2023

DISTRICT COURT

PEOPLE V. VEGA

Hit and Run

FACTUAL BACKGROUND

New Prague is, for the most part, a calm and peaceful city. It boasts 90 acres of parks, sports fields, and trails — a much cherished relief from the urban congestion just 30 miles south. Its high school, New Prague High, located on Skyline Drive, is renowned for its stellar swimming program.

On the night of Thursday, April 19, 2022, a large crowd congregated in front of the high school. The New Prague Highlanders had claimed another victory, qualifying them for the Minnesota State Championship. As the crowd celebrated the victory, a vintage 1961 Bueller GT left the school at approximately 10:30 p.m. and headed northbound on Skyline Drive.

That night, shortly after 10:30, Cameron Douglas was riding a bright turquoise bike from the northwest corner of Skyline and Grand toward the northeast corner of Skyline and Grand. The intersection is controlled by a two-way stop with stop signs facing north and south.

As Cameron crossed the intersection of Skyline and Grand, an automobile struck Cameron with its left front bumper. Cameron was sent flying from the bike and landed several feet away in the street.

Quinn Liu, who lives near the intersection of Skyline and Grand, saw the Bueller collide with Cameron's bicycle. Quinn ran to call 911. While waiting for an answer, Quinn wrote down part of the car's Minnesota license plate number, SLC86.

Officers Wright and Jackson arrived at the scene around 10:40 p.m. just as Cameron was loaded into an ambulance and then taken to a hospital. Cameron was treated at the hospital for several serious abrasions, a shattered right knee, a cracked collarbone, and a moderate concussion. At the scene, the officers began questioning witnesses. Quinn described the vehicle and the driver's clothes and mentioned that there was a glow that appeared to emanate from a cell phone screen on the driver's side of the vehicle.

Wright and Jackson questioned Dallas Decamp, who also witnessed the accident. Dallas confirmed Quinn's description of the vehicle.

After the investigation at the scene concluded, a police dispatcher connected with a statewide computer system, searched all Minnesota license plates with the information provided by Quinn. Of the two possible matches, only one was for a car registered in New Prague. That car was registered to an address on Orion Boulevard to Oliver Vega, the mayor's spouse. Mayor Angelica Vega was an outspoken politician and a supporter of FADD, Families Against Distracted Driving. The Vegas have only one child, named Adrian.

Officers Wright and Jackson arrived at the Vega home at approximately 11:05 p.m. and found a black Bueller parked in the driveway with one of its tires over the front lawn. Wright verified that the license plate matched the partial plate provided by Quinn and felt the hood of the car, which was warm even though the air was cold. Wright noticed a couple of scrapes of turquoise paint on the driver's side of the front bumper.

The officers approached the house, rang the doorbell, and knocked, but there was no answer. After a couple of minutes of ringing and knocking, Toni De Luca emerged from the side of the house wearing a light blue New Prague T-shirt.

Wright and Jackson spoke to Toni about the accident. Toni explained that the mayor's child, Adrian, drove them both home from a swim meet earlier that night and may have hit something. After questioning Toni, the officers allowed Toni to go back to the guest house. Jackson resumed investigating

the outside of the Bueller while Wright walked back to the police car to radio for a tow truck. It was approximately 11:25 p.m.

Wright then noticed a figure walking toward the Vega home. It was Adrian, wearing a white T-shirt and a cardinal and gold cap. Adrian confirmed living in the Vega home and stated that the Bueller belonged to Adrian's father.

Wright asked if Adrian wanted to talk about events from that evening. Adrian told Wright that Adrian had competed successfully in a swim meet that night at New Prague High. Adrian also told Wright that a foreign exchange student named Toni drove both of them home in the Bueller and may have hit something. Shortly thereafter, Adrian made Toni stop the car, and the two switched places for the remainder of the ride to Adrian's house.

After a few minutes of talking to Wright, Adrian was shivering in the cold air and said, "Don't you think it's cold out here?" Wright offered to let Adrian sit in the back seat of the patrol car and gestured to the open rear door. Officer Wright's patrol car was a cage car. Adrian sat on the edge of the rear bench seat, but Adrian's feet were outside on the ground. Wright stood by the open door, a few feet away. Officer Jackson stood in the yard, about 15 feet behind Officer Wright. Officer Jackson is a former college wrestler and shot putter standing 6 foot 5 inches tall and weighing 250 pounds.

Wright believed that Adrian had been driving the Bueller that struck

Cameron. Wright arrested Adrian for the felony violation of Minnesota Vehicle Code Section 20001. At that point Wright recited *Miranda* warnings to Adrian.

Adrian was taken to the police station and booked at approximately 12:15 a.m. on Friday, April 20, 2022. After being there for an hour, Adrian called Taylor Berard, Adrian's private swim coach, and asked for help to bail out of jail.

The Bueller was taken to the police impound lot. As required by the New Prague Police Department's inventory policy, the police conducted an inventory search of the vehicle. Among the things found in the car were a business card of the University of Los Angeles swimming scout under the driver's seat and Adrian's cell phone in the center console.

Officer Jackson's U.S. Army Reserve unit has been called to active duty and will not be back for 15 months.

Note: The information in brackets is the subject of the pre-trial motion.

CHARGES

The prosecution charges Adrian Vega with:

Failure to Perform Duty Following Accident: Death or Injury, a felony (commonly referred to as "felony hit-and-run"). Minnesota Vehicle Code Section 20001 (a).

JURY INSTRUCTIONS

Judicial Council of Minnesota Criminal Jury Instructions (MINN.CRIM. 2140)

Failure to Perform Duty Following Accident: Death or Injury – Defendant Driver (Veh. Code, §§ 20001, 20003)

The defendant is charged with failure to perform a duty following an accident. To prove that the defendant is guilty of this crime, the prosecution must prove the following:

1. While driving, the defendant was involved in a vehicle accident;

2. The accident caused the death of or permanent, serious injury to someone else;

3. The defendant knew he/she had been involved in an accident that injured another person or knew from the nature of the accident that it was probable that another person had been injured;

AND

4. The defendant willfully failed to perform one or more of the following duties:

   a. To stop immediately at the scene of the accident;

   b. To provide reasonable assistance to any person injured in the accident;

Someone commits an act *willfully* when that person does it willingly or on purpose. It is not required that the person intend to break the law, hurt another, or gain any type of advantage.

The duty to *stop immediately* means that the driver must stop his or her vehicle as soon as reasonably possible under the circumstances.

To *provide reasonable assistance* means that the driver must determine what assistance, if any, the injured person needs and make a reasonable effort to provide that assistance (provided either by the driver or someone else).

Reasonable assistance includes the following: transporting any injured person for medical treatment or arranging the transportation for treatment if it is apparently necessary or if requested by the injured person. The driver is not responsible to provide unnecessary assistance or assistance already being provided by someone else. However, the driver is not excused from providing assistance because there are bystanders on the scene or because those bystanders could provide assistance.

The driver of the vehicle must perform the listed duties regardless of who was injured or how/why the accident occurred. It does not matter if someone else caused the accident or the accident was unavoidable.

A *permanent, serious injury* is one that permanently impairs the function or causes the loss of any organ

or body part. An accident causes death or permanent, serious injury if the death or injury is the direct, natural, and probable consequence of the accident and the death or injury would not have happened without the accident.

Direct and Circumstantial Evidence: Defined Judicial Council of Minnesota Criminal Jury Instructions (MIN-CRIM 223)

Facts may be proved by direct or circumstantial evidence or by a combination of both. *Direct evidence* can prove a fact by itself. For example, if a witness testifies he saw it raining outside before he came into the courthouse, that testimony is direct evidence that it was raining.

Circumstantial evidence also may be called indirect evidence.

Circumstantial evidence does not directly prove the fact to be decided, but is evidence of another fact or group of facts from which you may logically and reasonably conclude the truth of the fact in question. For example, if a witness testifies that he saw someone come inside wearing a raincoat covered with drops of water, that testimony is circumstantial evidence because it may support a conclusion that it was raining outside.

Both direct and circumstantial evidence are acceptable types of evidence to prove or disprove the elements of a charge, including intent and mental state and acts necessary to a conviction, and neither is necessarily more reliable than the other. Neither is entitled to any greater weight than the other. You must decide whether a fact in issue has been proved based on all the evidence.

Circumstantial Evidence: Sufficiency of Evidence Judicial Council of Minnesota Criminal Jury Instructions (MIN-CRIM 224)

Before you may rely on circumstantial evidence to conclude that a fact necessary to find the defendant guilty has been proved, you must be convinced that the People have proved each fact essential to that conclusion beyond a reasonable doubt.

Also, before you may rely on circumstantial evidence to find the defendant guilty, you must be convinced that the only reasonable conclusion supported by the circumstantial evidence is that the defendant is guilty. If you can draw two or more reasonable conclusions from the circumstantial evidence and one of those reasonable conclusions points to innocence and another to guilt, you must accept the one that points to innocence. However, when considering circumstantial evidence, you must accept only reasonable conclusions and reject any that are unreasonable.

STIPULATIONS

Stipulations shall be considered part of the record. Prosecution and defense stipulate to the following:

1. At the time of arrest, there was sufficient probable cause to arrest Adrian Vega.
2. All physical evidence and witnesses not provided for in the case are unavailable and their availability may not be questioned.
3. Beyond what's stated in the witness statements, there was no other forensic evidence found in this case.
4. All witness statements were taken in a timely manner.
5. Due to a technical glitch, no messages or numbers could be retrieved from the Adrian Vegas' phone or the phones of Adrian's parents and friends.
6. Cameron Douglas' right knee is permanently damaged.

WITNESS STATEMENTS

WITNESS STATEMENT—Prosecution Witness: Officer Kelly Wright

My name is Kelly Wright. I am 34 years old and am a parent of two young children. I currently live in New Prague and have served on the New Prague Police Department for 12 years. I have extensive experience in investigating traffic collisions and hit-and-run incidents.

On the night of Thursday, April 19, 2012, I was on patrol with my partner, Officer Phoenix Jackson, and we responded to the intersection of Skyline and Grand on a traffic incident call. When we arrived at about 10:40 p.m., the victim, Cameron Douglas, was being loaded into an ambulance for transport to a hospital.

At the scene, Officer Jackson and I questioned a witness named Quinn Liu, who described seeing a hit-and-run incident. Liu had told us a black vehicle heading north on Skyline Drive ran the stop sign at Skyline and Grand and struck a bicyclist. Although Liu was not able to identify the person driving the vehicle, we were told that there was the glow of a cell phone screen on the driver's side and that the driver was wearing a white T-shirt and cardinal and gold baseball cap. Liu also gave us a partial license plate number, SLC86.

We interviewed another witness at the scene named Dallas Decamp. Decamp confirmed that the vehicle was a vintage black Bueller and also mentioned that the victim had white "earbud" style headphones on (like those for an MP3 player) and was looking down when struck by the vehicle.

Jackson radioed the partial plate information to dispatch for a search. Only one vehicle matching the partial plate belonged to a car registered in New Prague. I immediately recognized the owner's name, Oliver Vega, the husband of the mayor, Angelica Vega.

We drove to the mayor's house to look for the suspect vehicle. It was about 11:05 p.m. When we got there, we saw a black vintage Bueller parked in the driveway, but at an angle with one tire on the lawn. Because it was such a cold night, Jackson left the police cruiser engine running to operate the heater. We then checked the license plate on the vehicle: It was SLC8693 and it matched the partial Liu gave us. The hood was warm, which indicated that it had recently been driven. I spotted scratches of turquoise-colored paint on the Bueller's left front bumper. It appeared from the lack of dirt on the scratches of turquoise, compared to the dirt on the rest of the bumper, that the turquoise scratches were recent.

The porch light was on, and we knocked on the door twice, but there was no answer. We then heard a noise and saw a teenager come out from the side of the house. The teenager was Toni De Luca. Toni explained to me that Toni was a foreign exchange student from Italy who lived in the mayor's guest house behind the main house. Toni was wearing a light (c) 2012 Constitutional Rights Foundation - www.crf-usa.org

blue New Prague T-shirt. I asked about the car and about the accident. Toni said that the mayor's child, Adrian, drove them both home from the swim meet earlier that night. Furthermore, Toni

said that Adrian was driving and may have struck something when they were on Skyline, on the way home. Toni was not exactly sure where on Skyline it occurred.

After speaking with Toni, Toni went back to the guest house. I saw Jackson inspect the outside of the Bueller again while I went to the patrol car to call a tow truck. I opened the passenger-side rear door to the police car, obtained some paperwork that was in the backseat, and sat in the front seat to make the call on the police radio. The back door remained open as I made the call. When I finished, I looked up at the rearview mirror and saw someone walking toward us along the side of the road. That person was wearing a white T-shirt and cardinal and gold baseball cap. That matched Liu's description of the suspect driver. It stood out in my mind as unusual that someone would be walking alone so late at night.

I signaled to Jackson that I would talk to this person, and Jackson remained in the front yard by the Bueller. I called out to the approaching figure and asked if it wasn't late for someone to be walking around. I 2 asked, "Are you all right?" The person said "I live here" and gestured 3 toward the house. I asked for a name, and the person told me "Adrian 4 Vega." I asked if the car belonged to Adrian, and Adrian responded that the Bueller belonged to Oliver Vega, Adrian's father. Adrian had just come back from a walk and had lost Adrian's keys. I mentioned I was investigating an accident from earlier that night.

I asked Adrian what Adrian had done earlier that evening. Adrian told me that Adrian had just come home from competing in a swimming meet at the high school. Adrian explained that Toni drove both of them home from the meet. Then, Adrian told me that Toni was apparently upset and grabbed Adrian's hat and phone during the drive home. The two started bickering when Adrian tried to get the hat and phone back. Suddenly, Adrian felt a bump and feared they had hit something. Toni said that they didn't hit anything, and Adrian made Toni pull over. Adrian was not sure of the exact location but it was somewhere on Skyline after Grand. Then Adrian drove the rest of the way back home.

Adrian shivered and complained about the cold. I offered that Adrian could sit in the patrol car, since there was apparently no way to get into the house or, for that matter, the Bueller. I pointed to the rear seat of the patrol car rather than the front, because it is against policy to have anyone but officers in the front seat in non-emergency situations.

I arrested Adrian. As I did so, the tow truck arrived. Jackson handled the impound of the Bueller. We transported Adrian to the station for booking. Later, during our inventory search of the car, I found a business card of a swimming scout from the University of Los Angeles under the driver's seat and a cell phone in the center console. I later learned the cell phone belonged to Adrian Vega. Due to a technical glitch, no messages or numbers could be retrieved from the phone. The Bueller was dusted for prints, but none of them were usable.

The day after the arrest I was able to take a statement from the victim, Cameron Douglas, at the hospital. Cameron stated that Cameron thought the driver of the vehicle was Adrian Vega and identified the car as a black Bueller. Cameron also mentioned seeing Adrian speeding and driving recklessly through the city on numerous occasions prior to the accident.

A few days after the arrest, one of Adrian's friends, Aubrey, came forward with information about Adrian. Aubrey was nearly positive that before Adrian and Toni left school, Toni was standing by the closed door on the driver's side of the Bueller.

My partner for seven years, Officer Jackson, is in the Army Reserves and was called up to duty.

WITNESS STATEMENT—Prosecution Witness: Tony De Luca

My name is Toni De Luca and I am 18 years old. I am originally from Treviso, Italy. I have studied the English language since I was a child. I always get complimented because I can speak it without an Italian accent; I think it's because I watch a lot of American TV.

I came to the United States as a foreign exchange student in July of 2010. I came here because it's always been my dream to swim competitively for a university in America. My dream school is the University of Los Angeles. Its swim team is ranked number one on the West Coast. My main goal is to one day compete in the Olympics.

Swimming is a passion of mine, and I really feel I can be more successful here than back home. My parents have many contacts in the United States and made arrangements for me to live with the Vega family. The Vega family was generous to allow me to live in its guest house since July of last year. I would do anything to reach my goal, but I would never jeopardize my chances of going to school; I want to make my family proud of me.

I came to New Prague High School because of its swimming program. I soon became one of the fastest swimmers on the team. The coach has always been impressed with me.

Adrian is one of my teammates and is the only child of the Vega family. We're friends — we go to school and swim in our free time together. We both want to swim on the team at the University of Los Angeles.

The night that we won the State Championship qualifying meet, Adrian had the opportunity to speak with one of the scouts from the University of Los Angeles. Adrian began to act as if no one else on the team had any talent. It was off-putting, but I put up with it the best that I could for as long as I could. I want to say I was happy for Adrian, but it's hard because I've been working just as hard all year to get the attention of that scout. I guess Adrian is the star and, after all, the child of the mayor. It's so unfair.

I told Adrian that we had to go home because I had to get some sleep before volunteering at the hospital the next morning. Adrian was proud and extremely boastful to others at the gathering in front of the high school. I heard Adrian talking a lot about meeting the University of Los Angeles scout. As soon as we got in the car, Adrian could not stop texting while driving the Bueller, most likely bragging to everyone Adrian knew. I thought Adrian was being reckless because of all the sharp turns. I told Adrian to stop texting, but Adrian just wouldn't stop.

Adrian kept talking about Adrian's own swim times. I couldn't stand listening to all of Adrian's self-centered comments and became annoyed. I tried to drown Adrian's voice out. I wanted to call my parents to tell them we had won the meet, but my phone was dead. The only thing that could save me from all of Adrian's talking was my MP3 player. I put my headphones on and closed my eyes to rest for a little bit.

All of a sudden, I felt a large bump and opened my eyes. I was worried, fearing that Adrian had hit something. I couldn't tell if there was anything in front of us and asked Adrian what had happened. Adrian immediately told me that we didn't hit anything and continued driving home. We both started arguing because I could have sworn we hit something, but Adrian told me that there were a lot of bumps on the road and that I was crazy for thinking that we struck something.

By the time we got home, I was so sick of being around Adrian that I left to the guest house to get some sleep. A little while later, I heard what sounded like a police radio in front of the house and saw blue and red lights flashing in my window. I went outside to check it out.

When I saw the police outside, I told Officer Wright about all of the events from that night. I guess Adrian wasn't around to talk them, but I had no idea why. I figured that Adrian had gone to one of our teammate's parties. Adrian is always hanging out with them.

After talking to Officer Wright, I told the officer I was very tired. Wright told me I could go back inside if I wanted, but that Wright may need to talk to me again later. I went back inside and fell fast asleep.

Just for the record, I was not driving the car the night of the accident. In fact I have never driven the Bueller. I do not have a Minnesota driver's license, but I do have a valid driver's license from Italy. I'm familiar with basic traffic laws. I have driven a couple of my friends cars here in the U.S and I'm a very safe driver.

WITNESS STATEMENT—Prosecution Witness: Quinn Liu

My name is Quinn Liu. I am 47 years old. I have worked as a general manager for Global Union Bank for the past 20 years, and I am a parent to three grown children. I've lived in New Prague for the past 20 years.

I have seen that bicyclist, Cameron, around town several times. Cameron is a nice person; we talked a few times. I really do admire that kind of devotion to a sport, you know. It must not be easy training so hard all of the time. I know I couldn't do it.

I live on the east side of Grand Avenue where it intersects with Skyline Drive. I was standing on my front steps smoking a cigarette, as my spouse does not allow any smoking inside the house.

That night, I saw Cameron was almost over halfway through the intersection toward the northeast corner of Skyline and Grand. I saw that there was a light strapped to Cameron's helmet, which I think you call a headlamp. I could see the light was on. To my shock, the black car just raced by the stop sign. I yelled, "Look out!"

Cameron didn't hear me. I knew that there was no way that poor soul was going to make it across the street. I watched helplessly as the black car caught Cameron with its left front bumper. I just saw the body fly through the air and land on the street.

The car did seem to slow down for a second, and I wondered if it was going to stop. But it didn't. I tried to get a good look at the driver. All I could see was the driver's white T-shirt, cardinal and gold baseball cap, and the glow of a cell phone screen. It was a little hard to see that night. I have good vision, but it was dark and really cloudy. Plus, some of the street lights were not working. I'm kicking myself for not being able to see the driver's face more clearly. As the car sped away, I trained my eyes on the license plate and began to recite to myself the letters and numbers I could make out. I could only remember SLC86.

I ran to Cameron and saw that Cameron was breathing. I yelled, "Can you hear me!?" The poor kid didn't respond; the whole body was limp. I ran to my house. As I did so, I saw one of my neighbors, Dallas. I shouted that I was going to call 911.

When I was inside my house, I scribbled down what I remembered from the license plate and called 911. I'm not going to lie and say I wasn't panicking, because I was. However, I managed to pull myself together and find a blanket. I ran back outside to put the blanket on Cameron and wait for an ambulance and the cops. Dallas was already at Cameron's side.

WITNESS STATEMENT—Prosecution Witness: Cameron Douglas

My name is Cameron Douglas, and I am 30 years old. For the past 12 years, I have competed worldwide in triathlons. I have lived in New Prague for about 10 years. I own the only bike shop in town and have grown to know many of my customers. One is Aubrey Fox, a friend of Adrian's from what Aubrey told me in the shop. I also am a member of the city's bike club, and I have read in the local paper that one of the members, Taylor Berard, is Adrian's swim coach.

I remember everything from the night of the accident. I was on my bike that night after closing up the shop. I prefer to bike at night because of the cooler weather. Because some of the streetlights were out that night, I made sure I was wearing a working headlight. I was listening to my MP3 player and enjoying my ride. As I was halfway through the intersection of Skyline and Grand, I looked up and saw this car racing at me. It was terrifying, but there was nothing I could do to get out of the way. The whole event went by so quickly. I could only see the driver for a split second, but I'm pretty sure it was Adrian. I know what Adrian looks like because I always see Adrian recklessly driving around the neighborhood in that same car.

The car was a black Bueller, and I saw it speed away as I was lying on the ground. One person came up to me for a second and left. Then, another person came and stayed by my side. I tried speaking, but I was in so much pain. I think I said at one point when I was on the ground that Adrian was in the driver's seat. When the Officer Wright came to see me in the hospital after the accident I told the officer I thought Adrian was the driver of the car that hit me.

I always see Adrian speeding and careening through sharp turns around the city in that car with no regard for pedestrians or bicyclists like myself. I actually don't think that this kid has ever been stopped by the police before, but I think that's because Angelica Vega is Adrian's mother. What's more is that the whole city adores Adrian for being the high school swim team's star. If you ask me, I think the special treatment should be put to an end.

I never voted for Mayor Vega, you know. She has never implemented any legislation that provided bikers, like myself, with bike lanes throughout the city. For the past 10 years or so, I have been an incredibly active advocate for bikers' rights. Before Mayor Vega was voted into office, I was working with the previous mayor to create a plan to make bike lanes throughout the city. I even worked long hours on that mayor's re-election campaign. I became extremely frustrated to see all that hard work go down the drain when Vega won the election and became mayor. The amount of car accidents involving bicyclists has nearly doubled since she took office in 2008, and Vega has yet to do anything about it. It seems as though biker safety is not a priority for her.

As a result of the accident, I suffered a shattered right knee, a cracked collarbone, many serious abrasions, and a moderate concussion. Although I might look all right, the doctors confirmed that I will never compete in triathlons anymore, as my right knee is permanently damaged.

WITNESS STATEMENT—Defense Witness: Adrian Vega

My name is Adrian Vega and I am 18 years old. I am a senior at New Prague High. I am on the New Prague Highlanders Swim Team. Swimming is my life. I practice hard every day and dream of getting a scholarship to compete at the university level. My dream school is the University of Los Angeles. Both of my parents went there and both were swimmers, so I'm hoping to continue the tradition.

On the night of April 19, the State Championship qualifying meet was hosted at New Prague High. It was an even more important meet because everyone knew that a scout for the University of Los Angeles would be there. Everyone on the team was trying to get the scout's attention, especially Toni. You could say that we were competitive with each other. I think Toni's a great swimmer; I just think that I have more experience and skill. Regardless, it was obvious that we were both trying to shine throughout the meet to get that scout's attention.

Our team won the most races that night. It was such an amazing feeling. What made it even better was that the scout for the University of Los Angeles approached me after the meet and told me that I had solid talent. I was given a business card with the scout's personal line and a cardinal and gold baseball cap with the school's logo. I was ecstatic, but I couldn't say the same for Toni. Toni had been trying to get the attention of the scout for the entire season but unfortunately didn't.

Toni and I left the meet together. Toni drove my car because I was just too excited to drive. I was in a good mood. I kept texting my parents and friends about my meeting with the scout. We only live about five miles from New Prague High, off of Skyline Drive, so I figured it was OK for Toni to drive the Bueller. The car has a manual transmission. Looking back, I feel stupid about letting Toni drive my car. My dad doesn't let anyone but me drive that car, and he gave me explicit instructions not to let anyone else drive it. It's a vintage model and worth a lot of money. It was a huge mistake on my part.

I soon realized that Toni was driving too fast. I was worried because

Skyline is a really twisty road. My good mood went away. I figured that Toni must have been a little upset and just wanted to go home quickly or something. I tried to break the awkward silence by talking about the meet and about how Toni may be able to speak with the scout in the future. All of a sudden, Toni snatched my hat and put it on, saying how I didn't look good in the school colors. I was annoyed. Toni kept talking about how I didn't even perform well during the meet and didn't understand why the scout went up to me. I was not about to argue so I just kept texting, just trying to block all that negativity out. Then Toni grabbed my phone and started pushing random buttons, mocking me about how I'm so attached to my phone and how I don't listen to anyone. By this time, I was upset and tried to get it back.

Before I knew it, I heard this loud crash in front of the car. It all happened so fast, I wasn't able to make out anything in front of the car. Also, the street seemed a little dark, like the street lights weren't all working or something. I asked Toni if we hit something, but Toni just said nothing.

I demanded that we stop, but Toni just kept going. After about a minute, I finally made Toni stop somewhere on Skyline but north of Grand. We switched places, and I grabbed my hat back. I do not know exactly where we pulled over. When we got home, I parked the car hastily and might have parked it kind of crooked; I was in a hurry to get away from Toni. Toni just went straight to the guest house behind our main house, not saying a word to me. I looked at the scratches on the bumper of the car and started panicking because it looked like we did hit something. I didn't know what to do. My parents were gone for the weekend and left me in charge of everything. I knew they would be furious.

I had to get myself together, so I took a quick walk to collect my thoughts. Somewhere along the street, I

noticed my keys were missing. They must have fallen out of my pocket. I was trying to retrace my steps to find them. That's when I saw the police at my house.

One of the officers, Officer Wright, told me they were investigating an accident from that evening. Wright started asking me questions about what I did that evening. I told the officer everything stated above about swimming in the meet, Toni's driving, our arguing, the loud crash, and then switching places before coming home. I told Wright about wanting to clear my head by taking a walk. I was tired and cold from the meet and my walk so all I wanted to do find my keys and go to sleep.

I complained about the cold night air, and the officer suggested that I sit in the back seat of the cruiser, so I did. I talked to the officer for a few minutes about swim team. I could see the front yard while sitting there in the backseat. I could see the other officer there, the only other one besides Officer Wright. He had a towering frame. I would guess six foot four or five — and big, too, like a wrestler. I noticed that the officer kept staring at me, too, which made me so uncomfortable. I was scared, actually. I remember thinking, I wouldn't want to get on that officer's bad side. I wondered if they were going to let me go home that night.

Before I knew it, I was under arrest and in a cell at the station. I had to call my coach to bail me out. Do you know how embarrassing that is? I said it before and I'll say it again: I didn't do anything wrong, Toni was driving.

WITNESS STATEMENT—Defense Witness: Dallas Decamp

My name is Dallas Decamp and I'm 20 years old. I am a sophomore at the University of Los Angeles, majoring in political science.

I live near the intersection of Skyline and Grand. On the night of the accident, I had just come home from watching a movie with my friends. I parked my car in my driveway. When I closed the door of my car, I happened to look up at the intersection of Skyline and Grand. I saw the bicyclist looking down, listening to an MP3 player on white headphones, like "earbuds." I could see the cyclist was wearing a headlamp attached to a helmet. I heard Quinn, my next-door neighbor, yell "Look out!" Unfortunately, the bicyclist didn't hear and was hit by a fast-moving car.

Everything went by so fast. I saw the bicyclist hit the pavement. I also thought I saw the vehicle slow down a bit, but the brake lights never came on. It just continued really fast down Skyline and disappeared. I would say 35 to 40 miles per hour, but the speed-limit signs on Skyline all say 25 miles per hour. And there's a stop sign there, too.

I stood there almost in disbelief and saw Quinn race to the bicyclist and stay for a moment. The next thing I knew, Quinn ran back into the house, saw me, and shouted something about calling 911. My instinct kicked in and told me to run across Quinn's lawn to the bicyclist. I remained by the victim's side until the ambulance and police showed up. I felt so horrible for the victim, who just looked dazed and in pain. The victim never said a word to me about who drove the car. I could see the person was really hurt and in a lot of pain. Lots of mumbling but nothing I could understand. I just told the victim to stay still because help was on its way.

I was interviewed by two police officers. I felt kind of bad that I didn't see the car's license plate. All I told them was that the car was a black Bueller GT. I know a thing or two about cars, and even though it was dark, I could tell very clearly from the detail of the side molding that the Bueller was a vintage model, probably from the early 1960s.

The police gave me a quick interview that night, but never called back. The interview was brief. I later called the station twice and tried to talk to the officers but never got a response. This is exactly the issue that the city is worried about, that the police aren't doing enough about these teenagers' reckless driving. People are getting hurt and there seems to be a minimal effort, if that, on their part.

WITNESS STATEMENT—Defense Witness: Aubrey Fox

My name is Aubrey Fox and I'm 18 years old. I go to New Prague High School and I am a member of the swim team I'll be attending the University of Maryland (Go Terps!) in the coming fall on a swimming scholarship. I've known Adrian since we were 5 years old. We've swum together for years.

On the night of Thursday, April 19, I was celebrating with the student body about our swim team's win at the State Championship qualifying meet. There were so many people everywhere and so much noise, too. There were streamers, loud music; it was chaos. You know, a lot of the residents in New Prague complain about the rowdiness that occurs at these celebrations, and I don't really blame them.

I had been looking for Adrian and Toni because I had invited both of them to my house to celebrate the win. I then saw them by Adrian's car. They were approximately 50 feet away. Toni was standing right next to the closed driver's side door. It looked to me like Toni was going to drive Adrian's car home. I noticed Toni was wearing a light blue shirt. Toni had been scowling most of the night and still appeared to be rather upset. I'm guessing it was jealousy over the scout's talking to Adrian; it didn't look to me like Toni was in the mood to celebrate. I was taken by surprise that Adrian would let anyone else drive the Bueller. Adrian had told me that if anyone else drove it, then Mr. Vega, Adrian's father, would flip out. I was distracted by a friend for a few minutes and when I looked up again, Toni and Adrian were gone.

Toni is a terrible driver, by the way. One day earlier this season, Toni drove one of our teammate's cars to a nearby school for a swim meet. Toni wanted to prove to everyone that driving in the United States was easier than driving in Italy. Four people, including Toni and myself, were in the car. We almost got into a serious car accident because Toni has a habit of running stop signs. I will never get into a car with Toni driving ever again. If I go anywhere with Toni, I make sure someone else like Adrian is driving.

On the swim team, Adrian has a reputation for honesty and good sportsmanship. Adrian is someone who I trust very much. It surprises me that Adrian is caught up in this situation where a bicyclist got injured.

I bike frequently, and my parents always tell me to be careful of vehicles. I frequently go to the bike shop in town to conduct the proper maintenance of my bike. Every time I go to the shop, I always strike up a conversation with the store owner, Cameron Douglas. Cameron is part of a local bike club. I see them riding around all over town. Cameron is an activist for bikers' rights and is always criticizing the mayor for not being sensitive to the needs of bikers in the city. During one conversation between both of us, Cameron told me that Cameron would do absolutely anything to get the mayor out of office. New Prague seems to be a nice place for bicycling already; sometimes I think that Cameron gets carried away.

WITNESS STATEMENT—Defense Witness: Taylor Berard

My name is Taylor Berard and I am 34 years old. I am currently attending graduate school to obtain my master's degree in public policy. I also work as a private swim coach for young athletes like Adrian. I have been Adrian's coach for the past five years. I have competed on the United States Swim Team in the Olympics and received a bronze medal.

Adrian has shown great progress over the past few years. The fact that the University of Los Angeles wants Adrian on its swim team further solidifies Adrian's potential. I plan to get Adrian ready for the 2020 Olympics.

Adrian is not only a promising athlete, but a responsible kid. I can remember one time when I drove us to a tri-city swim meet. Without thinking, I pulled out my cell phone and began texting my friend who was at the meet that Adrian and I were on our way. Immediately, Adrian became upset and told me to put my phone away. Adrian told me that Adrian's parents always warned Adrian about the dangers of distracted driving and that Adrian took their advice very seriously. I was really impressed with how mature Adrian was.

I happen to know Cameron Douglas personally. Not only do I frequent the shop that Cameron owns, but we are also members of the same bike club. Cameron is very passionate about bikers' rights and at every meeting that we have, Cameron has something negative to say about Mayor Vega. At our most recent meeting, Cameron ranted to me about how our club should conduct a large protest by taking over the lanes of Grand Avenue. Cameron said that drastic measures needed to be taken so that Mayor Vega would take bikers' rights seriously. If you ask me, it was a bit much.

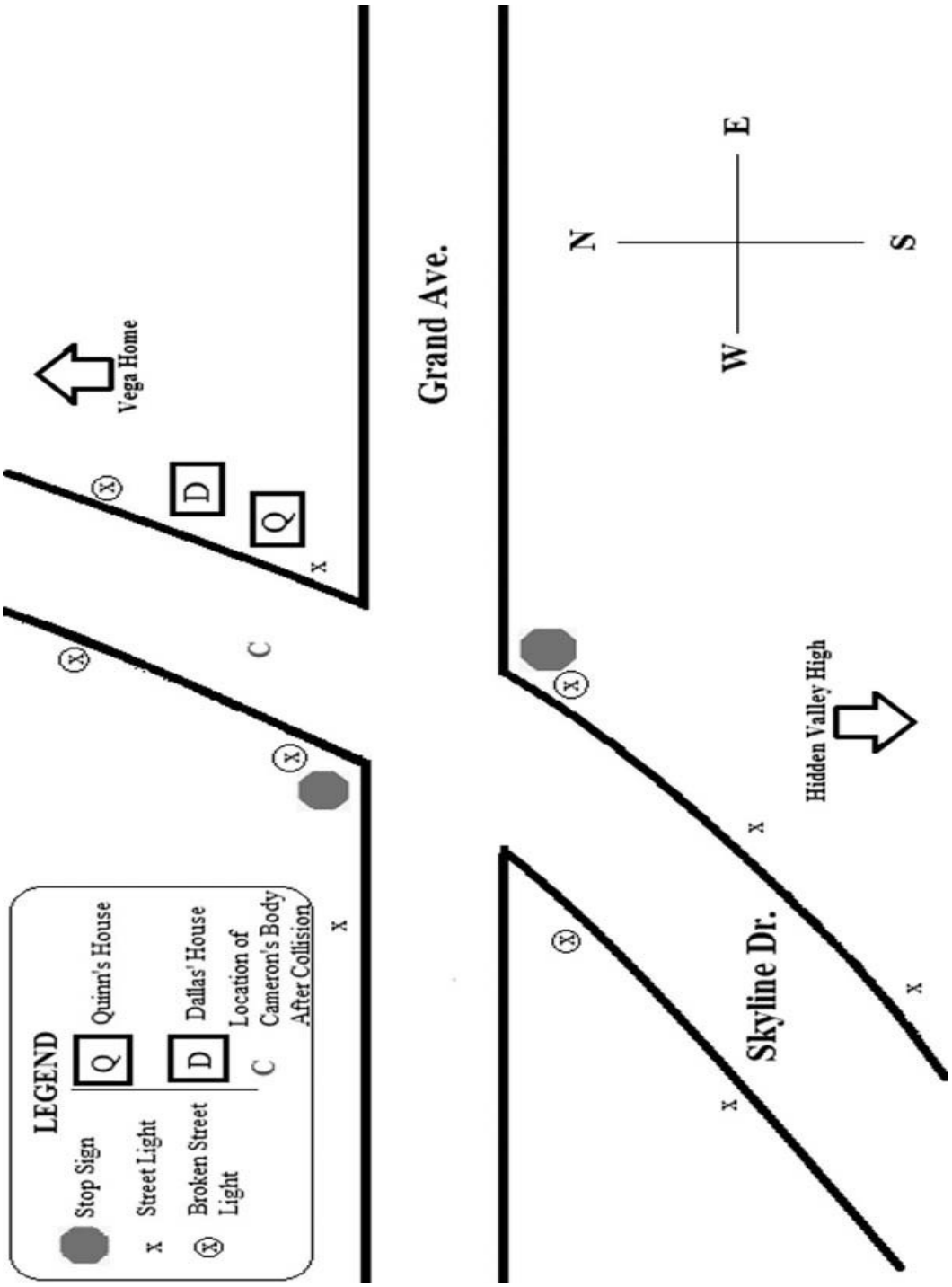
There's no need for such drama when a simple petition will do.

PHYSICAL EVIDENCE

Only the following physical evidence may be introduced at trial. The prosecution is responsible for bringing:

1. A faithful reproduction of Exhibit A, a diagram of the accident scene.

EXHIBIT A
DIAGRAM OF THE ACCIDENT SCENE



CREDITS

Materials adapted from People v. Vega
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