



The EDNY Justice Institute

Hon. Joseph F. Bianco, Chair (EDNY Civics Education
Liaison)

Dina Miller, Chair (EDNY Chapter President)

March 18, 2017

In July 2016, the Eastern District of New York Chapter of the Federal Bar Association, in partnership with the District Court for the Eastern District of New York and the Touro College Jacob D. Fuchsberg Law Center, introduced a new civics program – The EDNY Justice Institute. This week long, interactive learning program was the first of its kind hosted by a federal court and federal judges. The program was designed to introduce incoming 10th graders to the workings of the federal courts and the criminal justice system, to develop basic advocacy skills in a fun and interesting format and to promote an enlightened and responsible citizenry. During the week, students heard presentations from seven federal judges, FBI agents, a U.S. Secret Service Agent, Deputy U.S. Marshals, law professors, federal prosecutors, and criminal defense lawyers about their respective roles within the federal court system. They also observed real court proceedings and a naturalization ceremony. Finally, the students were taught basic advocacy skills in several sessions by experienced lawyers and participated in a mock trial competition against other high school students. Approximately 100 students from twenty-five high schools attended the program and close to thirty law students from the Touro Law Center volunteered to mentor the high school students and coach them for the final completion.

The EDNY Chapter and its partners are committed to making this an annual event and to helping Districts around the country develop similar programs. To this end, we have collected our program material in order to provide other Chapters

inspiration and information that will enable Districts to implement similar civics education programs. As you will see when you review the documents attached to this report, the groundwork for the program has been done and it can be easily replicated in other areas of the country. We look forward to hearing about additional FBA court camps in the future.

Sincerely,

Joseph F. Bianco
United States District Judge

Dina Miller
EDNY Chapter President

Appendix A

The EDNY Justice Institute: Crime, the Constitution, and the Courts



Program Agenda

**THE EDNY JUSTICE INSTITUTE:
CRIME, THE CONSTITUTION, AND THE COURTS
PROGRAM AGENDA**

DAY ONE (July 18, 2016)

(START AT FEDERAL COURTHOUSE)

- 9:30 - 10:30 Welcome to Federal Court
(*U.S. District Judge Joseph Bianco*)
(*Dina Miller, President, Federal Bar Association*)
- 10:30 - 11:00 U.S. Marshal's Service Presentation & Tour of Cell Block
(*U.S. Marshal Charles Dunne*)
(*Deputy U.S. Marshals Patrick Quinn and Dawn Mahoney*)
- 11:00 - 11:15 Break
- 11:15 - 11:30 Court Reporter Presentation
(*Dominic Tursi, Court Reporter*)
- 11:30 - 12:30 Mini-Mock Trial Module for Students
(*U.S. District Judge Joseph Bianco*)
- 12:30 - 1:15 Lunch at Courthouse
Sponsored by U.S. Federal Court, EDNY
- 1:15 - 1:30 Preview of Mock Trial Competition and Distribution of Packet
(*U.S. District Judge Joseph Bianco*)
- 1:30 - 2:15 **DISCUSSION:** Prosecuting and Defending Criminal Defendants
(*Nicole Boeckmann, L.I. Criminal Chief, U.S. Attorney's Office, EDNY*)
(*Deirdre von Dornum, Attorney-in-Charge, Federal Defenders of NY, EDNY*)
- 2:15 - 2:30 Break
- 2:30 - 3:15 **INSTRUCTION:** Giving an Opening Statement
(*Nicole Boeckmann, L.I. Criminal Chief, U.S. Attorney's Office, EDNY; Seth DuCharme, Assistant U.S. Attorney*)
(*Deirdre von Dornum, Attorney-in-Charge, Federal Defenders of NY, EDNY*)
- 3:15 - 3:30 Walk to Touro Law Center for Dismissal

(DISMISSAL AT TOURO LAW CENTER)

DAY TWO (July 19, 2016)

(START AT FEDERAL COURTHOUSE)

- 9:30 – 10:30 **DISCUSSION:** Investigating Crime – The FBI at Work
(*Charles Berger*, FBI Assistant Special Agent-in-Charge, New York Field Office)
(*Richard Frankel*, Retired FBI Special Agent-in-Charge, Newark Field Office)
- 10:30 – 10:45 Presentation – Nassau County Police Canine Unit
- 10:45 – 11:00 Break
- 11:00 – 11:45 **DISCUSSION:** A Look into the Job of a U.S. Secret Service Agent
(*Farrell Dolan*, Supervisory Special Agent, U.S. Secret Service)
- 11:45 – 12:30 **INSTRUCTION:** Direct Examinations, Cross-Examinations, and Objections
(*U.S. Magistrate Judge Steven Locke*)
(*U.S. Magistrate Judge Anne Shields*)
(*U.S. Magistrate Judge A. Kathleen Tomlinson*)
- 12:30 – 1:15 Lunch at Courthouse
- 1:15 – 1:30 Walk to Touro Law Center
- 1:30 - 2:00 **DISCUSSION:** Prosecuting Crime – The Pagan Street Gang Prosecution
(*U.S. Magistrate Judge Gary Brown*)
- 2:00 – 2:15 **INSTRUCTION:** Using Demonstrative Exhibits in Court
(*U.S. Magistrate Judge Gary Brown*)
- 2:15 – 3:30 Team Breakout Sessions with Student Advisors to Prepare for Mock Trial Competition

(DISMISSAL AT TOURO LAW CENTER)

DAY THREE (July 20, 2016)

(START AT FEDERAL COURTHOUSE)

- 9:30 – 10:00 **DISCUSSION:** *Miranda* in Modern Society
(Peter Zablotzky, Professor of Law, Touro Law Center)
- 10:00 – 10:45 **DISCUSSION:** Arguing in Court: Suppression Hearings, Guilty
Pleas, and Sentencings
(U.S. District Judge Joan Azrack)
(Christopher Cafferone, Assistant U.S. Attorney, U.S. Attorney's
Office, EDNY)
(Tracey Gaffey, Federal Defenders of NY, EDNY)
- 10:45 – 11:00 Break
- 11:00 – 11:30 **COURT OBSERVATION:** Sentencing
(U.S. District Judge Joseph Bianco)
- 11:30 – 12:30 **INSTRUCTION:** Giving a Closing Statement
(John Durham, Assistant U.S. Attorney, U.S. Attorney's Office,
EDNY)
(Anthony LaPinta, Esq., Criminal Defense Attorney)
- 12:30 – 1:15 Lunch at Courthouse
- 1:15 – 1:30 Walk to Touro Law Center
- 1:30 – 3:30 Team Breakout Sessions with Student Advisors to Prepare for
Mock Trial Competition

(DISMISSAL AT TOURO LAW CENTER)

DAY FOUR (July 21, 2016)

(START AT FEDERAL COURTHOUSE)

- 9:30 – 10:30 **DISCUSSION:** *Miranda* and False Confessions
(Richard Klein, Professor, Touro Law Center)
(U.S. District Judge Joseph Bianco)
- 10:30 – 11:15 **COURT OBSERVATION:** Naturalization Ceremony
(U.S. District Judge Joseph Bianco)
- 11:15 – 11:30 Break
- 11:30 – 11:45 **COURT OBSERVATION:** Pre-Trial Status Conference in
Criminal Case
(U.S. District Judge Joseph Bianco)
- 11:45 – 12:30 **COURT OBSERVATION:** Guilty Plea
(U.S. District Judge Joseph Bianco)
- 12:30 – 1:15 Lunch at Courthouse
- 1:15 – 1:30 Walk to Touro Law Center
- 1:30 – 3:30 Team Breakout Sessions with Student Advisors to Prepare for
Mock Trial Competition

(DISMISSAL AT TOURO LAW CENTER)

DAY FIVE (July 22, 2016)

(AT FEDERAL COURTHOUSE)

- 9:30 - 10:00 **FINAL PREPARATION:** Moot Court Competition
- 10:00 - 11:15 **ROUND ONE:** Moot Court Competition
- 11:15 - 11:30 Break
- 11:30 - 12:45 **ROUND TWO:** Moot Court Competition
- 12:45 - 1:45 Lunch at Courthouse
Sponsored by Federal Bar Association
Keynote Speaker:
Mary Beth Tinker, Plaintiff in Landmark Supreme Court case of
Tinker v. Des Moines (1969)
- 1:45 - 2:45 **Championship Round:** Moot Court Competition
(*U.S. Magistrate Judge Gary Brown*)
(*U.S. District Judge Joanna Seybert*)
(*U.S. District Judge Joseph Bianco*)
- 2:45 - 3:00 Break
- 3:00 - 3:15 **DISCUSSION:** Ask the Judges: Q&A with Students and Parents
(*U.S. Magistrate Judge Gary Brown*)
(*U.S. District Judge Joanna Seybert*)
(*U.S. District Judge Joseph Bianco*)
- 3:15 - 3:30 **AWARDS AND CLOSING REMARKS**
(*U.S. District Judge Joseph Bianco*)

(DISMISSAL AT FEDERAL COURTHOUSE)

APPENDIX B

February 15, 2017

Superintendent Eleanor Tritt
Amagansett School
PO Box 7062
320 Main Street
Amagansett, NY 11930

Dear Superintendent Tritt:

The purpose of this letter is to invite 9th grade students from your school district to participate as a team in a one-week summer program at the federal courthouse in Central Islip. The program is called *The EDNY Justice Institute: Crime, the Constitution, and the Courts* and is being run by the federal court in partnership with the Touro Law Center and the Eastern District of New York Chapter of the Federal Bar Association. The program is open to students who will be completing the 9th grade in June 2017, and each high school can submit one team of four students.

The program will consist of several components that will allow the students to learn all about the legal system, including careers within that system, and to develop basic advocacy skills in a fun and interesting format. The students will hear presentations from federal judges, FBI agents, Deputy U.S. Marshals, federal prosecutors, and criminal defense lawyers about their respective roles within the court system. The students will also observe real court proceedings in the federal courthouse, including a Naturalization Ceremony, and will discuss what they observe with a federal judge. Finally, the students will be taught basic advocacy skills in several sessions by experienced lawyers and, with the assistance of law students, will participate at the end of the week in a mock trial competition against other high school students. The program will take place at the federal courthouse in Central Islip and at the Touro Law Center, which is adjacent to the federal courthouse. The program will be perfect for students who may be interested in participating in mock trial at their high school, or who are simply interested in learning more about the practice of law. I have enclosed a Newsday article from last summer, which describes the program. You also may review a brief video of the program on the United States Courts website: <http://www.uscourts.gov/news/2017/01/12/courts-institute-teaches-students-navigate-law-and-life>.

The program will run from Monday, July 10, 2017, through Friday, July 14, 2017, from 9:30 a.m. to 3:30 p.m. There is no cost to participate in the program. However, there is no funding for transportation or lunch. Therefore, parents will be

responsible for providing their child with transportation and lunch each day. Students can bring lunch or purchase a lunch package from the cafeteria in the courthouse. If you have four 9th grade students who are interested in participating as a team in this program, please fill out the enclosed form and return it by April 7, 2017. Space in this program is very limited and this letter does not guarantee your district a spot. Therefore, please let us know your interest as soon as possible.

If you have any questions, please feel free to contact my Case Manager, Michele Savona, at (631) 712-5676 or Michele_Savona@nyed.uscourts.gov, and Mrs. Savona will be happy to assist you.

Sincerely,

Joseph F. Bianco
United States District Judge

APPENDIX C

APPLICATION FORM THE EDNY JUSTICE INSTITUTE: CRIME, THE CONSTITUTION, AND THE COURTS

School Information

High School: _____

Name of Contact Person: _____

Telephone Number: _____

Email: _____

Student Information

Student #1: _____

Contact Telephone Number: _____

Email: _____

Student #2: _____

Contact Telephone Number: _____

Email: _____

Student #3: _____

Contact Telephone Number: _____

Email: _____

Student #4: _____

Contact Telephone Number: _____

Email: _____

Please return this completed form by sending it by email or regular mail to the address below ***no later than April 7, 2017:***

U.S. District Judge Joseph Bianco
U.S. Courthouse
100 Federal Plaza
Central Islip, NY 11722
Michele_Savona@nyed.uscourts.gov

Appendix D

THE EDNY JUSTICE INSTITUTE: CRIME, THE CONSTITUTION, AND THE COURTS

INFORMATION SHEET

We are looking forward to your participation in the Eastern District of New York (EDNY) Justice Institute program from July 18-22, 2016. This Information Sheet provides you with the logistical information that you will need to know about the program. Also, enclosed is an information packet containing a one-page form that we ask that you return to us either by email (Michele_Savona@nyed.uscourts.gov), fax (631-712-5677), or mail (Michele Savona, U.S. Courthouse, 100 Federal Plaza, Rm. 1044, Central Islip 11722). The form needs to be returned by June 20, 2016. If you have any additional questions, you may contact Michele Savona at the above-referenced email or by telephone (631-712-5676).

HOURS:

The program will begin each day at 9:30 a.m. at the Central Islip Federal Courthouse. You should arrive no later than 9:15 a.m. each day so that there will be time to get situated for the first session each morning. A Courthouse employee will be stationed at a table in the Courthouse Lobby to check each student in (after they go through security) and then direct the student to the first session for that day. The program will end each day at 3:30 p.m.

DROP OFF/ PICK UP:

No transportation will be provided for the students. Parents/guardians are responsible for arranging for drop off and pick up of their child each day. **The drop-off each morning will be at the Central Islip Federal Courthouse at 9:15 a.m.** A Courthouse employee will be outside the court building to assist students as they come into the building. During the course of the day on Monday through Thursday, students will be escorted over as a group to the Touro Law Center for additional presentations and activities in the Law Center. The Touro Law Center is immediately adjacent to the Courthouse. **Therefore, pick-up on Monday through Thursday will be at the adjacent Touro Law Center at 3:30 p.m., not at the Courthouse.** The person picking up the student at the Touro Law Center in the afternoon will need to park and enter the lobby of the Law Center where the student will be waiting for the ride home. Directions for the Central Islip Federal Courthouse and the Touro Law Center are contained in this packet, along with a photographic view of the buildings that indicates the exact location of the drop-off at the Courthouse and the pick-up at Touro. On Friday, the day of the competition, the students will be in the Courthouse the entire day, so both the drop-off and pick-up will be at the Courthouse.

ATTIRE: The students may wear casual clothing on Monday through Thursday (July 18-21), except they are not permitted to wear T-shirts, tank tops, or shorts, and are not permitted to wear flip flops. On Friday (July 22), when the students will be participating in a moot court competition inside the Courthouse, the students should wear business attire.

LUNCH: Lunch will be provided to the students for free on Monday (July 18) and Friday (July 22). On the other days, students may bring lunch or may order lunch from a limited menu in the Courthouse cafeteria. For students who wish to order lunch, they will be given a menu in the morning when they come to the Courthouse and will check off the food, snack, and drink that they wish to order. A sample menu form, with the cost, is contained in this packet.

PHONES: Students will be permitted to take cellphones into the Courthouse. However, the phones must remain off except during lunch and breaks.

COMPETITION: The students will be participating in a Moot Court Competition on Friday (July 22) in the Courthouse. All students will be participating in the morning rounds from 10:00 a.m. to 12:15 p.m. There will be a complementary lunch provided after the morning rounds. After lunch, two teams will be competing for the Championship in the Ceremonial Courtroom in front of all the students, followed by an "Ask the Judges" segment and an awards ceremony. The program will end at 3:30 p.m. at the Courthouse. Each of the students may invite one parent or guardian to attend any of the events on that last day, including the lunch. However, students will need to let us know in advance if their parent/guardian will be at the lunch so that we can ensure that there is sufficient food and space.

FORMS: We have enclosed two forms. The first form will provide us with, among other things, your emergency contact information, as well as your T-shirt size because you will be given a free T-shirt, along with some other materials, on your first day. The form must be returned **by June 20, 2016 by email, fax, or mail** as provided at the top of this Information Sheet. The second form is a Photo Objection Form that only needs to be filled out and sent back to us with the first form if you object to the use of photographs or videos of your child for publicity regarding the program or for educational purposes. **If you do not object, do not send back the Photo Objection Form.**

Thank you for your cooperation and we look forward to seeing you on July 18th.

PHOTO OBJECTION FORM

The United States District Court for the Eastern District of New York, the Eastern District of New York Chapter of the Federal Bar Association and the Touro Law Center, who have partnered to run The EDNY Justice Institute, may arrange for photographs or videos to be taken of students for use in a variety of publications including but not limited to:

Newsletters

News items appearing in local media

Court, Education or Bar Association Websites and Materials

By signing this form, I indicate my objection to having the Court, the FBA and/or the Touro Law Center use my child's name or picture in the above manner.

I understand that, if I **do not return this form**, I am giving my permission to use my child's name or photo in the above manner. If I am withholding permission, this form will be returned to Michelle Savona by email (Michele_Savona@nyed.uscourts.gov), fax (631-712-5677), or mail (Michele Savona, U.S. Courthouse, 100 Federal Plaza, Rm. 1044, Central Islip 11722) **by June 20, 2016.**

PLEASE PRINT CLEARLY

STUDENTS NAME: _____
Last First Middle

HOME ADDRESS: _____
House Number Street

Town

SCHOOL: _____

PARENT'S NAME (PRINT): _____ DATE: _____

PARENTS SIGNATURE: _____

DIRECTIONS BY CAR TO THE LONG ISLAND FEDERAL COURTHOUSE

FROM POINTS WEST: (Staten Island, Brooklyn, Queens, Nassau)

Via Long Island Expressway to Exit 56 (Rte 111): turn right at the first traffic light, Wheeler Road. Bear left onto Wheeler Road (SC17), going south - cross Suffolk Avenue, Wheeler Road becomes Carleton Avenue, continue south to Spur Drive North. Left onto Spur Drive North. Parking lot is on the left. Approx. 4 miles from L.I.E.

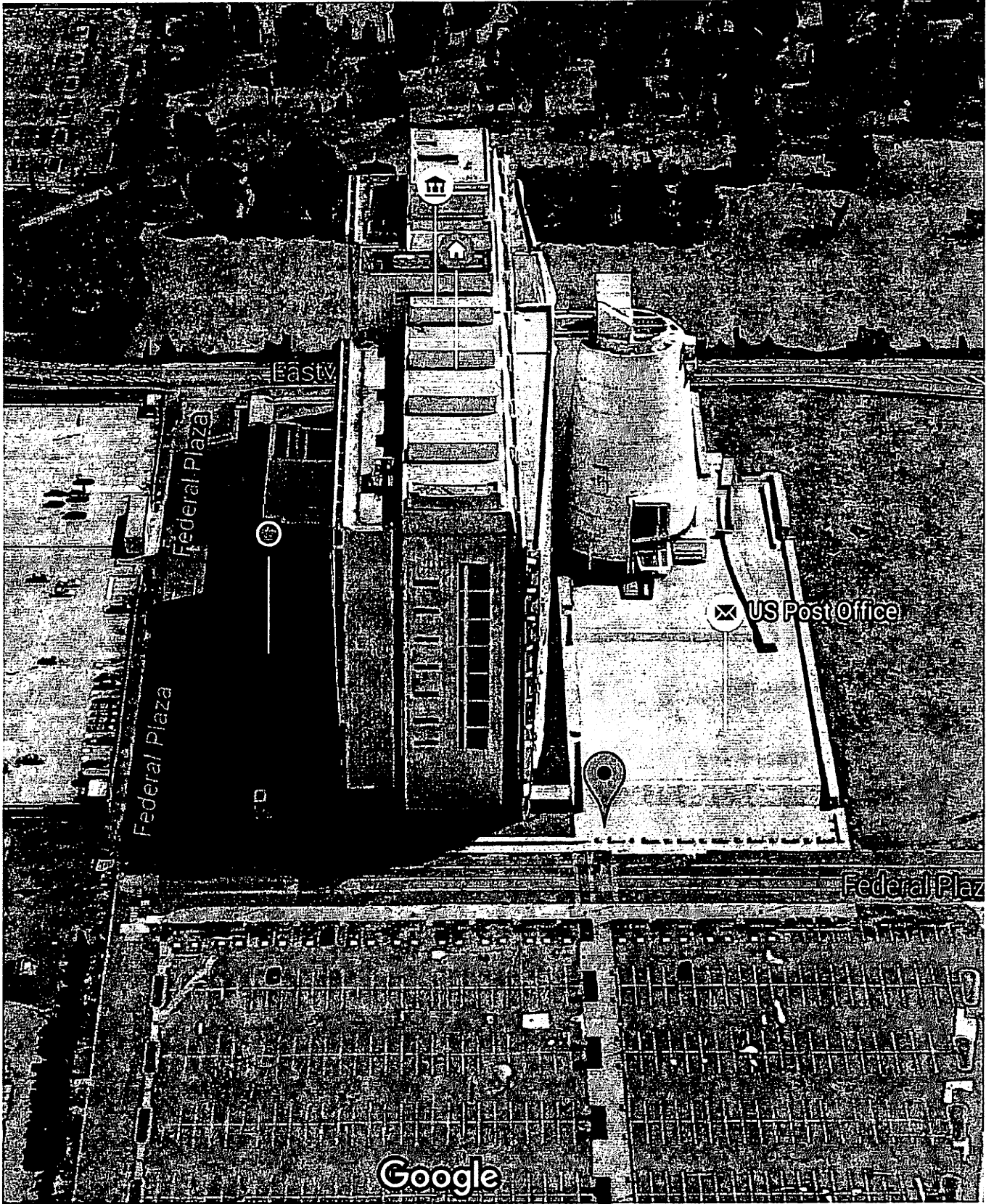
Via Southern State Parkway: to Exit 43(A) Central Islip - East Islip (SC17). Bear right onto Spur Drive South. Follow sign for Courts. Carleton Avenue (SC17) North over Parkway. Right at light onto Spur Drive North.

Via Northern State Parkway: to the last exit, Veterans Memorial Highway (Rte. 454). East to Wheeler Road (Rte. 111). Proceed south approx. 1 mile, go under Long Island Expressway overpass, bear left onto Wheeler Road (SC17), going South-cross Suffolk Avenue, Wheeler Road becomes Carleton Avenue. Continue South to Spur Drive North. Left onto Spur Drive North.

FROM POINTS EAST:

Via Long Island Expressway to Exit 56 (Rte 111): turn left at the first traffic light, Wheeler Road. Proceeding south, bear left onto Wheeler road (SC17), going south - cross Suffolk Avenue, Wheeler Road becomes Carleton Avenue. Continue South to Spur Drive North. Left onto Spur Drive North.

Via Sunrise Highway: to Southern State Parkway West-New York to Exit 43(A) East Islip-Central Islip. Left at light onto Spur Drive North



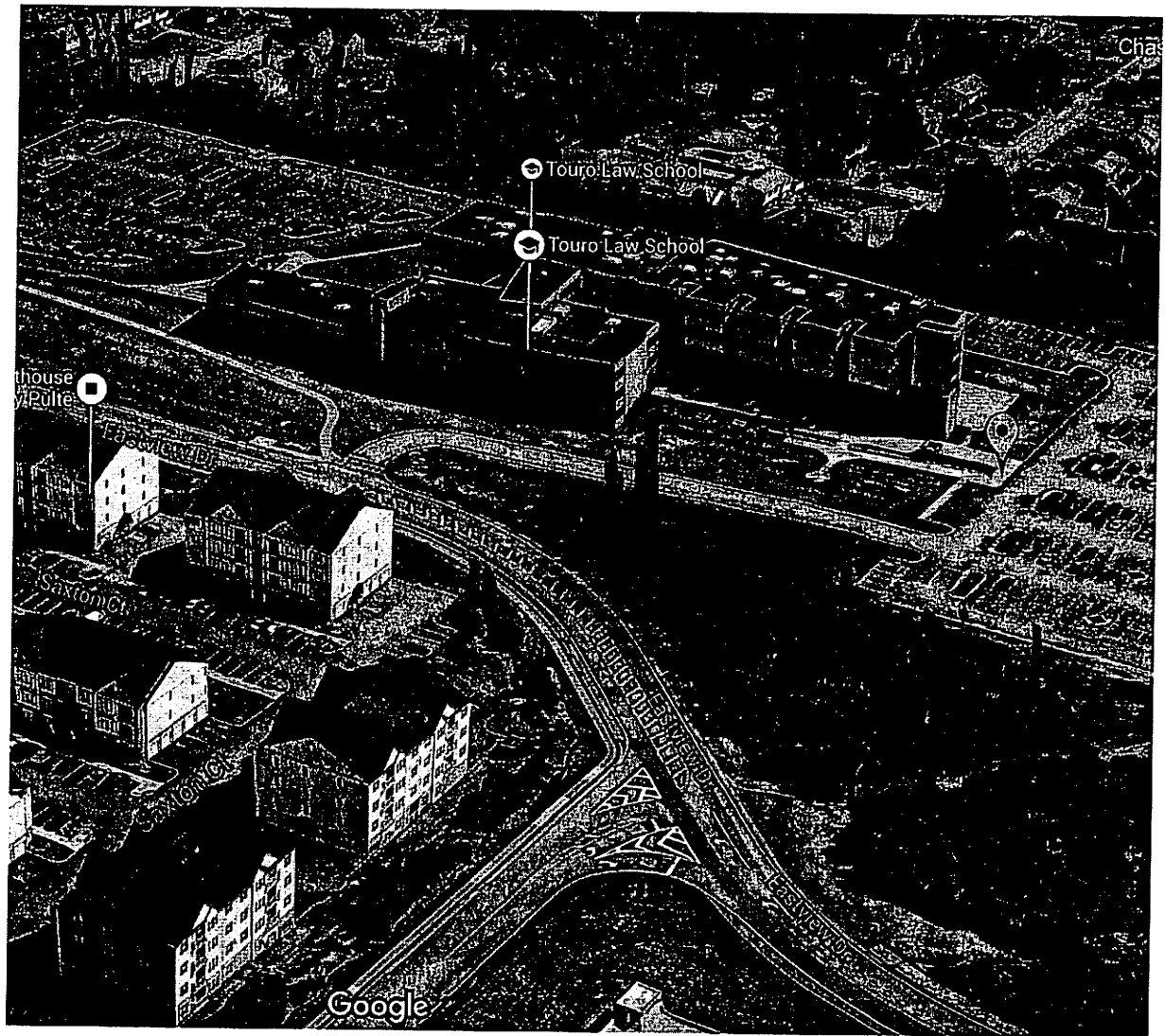
DIRECTIONS BY CAR TO TOURO LAW CENTER

FROM NYC and NASSAU COUNTY: Long Island Expressway (I-495) east to Exit 56 (Route 111). Turn right at the first traffic light onto Route 111 south. Bear left onto Wheeler Road (County Road 17) south. Wheeler Road becomes Carleton Avenue. Travel south on Carleton Avenue for approximately 3 miles and turn left into the court complex entrance – Courthouse Drive. Take Courthouse Drive ½ mile to end, turn right, school is on the left.

FROM NYC and NASSAU COUNTY: Southern State Parkway east to Exit 43A, Central Islip. Bear right onto Carleton Avenue (County Road 17) north approximately ½ mile and turn right into the court complex entrance – Courthouse Drive. Take Courthouse Drive ½ mile to end, turn right, school is on the left.

FROM EASTERN LONG ISLAND: Sunrise Highway (Route 27 West) to Carleton Avenue North exit. Bear right onto Carleton Avenue (County Road 17) north. Travel north on Carleton Avenue for approximately 1½ miles and turn right into court complex entrance – Courthouse Drive. Take Courthouse Drive ½ mile to end, turn right, school is on the left.

FROM EASTERN LONG ISLAND: Long Island Expressway (I-495) west to Exit 56 (Route 111). Turn left at the first traffic light onto Route 111 south. Immediately bear to the left onto Wheeler Road (County Road 17) south. Wheeler Road (County Road 17) becomes Carleton Avenue. Travel south on Carleton Avenue for approximately 3 miles and turn left into the court complex entrance – Courthouse Drive. Take Courthouse Drive ½ mile to end, turn right, school is on the left.



LAURA'S CAFÉ LLC

Deli sandwich with snack and drink - \$6.00

Bagel with snack and drink - \$4.00

Choose one item:

Buffalo Chicken _____

Turkey Sandwich _____

Salami Sandwich _____

Bologna Sandwich _____

Bagel and Cream Cheese _____

Bagel with Butter: _____

Add Cheese:

American _____

Swiss _____

Choose Bread:

White: _____

Whole Wheat: _____

Roll: _____

Snack:

Potato Chips: _____

Pretzels: _____

Cookies: _____

Drinks:

Coke: _____

Diet Coke: _____

Orange soda: _____

Water: _____

Iced Tea: _____

Seltzer: _____

Appendix E



**The EDNY
Justice Institute**

Crime, Constitution, and the Courts

Brittany Monroy

Baldwin High School



**The EDNY
Justice Institute**

Crime, Constitution, and the Courts

Deborah Ariston

Baldwin High School



**The EDNY
Justice Institute**

Crime, Constitution, and the Courts

Salvador Gutierrez

Brentwood Freshman Center



**The EDNY
Justice Institute**

Crime, Constitution, and the Courts

Paola Canales

Brentwood Freshman Center



**The EDNY
Justice Institute**

Crime, Constitution, and the Courts

Amanda Delaney

Brentwood Freshman Center



**The EDNY
Justice Institute**

Crime, Constitution, and the Courts

Tania Bonilla

Brentwood Freshman Center



**The EDNY
Justice Institute**

Crime, Constitution, and the Courts

Natasha Rodriguez

Brentwood Freshman Center



**The EDNY
Justice Institute**

Crime, Constitution, and the Courts

Silvia Soriano

Brentwood Freshman Center

The EDNY Justice Institute: Crime, the Constitution, and the Courts



Mock Trial Information Packet

**EDNY JUSTICE INSTITUTE
CASE SUMMARY**

**PEOPLE v. BRANDON SALINGER
Long Island Criminal Court
Indictment No. 2016-00526**

Brandon Salinger was a 16-year-old high school junior and his school's 6'2", 220 pound wrestling champion, when he won the regional championship this year for New York State. He has been mistaken for the team's assistant coach at several tournaments because of his physical appearance and mature demeanor.

On the afternoon of Wednesday, September 24, 2015, Brandon was at the Greenfield Mall in the Village of West Shore on Long Island. Brandon was with his 18-year-old sister Katie, who was helping him shop for a tie to wear to the homecoming dance. According to Katie, when Brandon refused to touch a bright yellow, striped tie that Katie was trying to hand to him, she threw the tie across his backpack (which was on his back) to try to get him to look at it. Brandon had no idea that she had done that as he walked away. He continued to look through John's Tie Store while his sister went to another store across the hall.

William Gordon was a security guard employed by the Greenfield Mall at the time. He was on duty that afternoon when he noticed Brandon walking through the store with a yellow tie hanging out of his backpack, with the price tag still on it. In light of the fact that the store manager had recently notified him about a spike in shoplifting, Security Guard William Gordon became suspicious. He approached Brandon and asked to see the receipt for the tie. When Brandon could not produce the receipt, the security guard and Brandon went to the mall's Security Office Suite, and Gordon contacted the police.

Tracey Greene is a West Shore police officer. He responded to the scene at the Mall. According to Officer Greene, Brandon was not under arrest at that time, but rather was simply being interviewed and was free to leave. He will testify that, during the interview, Brandon admitted that he stole the tie. At that point, because he had confessed, Officer Greene placed Brandon under arrest and read him his *Miranda* warnings. Officer Greene will testify that Brandon then waived his *Miranda* rights and agreed to give a written statement. Because Officer Greene was in a hurry, he asked Security Guard Gordon to take the written confession, while Officer Jones radioed for back-up and filled out some necessary paperwork. Officer Jones will further testify that he had no idea Brandon was under 18 years old based upon his physical appearance, and Brandon never indicated he was a juvenile. According to Security Guard Gordon, when he went back into the interview room, Brandon signed a written statement admitting that he had stolen the tie. Brandon was then transported by another police officer for processing.

According to Brandon, from the store, he was brought by the Security Guard to a small, hot interview room in the Security Suite, and he definitely believed he was under arrest. After waiting alone for 15 minutes, a police officer came into the room to question him. Brandon will testify (although the officer denies this) that he told the officer he was 16 years old and wanted to call his mother, but the officer refused. Brandon will further testify that the officer yelled at him

and threatened him by telling him that both he and his sister would spend the night in jail (and that his sister would face worse punishment as an adult) if he did not confess. According to Brandon, he confessed orally and in writing only because he was coerced.

Brandon Salinger was subsequently charged in an indictment with one count of shoplifting. Following the arraignment on the indictment, counsel for defendant Brandon Salinger filed a motion to suppress his statements to Police Officer Greene and William Gordon on two grounds: (1) the defendant should have been given his *Miranda* warnings at the start of Officer Greene's interview because he was already "in custody" for purposes of *Miranda*; (2) the oral confession, and his later waiver of *Miranda* and written confession, were all involuntary and the product of coercive tactics. Based upon the affidavits submitted by both sides in connection with the motion, the judge has ordered an evidentiary hearing to take place on July 22, 2016 at the Central Islip Courthouse. At the hearing, the prosecution will have the burden of proving, by a preponderance of the evidence (that is, more likely than not), that (1) *Miranda* warnings were not necessary during Officer Greene's interview because Brandon was not "in custody" for purposes of *Miranda* at that point, and no reasonable person in that situation would have believed otherwise; (2) the initial statement, as well as the later waiver of *Miranda* and written confession, were all voluntary. Because the prosecution has the burden of proof, the prosecution will present its witnesses first. Similarly, with respect to the opening and closing statements, the government will go first.

SUPPRESSION HEARING:

Issue One: WAS BRANDON SALINGER IN THE CUSTODY OF THE POLICE FOR PURPOSES OF *MIRANDA* WHEN QUESTIONED BY OFFICER GREENE?

Issue Two: WAS BRANDON SALINGER'S ORAL STATEMENT, AS WELL AS HIS SUBSEQUENT WAIVER OF *MIRANDA* AND WRITTEN CONFESSION, INVOLUNTARY?

Witnesses for the Prosecution:

William Gordon, *Mall Security Guard*

Tracey Greene, *Police Officer*

Witnesses for the Defendant:

Brandon Salinger, *Defendant*

Katie Salinger, *Defendant's Sister*

Potential Exhibits:

Signed *Miranda* Form

Signed Confession

Photo of Tie and Backpack

Piece of Paper with Telephone Number and Name of Defendant's Mom

Time Limitations for Hearing:

- Opening Statement: 5-7 minutes
- Direct Examinations: 7 minutes
- Cross Examinations: 5 minutes
- Re-Direct Examinations: 3 question maximum
- Closing Statement: 5-7 minutes

AFFIDAVIT OF BRANDON SALINGER

1. My name is Brandon Salinger. I am 16 years old and I am a junior at West Shore High School on Long Island. I am 6' 2" and weigh 220 pounds. I am on the school's wrestling team and won the regional championship this year for New York State. I was actually mistaken for the team's assistant coach at several tournaments because of my physical appearance and mature demeanor. Many people tell me that I look like I am 18 or 19 years old. Although I have a "C" average at school and have been wrongly suspended two times my Freshman Year at school (once for allegedly getting into a fight with another student, and the other time for allegedly cheating on an exam), I have never been accused of stealing of any kind and no have had no arrests prior to this case.
2. On Wednesday, September 24, 2015, at 4:00 p.m., after school, I was at the Greenfield Mall with my 18-year old sister Katie, who was helping me shop for a tie to wear to the Homecoming Dance. The wrestling coach told me I had to wear a tie. We were shopping together in John's Tie Shop. When I refused to touch an ugly bright yellow, striped tie that Katie handed to me, she chased after me as I walked away, laughing and saying, "Here, you should buy this. You will look awesome with this tie." I was wearing my backpack from school that day. I am very absent-minded and I often don't zip my backpack all the way closed.
3. My sister left the store to look in another store in the Mall directly across from where I was. As I continued to walk around John's Tie Shop, a uniformed mall security guard approached me and asked me to show him the receipt for the tie. I had no idea what he was talking about. He then explained to me that there was a store tie in my backpack with the tag and he wanted to see the receipt. I then realized it must be the tie that my sister had shown me. I did not know she had thrown it on my backpack. I tried to tell him it was a big misunderstanding and that I didn't know my sister had stuck the tie on my backpack as a joke, but he was not listening to me and immediately escorted me to the Mall's Security Suite, saying, "You're coming with me." He seemed really mean and was already convinced I was guilty even though there was an innocent explanation.
4. Once I was in the Security Suite, I was put into an empty room, and waited there about 15 minutes. The room just had a desk and a chair in it, and it was really small – maybe 10 feet, by 10 feet. I remember that it was really hot in that room, and I was extremely hungry because I had not had anything to eat or drink since my lunch period at 11:30 a.m. at school. The office had a window looking into the outer reception area of the Security Suite. I definitely thought I was under arrest and was not free to leave.
5. After waiting for about 15 minutes, a police officer came into the room. He did not tell me his name, and immediately started asking me about my name, my school, my family. I told him that I did not steal the tie, and that it was an accident. He screamed at me, and told me that it was ridiculous that I was claiming it was an accident when the tie was found in my backpack. I was really scared. As I was being questioned, I looked out the window and saw my sister on the couch in the reception area on her cellphone. I told the

officer that I was only 16 years old, and I wanted to call my mother to tell her what had happened to me and my sister. I wrote my mother's name and telephone number on a sheet of paper and handed it to the officer. The officer told me that he would call my mother after the interview. The officer said that I did not have to agree to be interviewed, but that it was likely that both me and my sister Katie would spend the night in jail if I did not admit that I stole the tie. He also told me that, because Katie was an adult, the punishment would likely be much worse for her. I didn't want my sister to go to jail, so I told the officer that I stole the tie on purpose. The officer then took out a form, and told me that I had to sign it. He did not explain it to me. It remember it said "Miranda Waiver" on it. I didn't know what that meant. He just told me to sign it, so I did that. The officer then left the room after speaking to me for about 15 minutes. I think the officer was in a rush because he was talking fast and looking at his watch.

6. About 15 minutes later, the security guard came back in the room, and told me that he wanted me to sign a written statement admitting that I had taken the tie on purpose. He wrote the statement out and told me to sign it. Again, I was terrified, and I was starving, and I just wanted to go home. So I signed it, even though it wasn't true. After I signed the written confession, I was told I was under arrest, that another police officer would be arriving shortly, and that they would be contacting my mother.

AFFIDAVIT OF KATIE SALINGER

1. My name is Katie Salinger. I am 18 years old and I am Valedictorian of my high school class at West Shore High School on Long Island. I was also a County Champion in tennis. I have never been in trouble with the law before except for a shoplifting arrest in 2014. I was accused of stealing a purse from a store called Fashion Central, but the charges were dismissed. I am planning on attending Lincoln College in Virginia starting in September.

2. On Wednesday, September 24, 2015, at 4:00 p.m., I was shopping with my younger brother, Brandon, in the Greenfield Mall. We went there right after school to look for a tie for him to wear to the Homecoming Dance. We were walking around John's Tie Shop and I saw this bright yellow, striped tie. I thought it would get a lot of laughs at the dance so I tried to give it to Brandon. He thought it was ugly and told me he didn't want to see it. As he started running away, I threw the tie on his backpack (which was on his back) to try to get him to look at it. I don't remember if the backpack was partially open or not. I was half-joking with him. I then started looking around the rest of the store and eventually wandered into a store across from John's Tie Store.

3. A few minutes later, I heard a commotion and saw my brother being escorted out of John's Tie Store by a security guard. I heard the security guard saying, "You're coming with me." I was worried about my brother so I immediately followed them into the Security Suite. The receptionist told me that I could not speak to my brother because he had stolen a tie. I tried to explain that he didn't steal the tie, and that I had just laid it on the backpack as a joke. She didn't seem to care and just kept looking down. I sat on the couch in the waiting area, and tried to call my Mom, but could not get hold of her. I saw my brother's backpack on a conference table in an open room. It was just as I had placed the tie in the store – with the tie draped over the top of the backpack. It would have been ridiculous to try to steal the tie that way – the whole tie was in the open. I took a photo of the backpack and tie with my cell phone.

4. I saw my brother being questioned by the mall security guard for several minutes. I don't recall exactly how long it was. After a little while, the mall security guard left and a police officer went into the room. The police officer was in the room for about 5-10 minutes. It was clear to me that the police officer was trying to coerce a confession from my brother. The officer was pointing his finger at my brother, pacing, and appeared to be yelling at one point. Although my brother was not crying, I could tell that he was definitely scared. Eventually, the police officer left and the mall security guard went back into the interview room. I saw my brother sign something. He didn't appear to read it before he signed it. A few minutes later, the mall security guard came out and told me that my brother had confessed to stealing the tie and was under arrest.

AFFIDAVIT OF WILLIAM GORDON

1. My name is William Gordon. I am 30 years old and I have been employed by the Greenfield Mall as a security guard for 8 years. I graduated with honors from the Institute of Criminal Justice on Long Island. I am married and have two children. I received two weeks of training in order to become a security guard at the Mall, including a course on detecting shoplifters.
2. On Wednesday, September 24, 2015, at 4:00 p.m., I was on duty inside John's Tie Shop in the Mall. I was actually talking to my cousin who is a manager in the Mall. My cousin had told me that, in recent weeks, they had noticed that many items from the store were missing and concluded that shoplifters had to be responsible. A few minutes later, I saw a young man walking through the store with a small portion of a tie sticking out of his backpack. I also noticed that the tag was still on the tie. It was clear to me that he was trying to steal the tie and had failed to zip up his backpack all the way. So, at that point, I approached the man and asked him if he had a receipt for the tie in the backpack. He admitted that he did not have a receipt, so I asked him if he would agree to come with me to the Mall's Security Suite so we could talk more and he agreed. Although we have a store video surveillance system, I forgot to turn it on when I got to work that day, so it was not recording at the time of the incident.
3. I walked the suspect in a room and contacted the local police by telephone. The air-conditioned interview room is about 10 feet by 10 feet. I don't remember if the air conditioner was on. I asked the suspect his name and he told me he was Brandon Salinger. I did not ask him any other questions, including his age. I thought it was best to wait for the police, so I just waited outside the room until the police came. Even though I did not ask his age, based upon his physical appearance, it never occurred to me that he was under 18 years old. He was seated in the room, and he appeared to be calm and relaxed. He never made any requests for food, or a drink, or anything else. He was not under arrest at that point – my practice is to allow the police to make that determination. I never told him that he was not free to leave. In fact, at one point, he told me he needed to go to the bathroom and I pointed to the private bathroom next to the interview room in the Security Suite, and he went into that bathroom unescorted. I also had put the backpack and tie in a separate room for safekeeping. He had no objection to that either. I had taken the entire tie out of the backpack to examine it and then just draped it over the top.
4. About five minutes later, Police Officer Tracey Greene arrived. I know Officer Greene extremely well from my years at the mall. I have even occasionally gone to parties that Officer Greene also attended. I told Officer Greene what I had observed. I remember Officer Greene saying that he was about to end his shift and he had plans for that night, but he didn't think it would take long because it seemed like an "open and shut" case. Officer Greene entered the room, while I

remained outside. Although I could not hear the conversation, I could tell that the conversation between them was calm. Both were seated. There was no finger-pointing, table-pounding, or any other angry gestures by Officer Greene. I also remember Brandon even smiling at one point. I also saw Officer Greene reviewing a form with Brandon which Brandon then appeared to sign.

5. After some period of time, Officer Greene came out of the room and told me that the defendant had waived *Miranda*, and then confessed verbally. Because Officer Greene needed to leave, he asked me to get the written confession and he would radio headquarters for another officer to arrive shortly. So I wrote a short statement admitting that he stole the tie and asked the defendant to read it and sign it if it was accurate. He said it was accurate and signed it. After he signed the confession, I told the defendant that, because he was under arrest, another police officer would be arriving momentarily to transport him. At that point, he told me that he was only in high school and that he wanted to call his mother. He even showed me his school I.D., and I was shocked that he was under 18. But I asked him to write down his Mom's name and phone number on a piece of paper, and I handed that information to the second police officer who had just arrived to transport the defendant. The defendant's sister, who had just arrived, approached me after I left the room with the written confession and was upset her brother was being arrested.

AFFIDAVIT OF TRACEY GREENE

1. My name is Tracey Greene. I am 32 years old and I have been employed as a police officer by the West Shore Police Department on Long Island for 7 years. I graduated from East Point College with honors, and worked for three years as the manager of a retail store prior to being accepted into the Police Department. As a police officer, I have received extensive training on questioning witnesses, including when *Miranda* warnings are necessary. I am married and have one small child, who is severely disabled.
2. On Wednesday, September 24, 2015, at about 4:00 p.m., I was on duty in my patrol car and received a radio communication to respond to the Greenfield Mall because of an alleged shoplifting incident. When I arrived at the mall Security Suite a short time later, I saw mall Security Guard William Gordon. He told me that the suspect was caught with a new tie from John's Tie Store in his backpack (with the price tag still on), and that he had no receipt for the tie.
3. At that point, I went into the interview room to see if the suspect would agree to speak with me. I introduced myself and showed my badge. The suspect was never handcuffed. Although my gun was showing, it never left the holster. The tone of our entire conversation was calm. I never raised my voice, or threatened him in any way. I told him that he was not under arrest and that he did not have to speak to me if he did not wish to. He said he understood, but he would talk to me. He told me that he stole the tie and emphasized that his sister had nothing to do with it. I was surprised that he mentioned his sister because I was not aware that his sister was with him in the store at all. He said that it was all his doing, that she shouldn't get blamed, and that, if she was arrested, it could ruin her chance to go to college. I told him that I had no intention of arresting his sister because I had no information that she was involved in the theft.
4. After his confession, at approximately 4:30 p.m., I told him that he was under arrest and, therefore, I wanted to read him his *Miranda* warnings. I took out my standard *Miranda* form, read it out loud to him, and asked him if he understood. He said that he did. I also asked whether he would waive those rights and give a written statement, and he agreed and signed the waiver. I was ending my shift around that time and could not stay late, so I asked Security Guard Gordon to take the written statement. He went into the room to do that, I radioed for back-up to transport the defendant back to the station, and I filled out some paperwork outside the room while back-up came. I never saw the defendant's sister in the lobby while I was there. When the back-up officer arrived, I told him to wait outside the interview room and, as soon as the written confession was done, to transport the defendant back to headquarters. I never asked the defendant his age because I reasonably assumed, based upon his physical appearance (over 6 feet and over 200 pounds) and my years of experience as a police officer, that he was at least 18 years old. He certainly never told me he was a juvenile.

EDNY JUSTICE INSTITUTE—TOP 10 COMMON OBJECTIONS CHECKLIST

1. **ASKED AND ANSWERED:** Lawyer is asking a question that is the same or is similar to one he already asked and the witness already answered.
2. **COMPOUND QUESTION:** Lawyer is asking a question that asks about more than one thing. (Ex. - "Was she driving a white car and wearing a red hat?")
3. **RELEVANCE:** Lawyer is asking a question asks about a fact that does not relate to any issues in the case.
4. **LEADING QUESTION:** Lawyer is asking a question that suggests the answer or only requires a "yes" or "no" response (such questions are permitted on cross).
5. **ARGUMENTATIVE QUESTION:** Lawyer is asking a question that inserts a conclusion or an argument. (Ex. - "Isn't it true that you are lying to help your friend?")
6. **SPECULATION:** Lawyer is asking a question that calls upon the witness to guess what happened, or might of happened, or would have happened under other circumstances, or what someone else was thinking. (Ex. - "Isn't it true that, if you were driving slower, the accident would have never happened?")
7. **HEARSAY:** Lawyer is asking a question that calls upon the witness to testify what someone else said outside of court and is offered for the truth of the statement.
(Common exceptions or responses: Not being offered for the truth, statement by the defendant, and statement goes to a person's state of mind.)
8. **OPINION:** Lawyer is asking a question that calls for the witness to give an opinion (except an expert).
9. **NARRATIVE:** Witness is answering a question with a long story that doesn't allow for objections.
10. **LACK OF PERSONAL KNOWLEDGE:** Lawyer is asking a question about something witness did no observe.

EDNY JUSTICE INSTITUTE

CHECKLIST FOR GETTING A DOCUMENT INTO EVIDENCE

STEP ONE: THE EXHIBIT IS MARKED

Your Honor, may I please have People's Exhibit 1 marked for identification?

STEP ONE: SHOW THE EXHIBIT TO YOUR ADVERSARY

Your Honor, may the record reflect I am showing the exhibit to my adversary?

STEP THREE: ASK PERMISSION TO APPROACH

Your Honor, may I approach the witness?

STEP FOUR: SHOW THE EXHIBIT TO THE WITNESS

Mr. Witness, I am showing you what has been marked as People's Exhibit 1 for identification. Do you recognize it? How do you recognize it? (Follow-up questions to lay foundation for exhibit.)

STEP FIVE: REQUEST THAT THE EXHIBIT BE ADMITTED

Your Honor, we request that People's Exhibit 1 be admitted into evidence.

STEP SIX: RESPOND TO ANY OBJECTION BY ADVERSARY

Your Honor, may I respond?

**EDNY JUSTICE INSTITUTE
OUTLINE OF LAW UNDER MIRANDA**

ISSUE ONE: WAS BRANDON SALINGER IN THE CUSTODY OF THE POLICE FOR PURPOSES OF *MIRANDA* WHEN QUESTIONED BY OFFICER GREENE?

Statements made by a suspect during custodial questioning are generally inadmissible unless the suspect has first been advised of his or her rights. Miranda v. Arizona, 384 U.S. 436, 444 (1966)

The objective test for determining custody under Miranda is whether a reasonable person would have understood his or her freedom of action to have been limited to a degree associated with formal arrest. Stansbury v. California, 511 U.S. 318, 322 (1994). In other words, would a reasonable person have believed that he or she was not free to leave and was under arrest under the circumstances?

In examining all of the circumstances surrounding the questioning, relevant factors include, among others: (1) the length of the questioning; (2) its location (e.g., at the suspect's home, in public, or in a police station); (3) the manner and tone of the questioning; (4) whether the suspect volunteered for the interview; (4) whether the officer used restraint; (5) whether weapons were present and especially whether they were drawn; and (6) whether the officer told the suspect that he or she was free to leave.

The "in custody" analysis under Miranda also includes a consideration of a juvenile suspect's age, so long as the child's age was known to the officer at the time of questioning, or would have been objectively apparent to any reasonable officer. If so, then the court should consider how a child's young age may have affected whether he or she would have reasonably believed that he or she was free to leave. J.D.B. v. North Carolina, 564 U.S. 261 (2011)

ISSUE TWO: WAS BRANDON SALINGER'S ORAL STATEMENT, AS WELL AS HIS SUBSEQUENT WAIVER OF *MIRANDA* AND WRITTEN CONFESSION, INVOLUNTARY?

An involuntary confession is one that is obtained by threats or violence, or by means of any other improper influence. Hutto v. Ross, 429 U.S. 28 (1976)

When the government is trying to prove that a defendant has lawfully waived his *Miranda* rights, the government must prove, by a preponderance of the evidence, that the defendant's decision to give up his *Miranda* rights was voluntary, knowing, and intelligent. A waiver is voluntary when it is the product of a suspect's "free and deliberate choice rather than intimidation, coercion, or deception." The Supreme Court has emphasized that it is only if the totality of the circumstances surrounding the interrogation demonstrate both "an uncoerced choice and the requisite level of comprehension" may a court conclude that *Miranda* rights have been properly waived. *Moran v. Burbine*, 475 U.S. 412 (1986)

In examining the totality of the circumstances on the issue of voluntariness, relevant factors include, among others: (1) the characteristics of the accused, such as his experience, background, age, and intelligence; (2) the conditions of the interrogation; (3) police conduct, such as physical abuse, handcuff restraint, and psychologically coercive tactics.

MIRANDA WAIVER

Before we ask you any questions, you must understand your rights:

- You have the right to remain silent.
- Anything you say can and will be used against you in a court of law.
- You have the right to an attorney.
- If you cannot afford an attorney, one will be appointed for you before any questioning if you wish one.
- You can decide at any time from this moment on to terminate the interview and exercise these rights.
- Do you understand each of these rights I have explained to you? Having these rights in mind, do you wish to talk to us now?

I have read and understand fully each of my rights, and I am willing to answer questions and make a statement at this time. I do not want the advice of an attorney at this time. I understand and know what I am doing. No promises or threats have been made to me.

Signature: <u>Brandon Salinger</u>	Date: <u>Sept. 24, 2016</u>	Time: <u>4:30 PM</u>
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Witness Signature: <u>Tracy Greene</u>	Date: <u>9/24/16</u>	Time: <u>4:30 p.m.</u>
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Witness Signature:	Date:	Time:
--------------------	-------	-------

I, Brandon Salinger, attempted to steal a tie from John Tie's Shop on September 24, 2016 without paying for it.

Brandon Salinger

Witness: William Gordon
William Gordon

Dated: September 24, 2016

Deborah Salinger

(631) 876-1285



Appendix G

Mock Trial Teams

1) Brentwood 1

- Salvador Gutierrez
- Silvia Soriano
- Yessica Martinez
- Tania Bonilla

Mentor: Albert Manuel
Tom Panichella

Room: Auditorium

2) Hauppauge

- Guri Hecht
- Owen Kells
- Emma Casey
- Colleen Nugent

Mentor: Andrew Salomon
Hailey Kantrow

Room: Auditorium

3) Floral Park

- Matthew Palmer
- Danielle Ashbahian
- Nicholas Fitzpatrick
- Dylan Mattingly

Mentor: Kimberly Cruz

Room: Auditorium

5) Kings Park

- Daniel Cersosimo
- Andrew McBride
- Faith DePola
- Amanda Alongi

Mentor: Brandon Abbatiello

6) Massapequa

- Rachelle Casement
- Sara Gowen
- Danielle Swartz
- Patricia Taylor

Mentor: Maria Benvenuto

Room: 412

7) Kellenberg

- Katharine Cuneo
- Sergio Arreaga
- Jules Ayroso
- Catharine Dotzler

Mentor: Stephanie D'Angelo

Room: 210

8) Waldorf School of Garden City

- Harry Wozniak
- Christian Kritas
- Hannah Behar
- Sydney Bossuk

Mentor: Gary Dunn

Room: 414

9) Sacred Heart Academy

- Keara St.Fort
- Veronica Rich
- Arianna Freire
- Amanda Tepper

Mentor: Jane Komsky

Room: FCR

10) Long Beach and Westhampton Beach

- Cristina Goeller
- Caitlin Devine
- Matthew McDermott
- Joshua Harvey

Mentor: Maribeth Hunt
Willaim Hoffer

Room: BDR

14) Hicksville

- Zainab Bukhari
- Brendan Pursoo
- Leidy Betances
- Ohm Patel

Mentor: Ryan Blitz

Room: 204

11) Paul J. Gelinas

- Kevin Xu
- Kian Abbott
- Samuel Kim
- Gabrielle Barry
- Thomas DiPietro

Mentor: Amy Goldenberg

Room: MFC

15) Connetquot 1

- Hannah Mayer
- Ryan Maraviglia
- Kasey Farrell
- Kaitlyn Mills
- Jason Cheng

Mentor: Michael Spinelli

Room: 205

12) Holy Trinity and Our Lady of Mercy

- Steven Portillo
- Patrick Harten
- Dominica Marciano
- Kayla Ellis
- Kerry Ellis

Mentor: Daniel Pilo

Room: Clinic Conference Room

16) Walt Whitman

- Deanna Tabibzada
- Saniya Saleem
- Andrew Harrigan
- Asma Halimi

Mentor: Andrew Brown

Room: 206

13) Eastport-South Manor and Massapequa

- Abhay Arora
- Holly Buxton
- Jason D'Amaro
- Juliana Amato

Mentor: Christina Gutierrez
Travis Frank

Room: Conference Room

18) West Islip and Connetquot

- Roman Millet
- Kylee Culkin
- Rosemarie Hightower
- Ever Levesque

Mentor: Rachel Ostreich

Room: 308

Room: 410

19) Walter G. O'Connell Copiague

- Jackson Bright
- Veronica Rosario
- Melinda Harris
- Iris Romero

Mentor: LeslieAnne Mendoza
RhonaMae Amorado

Room: 310

20) Centereach

- Sean Hughes
- Alicia Fusco
- Anna Clark
- Jessica Finn

Mentor: Victoria Ceru
Kaitlin Kennedy

Room: 312

21) Northport and Hauppauge

- Emma Canfora
- Rachel Ewanyk
- Bradley Hays
- Elaina Elkins

Mentor: Laura Bilder
Sarah Atlas

Room: 409

22) Central Islip

- Andrea Cano
- Juan Cruz
- Brianna Gutierrez
- Alexia Hackett

Mentor: Denisse Mira
Joseph Timpanaro

Appendix H

Mock Trial Rounds

Prosecution: Teams 1, 2, 3, 6, 7, 9, 10, 11, 15, 16,

Defendant: Teams 5, 8, 12, 13, 14, 18, 19, 20, 21, 22

Round 1

Courtroom 830	Team 9 (Sacred Heart Academy) v. Team 12 (Holy Trinity HS/Our Lady of Mercy)
Courtroom 1040	Team 7 (Kellenberg HS) v. Team 8 (Waldorf School of Garden City)
Courtroom 910	Team 16 (Walt Whitman HS) v. Team 21 (Northport HS)
Courtroom 1010	Team 11 (Paul J. Gelinas JHS) v. Team 18 (West Islip HS/R.C. Murphy JHS)
Courtroom 820	Team 1 (Brentwood 1) v. Team 22 (Central Islip HS)
Courtroom 920	Team 3 (Floral Park HS) v. Team 5 (Kings Park HS)
Courtroom 1030	Team 2 (Hauppauge HS) v. Team 14 (Hicksville HS)
Courtroom 1020	Team 15 (Connetquot 1) v. Team 20 (Centereach HS)
Courtroom 960	Team 10 (Long Beach HS/Westhampton Beach HS) v. Team 13 (Eastport-South)
Courtroom 710	Team 6 (Massapequa HS) v. Team 19 (Walter G. O'Connell Copiague HS)

Round 2

- Courtroom 910** **Team 9** (Sacred Heart Academy) v. **Team 8** (Waldorf School of Garden City)
- Courtroom 820** **Team 7** (Kellenberg HS) v. **Team 12** (Holy Trinity HS/OLMA)
- Courtroom 1040** **Team 16** (Walt Whitman HS) v. **Team 14** (Hicksville HS)
- Courtroom 1010** **Team 2** (Hauppauge HS) v. **Team 21**(Northport HS)
- Courtroom 920** **Team 1** (Brentwood 1) v. **Team 20** (Centereach HS)
- Courtroom 830** **Team 10** (Long Beach/Westhampton Beach) v. **Team 19**
(Walter G. O'Connell Copiague HS)
- Courtroom 1030** **Team 6** (Massapequa HS) v. **Team 13** (Eastport-South)
- Courtroom 710** **Team 11**(Paul J. Gelinas JHS) v. **Team 5** (Kings Park HS)
- Courtroom 1020** **Team 3** (Floral Park HS) v. **Team 18** (West Islip HS/R.C. Murphy JHS)
- Courtroom 960** **Team 15** (Connetquot 1) v. **Team 22** (Central Islip)

Appendix I

The Eastern District of New York Launches “The EDNY Justice Institute”

CENTRAL ISLIP, July 18-22, 2016 – On July 18, 2016, the District Court for the Eastern District of New York, in partnership with the Eastern District of New York Chapter of the Federal Bar Association and the Touro College Jacob D. Fuchsberg Law Center, will be launching a new civics program – The EDNY Justice Institute. This week long, interactive learning program is the first of its kind hosted by a federal court and federal judges. The program, lead by Judge Joseph Bianco, is designed to introduce incoming 10th graders to the workings of the federal courts and the criminal justice system, and to promote an enlightened and responsible citizenry. The program will be held at the Long Island Federal Courthouse in Central Islip and consists of several components that will allow the students to learn all about the legal system and to develop basic advocacy skills in a fun and interesting format.

Students will hear presentations from seven federal judges, FBI agents, a U.S. Secret Service Agent, Deputy U.S. Marshals, law professors, federal prosecutors, and criminal defense lawyers about their respective roles within the federal court system. The students will also observe real court proceedings in the federal courthouse – including a guilty plea and a sentencing – and will discuss what they observe with a federal judge. Finally, the students will be taught basic advocacy skills in several sessions by experienced lawyers and will participate at the end of the week in a mock trial competition against other high school students. Approximately 100 students from twenty-five high schools in Nassau and Suffolk Counties are registered to attend the inaugural program. In addition, close to thirty law students from the Touro Law Center and other local law schools have volunteered to mentor the high school students and coach them for the final completion.

Students and their family members have also been invited to attend a final awards luncheon on Friday, July 22, 2016. The Court is pleased to announce that the event’s keynote speaker will be free speech activist, Mary Beth Tinker. Ms. Tinker is known for her role in the 1969 Supreme Court case, *Tinker v. Des Moines*

Independent School District, a case that set a precedent for student speech in schools. The EDNY and its partners are committed to making this an annual event.

Appendix J

The EDNY Justice Institute:
Crime, the Constitution, and the Courts

Dear Parent(s) and/or Guardian(s),

The District Court of Eastern District of New York and Eastern District of New York Chapter of the Federal Bar Association are pleased to invite one family member to attend the final awards luncheon on Friday, July 22, 2016. The luncheon will be held at the Long Island Federal Courthouse at 12:45 p.m. Our keynote speaker will be free speech activist, Mary Beth Tinker. Ms. Tinker is known for her role in the 1969 Supreme Court case, *Tinker v. Des Moines Independent School District*, a case that set a precedent for student speech in schools.

Please be advised that you are also welcome to attend the mock trial tournament on Friday. The first round of the tournament begins at 10:00 a.m. The round two will begin at 11:30 a.m. All students will participate in the first two rounds of the tournament. The final round will begin following the luncheon.

Please have your child return this form to us tomorrow if you plan to attend the luncheon. You do not need to RSVP if you only plan to attend the tournament. We look forward to seeing you all on Friday.

Very truly yours,

Judge Joseph F. Bianco

Dina Miller, President
EDNY Federal Bar Association

I, _____, plan to attend the lunch on Friday, July 22, 2016.

Appendix K

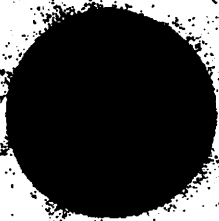
The EDNY Justice Institute:

Crime, the Constitution and the Courts

2016 Mock Trial Competition

July 22, 2016

Alexandra Ivanov



Appendix L

The EDNY Justice Institute Evaluation

As a participant in this program, your comments are important to us in terms of planning future programs. Please complete this form and return it to us before you leave.

ABOUT YOU:

School Attended: _____

ABOUT THE PROGRAM:

	Excellent	Good	Fair	Poor
U.S. Marshals Presentation				
Tour of Cell Block				
Cinderella Trial				
Prosecuting/Defending Criminal Defendants				
Giving an Opening Statement				
The FBI at Work				
Nassau County Police Canine				
A Look at the Secret Service				
Direct/Cross and Objections				
Prosecuting the Pagan Street Gang				

Using Demonstratives				
Miranda in Society				
Arguing in Court				
Court Observations				
Giving a Closing				
False Confessions				
Naturalization Ceremony				

General comments about the program:

Has this program encouraged you to get involved in other moot court or mock trial programs, or inspired you to consider a legal career? If yes, please explain.
