

COURT CASE: ADAM 15 – A THREAT IN SCHOOL

(DO NOT WRITE ON THIS COPY)

Direction #1 – Read this page first. This is background on Adam. (Mr. Tyler)

Adam’s Background Leading Up to the Crime

Adam, 15, is the youngest of four children. His parents are divorced. He lives with his mother, has regular contact with his father, and works part-time in construction for his uncle. Adam earns good grades in school, but has been disciplined a few times for problems with his temper. One day in class, Adam makes a comment to a teacher that he is “homicidal” (wants to kill people). He later says that he was joking and the matter was dropped.

Adam’s Crime: School Interference and Threatening

Shortly after the shootings at Columbine High School in Colorado, Adam is in class with a few friends. Other students overhear him talking about the shootings. Adam says that a better way to get rid of kids you don’t like is to put sleeping gas in the school vents, and then go through the school and “kill the people you don’t like”.

Adam is reported to the office, the police are notified, and an investigation is conducted. Adam is brought to court and admits the statement to the prosecutor (one who brings the charges), but says he was joking. Instead of being charged with the crimes of school interference and threatening, Adam agrees to complete eight community service hours under a diversion program.

A week after reaching this agreement, Adam gets in a fight with another teen at a party. He is arrested and spends one day in jail before being released to his parents. There isn’t enough evidence to determine fault and no charges are filed.

HOWEVER, because of the fight, the diversion offer is withdrawn by the prosecutor. Two incidents in such a short period of time call for more than community service. Adam is formally charged with school interference and threatening.

He goes to trial and is found guilty of both charges.

Direction #2 - Now you have to decide how to sentence him. Before this though I want you to read this next section. (Mr. Tyler)

Your Concerns As A Judge

Adam says he was joking when he threatened to kill kids at school. But can you believe him? There have been a lot of school shootings recently and these kinds of threats have to be taken seriously. Some of the kids who did the shootings talked about it beforehand, but people who overheard didn’t do anything about it. Here you have the chance to prevent a possible future tragedy.

There are some positive things in Adam’s favor. His parents assure you that they will keep a close eye on him. He has a full-time construction job with his uncle and will be supervised at all times. He will attend night school, with strict hours monitored by his family. You decide to send him home to await sentencing, instead of keeping him in jail.

You receive a recent psychological evaluation on Adam (mental health test results). His tests indicate that he is very intelligent. Adam has also said that he will never go to prison and that he will be very successful someday.

On the other hand, Adam has admitted to trying marijuana on a few occasions. He also has a quick temper and some anti-social traits, as the recent fight shows, and doesn't think he needs treatment or counseling. You are worried that he may act out in an angry way again.

Are the threatening statements at school something to be worried about, or isolated incidents? As a judge you have to balance what is best for Adam with how to protect the school and community. What about the possibility that Adam makes future threats and acts on them? How should Adam be sentenced?

Your Sentencing Options As a Judge

The law states that threatening someone with physical injury is a crime. In making your decision, you should consider the kind of threat that was made (such as a bomb threat, a threat to shoot someone, or a threat to beat someone up), and the person's ability to carry through with the threat (there's a difference between threatening to harm someone you know, as opposed to making a threat by email to someone you haven't met). If the person has made more than one threat, and seems to be able to carry it out, the punishment should be harsher.

Sentencing Options Available to You Are:

Option #1 - Jail time ranging from two weeks to three months, followed by probation for up to one year.

Option #2 - Jail time ranging from a week to two weeks, along with community service hours, drug testing, counseling, and restricted use of the internet to prevent him from getting information about weapons, which some kids have done.

Option #3 - No jail time, but intensive probation from three to six months, which would include daily contacts with a probation officer, with the threat of future jail time of a week to three months if Adam violates his probation terms.

Option #4 - No jail time, but regular probation for one year, along with community service hours and drug testing.

Option #5 - Participation in anger management classes and counseling

Option #6 - Order Adam to have no contact with his victims and the witnesses against him, such as the person he had a fight with and the kids who reported his threatening comment in school.

Direction #3 – Now you have the full story of Adam, seen through the eyes of his judge, and have seen the appropriate sentencing options to choose from. At this point I want you to answer these questions on a separate sheet of paper: (Mr. Tyler)

Question #1 – Do you think Adam was serious about his threat, or do you think he was just fooling around and showing off in front of his friends?

Question #2 – Adam made a previous threat about killing people and got into a recent fight at a party. Is his past history important in making your decision? If so, how? If not, why not?

Question #3 – Adam is very intelligent, and therefore might have the ability to do something like gas a school. Does this influence the sentence you gave him?

Question #4 – Does the fact that Adam smokes marijuana concern you? Does that influence his sentence? Why or why not?

Question #5 – Adam served a day in jail after he got into the fight. Should he be given any more jail time? If so, how much? If not, why not?

Question #6 –Should Adam get help for his anger? If so, how much? If not, why not?

Question #7 – Adam says he doesn't need counseling. Should you order him to participate anyway? Will he get anything out of the counseling if he doesn't want to be there?

Question #8 – Is there any additional information you would like about Adam to help you make your decision? If so, what is it and why would it help you make your decision? If not, why do you believe you have all the information you need?

ULTIMATE QUESTION

Question #9 – Of the six sentencing options which do you choose and why? This answer will be one sentence telling me what option you chose and 2-3 sentences backing up why you feel this is the appropriate option to go with.