subsequently which statements, if any, could or should be suppressed.

4. Does calling Stevie Khan as a witness automatically waive their Fifth Amendment right to avoid self-incrimination?

No. Stevie Khan maintains their constitutional privilege against self-incrimination.

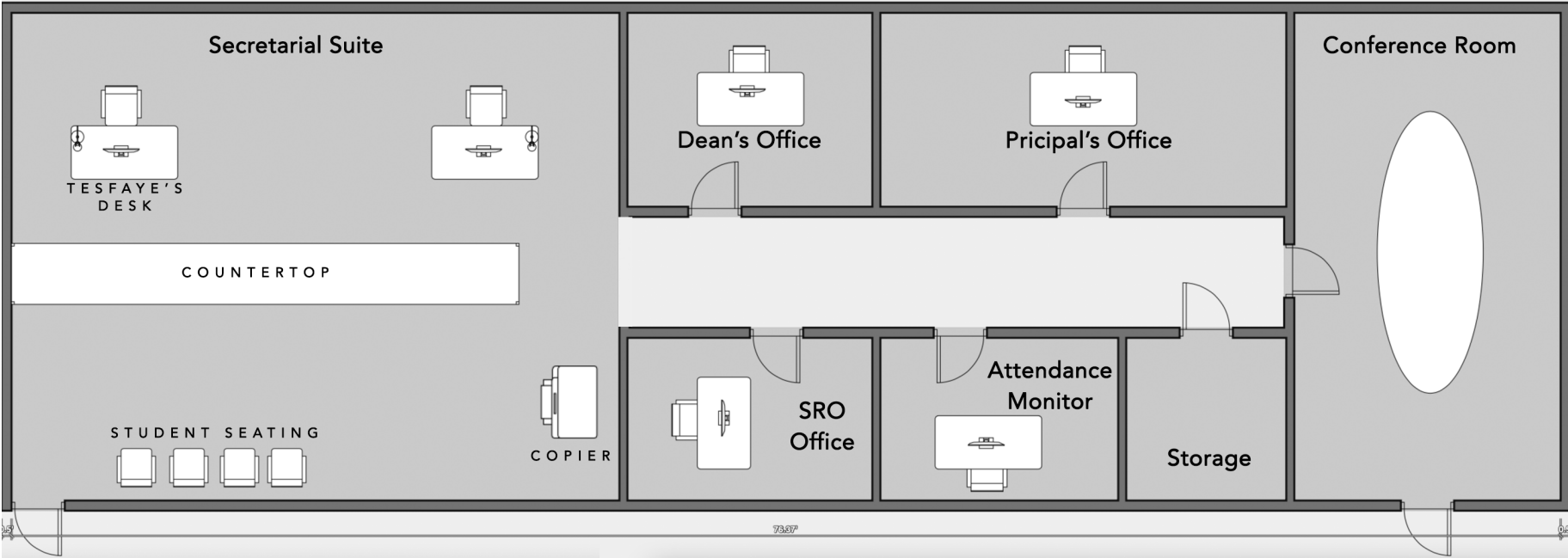
5. Line 78 on page 98 of the case file references an increase in the number of Pop Rocks Challenges. Is this the same as the Exploding Candy Challenge?

Yes, they are the same "challenge." Line 78 on page 98 should read "the number of *Exploding Candy Challenges* started increasing at Trillium." (Emphasis added)

6. At the end of their statement, Adrian Sato says, "These same flawed practices were used during Stevie's questioning" (lines 129-130 on page 111). What information was Adrian Sato able to review in order to make this determination?

Adrian Sato has spoken with Stevie Khan about their questioning and has formed their opinions on that basis.

Exhibit G
Map of Administration Suite




6 feet

Exhibit D (Part 3)
Trillium High School Honor Code and Policy Excerpts

Membership and Composition

The Honor Council shall consist of twelve student members (four each from sophomore, junior and senior classes), one administrator, and three teachers from different academic departments. There should be a minimum of nine Honor Council members present to host a hearing.

At the beginning of the school year, the Honor Council members will vote for one junior or senior student to be the Chairperson. The runner-up will act as Vice-chair. The Chairperson will serve as the chief administrator for all activities of the Honor Council and will preside over all meetings and hearings that come before the Council.

At the first Honor Council meeting, council members will affirm the Honor Pledge and agree to inform the Council of any personal violations of the Honor Code. If, at any time, a member of the Honor Council is found guilty of an Honor Code violation or they are suspended from school, they will be immediately dismissed from the Council. Honor Council members are expected to be role models, follow school rules, and uphold the principles and values of the Honor Code.

Confidentiality

All Honor Council members must pledge to maintain confidentiality of Honor Council proceedings. Council members are not allowed to discuss cases or their deliberations or recommendations about any case with anyone beyond the realm of the Honor Council meeting. An Honor Council member who is found to have discussed Council cases outside of an Honor Council meeting with anyone not on the council or specifically designated by the school Principal will be immediately dismissed from the council.

All records of the Honor Council are placed in a secure and confidential file maintained by the school administration until the student in violation of the Honor Code graduates.

Hearing Procedures

- Honor Council Chair welcomes all participants to hearing that may include reporting individual(s) and student(s) in question and their faculty advisor(s);
- The Honor Council restates its confidentiality pledge and encourages all present to honor the pledge;
- Honor Council member explains the case and reads all statements on referral form;
- The student in question is invited to give his or her statement in the presence of their advisor and follow-up questions from the Honor Council are heard;
- The student in question is dismissed so that the Council can review the case;