

**THE CT CONSORTIUM FOR LAW AND
CITIZENSHIP EDUCATION, INC.
PRESENTS:
THE 30TH ANNUAL
HIGH SCHOOL MOCK TRIAL COMPETITION
2006-2007**

Co-sponsored by the CT Bar Association

CASE MATERIALS

STATE OF NEW JUSTICE

V.

KINSLEY WILLIAMS

CASE NO. 05-301787

The 2006-2007 High School Mock Trial Program is dedicated to the memory of James (Jim) Allard, who died in the summer of 2006. Jim was a teacher at E.O. Smith High School for 35 years and a mock trial coach there since the beginning of our program. He brought his team to victory numerous times over many years of participation. He was a good friend to the CCLCE and will be greatly missed.

Witnesses for the Prosecution:

1. Jamie Anderson, alleged victim of cyber stalking
2. Casey Wallner, Jamie Anderson's roommate
3. Ashton Hopp, New Justice County police investigator assigned to the case

Witnesses for the Defense:

1. Kinsley Williams, defendant, alleged cyber stalker
2. Loren Albert, College professor of computer sciences
3. Pat Clifford, College Webmaster

Stipulations:

1. There is no first amendment issue in this case.
2. There is no entrapment issue in this case.
3. There is no jurisdictional issue in this case.
4. All exhibits are stipulated as authentic.
5. Chat room discussion transcripts are stipulated as an authentic representation of what was on the computer at the time they were seized by authorities.
6. All students named in this mock trial problem have signed the waiver for Chat room use.
7. The campus online discussion option is one where messages and comments may be entered in real time and are then posted and left, and can be read at any time.
8. All witness statements are sworn affidavits and should be treated as such under proper rules of evidence.
9. Ashton Hopp, Loren Albert and Pat Clifford are stipulated to be experts in their respective fields and may be admitted as experts if the proper foundational background set forth in their statements is laid.

Summary of Case and timeline

Kinsley Williams is charge with two counts of cyber stalking. The person Kinsley allegedly stalked via an on-line, campus-sponsored study chat room is Jamie Anderson. Williams and Anderson were sophomores at New Justice State College at the time of the incidents. Both students reside in Bedford Hall, a co-ed dormitory on campus.

The following timeline is meant to be used as a convenience and should NOT be relied upon over the actual affidavits and the chat room discussions at the end of the problem. The timeline may not be entered into evidence and should not be referred to at all during trials. If conflicts are found between the timeline and the affidavits/chat room discussions, the affidavits/chat room discussions control.

TIMELINE:

Monday, May 9, 2005: Chat room entry: “You won’t be able to run fast enough . . .” “Jam’s in the window. Exercise all you want, my friend, you won’t be able to run fast enough.” Originated from computer in College library.

Thursday, May 12, 2005: Chat room entry: “Jamming has been seen wearing school colors all week. Think blood won’t show on those dark colors?” Originated from computer in Bedford Hall. Also on Thursday, May 12, 2005 – Student Union Incident – no classes, Union relatively empty.

Friday, May 13, 2005: Chat room entry: “Anticipation is what it’s all about, and building fear. You never know when you’ll be forced to face your greatest fear. . . suffocation, torture, painful prolonged death.” Originated from computer in Bedford Hall. And then, after a 20-minute break, “Time is running out, my Jammin friend. Maybe we can meet in the alley?” Both from computer in Bedford Hall.

Saturday, May 14, 2005: Chat room entry: “I admit to being mad, but madness can be a good thing. It gives me direction, focus, and an outlet for my aggression. Ever wonder pain and suffering.” And, after a five-minute break, “Jamming, can you come out of your 2nd floor roost and play?”

Another chat room entry: “The clock is ticking. Time is on my side. Time is running out my friend.”

Another chat room entry read at campus computer room with police witnesses: “Jam will rot just like Jelly if buried long enough.”

Same day, Anderson receives email message with no subject line from a campus computer: “SV may lose control at any time. . . longs to test your control. How long will you last, my jamming friend? If you’re afraid, you better stay locked up in your 2nd floor roost and not go out to play. You could be sorry. You could be dead.”

IN THE SUPERIOR COURT OF THE STATE OF NEW JUSTICE

State of New Justice,	:	
	:	
Prosecution,	:	
	:	
v.	:	No. 05-301787
	:	
Kinsley Williams,	:	
	:	
Defendant	:	

INFORMATION

Cyber Stalking – Transmission of Threat

State’s Attorney Turley Underwood, representing the people of the State of New Justice, complainant, now appears before the Superior Court and states that Kinsley Williams, defendant, has, on or about May 2, 2005 through May 17, 2005, in New Castle County, State of New Justice, committed the offense of Cyber Stalking in that he/she, without legal justification, knowingly committed the offense of Cyber Stalking when he/she knowingly on at least two separate occasions, harassed Jamie Anderson through the use of electronic communication, and knowingly transmitted threats to that person of immediate or future bodily harm.

Cyber Stalking – Reasonable Apprehension

Should trier of fact find inconclusive on the charges of Cyber Stalking – Transmission of Threat, State’s Attorney Turley Underwood, representing the People of the State of New Justice, complainant, would ask that Kinsley Williams, defendant, be found guilty of Cyber Stalking – Reasonable Apprehension, as on or about May 2, 2005 through May 17, 2005, in New Castle County, New Justice, Kinsley Williams did perform acts which placed Jamie Anderson in reasonable apprehension of immediate or future bodily harm.

Signature: T.U.
 Turley Underwood, State’s Attorney,
 New Castle County, New Justice

I have examined the above complaint and the person presenting same and have heard evidence thereon, and am satisfied that there is probable cause for filing same. Leave is given to file said complaint.

 L.B.
Summons issued by Judge Lyman Berry

Applicable Law

NJGS Sec. 12-7.5: Cyberstalking: a) A person commits cyberstalking when he or she, knowingly and without lawful justification, on at least 2 separate occasions, harasses another person through the use of electronic communication and:

1. at any time transmits a threat of immediate or future bodily harm, sexual assault, confinement or restraint and the threat is directed towards that person or a family member of that person, or
2. places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement or restraint.

b) As used in this Section:

“Harass” means to engage in a knowing and willful course of conduct directed at a specific person that alarms, torments or terrorizes that person.

“Electronic communications” means any transfer of signs, signals, writings, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electronmagnetic, photoelectric, or photo-optical system. “Electronic communication” includes transmissions by a computer through the internet to another computer.

c) Sentence: Cyberstalking is a Class 4 felony. A second or subsequent conviction for cyberstalking is a Class 3 felony.

Affidavit of Jamie Anderson

1. My name is Jamie Anderson and I'm currently a sophomore at New Justice State
2. College. I live on campus in Bedford Hall, one of the co-ed dorms on campus.
3. This is my second year living at Bedford Hall. I requested assignment to this
4. residence hall again because I knew so many of the student residents, the place
5. started to feel like home.

6. I logged on to the campus chat room the College sponsors as part of my class
7. registration. The chat room gives students a chance to discuss courses, homework
8. assignments, and things like that. I posted a message asking for the reading
9. assignments for my literature course. I didn't want to fall behind.

10. Prior to signing on for the first time, I had to read and sign the usual release that
11. says that the campus authorities monitor user activity by use of the "red button"
12. scheme to protect students from unsavory activities. I was in the campus
13. advisor's office to sign up for the service. A couple of other students were in
14. there with me at the time. We all joked about the release; I don't think any of us
15. took that seriously at the time. I didn't see signing the releases as really being a
16. deterrent if someone wanted to hack or bend the rules.

17. I hadn't used the chat room all that much until the middle of May, 2005. I know
18. it was on a Friday. The campus pretty much clears out on Fridays, so I gave it a
19. shot and asked if anyone had the assignment for my English 301 class. I got an
20. almost instant response to my request for the homework assignment from another
21. student in class. It seemed funny that we'd been told not to reveal our actual
22. names, addresses and telephone numbers, or other personal information. I
23. thought at the time that the small campus was full of friendly folks all
24. concentrating on their education and having a good time at college.

25. After that first positive experience, I visited the chat room often. There would
26. often be movie reviews or discussions on books being read, bestsellers and
27. assignments, and information on good places to eat. And, there was also the
28. routine info on class assignments in case someone was out sick. I'm not very
29. computer savvy, but I could use the chat room and my campus email account with
30. no problems.

31. I was in class with Kinsley Williams during our freshman year. It was a class on
32. psychology and the professor was using quite a bit of literature as a way to help us
33. understand various psychological problems and profiles. It was a fun class, but I
34. remember Kinsley was frustrated because none of the literary situations created
35. really challenging psychological profiles. Kinsley asked to do some extra-credit
36. reading and did a report on Jack the Ripper. It was a painful report to listen to,
37. and I guess I was a bit more sensitive than some. Kinsley's report almost made
38. me ill. It was very graphic. Kinsley seemed to enjoy the class' discomfort with
39. some of the descriptions and photographic materials that were circulating during

40. the report. I asked the professor if I could be excused in the middle of the report,
41. I was that upset. I was given permission to leave, but had to explain to the
42. professor in the hallway why I was so upset. The professor understood and I left
43. and called home and discussed the report with my parents. I felt better after
44. speaking with them.

45. I think it was about two months after I'd signed up to use the chat room, and
46. about a week after the student union incident where I'd avoided Kinsley Williams
47. that I noticed some references to my nickname, which is Jam. Some kids in the
48. dorm call me "the Jam" because my dorm room is so messy that the door
49. sometimes jams up against something . . . and my real name is Jamie, so it sort of
50. fits. My chat room and email user names are both the same, Jammin@NJSC and
51. Jammin@NJSC.edu. In hindsight, I should have been much more careful in
52. choosing user names and email addresses. Better to be as anonymous as possible
53. on the Internet. My password is, or was, JRCHAT. These have changed now.

54. Anyhow, one day I logged onto the chat room and remembered that someone had
55. posted two messages on previous dates that had sort of freaked my out. "Jam's in
56. the window. Exercise all you want, my friend, you won't be able to run fast
57. enough." My first thought on reading that was that I'd been goofing around the
58. night before doing some jumping jacks and running in place in the dorm. My
59. room is on the second level so I rarely bother to close the drapes, as no one can
60. really see in the room. I sort of calmed myself down by telling myself that I
61. wasn't a jogger, so it must not have really been meant for me. But, I did show the
62. message to my roommate Casey. Casey sort of shrugged it off at first, but then
63. read the second message further down the discussion thread. Then we both got
64. concerned.

65. There were some other messages on the board that same day, and the discussion
66. was about a campus hazing that had taken place at a high school a few weeks ago.
67. Some kids had been pretty badly beaten up and suffered some extreme indignities,
68. to say the least. There were no sororities or fraternities allowed at New Justice
69. College, so there's never been a problem with that kind of social rite of passage,
70. so to speak.

71. We both saw the statement; "Jamming has been wearing school colors all week.
72. Think blood won't show on those dark colors?" and Casey and I both thought
73. that this line in particular was directed at me, because I had been wearing school
74. colors all week. I have a part time job at the College union and we were
75. promoting t-shirts, sweatshirts, and other College logo clothes and items and all of
76. the student employees had been given an assortment of stuff from the union store
77. to wear as a sales promotion.

78. Casey and I were both convinced that someone using the chat room knew that I
79. was Jammin@NJSC and was trying to prank me somehow. I first thought
80. someone was just trying to get my attention, but some of the other lines started to

81. really get to me and I started having trouble sleeping and would constantly look
82. over my shoulder wherever I went. Casey and I started going places together or
83. not going out at all. This made going to class for a week or so a little difficult, but
84. we worked it out between us so that neither of us would be alone walking on
85. campus.

86. Even though we were careful, we kept visiting the chat room. We felt like sleuths
87. looking for some additional evidence, to determine for sure if someone was
88. earmarking me for trouble, or threats or something. We were drawn to it, even
89. though it was freaking us out. It really never occurred to either of us that we
90. should press the panic button that the College offers as a safeguard. I can't say
91. why. We sure got to the point that we were close to panic.

92. On May 13, 2005, a Friday, there was a flurry of chatter about a course on
93. campus that was talking about terrorism and the law. It's a government and
94. current events course, in the political science field. There was plenty of
95. discussion on freedom of speech and September 11th, and individual rights.
96. Nothing too frightening, it was a good discussion actually.

97. But then we saw another reference to "Jam." "Anticipation is what it's all about,
98. and building fear. You never know when you'll be forced to face your greatest
99. fear. . . suffocation, torture, painful prolonged death." And then there was "You
100. can keep your friends around you, but the clock is ticking. Time is on my
101. side." And it started up again with, "Time is running out, my Jammin
102. friend. Maybe we can meet in the alley?"

103. Casey and I saw it at the same time and Casey said that maybe we should
104. notify someone on campus about the series of postings that were
105. mentioning me. I said I'd think about it. I guess I was trying to talk
106. myself out of being afraid. But the next day, on the 14th, a Saturday, when
107. campus was really empty, there were two more postings.

108. One was responding to the comment I mentioned above, about suffocation
109. and torture, saying that the language was inappropriate. I don't know who
110. had posted that response, but I was glad someone else on campus was
111. feeling uncomfortable about the discussion.

112. The person who'd been posting the threats responded to that by saying, "I
113. admit to being mad, but madness can be a good thing. It gives me
114. direction, focus, and an outlet for my aggression."

115. About ten minutes later my computer indicated I'd received an incoming
116. email with the subject line blank. I usually just delete these without
117. opening them; fear of virus problems, but I opened it. The message was
118. from user@NJSCLib, which meant it was from one of the campus library
119. computers where you can either sign on with your student I.D. or as a

120. general student, using the user@NJSCLib and then the password
121. “student.” It’s anonymous, so far as I can tell. Anyhow, the message said,
122. “SV may lose control at any time . . . longs to test your control. How long
123. will you last, my jamming friend? If you’re afraid, you better stay locked
124. up in your 2nd floor roost and not go out to play. You could be sorry. You
125. could be dead.” Someone had figured out that all you had to do to
126. Jammin@NJSC was add a dot and the “edu” to turn it into my email
127. address.

128. And then we totally freaked. Casey and I turned off the computer and
129. locked the dorm room on our way out and went right to the campus police
130. station to report on what we’d been seeing. Campus police called the New
131. Castle County authorities and they all met with Casey and me and with
132. other campus officials who got involved. That’s when I learned how high-
133. tech the campus computer system was. Every chat room discussion had
134. been captured, fully, and was stored on disks in the security offices. They
135. had access to every chat room discussion thread and all they had to do was
136. search for “Jam” and “Jammin” or other variations, and they found some
137. vague references I hadn’t even seen.

138. The campus police and other College personnel asked if I had any idea
139. who might be targeting me, and I said I thought of one person but really
140. didn’t want to say because I wasn’t at all sure. I was relieved when their
141. investigations lead them to Kinsley Williams. I just don’t know why
142. Kinsley chose me as a target for the stalking, which is what it really was.
143. Stalking.

144. Once the police became involved, there were only two more references to
145. me in chat room discussions, neither was as threatening as the first, but
146. they still crossed the line and are included in the complaint against Kinsley
147. Williams.

148. One appeared on Sunday, May 15th, 2005 and referred to Jam and Jammin,
149. and included mention of my English homework. It was then I
150. remembered that I’d asked for the homework assignment for English 301.
151. It must have been pretty easy for Kinsley Williams to figure out that
152. Jammin@NJSC was Jamie in English 301.

153. The message that appeared on May 12 was probably what convinced me
154. that Kinsley was, in fact, the person behind all the threatening chat room
155. messages. I’d seen Kinsley in the student union and had made a point of
156. turning and walking in a different direction. I’m absolutely positive
157. Kinsley and the friends that were there with Kinsley all saw me avoid
158. them, and I have to say I wasn’t all that subtle about it. Casey was with
159. me and I actually grabbed his/her arm and dragged him/her down a side
160. hallway. I also know that they saw us make that move, because we

161. stopped and looked back and saw Kinsley laughing and pointing at us.
162. That's when Kinsley said, and we both heard it perfectly, "There goes
163. [Jammin@NJSC](#), The Jam," and when Kinsley said "The Jam," he/she
164. made that little quotation mark sign with his/her hands and laughed a
165. pretty scary laugh.
166. Another proof, sort of, that it was Kinsley Williams who was posting all
167. those messages in the chat room is that they stopped right after Kinsley
168. was arrested. During the whole investigation we were told to keep on
169. using the chat room and not discuss the investigation with anyone.

Affidavit of Casey Wallner

1. My name is Casey Wallner and I'm Jamie Anderson's roommate at New
2. Justice State College. Our dormitory room is on the second floor of Bedford
3. Hall. Kinsley Williams also lives at Bedford. All of us are sophomores at
4. New Justice, and we all knew each other, in passing, last year. That is, Jamie
5. and I knew each other well as we're from the same high school but we knew
6. Kinsley Williams only in passing.

7. I remember that Jamie and I signed up for the chat room together, on
8. registration day, just in case. I don't think either of us really planned on using
9. it all that much, but then Jamie got sick and needed a homework assignment
10. from someone and it worked so well that we both started jumping in and
11. commenting now and again. It's a useful tool. We enjoyed it for a few weeks
12. and then things got strange.

13. We went to the student union to get some coffee and meet friends on
14. Thursday, the 12th. When we arrived, we saw William sitting at a table in the
15. middle of the union with a bunch of friends. Jamie grabbed me and pulled me
16. back out of view, but we heard Williams and the other people at the table
17. laughing and saying things about Jamie, like making fun of the nickname,
18. "The Jam." Not their business. I guess it wasn't all that frightening, being as
19. it was such a public place, but we were in such a tense state that we reacted
20. like we were really freaked out by running into Williams and those other pals
21. of his/hers. We left the way we came rather than walking through the union
22. and setting ourselves up for more of their verbal teasing. I know Jamie didn't
23. sleep well that night. I didn't either.

24. I keep a pretty accurate calendar of where I'm supposed to be and when,
25. because when I get too busy I sometimes forget stuff. The calendar came in
26. handy when we reported the chat room threats to the authorities because we,
27. Jamie and I, were able to confirm 100% that the discussions took place on the
28. dates they did. My calendar jived with the printouts that the computer guru's
29. were able to retrieve.

30. I even urged Jamie to print some of the chat room screens so we'd have
31. something to refer to if questions arose about what we'd been reading there.
32. It was some pretty ugly stuff.

33. I remember that Jamie got real freaked out after seeing "Jam" and "Jammin"
34. appear in some of those ugly messages. I know if I'd seen my name attached
35. to those threats, I'd have gone through the same or worse emotions that Jamie
36. suffered. Jamie pretty much stopped opening the curtains in the morning,
37. answering the phone or taking walks. And Jamie's behavior was catching,
38. especially since I'd read the messages as well. All that talk of torture can
39. really dig in and sort of fester in your mind. Jamie and I decided that we'd

40. hang pretty close together and make sure that Jamie wasn't alone. Ever. And
41. we were doing that when the additional messages came on the message board.

42. I don't know why we didn't just sign off and stop using the chat room. I
43. guess we sort of felt that we wanted to know what the person out there was
44. thinking and that we'd be able to tell if there was a real threat coming Jamie's
45. way. Better to know that try to guess, you know?

46. Anyhow, after about the third mention of "Jam" I started asking Jamie is we
47. shouldn't alert the campus authorities or dial that 9999 campus phone number
48. to let someone know how freaked out we were getting. I felt sorry for Jamie.
49. There was a real confuse feeling in him/her. I guess it's hard to get someone
50. in trouble. I don't think I'd have minded so much getting someone who was
51. picking on me so awfully in trouble. They deserve whatever comes their way.
52. Eye for an eye, they say.

53. I was pretty insistent after Jamie stopped eating. Wouldn't go to the dorm
54. cafeteria or any of the local campus town restaurants. I was asking other
55. friends to bring us fast food almost daily. I was afraid to explain why, so I
56. just said we were working on a class project and couldn't get away from the
57. computer that long.

58. I think Jamie lost about 10 lbs. And night after night, I'd wake up to see
59. Jamie just sitting there, or peering through the closed curtains, or listening at
60. the doorway. It was awful to watch and I tried to offer some comfort and
61. assurances. After all, there is a dorm alarm system, the doors are usually kept
62. locked and we have to use keys to get onto the resident floors, and we had the
63. phone right there. But it didn't help.

64. I can't remember ever discussing with Jamie the possibility of clicking on the
65. panic button on the chat room web page. I think we may have considered it,
66. but decided that the College must be monitoring the page, because they said in
67. their registration materials that the pages were not considered private. I guess
68. that maybe in the backs of our minds we thought that someone would be
69. watching and know that something was wrong. No one ever contacted us to
70. check to see if we were alarmed or concerned or anything like that though.

71. I guess we could have put a stop to the whole business if we'd used that panic
72. button early on. Maybe then we would have gotten some sleep, Jamie
73. wouldn't have been so freaked out, and Kinsley Williams would have avoided
74. getting into all this legal trouble.

75. When we did finally decide to report the problem, we went to the campus
76. officials together with the printouts we'd kept. They were able to match their
77. computer times and messages to ours so they could see we hadn't faked
78. anything.

79. Then they really started watching the chat room. They told us to keep logging
80. on and using the computer in our room to use the chat room. We did. It felt
81. sort of good knowing that someone else was watching and that there was a
82. good chance that someone was going to get caught red-handed sending those
83. ugly messages. We were still pretty apprehensive though and kept up our
84. policy of never being alone, closing curtains, and keeping our doors locked up
85. tight.

86. It didn't take long after we reported the problem to the campus officials that
87. the computer guys told us that they thought the chat room messages had been
88. sent from a computer inside Bedford, Jamie really freaked and started talking
89. about quitting school, dropping out for a year or two, going home to get a job
90. and let things settle down. Terrible to let someone get away with threatening
91. someone like that and causing such life changing fears to take over.

92. Finally, they made an arrest, Kinsley Williams, and the chat room messages
93. referring to Jamie stopped immediately. Guess that sort of proves that Kinsley
94. must have been the one doing all that nasty stuff. What a jerk.

95. And now we've heard that Kinsley Williams may be using the defense that
96. someone else is probably using his/her password and codes. That's funny.
97. Williams has been using that chat room and must have seen the tags on the
98. ends of his/her comments. Why would a student who is so interested in law-
99. enforcement and all that stuff not want to investigate and find out who was
100. adding text? Makes no sense. I'd have been furious if someone started
101. altering my comments, especially if they were turning something allegedly
102. innocent into something dangerously threatening. That's nonsense.
103. Kinsley's supposed to have such a keen mind, why wasn't it used when
104. the additional lines were seen? I would have thought it would be the kind
105. of challenge Williams would love!

Affidavit of Officer Ashton Hopp

1. My name is Ashton Hopp, I am a New Castle County Police Officer assigned to
2. one of the police force's "elite cyber crimes squad," which means I've received
3. special training in computers and on-line security issues. Officers are allowed to
4. choose which "elite squad" they are interested in and then the force offers
5. extensive training. The fact that we get to choose means that each officer on the
6. force is given special training in his or her area of interest. Goes a long way to
7. boost morale. I also have a degree in computer science from New Justice State
8. College. I graduated with honors in 1995 and went right to the police
9. academy. I served 4 years in the Navy as a computer technician on board the
10. U.S.S. Reliant. Then I joined the New Castle County Police force. I was on duty
11. when Jamie Anderson and Casey Wallner arrived at the College security offices.
12. I took the call from the College and went over there to help with the preliminary
13. interviews and investigations.

14. When I arrived, both of the students were highly agitated and nervous. My first
15. thought was that if we don't get them calmed down, we're not going to get good
16. information from the interviews. So, I set out to calm them down by offering
17. them sodas, sitting with them for a while, introducing myself and generally
18. making them comfortable with the surroundings and the people they'd be
19. speaking with. Even after they relaxed, Jamie kept exhibiting nervous tendencies
20. like hand wringing, twisting and turning in the chair, standing and pacing the
21. floor, things like that are very telling during the interview process. I'd say that
22. whatever had happened to these two kids, they were taking very seriously and
23. they were scared.

24. They mentioned that almost all of the communications had taken place through
25. computer on-line chat rooms but that there had been one face-to-face
26. confrontation that had also upset them both. Evidently Kinsley Williams saw
27. Jamie and Casey in the student union and had targeted them there with some
28. teasing remarks that had made quite a threatening impression on them both.

29. It's routine for New Justice State College campus police and the New Castle
30. County police department to cooperate fully when something happens on campus
31. or a student has a complaint. We have a long history of cooperation and support
32. for each other's offices and authority. I was called in to take statements, so if a
33. civil or criminal investigation ensued, there would be a proper chain of evidence.

34. The campus police had already called the computer technical staff to retrieve the
35. chat room conversations that had taken place in the past two or three weeks. We
36. were going to limit the search for the threatening language by asking the students
37. what times they had entered and exited the chat room. Knowing how efficient the
38. computer staff at New Justice State College can be, I knew we'd have the
39. information very quickly.

40. Casey Wallner had the presence of mind to bring in a calendar that indicated quite
41. a few of the incidents they were questioning. Nice kid. Thoughtful and I'd be
42. willing to be Casey is a good student. Organized.

43. It's routine in this kind of case to encourage continued chat room use to see if we
44. can draw out the person or persons who are making threats. When we encouraged
45. Jamie to continue utilizing the on-line chat room until they could follow the leads
46. they had to try to identify the sender of the threatening messages, Jamie's fear
47. showed in full force. You could see his/her face go pale and his/her hands
48. tremble. Casey Wallner looked a bit taken aback as well. I suppose they had
49. thought that simply reporting the problem would make it go away. That's not
50. how investigations work though. We sometimes need help to find out the
51. computer that was used, and the pass code of the user.

52. I am aware that New Justice State College has in place monitoring software that
53. automatically alerts security staff when certain words or phrases are used in the
54. chat rooms on campus. It's called the "shark program." I knew we'd need to
55. interview the computer technology staff to see when the discussions took place,
56. which computers were used, etc. This could be a lengthy process.

57. This past winter, I investigated some child exploitation cases on the Internet. The
58. common denominator was that all three cases originated in chat rooms. I try to
59. encourage parents and teens, and even younger children who are allowed Internet
60. use to always take great care in protecting their confidentiality. In one of the
61. cases I mentioned, I asked the teenager involved if she knew how to research the
62. name and information on the person she'd been chatting with. She felt she didn't
63. need to because she'd been chatting with this person and had asked so many
64. questions. She felt confident she knew the person. What she hadn't thought of
65. was that this person might be lying. I asked her if she had given out any personal
66. information and she said she hadn't. But then I asked if she'd ever mentioned her
67. high school name. She said yes. I asked if she'd indicated her gender, and she
68. admitted she had. I asked if she'd ever mentioned any of her extracurricular
69. activities. Again, she said yes. All these, to her, seemed innocent enough.
70. However, when all are taken as a whole, they provide an incredible amount of
71. information for a stalker or other criminally minded individual.

72. The information she offered could have helped to narrow the search for a target.
73. Think about it. She told this person what high school she went to. That narrows
74. the field, in this case, to less than 800. From the entire world, to 800. Then she
75. said she was a female. That cut the number in half, to approximately 400. She
76. mentioned she was a senior, narrowing the field to about 100, and she also
77. indicated she was a cheerleader, thus narrowing the global field to eight. And,
78. take this into account as well. The high school she attended has a website that
79. displays photographs of team sports and, you guessed right, the cheerleaders. So,
80. if this girl had also mentioned that she was blonde, or had long hair, the field
81. would narrow even more. So, even though this girl hadn't given out her name,

82. address, telephone number, email or web information, anyone with enough will,
83. could have located her pretty easily with the information she had provided.

84. After checking the captured computer information available from the College's
85. computer systems analyst and computer tech people, we were able to determine
86. which computers on campus had been used to enter the chat room each time one
87. of the suspect comments was made. All but one time, the computer used was the
88. one located in the Bedford Hall common room on the first floor of that dormitory.
89. That computer sits in a small, rather out of the way room, down a hallway and
90. you can close the door for complete privacy. It's the perfect place to undertake
91. questionable computer behavior, and think that you couldn't be traced because of
92. the number of students with access.

93. The College has in place a "filter" system called the "shark program" that has the
94. capability to capture questionable language and alert monitors to potential
95. problems. However, we've learned through experience that no software program
96. is foolproof. First, it has to be switched on. You have to learn how to maneuver
97. through the data history files to see what's been going on.

98. By checking user files, sign on dates and times, we were able to discern that the
99. user name and pass code, which students must register when they sign the initial
100. release forms to utilize the chat room, belonged to Kinsley Williams. The
101. username was "Shokwave," which is one of Kinsley Williams' usernames.
102. Shokwave's password is "Crag05." The other registered student username
103. Williams uses is "SirVive2004" with the password "Kincrag." Both
104. usernames appear on the printouts of the chat room discussions in
105. question. Both were using the Bedford Hall computer. The one message
106. that did not use that particular computer was the first message with a
107. reference to "Jam." That one appeared on May 9th, 2005 and said "Jam's
108. in the window. Exercise all you want, my friend, you won't be able to run
109. fast enough." That message was posted from a computer in the New
110. Justice State College Library, 2nd floor student lounge. The username was
111. "SirVive2004" with the appropriate password "Kincrag."

112. As a routine user of the campus email and website, I can testify that often
113. emails are sent but don't arrive until seconds, minutes or even hours later.
114. And, relying on any campus clock when indicating where you might have
115. been at what time, can be taking a chance. Everyone on campus knows
116. the campus clocks are unreliable and more often than not they're way off.
117. Must be because of power brownouts or something. They just can't seem
118. to keep the things running right.

119. Williams seems to think that his/her username and password from last
120. year, which were "SirVive2004" and "Kingcrag" were found on a
121. textbook he/she sold and are being used by someone trying to get
122. Williams into trouble. We have yet to locate that particular textbook,

123. which Williams says was sold back to the College bookstore. We checked
124. at the College Library to see if this particular textbook had found its way
125. onto the bookshelves and might have been available or accessible for
126. student use, but they don't have that particular textbook in their inventory.
127. They have five duplicate versions, but none have the writing on the cover
128. that Kinsley Williams says should be there. We also checked with the
129. College bookstore. There was no book so marked in their inventory, but
130. that doesn't mean there might not have been at some time. College
131. personnel did indicate that they do not make an effort to clean or erase
132. markings off of used textbooks sold back to the bookstore.

133. There is some responsibility that the selling student should assume in
134. erasing any personal information, like a password, personal code, etc., if
135. they chose to sell a textbook, or donate it somewhere. Even if accounts
136. are no longer being used, or go stagnant, they can still cause problems.
137. Williams should have taken care to erase his/her computer email and user
138. codes from that textbook. If there's a lesson to be learned here, in addition
139. to the seriousness of computer threats, it's that personal information
140. should be guarded.

Affidavit of Kinsley Williams

1. My name is Kinsley Williams and I'm a sophomore at New Justice State
2. College. I live in Bedford Hall, the same dorm where Jamie Anderson and
3. Casey Wallner live. I admit without reservation that I use the on-line chat
4. room offered by the College, but I deny any intent to threaten any specific
5. person in the various postings I submitted.

6. I guess I can see how someone might be unsettled by talk about sleep
7. deprivation and human laboratory experiments to study pain and suffering,
8. and hate crimes, but my major is psychology with a minor in law
9. enforcement. I have an honest curiosity about these things that is shared by
10. many in my classes.

11. I decided on this major because I want to become a psychologist to help post-
12. traumatic stress disorder patients recover from their traumas. I watch quite a
13. bit of television when I'm not doing my homework and the history channel,
14. and the news channels, often have special programs on virtually every crime
15. that has ever been committed and they often run stories told by the survivors.
16. I'm incredibly interested in these first-hand accounts of how victims survive,
17. their thought processes, their physical strengths, etc. I mean, if we all knew
18. what it took to survive a terrible situation, they'd be able to train us all to
19. withstand just about any terror we could ever expect to face. I think my
20. research is going to be very useful someday.

21. I guess that because I'm such a serious student, I am often perceived to be a
22. loner or outsider. I know I'm a bit of an over-achiever and often accept extra
23. credit assignments, especially if they allow me to undertake some individual
24. options in my research. One of my extra credit reports in a psychology
25. literature class evidently freaked out some of the less challenged students. I
26. don't really understand why. I wasn't exposing any deep dark historical or
27. psychological secret. The schools all teach crime and punishment, and
28. television programs run the same kinds of pictures I showed. One student got
29. up and walked out, obviously shaken. Now that same student is lodging a
30. complaint against me.

31. The chat room has been a great resource for me and I vigorously deny
32. improper use. I've often ridiculed the general chat room population, but I've
33. never targeted any individual. The statement that said, "Anticipation is what
34. it's all about, and building fear. You never know when you'll be forced to
35. face your greatest fear. . . suffocation, torture, prolonged death," was from me.
36. I had been discussing torture camps with some other students and was
37. responding to a question that someone had asked as we all headed home. It's
38. true. Anticipating something dreadful is often worse than the actual
39. happening, when it finally occurs. Like going to the dentist. You think how
40. awful it's going to be, but then you do it and it's not all that bad. Fear get to

41. you and makes you freak. Discussing controversial views should not be
42. illegal, even if someone misinterprets the statements that are made!

43. I remember writing something like “I admit to being mad, but madness can be
44. a good thing. It gives me direction, focus, and an outlet for my aggression.”
45. Someone had said that I was nuts in one of my classes. I prefer the word
46. “mad.” It’s so much more poetic somehow. Loads of highly production and
47. famous people have been thought to be mad, but they still gain fame and
48. fortune for their thought processes. I admit that being a bit different makes
49. one appear to be a bit mad, thus the statement. Being different, to me, is a
50. good thing. It isolates me from people I don’t really care about and I’m
51. allowed to focus on my thoughts, goals, class work, research, etc.

52. I am, while a loner, a very aggressive student. I like to challenge my
53. professors by tossing them questions they don’t expect. I like to make them
54. think as much as they like to make me think. I guess I may be a different kind
55. of student from what they normally see, but I’ve had quite a few professors
56. compliment me and tell me they enjoy the challenge of having me in their
57. classes.

58. I flat out deny having anything to do with the two statements that are included
59. in the complaint that say, “Jam’s in the window. Exercise all you want, my
60. friend, you won’t be able to run fast enough.” And “Jamming has been seen
61. wearing school colors all week. Think blood won’t show on those dark
62. colors?” Who cares when Jamie was exercising or what color his/her clothes
63. were? And that bit about the blood. I am absolutely convinced that some nut
64. case with some computer expertise has been out there using my passwords.

65. I’ll also admit to typing in the statement that “The clock is ticking. Time is on
66. my side. Time is running out, my friend.” How anyone could see that as a
67. threat, I don’t know. I was talking about a statistical probability that all of us
68. in the chat room at the time would be victims of crime. I think everyone
69. understood what the context was. It’s when you pull the dialogue apart and
70. start looking for ugliness that it appears to be threatening. That’s not my fault.

71. And, when that second transmission, the one on the 13th that everyone thinks
72. is so awful appeared, I wasn’t near a computer. I had logged off and was
73. actually at an interview, talking with the computer lab personnel about a
74. report I was going to do about on-line research. So now they’re probably
75. going to say that I have the technical ability to pause a computer email entry
76. or had someone else press the enter key? Good luck.

77. I think that someone in the chat room knew that Jamie and I weren’t seeing
78. eye to eye and started tacking on comments to my chat room commentary. I
79. even think I know how it was done and I’ve asked Pat Clifford if I’m right. I
80. think if you ask Pat, you’ll find that anyone could have logged into the chat

81. room using my personal information and tagged words onto my comments
82. after I'd signed off. This is especially true if I happened to be using one of the
83. College computers, like at the library, the union or in the common room at
84. Bedford Hall, and I have used those computers, but not frequently. I can't
85. remember the last time I used the library computer. Must have been a few
86. semesters ago.

87. There's a strong possibility that someone's pranking both Jamie Anderson and
88. me. I know that I had written my personal pass code from last year for the
89. chat room on the cover of my forensics textbook from last year and I sold that
90. book or donated it to the library without erasing the information. I haven't
91. closed that account, I just added a new one this year, so someone could be
92. making all of this look like it's coming from me, when it isn't. That should be
93. illegal, if it isn't! Some may think that it's a convenient way for me to have
94. pranked someone, using an old account, but it's just plain easier to let the old
95. accounts ride, rather than completing paperwork. It's not a crime to be lazy, is
96. it?

97. I've been asked what computer usernames I've got on file in my name. This
98. year I registered the username "Shokwave" with a password "Crag05." Last
99. year, I had registered under the username "SirVive2004" with the password
100. "Kincrag." I'm absolutely positive that the SurVive2004/Kincrag
101. information was written on my forensics book from last year. I'm
102. absolutely positive that whomever has that book is the person you're
103. looking for. Again, I'm willing to admit to making some of the
104. statements, or participating in some of the discussions, but my intent was
105. not to harass anyone. I thought all along I was in an educational
106. conversation, a learning experience, you know?

107. People are also making a big deal about me making fun of Jamie in the
108. student union. Since when has laughing at someone been a crime? All I
109. did was make fun of the nickname "The Jam." I was sitting at a table in
110. the union with some friends and Jamie came around the corner and
111. lurched back so suddenly, dragging someone with him out of view. Then
112. they peeked around the corner, like kids playing hide-and-seek! Jamie
113. was making a fool of him/herself by dragging that friend behind some wall
114. and acting so afraid. It was pretty childish.

115. By the way, someone tells me that Jamie received an email from the
116. College library computer that they think came from me. I wish they'd
117. fingerprint all those computers over there. I haven't used the library
118. computers for months.

Affidavit of Professor Loren Albert

1. My name is Loren Albert and I am a New Justice State College Professor. I
2. teach computer science, computer ethics, and advanced technology and
3. research. I've been serving in my capacity as head of the computer
4. technology division for four years.

5. I encourage my students to use the on-line chat room and discussion
6. opportunities as a safe and efficient way to expand their studies. It is
7. important for students to realize early on that our student chat rooms are not
8. meant for entertainment, they are meant as learning and communication tools.
9. They should be used for open dialogue. Students are encourage to utilize the
10. chat rooms, and to adhere to the rules and guidelines set forth by the College
11. and my individual professors. For example, I tell my students to be
12. particularly aware of message length, continuity of discussion and articulate
13. responses that can keep the discussion flowing. Short is always better. Brief
14. phrases are easier to respond to and keep the discussion going without lengthy
15. delays that can create confusion.

16. Some students arrive on campus experienced with computer chat rooms.
17. Others experience a bit of timidity when they first use the tool, but with some
18. encouragement, these students learn how the medium works and are able to
19. use it efficiently within a matter of weeks.

20. What students sometimes don't understand is that there can be a number of
21. "conversations" going on simultaneously and they need to process the
22. discussions to weed out what is relevant to their particular discussion.

23. Having a problem like this arise on the New Justice State College Campus is
24. disturbing and I've been in meeting after meeting with College Deans, the
25. Chancellor, faculty and staff to try to determine whether or not the chat room
26. facilities should be shut down. There seems to be the overwhelming response
27. from the student body that they want the chat rooms to continue, but with
28. additional monitoring by campus officials.

29. It was one of my responsibilities to supervise the on-line chat rooms and I take
30. that responsibility very seriously. It was my decision to include the "red
31. button" feature that students can click if they feel discussions are getting out
32. of line or crossing into a territory that makes them uncomfortable. The red
33. button has never been used during this academic year. Quite often students
34. take it upon themselves to admonish other students that ask inappropriate
35. questions or use unacceptable language. I'm very proud of the New Justice
36. State College students. They are using a tool in a very adult manner.

37. Unfortunately, on the week that the alleged cyber stalking took place on the
38. New Justice State College chat room I was on and off campus taking care of

39. family wedding plans and was not checking on the chat room conversations,
40. as I usually do at least three to four times a day. I log on routinely and read
41. discussion threads to see how students are using the chat room and if there are
42. problems with the equipment, etc.

43. This particular allegation is the first time in the history of the chat room that
44. such a threat has been observed. It is my personal opinion that the language
45. does not rise to the level of a criminal complaint; however, as a College
46. official, I need to be aware of all investigations and allegations so I've
47. reviewed all the chat room discussions in question.

48. I am concerned that there may be some unauthorized use of a student's
49. password. Based on our records, one of the alleged offensive statements
50. occurred on Saturday, May 14th. Between the entry, "The clock is ticking,
51. Time is on my side. Time is running out my friend," and the line "Time is
52. running out, my Jammin friend. Maybe we can meet in the alley," there's a
53. 20 minute break or lapse in the discussion. That is plenty of time for Kinsley
54. Williams to have logged off and left the building and for someone else, an
55. unauthorized user, to enter, log on and use Kinsley's password to continue the
56. conversation and issue the threatening second phrase. Kinsley Williams was
57. actually interviewing someone on campus in the computer lab at the time that
58. second phrase appeared so Kinsley may not have been the person responsible
59. for making the entry. I can confirm that because I saw Kinsley.

60. Unauthorized use, if indeed that is what happened in this situation, is a serious
61. infraction of the campus rules. A year ago, the College experienced an on-
62. line prank when a student I'll call John, left a computer workstation without
63. logging off and protecting his email account. The next student who sat down
64. at the station realized that he had the opportunity to prank the student named
65. John and sent out a rather innocent message to the chat room that indicated
66. that John was madly in love with Marsha. This embarrassed both John and
67. Marsha, who had never really spoken to each other. I was able, in class, to
68. call attention to the breach and discussed the misconduct, which violated
69. College policy and academic integrity of the chat room. The resulting gossip
70. from the incident was innocent and no one was hurt. And the prankster issued
71. a verbal and written apology to the parties he'd pranked. This offered a
72. valuable learning experience to everyone involved in the chat room. We
73. haven't had that type of prank since.

Affidavit of Pat Clifford

1. My name is Pat Clifford and I work at New Justice State College in the
2. computer technology lab.

3. It was my responsibility to design the College's chat room option for the
4. students. In doing so, I made sure that every one of the College's computers,
5. in the library, dormitories, student union, computer labs, and in the offices,
6. could link directly to the chat room with appropriate user names and
7. passwords. That would ensure that the students would have access, and the
8. faculty and staff would be able to have access as well. We drafted a form for
9. the students to sign so they'd be aware of some of the "panic" or "red button"
10. options in case they felt there were problems. They also signed a form that
11. indicated they had read the rules for using the chat room. Those rules prohibit
12. abuse of the system, hacking, and unauthorized use – like using someone's
13. password without their knowledge, and other standard, common sense rules.

14. I think the chat room has a lot of potential, but I don't think it's being used as
15. the College had first envisioned. At the outset, teachers would go to use the
16. chat room to expand on classroom discussions and pose challenging questions
17. to the students for additional debate. That never happened. The chat room, as
18. it is used now, is 99.9% student driven. The only time a faculty member visits
19. is to check in if they are assigned as a monitor for a day or so. Those monitor
20. duties rotate so no one has to continually be responsible for reading all the
21. chatter that goes on.

22. Usually the discussions are about assignments, what's due when, why do they
23. give us so much to read, do you have something I need or want, etc. There
24. has certainly been nothing very in-depth, controversial or inspiring. I've
25. monitored the chat room off and on since inception and can tell you that there
26. has been no earth breaking news out there.

27. I have read the transcripts of the conversations in question and I fail to see
28. why any of the language created this uproar. I found none of it to be
29. particularly threatening. But, I'm not an 18-year-old student away from
30. home. I suppose if I were out there without a good support system, and if I
31. got it into my head that someone was mad at me or didn't like me, some of the
32. wording could be construed as vaguely threatening. But it does not cross the
33. line into a cyber stalking matter. There's just no basis for it.

34. It's incredibly common for students to forget their passwords and use
35. someone else's for a few seconds to get an assignment. . . and that's after all
36. the nagging we do to tell them to keep that kind of information strictly
37. confidential. Students also, quite commonly, write their usernames,
38. passwords, email addresses and other information on the covers of books or
39. notebooks. I've even found this kind of information written on mirrors in the

40. restrooms.

41. Maybe there's a false sense of security because the students all know that the
42. faculty and advisors and campus security have access to the chat room and we
43. monitor the discussions on a regular basis.

44. There's been a bit of a fuss between the campus security office and the
45. computer technology folks regarding security-screening devices that are
46. supposed to filter discussions to look for particular words or phrases. It's my
47. feeling that the technology we have isn't nearly sophisticated enough to do
48. that. Even words we find offensive can be used in sentences, especially in
49. intellectual discussions or debates, so that they lose their offensive nature and
50. become part of a very positive discussion.

51. For instance, pick a phrase like "kill you," which initially sounds terrible,
52. unless it's used in a phrase like, "those shoes will kill you if you wear them
53. too long," or something like that. I think "murder you" has been filtered once,
54. and that was a student warning another that if he got caught doing something
55. "Your parents are going to murder you." We let that kind of thing slip by.
56. We've never had a filtered phrase appear in a sentence that would infer a
57. direct threat, "like I'm going to kill you." Same thing with murder you,
58. torture you, etc. Maybe it's because the students realize the phrases they
59. aren't supposed to use that can raise an alarm with one of the security
60. personnel assigned to monitor the chat rooms.

61. I've met Kinsley Williams. Kinsley was interviewing me about Internet use
62. in combating terrorism. . . and that interview fell at exactly the same time as
63. one of the alleged communications in the complaint. Kinsley seemed to be
64. exceptionally bright.

65. Some folks seem to think that Kinsley has a bit of an odd streak. I'm not at all
66. sure that's true. I just saw a very intelligent and motivated student who
67. wanted to seek out answers. In any event, I do not believe he is capable of
68. stalking anyone. I should know, as I have been combating cyber crime such
69. as this through my involvement with the Cyber angels, a watchdog group of
70. volunteers who work closely with the law enforcement agencies to address
71. and monitor on-line abuse and cyber crime. I am on a special team that is
72. responsible for answering e-mails from people that are being stalked on-line.
73. Victims are given information regarding how to protect themselves and how
74. to turn the predator in. From my personal eany event, I do not believe he is
75. capable of stalking anyone. I should know, as I have been combating cyber
76. crime such as this through my involvement with the Cyber angels, a watchdog
77. group of volunteers who work closely with the law enforcement agencies to
78. address and monitor on-line abuse and cyber crime. I am on a special team
79. that is responsible for answering e-mails from people that are being stalked
80. on-line. Victims are given information regarding how to protect themselves

81. and how to turn the predator in. From my personal experience, Kinsley does
82. not fit the profile.

EXHIBIT 1

Welcome to New Justice State College's On-Line Student Chat room. Click to select chat topic: You will need your Student Chat room User Name and Password to participate!

Student Directories

Freshmen

Sophomores

Juniors

Seniors

Faculty Notes (Find course descriptions and syllabus information)

Library Study Circles (Join a topic/discussion thread)

English & Literature

History & Archeology

Forensics & Law

Mathematics & Sciences

Music & Theater

Athletics & Health

General On-line Discussion Group (campus life, assignments, general discussions)

Chat room Rules: No swearing, racist or sexually explicit language. Respect the opinions of others. Provide accurate information when discussing class assignments. Be aware of the panic and discipline systems used in this chat room.

- a. **Panic:** There is a red button at the bottom of the chat room page. If you are alarmed or concerned regarding on-line discussions, feel free to click on the red button, which will alert College personnel to the problem.
- b. **Discipline:** New Justice State College reserves the right to monitor the chat room message boards 24/7. College monitors are authorized to act on behalf of the College if they feel action should be taken to close the chat room to protect the integrity of the site and ensure the safety of our users.

(A-Z index) (About NJSC) (Academics) (Admissions) (Alumni & Friends) (Arts) (Athletics) (Calendar) (Contact NJSC) (Current Student Directory) (Faculty & Staff Directory) (Life @ NJSC) (Library) (Online Research) (Technology) (Visitors) (Legal Notices & Disclaimers) (Web Privacy Waiver) (Questions/Contact Us)

Privacy Waiver: Information contained in this communication is neither privileged nor confidential. You have signed a waiver of privacy, which is on file in the office of the Dean of Students. This page and the sub-pages may be monitored by the campus office of information technology and security personnel. Campus authorities will address any misuse and serious infractions of chat-room rules may lead to loss of campus privileges, expulsion or criminal prosecution. Infractions should be reported to campus security or to the Dean of Students by dialing 9999 on any campus telephone.

EXHIBIT 2

New Justice State College Student On-line Chat room Usage Policy

All students utilizing the On-line Chat room must read and sign this release form. Students who are found to have violated this Usage Policy will be barred from further use of the On-line Chat room and may face civil or criminal penalties, depending upon the violation.

Students violate New Justice State College's On-line Chat room Usage Policy when they engage in any of the following prohibited activities. This is not an exclusive list; other activities not listed may be prohibited, at the discretion of New Justice State College.

- Hacking and related activities are strictly prohibited. Hacking includes, but is not limited to, illegally or without appropriate College authorization accessing computers, accounts or networks, penetrating or attempting to penetrate College computer security measures, port scans, stealth scans, and other activities designed to assist in hacking.
- Obscene, defamatory, abusive or threatening language or content is strictly prohibited. Use of the New Justice State College On-line Chat Room to post or transmit, or otherwise make available obscene, defamatory, harassing, abusive or threatening language is prohibited.
- Pornography is strictly prohibited. Use of the New Justice State College On-line Chat Room to post or transmit, or otherwise make available any pornographic, obscene or other inappropriate materials is strictly prohibited.
- Any activity meant to cause disruption or interference with the New Justice State College On-line Chat Room is prohibited. Actions meant to harm, disrupt or threaten to disrupt services, business operations, reputation, goodwill, student and/or student relations, or the ability of New Justice State College students to effectively and safely utilize the New Justice State College On-line Chat Room are prohibited.

If New Justice State College finds any violation of this Usage Policy, New Justice State College may take any appropriate action to stop or correct such violation, including, but not limited to, shutting down the On-line Chat Room and/or removing information. In addition, New Justice State College reserves the right to monitor and retain electronic copies of all communications posted through its On-line Chat room for security purposes and for purposes of quality assurance.

Violations received by New Justice State College regarding the use or misuse of the On-line Chat Room may be forwarded to campus or other appropriate law enforcement authorities for investigation and resolution.

Student users of the New Justice State College On-line Chat Room are encouraged to maintain strict levels of secrecy and confidentiality to guard their personal information. If a breach of personal on-line security has been noted or is suspected, students are advised to immediately change their passwords and/or email addresses. Serious breaches of security may be reported to campus administration, campus security, the New Justice State College Student Union, Computer Services Division, and/or the Dean of Students.

Student Signature

Date

I have read and understand the New Justice State College Student On-line Chat Room Usage Policy.

EXHIBIT 3

NEW JUSTICE STATE COLLEGE INTERNET CHAT ROOM DIALOGUE EXCERPTS

Monday, 9 May 2005

Cannonball: enters the chat room 4:45 p.m.

Hi folks, anyone got the assignment done from History of Western Civ from last week? I thought it was pp 205 to 400, but Chancey5 said we had to go all the way to 414. Anyone?

Chancey5: 4:52 p.m. I'm pretty sure it's to 414 but I could have written it wrong.

Butters: 4:55 p.m. It must be 414. That's what I wrote 2.

Allthumbs enters chat room at 4:55 p.m.

Cannonball: 4:55 p.m. More work for me. I'd rather be outside.

Micahforce enters chat room at 4:55 p.m.: page 414 is right. I have that too and just spoke with Prof. G.

Jammin enters chat room at 4:56 p.m.: Hi everyone. Concur with page 414. BTW – Anyone in here seen the student play at the Union? Hamlet?

Cannonball: Nope. Shakespeare ain't my bag.

SirVive2004 enters chat room at 4:58 p.m.

Yankeegirl enters chat room at 4:58 p.m.

Butters: 4:59 p.m.: I heard it was good but haven't seen.

HughesQ enters chat room at 5:01 p.m.

Cannonball: 5:02 p.m.: I'd rather be outside than in on a day like today.

Micahforce: 5:10 p.m.: Just walked by the lake. Joggers are out in force. Go tack team New Justice.

PhoebeS: 5:11 p.m.: So why, if we'd all like to be outside are we in on our computers?

Jammin: 5:11 p.m.: I'm going out now. Get some p.m. sunshine and exercise.

SirVive2004: 5:11 p.m.: Jam's in the window. Exercise all you want my friend, you won't be able to run fast enough.

Micahforce: 5:12 p.m.: Jam, you run with the track team?

Yankeegirl: 5:12 p.m.: If you do, run fast and win!

Cannonball: 5:13 p.m.: Jam, if you're on the team, fly!

Jammin: 5:13 p.m.: Not on the team.

Jammin exits chat room 5:13 p.m.

SirVive2004: 5:14 p.m.: Not on the team, but practices nonetheless. In the window.

Cannonball: 5:15 p.m.: SirVive2004, you're creeping me out.

SirVive2004 exits chat room at 5:25 p.m.

Allthumbs: 5:26 p.m.: That survivor person was making some inappropriate comments, don't you think?

Cannonball: 5:27 p.m.: Sure do, but do. Vive's out now. No worries.

EXHIBIT 4

NEW JUSTICE STATE COLLEGE INTERNET CHAT ROOM DIALOGUE EXCERPTS

Thursday, 12 May 2005

Jammin: enters chat room 3:18 p.m.

Fleetstreet: enters chat room 3:18 p.m.

Yankeegirl: enters chat room 3:19 p.m.: Anyone know if the campus is doing a flag day celebration again this year?

Striker8: enters chat room 3:19 p.m.

Coreforce: enters chat room 3:19 p.m.

Allthumbs: enters chat room 3:19 p.m.

Zulu: enters chat room 3:20 p.m.: Don't know but last year's celebration was a gas. Check the union bulletin board?

Yankeegirl: 3:21 p.m.: Did that. Nothing there.

Rogerwilco: enters chat room 3:22 p.m.

Jammin: 3:22 p.m.: Last year's was cool. The color guard was awesome.

Shokwave: enters chat room 3:23 p.m.: Speaking of color, Jamming's been wearing school colors all week. Think blood won't show on those dark colors?

Yankeegirl: 3:23 p.m.: What's that all about?

Fleetstreet: 3:23 p.m.: Yeah, what's up?

Yankeegirl: 3:24 p.m.: Talk like that can prompt a panic button alert, you goof.

Shokwave: 3:24 p.m.: No harm intended, no harm done. Drop it.

Jammin exits chat room 3:25 p.m.

Allthumbs: 3:26 p.m.: Hey, Shokwave, you know someone using SirVive2004? You two should get together sometime.

Shokwave: 3:26 p.m.: Aware of SirVive2004. Not interested.

EXHIBIT 5

NEW JUSTICE STATE COLLEGE INTERNET CHAT ROOM DIALOGUE EXCERPTS

Friday, 13 May 2005

Shokwave: enters chat room 2:30 p.m.
Striker8: enters chat room 2:45 p.m.
Jammin: enters chat room 2:45 p.m.
TravellerX: enters chat room 2:45 p.m.
Yankeegirl: enters chat room 2:46 p.m.: Classes out for the weekend. Sigh.
Striker8: 2:46 p.m.: Yeah, relief from drudgery, eh?
TravellerX: 2:47 p.m.: Anyone from the history and forensics class? Some pretty strange stuff in that class.
Striker8: 2:47 p.m.: Like what?
Allthumbs: enters chat room 2:47 p.m.
TravellerX: 2:47 p.m.: like lots of talk about killing. Really freaky.
Striker8: 2:48 p.m.: That's what's going on in class? Talk like that?
Shokwave: 2:48 p.m.: Some criminals use fear as a control; fear is stronger than chains and fences.
TravellerX: 2:49 p.m.: Upset quite a few students in the class. Some had relatives who had been victimized. It was a sad class.
Yankeegirl: 2:50 p.m.: My neighbor's mother survived an attack. She absolutely never talks about it.
Striker8: 2:50 p.m.: Understandable not to talk about pain and suffering when it's been so close.
Yankeegirl: 2:51 p.m.: Guess so. Not sure I'd have survived.
Shokwave: 2:51 p.m.: Wonder if anyone our age would handle the situation well. Would be interesting to try to recreate the atmosphere.
Yankeegirl: 2:51 p.m.: You kidding?
TravellerX: 2:51 p.m.: That's crossing the line. Who would want to do that?
Striker8: 2:51 p.m.: Someone not quite right in the head.
Shokwave: 2:52 p.m.: Don't call me crazy.
Striker8: 2:52 p.m.: I didn't. But the thought of studying pain and suffering? Come on.
Shokwave: 2:53 p.m.: It would be amazing to study pain and suffering. Doctors must do it all the time. Long-term effects of suffering could produce some interesting data. Volunteers? Hey, Jam you still here?
Jammin: 2:53 p.m.: Just listening.
Allthumbs: 2:53 p.m.: Don't respond to that kind of comment.
Shokwave: 2:54 p.m.: Listen good and respond or don't. Anticipation is what it's all about, and building fear. You never know when you'll be forced to face your greatest fear . . . suffocation, torture, painful prolonged death.
Jammin exits chat room 2:55 p.m.
Striker: 2:56 p.m.: You're a freak.
Shokwave: 2:56 p.m.: Thanks for the compliment. Jam is full of fear. Would make a great experiment.
TravellerX: 2:56 p.m.: You're so lame.
Allthumbs: 2:57 p.m.: Shokwave, you're about crossing the line there with all that torture talk.
Shokwave: 2:57 p.m.: Don't be such babies. It's talk.

***no significant discussion for approximately 20 minutes.

Jammin enters chat room 3:20 p.m.
Shokwave: 3:21 p.m.: Jammin is back. Time is running out my Jammin friend. Maybe we can meet in the alley?
Jammin exits chat room at 3:22 p.m.

EXHIBIT 6

NEW JUSTICE STATE COLLEGE INTERNET CHAT ROOM DIALOGUE EXCERPTS

Saturday, 14 May 2005

Allthumbs enters chat room 9:30 a.m.: Anyone up yet?
Coreforce enters chat room 9:32 a.m.: Just joined in. No chatter?
Allthumbs: 9:32 a.m.: Nothing this a.m. Weekend. Sleeping late maybe.
Talon enters chat room 9:33 a.m.: There's been talk on campus that someone in the chat room is freaking people out. Anyone on line a witness?
Allthumbs: 9:34 a.m.: You may mean someone named Shokwave. Been picking on participants and trying to scare people.
Talon: 9:34 a.m.: Why would someone do that?
Shokwave enters chat room 9:35 a.m.
Coreforce: 9:35 a.m.: Who knows? Shokwave, you nuts or what?
Shokwave: 9:35 a.m.: I was just talking about a forensics and history class. I can't help if people take things out of context.
Allthumbs: 9:36 a.m.: You were crossing a line. You obviously ID'd Jammin and have been trying to freak. . . you crazy?
Shokwave: 9:36 a.m.: I admit to being mad, but madness can be a good thing. It gives me direction, focus, and an outlet for my aggression. Ever wonder pain and suffering.
Jammin enters chat room 9:37 a.m.
Shokwave: 9:42 a.m.: Jamming, can you come out of your 2nd floor roost and play?
Jammin exits chat room 9:42 a.m.

***indicates lapse in time and refers to later in the day.

HMSPinfore enters chat room 7:30 p.m.
LaLa enters chat room 7:30 p.m.
Shokwave enters chat room 7:31 p.m.: Anyone review the chat room conversations from earlier in the afternoon re: torture, etc.?
LaLa: 7:31 p.m.: Not me.
HMSPinfore: 7:31 p.m.: Me neither.
Thor56 enters chat room 7:32 p.m.
Yankeegirl enters chat room 7:32 p.m.: Not that again.
CATGIRL enters chat room 7:32 p.m.: Free speech. What was going on?
Shokwave: 7:33 p.m.: Discussion on pain and torture and what can be learned from fear.
Thor56: 7:34 p.m.: I'd just as soon not know.
LaLa: 7:34 p.m.: Me neither.
Shokwave: 7:35 p.m.: Why not? Statistics tell us that we're just about all going to be victims at some point in our lives.
LaLa: 7:35 p.m.: So what? You can't let fear guide your whole life.
CATGIRL: 7:36 p.m.: No kidding. What a waste of time.
Jammin enters chat room at 7:45 p.m.: Not this again.
Shokwave: 7:46 p.m.: You chickened out before.
Jammin: 7:47 p.m.: Had better things to do.
Shokwave: 7:47 p.m.: Really? Like what?
Jammin: 7:48 p.m.: Inappropriate question.
Shokwave: 7:48 p.m.: Not really, but never mind. Back to the discussion. Everyone's going to be a victim. Even all of us. I've actually been one already so statistically I may be out of the picture.
LaLa: 7:49 p.m.: What happened to you?
Shokwave: 7:50 p.m.: To quote someone above, inappropriate question.
LaLa: 7:50 p.m.: Sorry.

Shokwave: 7:51 p.m.: Just remember, the clock is ticking. Time is on my side. Time is running out my friend.

LaLa: 7:52 p.m.: What's that supposed to mean?

CATGIRL: 7:52 p.m.: Yeah, what are you talking about?

Shokwave: 7:53 p.m.: Just that statistically, all of you are going to have to endure. Gotta meeting.

Shokwave exits chat room 7:54 p.m.

***No significant discussion for approximately 20 minutes.

SirVive2004 enters chat room 8:15 p.m.: Anyone still want to talk about pain and suffering? Time is running out, my Jammin friend. Maybe we can meet?

Jammin exits chat room 8:16 p.m.

Message posted at 9:30 p.m. by Shokwave: Chat room entry read at campus computer room with police witnesses, "Jam will rot just like Jelly if buried long enough."

EXHIBIT 7

Casey Wallner – Daily Diary Excerpts 2005

May 7 home
May 8 home
May 9 Jamie got creepy message at Chat room
May 10
May 11
May 12 Another creeper for Jamie
Jerks at the Student Union
May 13 Jamie's freaked and so am I. More chat room chatter. Calling security
May 14 witnesses to chat room – finally some sleep
May 15 Calm Sunday! No chat room blather
May 16 Heard from campus police, questioning Williams
May 17 **WILLIAMS ARRESTED**