

**2011 TRIAL ADVOCACY
ARGUE ON PROBLEM**

STATE

V.

RICHARD TALCOTT

**LOYOLA UNIVERSITY,
COLLEGE OF LAW**

TRIAL ADVOCACY ARGUE ON COMPETITION

Trial Advocacy is an incredible experience that can only better your law career and help you as you progress in the professional world. More than just learning the art of the courtroom, Trial Advocacy will teach you how to think, process, and react quickly in a manner that translates far past the courtroom. We are glad you have downloaded the Argue On fact pattern, and look forward to seeing you. Best of luck.

-Evan Judge
Trial Advocacy President

BEFORE ARGUE ON

- Turn in your application to the Trial Ad mailbox folder across from room 342 by September 7th at 8:00 PM. You will then be notified via email of your time slot, and the side you will argue (Prosecution or Defense)
- The Argue On competition will take place Friday 9/9, Saturday 9/10 and if needed, Sunday 9/11. Please let us know ASAP of any extenuating circumstances that will require you to argue on at a specific time.

ARGUE ON PROCESS

- Applicants must prepare an opening statement, no more than 8 minutes.
- Applicants must prepare a cross examination of either Richard Talcott (Prosecution), or Devon Livet (Defense), no more than 4 minutes.
- Applicants will be given their opening and cross to the executive board who will then judge the applicant based on their advocacy skills, not their knowledge or “expertise” of the substantive law/issues in the fact pattern. While applicants must know the basic facts of the pattern/problem, applicants are encouraged to focus more on their advocacy skills and tactics (speech, voice, tone, gesture, movement, persuasion, poise, etc.) instead of getting bogged down with minute details.

SELECTION

- All new advocates will be chosen by the board by unanimous decision, and the new advocate list will be posted Monday, 9/12 by 10:00 PM on the 3rd floor Trial Ad Board.

If you have any questions or concerns, please contact trialad@loyno.edu

SAXTON COUNTY TIMES

TUESDAY, OCTOBER 13, 2009

SEX OFFENDERS ON CAMPUS LOCAL OFFENDER ARRESTED FOR STATUTORY RAPE

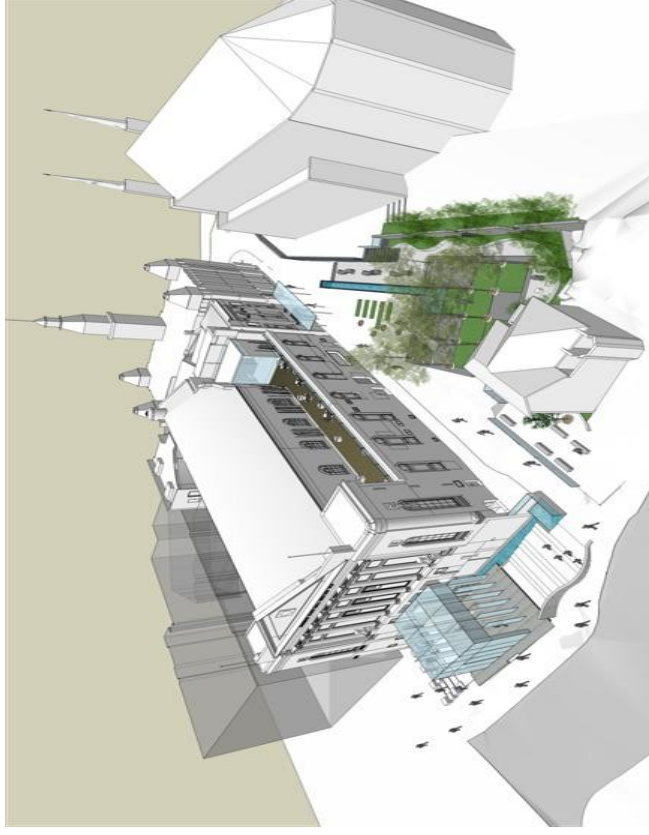
Richard Talcott was arrested yesterday, October 12th, 2009, for allegedly having sex with a 15 year old Kingston High School student (This publication protects the privacy of sexual assault victims and does not reveal the names of purported victims under 16 years of age). Talcott is a local Kingston resident who is currently in school at the University of Kingston, about 10 minutes down the road from Kingston High. Richard Talcott has been charged with two counts of sexual assault in the 2nd degree and enticing a minor.

This is not Talcott's first brush with the law. He has two previous convictions of sex crimes. In 2004, Talcott plead guilty to a sexting charge, sending naked photos via text messages, in violation of Q.G.S. § 52a-67. Just two years ago, Talcott was also convicted of indecent exposure for an incident that occurred on the University of Kingston Campus, in violation of Q.G.S. § 52a-59.

In the state of Quinipiac, under Q.G.S. § 52a-87, two sex crimes, of any degree, require immediate registration as a sex offender. A list of all registered sex offenders can be found at www.qu.gov/dept.pub.safe/sex.reg/view.

The Kingston Special Investigations Unit (SIU) has been instrumental in providing the up to date information found on the Quinipiac sex offender registry. Created in 2002, SIU has been a striving force to eliminate all sex crimes in Kingston, Quinipiac. The head of SIU, Sergeant Elliot Cooper, petitioned the city to create SIU as a subdivision of the Saxton County Police Department as a means of handling the sensitive nature of circumstances surrounding sexual abuse. It was not until a year later, in response to an alleged victim's suicide that the ...

CONTINUED A6— "Sex Offender"



A NEW TOWN HALL IS COMING TO KINGSTON

AND IT WILL COST \$1.5 MILLION DOLLARS

Plans were approved at yesterday's town meeting, in spite of

TUESDAY, OCTOBER 13, 2009

SEX OFENDER . . .

city finally approved Cooper's division. The victim had accused previous Kingston Mayor, Brett Aiello, of rape. She had been so harassed by the publicity of her allegations that she killed herself.

SIU now handles all investigations regarding sex crimes. All complaints of inappropriate sexual activity, ranging anywhere from rape to public exposure, are funneled through SIU, wherein that department makes a determination whether it needs to do additional investigation or whether Saxton County Police can handle it. To maintain absolute confidentiality, SIU conducts all investigations in house. There is also a confidential hotline in which to make these allegations anonymously. Sergeant Cooper has enforced a "no talk" policy with his unit regarding any pending investigation, and has refused to comment on anything further than giving Talcott's name and charge.

The bottom line is that Sergeant Cooper gets results. Since the creation of his department, reports of sex crimes have dropped 7%, while convictions for these same crimes have risen 12%. SIU's success has lead the city to provide funds for state of the art DNA equipment for SIU's use.

SZECHUAN MANDARIN

Taste Should be as Good as it Looks

Conveniently located in 110 Main - 123pm
Saxton
Area - 10:30pm
Diner/Bar

(619) 280-4600

美利堅 / 京菜之家

FIRE BURNS DOWN HISTORIC BUILDING
ORIGINAL MR. JIM'S ICE CREAM SHOP IS GONE—OWNER DEVASTATED

FOOTBALL . . .
Marvin Sharp missed the interception, allowing the Bobcats to reach field goal range. With the game on



Saxton County Police Department

State of Quinipiac
Special Investigations Unit

Incident Report # 12737

Report Entered: 10/9/2009 15:22

Case Number:
04320

Location:
Saxton County Police Department

Date/Time Reported:
10/9/2009 15:22

Date/Time Occurred:
10/5/2009 13:45

Incident Type/Offense:
Sex Assault 2nd
Enticing a Minor

Incident/Offense Code:
876
854

Investigating Officer:
Sergeant Elliot Cooper

Badge Number:
187

Offender: Richard Talcott

Address: 207 Baker Hall, U. Kingston, 10 Marsh Rd. **City:** Kingston **State:** Quinipiac

Phone Number: 203 586 7823

Sex: Male **DOB:** 2/13/1988 **Age:** 21

Narrative:

My name is Dr. Alex Kintner. I am 46 years old. I am at the Saxton County Police Department of my own free will and I am complying with Sergeant Elliot Cooper's request to give my sworn statement. I am currently Kingston High School's psychologist. I guess technically my position would be considered a guidance counselor, but I do not do any career counseling. This school has someone else for that. And besides, I did not get my Ph.D. in child psychology to tell kids what college they can go to. Once in a blue moon Quinipiac's Department of Child and Family Services (DCF) will pay me to assist the Saxton County Police Department in removing abused children from broken homes. I am here to give a statement regarding my observations and discussions with Amelia Spring, a sophomore at Kingston High School.

I have the corner office on the side of the school building across from the main entrance. My office has two large windows and I can see everything. I can see the school's main entrance, the faculty parking lot, and the student parking lot in the distance. There is a security bar at the entrance to the road leading up to the junior and senior parking lot that only opens with a valid parking pass. From my office I can see whenever someone



Saxton County Police Department

State of Quinipiac
Special Investigations Unit

Incident Report # 12737

Report Entered: 10/9/2009 15:22

Continued:

leaves the school. I inform the school's administration when students cut class.

On several occasions, beginning in late August 2009 (when the school year began), I witnessed Richard Talcott picking up his sibling, Chris Talcott and Amelia Spring after school. He would arrive at any time between 2:25 pm (the end of the school day) and 3:00 pm (when I generally leave for the day). I knew it was Talcott right away. Besides the fact that he was picking up Chris, I would recognize that old Buick Century anywhere. He used to pick up my daughter, Jasmine, when they dated back in high school. That was back in 2004, one year after I started working at Kingston High School. There was an incident with Richard and my daughter.

As the year went on, I witnessed Talcott pick up Chris and Amelia more frequently. By mid-September, it was at least 2-3 times a week. Friday, September 25, 2009, was the first time I witnessed Talcott pick up Amelia by herself. I remember it was the last nice day before the leaves started to fall. I remember wondering if Chris was already in the car, or if Talcott was going to wait for Chris, but as soon as Amelia got in the car, Talcott took off. While I did think this was a little weird, I didn't say anything to anyone.

Over the next two weeks, I saw Talcott pick up only Amelia. The frequency also increased from 2-3 times a week to almost every day. At this point, I began to have some concerns about how much time Amelia appeared to be spending alone with Richard. I worried that something bad might happen, especially with Amelia who must have been so fragile since the incident last year.

On Monday, October 5, 2009, I saw Talcott pick up Amelia alone at the beginning of 5th period, which is when most of the sophomore class has lunch. Actually, it might have been closer to the end of 4th period, which is when Amelia has Digital Media in the computer lab. Since the incident last year I have been meeting with Amelia on a regular basis and know her school schedule. The computer lab is in the corner of the school right next to the main entrance. That is probably how Amelia was able to get outside so quickly. This is the first time I observed Talcott pick Amelia up during the school day. At 3pm, about 40 minutes after 8th period had ended, I was walking to my car in the faculty parking lot and observed Richard pull up to the front entrance. I saw Amelia exit the vehicle with her hands covering her face, she appeared to be crying, and ran towards the student parking lot, which is across the plaza from the faculty lot. The next day I tried to find Amelia to see what had happened, but she was not in school. I asked a few of her friends if they saw her or knew why she was out of school. Her friends assumed she was sick. I was a bit worried considering her parents had recently separated. She told me this in our last therapy session. To the best of my knowledge she is living with her mother, although she uses her father's address to stay within the Kingston District.



Saxton County Police Department

State of Quinipiác
Special Investigations Unit

Incident Report # 12737

Report Entered: 10/9/2009 15:22

On October 9, 2009, at about 12:45 pm, Amelia came to my office and told me her friends told her I was asking about her. I asked Amelia if there was anything wrong and if she needed to talk about anything. Amelia stated she was fine, just a little stressed with school, and needed a mental health day. As a child psychologist, I am pretty good at telling when a teenager is lying to me, so I asked Amelia to sit and talk for a minute. I really wanted to know how Amelia knew Richard Talcott. When I asked, Amelia became uncomfortable, she was twisting her hair around her finger and did not look me in the eyes. Amelia quickly stammered she is friends with Talcott's sibling, Chris Talcott. I told her that I used to see Chris and her get a ride from Talcott, but that lately I only saw Amelia get in Talcott's car. Amelia explained that Chris just started dating someone and that the relationship takes up all of Chris's free time after school. I told Amelia that I saw her leave during lunch on October 5, 2009. Amelia quickly responded that she has privileges to leave during lunch and Richard had promised her lunch at Five Guys. I agreed with her that she has privileges to leave for lunch, but I pointed out that she did not return until after school had ended, approximately 3:00pm. At this point, I knew that Amelia knew I had caught her doing something she was not supposed to do. She asked me to not tell her parents what I saw. I replied, "tell your parents you skipped class or that you have been spending time with Richard Talcott?" Amelia responded "Both."

I sensed something had happened between Richard and Amelia and so I asked if there was something going on. As a child psychologist, I am always trying to diagnose problems and help in any way I can. Amelia began to cry and told me she has been keeping a secret all week, but she really needs to tell someone. I just sat back in my chair. I find that when someone tells you they need to say something, it is better to just let it come out, rather than push for more information. Amelia admitted she had been spending a lot of time with Richard, that he picks her up almost every day after school and they hang out in his dorm room. Sometimes Richard's roommate is there, other times they are alone. Amelia said she has had a crush on Talcott since Chris showed her a picture of him at a party over the summer. She told me she is absolutely in love with him and wanted to be his girlfriend. She also told me they had even discussed having sex, but didn't until that previous Monday, October 5. During her online conversation with Richard during her Digital Media class she asked him to pick her up for lunch and said she was ready. She knew Richard took this to mean she was ready to have sex with him. Apparently that Monday, Richard picked her up during lunch and they went back to his dorm room. For about 45 minutes Amelia and Richard sat there talking and then Richard took out a condom. She claimed to have sex with him. I asked her what she meant, and she laughed and said his dick was inside me, then asked me if that was clear enough. She told me she wanted to have sex with him, it was her idea from the start, and Richard did not force her. Immediately after sex, she said



Saxton County Police Department

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Special Investigations Unit

Incident Report # 12737

Report Entered: 10/9/2009 15:22

Continued:

Richard began to get dressed and offered to take her home. Amelia asked him if she would see him later that night and he said he already had plans. Amelia said that made her cry hysterically. I guess Richard spent a while calming her down before he was able to talk her out of the dorm. She told me that when she got back to school, she asked if she would see him tomorrow. He again said he had plans and she began to cry again. When they got back to school, Amelia said she quickly ran out of the car looking for a different ride home. I asked Amelia if she was alright and Amelia said she was okay, but was angry because she had not heard from Richard since Monday and he stopped answering her calls. I told Amelia that I was required by law to disclose this conversation to the police. Amelia got really upset and told me "you can't do this. I told you because I thought it would be confidential not to tell on Richard. I just needed someone to talk too." I told her that it is confidential, except for telling the police. I told her that her name will not appear in news papers and only her and the police will know. I said I wouldn't even tell her parents. Amelia asked me if Richard will get in trouble and I told her that is not my job to decide. Amelia told me she loves Richard and she wouldn't do anything to get him in trouble and that no one can force her to talk bad about him.

Then she ran out of my office crying. I chased her to make sure she was ok. When she ran into the computer lab, I decided that it might be best to just leave her alone. I have found throughout my career that sometimes in these delicate situations, it is best not to force someone to continue talking after such a major breakthrough in treatment. Instead, I went back to my office and called Sergeant Cooper to report the conversation that I had just had with Amelia. I knew Sergeant Cooper from the past incident with Richard and my daughter Jasmine. Cooper was the investigation officer for that case. Cooper asked me to come down to his office in SIU.

If you need to get a hold of Amelia or her parents, their contact information is as follows:

Amelia's cell phone: 203-586-0978

Mother, Melissa Spring's home phone: 203-498-2900
84 Nugent Road, Saxton, QU

Father, Samuel Spring home phone: 203-756-1139
124 High Street, Kingston, QU

Quinnipiac State Court
SAXTON COUNTY
Kingston Superior Court
1139 Spring Garden Street
Kingston, QU 18923

IN THE NAME OF THE PEOPLE OF THE STATE OF QUINNIPIAC

TO ANY POLICE OFFICER IN THE STATE OF QUINNIPIAC

Proof by affidavit having been this day before me by Sergeant Elliot Cooper, badge #187, that there is probable cause for believing that certain property, to wit, evidence of the crimes of *inter alia* Q.G.S. § 52a-55(a) Sexual Assault in the Second Degree and Q.G.S. § 52a-58 Enticing a Minor, to wit:

Amelia Spring's textbook
A picture of Amelia Spring
DNA evidence supporting a sexual encounter between Amelia Spring and Richard Talcott.
Cell phone (203-568-7823)
Richard Talcott's Personal Computer.

Other communication devices (Personal Data Assistant, Palm Pilot, etc.) is in the possession of Richard Talcott, or may be found on his person or in his dormitory room located at room 207 of Baker Hall on the campus of the University of Kingston, 10 Marsh Road, Kingston in the state of Quinnipiac, county of Saxton .

YOU ARE THEREFORE COMMANDED to make a search of the person of Richard Talcott and of room 207 of Baker Hall on the campus of the campus of the University of Kingston, 10 Marsh Road, Kingston in the state of Quinnipiac, county of Saxton. For such evidence of the crimes of *inter alia* Q.G.S. § 52a-55(a) Sexual Assault in the Second Degree and Q.G.S. § 52a-58 Enticing a Minor, and if you find any such property or evidence or any part thereof to bring it before the court without unnecessary delay.

WARRANT MUST BE EXECUTED WITHIN TEN (10) DAYS OF DATE OF ISSUANCE

Dated in the City of Saxton, this 10th day of October, 2009.

Kathryn Phillips
The Honorable Judge Kathryn Phillips
Justice of the Supreme Court



Quinnipiac State Court
SAXTON COUNTY
Kingston Superior Court
 1139 Spring Garden Street
 Kingston, QU 18923

RETURN ON THE SEARCH WARRANT ISSUED ON THE 10TH DAY OF OCTOBER, 2009 BASED
 ON THE AFFIDAVIT OF SERGEANT ELLIOT COOPER, BADGE #187, SIU

RETURN DATE: October 10, 2009

ITEM	description	disposition
#1	Amelia Spring's textbook	Photographed and returned to Amelia Spring Amelia Spring 10/26/09
#2	A picture of Amelia Spring	Photographed and returned to Amelia Spring Amelia Spring 10/26/09
#3	Richard Talcott's Personal Computer.	
#4	Twin size fitted bed sheet recovered from the bed of Richard Talcott; foreign substance on sheet that reacted positively under ultraviolet light; tested at SIU for presence of DNA	Item tested and taken to Property Clerk's office Voucher #: 717323

This list comprises a list of all property removed from the person of Richard Talcott and/or 207 Baker Hall at 10 Marsh Street, University of Kingston, Kingston, Quinnipiac.

Sgt. Elliot Cooper
 Sgt. Elliot Cooper, #187, SIU





Saxton County Police Department

State of Quinipiác
Special Investigations Unit

Incident Report # 12745

Report Entered: 10/30/2009 15:14

Case Number:

04320

Location:

Saxton County Police Department

Date/Time Reported:

10/30/2009 15:14

Date/Time Occurred:

10/30/2009 15:14

Incident Type/Offense:

Sex Assault 2nd
Enticing a Minor

Incident/Offense Code:

876
854

Investigating Officer:

Sergeant Elliot Cooper

Badge Number:

187

Offender: Richard Talcott

Address: 207 Baker Hall, U. Kingston, 10 Marsh Rd. **City:** Kingston **State:** Quinipiác

Phone Number: 203 586 7823

Sex: Male

DOB: 2/13/1988

Age: 21

Narrative:

*Below is a transcript of the interview conducted between myself and **Chris Talcott**:*

Sergent Cooper (Q): Please state your name and age?

Chris Talcott (A): My name is Chris Talcott and I am 15 years old.

Q: What grade are you in?

A: Sophomore, same as that slut Amelia.

Q: How do you know Amelia Spring?

A: We used to be friends.

Q: You're not friends anymore?



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A: Not after she falsely accused Richard of having sex with her.

Q: You think she is making this up?

A: Ya, just like the last time.

Q: What do you mean?

A: You know what I mean. Last year. The incident with Amelia. You were the cop who was so hot to bust Russell Greene. You should have just taken my statement then, like you are doing now. I bet you didn't even know I was at that party too. If you heard my side of the story, Russ's life wouldn't be ruined.

Q: Well why don't you enlighten me now.

A: Fine. Well we were all drinking at this party; Me, Russ, and Amelia. Amelia was all over Russ. It was getting late and I saw her whisper something in his ear. The next thing I know both Russ and Amelia were gone.

Q: Underage drinking huh? Can you even remember what happened?

A: I was barely drinking. Can't say the same for Amelia. We both had plans to sleep over that night. The next morning I see Amelia and Russ walk out of a room. Amelia even gave Russ a kiss goodbye. Amelia and I left together and she seemed fine. She was hung over, but I can't say I am surprised. I would have been too if I had drank that much.

Q: So if you're sure she didn't get raped and everything was hunky dory, why would she file a police report claiming she did?

A: Amelia just said Russ raped her because she was black out drunk, wanted to have sex with him, and changed her mind the next day when Russ didn't return her phone calls. She ruined Russ's life. Even though the charges were dropped, everyone in school would harass Russ. He had to quit the football team because all of the players would beat him after practice, and say this is what a rapist deserves. No one ever apologized to him, even after the charges were dropped. It got so bad, Russ had to leave school and go to a private school in the next town over. I felt so bad for him.

Q: Well I am sorry if I don't have your sympathy for a rapist.



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A: Well I wouldn't expect you to. You were part of the problem. I can't believe I was still friends with her after that. Now she is trying to do the same thing to my brother. I should have known.

Q: So now you think she is trying to sabotage your brother?

A: I know she is. I saw the text messages. I know she was in love with my brother. I was the one who put the idea in her head for Christ sake. She would constantly make advances and my brother would always refuse. Finally, she just made up this story to get back at him.

Q: What do you mean you gave her the idea?

A: I was at a pool party at Amelia's house on July 15, 2009. We have generally hung out with the same group of people since we were in middle school. Everyone else had already left for the night and I realized it was getting late. I asked Amelia if I could use her computer to get in touch with my brother. Rich is so good to me, he is always willing to pick me up. She told me I could sign off her screen name, but I said it was not a big deal and I could use hers. I left a message for Rich asking to pick me up. Amelia started asking me questions about my brother. Basic questions, like what's Rich like? Is he in college? Is he your only brother? Does he have a job? I gave her the answers and told her that we are really close even though we're 6 years apart. Rich still hadn't responded after ten minutes, so I asked Amelia to use her phone. She said she didn't care. Rich asked me whose phone this was and I told him. When I asked him to pick me up he said he was out with a few friends but would be here soon. Then Amelia asks if I have any pictures of Richard. When I showed her the wallet size I keep of him, she told me my brother is hot. I jokingly said that I could totally try to hook you guys up. She got really excited and insisted on meeting him when he got there.

Q: So that is why you believe she is making it up, because you made a joke?

A: That's not everything. For the next two or three weeks, Rich would pick me up a bunch of times, and every time Amelia made sure to be outside to see him. She even called him one time pretending to be looking for me. I asked Amelia why she would call Rich, and she said just to talk to him. She just wouldn't stop talking to me about him. It was pretty ridiculous. A week later when Rich was comin to pick me up, I walked outside and there was Amelia talking to Rich.

Q: Even if she had a crush, it doesn't mean she would make up a sex scandal.



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A: Well the night before the first day of sophomore year Richard showed me a text from Amelia asking him to give her a ride home. Richard was picking me up that day anyway, so I guess it wasn't that big a deal, it is just so weird that she would text him and not ask me to ask my brother. Then when we were in the car, Richard asked Amelia how often she would need a ride. It was like I wasn't even there. Amelia told him she didn't know her mom's schedule but would let him know.

Q: How often would you say he picked you two up?

A: By mid September I would say he was picking us up several times a week. But I stopped asking him for rides home on the weekend of September 17, 2009.

Q: Are you sure it was that weekend?

A: Of course I am sure. That was the weekend I met Jamie. It was at a high school football game. Jamie had transferred to Kingston High from out of state. I offered to introduce Jamie to everyone. We spent that whole weekend together and by Monday, we were officially a couple.

Q: So why did you stop asking for rides?

A: Well for one thing I was spending a lot of time with Jamie after school and didn't need rides. Jamie was a year older than me and so Jamie could get a parking spot in the Junior/Senior lot. For another thing, Amelia had gotten out of control. Whenever we were in the car together, she would always find some way to touch Rich. She started calling shotgun just so she could sit next to him. And the comments she made were over the top. Stuff like, people might think we're dating when they see me sit up front, and I bet you are a briefs guy, I'd love to find out. One time she started talking about how she thinks oral sex should be called blowies. The comments didn't stop in the car though. She would also text him. Rich would think they were funny and show them to me, but I knew Amelia was trouble. I told Rich that too but he wouldn't listen. So I stopped asking him for rides home, thinking that if I didn't get a ride home with him, she wouldn't.

Q: Did it work?

A: No. He still kept giving her rides home. One time he invited Jamie and me to hang out in his dorm and he brought her with him. I couldn't believe it. It was uncomfortable enough with Rich's creepo roommate Max there ogling Amelia, but Amelia was ogling Rich. Right in front of everyone. At least by that point Rich seemed uncomfortable with the whole



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thing as well.

Q: And you didn't think that was strange?

A: It wasn't strange, it was nice. That's my brother's problem; he is too nice.

Q: Thank you Chris. I think I have all I need.

A: Do you? Because if you did, the charges would be dropped on my brother.

Q: Well that isn't happening. I will let you know if I need anything else.

A: During the weekdays it is 8 pm, but on the weekends it is 9 pm.

Q: Do you do any administrative work?

A: My boss handles most of that stuff. I am more of the ‘in the trenches’ kind of guy. One thing I do is make the schedule for all the employees and keep records of when they sign in and out. It helps me keep track when it comes time for raises.

Q: How do you know the defendant, Richard Talcott?

A: He works for me. I hired him to work the parking ticket division.

Q: How long has he worked there?

A: Since midway through his freshman year, so I guess a year and a half? I could get you the exact dates if you want, I have all the paperwork in my office.

Q: I will let you know if and when I need documents from you. How often does the defendant work?

A: I’ll put him on anywhere from 15-20 hours a week. He is my best employee, so I try to make it closer to 20. Work study students can’t work more than 20 hours a week, otherwise I would give him more work.

Q: What are the defendant’s job responsibilities?

A: He works in the ticket department. There are several different security departments I am in charge of. As I said, criminal investigations, security desks in residence halls, security booth on campus, and the ticket division.

Q: And what kind of tickets are they?

A: Parking, speeding, you know anything you could get a ticket for with your car.

Q: How did you meet the defendant?

A: Well, I am afraid that we did not meet on the best terms. It was after Rich’s first semester at school. It was the last finals day on December 21, 2007. I was on patrol, and for some reason my boss wanted to come along. He never did this, but I guess it was the end of the semester and felt like he should do some actual security work. There were rumors of several parties on campus that night, just like there is for every time finals end. Around 11:45 p.m. we saw Richard running across the quad, naked. My boss and I were the only two people who saw him streaking. If it was up to me I would have just let it go. But my boss, not knowing how things actually work when you are patrolling and wanting to get a bust so that the University would actually know he was earning that paycheck, made me cite Rich for indecent exposure.

Q: So what happened next?

A: Well we went after Rich, found out where the party was, and gave him a citation. It was more like a summons to appear before the school disciplinary committee. But then, super cop Elliot Cooper gets wind of this and claims jurisdiction over the offense. Jurisdiction my ass, this is a private college and he is always butting in on my investigations. Any time there is anything to do with a sex crime even as stupid and harmless as this one, he inserts himself into my territory.

Q: So what happened once Sgt. Cooper got involved?

A: Well it was no longer purely a school matter. Sgt Cooper blew it up into a full criminal investigation. Apparently Rich had a previous offense, and this one forced him to register as a sex offender. If I had known this would happen I would have just let it go, even if my boss was right there. I still regret that night.

Q: So you gave him a job after you had him arrested?

A: I didn't have him arrested, I cited him. Big guns Cooper had him arrested. And ya, I felt really bad at how everything turned out. I mean he had to register as a sex offender for just being a dumb college kid. I figured I would help him out and keep him out of trouble.

Q: How is Mr. Talcott as an employee?

A: He's the best. He is extremely trustworthy. There was a situation at one point where someone came in with cash to pay off fines and there was no record of tickets being issued, but they had tickets. Instead of keeping the cash, Richard corrected the error and put the cash into the lock box. I receive nothing but compliments on how Richard handles people and situations, which says a lot considering people are usually pissed because they have a ticket. My supervisor has approved three different merit-based raises for Richard in the past year and a half he has been working there.

Q: Was the defendant working on October 5th, 9th, or 10th?

A: Ya. Actually he came in to work on all three of those days. On the 5th it was only for like an hour or two in the afternoon. I am not sure if he even punched in. The 9th he worked a 4 hour mid day shift and the 10th he worked in the morning. He was so mad when he came in that morning. He told me how the day before he walked in on his roommate Max and found him on his computer. He always complained about Max being on his computer. He asked me one time if there was anything he could do to get Max to stop or get him in trouble, but I told him there really wasn't much he could do. I suggested he password lock it, but I guess Max has hacked that already. I told him that Saturday that he wouldn't have to worry about Max anymore because he had to be off campus by the end of the weekend.

Q: Why was that?

A: Well we had just finished a criminal investigation on Max that Friday. Some girl had accused him of sexually harassing her and stalking her. It actually got pretty serious, to the point where she would be scared to leave her dorm. Cooper got involved, as usual, and put a restraining order on Max. The geographical constraints of the order made it so Max could not be living on campus. So we gave him the weekend to pack up his things and move out.

Q: Does Richard ever bring his computer to work?

A: Ya all the time.

Q: Did he bring his computer to work on October 5th, 9th, or 10th?

A: I really do not remember. I know he generally brings his computer to work, I just can't tell you for sure whether he did specifically on any of those days.

Q: Well that is all the questions I have. Grand Jury members have asked me to make a few inquiries; do you have any more information about Max stalking the student?

A: Well, I am not really supposed to talk about specifics because there may still be pending criminal charges, but what I can tell you is that it was not the first complaint we received about him from a girl. This was just the first time there was enough evidence to do something.

Q: Have you ever received similar complaints about the defendant?

A: Never.

Q: Does the defendant work in the afternoons around 2 or 3?

A: Sometimes, although usually he will just come in nights and weekends. Student's generally take care of their tickets after classes end or on the weekends, so I try to schedule Rich for the busier times.

Q: Would there be a record of who the defendant signed in to his residence hall?

A: Yes, he has to sign people in just like any other student.

DOCKET NO.: 09-DLP-11-05

<u>STATE OF QUINNIPIAC</u>	:	SAXTON COUNTY
	:	
V.	:	AT KINGSTON SUPERIOR COURT
	:	
<u>RICHARD TALCOTT</u>	:	December 1, 2009

GRAND JURY TESTIMONY

State’s Attorney: Members of the Grand Jury, this is case number BP09-00762, State of Quinnipiac v. Richard Talcott. The State has charged Richard Talcott with one count of Enticing a Minor and two counts of Sexual Assault in the Second Degree. The Grand Jury has the right to subpoena and question any person against whom the State’s Attorney is seeking a Bill of Indictment or any other person and to obtain any documents or transcripts relevant to the matter being prosecuted by the State’s Attorney. The defendant cannot be compelled by the State to testify. The members of the Grand Jury may inquire of the witness during this proceeding. In the State of Quinnipiac, hearsay testimony will be admissible for the limited purpose of testimony to the Grand Jury.

Testimony by Richard Talcott who has been sworn in under the oath of the State of Quinnipiac

State’s Attorney (Q): Please state your name for the record.

Richard Talcott (A): My name is Richard Michael Talcott.

Q: And how old are you Mr. Talcott?

A: 21 years old.

Q: What is your birth date?

A: February 13, 1988?

Q: Are you in school?

A: Yes, I am a junior at University of Kingston.

Q: Do you have a job?

A: I have work study job at Campus Security. I work in the ticket division. I have worked there for about a year and a half; since the middle of my freshman year.

Q: How often do you work?

A: I generally work around twenty hours a week.

Q: What are your job responsibilities?

A: I issue parking passes/permits for school parking to students and visitors. I also collect fines for parking violations.

Q: Have you ever been disciplined at work?

A: No way. Devon loves me. Even if someone ever did complain about me, he wouldn't put anything on my record. He probably wouldn't even care. I have even got two raises since I have been there.

Q: How did you get this job?

A: What do you mean?

Q: Well did you apply, did you know someone who worked there, did someone recommend you?

A: Well I got the job through Devon.

Q: And how did you meet Devon?

A: Actually, he busted me for streaking my freshman year.

Q: And why were you streaking?

A: Well my buddies and I had just finished our last final. We were all leaving the next day, so we decided to have a party in our dorm. We had about fifteen people in there at one point. Anyway, we were playing beer pong and there is this rule see, that any time someone does not get any cups on the other side, they have to take a naked lap. By about midnight, I had already played about ten games and could barely shoot, so I ended up missing all the cups. I really had no choice, rules are rules. The worst part is that I wasn't even the first to go that night, just the one who got caught.

Q: So what happened next?

A: Well I stripped down and ran in the snow through the quad and around my building. I didn't even realize I ran past security. Obviously they realized I was running around naked. So I get back to my room get my clothes on, and about five minutes later security knocks on my door. I thought we were just in trouble for the noise, but they told me I needed to step outside and talk to them. They gave me this piece of paper that said I had to go to a hearing next semester with the school disciplinary board.

Q: What happened when you went to the hearing?

A: Well I actually never went to the hearing.

Q: Why not?

A: I got a call over Christmas break from the Special Investigations Unit that they had received information regarding my citation and have decided to press charges. They told me to report to the Saxton County Police Station within the hour or there would be a warrant for my arrest.

Q: So what did you do?

A: What do you think I did? I went there and saw that stupid smile on Sergeant Cooper's face. He looked like he had been waiting a long time for this. He sat me down and told me, "this makes two." Then he left and let his goons handle the rest.

Q: What do you think he meant by that?

A: He meant that this was my second sexual offense and I would have to register as a sex offender.

Q: What was your first offense?

A: When I was 15 years old I was arrested for distribution of child pornography. But I was able to plead to a sexting charge, which is a lesser offense.

Q: Can you tell me the circumstances surrounding the arrest?

A: I had this girlfriend named Jasmine Kintner. We would send each other picture text messages. It was the new thing to do in 2004, you know sending pictures of yourself making a kissing face, to say good night. Stupid stuff like that. Anyway, I convinced her to send me a picture of her boobs. She was still making the kissing face, but she was also topless. We broke up about a week later and she started freaking out about the picture. She demanded that I erase the photo, but I said the hell with her. She was dumping me. And being a stupid guy, I started showing people in school. Just my friends, but I made the mistake of texting the photo to one of my buddies. Well she found out and just lost it. She told her parents and they called the police on me.

Q: So what happened once the police got involved?

A: Well this was the first time I met Sergeant Cooper. I guess it was a year after SIU had been created and Cooper was still trying to make a name for his department. Anyway, he just came up to me in school and asked me for my phone. I was so scared this cop was asking for my phone, that I just gave it to him. He found the topless photo of my fifteen year old girlfriend, and also saw the text I sent in my outbox. He arrested me for distribution of child pornography. But the prosecutor was so much cooler about it than Cooper.

Q: What do you mean?

A: Because of my clean record, my age being the same as the victim, and because she voluntarily sent me the picture, he allowed me to plead guilty to Q.G.S. § 52a-67 “sexting” statute. Sergeant Cooper was there when I entered the plea. He absolutely flipped out. He started yelling at the prosecutor and the judge saying you don’t know what you’re doing. He called me a sexual predator.

Q: So now you are a sex offender?

A: Ya, I guess. I mean I am registered. Although I think it is ridiculous to lump me with a bunch of rapists.

Q: Let’s talk about why you are here today. How do you know the victim, Amelia Spring?

A: She is friends with my sibling, Chris.

Q: How old is Chris?

A: Same age as Amelia.

Q: Are you close with Chris?

A: Very close, even though Chris is 6 years younger than me. I’m always giving Chris rides or whatever.

Q: Can you tell us where you were the night of July 15, 2009?

A: I was just out with a few friends. Then I got a call from Chris on this number I didn’t recognize, so I asked whose phone this was. Chris told me it was Amelia’s and that Chris needed a ride so I went and picked Chris up at Amelia’s place. I met Amelia for the first time that night.

Q: Did you continue to see Amelia or have any contact with her over that summer?

A: Only when I would pick up Chris and one time when she called my phone. I thought it was just to get a hold of Chris, but Chris told me later she just wanted to talk to me. She was always outside when I would get to these parties to pick Chris up. This one time in the middle of August...

Q: I’m sorry do you recall the date?

A: August 14 I think? I know it was a Friday. Anyway, this one night when I got to this party, Amelia is outside by herself on the phone and seemed to be arguing with someone. After she hung up the phone she was crying. I asked what was wrong and she said her mom just

moved out and said she had to transfer schools. She told me her Dad still lived in the same house but she didn't get along with her Dad. I guess she doesn't get along really well with her mom either but she said if she had to choose she would prefer to live with her mom. She told me that she didn't want to switch schools in high school. I asked her why, and she said she would lose her position as a Varsity cheerleader because it is too late to try out for a new school for this coming year and she doesn't want to lose all her friends at Kingston High School. I told her if there was anything I could do to help her out, just let me know. This is what I get for being a nice guy.

Q: When was the next contact you had with the victim?

A: It was the night before Chris's first day of sophomore year. She sent me a text asking if there was any way I could drop her off at her mom's house after school. She said if I couldn't that she would have to switch schools. I told her I was picking up Chris anyway so it wouldn't be a problem.

Q: How often would you pick Amelia up from school?

A: She told me in the car on that first day that she would let me know her mom's work schedule. By mid September, I was picking up her and Chris a few times a week. On Thursday, September 24, Amelia texted me asking if I could give her a ride home the next day. She said it would only be her this time because Chris was going to be hanging out with Jamie, the new squeeze.

Q: Was that the only time that you were alone with Amelia?

A: No.

Q: About how many times did you pick up the victim by herself?

A: The next few weeks I picked her up almost every day.

Q: Has the victim ever been to your dorm room?

A: Ya. The first time I picked her up alone, on that Friday, I forgot my wallet. So I asked if she minded if we stopped by my dorm to pick it up. She insisted she come up and see my place. That was the first time she met my sleazy roommate Max. I introduced her, and already he was making me feel uncomfortable. He would not stop staring at her boobs. I almost said something, but I just grabbed my wallet and we left.

Q: Were there any other times she was at your dorm room?

A: There was one time when I took her to my dorm to hang out with Chris and Jamie. Unfortunately, Max was there making his dirty comments, like usual, but it didn't seem to bother Amelia, so I didn't say anything. There was also that Monday I took her to Five Guys.

Q: What Monday was this?

A: The one where she claims we had sex.

Q: Why did you pick her up for lunch? Or why did you continue to pick her up without Chris for that matter?

A: The Friday before we went, she said she had never been to Five Guys. I told her how it is the best burger I have ever had, and that she had to try it, so I just thought I would take her. I thought picking her up would be the nice thing to do. She seemed like a really sweet girl that came from a tough situation with her family. I was really just trying to be nice. She started to creep me out a little though.

Q: What do you mean?

A: That weekend she texted me like 15 times. She said some pretty serious stuff too. I mean she would always make advances toward me, stupid high school stuff like forcing herself in shot gun, even when I was picking Chris up too. She would say things to me, right in front of Chris like, I wish you were my boyfriend, I could make you so happy, I am the type of girl you can bring home to your mom. She would also send me these silly texts too, like “I wish you were here,” “I have been thinking about you all night.” I was always flattered, but the texts this weekend made me a little uncomfortable.

Q: What did she say?

A: I don’t remember them all, but one was like “I want to dunk your donuts.” This little girl had a dirty mind.

Q: What do you think she meant by “dunk your donuts?”

A: It is slang for sucking balls.

Q: So about what time did you pick her up that Monday?

A: Well the plan was that she would just IM me when she was ready. So I guess around 11:30 that morning she IMed me and told me to come pick her up. We were only going to go to Five Guys and back, but she said she didn’t have to be back at school anytime so we just went to my dorm to eat. They are literally a minute from each other, so it wasn’t a big deal.

Q: What did you guys do in your dorm?

A: We just hung out, ate our delicious burgers. Max was already hanging out when we got there. He is so annoying, and super creepy. He immediately sat down next to Amelia and put his arm around her. Amelia just smiled, I guess she’s just as bad as him. Anyway, we spent about an hour there, and I told Amelia that I needed to run to work for a couple hours and that I would bring her back to school.

Q: So what time did you get her back to school?

A: Not until after work. Max started in saying, "Aw, leavin so soon?" And Amelia bought into it. She said she didn't want to go back to school and asked if she could stay and hang out with Max. I said I didn't mind as long as Max didn't. Then Max gave me the dirtiest smile, and said it was fine. I was really uncomfortable with it. I know how he is with girls. He should be the one here not me.

Q: How long did you go to work for?

A: A little over an hour. When I came back Max was gone and Amelia was just sitting on my bed in her underwear and a tank top. Her hair was a mess. I didn't know what to say. She told me she was in love with me and wanted to have sex. I handed her the rest of her clothes and told her that this has gone too far. She started to cry, so I tried to calm her down a bit. Then I took her back to school.

Q: So what time did you get her back to school?

A: It was probably a little after three. Before she got out of the car she told me I would regret this. Then she ran from the car with her hands covering her face, crying.

Q: Where were you at approximately 1:30 pm on October 9th, 2009?

A: Well I remember being at work until about 1:25, then I just went home to my dorm. Oh and I remember Max being on my computer. He is always on my computer. It pisses me off so much when he does that. I caught him looking at porn once on it. He is the worst. Thank god he got kicked out of campus that same weekend.

Q: So you didn't have a conversation with Amelia that day online?

A: No. It must have been Max on my screen name.

Q: How about the next morning?

A: If I did, it would have been at work. Although I don't remember.

Q: Did you bring your computer to work that day?

A: I really can't remember.

Q: What day did Max move out of your dorm?

A: It could have been Saturday afternoon or Sunday. I know that his side of the room was empty on Monday.

Q: And lastly, what day were you arrested?

A: October 12th, 2009.

Q: That's all I have.

Q: Grand Jury members have asked me to make a few inquiries; why did you have a picture of her in your room?

A: Well we were friends at one point. She was like a second sibling to me. I also have a picture of Chris in my room. I didn't think it would be a big deal.

Q: Why did you hang out with someone 6 years younger than you?

A: I honestly do not know. I guess I liked the attention. Not too many girls give me a shot once they find out I am a registered sex offender, even as just a friend. They won't even wait for the explanations. I know it is stupid, but I liked that a younger, hotter girl wanted me. It was nice to keep her around.

Q: Did you ever think it might be inappropriate?

A: Well at first I was picking up Chris too, so it didn't seem all that bad. Then, when Chris stopped getting a ride with me, it didn't seem like a big deal because I had already been picking her up for a few weeks. Chris tried to warn me, but I didn't think it was a big deal, or that she would make up a story like this.

Q: Who were you talking about in the text message you sent on October 5th, "she finally let me do it?"

A: Just a friend from school that let me drive her car.

Q: Who was she?

A: I don't remember.

Q: Wouldn't your phone tell you?

A: Sergeant Cooper has my phone.

Issued this day of December 15, 2009

Elizabeth Jacobsen

Grand Jury Foreman



QUINNIPIAC
STATE DEPARTMENT OF HEALTH
BUREAU OF VITAL STATISTICS

BIRTH REGISTRATION NOTICE

This certifies that a certificate of birth has been filed with the State Registrar of Vital Statistics under the

name of Amelia Spring

born on December 29, 1993, at Memorial Hospital in Kingston

County of Saxton

Name of father Samuel Spring

Maiden name of mother Melissa Garner

Date filed 1/2/1994

R. H. King

REGISTRAR OF VITAL STATISTICS



QUINNIPIAC
STATE DEPARTMENT OF HEALTH
BUREAU OF VITAL STATISTICS
BIRTH REGISTRATION NOTICE

*This certifies that a certificate of birth has been filed
with the State Registrar of Vital Statistics under the*

name of Richard Talcott
born on February 13, 1988, at Kingston Hospital in Kingston
County of Saxton
Name of father Louis Talcott
Maiden name of mother Reina Goodman
Date filed 2/17/1988

R. P. King
REGISTRAR OF VITAL STATISTICS

VS-C-10

University of Kingston

Security Department

Time Card

Employee Name: Richard Talcott Employee ID: 2498752

Month: October

Date	Time In	Time Out	Date	Time In	Time Out
OCT 5 2009	12:45 PM	2:30 PM			
OCT 9 2009	9:00 AM	1:15 PM			
OCT 10 2009	9:00 AM	12:00 PM			



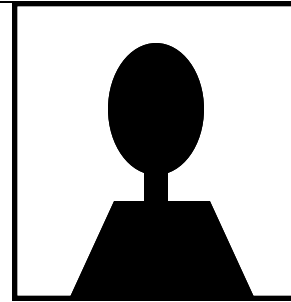
Saxton County Police Department
State of Quinipiac
Public Safety Division

State of Quinipiac Sex Offender Registry

Richard Talcott—Details

Current Address:

207 Baker Hall
University of Kingston
10 Marsh Road
Kingston, Quinipiac 18923



No Picture Required

Permanent Address:

29 Yuka Street
Kingston, Quinipiac 18923

Date of Birth:

2/13/88

Crime(s) Committed:

Sexting	Q.G.S. §52a-67
Indecent Exposure	Q.G.S. §52a-59

Offense Date:

9/1/04
12/21/07

Status:

Active—Registration Up to Date



Saxton County Police Department

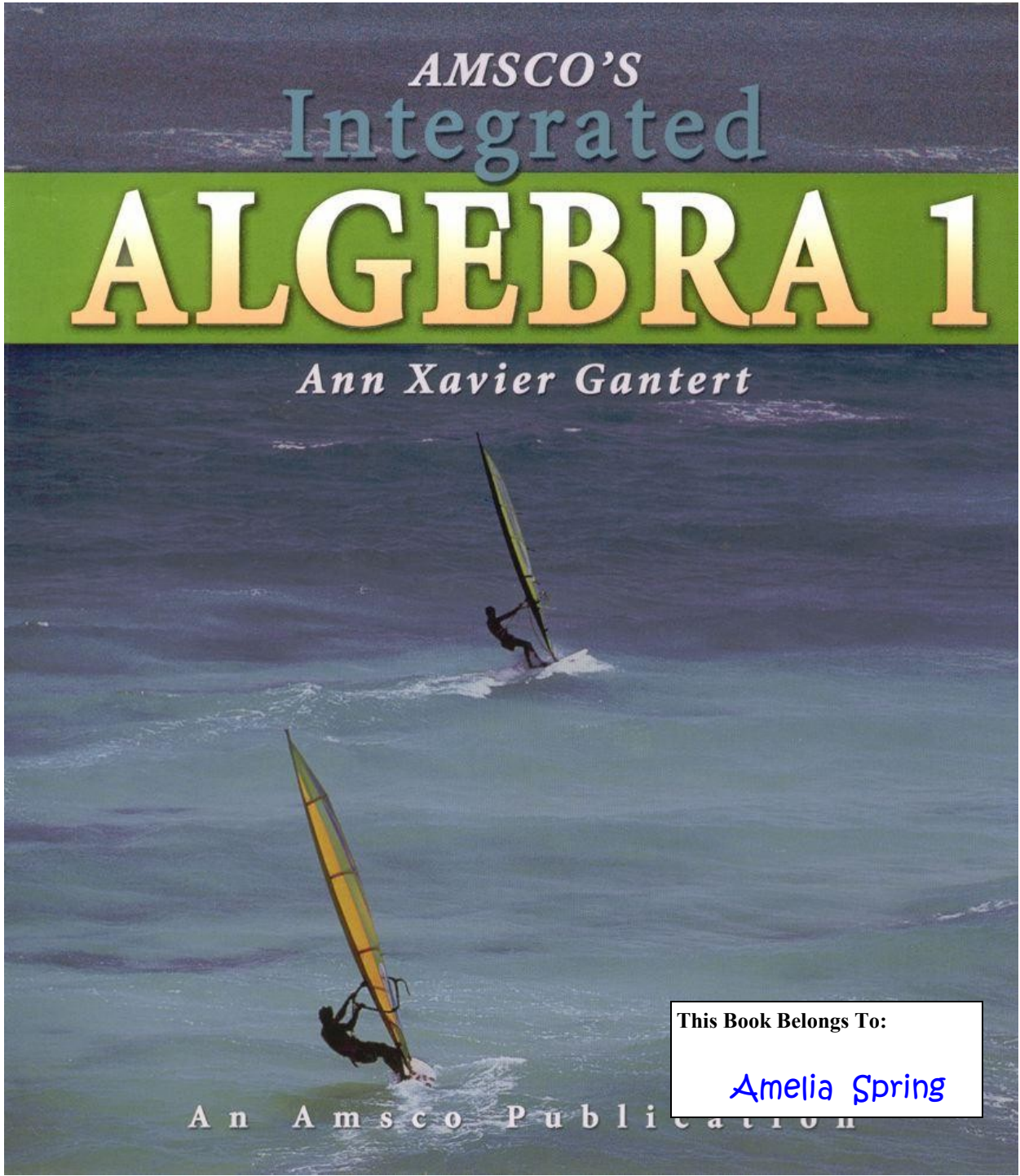
State of Quinnipiac

Criminal/Motor Vehicle Conviction Case Detail

DEFENDANT INFORMATION

Statute	Description	Type	Offense Date	Plea	Disposition	Verdict Date	Fine
Q.G.S. § 52a-67 Sentence: 10 hours community service	Sexting	Misdemeanor	9/1/04	Guilty	Pled Guilty	10/7/04	None
Q.G.S. § 52a-59 Sentence: 6 Months Probation	Indecent Exposure	Misdemeanor	12/21/07	Guilty	Pled Guilty	1/10/08	None
Q.G.S. § 52a-55 Sentence:	Sex. Assault 2nd	Felony	10/5/08	N. Guilty	Pending		Pending

No Convictions Found Outside of District



AMSCO'S
Integrated

ALGEBRA 1

Ann Xavier Gantert

This Book Belongs To:

Amelia Spring

An AmSCO Publication



University of Kingston

Campus Security Report

Date: December 22, 2007

Report #: 428703755

Reporting Security Officer: Devon Livet

Location of Incident: University Quad

Nature of Incident: Indecent Exposure

Names of those Involved:

Richard Talcott

Dorm/Room #:

Baker Hall—207

Description of Incident:

On the last day of finals, December 21, 2007, I heard rumors of several parties on campus. At about 11:00 pm, I started patrolling the campus with my supervisor Ron Ingrassia. At approximately quarter to midnight, we saw an individual run across the quad naked, and do a lap around the building. It appeared that he did not see us. He then went into the same building he came out of and ran up the steps. Ron insisted that we cite the stalker, and so we followed him into the building.

We asked the security guard working at the front desk checking ID's whether he knew who the gentleman was who just ran in naked. He told us it was Richard Talcott, and that he was a freshman who lived in room 306. We went up to the third floor and immediately heard the music coming from 306. When we knocked on the door, Richard had come out fully clothed. We gave him a citation to appear before the school disciplinary committee on January 22, 2008.



University of Kingston

Campus Security Report

Date: October 12, 2009

Report #: 624197567

Reporting Security Officer: Devon Livet

Location of Incident: University of Kingston Campus

Nature of Incident: Sexual Harassment

Names of those Involved:

Max Gilliot

Gabriella Pearl

Dorm/Room #:

Baker Hall—207

Eli Whitney Hall—315

Description of Incident:

On October 1, 2009, while working at the University of Kingston Security office, I received a complaint that a student, Max Gilliot, had been sexually harassing a female student, Gabriella Pearl (G.P.). The female student complained that every time she would come home, Max would be waiting outside her dorm. She also claimed that he would say extremely inappropriate things to her, and constantly ask her if he could come up to her dorm room for a “good time.” She told me that this harassment and stalking has gone on since August 24, 2009, the first day of the semester. She said that it had gotten so bad that she is afraid to leave her dorm and go to classes. She thinks that he is going to be waiting there to rape or kidnap her. She also said that she is not the only girl in her dorm that he has been harassing, and she provided the names of several other students who she had talked to who were experiencing the same type of behavior from Max.

I contacted and questioned all of the females whose names I received from G.P. Each person G.P. identified preferred to remain anonymous because they feared retaliation from Max. I also spoke with Max Gilliot on October 7, 2009, when he was outside Ms Pearl’s dorm room. I asked him what he was doing there and he said looking for some “tail.” I asked him if he would mind coming to the security office to answer some questions and he told me to “suck it rent-a-cop.” At this point I called my superior, Ron Ingrassia, and informed him of the situation. While Mr. Ingrassia was on his way over, I heard Max whistle at several female students and tell them “they were walking by the best thing that would ever happen to them.” Mr. Ingrassia and I detained Max and brought him to the security office.

Max was reluctant to answer any questions. When I asked him if he ever asked a female student if he could come up to their dorm for a “good time” he said that they were “all sluts and



University of Kingston

Campus Security Report

Page 2

Date: October 12, 2009

Report #: 624197567

Description of Incident:

would beg him to come up.”

Ron contacted Sergeant Elliot Cooper of the Special Investigations Unit at the Saxton County Police Department. Ron informed Cooper of the situation, and said that several students had legitimate concerns for their safety. Sergeant Cooper said that he would work on getting a restraining order against Max for the student who initially complained. We let Max go, and informed him that if he went anywhere near the female dorm or made contact with Ms. Pearl, he would be arrested.

On October 8, 2009, at 4:55 pm, Cooper informed us that he had obtained a restraining order from Judge Cora Ignis which prevented Max Gilliot from being within 5,000 feet of Gabriella Pearl or the female dorm. Due to the geographical constraints, Max could no longer live on campus or take classes at University of Kingston. I served the restraining order on Max on October 8th, 2009 at 7:30 pm at his dorm room. I informed him that he had the weekend to move out his things, but that by Monday, October, 12, 2009, he would be arrested if he was seen anywhere on campus.

When I checked Max Gilliot’s dorm room at 8:00 am on 10/12/09, all of his things were gone.

Quinnipiac State Court
SAXTON COUNTY

1139 Spring Garden Street
Kingston, QU 18923

TEMPORARY RESTRAINING ORDER

It is hereby ordered;

Max Gilliot must not come within 5,000 feet of Gabriella Pearl or the female dorm, Eli Whitney Hall or on the campus of University of Kingston for the next 24 hours. Such order may be permanently renewed upon hearing evidence presented in this Court on October 9, 2009 at 9:00 am.

JUDGE CORA IGNIS.

On October 8th, 2009, at 4:55 pm.



Police Misconduct Report

Privileged and Confidential - This form is privileged work product produced in anticipation of litigation and for use by criminal defense counsel.

Note: Be as accurate and detailed as you can (and don't guess!). If you have any questions about filling out this form, contact us at 203-098-5718

Your Name: Anthony Zazo	Email: AZAZ@GMAIL.COM	Phone: 203-861-2489	Address: 64 Clifford Rd
Date, time and exact location of the incident (include cross streets as well as street address and any landmarks): Oct 3, 2003—Saxton County Police Department			
VICTIM 1:		VICTIM 2:	
Name: Anthony Zazo	Email:	Name:	Email:
Phone #:	Address:	Phone #:	Address:
Description of victim (gender, race, age, height, weight, build, clothing, glasses, hair color/style...) Be as detailed as possible. Male, Caucasian, 42, 6'1", Brown Hair, Brown Eyes, 220 lbs		Description of victim (gender, race, age, height, weight, build, clothing, glasses, hair color/style...) Be as detailed as possible.	
OFFICER 1:		OFFICER 1:	
Name: Elliot Cooper	Badge #: 187	Name:	Badge #:
Agency: SIU	Rank: Sgt	Agency:	Rank:
Vehicle Info N/A		Vehicle Info	
Description of officer (include gender, race, age, height, weight, clothing and insignia, hair color/style, weapons, vehicle, etc.). Be as detailed as possible. 5'10", 55, Blonde, blue eyes, 180 lbs		Description of officer (include gender, race, age, height, weight, clothing and insignia, hair color/style, weapons, vehicle, etc.). Be as detailed as possible.	

"Sexual intercourse" means vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of gender. Its meaning is limited to persons not married to each other. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse, or fellatio and does not require emission of semen. Penetration, however, is not required for the commission of cunnilingus. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the complainant's body.

Element 2 - Additional factor:

The second element is that, at the time of the offense, the complainant was thirteen years of age or older but under sixteen years of age and the defendant was more than three years older than the complainant at the time of the offense.

This is a strict liability offense with regard to the victim's age. This crime does not require proof of a specific criminal intent, an evil motive, or knowledge of the victim's age in order to find a criminal violation. If the evidence shows that the victim was between the ages of thirteen and sixteen, it is no defense that they did not know the age of the victim.

Conclusion:

In summary, the state must prove beyond a reasonable doubt that (1) defendant knowingly had sexual intercourse with the complainant and (2) the complainant was between the ages of thirteen and sixteen and (3) the defendant was at least three years older than the complainant.

If you unanimously find that the state has proven beyond a reasonable doubt each of the elements of the crime of sexual assault in the second degree, then you shall find the defendant guilty. On the other hand, if you unanimously find that the state has failed to prove beyond a

reasonable doubt any of the elements, you shall then find the defendant not guilty.

Count II:

The defendant is charged in Count II with Sexual Assault in the Second Degree in violation of Q.G.S. § 52a-55(b). The statute defining this offense reads in pertinent part as follows:

A person is guilty of sexual assault in the second degree when such person knowingly engages in sexual intercourse with another person and such other person is thirteen years of age or older but under sixteen years of age and the actor is more than three years older than such person; (b) and the actor has been convicted of two or more crimes as defined Article X of the of the Quinipiac General Statutes, violation is an A Felony.

For you to find the defendant guilty of this charge, the state must prove beyond a reasonable doubt the following elements:

Element 1 - Sexual intercourse:

The first element is that the defendant and the complainant knowingly engaged in sexual intercourse.

A person acts "knowingly" with respect to conduct or to a circumstance described by a statute defining an offense when he is aware that his conduct is of such nature or that such circumstance exists. An act is done knowingly if done voluntarily and purposely, and not because of mistake, inadvertence or accident.

Ordinarily, knowledge can be established only through an inference from other proven facts and circumstances. The inference may be drawn if the circumstances are such that a reasonable person of honest intention, in the situation of the defendant, would have concluded that his conduct constituted sexual activity. The determinative question is whether the circumstances in the particular case form a basis for a sound inference as to the knowledge of the

defendant in the transaction under inquiry.

"Sexual intercourse" means vaginal intercourse, anal intercourse, fellatio or cunnilingus between persons regardless of gender. Its meaning is limited to persons not married to each other. Penetration, however slight, is sufficient to complete vaginal intercourse, anal intercourse, or fellatio and does not require emission of semen. Penetration, however, is not required for the commission of cunnilingus. Penetration may be committed by an object manipulated by the actor into the genital or anal opening of the complainant's body.

Element 2 - Additional factor:

The second element is that, at the time of the offense, the complainant was thirteen years of age or older but under sixteen years of age and the defendant was more than three years older than the complainant at the time of the offense.

This is a strict liability offense with regard to the victim's age. This crime does not require proof of a specific criminal intent, an evil motive, or knowledge of the victim's age in order to find a criminal violation. If the evidence shows that the victim was between the ages of thirteen and sixteen, it is no defense that they did not know the age of the victim.

Element 3 - Prior conviction:

The third element is that prior to October 5, 2009, the defendant was convicted of two or more crimes defined in Article X of the Quinnipiac General Statutes, to wit: sexting on October 7, 2004 and indecent exposure on January 10, 2008, in violation of Quinnipiac General Statute § 52a-55(b). To be "convicted" of a crime means that a finding of guilty has been entered against a defendant, either by plea or guilty verdict, on a count defined in Article X of the Quinnipiac General Statutes. Sentencing need not have occurred.

TRIAL ADVOCACY EXPECTATIONS

As a potential new member of Trial Advocacy, you will be expected to participate in our competitions. The program and board have worked hard over the years to put in place a system to teach new members the art of trial and the corresponding methods and tactics that go with it. However, gaining the confidence of these skills is not without practice, hard work and dedication. The teaching of these skills does not come without those virtues either. Therefore, before we as individuals and a program invest time and effort into you, as a potential new advocate, we ask that you are certain of and willing to do the following:

1. Have a positive attitude to work with your coaches, take criticism, and work to succeed.
2. Be available to practice with your team at least 3 times a week.
3. Be available to practice in one full trial a week with your team.
4. Study and seek out help for rules and aspects of trial you do not yet fully understand
5. Follow up with your schedule and your coach to make sure you are signed up to get class credit

Again, please contact us with any questions or concerns at trialad@loyno.edu

Trial Advocacy Program
Fall 2011 Argue-On Application

Please complete this application and drop it off in the Trial Advocacy folder on the 3rd Floor of the Law School by September 7th, 2011 at midnight. You will be notified via email of your time slot for the Argue-On Competition.

If you have any questions, please do not hesitate to contact trialad@loyno.edu

APPLICANT NAME: _____

HOMETOWN: _____

LOYOLA EMAIL: _____

CELL PHONE NUMBER: _____

GPA: _____

CLASS YEAR: _____

FALL COURSES:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

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