

# **The State v. Gold E. Locks**

**Prepared by:  
American Bar Association**

## **Participants in Trial**

**Judge  
Bailiff  
Prosecuting Attorney  
Defendant's Attorney  
Mom E. Bear  
Pop A. Bear  
Babe E. Bear  
Gold E. Locks  
Jurors  
Jury Foreperson**

Judge: Boys and girls. I would like to welcome you to the District Court. I think it's great that your school system and our Court have a program that lets you tour the Courthouse and observe our legal system in progress. In this building, and in these Courtrooms, thousands of criminal and civil cases are resolved each year.

Student: Judge, what is the difference between a criminal and civil case?

Judge: A criminal case involves someone who has been charged by a police officer with a violation of the criminal law — like theft, assault, or drunk driving. If the person charged with the crime is found guilty by a jury, the person can go to jail and/or be fined. A civil case involves a private dispute between people. One person is usually trying to collect money to pay for injuries believed to have been caused by the other person — like an automobile accident where the person hurt is trying to get the person who caused the accident to pay for the hospital bills and doctors' bills and lost wages. In this Courtroom, we decide these criminal and civil cases by having a trial and letting a jury decide the guilt or innocence of the people involved.

Student: What happens in a trial? What's it all about?

Judge: I think I can explain that best by telling you about the trial I had last week. The trial involved Gold E. Locks and The Three Bears. Gold E. Locks was charged by the police with the crime of Trespass. The first thing we did was to seat a jury of twelve people and two alternate jurors to decide the guilt or innocence of Gold E. Locks  
..... Fade out .....

Bailiff: (*Opening court.*) Hear ye. Hear ye. Hear ye. District Court is now open. The Honorable Dale A. Crawford is now presiding.

Judge: (*To the jury.*) We have now completed the voir dire, which is the jury selection process, and you twelve people and two alternate jurors now have the responsibility of deciding the guilt or innocence of the defendant, Gold E. Locks. Each of you has promised to be fair and impartial and not to decide this case until you have heard all of the evidence from the prosecution and the defense.

Mr. Prosecutor, are you ready to give your opening statement?

Prosecuting Attorney: Yes, Your Honor. I am

Judge: You may proceed.

Prosecuting  
Attorney:

Your Honor, Ladies, and Gentlemen of the Jury. We will show that Mom E. Bear and Pop A. Bear, the owners of the house (*Scene of house.*) and property on Residence Road, got up on the morning of November 1<sup>st</sup>, this year, and after Mom E. Bear had made a pot of porridge and poured it in bowls for Pop A. Bear's and Babe E. Bear's breakfast, found the porridge to be too hot. (*Scene of walk.*) The three bears then decided to take a walk in the forest while it cooled off. We will further show that while walking in the forest, Gold E. Locks, the defendant, (*Scene of Gold E. Locks peeping in door, then entering.*) entered the home of the Bears and ate some porridge out of the bowls for Mom E. Bear and Pop A. Bear and ate all of the porridge from the bowl of Babe E. Bear (*Scene shifts back to Prosecuting Attorney.*).

We will further show that Gold E. Locks then sat in Babe E. Bear's chair and broke it. And then we will show that Gold E. Locks went upstairs and fell asleep in Babe E. Bear's bed. We will further show that this was done without lawful authority — no permission was given by any of the Bears to go on to the premises they own.

Thank you.

Judge: Does the Attorney for Gold E. Locks wish to make an opening statement?

Defense  
Attorney:

Thank you, Your Honor. This charge of trespass against Gold E. Locks is ridiculous. We will show that Gold E. Locks went to the Bears' house for a very good reason — to discuss something of importance to all parties concerned. We will further show that extremely unusual circumstances led her to enter the house. (*While the voice is explaining the defense, Gold E. Locks is shown going to the front door of the home, peeking through the open door, opening it wide and entering the home.*) Indeed, we will show that this whole charge is merely a misunderstanding.

Thank you.

Judge: The prosecution may call its first witness.

Prosecuting  
Attorney:

I call Mom E. Bear as our first witness.

Bailiff: Mom E. Bear, please approach the witness stand.

Judge: Please you raise your right paw.  
Do you solemnly swear to tell the truth, the whole truth, and nothing but the

truth?

Mom E. Bear: I do.

Prosecuting  
Attorney: What happened on the morning of November 1<sup>st</sup>?

Mom E. Bear: I made porridge for breakfast and poured it into our bowls, but it was too hot to eat so we decided to go for a walk in the woods until it cooled off. We walked around the forest until we thought it would be cool enough to eat then we came home for breakfast.

Prosecuting  
Attorney: What, if anything, did you find when you came home?

Mom E. Bear: I found Pop's spoon in his bowl and my bowl also had a spoon in it, and there was porridge missing from both bowls. Babe E. Bear's bowl was empty.

Defense  
Attorney: Objection, Your Honor, this is not relevant, not important.

Judge: On the contrary, I think it's quite relevant to show evidence of trespass. Your objection is overruled. You may proceed.

Prosecuting  
Attorney: What happened next?

Mom E. Bear: We were curious and wondered if someone might be in the house. Then Babe E. Bear screamed and Papa Bear and I ran out of the kitchen into the living room where Babe E. bear was.

Prosecuting  
Attorney: What did you see?

Mom E. Bear: Babe's chair was broken. He was so upset.

Prosecuting  
Attorney: What happened next?

Mom E. Bear: Papa Bear heard something and went upstairs to the bedroom and yelled out that he saw . . .

Defense  
Attorney: Objection, Your Honor. This is ridiculous. Mom E. Bear's answer would be hearsay. It is obvious she didn't see anything. Only Pop A. Bear can testify as

to what he saw.

Prosecuting

Attorney: I agree, Your Honor. I'll withdraw the question. Your Honor, I have no more questions of this witness.

Judge: Does the Attorney for Gold E. Locks wish to cross-examine or ask this witness any questions?

Defense

Attorney: *(To Judge.)* Yes, Your Honor. *(Turning to the witness stand.)* Mrs. Bear, have you ever seen the defendant, Miss Gold E. Locks, before?

Mom E. Bear: No, I haven't.

Defense

Attorney: Do you usually leave the front door of your home open?

Mom E. Bear: No, I remember I told Babe to close and . . .

Defense

Attorney: Just answer the question, please. I have no further questions of this witness, Your Honor.

Prosecuting

Attorney: I have no other questions for Mrs. Bear either, Your Honor.

Judge: You may step down, Mrs. Bear. Thank you for testifying.

*(The camera has been zoomed into a close-up of Mrs. Bear and as she gets down from the witness stand, the angle becomes wider. Suddenly there is a momentary blur, and the camera slowly focuses into Pop A. Bear, seated in the witness chair.)*

Pop A. Bear: Mom E. Bear had gotten up early and had fixed breakfast. She fixed her delicious porridge. She makes the best porridge. I really like mine with cinnamon, brown sugar, two paws full of raisins and . . .

Prosecuting

Attorney: Objection, Your Honor. I'm sure Mrs. Bear's porridge is the best there is, but we request that Mr. Bear stick to responding to the questions.

Pop A. Bear: I was just telling about what happened. That's what he asked me to do. I was just answering the question.

Prosecuting Attorney: Your Honor, maybe I can explain to Mr. Bear that he should answer the question that is asked and try to stay with the facts.

Judge: Thank you. That might help.

Prosecuting Attorney: Mr. Bear, please go on with just what happened that morning.

Pop A. Bear: Well, Babe made the beds while I brushed my teeth, then we went downstairs for breakfast. *(Pop and Babe are in the kitchen sitting at the kitchen table. Mom A. Bear is pouring porridge into bowls and placing them on the table. Babe tastes the porridge even before his mother sits down and immediately moves his face back from the table, fanning his mouth with his hands as though to express the porridge is too hot.)* Mom A. Bear poured our bowls of porridge, but they were so hot we decided to take a walk in the woods while the porridge cooled.

Prosecuting Attorney: What happened next?

Pop A. Bear: Well, after our walk we came back into the house.

Prosecuting Attorney: Did you notice anything unusual?

Pop A. Bear: Yes, Gold E. Locks ate our porridge.

Defense Attorney: Objection. This testimony asks for an opinion from this witness that he is not able to give. He did not see Gold E. Locks eat the porridge.

Judge: Objection is sustained. The reporter will please strike that testimony from the record.

Prosecuting Attorney: Let me repeat my question. Mr. Bear, remember that we are dealing with the facts as you saw them when you came back into the home from your walk. Did anything unusual occur?

Pop A. Bear: Yes. Someone had eaten from our porridge bowls. There were spoons in each bowl, and all the porridge from Babe's bowl was gone.

Prosecuting

Attorney: Mom A. Bear has testified that your son screamed and that you and she ran into the living room to find Babe's chair broken. Do you agree with that testimony?

Pop A. Bear: Yes, I do.

Prosecuting Attorney: What happened then?

Pop A. Bear: We had been gone for such a short amount of time that I thought someone might still be in the house, so I went upstairs to see if anyone was there.

Prosecuting Attorney: What did you find?

Pop A. Bear: I found that someone had been sleeping in my bed. The bedspread was all ruffled. (*Scene shows Pop looking through the bedrooms.*) Then I found that someone had been sleeping in Mom A. Bear's bed. And then I found that someone had been sleeping in Babe's bed, and she was still there.

Prosecuting Attorney: What happened then?

Pop A. Bear: I was so startled I didn't know what to do. Then suddenly she woke up and ran past me and down the stairs and out of the house.

Prosecuting Attorney: Do you see the young woman who was in your bedroom here today in the Courtroom?

Pop A. Bear: Yes, I sure do. That's her over there (*pointing*) with the golden hair.

Judge: The Court Reporter will note for the record that the witness, Mr. Bear, is pointing to the defendant, Gold E. Locks. (*The Court Reporter is shown recording the trial.*) You may continue.

Prosecuting Attorney: Mr. Bear, are you sure that this is the person who was in your home?

Pop A. Bear: I'm sure.

Prosecuting Attorney: Did you ever give her permission to enter your home?

Pop A. Bear: No, I did not. I had never seen her before.

Prosecuting  
Attorney: I have no further questions.

Defense  
Attorney: Mr. Bear, was anyone else with you when you saw Gold E. Locks?

Pop A. Bear: Well, yes, in a way. Babe was coming up the stairs when she was running down the stairs, and he saw her.

Defense  
Attorney: Please answer the following question with a yes or no answer. Did you close and lock the door when you went for your walk?

Pop A. Bear: No.

Defense  
Attorney: Thank you. (*Turning to the Judge.*) I have no further questions of this witness, Your honor.

Judge: Does the prosecution have any further witnesses?

Prosecuting  
Attorney: No, Your Honor, the prosecution rests.

Judge: Ladies and gentlemen of the Jury, the prosecution has rested its case. The defendant may call its first witness.

Defense  
Attorney: The Defense calls Babe E. Bear. Did you ever see Gold E. Locks before the morning of November 1<sup>st</sup>, when you — according to your father's testimony — saw her run down the stairs of your house?

Babe E. Bear: No.

Defense  
Attorney: No? Are you sure of that? Didn't you, in fact, see her the evening before?

Babe E. Bear: Well, maybe.

Defense  
Attorney: Would you tell the Court the circumstances where you saw Miss Locks?



Babe E. Bear: Well, maybe.

Defense

Attorney: Your Honor, would you please instruct the witness to answer the question.

Judge: Now, Babe, there's no reason to be upset. We are trying to get the facts, so the jury can see if the defendant has done what she has been accused of doing. So, please relax and answer the question the Defense Attorney has asked you.

*(To Defense Attorney.)* Please repeat the question.

Defense

Attorney: Did you see the defendant, Miss Gold E. Locks, the night of October 31<sup>st</sup>? That would have been Halloween night.

Babe E. Bear: Yes.

Defense

Attorney: When did you see her?

Babe E. Bear: It was an accident.

Defense

Attorney: What was an accident?

Babe E. Bear: Her window was broken.

Defense

Attorney: How was her window broken?

Babe E. Bear: It was an accident.

Defense

Attorney: What specifically happened?

Babe E. Bear: I was going Trick or Treating. I was dressed up like Babe Ruth in my baseball uniform, and I accidentally batted a rock through her window.

Defense

Attorney: What happened then?

Babe E. Bear: Are you kidding? I ran.

Defense

Attorney: But she caught you, right?

Babe E. Bear: Yeah, she runs fast for a girl. But she wouldn't have caught me if she hadn't already been outside handing out candy to kids.

Defense

Attorney: Can you tell us what she said to you?

Babe E. Bear: (*Shrugging his shoulders.*) Not much. She did not say much. She just wanted to know where I lived and who my parents were.

Defense

Attorney: Did she tell you that she was going to come by your house and talk with your parents?

Babe E. Bear: Yeah, she did. But I told her it wouldn't do any good. I told her it was an accident.

Defense

Attorney: Did she tell you when she would come to see your parents?

Babe E. Bear: Yeah, she said she had to go to sleep soon and wouldn't be able to come by till morning.

Defense

Attorney: I have no further questions, Your Honor.

Prosecuting

Attorney: (*Approaching the witness chair looking a bit disturbed.*) Babe, did you at anytime invite the defendant into your house?

Babe E. Bear: Nope. I didn't do that, that's for sure.

Prosecuting

Attorney: I have no further questions of this witness, Your Honor.

Defense

Attorney: Your Honor, we call the defendant, Gold E. Locks. Exactly why did you enter the Bear's home?

Gold E. Locks: Mostly, I think I was tired and hungry because of working all night long, and a bit confused because of the fire at work, and disgusted because of my broken window. It was cold outside and I knew it was going to be cold in my house

and I didn't have the money to fix the window. It was just a terrible day for me. I knocked on the door a number of times, but no one answered. The door was open, just slightly, but it was open, so I peeked in. (*Scene shows her peeking in through the door, opening it, and entering.*) When I peeked in the house, I smelled this delicious porridge. I don't know — I guess I just wasn't thinking. I was so tired and hungry. At first, I thought I would just stand inside the door where it was warm and wait for the Bears to come back. Since the door was open, I thought maybe they had just gone next door or something. Anyway, I kept getting more and more hungry as I smelled the porridge and in a little bit, I explored around and saw the porridge in the bowls in the kitchen. So I tasted a couple of bowls, but they were too hot, so I ate the other bowl.

Defense

Attorney: What happened then?

Gold E. Locks: I felt kind of guilty about eating the porridge, so I thought I should go into the livingroom and wait for the Bear family and tell them what I had done. At first, I thought about leaving and going home because I was so tired, but then I thought they would come back and see that someone had been in the house and might be frightened. So I decided to wait for them.

Defense

Attorney: You say you felt guilty about eating the porridge. Didn't you feel badly about entering the house?

Gold E. Locks: No.

Defense

Attorney: Why not?

Gold E. Locks: I have only recently moved to the city, and it's all so new and strange to me. Where I come from, the houses are all so far apart and nobody locks their door. If you go to see a neighbor and the neighbor isn't home, you just sit out on the front porch and wait for them to return.

Defense

Attorney: What if it's too cold to sit out on the front porch?

Gold E. Locks: Then you go inside and wait.

Defense

Attorney: You would, therefore, not feel badly about walking into someone's house? You would not think it was wrong?

Gold E. Locks: Certainly, I would under some circumstances. I wouldn't just go walking into anybody's house.

Defense

Attorney: Do you feel you had a reason to walk into the Bear's house?

Gold E. Locks: Yes, I was there on business — to talk to them about my broken window. And, I was so tired and hungry.

Defense

Attorney: Is that why you went to sleep in Babe's bed?

Prosecuting

Attorney: Objection, that's a leading question.

Judge: Objection is sustained. (*Looking to the witness.*) You are not to answer that question.

Defense

Attorney: I have no further questions of this witness, Your Honor.

The Defense rests.

Prosecuting

Attorney: We have no further witnesses, Your Honor, and we do not wish to make a closing argument.

Defense

Attorney: We will not make a closing argument, Your Honor.

Judge:

Ladies and Gentlemen of the jury. You have now heard all of the evidence. You have heard the testimony of all the witnesses. I instruct you that if you find that the prosecutor has proven, beyond a reasonable doubt, that the defendant, Gold E. Locks, entered upon the premises of the Three Bears without being invited and without lawful authority, then you shall find her guilty of the offense of Criminal Trespass.

However, if you find that the prosecutor has failed to prove, beyond a reasonable doubt, that the defendant, Gold E. Locks, entered upon the premises of the Three Bears without being invited or without lawful authority, then you shall find her not guilty of the offense of Criminal Trespass.

You may now retire and commence your deliberations.

..... Jurors leave Courtroom .....  
..... Jurors enter Courtroom .....

Judge: I understand that the jury has reached a verdict.

Foreperson: Yes, we have, Your Honor.

Judge: Will you please hand the verdict forms to the bailiff. (*Bailiff hands the verdicts to the Judge. The Judge then hands the forms back to the bailiff.*)

Will the bailiff please read the verdict.

Bailiff: In the case of State v. Gold E. Locks, "We the Jury find the defendant . . . .

..... Fade out .....

Judge: How did you all like the trial?

Student: Judge, we liked the case, but what was the verdict?

Judge: You heard the whole case and all the testimony. I'll hand you all verdict forms and you decide whether you think she is guilty or not guilty. (*Judge hands verdict forms to each visiting student.*)