

*Boston Globe 2/6/02:*

*Two Canton High School students yesterday pleaded not guilty to charges that they raped a 15-year-old girl . . . Justin G., 17, was charged in Stoughton District Court with three counts of rape of a child with force, while Justin K., 17, was charged with four counts of the same offense. Both were released to their families after posting bail and were ordered to stay away from the victim.*

Break into teams of two. Your team of lawyers is going to represent one of the Justins. Presumably, they are friends.

Suppose that the District Attorney interviews them each separately and offers them each this deal:

1. If both confess, each will get 5 years
2. If one confesses and the other remains silent, the confessor will go free, while the silent one gets 10 years.

They also are aware that if both remain silent, they will each get 1 year (on a lesser charge).

What should they do? Lawyers, advise your clients!