



NMMCPD
CRIMINAL INVESTIGATION DIVISION

Week 3 Worksheet:
Artistotelian Logic and
Writing a Legal Argument

CASE# 1775-01-2020





Suspect Apprehended: Sheryl the Crow

After a thorough investigation conducted by the NMMCPD, Sheryl the Crow was arrested by detectives Frank Gilbert and Vernice Petersen and arraigned in JAG Court. She will appear in court during week 4.

Witness Selection by Prosecution

The prosecution has selected its witnesses to appear in court during the trial of Sheryl the Crow for the theft of the Pierre the Pigeon statue.



Caleb the Coyote

Quantico Cafe Customer; Claims to have seen defendant on 7 June



Lindsay the Lion

Window Washer; Claims that Miranda Drake's window was left open on 6 June with scratch marks



Brian the Bear

Sing Song Prison Telephone Operator; Has audio recording between Sheryl and Edward the Eagle



Aristotle was a Greek philosopher who lived from 384-322 BC. He is considered one of the three (Socrates and Plato being the other two) greatest Greek philosophers. Socrates was Plato's teacher, who in turn taught Aristotle. Aristotle was the tutor to Alexander the Great, who would conquer the Middle East in (beginning in 334 BC) spreading the teachings of Western Philosophy.



Aristotle developed a form of logic called *sentential* logic because it uses sentences for the *sylogism*.

(Sylogism: is a deductive argument consisting of a major and minor premise and a conclusion. A typical form is "All A is C; all B is A; therefore all B is C."

For example: All Mammals are Animals; All Dogs are Mammals; therefore All Dogs are Animals.)

Aristotle recognized 4 kinds of quantified sentences, each of which contain a subject (major premise) and a predicate (minor premise):

Universal Affirmative: Every A is a C.

Universal Negative: No A is a C.

Particular Affirmative: Some A is a C.

Particular Negative: Not every A is a C.

There are various ways to combine such sentences into syllogisms, both valid and invalid. How do we use this logic with our case against Sheryl the Crow?

We are going to use the logic that because Sheryl was at the museum at the same time as the statue AND the same time of the theft, she is the thief.

1. The statue (A) was in the museum (C).
2. Sheryl (B) was in the museum (C) at the time of the crime.
3. Therefore, Sheryl (B) stole the statue (C).



What is a "Case Theory?"

- A “Case Theory” is the blueprint from which you will construct your case. It includes making decisions on which witnesses to call, what questions to ask, and what evidence to present!
- Keep the strengths and weaknesses of your case in mind when working on your theory! You want to be able to present strengths that will outweigh the weaknesses of your case BUT you want to be selective when choosing what to say: Don't present so much information that the jury will become confused!

Things to Keep in Mind

- **The Factual Narrative:** You want to outline what happened before, during and after the events that your case is focused on! Remember: Who, What, When, Where, Why, and How!
- **Identify the Key Facts:** You don't want to overwhelm a jury with too much information, so make sure you include the facts that are relevant to the factual narrative! For example, if a crime happened at a hamburger restaurant, you aren't going to talk about the type of hamburger the criminal ate before committing his crime UNLESS it ties into a fact or piece of evidence!
- **Motives:** Why did someone commit a certain act? This is very important when it comes to applying evidence to the facts and showing that there was a reason that something happened. It could be the lynchpin of our whole case!
- **The Law:** Make sure you are working within the bounds of the rules laid out by the law, and also make sure that what you are presenting is furthering your argument about a certain law. If someone is on trial for theft, for example, make sure to know what defines theft and what evidence you have to support a finding that someone committed it!
- **Emotions:** This can also be called the storytelling element of a case. Getting your jury emotionally involved helps make your argument more credible.
- **Weaknesses:** Know the weaknesses of your case and try to come up with arguments against them. If you can't completely get rid of them, try to find ways to make your weaknesses seem less important than your strengths!
- **The Opponents Case:** There is always another side in a trial, so try to think about what the opponent might say or how they might counter you. Remember: If you know your enemy and know yourself, you do not need to be afraid of what they're going to do!
- **Short Summary:** Make sure that you can quickly and efficiently describe your case. You DO want a long and detailed case, but you also want to be able to summarize it in order to wrap up your presentation. Again, pay attention to who, what, when, where, why, and how.

Writing a Legal Argument

Week 3 Worksheet



In week 2's **Physical Evidence** worksheet, you should now have all of the evidence against Sheryl written out. You will need that chart to help you write your theory of the case. Here are some major questions to help you:

1. Where was the statue? _____
2. How do we know that Sheryl was at the museum? _____

3. How do we know that Sheryl was near the statue at the museum? _____

4. Why do we think that Sheryl was the one that stole the statue? _____

5. How does the evidence we have clear the other suspects? _____

Write your theory for the case. A case theory is a detailed account or story of what occurred. What do you want the judge and jury to know about this case? Write a complete paragraph summarizing the crime. How did Sheryl do it? When did she do it? Why did she do it?
