

ADMINISTRATION OF JUSTICE

Opening Activity

You the Jury #1

The Case of the Terminated Employee

Name: _____ Period: _____ Row: _____

THE FACTS OF THE CASE BEFORE TODAY ARE AS FOLLOWS:

When a person is found at the scene of a crime they may become a suspect, may have committed the crime but just because they were there does not necessarily mean they are a criminal.

Keep this in mind as you decide the case before you today.

The crime presented here today may seem unusual. There was no money or property stolen during the crime. Rather, the act was one of outright vandalism in which someone purposely wrecked the rear room of the Pets-R-People Pet Shop.

James Bradley, the owner of the Pets-R-People Pet Shop, has accused Mike Webster of purposely wrecking the back room of the store. Mike Webster, is a former employee of the store and claims he is innocent of any wrong doing.

John Robinson the night watchman has given the following testimony about the events that night:

"I was making my rounds checking the Concord Mall on August 17 when I heard some very strange noises coming from the Pets-R-People Pet Shop that were not normal for that time of day. I checked the front door to see if it was secure and found it was unlocked. As soon as I realized it was not locked I contacted the owner and the police. With the owner's permission I entered the store to investigate the noises.

"When I first entered nothing seemed unusual or out of the ordinary. I carefully worked my way to the rear of the store looking for anything unusual as I proceeded. As I pulled apart the curtains leading to the back room of the store, I was startled to find Mike Webster face down on the floor. He appeared to be unconscious.

"The rear room looked as if a tornado had gone through it. There were papers, bills, and files torn into pieces scattered throughout the room. Many of the boxes were torn opened, their contents littered about the floor. There were piles of spilled pet food all over the room."

The watchman shook Mr. Webster to see if he was alright and was relieved when Mr. Webster opened his eyes and groaned. Half dazed and somewhat shaken, he rose to his feet.

Webster said he had gone to the pet store after it had closed because he had left early and had forgotten to feed the goldfish. While he was in the back room, he heard the front door open because it made a squeaking sound that needed to be repaired. He called out, thinking it was the owner. Suddenly, he was rushed by a young teenage boy who he had never seen before.

Webster was so frightened by the young man's actions that he fainted, falling on the floor.

This was the last thing he remembered until he was awakened by the night watchman. The police arrived shortly and they arrested Mike Webster.

James Bradley, the owner of Pets-R-People, testified as follows:

"I'm really a nice guy and also pretty easy going, but Mike Webster was one of the worst employees

I ever hired. He arrived late to work more often than he was on time and spent too much time finding things to occupy his time in the back room when he should have been out front helping customers with questions.

"I had several discussions about his work ethics and finally had to talk to him in a more firm manner about his poor performance. To my surprise, he started yelling and screaming at me. He told me that he was working as hard as he could. After that confrontation, I decided it would be best if Webster did not work in my store anymore. On the morning before the vandalism occurred, I sent Mike Webster a letter by mail notifying him that he was being fired because I was too scared to tell him to his face.

"I don't believe him when he claims there was any teenager who entered the store and rushed at him in a threatening manner as he claimed. I think it was Webster who wrecked the back room of my shop in retaliation because he wanted to get back at me for firing him."

EXHIBIT A is the notice of firing that was mailed to Webster. It was found in his pants pocket when he was arrested by the police.

The lawyer representing Mike Webster has given a different side of the story:

"Is James Bradley the nice guy he says he is? Or are there a lot of customers who might want to get even with him? It seems that Bradley has a history of improper store operation."

EXHIBIT B is a newspaper article which shows that James Bradley was ordered to close the previous pet shop he owned. During the time Bradley was operating his new store, he was sued three times by dissatisfied customers for selling them animals who turned out to be sickly. When the owners attempted to return the animals, Bradley refused to refund their money.

Mike Webster has given his side of the story: "I think fish are the most beautiful animals in the world, don't you? I have a big tank at home with dozens of little ones swimming around. Sure I was upset when I was fired. But it didn't stop me from caring for the goldfish in Mr. Bradley's store.

"I went back to the store that night because I had forgotten to feed the beautiful fish. When that crazy teenager rushed in, I just blacked out from fright."

Mike Webster's lawyer has entered into evidence **EXHIBIT C**, a photograph of the back room taken by the night watchman. You will note that as Webster fainted, he knocked over the fishbowl. The dead fish are lying near him.

The lawyer stated that if Webster had faked his fainting, he would never have knocked over the goldfish bowl as he pretended to fall. He was far too fond of fish.

Mike Webster's lawyer says his client is innocent. The damage was caused by an unknown teenage vandal who was an unhappy customer of the pet shop. His motive was to get back at Bradley for illegal business practices.

The lawyer for James Bradley claims that Mike Webster made up his story. He accuses Webster of pretending to faint when the night watchman was about to catch him, wrecking the back room. There was no teenage vandal.

LADIES AND GENTLEMEN OF THE JURY: You have just heard the facts in Case of the Broken Goldfish Bowl. You must decide the merits of James Bradley's claim. Be sure to carefully examine the evidence in EXHIBITS A, B, and C.

EXHIBIT A

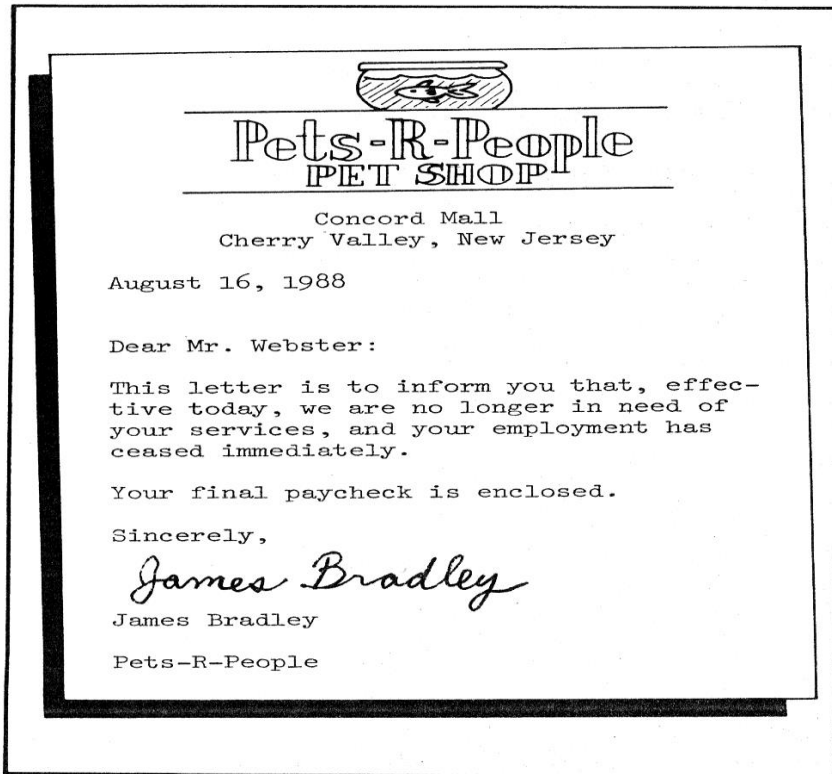


EXHIBIT B



EXHIBIT C



FULLY EXPLAIN YOUR ANSWER – A YES OR NO ANSWER WILL NOT RECEIVE FULLY CREDIT

Is Mike Webster guilty as charged or was the damage done by a teenage vandal?
