

Summary of Teacher and Attorney Coach Questions - 1/22/16

1. Sam Spencer (partner of the deceased Valdez) is part of campus security and his supervisor, Lou Williams, says that each guard carries a firearm, retractable baton, and handcuffs, but that is not in Sam's own testimony. So would it be fair to say that Sam could reasonably know that and can he be questioned about it?

Since Spencer is a guard of the campus security and those items you mentioned are standard issued, Spencer would have knowledge of.

2. Alex Rosales says that Sam was using a flashlight, so could Sam know that as well and be asked about it?

The question can be asked to Sam Spencer. However, since it is not on Spencer's statement, the response could be "I can't remember".

3. Is there a limit in the number of "time balance" requests a school might ask for during a round?

There is no limit. However, if students abuse in order to try to use up the opposing teams' time, the scorers will take that into consideration when scoring the teams' performance.

4. Alex Rosales, in describing Lee Valdez' actions on April 3, first states, "Valdez immediately tripped two of our teammates and grabbed one of them by the neck, pushing him up against a fence" (lines 38-40). Alex then adds, "After the fight was already broken up...Valdez grabbed Casey by the neck and pinned Casey against the fence" (lines 44-46). Should we read this as Valdez repeating the same action twice, to two different team members?

Yes.

5. What is the difference between "disposal" and "verified handwritten" samples?

The two comparisons are between "disposal samples" and "verified handwriting samples." Disposal samples (used by defense expert) are done during the investigation as a request to compare with the note in question. Whereas the verified handwritten samples (used by prosecution expert) are taken from around the same time but prior to the note in question.

6. Is it permitted for experts to demonstrate lettering (i.e., a "terminal stroke") with a marker on a blank piece of paper while on the witness stand? The paper would be for demonstration, not entered into evidence.

Even if the objection is for demonstration, not entered into evidence, it is not permitted. The only visual aids allowed are the official exhibits. Anything else would be considered props.

7. Can *Miranda v Arizona* and *People v Mickey* (cited on page 15 in the case packet under Legal Authorities and Pretrial Arguments) be used in pretrial argument even though those cases aren't included in the section called "Case Law"?

Miranda v Arizona and *People v Mickey* can be used in the pretrial argument with the limited information provided in the case material.

8. Is voluntary manslaughter off the table?

Voluntary manslaughter is still on the table. In proving the murder charge, the prosecution simultaneously would be proving the elements of voluntary manslaughter as a lesser included offense. The voluntary manslaughter (CALCRIM 571) is still mentioned in the CALCRIM materials. See the *A Quick Guide to the Burden of Proof, Lesser Included Offenses, and Defenses for more information*.