**Podcast D ( 5 minutes)**

**Podcast following Lesson 7 (after students have written notes and discussed the law and the case)**

Oh Susanna music in the background…

Thomas: He kidnapped my family….that Cut Eye guy kidnapped my family!

Aunt Arabella: Children, please, listen up! Praiseworthy is calling a family meeting. Jack and Thomas, please go over and invite Mrs. Clapp to join us. He wants us all to meet right away.

Constance: I will wake up Sarah; she didn’t get a very good night’s sleep. She kept tossing and turning…and kicking me!

Aunt Arabella: I don’t think any of us slept well last night, Constance. This is all very upsetting.

Sarah: I’m not asleep – and I didn’t kick you, Constance!

Praiseworthy: Hello – I’m back from the office.

Aunt Arabella: Oh, goodness, Praiseworthy, you have been gone almost all night!

Praiseworthy: I needed some good thinking time. But with some help, I think we can make a difference…Oh, hello children, and Mrs. Clapp. Thank you for joining us for the family meeting.

Louisa: Of course. I want to help in anyway I can.

Jack: Praiseworthy, I think I’ve got it…the Jackson’s cannot testify because they are African American, but you can take Cut Eye to court for kidnapping!

Praiseworthy: Jack ~ your thinking is in the right direction, but it is more complicated than that. I am going to need your help!

Thomas: What can we do? I’m afraid Cuteye will be gone with my family before we can do anything!

Praiseworthy: I have alerted Sheriff Jones, Thomas. He has promised me that he will keep your family safe until this problem is resolved. But he must enforce the laws, as part of the executive branch.

Constance: How will he do that?

Sarah: Did he put that guy Cut Eye in jail?

Jack: I wish it was that easy, Sarah.

Aunt Arabella: He has to be charged with a crime and found guilty before he goes to jail.

Constance: Right, and unless we can prove that the Jackson’s have Free Papers, he hasn’t committed a crime.

Louisa: Praiseworthy, what do you suggest?

Sarah: I say, lock ‘em up!

Praiseworthy: I agree with you Sarah, but the rule of law must be followed. You are good thinkers…what evidence do we need to show that a crime has been committed by Cut Eye Higgins? And what is the crime?

Thomas: He kidnapped my family!

Louisa: And I witnessed the kidnapping.

Jack: Yes, but it isn’t kidnapping, unless we can prove they have Free Papers. And Cut Eye would have to know that the family was free in order to be convicted of kidnapping!

Louisa: I heard Thomas’ father frantically telling that evil character that they had Free Papers, and I SAW the papers torn from his father’s hands by Cut Eye!

Praiseworthy: We will need to work through the judicial branch in order to prove Cut Eye Higgins guilty of kidnapping. Thomas, your family may not testify in court, but I think if we can gather enough hard evidence, we can prove that your family is free and therefore Cut Eye is guilty of kidnapping. We have lots of work to do in a short time, and I need help from all of you.

Sarah: What is kidnapping?

Praiseworthy: Sarah is asking an important question. We have to be careful that our claims, and the evidence we give are very clearly related to the crime. I’m giving all of you the definition of Kidnapping to use as you write your arguments. I’ll read it first, and then give you a copy:

"**Kidnapping**" is moving a victim a substantial distance, using force or fear to do so. You violate **California's kidnapping laws**, found under Penal Code 207, 208, 209 and 209.5 PC, when you move another person a substantial distance without that person's consent.”

Everyone: I’ll help! You bet…we all will work together… we will do it!

Constance: We can all give details and “evidence” as you say Praiseworthy, to help with a strong case in court. I mean, to help with arguments.

Sarah: Jack says I’m good at arguing!

Jack: It is a different kind, Sarah…let’s get to work!

Everyone: Yes, let’s go, I’m ready, you can help me, Sarah. We’re on it!

Praiseworthy: Meet back here with at least three good reasons why Cut Eye is guilty of kidnapping the Jackson family as soon as possible. Be sure to back up your claims with evidence ~ and use the rule of law…remember our Constitution! I’ll work on finding some evidence of the family’s Free Papers.

Oh Susanna music…