



FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

2020 District and State Judicial Program Case FAQ Clarifications

MOCK TRIAL

1. There are references to Mt. Carmel. Are the Waco Compound and Mt. Carmel the same, or separate locations?

These are the same locations – “Waco”, Rodenville, Mr. Carmel and the Compound are all references to the same location.

2. For authentication purposes, who created the exhibits?

For ease of our virtual competition, for this year only, Exhibits 1-13 are considered pre-entered by consent of both parties to the lawsuit. These Exhibits may be used without laying a foundation, offering them into evidence or overcoming objections.

Exhibit 1 – This should be considered as the actual newspaper. Obviously, it does not contain the whole article or series.

Exhibit 2 – This is an actual writing of David Koresh (Vernon Howell). David Thibodeau may testify that the handwriting in the exhibit appears to be that of David Koresh. Chojnacki may testify that the writing was recovered from the compound after the warrant was executed. David Koresh is not available as a witness as he is now deceased.

Exhibits 3-13 – Are pictures taken by the ATF in their investigation.

Exhibit 3 – This shows Risenhoover’s cattle trailer in front of the compound’s front doors.

Exhibit 4 – A closer image of the cattle trailer.

Exhibit 5 – An arial view of the compound taken from a helicopter.

Exhibit 6 – Diagram showing the Compound, the Under Cover house and basic layout of the roads.

Exhibits 7-9 – Diagram of the interior structure of the Compound.

Exhibit 10 – Various locations of the media during the morning of the raid.

Exhibit 11 – A picture taken from the front of the Under Cover house.

Exhibit 12 – A picture of the parking lot and building of the Belmead Civic Center.

Exhibit 13 – An organizational chart showing the ATF's chain of command for the raid.

3. Is there a layout of the underground bunker or an exhibit?

No.

4. Thibodeau testifies to a "call from England." However, later on, he says that the person talking was Jones. Were these two separate calls?

Jones was present at the compound. There is a fact dispute as to whether a "call from England" meant that Mark England was calling into the compound the morning of the raid or whether that was just someone's way of getting Koresh away from the chapel so Jones could convey the news without alarming the rest of the group.

APPELLATE

5. Is the Case Law going to be on a separate document? It has not appeared on the main attachment. Response below

6. Where is the case law in the materials? And, if it has not come out yet, when will it be coming out? Response below

A. State Office posted case law YG website Judicial/Appellate page Attachment 2
https://ymcatexasyg.org/wp-content/uploads/2020/10/2020_2021-Appellate-Case-Final-10.9.20.pdf