**Defense Preparation**

*Complete the following script in preparation for your trial. Make sure to include what you will be doing in the “actions” column. Public speaking should include more than just talking. Be creative, dramatic, and interactive! In order to “win” the trial, the prosecution must prove beyond a reasonable doubt that there is probable cause and that they have obtained multiple pieces of evidence that link your client to the crime scene. Your job is to disprove or discredit the evidence that they present.*

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| **Topic** | **Script** | **Actions** |
| Opening Statement | *Some of you in the jury may have heard of Horace Roberts. A man accused of murder only to be found innocent after spending 20 years in jail. Can you imagine stealing 20 years of someone’s life? (video)*  *That is the grave responsibility that you bear as a juror. And while my client is not accused of a crime as nefarious as murder, his life and his innocence are in your hands.*  *Jason Szarnack has been painted as a corrupt colleague motivated by jealousy and has been accused of stealing not just a computer, but vital company secrets. This may sound dramatic and convincing, but I will prove to you that the prosecution has come to this conclusion based upon false witnesses, gossip and rumors, incomplete forensics analysis, and poor logic.* | Show interview with Horace after being released from jail. |
| #1 Review | *According interviews conducted by police, Jason Szarnack was seen at the scene of the crime on Wednesday, April 7th. In the crime scene report,*  *Emily Lutz, a neighbor of Mr. Gaines, was quoted as saying, "Now that you mention it, I did see a young man in a suit pull up to Frank’s house last Wednesday.” Based upon this eyewitness report, the police acquired a search warrant for my client.* | Dramatically read off of printed crime scene report. |
| #1  Counterargument | *But what do we know about Mrs. Lutz? The crime scene report indicates that Mrs. Lutz is 90-years-old. She has lived a long life and that is commendable, but it has been proven that elderly eyewitnesses cannot be relied upon. Additionally, she only reported that a young man in a suit pulled up to Frank’s house that day. This certainly is not a positive identification of my client and should not have been used in the process of acquiring a search warrant.* | Show image of elderly Mrs. Lutz.  Show image of man in suit with face blurred out. |
| #2 Review | Review another claim from the prosecution’s crime scene or forensics report that you will be disputing. |  |
| Evidence #2 | Present the jury your counterargument so that they continue to doubt the evidence presented by the prosecution. |  |
| #3 Review | Review yet another claim from the prosecution’s crime scene or forensics report that you will be disputing. |  |
| #3 Counterargument | Present the jury your counterargument. The jury should now have some serious concerns about the case against your client. |  |
| #4 Review | Review one more claim from the prosecution’s crime scene or forensics report that you will be disputing. |  |
| Evidence #4 | Drop the hammer! Give the final and most important counterargument that will establish reasonable doubt about your client’s involvement with the crime. |  |
| Closing Statement | Review the evidence and prove that your client was falsely accused. |  |