



**Criminal Mock Trial
District Court**

State)
Prosecution)
)
v.)
)
Tony)
Defendant)

Facts

Tony and several of his friends were riding their bikes around the neighborhood on Friday, March 15. At about 6:00 p.m. a few kids from a different neighborhood rode by Tony and his friends. They teased Tony and his friends and dared them to throw stones at Mr. Wiley’s windows. Mr. Wiley is an old man who often tells the children to stay off his property. Several windows were broken, and when Mr. Wiley ran out of his house to stop the children, he recognized Tony. The State has now charged Tony with the crime of vandalism.

Issue:

Did Tony throw the stone that broke Mr. Wiley’s windows?



Mr. Wiley

Mini-Mock Trial *State v. Tony*

Prosecution Witness Statement

I have lived in this neighborhood for 47 years. My wife and I built our little house when we were married. My wife died five years ago. Since then, I have been a victim of many attacks of vandalism. On Friday evening, March 15, I was watching the 6:00 p.m. news when I heard glass breaking in my front porch. I ran out my back door and around the house to see what was going on. I saw lots of kids. I recognized Tony because he lives down the block and often rides his bike past my house. It was clear to me that this group of kids was responsible for breaking my windows. In fact, Tony had a rock in his hand and was getting ready to throw it.



Leslie, Paper Carrier

Mini-Mock Trial *State v. Tony*

Prosecution Witness Statement

I have delivered newspapers to Mr. Wiley's neighborhood for three years. On Friday, March 15, I was delivering a newspaper to Ms. Crowley, who lives three houses away from Mr. Wiley, when I heard kids screaming and then I heard breaking glass. I ran over to Mr. Wiley's house. I saw about 10 children on the front yard. Tony and another kid were pushing each other. It looked to me like the other kid was trying to stop Tony from throwing a stone. I did not see anyone throw stones.



Mini-Mock Trial *State v. Tony*: Defense's Witness Statements



Sandy

Mini-Mock Trial *State v. Tony*
Defense Witness Statement

Tony and I were out riding our bikes with some other friends on Friday, March 15. We were riding up and down Tony's block when a bunch of kids we didn't know rode up to us and started teasing us. They dared us to throw stones at grouchy old Mr. Wiley's windows. We tried to ignore them. They threw a stone and hit a front porch window. Then they threw some more stones. I think a couple of windows were broken. Tony and I and our friends stood and watched. When one of the other kids picked up a stone to throw, Tony tried to stop him. Then Mr. Wiley came around the house. The other kids said they didn't throw the stones, they said that Tony did. I think they were mad at Tony because he tried to stop them. Tony is a real nice friend, he wouldn't try to break Mr. Wiley's windows.



Tony, Defendant

Mini-Mock Trial *State v. Tony*
Defense Witness Statement

I was riding bikes with my friends on Friday, March 15. It was almost getting dark when a bunch of kids we didn't know rode up to us and started bugging us. They wanted us to throw rocks with them. They were going to try to break some of Mr. Wiley's front porch windows. Even though I don't like Mr. Wiley very much, we said we wouldn't do that. I saw one kid standing next to me pick up a rock. I tried to take it out of his hand so he wouldn't throw it. That's when Mr. Wiley came around the corner. Leslie the newspaper carrier also showed up. I did not throw any stones.



Instructions

The prosecution must set out such a convincing case against the defendant that the jury believes “beyond a reasonable doubt” that the defendant is guilty.

The Law

Whoever intentionally causes damage to physical property of another without his or her consent is guilty of misdemeanor and will be sentenced to imprisonment for not more than 90 days or payment of a fine of not more than \$1,000 or both.