



Judges in the Classroom

State v. Mary Witch Scripted Mock Trial

Source:

Lesson plan written by Margaret Fisher, including an adaptation of a mock trial developed by Fran Fairbanks, Carolyn Johnson, James Marrot at Pleasant Grove, Utah. Staff at the Washington State Administrative Office of the Courts (AOC) edited the lesson. For more information, contact AOC Court Services, 1206 Quince Street SE, PO Box 41170, Olympia, WA 98504-1170. For an electronic copy of this lesson, or to view other lesson plans, visit Educational Resources on the Washington Courts Web site at: www.courts.wa.gov/education/.

Objectives:

1. Students will conduct a mock trial, follow the sequence of steps in a trial, and employ good techniques for each role.
2. Students will name the different roles in a trial and what they do.
3. Students will be more confident in being able to speak in front of the class.

Grade Level: _

Grades K-5

Time: _

One class period (approximately 50 minutes)

Materials:

The teacher should have prepared the students for the trial in advance of the judge's visit. The judge will serve as judge in the trial, helping students along as they go, if needed.

Note: This trial is designed for students reading at grade 3 or above. However, the jurors may be made up of students as young as kindergarten. The teacher may divide the attorney roles into smaller parts, depending upon the reading level of the students. Teachers may choose to use costumes to enhance the enjoyment of the trial by the students.

Procedures:

1. **Begin the class** by introducing yourself and setting the students at ease. Tell students the purpose of this mock trial is to familiarize them with the court process, to increase their speaking skills, and to help them understand more about the people who are part of the legal process.
2. **Set up the classroom** for the trial. The judge should sit behind the front desk or behind a podium if there is one in the classroom. Set up the witness box, by having a chair off the side of the judge. Prosecutors should sit closest to the jury on one side of classroom, and the defense should sit on the other side. Have witnesses sit behind lawyers. Have jurors sit to one side of the classroom. Have the bailiff stand next to the witness box.
3. **Have students begin the trial** and read the script.

After script is over, have jurors deliberate as a small group and come up with a verdict.

4. **Debrief the trial.** Ask the student actors how they felt about acting in their roles.

Ask students what is the role of the trial judge? The prosecutor? The defense attorney? The jury? The bailiff?

When jury has reached a verdict, have them come to the front of the classroom and announce the verdict.

Ask the jury how they felt about playing jurors.

Ask if anyone has any questions about jury deliberations. Ask the student judge whether s/he agreed with the jury verdict. Ask students whether that ever happens in a real case, where the judge does not agree with the jury. Explain any examples from your own experience (in general terms).

Debrief on the different parts of the trial.

Ask if anyone has any questions about the trial process.

State of Washington v. Mary Witch

The Story

On March 25, of this year, two children, Hansel and Gretel, disappeared for two weeks. They spent those two weeks in the gingerbread cottage of Ms. Mary Witch. Witnesses Jack Rabbit and Verl Squirrel reported that they saw the children nibbling on the gumdrops and candy canes, which decorated the windows of the Mary Witch's cottage in the woods. They also said that the Witch then called out to the children and invited them into her cottage.

Squirrel was suspicious since some animals of the forest believe that the Witch eats children. They sent Daisy Deer, who was tall enough to peep into the candied windows, to see what was going on. Deer watched for two weeks. Deer reported that she saw Hansel kept in a cage. Gretel cooked and cleaned during this time. After two weeks the children left during the night. Squirrel and Deer reported to the police. The police then arrested Ms. Witch and charged her with the crime of kidnapping.

The Trial

Bailiff: The Superior Court of King County in the State of Washington is now in session, the Honorable _____ presiding.

Judge: We are here today in the case of the State of Washington versus Mary Witch. Ladies and gentlemen of the jury, you have been called here today to decide whether Ms. Witch committed the crime of kidnapping. I know that you will pay attention and decide this case on the basis of what you hear today. Please put out of your mind anything that you might have heard before about Hansel and Gretel and the Witch, and listen to the witnesses. Counselors, are you ready?

ALL Prosecuting and Defense Attorneys together: Yes, Your Honor.

PROSECUTING ATTORNEY #1: Your Honor, my name is _____. My co-counsel includes _____, _____, and _____.

Ladies and gentlemen of the jury, we are going to prove beyond a reasonable doubt that Mary Witch kidnapped Hansel and Gretel. We will prove that she lured the children into her cottage by decorating her cottage with delicious candy. Then she locked Hansel away like a bird and used Gretel as a slave. They were not guests, but the Witch's future dinner. If the children had not escaped, the Witch would be on trial for murder.

Defense Attorney #1: Your Honor, my name is _____, and my co-counsel includes _____ and _____. We are representing the defendant, Ms. Mary Witch.

My dear jurors, the woman you see before you is not a kidnapper, but a generous and sensitive lady who opened her cottage and her kitchen to two lost, unprotected children. Hansel and Gretel were well fed during their stay. Gretel did work hard during her stay, but it was only to help the Witch who is quite sick and cannot do her chores well. Ms. Witch protected these children from the evils of a dark and frightening forest. How dare these children accuse this kindly woman of kidnapping when they should thank her for being kind to them. We will show that the children are merely lying to prevent them being punished by their parents for wandering off in the forest.

Judge: Thank you, counselors. Is the prosecution ready to present its case?

PROSECUTING ATTORNEY #1: Yes, Your Honor.

Judge: Is the defense ready?

Defense Attorney #1: Yes, Your Honor.

Judge: Prosecutor, please call your first witness.

PROSECUTING ATTORNEY #1: Thank you, Your Honor. We would like to call the boy, Hansel, as our first witness. (Hansel comes to the witness chair.)

Bailiff (to Witness): Raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

HANSEL: I do. (Sits down)

PROSECUTING ATTORNEY #1: For the record, state your name and address.

HANSEL: My name is Hansel. I live at 136 Woodchuck Lane at the edge of the forest.

PROSECUTING ATTORNEY #1: What can you tell me about what happened on March 25 of this year?

HANSEL: Our family went to cut wood in the deep, dark part of the forest.

PROSECUTING ATTORNEY #1: Please name the people in your family.

HANSEL: There's my Dad, Englebert; my step-mother, Wicked; and Gretel, my sister.

PROSECUTING ATTORNEY #1: Please continue.

HANSEL: We left early in the morning to cut wood. When we came to a place that looked good, our parents left us to eat our crusts of bread. They told us they would be back. They were gone a long time, and it started to get dark. Gretel was frightened, and I guess I was too.

DEFENSE ATTORNEY #1: Objection, Your Honor, lack of first-hand knowledge.

JUDGE: Overruled. I believe a brother would know if his sister was frightened. Please continue, young man.

HANSEL: Like I said, (pause), we were really scared, and we decided to look for a way home. We walked for quite a ways, and saw lots of small animals, and heard many strange noises. I started to feel sick, my head hurt, and I felt hot. Finally, we saw a house.

PROSECUTING ATTORNEY #1: Would you describe the house?

HANSEL: Well, it was small, more like a cottage. At first, it looked like it had lots of decoration, but when we got closer we saw that it was covered with all kinds of candy. It smelled like ginger bread. We were so excited, because we hadn't eaten in a long time.

PROSECUTING ATTORNEY #1: What did you do then?

HANSEL: Well, we just started to eat it!

PROSECUTING ATTORNEY #1: Is that when Mary Witch came to lure you into the cottage?

DEFENSE ATTORNEY #1: Objection Your Honor. Counsel is leading the witness.

JUDGE: Sustained. Please rephrase the question.

PROSECUTING ATTORNEY #1: What happened next, Hansel?

HANSEL: As we were eating, this old lady opened the door and invited us in.

PROSECUTING ATTORNEY #1: Do you see that old lady in the court room?

HANSEL: Yes

PROSECUTING ATTORNEY #1: Please point her out.

HANSEL (points at Mary Witch): There, at that table.

PROSECUTING ATTORNEY #1: I would request that the record reflect that Hansel has pointed out Mary Witch. Could you tell us what happened next?

HANSEL: She seemed really nice at first. She fed us and put us to bed. But in the morning, I found myself in a locked cage. I couldn't see Gretel anywhere. I wasn't feeling well either, and I was really scared. I figured that the Witch wanted to eat us.

PROSECUTING ATTORNEY #1: Did you ever try to leave?

HANSEL: Yes, but I was locked in the cage.

PROSECUTING ATTORNEY #1: How did you get out?

HANSEL: After a really long time, I figured a way to get out. I signaled to Gretel, and we snuck out while the Witch was snoring. Somehow we found our way back home.

PROSECUTING ATTORNEY #1: Thank you, Hansel. No further questions, Your Honor.

JUDGE: You may cross-examine, Counselor. (Looks at Defense Attorney #1.)

DEFENSE ATTORNEY #1: Hansel, didn't your parents tell you to wait for them that day in the forest?

HANSEL: Yes.

DEFENSE ATTORNEY #1: Are you in the habit of disobeying your parents?

PROSECUTING ATTORNEY #1: Objection, Your Honor. Hansel is not on trial here.

JUDGE: Sustained.

DEFENSE ATTORNEY #1: What do your parents do when you disobey them, Hansel?

HANSEL: Well, they usually beat us with a switch.

DEFENSE ATTORNEY #1: Do you like to be beaten?

HANSEL: Of course not.

DEFENSE ATTORNEY #1: Would you lie to avoid getting beaten?

HANSEL: Of course not.

DEFENSE ATTORNEY #1: On that cold dark night, did Ms. Witch invite you into her warm cottage?

HANSEL: Yes.

DEFENSE ATTORNEY #1: Did she force you in any way to come into her cottage?

HANSEL: No.

DEFENSE ATTORNEY #1: Did she sit you by the cozy fire and feed you a delicious dinner?

HANSEL: Yes, but, she...

DEFENSE ATTORNEY #1: Just answer the question please. At any time, while you were in the care of Ms. Witch, did you go hungry?

HANSEL: No.

DEFENSE ATTORNEY #1: Were you sick during that time you were in the cottage?

HANSEL: Well, maybe a little, but not the whole time.

DEFENSE ATTORNEY #1: Thank you Hansel. No more questions, Your Honor.

JUDGE: The witness may leave the stand. Prosecution, please call your next witness.

PROSECUTING ATTORNEY #2: I would like to call my second witness, the young girl, Gretel.

BAILIFF (to Gretel): Raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

GRETEL: Yes.

PROSECUTING ATTORNEY #2: When you were in the woods with your brother, Hansel, and it began to get dark, what were you feeling?

GRETEL: I was really scared and started to cry. Hansel was scared too. He said we should look for a way home. We walked together until we found this yummy house in the forest. We started to eat it because we were starving. Then this old lady invited us in and gave us food and put us to bed.

PROSECUTING ATTORNEY #2: What happened after you woke up the next morning?

GRETEL: Well, Ms. Witch came in before the sun was even up and said, “Get to work!” She gave me a bucket and brush, and a list of chores about a mile long. I was nervous, because I couldn’t see Hansel anywhere. Ms. Witch was so mean looking that I was afraid that the Witch was going to hurt us.

PROSECUTING ATTORNEY #2: Were you given good food to eat during this time?

GRETEL: Oh, some, but mostly I had to cook good stuff for Hansel, because Ms. Witch said I had to get him fat enough to eat.

DEFENSE ATTORNEY #1: Objection, Your Honor.

JUDGE: Overruled.

PROSECUTING ATTORNEY #2: Now, Gretel, what were the exact words Ms Witch used when referring to giving Hansel food?

GRETEL: She said, “We need to fatten him up, so he’ll taste better when he’s roasted.”

PROSECUTING ATTORNEY #2: During this time, were you allowed to see Hansel?

GRETEL: No.

PROSECUTING ATTORNEY #2: No further questions.

JUDGE: The defense may cross-examine.

DEFENSE ATTORNEY #1: This good food you were talking about – did you actually see Hansel eat it?

GRETEL: No.

DEFENSE ATTORNEY #1: In your own home, were you given chores to do?

GRETEL: Yes.

DEFENSE ATTORNEY #1: Did Ms. Witch feed you as much food as you had at your own home?

GRETEL: Yes, but we were very poor.

DEFENSE ATTORNEY #1: Just answer the question. Do you think it is fair for a person to do chores to pay for their food and a place to sleep?

GRETEL: Yes.

DEFENSE ATTORNEY #1: Did you ever specifically ask Ms. Witch whether or not you could leave?

GRETEL: Well, no.

DEFENSE ATTORNEY #1: No further questions Your Honor.

JUDGE: You may step down, Gretel. Call your next witness.

PROSECUTING ATTORNEY #2: We would like to call Daisy Deer.

BAILIFF (to Deer): Raise your right hoof. Do you swear to tell the truth, the whole truth, and nothing but the truth?

DAISY DEER: I do.

BAILIFF: You may be seated.

PROSECUTING ATTORNEY #2: We have established that Ms. Witch lives in a cottage deep in the woods. Are you familiar with this cottage, Ms. Deer.

DAISY DEER: Yes, I am.

PROSECUTING ATTORNEY #2: Ms. Deer, did you see anything unusual at this cottage on March 25 of this year?

DAISY DEER: Yes. I noticed that Ms. Witch had company, and she seldom has any visitors. In fact, I have seen only a few visitors enter her cottage, but never leave.

PROSECUTING ATTORNEY #2: Do you mean that you saw people enter her cottage?

DAISY DEER: No, I did not.

PROSECUTING ATTORNEY #2: Have you been inside Ms. Witch's cottage?

DAISY DEER: No, I have not. But I am tall enough to see inside her windows.

PROSECUTING ATTORNEY #2: Did you look through her window on March 25 of this year?

DAISY DEER: Yes.

PROSECUTING ATTORNEY #2: Please tell the court what you saw?

DAISY DEER: Well, I kind of have a sweet tooth, and every once in a while I like to take a nibble on Ms. Witch's house. On this day, as I was passing the window, I looked in and noticed that Ms. Witch was not alone. She was lying on the couch and there was a young girl cleaning up the kitchen.

PROSECUTING ATTORNEY #2: Did you hear them talking?

DAISY DEER: I only heard Ms. Witch. She was yelling at the young girl and bossing her

around.

PROSECUTING ATTORNEY #2: Did you see anyone else?

DAISY DEER: No, not at the time. However, the next day, when I was on the other side of the house, I saw a young boy in a cage in the back room.

PROSECUTING ATTORNEY #2: Thank you, Daisy, no further questions.

JUDGE: You may cross-examine.

DEFENSE ATTORNEY #2: Thank you, Your Honor. Ms. Deer, have you ever been known by any other name?

DAISY DEER: What do you mean?

DEFENSE ATTORNEY #2: Isn't it true that you were once known as the Peeping Doe?

DAISY DEER: Uh.....well.....um.....yes.

DEFENSE ATTORNEY #2: Isn't it also true, that as Peeping Doe, you were arrested for violating the privacy of others?

DAISY DEER: Yes, but I didn't do it.

DEFENSE ATTORNEY #2: Isn't it also true that you once were arrested for nibbling this very same cottage when it was owned by the Bakers?

PROSECUTING ATTORNEY #2: Objection, Your Honor. Ms. Deer's history is not important. She is not on trial here.

JUDGE: Sustained. The jury will not pay any attention to the answers that Ms. Deer gave regarding her past history.

DEFENSE ATTORNEY #2: No further questions, Your Honor.

JUDGE: Prosecution, do you have any further witnesses?

PROSECUTING ATTORNEY #2: No, Your Honor. The prosecution rests.

JUDGE: Would you call your first witness for the defense?

DEFENSE ATTORNEY #2: The defense calls Mr. Verl Squirrel.

BAILIFF: Raise your right paw. Do you swear to tell the truth, the whole truth and nothing but the truth?

VERL SQUIRREL: I do.

BAILIFF: You may be seated.

DEFENSE ATTORNEY #2: Verl, where do you live?

VERL SQUIRREL: I live in the deep, dark part of the forest.

DEFENSE ATTORNEY #2: On March 25, what did you see in your part of the woods?

VERL SQUIRREL: I saw the two children, Hansel and Gretel, the two children who are sitting at that table.

DEFENSE ATTORNEY #2: What were they doing?

VERL SQUIRREL: When I saw them, they looked as if they were lost. Gretel was crying quite loudly. Hansel kept telling her it was all right and that they would find their way home. I followed them until they reached the cottage of Ms. Witch. They must have been hungry because they began eating her house. Then Ms. Witch came out and invited them in.

DEFENSE ATTORNEY #2: Did the children go in willingly?

VERL SQUIRREL: Yes, they were smiling.

DEFENSE ATTORNEY #2: Did you see anyone or anything after that?

VERL SQUIRREL: I just saw the girl emptying a bucket outside.

DEFENSE ATTORNEY #2: Did she try to run away?

VERL SQUIRREL: No.

DEFENSE ATTORNEY #2: No further questions.

JUDGE: You may cross-examine.

PROSECUTING ATTORNEY #3: No questions at this time.

JUDGE: You may step down. Please call your next witness.

DEFENSE ATTORNEY #3: We call Mr. Jack Rabbit.

BAILIFF: Raise your right front foot. Do you swear to tell the truth, the whole truth, and nothing but the truth?

JACK RABBIT: I do.

BAILIFF: You may be seated.

DEFENSE ATTORNEY #3: Where do you live?

JACK RABBIT: I live in a small burrow in the yard of Ms. Witch. I've been there about 3 years.

DEFENSE ATTORNEY #3: Would you describe your relationship to Ms. Witch?

JACK RABBIT: She allows me to live in her yard for free. Every now and then she leaves vegetables near my burrow.

DEFENSE ATTORNEY #3: In your opinion, what kind of person is Ms. Witch?

JACK RABBIT: She is very kind, the nicest neighbor you could imagine.

DEFENSE ATTORNEY #3: Have you ever seen her eat children?

JACK RABBIT: Absolutely not. Because she is old and lives in the deep forest, people think all kinds of things about her that aren't true.

DEFENSE ATTORNEY #3: No further questions.

JUDGE: You may cross-examine.

PROSECUTING ATTORNEY #3: You stated that Ms. Witch was the nicest neighbor you ever had. Have you ever had any other neighbors?

JACK RABBIT: No.

PROSECUTING ATTORNEY #3: In fact, isn't it true that up until this trial you've never seen another human?

JACK RABBIT: That's right. I stay pretty much to myself.

PROSECUTING ATTORNEY #3: Then, isn't it true that you have never seen anyone at the Witch's house, including Hansel and Gretel?

JACK RABBIT: That's true.

PROSECUTING ATTORNEY #3: Then, Mr. Rabbit, I don't see that you have very much information to give us about this case. No further questions.

JUDGE: You may be excused, Mr. Rabbit. Call your next witness.

DEFENSE ATTORNEY #3: We call Ms. Mary Witch.

BAILIFF: Raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth?

WITCH: I do.

BAILIFF: You may be seated.

DEFENSE ATTORNEY #3: What did you do before you lived in the forest?

WITCH: I used to live in the city. It was very hectic, so I chose to move into the deep, dark part of the forest. I bought the cottage from the Bakers, and I loved living in that home.

DEFENSE ATTORNEY #3: How do you feel about living alone in the forest?

WITCH: Oh, I don't really live alone, because I have all the wonderful animals in the forest. And once in a while I do have a visitor or two.

DEFENSE ATTORNEY #3: You mentioned you had visitors. What visitors have you had this year?

WITCH: The young boy, Hansel, and his sister, Gretel.

DEFENSE ATTORNEY #3: When did they come?

WITCH: On March 25, very late at night.

DEFENSE ATTORNEY #3: Were they alone?

WITCH: Yes. In fact, I asked them if they were lost, and they said they were. They told me they were looking for their mother and father.

DEFENSE ATTORNEY #3: What did you do?

WITCH: I invited them in. I could tell they were tired and hungry. I fed them and put them to bed. The boy Hansel was definitely sick. His eyes were feverish, and he was perspiring.

DEFENSE ATTORNEY #3: What happened next?

WITCH: The next morning, Gretel said that she felt like she should do some chores to help pay for the meal that I gave them. So I told her that my eyes were not so good, and it was hard for me to get around. I said I could use some help cleaning and cooking.

DEFENSE ATTORNEY #3: What was Hansel doing?

WITCH: Hansel had a very high fever, so I made him comfortable in the back room and kept him away from Gretel and me so we wouldn't get sick. He was delirious and kept trying to get out of bed. I was worried about him.

DEFENSE ATTORNEY #3: Now, we heard testimony from Daisy Deer that you had Hansel locked in a cage. Please explain.

WITCH: Well, I certainly wouldn't call it a cage! There were protective sides on the bed, and I pulled them all the way up so he wouldn't fall out.

DEFENSE ATTORNEY #3: Did you feed Hansel during this time?

WITCH: Oh yes, in fact, I felt I should save the best food for Hansel because he needed to regain his strength.

DEFENSE ATTORNEY #3: Did you ever prevent the children from leaving you?

WITCH: Well, yes, I did. You see, the woods can be a very dangerous place for people, especially children, who do not know their way. I would not let them leave until I could find a proper person to give them to. Also, Hansel was quite ill and was not capable of moving. Because I am a witch, people think that I am mean. They tell stories about me, that I eat young children. That is not true. I came to care for these two children. I was heartbroken when they ran away and told these terrible stories about me, when all I was doing was trying to help them.

DEFENSE ATTORNEY #3: No further questions.

JUDGE: You may cross-examine.

PROSECUTING ATTORNEY #4: Is it true that in the past few years you have been questioned about the disappearance of several young children?

DEFENSE ATTORNEY #3: Objection. The prosecution is trying to discredit the witness. There were never any charges brought against Ms. Witch.

JUDGE: Sustained.

PROSECUTING ATTORNEY #4: You moved to this area six years ago. Correct?

WITCH: Yes.

PROSECUTING ATTORNEY #4: Were you aware that during the six years you have lived here, there have been seven missing children?

DEFENSE ATTORNEY #3: Objection!!

JUDGE: Sustained. No foundation has been laid. You will be held in contempt if you continue that line of questioning.

PROSECUTING ATTORNEY #4: How many days were the children there?

WITCH: Oh, about a fortnight.

PROSECUTING ATTORNEY #4: That would be about fourteen days?

WITCH: Yes.

PROSECUTING ATTORNEY #4: During this time did you try to find or contact their parents?

WITCH: How could I? I don't see very well. I couldn't leave them. No one else came by.

PROSECUTING ATTORNEY #4: You testified that the children ran away. Why do you think they would do that after you had been so kind to them?

WITCH: As I said before, people think because I'm old and ugly that I must be mean.

PROSECUTING ATTORNEY #4: You said that you kept Hansel in this "bed" so he wouldn't hurt himself. Was he sick the whole two weeks?

WITCH: He was starting to feel a little better.

PROSECUTING ATTORNEY #4: Why wouldn't you let Gretel see him?

WITCH: I was just making sure that she didn't get sick.

PROSECUTING ATTORNEY #4: If Hansel was so sick, how did he have the strength to run away.

WITCH: I don't know.

PROSECUTING ATTORNEY #4: Now, Ms. Witch, isn't it really the truth that you kept the children locked in your cottage so that you could have them for dinner?

WITCH: No, of course not!

PROSECUTING ATTORNEY #4: No further questions, Your Honor.

DEFENSE ATTORNEY #3: The defense rests, Your Honor.

JUDGE: You may step down, Ms. Witch. The prosecution may proceed with its closing argument.

PROSECUTING ATTORNEY #4: Ladies and gentlemen of the jury, you have heard the evidence. Hansel and Gretel, two innocent, young children were lured into Ms. Witch's cottage. They were hungry and frightened. Mary Witch is an adult. Hansel and Gretel expected her to protect them from the dangers of the forest. Through the testimonies of Hansel, Gretel, and Daisy Deer, we have proved that she intended to kill and eat Hansel. Ms. Witch put Hansel in a cage to prevent him from escaping while she gave him fattening foods to eat. Separating Hansel from Gretel was not an act of kindness. If she were so kind, why would they have wanted to escape? Ask yourself, "Why didn't Ms. Witch make any attempt to find their parents?" If you look at the evidence, you must find her guilty of kidnapping.

DEFENSE ATTORNEY #3: Ladies and gentlemen of the jury, from the evidence you have heard, you cannot possibly find Ms. Witch guilty of anything...except maybe human concern. You have heard the testimony of two young children, who disobeyed their parents, trespassed on an old woman's property, destroyed part of her cottage, and lied because they were afraid they would get in trouble with their parents. The other witness the prosecution called was Ms. Daisy Deer, who gathered her information by committing the crime of "window-peeping." Ms. Witch was only doing what she felt necessary for the safety of the children. Hansel was very

ill, and Gretel was a great help to Ms. Witch. Ms. Witch rewarded the children with food and lodging. The prosecution has failed to prove anything. Search your hearts and you will see that Ms. Witch is not guilty of kidnapping.

PROSECUTING ATTORNEY #4: Let me remind you that Daisy Deer has no reason to lie about what went on in that cottage. The children should not have expected any punishment from their parents, who would have been overjoyed to find them alive and well. The children are to be believed – please find that the Witch is guilty.

JUDGE: Ladies and gentlemen of the jury, it is your job to decide whether Ms. Witch is guilty or if she is not guilty. Remember, kidnapping is using force to keep a person against their will. To find Ms. Witch guilty, you must be convinced beyond a reasonable doubt that Ms. Witch used force to keep Hansel and Gretel against their wills. If you are not so convinced you must find her not guilty. All of you must agree in your decision.

JURY: (Discusses whether or not the Witch is guilty. Each student votes. A foreperson is elected, and this person reports the decision to the judge and the court.)

JURY FOREPERSON: We find the Defendant, Ms. Witch, _____.

Jury Instructions

- a. Did Mary Witch intentionally abduct Hansel?
- b. Did Mary Witch intend to inflict bodily harm on Hansel?

If prosecutor proves each of the elements beyond a reasonable doubt, you should find Mary Witch guilty of kidnapping.