



What is St. Francis High School **Mock Trial?** (from <http://www.scoe.net/law/>)

The Mock Trial competition simulates a trial-level proceeding in which students portray pre-trial counsel, prosecution and defense attorneys, witnesses, court clerk, courtroom artists, courtroom journalist, and bailiff before a presiding judge and 2-3 scoring judges. Student legal counsel is scored on how well they execute their case. The Courtroom Art competition sees student artists create courtroom sketches for scoring. The Courtroom Journalism competition sees students write an account of their own team's competition. All students who participate acquire a working knowledge of our judicial system, develop analytical and communication skills, and gain an understanding of their obligations and responsibilities as participating members of society. The Sacramento area has hosted the annual *Gordon D. Schaber* (GDS) Mock Trial competition since 1979.

The Case

Each year, the Constitutional Rights Foundation (CRF) creates and produces a new set of Mock Trial materials based on an important issue facing America's youth. The materials include a hypothetical criminal case (including summaries of case law, witness statements, official exhibits, and simplified rules of evidence), lesson plans on the central issues in the case, and competition rules and guidelines. See the CRF subpage to purchase previous MT cases: crf-usa.org/materials-catalog/mock-trials-cases.html

The Students

The Mock Trial competition actively engages approximately 400 student-participants from 25 Sacramento area high schools. Students actively experience the excitement of working in teams, exchanging ideas, setting goals, and examining issues while interacting with positive role models from their communities. By studying the case and preparing strategies and arguments for trial, students also develop presentation skills, analytic ability, and team cooperation. Teacher- and attorney-coaches conduct practices, scrimmages, and prepare students for competition.

The Competition

Cases are released to all California counties in September. The GDS Mock Trial competition occurs in early spring, and includes multiple rounds of trials. The first-place team advances to the *State Finals* in March. In May, the winner of the state competition represents California at the annual National High School Mock Trial competition, involving teams from 54 states and territories.

2012-2013 Saint Francis High School Mock Trial Results

Your SFHS Mock Trial *Troubies* scored Third Place overall at the 2012-2013 SCOE Mock Trial Competition. See http://www.scoe.net/news/library/2013/march/05mock_moot.html

Learn More

Visit crf-usa.org/mock-trial-program and <http://www.scoe.net/law/> to learn more about this dynamic and skill-intensive academic team sport. A Saint Francis High School Mock Trial general info session will be held August 22nd after school in room 502 (3:15pm till 4:30pm).

Benefits of SF Mock Trial Participation

St. Francis High School Mock Trial students gain solid academic training and enhanced life skills. Students on the team will

- Receive one course credit and letter grade per semester of participation. (This credit does not affect overall GPA but does appear on your college transcript.)
- Interact and collaborate with fellow high-performing *Troubies*
- Sharpen research, argument, and public speaking skills
- Come to understand the process of executing a criminal court case
- Expand knowledge of the U.S. legal system
- Integrate information across disciplines (law enforcement, speechmaking, government, civic history, and others)
- Enjoy a very polished addition to college resumes
- Gain experience helpful when pursuing a pre-law degree

Who's in Charge?

Ms. Laura Hanusek, Director of Student Activities

lhausek@stfrancishs.org

TBD, Teacher-Coach

Mr. Jesse Ortiz, Attorney-Coach

jesse@jesseortizlaw.com

Costs to Participate in SFHS Mock Trial

- *OPTIONAL* \$35 for team tee-shirt. (MT students may purchase team shirt to wear on Fridays).
- Students on the Mock Trial team must procure and study "*In Our Defense*" by Ellen Alderman & Caroline Kennedy (ISBN 0-380-71720-4)
- Students on Mock Trial rotate obligation to provide healthy snacks at weekday practices. This comes to approx. \$20 per snack duty. (Estimated four snack duties per student.)

Responsibilities of SFHS Mock Trial Team Members

- Mock Trial students meet every Monday and Thursday, 3:15-5:00pm in room 502 starting Sept. 8th plus additional weekend scrimmages (dates TBD). Scrimmages meet in the SF library on Saturdays, 9am till Noon.
- Mock Trial students complete 4-6 hours of homework per week. This work involves studying our case file, practicing your role, studying in the field of constitutional law, reading "*In Our Defense*," memorizing witness statements, honing attorney questions and opening/closing statements, researching legal precedence, and practicing courtroom delivery.

Grading

- Students receive 25/25 points for full participation at each weekday practices, 100/100 points for full participation at weekend practices and at competition rounds. Points deducted for arriving late, leaving early, and showing up unprepared.
- Students will be quizzed twice on specific readings from the book "In Our Defense." Each quiz carries a weight of 100 points.
- Students will be docked points for falling behind in trial statement preparation and witness statement memorization.
- A student who wears inappropriate attire at a scrimmage or competition round will be docked 100 points. (Students will be told exactly what to wear and what not to wear.)
- A student may request one optional project worth +100 extra credit points towards their MT grade.

SFHS Mock Trial Competition Dates

TBA (Early Spring Semester)

Responsibilities of Parents of Team Members

Parents of SFHS Mock Trial team members are vital to the success of our program! Parent volunteers are asked provide snacks at weekly meetings and chaperone trips (library, competition rounds, scrimmages, and at off-site team meetings). Chaperone drivers must get fingerprinted according to the Dept. of Justice and FBI process. The process is outlined on our school website:

<http://www.stfrancishs.org/education/projects/projects.php?sectiondetailid=1159&>.

For information on fingerprinting venues please ask the teacher-coach or visit the D.O.J. website: <http://ag.ca.gov/fingerprints/>.

As primary educators parents are responsible for overseeing their daughter's active and enthusiastic participation in her academic team.

SF Mock Trial Team Tryouts Held Aug. 26th and Aug. 28th, 3:15-5:00pm in Rm 502

- Every position on the SFHS Mock Trial academic team is open. All students wishing to join the team must attend **one** tryout (either Aug. 26th or 28th). The team consists of approximately 18 students.
- Bring your signed contract (below) to one tryout event.
- Your tryout process differs based on which team role you want (described below). If you are invited to participate on the team, you may be assigned to any role per coaches.
- Your tryout will be observed by teacher- and attorney coaches, and will be video recorded.
- A Mock Trial General Info session will be held August 19th after school in room 502.

TRYOUTS: PROSPECTIVE STUDENT ATTORNEYS. If you wish to join the team as a prospective student attorney, the following paragraph describes your tryout process.

Bring your completed application to one tryout event. The back of this packet contains a hypothetical case file fact situation. Choose to portray either a prosecution or defense attorney.

Prepare a 3-5 minute opening statement to present in front of teacher- and attorney coaches. Present as if you are either defending Adrian Vega or prosecuting Adrian Vega. You may refer to your notes but do not simply read your statement. SF Mock Trial teacher-coach and attorney-coach will observe your opening statement. The team looks for confident public speaking, excellent volume, a touch of passion, an organized, flowing argument and sensible delivery of points. Sample opening statements follow at back of packet. *You may use these statements, or incorporate them into your own statements, or refer to these statements when speaking.*

TRYOUTS: PROSPECTIVE STUDENT WITNESSES. If you wish to join the team as a prospective student witness, the following paragraph describes your tryout process.

Bring your completed application to one tryout event. Following at the back of this packet are witness statements. Select **one** and memorize the details. At tryouts, you will role-play your assigned witness role, including mannerisms, and answer questions as if you are testifying in a court of law. You may refer to your notes and to the actual witness statement. You will present in front of teacher-coach and attorney-coach, who will question you as if you are testifying. The team looks for empathy, confident speaking, memorization skill, acting ability, and a comfort level with questioning.

TRYOUTS: PROSPECTIVE COURTROOM ARTIST. If you wish to join the team as a prospective courtroom artist, the following paragraph describes your tryout process.

Bring your completed application and necessary art supplies to one tryout event. Sketch what you see. The drawing must be on 11" X 14" paper, in horizontal format, using any dry medium. Artists must supply paper and mediums. Take as much time as you need. (A tryout event usually lasts two hours, but you are allowed to take your work home and submit it the following day to the SF Mock Trial teacher-coach). Your sketch must be done in color. If you will be using charcoal or pastel pencils, use a spray sealer to prevent smudging. In the event multiple sketches are submitted, the SF Mock Trial teacher-coach may solicit an opinion from the SF Art Dept. The adjoining picture is an example of a Mock Trial Courtroom Artist's sketch.



TRYOUTS: PROSPECTIVE COURTROOM JOURNALIST. If you wish to join the team as a prospective courtroom journalist, the following paragraph describes your tryout process.

Bring to one tryout event your completed application and a sample of your writing for the teacher-coach. This can be an article, journal entry, book report, reflection, essay, creative short story, or similar short work. The teacher- and attorney-coach will ask questions on your background and expertise. The team is looking for clear, concise writing, proper use of grammar and correct spelling, comprehensible and clear flow of thought, organized paragraphs, and advanced vocabulary. In the event multiple writing pieces are submitted, the Mock Trial teacher-coach may solicit an opinion from the SF English Dept.

St. Francis High School

Mock Trial Academic Team Member Application **Page 1 of 2**

Complete and bring these two pages to **one** St. Francis High School Mock Trial team tryout event, either Aug. 26th or Aug. 28th. Email questions to Ms. Hanusek at lhausek@stfrancis.org.

Print Student Name: _____

Student *TroubieMail* Address: _____

Circle One: Senior Junior Sophomore Freshman

For Sophomores, Juniors, and Seniors: GPA for last Spring: _____
(2.0 with no more than one D and no Fs is required to join an academic team)

Applying to be SF Mock Trial: Witness Attorney Artist Journalist

Explain what you can offer the SFHS Mock Trial team:

EXTRA-CURRICULAR, STUDENT OFFICER, FINE ARTS, CLUBS& ATHLETICS:
List all anticipated extra-curricular involvement during the '14-'15 school year:

Check the True Statement(s):

_____ I do not foresee missing any Mock Trial weekday or weekend practices.

_____ I may need to miss at least two practices.

St. Francis High School
Mock Trial Academic Team Member Application Page **2 of 2**

Student Initials the following:

_____ If accepted onto the SFHS Mock Trial team I certify I will attend all Monday and Thursday practices, 3:15-5:00pm in room 502, weekend practices, and competition rounds. I will be on time and will stay until the event ends.

_____ I understand a 2.0 GPA with no more than one D and no Fs is required to participate on SFHS academic teams.

_____ I understand that Mock Trial is an academic team, for which a letter grade will be assigned per semester. My grade will be determined by my preparation, attendance at weekly and additional practices, assignments, adherence to team rules including proper attire at competitions, and my competition attendance.

_____ I and my parents understand the financial costs of joining the SFHS Mock Trial team.

_____ I and my parents understand that SFHS Mock Trial participation amounts to four-to-six hours of homework per week, and more preceding a competition.

_____ I understand that an SFHS Mock Trial team member has until Sept. 30th to drop the team without penalty. After this time dropping the team results in a failing academic team grade.

Dated: _____

Student Signature

Dated: _____

Parent Signature



Sample Prosecution Attorney Opening Statement

Your Honor, the evidence will show through the testimony of the witnesses that the defendant is guilty of hitting the victim, Cameron Douglas, and running.

On the night of Thursday, April 19, 2012, the defendant and her Italian foreign exchange student competed in a swim meet, and they won. To add onto this victory, the defendant was noticed by a scout from her dream school. That night, still exceptionally jubilant from her victories, Adrian got in the car and drove home. She was distracted by her happiness, and constantly texted her friends and family about her victory while driving. While she was distracted, she ran the stop sign between Skyline and Grand and hit what she thought was a mere bump in the road. However, she would later discover that it wasn't a bump, but the victim: Cameron Douglas. She refused to pull over despite Toni's incessant pleas. She slowed, but rather than stopping, she continued to drive. Although, after hitting Mrs. Douglas, she stopped texting: She finally conceded to the fact that it was too much for her to drive and text all of her friends at the same time.

When they got home, the defendant decided to walk around for a bit and cool off. While she was gone, Officers Wright and Jackson spoke to Toni about the accident. They also noticed scratches of turquoise-colored paint (the color of Decamp's bike) on the left front bumper where she hit Dallas. Later, the officers spoke with the defendant. When the officers suggested to the defendant that she was a suspect for the crime of a hit and run, she responded, "It was a bicyclist?! I am so sorry. I could never forgive myself!" The Officers promptly arrested her.

In this case, the circumstantial evidence is unequivocally compelling. Dallas Decamp will testify that she had seen the defendant driving recklessly around town on multiple occasions. She will also testify that when she was hit, she looked up and saw the defendant's face as she was sitting in the driver's seat. Mrs. Liu will also testify that she retrieved a partial license plate number that matched the Vega's Bueller. She was also able to describe the defendant's clothes. Her description matched the description that Officer Wright will testify to seeing when she talked to the defendant. Mrs. Liu also noticed the glow of a cell phone screen. Most importantly, Mrs. Liu will testify that after hitting Mr. Decamp, the defendant slowed noticeably indicating her awareness that she had hit something. But, she continued to drive, explicitly implying her conscious choice not to face her crime.

Due to the undeniable veracity of the circumstantial evidence, you will be duty bound to find the defendant guilty of Failure to Perform her Duty Following the Accident.

Sample Defense Attorney Opening Statement

Your Honor, the evidence will show that my client, Adrian Vega, is not guilty of a hit and run.

On the night of April 19, 2012, Miss Vega competed well in a swim competition. Miss Vega is a dedicated swimmer. After the meet, my client was approached by a scout from her dream school, University of Los Angeles. Adrian was very excited and unfocused and felt it would be best if she didn't drive home. Ms. Vega asked if Toni de Luca would drive home. She did not think it would be a problem since they only fived five miles away. Further, although it appeared that Toni de Luca was upset with the attention my client received, Ms. Vega believed that wouldn't affect de Luca's driving. Unfortunately my client was wrong.

Aubrey Fox will testify that Toni has a history of bad driving and that Toni has a history of running stop signs, a fact that my client was not aware of.

As they drove home, de Luca was speeding and ran a stop sign at the intersection of Skyline and Grand. As they were driving, my client heard a crash and was curious as to what it was. Toni de Luca and Adrian Vega didn't even know they hit SOMETHING. Dallas Decamp will testify that the brake lights never came on the black car nor did they even slow down. They were unaware they hit anything. Toni kept driving and ignored the incident. Ultimately, my client made De Luca pull over since Toni was driving recklessly. Miss. Vega wanted Toni de Luca to pull over so she could drive the rest of the way home. When they returned home, Miss. Vega hurriedly parked her car askew. My client had lost her key and was unable to get into her house. So, instead of just standing in cold, Ms. Vega took a walk to clear her head.

When Ms. Vega got back home, she spoke with Officer Kelly Wright. Officer Wright had a conversation with Adrian Vega and will testify that my client was very cooperative.

CALIFORNIA MOCK TRIAL FACT SITUATION

Hidden Valley is, for the most part, a calm and peaceful city. It boasts 90 acres of parks, sports fields, and trails — a much cherished relief from the urban congestion just 30 miles south. Its high school, Hidden Valley High, located on Skyline Drive, is renowned for its stellar swimming program.

On the night of Thursday, April 19, 2012, a large crowd congregated in front of the high school. The Hidden Valley Highlanders had claimed another victory, qualifying them for the California State Championship. As the crowd celebrated the victory, a vintage 1961 Bueller GT left the school at approximately 10:30 p.m. and headed northbound on Skyline Drive.

That night, shortly after 10:30, Cameron Douglas was riding a bright turquoise bike from the northwest corner of Skyline and Grand toward the northeast corner of Skyline and Grand. The intersection is controlled by a two-way stop with stop signs facing north and south.

As Cameron crossed the intersection of Skyline and Grand, an automobile struck Cameron with its left front bumper. Cameron was sent flying from the bike and landed several feet away in the street.

Quinn Liu, who lives near the intersection of Skyline and Grand, saw the Bueller collide with Cameron's bicycle. Quinn ran to call 911. While waiting for an answer, Quinn wrote down part of the car's California license plate number, SLC86.

Officers Wright and Jackson arrived at the scene around 10:40 p.m. just as Cameron was loaded into an ambulance and then taken to a hospital. Cameron was treated at the hospital for several serious abrasions, a shattered right knee, a cracked collarbone, and a moderate concussion. At the scene, the officers began questioning witnesses. Quinn described the vehicle and the driver's clothes and mentioned that there was a glow that appeared to emanate from a cell phone screen on the driver's side of the vehicle.

Wright and Jackson questioned Dallas Decamp, who also witnessed the accident. Dallas confirmed Quinn's description of the vehicle.

After the investigation at the scene concluded, a police dispatcher connected with a statewide computer system, searched all California license plates with the information provided by Quinn. Of the two possible matches, only one was for a car registered in Hidden Valley. That car was registered to an address on Orion Boulevard to Oliver Vega, the mayor's spouse. Mayor Angelica Vega was an outspoken politician and a supporter of FADD, Families Against Distracted Driving. The Vegas have only one child, named Adrian.

49 Officers Wright and Jackson arrived at the Vega home at approximately
50 11:05 p.m. and found a black Bueller parked in the driveway with one of
51 its tires over the front lawn. Wright verified that the license plate matched

1 the partial plate provided by Quinn and felt the hood of the car, which
2 was warm even though the air was cold. Wright noticed a couple of
3 scrapes of turquoise paint on the driver's side of the front bumper.
4

5 The officers approached the house, rang the doorbell, and knocked, but
6 there was no answer. After a couple of minutes of ringing and knocking,
7 Toni De Luca emerged from the side of the house wearing a light blue
8 Hidden Valley T-shirt.
9

10 Wright and Jackson spoke to Toni about the accident. Toni explained that
11 the mayor's child, Adrian, drove them both home from a swim meet
12 earlier that night and may have hit something. After questioning Toni, the
13 officers allowed Toni to go back to the guest house. Jackson resumed
14 investigating the outside of the Bueller while Wright walked back to the
15 police car to radio for a tow truck. It was approximately 11:25 p.m.
16

17 Wright then noticed a figure walking toward the Vega home. It was
18 Adrian, wearing a white T-shirt and a cardinal and gold cap. Adrian
19 confirmed living in the Vega home and stated that the Bueller belonged to
20 Adrian's father.
21

22 Wright asked if Adrian wanted to talk about events from that evening.
23 Adrian told Wright that Adrian had competed successfully in a swim meet
24 that night at Hidden Valley High. Adrian also told Wright that a foreign
25 exchange student named Toni drove both of them home in the Bueller
26 and may have hit something. Shortly thereafter, Adrian made Toni stop
27 the car, and the two switched places for the remainder of the ride to
28 Adrian's house.
29

30 After a few minutes of talking to Wright, Adrian was shivering in the cold
31 air and said, "Don't you think it's cold out here?" Wright offered to let
32 Adrian sit in the back seat of the patrol car and gestured to the open rear
33 door. Officer Wright's patrol car was a cage car. Adrian sat on the edge of
34 the rear bench seat, but Adrian's feet were outside on the ground. Wright
35 stood by the open door, a few feet away. Officer Jackson stood in the
36 yard, about 15 feet behind Officer Wright. Officer Jackson is a former
37 college wrestler and shot putter standing 6 foot 5 inches tall and weighing
38 250 pounds.
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40 [Wright and Adrian exchanged pleasantries about swimming and Adrian's
41 future. Wright then closed the rear door of the car and entered the driver's
42 seat. The patrol car's back doors cannot be opened from the inside when
43 shut. Wright asked Adrian to continue talking about what happened that
44 night. Wright again asked what Adrian had done earlier that evening.
45 Adrian repeated what Adrian had said before getting into the back seat of
46 the car. By the time they finished their conversation, Adrian had been in
47 the car for about half an hour.

48

49 Officer Wright then said, "Well, we think that it's possible that you drove
50 the car that struck the bicyclist on Skyline and Grand tonight."

1 Adrian blurted: "It was a bicyclist?! I am so sorry. I — I could never
2 forgive myself!"]

3

4 Wright believed that Adrian had been driving the Bueller that struck
5 Cameron. Wright arrested Adrian for the felony violation of California
6 Vehicle Code Section 20001. At that point Wright recited *Miranda*
7 warnings to Adrian.

8

9 Adrian was taken to the police station and booked at approximately 12:15
10 a.m. on Friday, April 20, 2012. After being there for an hour, Adrian
11 called Taylor Berard, Adrian's private swim coach, and asked for help to
12 bail out of jail.

13

14 The Bueller was taken to the police impound lot. As required by the
15 Hidden Valley Police Department's inventory policy, the police conducted
16 an inventory search of the vehicle. Among the things found in the car
17 were a business card of the University of Los Angeles swimming scout
18 under the driver's seat and Adrian's cell phone in the center console.

19

20 Officer Jackson's U.S. Army Reserve unit has been called to active duty in
21 Afghanistan and will not be back for 15 months.

22

23 **CHARGES:**

24 The prosecution charges Adrian Vega with:
25 Failure to Perform Duty Following Accident: Death or Injury, a felony
26 (commonly referred to as "felony hit-and-run"). California Vehicle Code
27 Section 20001 (a).

28

29 **PHYSICAL EVIDENCE**

30 Only the following physical evidence may be introduced at trial. The
31 prosecution is responsible for bringing:

- 32 1. A faithful reproduction of Exhibit A, a diagram of the accident scene.
33 ALL reproductions should be no larger than 22 inches x 28 inches

34

35 **STIPULATIONS**

36 Stipulations shall be considered part of the record. Prosecution and
37 defense stipulate to the following:

- 38 1. At the time of arrest, there was sufficient probable cause to arrest
39 Adrian Vega.
40 2. All physical evidence and witnesses not provided for in the case are
41 unavailable and their availability may not be questioned.
42 3. Beyond what's stated in the witness statements, there was no other
43 forensic evidence found in this case.
44 4. All witness statements were taken in a timely manner.
45 5. Due to a technical glitch, no messages or numbers could be retrieved
46 from the Adrian Vegas' phone or the phones of Adrian's parents and
47 friends.
48 6. Cameron Douglas' right knee is permanently damaged.

49

1
2
3 **WITNESS STATEMENTS**

4 **WITNESS STATEMENT—Prosecution Witness: Officer Kelly Wright**

5 My name is Kelly Wright. I am 37 years old and am a parent of two young
6 children. I currently live in Hidden Valley and have served on the Hidden
7 Valley Police Department for 12 years. I have extensive experience in
8 investigating traffic collisions and hit-and-run incidents.

9 On the night of Thursday, April 19, 2012, I was on patrol with my partner,
10 Officer Phoenix Jackson, and we responded to the intersection of Skyline
11 and Grand on a traffic incident call. When we arrived at about 10:40 p.m.,
12 the victim, Cameron Douglas, was being loaded into an ambulance for
13 transport to a hospital.

14
15 At the scene, Officer Jackson and I questioned a witness named Quinn
16 Liu, who described seeing a hit-and-run incident. Liu had told us a black
17 vehicle heading north on Skyline Drive ran the stop sign at Skyline and
18 Grand and struck a bicyclist. Although Liu was not able to identify the
19 person driving the vehicle, we were told that there was the glow of a cell
20 phone screen on the driver's side and that the driver was wearing a white
21 T-shirt and cardinal and gold baseball cap. Liu also gave us a partial
22 license plate number, SLC86.

23
24 We interviewed another witness at the scene named Dallas Decamp.
25 Decamp confirmed that the vehicle was a vintage black Bueller and also
26 mentioned that the victim had white "earbud" style headphones on (like
27 those for an MP3 player) and was looking down when struck by the
28 vehicle.

29
30 Jackson radioed the partial plate information to dispatch for a search.
31 Only one vehicle matching the partial plate belonged to a car registered in
32 Hidden Valley. I immediately recognized the owner's name, Oliver Vega,
33 the husband of the mayor, Angelica Vega.

34
35 We drove to the mayor's house to look for the suspect vehicle. It was
36 about 11:05 p.m. When we got there, we saw a black vintage Bueller
37 parked in the driveway, but at an angle with one tire on the lawn.
38 Because it was such a cold night, Jackson left the police cruiser engine
39 running to operate the heater. We then checked the license plate on the
40 vehicle: It was SLC8693 and it matched the partial Liu gave us. The hood
41 was warm, which indicated that it had recently been driven. I spotted
42 scratches of turquoise-colored paint on the Bueller's left front bumper. It
43 appeared from the lack of dirt on the scratches of turquoise, compared to
44 the dirt on the rest of the bumper, that the turquoise scratches were
45 recent.
46

46

47 The porch light was on, and we knocked on the door twice, but there was
48 no answer. We then heard a noise and saw a teenager come out from the
49 side of the house. The teenager was Toni De Luca. Toni explained to me
50 that Toni was a foreign exchange student from Italy who lived in the
51 mayor's guest house behind the main house. Toni was wearing a light

74

1 blue Hidden Valley T-shirt. I asked about the car and about the accident.
2 Toni said that the mayor's child, Adrian, drove them both home from the
3 swim meet earlier that night. Furthermore, Toni said that Adrian was
4 driving and may have struck something when they were on Skyline, on
5 the way home. Toni was not exactly sure where on Skyline it occurred.

6

7 After speaking with Toni, Toni went back to the guest house. I saw
8 Jackson inspect the outside of the Bueller again while I went to the patrol
9 car to call a tow truck. I opened the passenger-side rear door to the police
10 car, obtained some paperwork that was in the backseat, and sat in the
11 front seat to make the call on the police radio. The back door remained
12 open as I made the call. When I finished, I looked up at the rearview
13 mirror and saw someone walking toward us along the side of the road.
14 That person was wearing a white T-shirt and cardinal and gold baseball
15 cap. That matched Liu's description of the suspect driver. It stood out in
16 my mind as unusual that someone would be walking alone so late at
17 night.

18

19 I signaled to Jackson that I would talk to this person, and Jackson
20 remained in the front yard by the Bueller. I called out to the approaching
21 figure and asked if it wasn't late for someone to be walking around. I
22 asked, "Are you all right?" The person said "I live here" and gestured
23 toward the house. I asked for a name, and the person told me "Adrian
24 Vega." I asked if the car belonged to Adrian, and Adrian responded that
25 the Bueller belonged to Oliver Vega, Adrian's father. Adrian had just come
26 back from a walk and had lost Adrian's keys. I mentioned I was
27 investigating an accident from earlier that night.

28

29 I asked Adrian what Adrian had done earlier that evening. Adrian told me
30 that Adrian had just come home from competing in a swimming meet at
31 the high school. Adrian explained that Toni drove both of them home
32 from the meet. Then, Adrian told me that Toni was apparently upset and
33 grabbed Adrian's hat and phone during the drive home. The two started
34 bickering when Adrian tried to get the hat and phone back. Suddenly,
35 Adrian felt a bump and feared they had hit something. Toni said that they
36 didn't hit anything, and Adrian made Toni pull over. Adrian was not sure
37 of the exact location but it was somewhere on Skyline after Grand. Then
38 Adrian drove the rest of the way back home.

39
40 Adrian shivered and complained about the cold. I offered that Adrian
41 could sit in the patrol car, since there was apparently no way to get into
42 the house or, for that matter, the Bueller. I pointed to the rear seat of the
43 patrol car rather than the front, because it is against policy to have anyone
44 but officers in the front seat in non-emergency situations.

45
46 [At that point, Adrian and I discussed Adrian's swimming and Olympic
47 aspirations. I was a big fan of the Hidden Valley's team and knew that
48 Adrian was the star swimmer. I congratulated Adrian on the win.

49
50 After talking for a few minutes, I said, "It really is cold out here." I closed
51 the back door. I moved to the front of the car and sat inside the driver's

1 seat. The doors of the cruiser lock automatically; I did not tell Adrian that
2 they were locked, and Adrian did not ask about it. I again asked Adrian
3 what Adrian had done earlier that evening. Adrian repeated the same
4 story that Adrian stated earlier.

5
6 As our conversation continued, Adrian began answering questions with
7 nothing more than quick shrugs of the shoulders. Adrian told me that
8 Adrian was tired. I told Adrian that we thought that Adrian drove the car
9 that struck the bicyclist on Skyline and Grand. Adrian said, "It was a
10 bicyclist?! I am so sorry. I could never forgive myself!"]

11
12 I arrested Adrian. As I did so, the tow truck arrived. Jackson handled the
13 impound of the Bueller. We transported Adrian to the station for booking.
14 Later, during our inventory search of the car, I found a business card of a
15 swimming scout from the University of Los Angeles under the driver's
16 seat and a cell phone in the center console. I later learned the cell phone
17 belonged to Adrian Vega. Due to a technical glitch, no messages or
18 numbers could be retrieved from the phone. The Bueller was dusted for
19 prints, but none of them were usable.

20
21 The day after the arrest I was able to take a statement from the victim,
22 Cameron Douglas, at the hospital. Cameron stated that Cameron thought
23 the driver of the vehicle was Adrian Vega and identified the car as a black
24 Bueller. Cameron also mentioned seeing Adrian speeding and driving
25 recklessly through the city on numerous occasions prior to the accident.

26
27 A few days after the arrest, one of Adrian's friends, Aubrey, came forward
28 with information about Adrian. Aubrey was nearly positive that before
29 Adrian and Toni left school, Toni was standing by the closed door on the
30 driver's side of the Bueller.

31
32 My partner for seven years, Officer Jackson, is in the Army Reserves and
33 was called up to duty in Afghanistan.

34

1 **WITNESS STATEMENT—Defense Witness: Adrian Vega**

2 My name is Adrian Vega and I am 18 years old. I am a senior at Hidden
3 Valley High. I am on the Hidden Valley Highlanders Swim Team.
4 Swimming is my life. I practice hard every day and dream of getting a
5 scholarship to compete at the university level. My dream school is the
6 University of Los Angeles. Both of my parents went there and both were
7 swimmers, so I'm hoping to continue the tradition.
8

9 On the night of April 19, the State Championship qualifying meet was
10 hosted at Hidden Valley High. It was an even more important meet
11 because everyone knew that a scout for the University of Los Angeles
12 would be there. Everyone on the team was trying to get the scout's
13 attention, especially Toni. You could say that we were competitive with
14 each other. I think Toni's a great swimmer; I just think that I have more
15 experience and skill. Regardless, it was obvious that we were both trying
16 to shine throughout the meet to get that scout's attention.
17

18 Our team won the most races that night. It was such an amazing feeling.
19 What made it even better was that the scout for the University of Los
20 Angeles approached me after the meet and told me that I had solid talent.
21 I was given a business card with the scout's personal line and a cardinal
22 and gold baseball cap with the school's logo. I was ecstatic, but I couldn't
23 say the same for Toni. Toni had been trying to get the attention of the
24 scout for the entire season but unfortunately didn't.
25

26 Toni and I left the meet together. Toni drove my car because I was just
27 too excited to drive. I was in a good mood. I kept texting my parents and
28 friends about my meeting with the scout. We only live about five miles
29 from Hidden Valley High, off of Skyline Drive, so I figured it was OK for
30 Toni to drive the Bueller. The car has a manual transmission. Looking
31 back, I feel stupid about letting Toni drive my car. My dad doesn't let
32 anyone but me drive that car, and he gave me explicit instructions not to
33 let anyone else drive it. It's a vintage model and worth a lot of money. It
34 was a huge mistake on my part.
35

36 I soon realized that Toni was driving too fast. I was worried because
37 Skyline is a really twisty road. My good mood went away. I figured that
38 Toni must have been a little upset and just wanted to go home quickly or
39 something. I tried to break the awkward silence by talking about the meet
40 and about how Toni may be able to speak with the scout in the future. All
41 of a sudden, Toni snatched my hat and put it on, saying how I didn't look
42 good in the school colors. I was annoyed. Toni kept talking about how I
43 didn't even perform well during the meet and didn't understand why the
44 scout went up to me. I was not about to argue so I just kept texting, just

45 trying to block all that negativity out. Then Toni grabbed my phone and
46 started pushing random buttons, mocking me about how I'm so attached
47 to my phone and how I don't listen to anyone. By this time, I was upset
48 and tried to get it back.
49

50 Before I knew it, I heard this loud crash in front of the car. It all happened
51 so fast, I wasn't able to make out anything in front of the car. Also, the

1 street seemed a little dark, like the street lights weren't all working or
2 something. I asked Toni if we hit something, but Toni just said nothing.
3
4 I demanded that we stop, but Toni just kept going. After about a minute, I
5 finally made Toni stop somewhere on Skyline but north of Grand. We
6 switched places, and I grabbed my hat back. I do not know exactly where
7 we pulled over. When we got home, I parked the car hastily and might
8 have parked it kind of crooked; I was in a hurry to get away from Toni.
9 Toni just went straight to the guest house behind our main house, not
10 saying a word to me. I looked at the scratches on the bumper of the car
11 and started panicking because it looked like we did hit something. I didn't
12 know what to do. My parents were gone for the weekend and left me in
13 charge of everything. I knew they would be furious.
14
15 I had to get myself together, so I took a quick walk to collect my thoughts.
16 Somewhere along the street, I noticed my keys were missing. They must
17 have fallen out of my pocket. I was trying to retrace my steps to find
18 them. That's when I saw the police at my house.
19
20 One of the officers, Officer Wright, told me they were investigating an
21 accident from that evening. Wright started asking me questions about
22 what I did that evening. I told the officer everything stated above about
23 swimming in the meet, Toni's driving, our arguing, the loud crash, and
24 then switching places before coming home. I told Wright about wanting to
25 clear my head by taking a walk. I was tired and cold from the meet and
26 my walk so all I wanted to do find my keys and go to sleep.
27
28 I complained about the cold night air, and the officer suggested that I sit
29 in the back seat of the cruiser, so I did. I talked to the officer for a few
30 minutes about swim team. I could see the front yard while sitting there in
31 the backseat. I could see the other officer there, the only other one besides
32 Officer Wright. He had a towering frame. I would guess six foot four or
33 five — and big, too, like a wrestler. I noticed that the officer kept staring
34 at me, too, which made me so uncomfortable. I was scared, actually. I
35 remember thinking, I wouldn't want to get on that officer's bad side. I
36 wondered if they were going to let me go home that night.
37

38 [While the Officer Wright was asking me questions, suddenly, Wright
39 shuts my door and gets in the car. I didn't know if the doors were locked
40 or not, but it didn't matter, I felt like I was already in big trouble. This is
41 where I started to get a little more nervous. Wright started asking more
42 about that night, and even though I was really tired, I explained what had
43 happened again. When the officer told me that a bicyclist was hit, I felt
44 horrible. I felt so awful that my car had been involved in an accident. I
45 knew right then and there that if I had been driving, this would not have
46 happened. I felt the need to say how sorry I was that someone did get
47 injured, after all. I told the officer, "It was a bicyclist?! I am so sorry. I
48 could never forgive myself!"]

49
50 Before I knew it, I was under arrest and in a cell at the station. I had to
51 call my coach to bail me out. Do you know how embarrassing that is? I

1 said it before and I'll say it again: I didn't do anything wrong, Toni was
2 driving.

3
4