

## Circuit Judge holds second annual mock trial for local Scouts

Written by Administrator

Tuesday, 18 May 2010 00:00 - Last Updated Tuesday, 18 May 2010 12:17

---

Circuit Judge Daniel Moore held a Mock Trial for area boy scouts on Wednesday, April 28 and according to the Judge, "it was a huge success and a good educational experience."

This is Moore's second year as Circuit Court Judge and he frequently schedules events like these as part of his Riding The Circuit program, to reach out into the community and expand knowledge of the court system.

Clark County Sheriff Danny Rodden, Prosecuting Attorney Steve Stewart, Chief Public Defender Jeff Stonebraker, Charlestown City Attorney Mike Gillenwater and a host of other volunteer lawyers and police officers were participants, witness and "actors" in the trial skit presented for scouts and parents.

Moore said that programs like this are available for youth groups, church groups and other area interested social clubs or organizations.

"For too long the courts have been mysterious places and I think it is a judges responsibility to invite schools and groups into the courthouse to better explain the third branch of government, the judiciary," Moore said. He believes it is much better to talk to a judge in an educational setting, with parents present, then to first meet a judge in an arrest situation. "At that point the time for talking, unfortunately, may be over because the formal system shifts into gear after an arrest," Moore said.

To schedule a Riding the Circuit visit and program interested groups should call the Circuit Court at 285-6304.

### Education Session- A Crime Occurs

The April 28 event started as an formation session in the Conference Room of the County Government Building. Sheriff Rodden started the session by explaining the two-fold job description he has, that of investigating crime and managing the jail.

"Danny has one of the biggest jobs in the county and people benefit in knowledge when he explains a daily jail population between 300 and 400 people in that facility each day. He was very impressive in describing the two parts of his very busy job. He also oversees a first-rate professional staff of officers, detectives and support personnel," Judge Moore stated.

Prosecutor Stewart described his role as the elected attorney responsible for prosecuting crimes in the county.

The judge stated, "Steve went through some of the differences between reality in the criminal justice system and what these area scouts might see on TV. It is a major difference and Steve Stewart's presence was very impressive for the families and participants."

Stonebraker and attorney Niles Driskell explained the role of defense counsel in a criminal trial, touching upon a lawyer's obligation to the legal system. One scout in the audience asked about "the constitution guaranteeing people being presumed innocent" and Stonebraker recognized this fundamental principle of our American system of justice in the presentation he and Driskell made.

Judge Moore began making comments about "identification evidence" and quizzed scouts in the audience to identify the color of the shirt on the person behind them. Most could not make a

## Circuit Judge holds second annual mock trial for local Scouts

Written by Administrator

Tuesday, 18 May 2010 00:00 - Last Updated Tuesday, 18 May 2010 12:17

---

good “identification” and then a crime happened in the audience!

An atmosphere of formal control took over as three men and three women in the audience were “caught” by Rodden in what looked like an illegal “sale” of something green in a clear baggie.

Upon Rodden calling attention to the six suspects they ran out of the room. Rodden ran after them and returned to inform the judge and participants that “We got them.”

Judge Moore ordered all proceedings to resume to the circuit courtroom for trial. Before leaving he instructed the scouts to “Remember what you saw, including descriptions of clothing, what the six looked like and what you saw, which might identify them.”

### The Trial and Verdict

In the Circuit courtroom, two scouts were assigned as deputy prosecutors on Stewart’s staff and the defense team also had two scout co-counsel. Boy Scout Jonathan Harlan served as Judge of the court, with Judge Moore seated at his side. The six people charged were role players, but in reality were court reporters Adrainne Fuller and Gelsena Smith, local attorney Mary Fondrisi, City Attorney Gillenwater (“Gilly Manero”), Sheriff’s Detective John Shelton (“Johnny Dukes”) and attorney Bob Bottorff (“Bobby Bailey”).

The goal of the trial was to create confusion in the “identification” of who the actual buyer and seller were about one hour earlier, said Moore. The goal was reached.

Sheriff Rodden testified as to the crime scene and identified two of the suspects by description and pointing them out in court. To create reasonable doubt about identification court reporter Debbie Davis-Fetz dressed up as “Debbie Wobbly” who claimed to ‘see it all’ but turned out to be very confused and made three different sets of identification at the trial. The Scout Shadow lawyers questioned witnesses and learned how to submit evidence into the record. Direct and cross-examination style of questioning was learned and practiced by them on trial night. An unusual request on an in-court line up surprised the defense team, but Judge Harlan allowed it. Bottorff, Shelton, Gillenwater and Attorney Guilfoyle (“Rev. Charlie” who was just seated in the audience to watch things) were placed in a line-up in the courtroom.

Rev Charlie protested sternly because he claimed he was falsely accused.

Detectives Harold Kramer and Chuck Adams “identified” the sale dealer and the jury was about to begin its deliberation based on (a) confusing identification testimony (b) the in-court line-up and (c) some of the male and female defendant’s testifying that the other defendants were guilty, while they were innocent.

“We confused it pretty good,” Judge Moore said. “That was our plan.”

A jury of scouts deliberated and found five of the six defendants “guilty” as collaborators in the illegal drug sale (really a bag of oregano, purchased with Monopoly money).

After the trial ended the question and answer period brought some really great questions from the scouts, according to Moore.

Many were truly surprised that the “defendants” were really police officers or court personnel. All were introduced and the entire group stayed for cookies and light refreshments afterward.

In summation, Judge Moore stated “this is how the court should serve the community, by trying to get to young people about education and choices so they can better plan their lives. He looks forward to another scout trial next year.

The judge expressed special thanks to Probate Administrator Sherry Routh and assistant Sherry Peacock for managing all of the details in putting the program together.

Troops 1, 10 and 49 from Clarksville and Jeffersonville participated in the Mock Trial. In addition to Judge Jonathan Harlan the following Shadow roles were assumed for the night:

## **Circuit Judge holds second annual mock trial for local Scouts**

Written by Administrator

Tuesday, 18 May 2010 00:00 - Last Updated Tuesday, 18 May 2010 12:17

---

Bailiff—Jared Cox, Prosecutors—Nathan Proctor and Jacob Louken, Defense Attorneys—Anthony Southers and Zack Nelson, jurors were Zack Harris, Nick Harris, Holly Harris, John Harris II, Noah Elsner , and an assortment of scouts from Troop 1 including Gary, Caleb, Matt, Skyler, Christain and Gregory.