NACDL Diversity Summer Fellowship Writing Assignment

During your Fellowship, you are working with a criminal defense attorney who represents Jaime Jones. As a Fellow, you are tasked to respond to the following fact pattern:

According to the police report, on October 1, 2020 at 18:45, Officers Adams and Brown were on routine patrol in an unmarked car. While heading west on Grand Street, Officer Adams observed Jaime Jones and another individual sitting on the front porch of a private residence. Officer Adams recognized the other individual as someone he had previously arrested for possession of heroin. The prior arrest occurred in the same general vicinity. The officers parked their car in front of the residence. The residence is surrounded by a waist-high chainlink fence. The officers enter the yard and approached Jones and the other individual. Officer Adams orders both men to stand up and put their hands on their head. When the men stand up, Officer Adams exclaims, “Well, well, well, what do we have here?” and points to a bag of with a white powdery substance located in the corner of the porch. The officers handcuff Jones and the other man, and Officer Adams secures the baggie. A search of Jones’ person revealed $500 cash. After being advised of his Miranda Rights, Jones indicated “Adams, you know I know my rights. We’ve been through this before. I want my lawyer.” A subsequent laboratory analysis of the substance was positive for heroin. Jones is charged with possession of heroin, a felony.

Draft a two-page memorandum, which addresses the following tasks:

1) Create an action plan with recommendations for potential witnesses to be interviewed, locations to be examined, records to be gathered, and field investigation to be conducted. Include a brief description of the type of information to be sought from each potential witness/location/avenue of investigation;

2) List five key questions about the facts that you would prepare to ask Mr. Jones that would help build your defense and describe why those questions are important; and

3) Identify areas for legal research and potential legal challenges to be made against the drug charge against Mr. Jones.