**Lab Session 2 - Arson/Murder Case Study**

Analysis of the Discovery Channel’s Documentary,

FORENSICS: YOU DECIDE — Episode: #5 “Caught on Tape.”

1. CRIME CLASSIFICATION: Arson, 1st Degree Murder, and related offenses
2. DATE OF OFFENSE: October 11, 2006
3. LOCATION OF OFFENSE: 1010 St. Paul Street, Baltimore City (a high rise apartment building with 152 separate apartment dwellings)
4. VICTIM: Marcus Rogers
5. DEFENDANT: Zukael Stephens
6. DISPOSITION: Mr. Stephens was acquitted of murder, arson and related offenses by a Baltimore City jury on September 2007. Due to the fact that Mr. Stephens was on parole at the time of his arrest for the charges for which he was acquitted, he was remanded to jail for revocation of his parole, and a Parole Revocation Hearing was set. The Parole Board has a different standard then the criminal court system, when determining the involvement of a parolee in a criminal act while on parole. If the Parole Board believes that a preponderance of the evidence suggests that the parolee committed the act in which they are charged, then the Parole Board can revoke the parolee’s parole. This is exactly what happened in Mr. Stephen’s case. Although he was completely exonerated for the crimes for which he was charged, the Parole Board believed he was guilty.
7. TASK: Show that Mr. Stephens is not only “not guilty” of the charges brought against him in the criminal court; but prove to the Parole Board that he really “didn’t do it,” at a Parole Revocation Hearing conducted on March 14, 2008.
8. CASE STUDY EXERCISE ACTIVITY: The lab session will be divided into three groups: 10 students will take the “point of view” of the prosecution; the second 10 students will take the “point of view” of the defendant’s; and 4 students will be the adjudicators and take the “point of view” of the Parole Board. A short Case Summary of the Crime follows in #9:
9. CASE SUMMARY: Mr. Rogers (victim) and Mr. Stephens (defendant) knew each other and worked for the same company (a modeling agency). They were together the night of the incident, October 10, 2006. They are both seen on the building surveillance cameras entering Mr. Rogers’ apartment building lobby approximately 5:26:25 P.M., and both taking the elevator to Mr. Rogers’ floor. Mr. Stephens is seen carrying a library book with him while entering the elevator with Mr. Rogers.

At 10:49:40, the same surveillance cameras show a man exiting the stairwell at the lobby elevator area, wearing a similar coat as Mr. Stephens was wearing earlier that evening when entering the building. It was at this same time period that it is believed that a fire was burning in Mr. Rogers’ apartment. While the fire fighters were putting the fire out in the apartment, they stumbled over the unconscious body of Mr. Rogers. Mr. Rogers was transported to the hospital where he died 6 days later. He had sustained blunt force trauma injuries to his head and burns to his body from an unknown flammable substance.

Mr. Stephens was identified through the library book they found at the crime scene. The Baltimore City Police Homicide Investigators prepared an application for arrest warrant for his arrest based on the surveillance video showing a man leaving the building stairwell wearing a coat similar to Mr. Stephens; a search warrant executed at Mr. Stephens apartment found the coat in question; the coat had two small traces of a biological fluid that turned out to be the DNA of the victim, Mr. Rogers.

**DEFENSE TEAM:**

Evaluate the procedures used by the police investigators, evidence technicians; medical examiner; and crime laboratory scientists, to argue against the State’s case.

1. Discuss crime scene protocols not used or not used properly
2. Evidence collected or not collected
3. Procedures violated
4. Attempt to establish a “doubt” in the minds of the “Trier of facts.”
5. Why do you believe the defendant is innocent?
6. Why do you believe the Parole Board revoked the defendant’s parole after his acquittal?

**PROSECUTION TEAM:**

Examine the facts of the case and determine what facts and evidence prove that the defendant in fact did commit the crimes.

1. List key pieces of evidence used to establish “probable cause”
2. What other evidence do you have to make your case?
3. What is the most valuable piece of evidence against the defendant?
4. Why do you believe that the defendant is guilty?
5. What would you have done differently or better?

**PAROLE BOARD:**

Evaluate the discussions being made by both teams, and their answers to the above questions.

1. Make a decision for the parole board.
2. Justify it.
3. BE prepared to identify the weaknesses of the losing team.

[Lab Case Study Exercise in CCJS 320BL – Introduction to Criminalistics - 2013]