

Prof. Cavise
Evidence

FIRST ASSIGNMENT -

Your assignment is to thoroughly read and review the attached police report and the interview which follows it. We will discuss the material during the first and second classes.

ARREST REPORT

CPD-11-420

NAME				SEX	RACE	AGE	DAY	MONTH	YEAR
KENT, JOAN				F	W	22	06	06	06
ALIAS/NICKNAME	DIS. RES.	HEIGHT	WEIGHT	HAIR	HAIRSTYLE	EYES	COMPLEXION		
N/A	19	5'5	130	BR	SHORT	BR			
RESIDENCE ADDRESS		APT. NO. FLOOR	DIST. MARKS, SCARS, DISABILITIES		SOCIAL SECURITY NO.				
25 E. JACKSON BLVD.			NONE		333-22-7777				
CITY, STATE	ZIP CODE	HOME TELEPHONE		STATE PLACE OF BIRTH		DRIVER'S LICENSE NO./STATE			
CITY				CHGO		UNK.			
OCCUPATION	BUSINESS ADDRESS CITY, STATE ZIP CODE BUSINESS TELEPHONE								
UNEMP	N/A								
ADDRESS OF ARREST	NO. ARRESTED	LOCATION CODE	BEAT OF ARREST	DATE OF ARREST	OF	ARRESTEE TRANSPORTED UNIT /BEAT /TIME			
29 E. VAN BUREN	2								
RESISTED ARREST	WEAPON			PROPERTY INVENTORY	FOR NARCOTIC ARREST				
<u>YES</u> NO	PISTOL/ RIFLE/ OTHER REVOLVER SHOTGUN NONE			\$12, WATCH	SUSPECT CANNABIS SUSPECT CONTROLLED SUBSTANCE				
VEHICLE OF ARRESTEE	YEAR	MAKE	MODEL	BODY STYLE	COLOR	STATE LICENSE NO. OR VIN		DISPOSITION	
						N/A			
PERSON IN INVESTIGATED UNIT NOTIFIED									

SEE R/O		DOES ARRESTEE HAVE DEPENDENT CHILDREN AT HOME? YES <u>NO</u>	NAME OF MEMBER NOTIFIED/TIME	NAME OF ASA FEL REV. SINSON CHARGES APPROVED <u>YES</u> NO				
NAME OF COMPLAINANT	NAME TELEPHONE	SEX	RACE	AGE	HOME ADDRESS	CITY,	STATE	ZIP
	LASSKY, VICTOR	M	W	46	5555 N. NOME	CITY	57	773555-1212

VICTIM INJURED?	IF YES, DESCRIBE INJURIES	VICTIM HOSPITALIZED?	HOSPITAL NAME
YES <u>NO</u>		YES NO <u>TREATED & RELEASED</u>	
REFERENCES (CH-PAR) DISPOSITIONS	OFFENSES	DISPOSITIONS	REFERENCES (CH-PAR) OFFENSES

1 **N/A**
5 _____
2 _____
6 _____

NARRATIVE (THE FACTS FOR PROBABLE CAUSE TO ARREST AND TO SUBSTANTIATE THE CHARGES INCLUDE, BUT NOT LIMITED, TO THE FOLLOWING:

Units respond to call from Excalibur Pub, 233 N. Wabash, robbery in progress. Upon arrival, victim relates in essence but not verbatim that F/W and M/W offenders approached him in alley near pub, demanded wallet. Male offender (Darrell Jones) displayed short cutting knife. Female said "give it up, just give it up." Offenders took \$5 from wallet, threw wallet to ground and fled. Victim returned to bar whereupon he and 3 companions gave chase south on Wabash. Upon seeing offenders in alley near Van Buren and Congress, victim flags patrol, ID's offenders, at which time R/O's effect arrests of two offenders as they fled from the alley. Suspects advised of their rights. Male stated in essence that "Joan made him do it." Female denied any involvement. \$15 recovered from male, \$12 from female. Squadrol transported.

I do solemnly, sincerely, and truly declare and affirm that the facts stated herein are accurate to the best of my knowledge.				
First Arresting/Appearing Officer's Signature	Star No.	Unit	Deputy Clerk Signature	
<i>JC PEMBROOK</i>	1776	23		
First Arresting/Appearing Officer – Print Name	Beat No.	Furlo	D O GRE	MISD ORD CRT KEY
Second Arresting Officer – Print Name – Star No.	Unit	Vehicle Assigned		
		1. ONE	2. TWO	3.
		P.O.	P.O.	OTHER
Initial Approval of Probable Cause – Sig – Star	Results of Fingerpr. Check waived by Sig – Star		Approval of Charges Sig – Star- Date	
<i>RMacamera</i> 1812				
Watch Commander's Notations				

Arrestee Searched by Unit D.Rodriquez	Star-Empl. No. 1865	Date Received – Lockup Time June 17 19:30		Property Receipt No. A5555	Telephone Called 312-555-1212
Booking Officer Unit C.Evans	Star-Emp. No. 1942	Time Fingerprinte d 21:00	Time photographe d 21:30	Time Fed Unk.	Placed in Cell No.

COURT INFORMATION

Arr.Off. Date 23	Desired Court 06	Branch 66	Court Handle <u>YES</u>	Sgt. To NO	Initial Court Date Branch Call 66	Final Crt. Date Branch Call
Bonded Date	Time	Bonded Receipt No.	Court Docket No.	Final Judge's Name		

First Interview with lawyer (to be read after reviewing Arrest Report)

[N.B.: You are a public defender assigned to Branch 66. You have been assigned the case of Joan Kent, charged with Armed Robbery, a felony. Ms. Kent has been released on bond. You have arranged for her to visit you at your office this afternoon. The following is part of your written summation of the interview. Given that the full summation contains your impressions, opinions and possible strategies, it falls under the **work-product rule** and is, in your opinion, probably not discoverable by the prosecution.]

Joan is 22 years old and has no admissibles on her rap sheet [no prior criminal record that would be admissible and thus possibly keep her off the stand]. She is well-groomed and articulate, but hesitant and somewhat hostile. She has a high school education and lives with her mother, little brother, and sister. She has no children. She thinks that the deck is stacked against her even though she didn't do anything and she considers our office to be part of the "railroad," even though I explained to her that this is my job.

She says she didn't tell the police anything. No discovery yet on any possible statements.

She began by saying that she and Darrell [no rap sheet available yet] and her little brother were in an alley they often hang out in, talking and eating potato chips that Darrell had just bought, when this group of middle-aged men came charging at them, yelling about some money they said just got stolen. Joan said she had stolen no money and didn't know what this one guy

was talking about when he kept screaming “she’s one of them.” She later saw this same guy in court. The three or four men held her and the others down until a police squad drove up and the men let her go. She immediately ran because she was afraid her little brother would get arrested and get beat up or put in the juvenile home where he would get beat up “or worse.” The cops caught all three of them and, at one point, she heard Darrell saying stuff like “take the money back; she made me do it.” “I yelled at him to shut his mouth and we got taken to the station.”

After she told me the story, I told her that I needed to have the full truth and that, if that was the truth – fine, but there must be more to the story. Victor Lassky, I said, could make a very credible witness. She said it was her word against that man’s. I asked her about any weapons. She said the police said that a knife was seized. When I asked her from whom, she said “only one person can have a knife.” She said Darrell had a knife. She asked what if Darrell had robbed somebody and she got arrested too-how could she fight that? She eventually told me that she and Darrell had decided to rob Lassky and that Darrell used his knife to threaten him on the street and that Darrell took the money and that she never touched the man. She also said that she had a stocking cap on her head which may have obstructed the man’s view of her face. The man was old, she said, and she doesn’t remember him saying anything but he was lighting a cigarette when they accosted him. She said the whole incident took less than a minute and that they had run to the alley to tell her brother what they had done. That’s when the men arrived.

She said that she got bruised by the men and the cops but no hospital. She also said that she was not treated badly in the station or in the holding cell during processing. END