



Lesson Plan: Graffiti on Trial

Appendix A

The Crime and Punishment Game: Print, cut apart, shuffle, and allow students to place cards back in correct order.

What is the law	What happened?	Who got hurt?	What is an appropriate punishment?	Who decides guilt and punishment?
do not steal	steals	victim	pay money	jury and judge
wear protective equipment	does not wear bike helmet or seatbelt	self	pay a fine, do community service	jury and judge
no assault on others	collides bike or skateboard into another person	victim	pay for medical care, losses	jury and judge
do not litter	litters	community	community service	jury and judge
do not generate graffiti	tags	community	clean it up	jury and judge



Appendix B

Directions for Jury Duty Brochure

You will plan and create a pamphlet that could be shared in our community, persuading adults over the age of 18 to do jury duty when they get their summons.

- Your writing needs to explain how being on a jury is a responsibility of all citizens: how it helps our community and our country. You also need to explain that being a juror is a right: it is something valuable to the person.
- Your pamphlet needs to include information about what a juror does in court.
- Your writing and illustrations need to be interesting and well-organized. Make people choose your pamphlet over others!



Graffiti on Adams Street Mock Trial

Cast: (In order of appearance)

Bailiff (BF)

Judge

Defendant Alberto Hernandez (Al)

Defendant Bobby Francisco (Bob)

Victim Mrs. Rodriguez (MR)

Prosecutor Sanchez (PR)

Ms. Cortez, Al's defense attorney (Def A)

Ms. Thomas, Bob's defense attorney (Def B)

Neighbor Laria (NL)

Officer Gomez, arresting officer (OG)

Coach Martinez (CO)

Ms. Watson, after school supervisor (MW)

Ms. Butler, Bob's teacher (MB)



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All parties are in the courtroom area except judge, jury and bailiff

Bailiff enters, calls jurors #1 to #6 to sit in jury box

Bailiff gavel.

BF: All rise

Everybody stands up. Judge enters.

BF: Be seated

Everybody sits down.

Judge: This is the matter of the people of Los Angeles. vs. Alberto and Bobby. Is defendant Alberto present with his attorney?

Al: (Stands up) Yes.

J: Is defendant Bobby present with his attorney?

Bob: (Stands up) Yes.

J: Ladies and gentlemen of the jury, these two young men have been charged with a violation of the municipal code of Los Angeles, painting graffiti on private property. The victim is Mrs. Rodriguez. Would Mrs. Rodriguez please stand up?

Ms R (stands up)

Judge: Every defendant is entitled to a fair trial. If you know any of these people, you could not judge them fairly. Do you know the defendants or the victim in this case?

Juror #6: Yes, your honor, defendant Alberto is my cousin.



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Judge: Counsel would you please approach the bench?

Attys: (whispered conference)

Judge: I think we ought to excuse this juror. Do you all agree?

All: Agree

Judge: Juror #6, thank you very much for appearing for jury service, but we are going to excuse you from this trial.

(Juror #6 goes to sit in audience)

Bailiff: Alternate juror #7, please take a seat in the jury box.

Judge: Juror #7 do you know any of these people?

Juror #7: No, your honor.

Judge: Madame Bailiff, would you please swear the jury?

BF: Raise your right hands, "Do you solemnly swear and affirm you will fairly decide this matter based only on the evidence presented in this courtroom?"

Jurors: I do.

Judge: (opening instructions about rights and responsibilities of jurors in this case.

Judge: Prosecutor Sanchez, will you call your first witness?

Prosecutor Sanchez (PR): Call Mrs. Rodriguez.



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Bailiff: Do you swear the testimony you are about to give is the truth, the whole truth, and nothing but the truth?

Mrs. Rodriguez (MR): I do (She sits)

PR: Mrs. Rodriguez, where do you live?

MR: On Adams Street, near Jefferson School and Hamilton Park

PR: Were you home at about 3:30 on Sept. 14, 2009?

MR: Yes

PR: Did something happen at your house at that time?

MR: Yes, I was washing the dishes, when I looked out my kitchen window and saw somebody running across my front yard really fast.

PR: What did you do then?

MR: I went outside. The boy was gone and I saw fresh graffiti on the wall of my house.

PR: Is this a photograph of what your house looked like when you went outside?

MR: Yes.

PR: What did you do next?

MR: I went in the house and got my phone and called the police.

PR: Do you see the person who ran across your yard in this courtroom?



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MR: I hardly saw him at all but I could tell it was a boy. It might have been him or *him* (points to Al and Bob).

PR: What happened next?

MR: The police came, and I showed them the graffiti and told them what I just told you.

PR: No further questions.

Judge: Ms. Cortez, counsel for Alberto, do you have any cross examination?

Def A: Mrs. Rodriguez, how well were you able to see the person who ran across your yard?

MR: Just a little.

Def A: Could you tell how tall he was or what he was wearing?

MR: He was about as tall as those boys (points to Al and Bob), and he was wearing a white shirt and dark pants.

Def A: I see you are wearing glasses. Did you have them on the day of the incident?

MR: Probably not, I was washing dishes and I didn't want to get them wet.

Def A: Thank you.

Judge: Ms Thomas, counsel for Bobby, do you have any additional questions?

Def B: No your honor.

Bailiff: You are excused. (Ms. R sits down in audience)

Judge: PR call your next witness.



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PR: Call Neighbor Ms. Laria.

(Swear NL)

PR: Ms. Laria, where do you live?

NL: I live on Adams Street, 2 houses down from Ms. Rodriguez.

PR: Did you see anything unusual on Sept 14 at about 3:30?

NL: Yes, I was watering the flowers in my front yard when I saw two boys come running by really fast.

PR: Do you see those boys in the courtroom today?

NL: Yes, they are right there (Points to Bob and Al). First Bobby came running past me, and then a few minutes later Alberto ran past. They both seemed to be in a really big hurry.

PR: Did you talk to the boys?

NL: No they just ran by, really fast.

PR: Can you show us on the map?

NL: Well, I was here, in my yard, and Bobby came running by like this, and a minute or two later Alberto ran past the same way.

PR: What did you do next?

NL: I walked down the street to see what they were running away from, and I saw Mrs. Rodriguez on the phone. There was fresh graffiti on her wall.



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PR: What happened next?

NL: Pretty soon a police car drove up, and Officer Gomez got out. I told him what I had seen.

PR: No further questions.

Judge: Do you have any cross examination?

Def A: Ms. Laria, was Alberto carrying anything when you saw him run past?

NL: I think he had a ball, maybe a soccer ball.

PR: Anything else?

NL: No.

Def. A: I have no further questions, your honor.

Judge: Ms. Thomas, do you have any questions?

Def B: Are you certain you saw my client Bobby?

NL: Yes, I know the whole family, him and his big brother who is always getting in trouble.

Def B: No further questions.

Judge: Mr. Sanchez, call your next witness.

PR: The prosecution calls Officer Gomez.

BF: swears OG

PR: Officer Gomez, were you called to Mrs. Rodriguez's house on Sept 14?



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OG: Yes.

PR: Can you describe what happened?

OG: I was on patrol near Hamilton Park, when I got the call. I went to Mrs. Rodriguez's house.

PR: What happened next?

OG: She showed me the graffiti, and said it had just happened. I saw that the paint was still wet.

PR: Can you identify the graffiti you saw in this picture?

OG: Yes, that's it. Mrs. Rodriguez said she saw a boy run across her yard a few minutes ago then went out and saw the tag. While we were talking, the neighbor, Ms. Laria came walking up and said she saw the defendants run past her house just a few minutes ago.

PR: What did you do next?

OG: I went to Bobby's house and found him on the front porch just going in. I arrested him. Then I went to Al's house and arrested him.

PR: What happened next?

OG: We drove to the station and Bobby said he needed to use the restroom, so we went to the restroom.

PR: Did you notice anything unusual in the restroom?

OG: I noticed Bobby spent a long time washing his hands.

PR: What did you do next?



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OG: Then we booked the boys. When I fingerprinted Bobby I noticed that he had something green under his fingernails, so I took a picture.

PR: Is this the picture you took?

OG: Yes.

PR: What did you do next?

OG: Well I was fingerprinting Alberto, and I noticed he had something green on his shirt, so I took a picture of that, too.

PR: Is this the picture you took of Alberto's shirt?

OG: Yes.

PR: Did you ask Alberto if he knew anything about the graffiti?

OG: Yes, I asked him and he said he didn't know anything about it.

PR: And did you ask Bobby the same question?

OG: Yes I asked him and he said he had not even been near her house all day.

PR: No further questions.

Judge: Do you wish to cross examine?

Def A: Could you tell what made the green color on Alberto's shirt?

OG: No, I just noticed the green color, and I know the graffiti was green, so I took a picture of the shirt.



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Def A: I have no more questions.

Judge: Ms. Thomas?

Def B: Did you see my client at or near Mrs. Rodriguez's house?

OG: No.

PR: No further questions. The people rest.

(we may or may not take a break – judge will warn them not to talk)

Judge: This is the defendants' opportunity to present their defense. Ms. Cortez, do you want to call any witnesses?

DefA: The defense calls Alberto Hernandez.

BF: swear SI

Def A: Alberto, what were you doing on Sept. 14 at about 3:30 in the afternoon?

Al: Well, I had soccer practice until 3:30 and it was just over and I was running home.

Def A: Where was your soccer practice?

Al: It was at Hamilton Park.

Def A: Which way did you go to get home that day?

Al: I went out the front gate and turned down Marshall St. to Adams St. I turned right on Adams St.

Def A: Show us on the map.



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Al: I came out of the park here, and ran down here, and turned and ran all the way home.

Def A: Did you see anything unusual as you passed Mrs. Rodriguez's house?

Al: I saw some new graffiti at Mrs. Rodriguez's house. I kept running because I had to do my homework.

Def A: Alberto, do you know anything about how the graffiti got sprayed on Mrs. R's wall on Sept 14th?

Al: No.

Def A: Alberto, why were you running down the street that day?

Al: I was in a hurry to get home. I have to do my homework before I can watch TV. I wanted to get done so I could watch Spongebob at 4:00.

Def A: Officer Gomez took this picture of your shirt that day. Can you tell us why it has green stains all over the front?

Al: I don't know. I never look at my shirt.

Def A: Do you think you might have gotten grass stains on it during practice?

PR: Objection. Leading the witness.

Judge: (makes a judgment)

Def A: Alberto, what is the field like where you have soccer practice?

Al: It's grass.



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Def A: Do you ever fall down on the grass at soccer practice?

Al: Yeah, of course.

Def A: No further questions (Al sits down)

Judge: Call your next witness.

Def A: Call Coach Martinez.

BF: swear coach

Def A: State your occupation

Coach (CO): I'm the soccer coach at Hamilton Park.

DefA: Do you know my client Alberto?

CO: Yes, he's on my soccer team. He's very responsible, never misses a practice.

Def A: Did you have soccer practice on Sept 14?

CO: Yes.

Def A: Do you know if Alberto was there that day?

CO: Yes, I always take attendance. Here's my roster, and he's marked present that day.

Def A: Is it possible he left practice early that day?

CO: No, he always helps me put the equipment away at the end of practice.



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Def A: I'm going to show you a picture of the shirt he was wearing that day. Can you tell what made the green marks on the shirt?

CO: Oh yeah, I remember, he was playing goalie, he made a great save, and ended up on the grass, he was covered in green grass stains.

Def A: No more questions.

Judge: Do you have cross examination?

PR: No questions.

Def A: The defense rests, your honor. (Coach sits down)

Judge: (to Def B): You may present your defense.

Def B: The defense calls Bobby Francisco.

BF: (swear bob) (bob mumbles)

Def B: Bobby, do you know anything about the graffiti on Mrs. Rodriguez's house?

Bob: No, I've never even seen it.

Def B: What were you doing on Sept 14 at about 3:30?

Bob: I was at the after school program at Jefferson School until 4:00.

Def B: Bobby I'm going to show you a picture of your hands with green paint under the fingernails. (shows Bob the picture) Can you tell us how the green paint got there?

Bob: Um, I think my teacher let us have art that day, and I used green paint for my picture.



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Def B: No more questions.

PR: Bobby, tell us how you usually walk home from school.

Bob: I go out the front door at school, and I go Marshall Street to Adams Street. I turn right on Adams Street, and go 2 blocks to my house.

PR: Would you show us on the map?

Bob: Ok. (Goes to map) I go out here, and go down here, and turn, and go this way.

PR: But you told us you never saw the graffiti on Mrs. Rodriguez's house, even though you walk by there going home from school every day.

Bob: Duh, I uh...I don't go that way anymore.

PR: No further questions. (Bob sits down)

PR: Call Ms. Watson, the after school supervisor.

BF: (swears MW)

PR: Ms. Watson what is your occupation?

MW: I am the Youth Services Supervisor at Jefferson School. I'm in charge of the kids who stay after school.

PR: Do you know Bobby Francisco?

MW: Yes, he comes to the after school program sometimes. Not every day.

PR: Was he there on September 14th?



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MW: No.

PR: How do you know?

MW: The kids have to sign in. Here's my record for that day, and Bobby's name is not on it.

PR: I have no more questions. (MW sits down)

PR: I call Ms. Butler, Bobby's teacher.

BF: swear teacher (MB)

PR: Do you know Bobby Francisco?

MB: Yes he's in my 3rd grade class at Jefferson School.

PR: On September 14 was he in school?

MB: Yes, I have a copy of his attendance card here. He was at school.

PR: Did you have an art lesson on Sept 14?

MB: No, that was a Monday, and we have science on Monday. Here is his science notebook, with the writing he did that day.

PR: Is there any other way Bobby could have gotten green paint on his hands in class that day?

MB: No, I don't think so.

PR: Do you know if Bobby likes to use paint?

MB: Oh yes, he likes all kinds of art, look he even draws designs in his science notebook (holds up notebook with tagging sketch)



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PR: I want you to look at this picture of the graffiti at Mrs. Rodriguez's house. Would you say the picture in the notebook might have been done by the same person?

MB: Oh my, they look exactly the same!

PR: I have no more questions.

Def A: I have no questions.

Def B: No more questions. The defense rests.

Judge: instructs jury re presumption of innocence, reasonable doubt, credibility of witnesses, evidence of each defendant separately, base your judgment on evidence you have seen and heard today

(jury goes to deliberate)

Judge sentences Bob to community service – painting out graffiti, and he must pay Mrs. R. 25 dollars restitution.