

Opening Statement for Defense

Defendant Taylor Smith

Imagine yourself as Scout Leader Taylor Smith, who took her three wilderness scouts on an overnight camping trip on July 5th 2016. It was supposed to be a fun, exciting night full of education and bonding, and was something she and her scouts were looking forward to. When the party arrived at Camp Kindle where they would be staying, Smith surveyed the grounds as any responsible scout would do, and engaged in some fun, customary camping activities, like making s'mores, with her scouts before retiring for the night to her cabin.

Now imagine Taylor Smith's horror when she awoke in the middle of the night to find one of the cabins next to her ablaze. She sprinted out and realized it was the cabin her scouts were staying in. She rushed into the fire and grabbed the first scout she could and pulled them out into safety. The fire was intense now, but nonetheless she went back into to grab a second scout. But after saving two of her scouts, she was unable to get back inside to rescue the last one.

That July 5th fire claimed the life of Sammy Mallory, the third wilderness scout. The prosecution is maintaining that Sammy Mallory has died due to Taylor Smith's negligent behavior. But you will see that Taylor Smith acted responsibly in the night leading up to the fire, and supervised her scouts adequately. You will see that this is an extremely unfortunate turn of events, but Smith put her own life on the line in order to save whichever scouts she could, and two of the scouts, Adrian Sutler and Blaze Thompson, would not be here without her heroic actions. My name is Emma Reinisch, and I am the counsel for the defendant: Taylor Smith.

The first witness you will hear from on this case will be Taylor Smith herself, testifying as to her own innocence in the context of liability. Taylor Smith will provide us with the series of events from her perspective, giving us an understanding of the precautions she took and the circumstances leading up to the fire at Camp Kindle, which will show you how she didn't act negligently, and how she is not liable for Sammy Mallory's death. You will hear her testify that the fire was caused by a nearby group of teenagers that they'd seen that night, and that testimony will be corroborated by further witnesses.

Next you will hear from Bailey Burns, a retired fire chief and expert witness with numerous qualifications including a Bachelor's degree in Mechanical Engineering, a Master's Degree in Forensics Studies, and Doctorate degree in Fire Engineering, and who has testified in over 80 questions nation wide. He will tell you how the fire clearly originated from the outside of the cabin based on the even char marks on the cabin walls, and the lack of a visible origin point inside the cabin.

Lastly, you will hear from Blaze Thompson, one of the wilderness scouts who attended the camping trip on July 5th. You will hear Blaze testify as to how attentive Scout Master Smith was during the trip as well as the 2 years she was the Scout Master. Blaze will tell you how he also observed nearby teenagers messing around with a bonfire how he observed fireworks

shortly before the fire. And lastly Blaze will tell you of how Scout Master Smith rescued him from the fire, and how he would not be here without Smith's heroic actions.

As you listen to the case today, I ask you to keep in mind that the prosecution and counsel for Frances Mallory carries the burden of proof in this case. That means that the prosecution must establish the liability and negligence of Taylor Smith before a decision can be rendered.

With this in mind, as you listen to the prosecution and defense present our arguments, and as you hear from the six witnesses we have for you today, by the end it will be abundantly clear that Taylor Smith is not liable. Yes, this was an extremely sad and unfortunate occurrence, and yes, the prosecution's case is understandingly sympathetic, but the witnesses and evidence show that Sammy Mallory died for reasons out of Taylor Smith's control, and that Smith did not act negligently nor is she liable for Sammy's death.