

High School Mock Trial 2023

In re S. Khan

Errata Sheet

Please note:

The errata sheet serves to clarify or correct errors in the Mock Trial case and/or rules, and does not address team strategy, coaching, or judging protocol. If a question received does not meet the criteria for errata (e.g. pertains to an evidence question), an email response will be sent to the individual advisor.

Errata 11/01/2022

1. Do we know the dimensions on Exhibit G?

An updated Exhibit G with a scale is attached to this document.

2. Exhibit E (the Memorandum of Understanding) bears no signatures. It is not mentioned in any of the witness statements. Which witnesses are familiar with its contents?

OCLRE does not stipulate which witnesses may testify about any exhibits included in the case materials. It is up to each team to make supportable inferences that connect witnesses to particular exhibits, and to lay the foundation in their questioning to show that witnesses would have knowledge of the exhibit in question.

3. Did Stevie Khan need a hall pass to return to class from the administrative office?

Trillium High School students need a hall pass, issued by any staff member, when out of class during the school day, unless accompanied by a staff member.

4. The last bullet point of Exhibit D on page 126 is cut off. Is the exhibit complete?

Exhibit D is composed of excerpts of the Honor Code Policy. Exhibit D, as included in the case materials, is complete.

5. Was Dean of Students Remi Silva designated by the principal to receive information about Honor Council cases?

Yes.

6. Does SRO Nowak carry a gun?

SRO Nowak carries a department issued service weapon visible on their person.

7. **There is a discrepancy in the witness statements regarding the time when Officer Nowak first appeared in the doorway of Dean Silva's office. Can/should that discrepancy be clarified?**

No elaboration needed.

8. **What time is dismissal from school at Trillium High School?**

The dismissal bell at Trillium High School rings at 2:23 p.m.

Errata 10/18/2022

1. **Which side bears the burden of proof in this case and what is the standard of proof?**

In a motion to suppress, the State bears the burden of proof, the standard of which is a preponderance of the evidence. Because this mock trial case is a motion to suppress, the prosecution bears the burden of proof. As such, the prosecution will present their case in chief first and will have an optional two-minute rebuttal after the defense's closing argument.

2. **Are Ohio cases binding in the state of Buckeye?**

Only cases decided by the Supreme Court of the United States are considered binding precedent for the State of Buckeye. Other cases (e.g. Supreme Court of Ohio) are persuasive authority.

3. **What specific statement(s) is the defense trying to suppress?**

It is up to the teams to argue the point at which, if ever, Stevie Khan's questioning became custodial and subsequently which statements, if any, could or should be suppressed.

4. **Does calling Stevie Khan as a witness automatically waive their Fifth Amendment right to avoid self-incrimination?**

No. Stevie Khan maintains their constitutional privilege against self-incrimination.

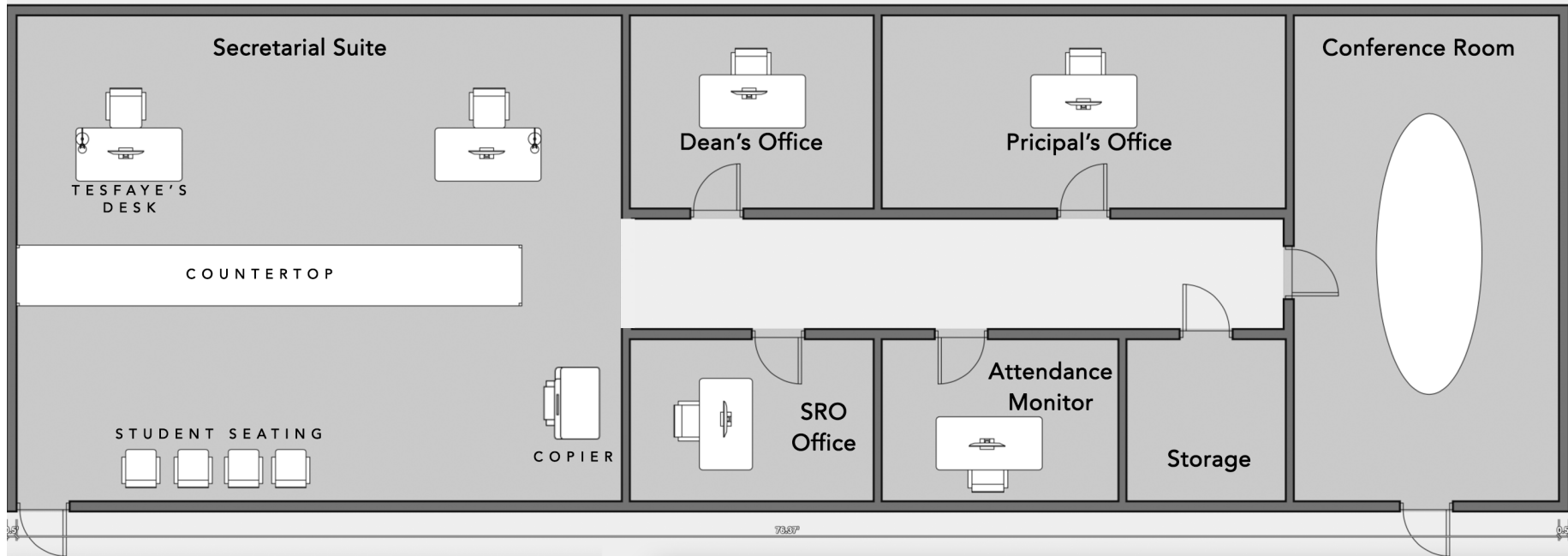
5. **Line 78 on page 98 of the case file references an increase in the number of Pop Rocks Challenges. Is this the same as the Exploding Candy Challenge?**

Yes, they are the same "challenge." Line 78 on page 98 should read "the number of *Exploding Candy Challenges* started increasing at Trillium." (Emphasis added)

6. **At the end of their statement, Adrian Sato says, "These same flawed practices were used during Stevie's questioning" (lines 129-130 on page 111). What information was Adrian Sato able to review in order to make this determination?**

Adrian Sato has spoken with Stevie Khan about their questioning and has formed their opinions on that basis.

Exhibit G
Map of Administration Suite




6 feet