

Name: _____

Deciding by Group

You Are the Jury

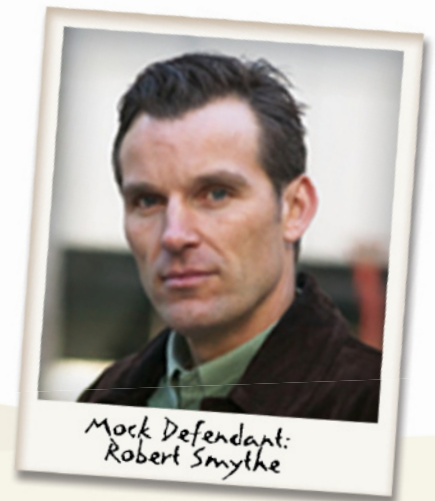


PART 1: The Case

Read the paragraphs below concerning a fictional criminal case. Then answer the questions in Part 2. Do not discuss your answers with your fellow jurors.

On October 12, an intruder broke in to the town art museum, smashing through an office window sometime between the hours of 2 a.m. and 4 a.m. At 4 a.m. the security guard noticed that three paintings were missing. He immediately called the police, who searched the museum and found two other items missing: a pair of replica crowns from 15th-century France. The police discovered muddy footprints at each crime scene.

On December 14, Robert Smythe attempted to sell a replica 15th-century French crown to a pawnshop. The shop owner contacted the police, who searched Smythe's home and found a second replica crown and a large collection of swords and armor. They also found a pair of shoes that matched the muddy footprints found at the museum. They did not find any of the stolen paintings. Smythe maintains that he is innocent and that he collects European antiques. He states that he bought the crowns on the Internet and later decided to sell them.



Part 2: Juror Notes

What question related to the Sixth Amendment must you ask yourself before answering these questions?

(Answer: Will I be impartial in reading, reviewing, and deciding about the case?)

1. What evidence in the case indicates that Smythe is not guilty? Refer directly to the text above.
2. What evidence indicates that Smythe is guilty? Refer directly to the text above.
3. Based on the evidence, would you find Smythe guilty or not guilty? Cite specific reasons.
4. Is there anything in the case that would change your decision? Why or why not?
5. What issues within the case could be open to interpretation and opinion? How are interpretation and opinion different from factual analysis?
6. How are these balanced in the process of making a decision about the case? Refer to the text to help you answer this.

Part 3: Official Juror Form

Follow-up question for jurors:

Reasonable Doubt—

In the United States, a person accused of a crime is innocent until proven guilty. A jury may not find a person guilty if there is reasonable doubt of his or her guilt. If the evidence presented does not reasonably convince the jury of a person's guilt, the jury must find him or her not guilty. This is called "reasonable doubt."

Did the concept of reasonable doubt play a role in the group's decision? In what way? Did you find reasonable doubt in the way the evidence was presented, or through the way you interpreted the evidence?

