

Commonwealth

v.

Kelsey Reed

Commonwealth
v.
Kelsey Reed

BRIEF SUMMARY:

Kelsey Reed is charged with two counts of cyberstalking (Comm. Code §97-45-15). The person Kelsey allegedly stalked via an online, campus-sponsored chat room is Jamie Alaxanian. Reed and Alaxanian are juniors at Maritime University, in Alamagan County, Commonwealth. Both students reside in Seaside Hall, a co-ed dormitory on campus.

TIMELINE:

The timeline is meant to be used as a convenience and should NOT be relied upon over the actual statements 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 statements/chat room discussions, the statements/chat room discussions control.

Monday, October 17

Chat room entry “Jam’s in the window. Exercise all you want, my friend, you won’t be able to run fast enough.” Originated from computer in the University Library.

Thursday, October 20

Chat room entry “Jammin’s been seen wearing school colors all week. Think blood won’t show on those dark colors?” Originated from computer in Seaside Hall.

Student Union Incident No classes. Union relatively empty.

Friday, October 21

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.”

After a 20-min. break “Time is running out, my Jammin friend. Maybe we can meet in the alley?” Both entries originated from computer in Seaside Hall.

Saturday, October 22

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 about pain and suffering?”

After a 7-min. break “Jammin, can you come out of your 2nd floor roost and play?”

Later on the 22nd “The clock is ticking. Time is on my side. Time is running out my friend.”

Chat room entry (Read at campus computer room with police witnesses) “Jam will rot just like Jelly if buried long enough.”

Alaxanian receives email message with no subject line from a campus computer

“FF may lose control at any time ... longs to test your control. How long will you last, my jammin 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.”

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PROSECUTION WITNESSES

Jamie Alaxanian, alleged victim of cyberstalking

Christian Wallace, Jamie Alaxanian's roommate

Bailey Hill, Alamagan County Police Investigator assigned to the case

DEFENSE WITNESSES

Kelsey Reed, alleged cyberstalker

Reese Conrad, Maritime University Professor of Computer Sciences

Morgan Meyers, Maritime University Webmaster and Cyber Angel

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. The indictment is correct and not constitutionally flawed.
5. The witnesses' statements are sworn statements and are deemed authentic.
6. Chat room discussion transcripts are stipulated as an authentic representation of what was on the computer at the time they were seized by authorities.
7. Items included in the chat room discussion transcripts that begin and end with "****" are administrative notes only and were not part of the original "chats."
8. All students named in this mock trial problem have signed the waiver for chat room use.
9. There are no stipulated experts. Any witness offered as an expert must be admitted as an expert for evidentiary purposes.

Commonwealth Code Annotated

§ 97-45-15. “Cyberstalking”; Penalties.

(1) It is unlawful for a person to:

- (a) Use in electronic mail or electronic communication any words or language threatening to inflict bodily harm to any person or to that person’s child, sibling, spouse or dependent, or physical injury to the property of any person, or for the purpose of extorting money or other things of value from any person;
- (b) Electronically mail or electronically communicate to another repeatedly, whether or not conversation ensues, for the purpose of threatening, terrifying or harassing any person;
- (c) Electronically mail or electronically communicate to another and to knowingly make any false statement concerning death, injury, illness, disfigurement, indecent conduct, or criminal conduct of the person electronically mailed or of any member of the person’s family or household with the intent to threaten, terrify or harass; or
- (d) Knowingly permit an electronic communication device under the person’s control to be used for any purpose prohibited by this section.

(2) Whoever commits the offense of cyberstalking shall be punished, upon conviction:

- (a) Except as provided herein, the person is guilty of a felony punishable by imprisonment for not more than two years) or a fine of not more than Five Thousand Dollars (\$5,000), or both.
- (b) If any of the following apply, the person is guilty of a felony punishable by imprisonment for not more than five years or a fine of not more than Ten Thousand Dollars (\$10,000), or both:
 - (i) The offense is in violation of a restraining order and the person has received actual notice of that restraining order or posting the message is in violation of an injunction or preliminary injunction;
 - (ii) The offense is in violation of a condition of probation, a condition of parole, a condition of pretrial release or a condition of release on bond pending appeal;
 - (iii) The offense results in a credible threat being communicated to the victim, a member of the victim’s family, or another individual living in the same household as the victim; or
 - (iv) The person has been previously convicted of violating this section or a substantially similar law of another state, a political subdivision of another state, or of the Commonwealth.

(3) This section does not apply to any peaceable, nonviolent, or nonthreatening activity intended to express political views or to provide lawful information to others. This section shall not be construed to impair any constitutionally protected activity, including speech, protest or assembly.

INDICTMENT CYBERSTALKING
(97-45-15 CCA) COUNTS I & II

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COMMONWEALTH) SUPERIOR COURT DIVISION
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 ALAMAGAN COUNTY)
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10 THE GRAND JURY of Alamagan County, duly elected, empaneled, sworn, and
 11 charged to inquire in and for the said Commonwealth and County, in the
 12 name and by the authority of the Commonwealth, upon their oaths present
 13 that:

14
 15 KELSEY REED

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 17 in said Commonwealth and County, between the 17th day of October, 2016 and
 18 the 24th day of October, 2016, did knowingly without legal justification
 19 cyberstalk Jamie Alaxanian when he/she used in electronic communication,
 20 words or language threatening to inflict bodily harm to Jamie Alaxanian;
 21
 22 and

23
 24 in said Commonwealth and County, between the 17th day of October, 2016 and
 25 the 24th day of October, 2016, did knowingly without legal justification
 26 cyberstalk Jamie Alaxanian when he/she electronically communicated with
 27 another repeatedly, for the purpose of threatening, terrifying or harassing
 28 Jamie Alexanian; in violation of Commonwealth Code Annotated § 97-45-15(1) (a)

1 and 97-45-15(1)(b) (1972) and contrary to the form of the statute in such
2 cases made and provided, and against the peace and dignity of the
3 Commonwealth.

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5 A TRUE BILL:

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9 Devon Rogers, District Attorney

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11 Lynn Perry, Foreperson

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CHARGE: CYBERSTALKING

16-0026

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IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

COMMONWEALTH,) Case No.: 16-0026
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Prosecution,)
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v.)
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KELSEY REED,)
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Defendant.)
_____)

JURY INSTRUCTIONS

- The defendant is charged with the offense of cyberstalking. The defendant has pleaded not guilty.

- The defendant is presumed to be innocent of the charges. This presumption remains with him/her throughout every stage of the trial and during your deliberations on the verdict and is not overcome unless from all the evidence in the case you are convinced beyond a reasonable doubt that he/she is guilty. The Commonwealth has the burden of proving the guilt of the defendant beyond a reasonable doubt, and this burden remains on the Commonwealth throughout the case. The defendant is not required to prove his/her innocence. A reasonable doubt is a doubt based on reason and common sense arising out of some or all of the evidence that has been presented or lack or insufficiency of the evidence. Proof beyond a reasonable doubt is proof that fully satisfies or entirely convinces you of the defendant's guilt.

1 • A person commits the offense of cyberstalking (Count I) when
2 he/she knowingly uses in electronic mail or electronic
3 communication any words or language threatening to inflict bodily
4 harm to any person or to that person's child, sibling, spouse or
5 dependent, or physical injury to the property of any person, or
6 for the purpose of extorting money or other things of value from
7 any person.

8 • To sustain the charge of cyberstalking (Count I), the
9 Commonwealth must prove the following:

- 10 1. The defendant used any words or language
11 threatening to inflict bodily harm to Jamie Alaxanian; and
- 12 2. The defendant used electronic mail or electronic
13 communication to transmit threat.

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15 If you find from your consideration of all the evidence that each of
16 these elements has been proven beyond a reasonable doubt, you should find the
17 defendant guilty.

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19 If you find from your consideration of all the evidence that any of
20 these elements has not been proven beyond a reasonable doubt, you should find
21 the defendant not guilty.

22 • A person commits the offense of cyberstalking (Count II) when
23 he/she electronically mails or electronically
24 communicates with another repeatedly, whether or not conversation
25 ensues, for the purpose of threatening, terrifying or harassing
26 any person.

27 • To sustain the charge of cyberstalking (Count II), the
28 Commonwealth must prove the following:

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1. The defendant on at least two separate occasions knowingly electronically mailed or electronically communicated with Jamie Alaxanian; and
2. The defendant's purpose was to threaten, terrify, or harass Jamie Alaxanian.

If you find from your consideration of all the evidence that each one of these elements has been proven beyond a reasonable doubt, you should find the defendant guilty.

If you find from your consideration of all the evidence that any one of these elements has not been proven beyond a reasonable doubt, you should find the defendant not guilty.

PROSECUTION WITNESS STATEMENT OF JAMIE ALAXANIAN
(ALLEGED VICTIM OF CYBERSTALKING)

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3 1. My name is Jamie Alaxanian, and I'm currently a junior at Maritime
4 University. I live on campus in Seaside Hall, one of the co-ed dorms on
5 campus. This is my second year living at Seaside Hall. I requested assignment
6 to this residence hall again because I knew so many of the student residents
7 that the place started to feel like home.
8

9 2. I logged onto the campus chat room the university sponsors as part of my
10 class registration. The chat room gives students a chance to discuss courses,
11 homework assignments and things like that. I posted a message asking for the
12 reading assignments for my literature course. I didn't want to fall behind.
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14 3. Prior to signing on for the first time, I had to read and sign the usual
15 release that says that the campus authorities monitor user activity by use of
16 the "red button" scheme to protect students from unsavory activities. When I
17 was in the campus advisor's office to sign up for the service, a couple of
18 other students were in there with me. We all joked about the release; I don't
19 think any of us took it seriously at the time. I didn't think signing the
20 release as really being a deterrent if someone wanted to hack or bend the
21 rules.
22

23 4. I hadn't used the chat room all that much until late September or early
24 October. I know it was on a Friday. The campus pretty much clears out on
25 Fridays, so I gave it a shot and asked if anyone had the assignment for my
26 English 301 class. I got an almost instant response to my request for the
27 homework assignment from another student in class. It seemed funny that we'd
28 been told not to reveal our actual names, address, telephone numbers or other

1 personal information. I thought at the time that the small campus was full of
2 friendly folks all concentrating on their educations and having a good time at
3 college.

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

11
12 6. I was in a class with Kelsey Reed during our sophomore year. It was a class
13 on psychology, and the professor was using quite a bit of literature as a way
14 to help us understand various psychological problems and profiles. It was a
15 fun class, but I remember that Kelsey was frustrated because none of the
16 literary situations created really challenging psychological profiles. Kelsey
17 asked to do some extra-credit reading and did a report on Jack the Ripper. It
18 was a painful report to listen to, and I guess I was a bit more sensitive than
19 some. Kelsey's report almost made me ill. It was very graphic. Kelsey seemed
20 to enjoy the class's discomfort with some of the descriptions and photographic
21 materials that were circulated during the report. I asked the professor if I
22 could be excused in the middle of the report; I was that upset. I was given
23 permission to leave, but had to explain to the professor in the hallway why I
24 was so upset. The professor understood, and I left, called home and discussed
25 the report with my parents. I felt better after speaking with them.

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27 7. I think it was about two months after I'd signed up to use the chat room
28 and about a week after the student union incident where I'd avoided Kelsey

1 Reed, that I noticed some references to my nickname, which is Jam. Some kids
2 in the dorm call me "the Jam" because my dorm room is so messy that the door
3 sometimes jams up against something ... and my real name is Jamie, so it sort
4 of fits. My chat room and email user names are both the same, Jammin@Maritime
5 and Jammin@Maritime.edu. In hindsight, I should have been much more careful in
6 choosing user names and email addresses. Better to be as anonymous as possible
7 on the Internet. My password is, or was, JACHAT. This has changed now.

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

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21 9. There were some other messages on the board that same day, and the
22 discussion was about a campus hazing that had taken place at a high school a
23 few weeks ago. Some kids had been pretty badly beat up and suffered some
24 extreme indignities, to say the least. There are no sororities or fraternities
25 allowed at Maritime, so there's never been a problem with that kind of social
26 rite of passage, so to speak.

27 10. We both saw the statement; "Jammin's been seen wearing school colors all
28 week. Think blood won't show on those dark colors?" Christian and I both

1 thought that this line in particular was directed at me because I had been
2 wearing school colors all week. I have a part time job at the University
3 Union, and we were promoting t-shirts, sweatshirts and other university logo
4 clothes and items. All of the student employees had been given an assortment
5 of stuff from the union store to wear as a sales promotion.
6

7 11. Christian and I were both convinced that someone using the chat room knew
8 that I was Jammin@Maritime and was trying to prank me somehow. I first thought
9 someone was just trying to get my attention, but some of the other lines
10 started to really get to me, and I started having trouble sleeping and would
11 constantly look over my shoulder wherever I went. Christian and I started
12 going places together or not going out at all. This made going to class for a
13 week or so a little difficult, but we worked it out between us so that neither
14 of us would be alone walking on campus.
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16 12. Even though we were careful, we kept visiting the chat room. We felt like
17 sleuths looking for some additional evidence, to determine for sure if someone
18 was earmarking me for trouble, or threats or something. We were drawn to it,
19 even though it was freaking us out. It really never occurred to either of us
20 that we should press the panic button that the university offers as a
21 safeguard. I can't say why. We sure got to the point that we were close to
22 panic.
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24 13. On October 21, 2016, a Friday, there was a flurry of chatter about a
25 course on campus that was talking about terrorism and the law. It's a
26 government and current events course, in the political science field. There
27 was plenty of discussion on freedom of speech and September 11, and
28

1 individual rights. Nothing too frightening, it was a good discussion
2 actually.

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4 14. But then we saw another reference to "Jam." "Anticipation is what it's
5 all about, and building fear. You never know when you'll be forced to face
6 your greatest fear ... suffocation, torture, painful prolonged death." And it
7 started up again with, "Time is running out, my Jammin friend. Maybe we can
8 meet in the alley?"

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10 15. Christian and I saw it at the same time, and Christian said that maybe
11 we should notify someone on campus about the series of postings that were
12 mentioning me. I said I'd think about it. I guess I was trying to talk
13 myself out of being afraid. But the next day, on the 22nd, a Saturday, when
14 campus was really empty, there were two more postings.

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

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

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25 18. About ten minutes later my computer indicated I'd received an incoming
26 email with the subject line blank. I usually just delete these without
27 opening them, fear of virus problems, but I opened it. The message was from
28 user@MaritimeULib, which meant it was from one of the campus library

1 computers where you can either sign on with your student I.D. or as a general
2 student, using the user@MaritimeULib and then the password "student."
3 It's anonymous, so far as I can tell. Anyhow, the message said, "FF may
4 lose control at any time ... longs to test your control. How long will you
5 last, my jammin friend? If you're afraid, you better stay locked up in your
6 2nd floor roost and not go out to play. You could be sorry. You could be
7 dead." Someone had figured out that all you had to do to Jammin@Maritime
8 was add a dot and then "edu" to turn it into my email address.

9

10 19. And then we totally freaked. Christian and I turned off the computer and
11 locked the dorm room on our way out and went right to the campus police
12 station to report on what we'd been seeing. Campus police called the Alamagan
13 County authorities, and they all met with Christian and I and with other
14 campus officials who got involved. That's when I learned how high-tech the
15 campus computer system was. Every chat room discussion had been captured,
16 fully, and was stored on disks in the security offices. They had access to
17 every chat room discussion thread and all they had to do was search for "Jam"
18 and "Jammin" or other variations, and they found some vague references I
19 hadn't even seen.

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21 20. The campus police and other university personnel asked if I had any
22 idea who might be targeting me, and I said I thought of one person, but
23 really didn't want to say because I wasn't at all sure. I was relieved when
24 their investigations lead them to Kelsey Reed. I just don't know why
25 Kelsey chose me as a target for the stalking, which is what it really was.
26 Stalking.

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1 21. Once the police became involved, there were only two more references
2 to me in chat room discussions, neither was as threatening as the first,
3 but they still crossed the line and are included in the complaint against
4 Kelsey Reed.

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6 22. One appeared on Sunday, October 23, and referred to "Jam" and "Jammin,"
7 and included mention of my English homework. It was then I remembered that
8 I'd asked for the homework assignment for English 301. It must have been
9 pretty easy for Kelsey Reed to figure out that Jammin@Maritime was Jamie in
10 English 301.

11
12 23. The message that appeared on October 20 was probably what convinced me
13 that Kelsey was, in fact, the person behind all the threatening chat room
14 messages. I'd seen Kelsey in the student union, and I had made a point of
15 turning and walking in a different direction. I'm absolutely positive Kelsey
16 and the friends that were there with Kelsey all saw me avoid them, and I
17 have to say I wasn't all that subtle about it. Christian was with me, and I
18 actually grabbed his/her arm and dragged him/her down a side hallway. I also
19 know that they saw us make that move because we stopped and looked back and
20 saw Kelsey laughing and pointing at us. That's when Kelsey said, and we both
21 heard it perfectly, "There goes Jammin@Maritime, The Jam," and when Kelsey
22 said "The Jam," he/she made that little quotation mark sign with his/her
23 hands and laughed a pretty scary laugh.

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26 24. Another proof, sort of, that it was Kelsey Reed who was posting all those
27 messages in the chat room is that they stopped right after Kelsey was
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1 arrested. During the whole investigation, we were told to keep on using the
2 chat room and not discuss the investigation with anyone.

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~~*Jamie Alaxanian*~~ ~~*Jamie Alaxanian*~~

PROSECUTION WITNESS STATEMENT
CHRISTIAN WALLACE, JAMIE ALAXANIAN'S ROOMMATE

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1. My name is Christian Wallace, and I'm Jamie Alaxanian's roommate at Maritime University. Our dormitory room is on the second floor of Seaside Hall. Kelsey Reed also lives at Seaside Hall. All of us are juniors at Maritime, and we all knew each other. That is, Jamie and I knew each other well as we're from the same high school, but we knew Kelsey Reed only in passing.

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

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

1 4. I keep a pretty accurate calendar of where I'm supposed to be and when,
2 because when I get too busy, I sometimes forget stuff. The calendar came in
3 handy when we reported the chat room threats to the authorities because we,
4 Jamie and I, were able to confirm 100% that the discussions took place on the
5 dates they did. My calendar jived with the printouts that the computer gurus
6 were able to retrieve.

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

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12 6. I remember that Jamie got real freaked out after seeing "Jam" and "Jammin"
13 appear in some of those ugly messages. I know if I'd seen my name attached to
14 those threats, I'd have gone through the same or worse emotions that Jamie
15 suffered. Jamie pretty much stopped opening the curtains in the morning,
16 answering the phone or taking walks. And Jamie's behavior was catching,
17 especially since I'd read the messages as well. All that talk of torture can
18 really dig in and sort of fester in your mind. Jamie and I decided that we'd
19 hang pretty close together and make sure that Jamie wasn't alone. Ever. And we
20 were doing that when the additional messages came on the message board.

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

26
27 8. Anyhow, after about the third mention of "Jam," I started asking Jamie if
28 we shouldn't alert the campus authorities or dial that 9999 campus phone

1 number to let someone know how freaked we were getting. I felt sorry for
2 Jamie. There was a real confused feeling in him/her. I guess it's hard to get
3 someone in trouble. I don't think I'd have minded so much getting someone who
4 was picking on me so awfully in trouble. They deserve whatever comes their
5 way. Eye for an eye, they say.

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

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

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

1 12. I guess we could have put a stop to the whole business if we'd used that
2 panic button early on. Maybe then we would have gotten some sleep, Jamie
3 wouldn't have been so freaked out, and Kelsey Reed would have avoided getting
4 into all this legal trouble.

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

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

17
18 15. It didn't take long after we reported the problem to the campus
19 officials that the computer guys told us that they thought the chat room
20 messages had been sent from a computer inside Seaside Hall. Jamie really
21 freaked and started talking about quitting school, dropping out for a year
22 or two, going home to get a job and letting things settle down. Terrible to
23 let someone get away with threatening someone like that and causing such
24 life changing fears to take over.

25
26 16. Finally, they made an arrest, Kelsey Reed, and the chat room messages
27 referring to Jamie stopped immediately. Guess that sort of proves that
28 Kelsey must have been the one doing all that nasty stuff. What a jerk.

1 17. And now we've heard that Kelsey Reed may be using the defense that
2 someone else is probably using his/her passwords and codes. That's funny.
3 Reed's been using that chat room and must have seen the tags on the ends of
4 his/her comments. I know Kelsey's taking classes in law-enforcement, so why
5 would a student who is so interested in law-enforcement and all that stuff
6 not want to investigate and find out who was adding text? Makes no sense. I'd
7 have been furious if someone started altering my comments, especially if they
8 were turning something allegedly innocent into something dangerously
9 threatening. That's nonsense. Kelsey's supposed to have such a keen mind. Why
10 wasn't it used when the additional lines were seen? I would have thought it
11 would be the kind of challenge Reed would love!

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~~*Christian Wallace*~~ ~~*Christian Wallace*~~

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1 PROSECUTION WITNESS STATEMENT

2 BAILEY HILL, ALAMAGAN COUNTY POLICE INVESTIGATOR ASSIGNED TO THE CASE

3
4 1. My name is Bailey Hill, and I am an Alamagan County Police Investigator
5 assigned to one of the police force's "elite cyber crimes squad," which means
6 I've received special training in computers and online security issues.
7 Officers are allowed to choose which "elite squad" they are interested in and
8 then the force offers extensive training. The fact that we get to choose
9 means that each officer on the force is given special training in his or her
10 area of interest. Goes a long way to boost morale. I also have a degree in
11 computer science from Maritime University. I graduated with honors 10 years
12 ago and went right to the police academy. I served 4 years in the Navy as a
13 computer technician on board the U.S.S. Reliant. This is my 2nd year on the
14 force. I was on duty when Jamie Alaxanian and Christian Wallace arrived at
15 the university security offices. I took the call from the university and went
16 over there to help with the preliminary interviews and investigations.
17

18 2. When I arrived, both of the students were highly agitated and nervous. My
19 first thought was that if we don't get them calmed down, we're not going to
20 get good information from the interviews. So, I set out to calm them down by
21 offering them sodas, sitting with them for a while, introducing myself and
22 generally making them comfortable with the surroundings and the people they'd
23 be speaking with. Even after they relaxed, Jamie kept exhibiting nervous
24 tendencies like hand wringing, twisting and turning in the chair, standing
25 and pacing the floor. Things like that are very telling during the interview
26 process. I'd say that whatever had happened to these two kids, they were
27 taking very seriously, and they were scared.
28

1 3. They mentioned that almost all of the communications had taken place
2 through computer online chat rooms, but that there had been one face-to-face
3 confrontation that had also upset them both. Evidently, Kelsey Reed saw Jamie
4 and Christian in the student union and had targeted them there with some
5 teasing remarks that had made quite a threatening impression on them both.
6

7 4. It is routine for Maritime University campus police and the Alamagan
8 County police department to cooperate fully when something happens on
9 campus or a student has a complaint. We have a long history of cooperation
10 and support for each other's offices and authority. I was called in to take
11 statements, so if a civil or criminal investigation ensued, there would be
12 a proper chain of evidence.
13

14 5. The campus police had already called the computer technical staff to
15 retrieve the chat room conversations that had taken place in the past two or
16 three weeks. We were going to limit the search for the threatening language by
17 asking the students what times they had entered and exited the chat room.
18 Knowing how efficient the computer staff at Maritime University can be, I knew
19 we'd have the information very quickly.
20

21 6. Christian Wallace had the presence of mind to bring in a calendar that
22 indicated quite a few of the incidents they were questioning. Nice kid.
23 Thoughtful, and I'd be willing to bet Christian Wallace is a good student.
24 Organized.
25

26 7. It's routine in this kind of case to encourage continued chat room use to
27 see if we can draw out the person or persons who are making threats. When we
28 encouraged Jamie to continue utilizing the online chatroom until they could

1 follow the leads, they had to try to identify the sender of the threatening
2 messages, Jamie's fear showed in full force. You could see his/her face go
3 pale and his/her hands tremble. Christian Wallace looked a bit taken aback as
4 well. I suppose they had thought that simply reporting the problem would make
5 it go away. That's not how investigations work though. We sometimes need help
6 to find out the computer that was used, and the passcode of the user.

7
8 8. I am aware that Maritime University has in place monitoring software that
9 automatically alerts security staff when certain words or phrases are used in
10 the chat rooms on campus. It's called the "shark program." I knew we'd need to
11 interview the computer technology staff to see when the discussions took
12 place, which computers were used, etc. This could be a lengthy process.

13
14 9. This past winter, I investigated some child exploitation cases on the
15 Internet. The common denominator was that all three cases originated in chat
16 rooms. I try to encourage parents and teens, and even younger children who
17 are allowed Internet use to always take great care in protecting their
18 confidentiality. In one of the cases I mentioned, I asked the teenager
19 involved if she knew how to research the name and information on the person
20 she'd been chatting with. She felt she didn't need to because she'd been
21 chatting with this person and had asked so many questions. She felt
22 confident she knew the person. What she hadn't thought of was that person
23 might be lying. I asked her if she had given out any personal information,
24 and she said she hadn't. But then I asked if she'd ever mentioned her high
25 school name. She said yes. I asked if she'd indicated her gender, and she
26 admitted she had. I asked if she'd ever mentioned what year she was in
27 school. She said she had. I then asked one more question. Had she ever
28 mentioned any of her extracurricular activities? Again, she said yes. All

1 these, to her, seemed innocent enough. However, when all taken are as a
2 whole, they provide an incredible amount of information for a stalker or
3 other criminally minded individual.

4
5 10. The information the teenager offered could have helped to narrow the
6 search for a target. Think about it. She told this person what high school
7 she went to. That narrows the field, in this case, to less than 800. From the
8 entire world, to 800. Then she said she was a female. That cut the number in
9 half, to approximately 400. She mentioned she was a senior, narrowing the
10 field to about 100, and she also indicated she was a cheerleader, thus
11 narrowing the global field to eight. And, take this into account as well. The
12 high school she attended has a website that displays photographs of team
13 sports and, you guessed right, the cheerleaders. So, if this girl had also
14 mentioned that she was blond, or had long hair, the field would narrow even
15 more. So, even though this girl hadn't given out her name, address,
16 telephone number, email or web information, anyone with enough will could
17 have located her pretty easily with the information she had provided.

18
19 11. After checking the captured computer information available from the
20 University's computer systems analyst and computer tech people, we were able
21 to determine which computers on campus had been used to enter the chat room
22 each time one of the suspect comments was made. All but one time, the
23 computer used was the one located in the Seaside Hall common room on the
24 first floor of that dormitory. That computer sits in a small, rather out of
25 the way room, down a hallway, and you can close the door for complete
26 privacy. It's the perfect place to undertake questionable computer behavior,
27 and think that you couldn't be traced because of the number of students with
28 access.

1 12. The University has in place a "filter" system called "the shark program"
2 that has the capability to capture questionable language and alert monitors to
3 potential problems. However, we've learned through experience that no software
4 program is foolproof. First, it has to be switched on. You have to learn how
5 to maneuver through the data history files to see what's been going on.
6

7 13. By checking user files, sign on dates and times, we were able to discern
8 that the user name and passcode, which students must register when they sign
9 the initial release forms to utilize the chat room, belonged to Kelsey Reed.
10 The username was "Shokwave," which is one of Kelsey Reed's usernames.
11 Shokwave's password is "Crag07." The other registered student username Reed
12 uses is "Fatalflaw2006" with the password "Kelcrag." Both usernames appear on
13 the printouts of the chat room discussions in question. Both were using the
14 Seaside Hall computer. The one message that did not use that particular
15 computer was the first message with a reference to "Jam." That one appeared
16 on October 17 and said "Jam's in the window. Exercise all you want, my
17 friend, you won't be able to run fast enough." That message was posted from a
18 computer in the Maritime University Library, 2nd floor student lounge. The
19 username was "Fatalflaw2006" with the appropriate password "Kelcrag."
20

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

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15. Reed seems to think that his/her username and password from last year, which were "Fatalfaw2006" and "Kelcrag" were found on a textbook he/she sold and are being used by someone trying to get Reed into trouble. We have yet to locate that particular textbook, which Reed says was sold back to the University bookstore. We checked at the University Library to see if this particular textbook had found its way onto the bookshelves and might have been available or accessible for student use, but they don't have that particular textbook in their inventory. They have five duplicate versions, but none have the writing on the cover that Kelsey Reed says should be there. We also checked with the University bookstore. There was no book so marked in its inventory, but that doesn't mean there might not have been at some time. University personnel did indicate that they do not make an effort to clean or erase markings off of used textbooks sold back to the bookstore.

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

~~**Bailey Hill**~~ ~~**Bailey Hill**~~

1 DEFENSE WITNESS STATEMENT

2 KELSEY REED, ALLEGED CYBERSTALKING

3
4 1. My name is Kelsey Reed, and I'm a junior at Maritime University. I live in
5 Seaside Hall, the same dorm where Jamie Alaxanian and Christian Wallace live.
6 I admit, without reservation, that I use the online chat room offered by the
7 University, but I deny any intent to threaten any specific person in the
8 various postings I submitted.
9

10 2. I guess I can see how someone might be unsettled by talk about sleep
11 deprivation and human laboratory experiments to study pain and suffering and
12 hate crimes, but my major is psychology with a minor in law enforcement. I
13 have an honest curiosity about these things that is shared by many in my
14 classes.
15

16 3. I decided on this major because I want to become a psychologist to help
17 post-traumatic stress disorder patients recover from their traumas. I watch
18 quite a bit of television when I'm not doing my homework. The history channel
19 and the news channels often have special programs on virtually every crime
20 that has ever been committed, and they often run stories told by the
21 survivors. I'm incredibly interested in these first-hand accounts of how
22 victims survive, their thought processes, their physical strengths, etc. I
23 mean, if we all knew what it took to survive a terrible situation, they'd be
24 able to train us all to withstand just about any terror we could ever expect
25 to face. I think my research is going to be very useful someday.
26

27 4. I guess that because I'm such a serious student, I am often perceived to
28 be a loner or outsider. I know I'm a bit of an over-achiever and often

1 accept extra credit assignments, especially if they allow me to undertake
2 some individual options in my research. One of my extra credit reports in
3 my psychology in literature class evidently freaked out some of the less
4 challenged students. I don't really understand why. I wasn't exposing any
5 deep dark historical or psychological secret. The schools all teach crime
6 and punishment, and television programs run the same kinds of pictures I
7 showed. One student got up and walked out, obviously shaken. Now that same
8 student is lodging a complaint against me.

9

10 5. The chat room has been a great resource for me, and I vigorously deny
11 improper use. I've often ridiculed the general chat room population, but I've
12 never targeted any individual. The statement that said, "Anticipation is what
13 it's all about, and building fear. You never know when you'll be forced to
14 face your greatest fear ... suffocation, torture, painful prolonged death,"
15 was from me. I had been discussing torture camps with some other students and
16 was responding to a question that someone had asked as we all headed home.
17 It's true. Anticipating something dreadful is often worse than the actual
18 happening, when it finally occurs. Like going to the dentist. You think how
19 awful it's going to be, but then you do it, and it's not all that bad. Fear
20 gets to you and makes you freak. Discussing controversial views should not be
21 illegal, even if someone misinterprets the statements that are made!

22

23 6. I remember writing something like "I admit to being mad, but madness can be
24 a good thing. It gives me direction, focus and an outlet for my aggression."
25 Someone had said that I was nuts in one of my classes. I prefer the word
26 "mad." It's so much more poetic, somehow. Loads of highly productive and
27 famous people have been thought to be mad, but still gain fame and fortune for
28 their thought processes. I admit that being a bit different makes one appear

1 to be a bit mad, thus the statement. Being different, to me, is a good thing.
2 It isolates me from people I don't really care about, and I'm allowed to focus
3 on my thoughts, goals, class work, research, etc.
4

5 7. I am, while a loner, a very aggressive student. I like to challenge my
6 professors by tossing them questions they don't expect. I like to make them
7 think as much as they like to make me think. I guess I may be a different kind
8 of student from what they normally see, but I've had quite a few professors
9 compliment me and tell me they enjoy the challenge of having me in their
10 classes.
11

12 8. I flat out deny having anything to do with the two statements that are
13 included in the complaint that say; "Jam's in the window. Exercise all you
14 want, my friend, you won't be able to run fast enough." And "Jammin's been
15 seen wearing school colors all week. Think blood won't show on those dark
16 colors?" Who cares when Jamie was exercising, or what color his/her clothes
17 were? And that bit about the blood. I am absolutely convinced that some nut
18 case with some computer expertise has been out there using my passwords.
19

20 9. I'll also admit to typing in the statement that read, "The clock is
21 ticking. Time is on my side. Time is running out my friend." How anyone
22 could see that as a threat, I don't know. I was talking about a statistical
23 probability that all of us in the chat room at the time would be victims of
24 crime. I think everyone understood what the context was. It's when you pull
25 the dialogue apart and start looking for ugliness that it appears to be
26 threatening. That's not my fault.
27
28

1 10. And, when that transmission, the one on the 21st that said "Maybe we can
2 meet in the alley?" that everyone thinks is so awful, appeared, I wasn't near
3 a computer. I had logged off and was actually at an interview, talking with
4 the computer lab personnel about a report I was going to do about online
5 research. So now they're probably going to say that I have the technical
6 ability to pause a computer email entry or had someone else press the enter
7 key. Good luck.

8
9 11. I think that someone in the chat room knew that Jamie and I weren't
10 seeing eye to eye and started tacking on comments to my chat room commentary.
11 I even think I know how it was done, and I've asked Morgan Meyers if I'm
12 right. I think if you ask Morgan, you'll find that anyone could have logged
13 into the chat room using my personal information and tagged words onto my
14 comments after I'd signed off. This is especially true if I happened to be
15 using one of the university computers, like at the library, the union or in
16 the common room at Seaside Hall, and I have used those computers, but not
17 frequently. I can't remember the last time I used the library computer. Must
18 have been a few months ago.

19
20 12. There's a strong possibility that someone's pranking both Jamie Alaxanian
21 and me. I know that I had written my personal pass code from last year for
22 the chat room on the cover of my forensics textbook from last year, and I
23 sold that book or donated it to the library without erasing the information.
24 I haven't closed that account, I just added a new one this year, so someone
25 could be making this look like it's coming from me when it isn't. That should
26 be illegal, if it isn't! Some may think that it's a convenient way for me to
27 have pranked someone, using an old account, but it's just plain easier to let
28

1 the old accounts ride, rather than completing paperwork. It's not a crime to
2 be lazy, is it?

3
4 13. I've been asked what computer usernames I've got on file in my name. This
5 year I registered the username "Shokwave" with a password "Crag07." Last
6 year, I had registered under the username "Fatalflaw2006" with the password
7 "Kelcrag." I'm absolutely positive that the Shokwave/Crag07 information was
8 written on my forensics book from last year. I'm also absolutely positive
9 that whoever has that book is the person you're looking for. Again, I'm
10 willing to admit to making some of the statements, or participating in some
11 of the discussions, but my intent was not to harass anyone. I thought all
12 along I was in an educational conversation, a learning experience, you know?

13
14 14. People are also making a big deal about me making fun of Jamie in the
15 student union. Since when has laughing at someone been a crime? All I did was
16 make fun of the nickname "The Jam." I was sitting at a table in the union with
17 some friends, and Jamie came around the corner and lurched back so suddenly,
18 dragging someone with him/her out of view. Then they peeked around the corner,
19 like kids playing hide-and-seek! Jamie was making a fool of him/herself by
20 dragging that friend behind some wall and acting so afraid. It was pretty
21 childish.

22
23 15. By the way, someone tells me that Jamie received an email from the
24 university library computer that they think came from me. I wish they'd
25 fingerprint all those computers over there. I haven't used the library
26 computers for months.

27
28 *Kelsey Reed*

1 **DEFENSE WITNESS STATEMENT**

2 **REESE CONRAD, MARITIME UNIVERSITY PROFESSOR OF COMPUTER SCIENCES**

3
4 1. My name is Reese Conrad, and I am a Maritime University Professor. I teach
5 computer science, computer ethics and advanced technology and research. I've
6 been serving in my capacity as head of the computer technology division for
7 four years.

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

20
21 3. Some students arrive on campus experienced with computer chat rooms.
22 Others experience a bit of timidity when they first use the tool, but with
23 some encouragement, these students learn how the medium works and are able to
24 use it efficiently within a matter of weeks.

25
26 4. What students sometimes don't understand is that there can be a number
27 of "conversations" going on simultaneously and they need to process the
28 discussions to weed out what is relevant to their particular discussion.

1 5. Having a problem like this arise on the Maritime University campus is
2 disturbing, and I've been in meeting after meeting with University Deans, the
3 Chancellor, faculty and staff to try to determine whether or not the chat room
4 facilities should be shut down. There seems to be the overwhelming response
5 from the student body that they want the chat rooms to continue, but with
6 additional monitoring by campus officials.

7
8 6. It was one of my responsibilities to supervise the online chat rooms, and I
9 take that responsibility very seriously. It was my decision to include the
10 "red button" feature that students can click if they feel discussions are
11 getting out of line or crossing into a territory that makes them
12 uncomfortable. The red button has never been used during this academic year.
13 Quite often students take it upon themselves to admonish other students that
14 ask inappropriate questions or use unacceptable language. I'm very proud of
15 the Maritime University students. They are using a tool in a very adult
16 manner.

17
18 7. Unfortunately, on the week that the alleged cyberstalking took place on the
19 Maritime University chat room, I was on and off campus taking care of family
20 wedding plans and was not checking on the chat room conversations, as I
21 usually do at least three to four times a day. I log-on routinely and read
22 discussion threads to see how students are using the chat room and if there
23 are problems with the equipment, etc.

24
25 8. This particular allegation is the first time in the history of the chat
26 room that such a threat has been observed. It is my personal opinion that the
27 language does not rise to the level of a criminal complaint; however, as a
28

1 university official, I need to be aware of all investigations and
2 allegations, so I've reviewed all the chat room discussions in question.
3

4 9. I am concerned that there may be some unauthorized use of a student's
5 password. Based on our records, one of the alleged offensive statements
6 occurred on Friday, October 21. Between the entries, "Anticipation is what
7 it's all about, and building fear. You never know when you'll be forced to
8 face your greatest fear ... suffocation, torture, painful prolonged death,"
9 and "Time is running out, my Jammin friend. Maybe we can meet in the alley?"
10 There's a 20 minute break or lapse in the discussion. That is plenty of time
11 for Kelsey Reed to have logged off and left the building and someone else,
12 an unauthorized user, to enter, log on and use Kelsey's password to continue
13 the conversation and issue the threatening second phrase. Kelsey Reed was
14 actually interviewing someone on campus in the computer lab at the time that
15 second phrase appeared so Kelsey may not have been the person responsible
16 for making the entry. I can confirm that because I saw Kelsey.

17
18 10. Unauthorized use, if indeed that is what happened in this situation, is a
19 serious infraction of the campus rules. A year ago, the university
20 experienced an online prank when a student, I'll call John, left a computer
21 workstation without logging off and protecting his email account. The next
22 student who sat down at the station realized that he had the opportunity to
23 prank the student named John and sent out a rather innocent message to the
24 chat room that indicated that John was madly in love with Marsha. This
25 embarrassed both John and Marsha, who had never really spoken to each other.
26 I was able, in class, to call attention to the breach and discussed the
27 misconduct, which violated university policy and academic integrity of the
28 chat room. The resulting gossip from the incident was innocent, and no one

1 was hurt. And the prankster issued a verbal and written apology to the
2 parties he'd pranked. This offered a valuable learning experience to everyone
3 involved in the chat room. We haven't had that type of prank since.

4

5 Reese Conrad

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DEFENSE WITNESS STATEMENT

MORGAN MEYERS, MARITIME UNIVERSITY WEBMASTER AND CYBER ANGEL

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2
3
4 1. My name is Morgan Meyers, and I work at Maritime University in the
5 computer technology lab.
6

7 2. It was my responsibility to design the university's chat room option for
8 the students. In doing so, I made sure that every one of the university's
9 computers, in the library, dormitories, student union, computer labs and in
10 the offices, could link directly to the chat room with appropriate user
11 names and passwords. That would ensure that the students would have access,
12 and the faculty and staff would be able to have access as well. We drafted a
13 form for the students to sign, so they'd be aware of some of the "panic" or
14 "red button" options in case they felt there were problems. They also signed
15 a form that indicated they had read the rules for using the chat room. Those
16 rules prohibit abuse of the system, hacking and unauthorized use, like using
17 someone's password without their knowledge, and other standard common sense
18 rules.
19

20 3. I think the chat room has a lot of potential, but I don't think it's
21 being used as the university had first envisioned. At the outset, teachers
22 would go to use the chat room to expand on classroom discussions and pose
23 challenging questions to the students for additional debate. That never
24 happened. The chat room, as it is used now, is 99.9% student driven. The
25 only time a faculty member visits is to check in if they are assigned as a
26 monitor for a day or so. Those monitor duties rotate, so no one has to
27 continually be responsible for reading all the chatter that goes on.
28

1 4. Usually the discussions are about assignments - what's due when, why do
2 they give us so much to read, do you have something I need or want, etc.
3 There has certainly been nothing very in-depth, controversial or inspiring.
4 I've monitored the chat room off and on since inception and can tell you that
5 there has been no earth breaking news out there.
6
7 5. I have read the transcripts of the conversations in question, and I fail to
8 see why any of the language created this uproar. I found none of it to be
9 particularly threatening. But, I'm not a 19-year-old student away from home. I
10 suppose if I were out there without a good support system, and if I got it
11 into my head that someone was mad at me or didn't like me, some of the wording
12 could be construed as vaguely threatening. But it does not cross the line into
13 a cyberstalking matter. There's just no basis for it.
14
15 6. It's incredibly common for students to forget their passwords and use
16 someone else's for a few seconds to get an assignment ... and that's after all
17 the nagging we do to tell them to keep that kind of information strictly
18 confidential. Students also, quite commonly, write their usernames, passwords,
19 email addresses and other information on the covers of books or notebooks.
20 I've even found this kind of information written on napkins in the
21 university's coffee shop.
22
23 7. Maybe there's a false sense of security because the students all know that
24 the faculty, advisors and campus security have access to the chat room, and
25 we monitor the discussions on a regular basis.
26
27 8. There's been a bit of a fuss between the campus security office and the
28 computer technology folks regarding security-screening devices that are

1 supposed to filter discussions to look for particular words or phrases. It's
2 my feeling that the technology we have isn't nearly sophisticated enough to
3 do that. Even words we find offensive can be used in sentences, especially
4 in intellectual discussions or debates, so that they lose their offensive
5 nature and become part of a very positive discussion.

6
7 9. For instance, pick a phrase like "kill you," which initially sounds
8 terrible, unless it's used in a phrase like, "those shoes will kill you if
9 you wear them too long," or something like that. I think "murder you" has
10 been filtered once, and that was a student warning another that if he got
11 caught doing something "Your parents are going to murder you." We let that
12 kind of thing slip by. We've never had a filtered phrase appear in a sentence
13 that would infer a direct threat, like "I'm going to kill you." Same thing
14 with murder you, torture you, etc. Maybe it's because the students realize
15 the phrases they aren't supposed to use that can raise an alarm with one of
16 the security personnel assigned to monitor the chat rooms.

17
18 10. I've met Kelsey Reed. Kelsey was interviewing me about Internet use in
19 combating terrorism ... and that interview was scheduled for 4:00 on the
20 21st, but Kelsey showed about fifteen or twenty minutes early, at about the
21 same time as one of the alleged communications in the complaint. Kelsey
22 seemed to be exceptionally bright, although somewhat distracted.

23
24 11. Some folks seem to think that Kelsey has a bit of an odd streak. I'm not
25 at all sure that's true. I just saw a very intelligent and motivated student
26 who wanted to seek out answers. In any event, I do not believe he/she is
27 capable of stalking anyone. I should know as I have been combating cyber
28 crime such as this through my involvement with the Cyber Angels, a watchdog

1 group of volunteers who work closely with law enforcement agencies to address
2 and monitor online abuse and cyber crime. I am on a special team that is
3 responsible for answering emails from people that are being stalked online.
4 Victims are given information regarding how to protect themselves and how to
5 turn the predator in. From my personal experience, Kelsey does not fit the
6 profile.

7
8 *Morgan Meyers*
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EXHIBITS

- A. Maritime University Student Online Chat Room Usage Policy
- B. Maritime University OnLine Student Chat Room Instructions/Rules
- C. Maritime University Internet Chat Room Dialogue Excerpts (17 Oct 2016)
- D. Maritime University Internet Chat Room Dialogue Excerpts (20 Oct 2016)
- E. Maritime University Internet Chat Room Dialogue Excerpts (21 Oct 2016)
- F. Maritime University Internet Chat Room Dialogue Excerpts (22 Oct 2016)
- G. Christian Wallace – Daily Diary Excerpts 2016

Comment [CC1]: Is there a way to make A, B and C line up with the rest of the list?

Maritime University Student Online Chat Room Usage Policy

All students utilizing the Online 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 Online Chat Room and may face civil or criminal penalties, depending upon the violation.

Students violate Maritime University’s Online 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 Maritime University.

- Hacking and related activities are strictly prohibited. Hacking includes, but is not limited to, illegally, or without appropriate university authorization, accessing computers, accounts or networks, penetrating or attempting to penetrate university 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 Maritime University Online 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 Maritime University Online 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 Maritime University Online 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 Maritime University students to effectively and safely utilize the Maritime University Online Chat Room are prohibited.

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

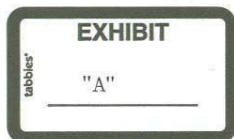
Violations received by Maritime University regarding the use or misuse of the Online Chat Room may be forwarded to campus or other appropriate law enforcement authorities for investigation and resolution.

Student users of the Maritime University Online Chat Room are encouraged to maintain strict levels of secrecy and confidentiality to guard their personal information. If a breach of personal online 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 Maritime University Student Union, Computer Services Division and/or the Dean of Students.

I have read and understand the Maritime University Student Online Chat Room Usage Policy.

Student Signature

Date



Welcome to Maritime University's OnLine 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

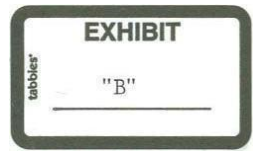
General (campus life, assignments, general discussions)

Chat room Rules:

1. No swearing, racist or sexually explicit language.
2. Respect the opinions of others.
3. Provide accurate information when discussing class assignments.
4. 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 online discussions, feel free to click on the red button, which will alert university personnel to the problem.
 - b. Discipline. Maritime University reserves the right to monitor the chat room message boards 24/7. University monitors are authorized to act on behalf of the University 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 MU) (Academics) (Admissions) (Alumni & Friends) (Arts) (Athletics) (Calendar) (Contact MU) (Current Student Directory)
(Faculty & Staff Directory) (Life @ MU) (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 which 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.



MARITIME UNIVERSITY
INTERNET CHAT ROOM DIALOGUE EXCERPTS

Monday, 17 October 2016

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

Cannonball 4:46 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 Chancy5 said we had to go all the way to 414. Anyone?

Chancy5 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.

Micahforce 4:56 p.m. page 414 is right. I have that too and just spoke with Prof. G.

Jammin@Maritime enters chat room at 4:56 p.m.

Jammin@Maritime 4:56 p.m. Hi everyone. Concur with page 414. BTW-Anyone in here seen the student play at the Union? Hamlet?

Cannonball 4:58 p.m. Nope. Shakespeare ain't my bag.

Fatalflaw2006 enters chat room at 4:58 p.m.

Yankeegirl enters chat room at 4:59 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 Maritime track team!

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

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

Fatalflaw2006 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@Maritime 5:13 p.m. Not on the team.

Jammin@Maritime exits chat room 5:13 p.m.

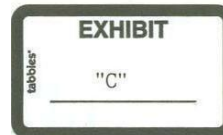
Fatalflaw2006 5:14 p.m. Not on the team, but practices nonetheless. In the window.

Cannonball 5:15 p.m. Fatalflaw2006, you're creeping me out.

Fatalflaw2006 exits chat room at 5:25 p.m.

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

Cannonball 5:26 p.m. Sure do. Flaw's out now. No worries.



MARITIME UNIVERSITY
INTERNET CHAT ROOM DIALOGUE EXCERPTS

Thursday, 20 October 2016

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

Fleetstreet enters chat room 3:18 p.m.

Yankeegirl enters chat room 3:19 p.m.

Yankeegirl 3:20 p.m. Anyone know if the campus is doing a Veterans Day celebration again this year?

Striker8 enters chat room 3:20 p.m.

Coreforce enters chat room at 3:20 p.m.

Allthumbs enters chat room at 3:21 p.m.

Zule enters chat room at 3:22 p.m.

Zule 3:22 p.m. Don't know but last year's celebration was a gas. Check the union bulletin board?

Yankeegirl 3:23 p.m. did that. Nothing there.

Rogerswilco enters chat room 3:24 p.m.

Jammin@Maritime 3:25 p.m. Last year's was cool. The color guard was awesome.

Shokwave enters chat room 3:25 p.m.

Shokwave 3:25 p.m. Speaking of color, Jammin's been seen wearing school colors all week. Think blood won't show on those dark colors?

Yankeegirl 3:26 p.m. What's that all about?

Fleetstreet 3:26 p.m. Yeah, what's up?

Yankeegirl 3:27 p.m. Talk like that can prompt a panic button alert, you goof.

Shokwave 3:27 p.m. No harm intended, no harm done. Drop it.

Jammin@Maritime exits chat room 3:28 p.m.

Allthumbs 3:29 p.m. Hey Shokwave, you know someone using Fatalflaw2006? You two should get together sometime.

Shokwave 3:30 p.m. Aware of Fatalflaw2006. Not interested.



MARITIME UNIVERSITY
INTERNET CHAT ROOM DIALOGUE EXCERPTS

Friday, 21 October 2016

Shokwave enters chat room at 2:30 p.m. Striker8 enters chat room at 2:45 p.m. Jammin@Maritime enters chat room at 2:45 p.m. TravellerX enters chat room at 2:45 p.m. Yankeegirl enters chat room at 2:46 p.m.

Yankeegirl **2:46 p.m.** Classes out for the weekend. Sigh.
Striker8 **2:47 p.m.** Yeah, relief from drudgery, eh?
TravellerX **2:50 p.m.** Anyone on from the history and forensics class? Some pretty strange stuff in that class.
Striker8 **2:51 p.m.** like what?
Allthumbs enters chat room 2:52 p.m.
TravellerX **2:53 p.m.** like lots of talk about killing. Really freaky.
Striker8 **2:54 p.m.** that's what's going on in class? Talk like that?
Shokwave **2:54 p.m.** Some criminals used fear as a control; fear is stronger than chains and fences.
TravellerX **2:56 p.m.** Upset quite a few students in the class. Some had relatives who had been victimized. It was a sad class.

Mocker1 enters chat room at 2:57 p.m.

Yankeegirl **2:59 p.m.** My neighbor's mother survived an attack. She absolutely never talks about it.
Striker8 **3:00 p.m.** understandable not to talk about pain and suffering when it's been so close.
Yankeegirl **3:01 p.m.** Guess so. Not sure I'd have survived.
Shokwave **3:03 p.m.** Wonder if anyone our age would handle the situation well. Would be interesting to try to re-create the atmosphere.
Mocker1 **3:04 p.m.** Hey Beth, whaddup?
Yankeegirl **3:05 p.m.** You kidding?
TravellerX **3:05 p.m.** That's crossing the line. Who would want to do that?
Striker8 **3:05 p.m.** Someone not quite right in the head.
Shokwave **3:07 p.m.** Don't call me crazy.
Striker8 **3:08 p.m.** I didn't. But the thought of studying pain and suffering? Come on.
Shokwave **3:08 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?
Mocker1 **3:08 p.m.** We gotta get back to Himawari for sushi.
Jammin@Maritime **3:09 p.m.** just listening



Allthumbs 3:09 p.m. Don't respond to that kind of comment.

Shokwave 3:10 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@Maritime exits chat room at 3:12 p.m.

Striker8 3:12 p.m. You're a freak

Shokwave 3:12 p.m. Thanks for the compliment. Jam is full of fear. Would make a great experiment.

TravellerX 3:12 p.m. You're so lame.

Allthumbs 3:13 p.m. Shokwave, you're about crossing the line there with all that torture talk.

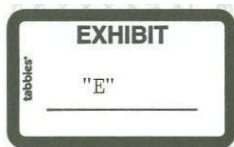
Shokwave 3:13 p.m. Don't be such babies. It's talk.

*** no significant discussion for approximately 20 minutes***

Jammin@Maritime enters chat room at 3:35 p.m.

Shokwave 3:36 p.m. Jammin is back. Time is running out, my Jammin friend. Maybe we can meet in the alley?

Jammin@Maritime exits chat room at 3:37 p.m.



MARITIME UNIVERSITY
INTERNET CHAT ROOM DIALOGUE EXCERPTS

Saturday, 22 October 2016

Allthumbs enters chat room at 9:30 a.m.

Allthumbs **9:30 a.m.** Anyone up yet?

Coreforce enters chat room at 9:32 a.m.

Coreforce **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 at 9:33 a.m.

Talon **9:34 a.m.** There's been talk on campus that someone in the chat room is freaking people out. Anyone online a witness?

Allthumbs **9:35 a.m.** You may mean someone named Shokwave. Been picking on participants and trying to scare people.

Talon **9:35 a.m.** Why would someone do that?

Shokwave enters chat room at 9:35 a.m.

Coreforce **9:36 a.m.** Who knows? Shokwave, you nuts or what?

Shokwave **9:37 a.m.** I was just talking about a forensics and history class. I can't help if people take things out of context.

Allthumbs **9:37 a.m.** You were crossing a line. You obviously ID'd Jammin and have been trying to freak ... you crazy?

Shokwave **9:38 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 about pain and suffering?

Jammin@Maritime enters chat room at 9:40 a.m.

Shokwave **9:45 a.m.** Jammin, can you come out of your 2nd floor roost and play?

Jammin@Maritime exits chat room at 9:45 a.m.

indicates lapse in time

HMSPinafore enters chat room at 7:30 p.m.

LaLa enters chat room at 7:30 p.m.

Shokwave enters chat room at 7:31 p.m.

Shokwave **7:32 p.m.** Anyone review the chat room conversations from earlier in the afternoon re: torture, etc.?

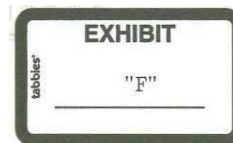
LaLa **7:33 p.m.** not me

HMSPinafore **7:33 p.m.** me neither.

Thor56 enters chat room at 7:34 p.m.

Yankeegirl enters chat room at 7:34 p.m.

Yankeegirl **7:35 p.m.** Not that again.



CATGIRL enters chat room at 7:35 p.m.

CATGIRL 7:36 p.m. Free speech. What was going on?
Shokwave 7:36 p.m. discussion on pain and torture and what can be learned from fear
Thor56 7:37 p.m. I'd just as soon not know
LaLa 7:37 p.m. Me neither
Shokwave 7:37 p.m. Why not? Statistics tell us that we're just about all going to be victims at some point in our lives.
LaLa 7:38 p.m. So what? You can't let fear guide your whole life.
CATGIRL 7:38 p.m. No kidding. What a waste of time.

Jammin@Maritime enters chat room at 7:40 p.m.

Jammin@Maritime 7:41 p.m. Not this again.
Shokwave 7:41 p.m. You chickened out before.
Jammin@Maritime 7:41 p.m. Had better things to do.
Shokwave 7:42 p.m. Really? Like what.
Jammin@Maritime 7:42 p.m. Inappropriate question.
Shokwave 7:42 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 7:43 p.m. What happened to you?
Shokwave 7:43 p.m. to quote someone above, inappropriate question.
LaLa 7:43 p.m. sorry
Shokwave 7:44 p.m. Just remember, the clock is ticking. Time is on my side. Time is running out my friend.
LaLa 7:44 p.m. What's that supposed to mean?
CATGIRL 7:44 p.m. Yeah, what are you talking about?
Shokwave 7:45 p.m. Just that statistically, all of you are going to have to endure. Gotta meeting.

Shokwave exits chat room 7:46 p.m.

No relevant discussion for approximately 30 minutes

Fatalflaw2006 enters chat room at 8:15 p.m.

Fatalflaw2006 8:16 p.m. Anyone still want to talk about pain and suffering? Time is running out, my Jammin friend. Maybe we can meet?

Jammin@Maritime exits chat room at 8:17 p.m.

Shokwave 9:30pm Jam will rot just like Jelly if buried long enough.

chat room entry read at campus computer room with police witnesses



Christian Wallace – Daily Diary Excerpts 2016

October 15 home
October 16 home
October 17 Jamie got creepy message at chat room
October 18
October 19
October 20 Another creeper for Jamie; Jerks at the Student Union
October 21 Jamie's freaked and so am I; More chat room chatter.
October 22 Calling Security. Witnesses to chat room - finally, some sleep
October 23 Calm Sunday! No chat room blather
October 24 Heard from campus police, questioning Reed
October 25 REED ARRESTED!

