

Michigan High School Mock Trial Tournament



MICHIGAN MOCK TRIAL

2020-2021 Case High School
Case Materials

**State of Superior
vs.
Chris Munroe**

Welcome! Thank you for your involvement in Michigan Mock Trial.

Relevant materials for this Mock Trial season are located in two documents.

First General rules and procedures governing Michigan Mock Trial - including the adaption for the virtual, online season - can be found [HERE](#) [also https://docs.google.com/document/d/1kPn_1V7zXvZexNWrln-llboZsEuzAiyFUAN8iCtU3-w/edit?usp=sharing]

These rules will be continually updated to account for the necessary virtual adaptations for the 2020-2021 Mock Trial season. Please verify the version at the bottom of the page.

Second This document contains the case fact materials. Any errata will be issued online on or by January 8, 2021. Please verify the version at the bottom of the page.

Welcome to the 2020-2021 Mock Trial Season.
We are glad you are joining us.



Save the Date!



M O C K
T R I A L

NATIONAL HIGH SCHOOL
MOCK TRIAL CHAMPIONSHIP
KALAMAZOO, MI
MAY 5-7, 2022



Michigan Center for Civic Education

WWW.MICIVICED.ORG

Educating for Vibrant Civic Communities

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***Please note: all facts assume COVID did not occur; all facts assume a typical public health year.**

WELCOME

Thank you for your involvement in one of the best activities to advance law-related education. We warmly welcome all the students, teachers, attorneys, educators, judges, law students, legal assistants and others who will participate in the Michigan High School Mock Trial Tournament. We hope that you will find your involvement to be intellectually stimulating and personally rewarding.

This document contains fact and problem materials. If necessary, an errata will be issued online. Information will be posted should that occur. The Tournament is governed by the rules set out in a separate companion document.

For additional information on Courtroom Artistry and Courtroom Journalism program, please look online at www.miciviced.org/programs/mock-trial. Additional information on Middle School Mock Trial opportunities are posted there as well. For 2020-2021, Artistry and Journalism will continue. Middle School, in light of public health, will be released fall of 2021 (public health depending).

Case Considerations - Embracing Real World Issues

MCCE has a long tradition of exploring difficult and controversial issues through Mock Trial competition. This year is no exception as the topic of violence evokes. Please be mindful of at least these pertinent issues for all content each and every year:

- Many students may be experiencing these issues first-hand. Please ensure that trauma is never reinforced because of the case materials. Please have supports available should trauma emerge.
- Please be mindful to acknowledge and separate the 'role' from the person. Know that role playing may require additional supports and never should role playing interfere with one's beliefs or thoughts.
- We expect that all participants will behave respectfully and in conformance with the Code of Conduct. If there are deviations, please seek out proper supports and notify MCCE of any issues that may arise during the season.
- Furthermore, we are pleased that this case has been vetted by previous states and found the case very compelling as informative as to critical issues in society.

Acknowledgements:

Case Writing and Adaptation. We extend our deep appreciation to:

- Liz Avery-Jones and the North Carolina Mock Trial Program who graciously granted permission to adapt a case they had developed and
- the dedicated volunteers and staff at MCCE who exert tremendous care and patience to craft a case for Michigan students. We extend a special thank you to James Liggins, Christine Hekman, Helen Haesley, Ernschie Augustin, and Regan Gibson for their extra effort to make the case balanced and meaningful.

Funding. The Michigan Center for Civic Education (MCCE) would like to thank the State Bar of Michigan, the Oakland County Bar Foundation, the Litigation Section of the State Bar of Michigan, and many others for their funding support, without which the High School Mock Trial Tournament would not be possible.



We also want to warmly welcome you to the MCCE family. Become a [MiCivics Champion](#).

See benefits of membership including waived entry fees for signature MCCE programs including We the People, Mock Trial, Project Citizen; tailored professional learning; and MiCivics Membership recognition!

Save the Date! The National Championship is coming to Michigan May 5-7, 2022! You are needed to help celebrate and host the best National Championship yet!

We hope you find these materials helpful and informative. We wish you the best of luck at this year's tournaments. As always, please reach out to us if we can be of any assistance. We are eager to make Mock Trial a reality and appreciate your involvement this dynamic season.

Sincerely,

Your Mock Trial Team at the The Michigan Center for Civic Education

mocktrial@miciviced.org

cell: 248. 321. 4842

PROBLEM DOCUMENTS -

Witnesses, Documents, and Exhibits

AVAILABLE WITNESSES

PROSECUTION WITNESSES

Jordan Tyson, student
Amador Vega, guidance counselor
Skyler Paige, EPD Division Chief & CSI

DEFENSE WITNESSES

Chris Munroe, defendant
Kiran Patel, store owner
Avery Parker, forensic psychologist

CASE DOCUMENTS

LEGAL DOCUMENTS

1. Indictment
2. Statutes
3. Stipulations
4. Available Case Law
5. Jury Instructions

AFFIDAVITS AND REPORTS

Prosecution

Affidavit of Jordan Tyson
Affidavit of Amador Vega
Report of Skyler Paige

Defense

Affidavit of Chris Munroe
Affidavit of Kiran Patel
Report of Avery Parker

EXHIBITS

1. Erie Police Department Report
 - A. Arrest Report
 - B. Addendum: Witness Interview Summaries
2. Erie Police Department photographs taken on May 20, 2020
 - A. Maize Dormitory
 - B. Gasoline can recovered from the scene
 - C. Uniform worn by Chris Munroe at the time of Munroe's arrest
3. Gas 'N Go Receipt, May 19, 2020
4. Map of Spartan Conservatory
5. Text messages recovered from the phone of victim Shawna Bowman
6. Emails between Amador Vega and Chris Munroe
7. Spartan Conservatory Incident Report

INDICTMENT

STATE OF SUPERIOR CIRCUIT COURT

STATE OF SUPERIOR,

Prosecution,

v.

CHRIS MUNROE,

Defendant.

CRIMINAL ACTION
DOCKET NO. 20-001-FY

INDICTMENT FOR VIOLATION OF SCL
750.72 & 750.316

FIRST DEGREE ARSON
FIRST DEGREE MURDER IN
PERPETRATION OF A FELONY

COUNT 1

THE GRAND JURY DOES HEREBY CHARGE:

On May 19, 2020, in Erie County, State of Superior, CHRIS MUNROE did commit the act of ARSON IN THE FIRST DEGREE by maliciously, intentionally, and without justification, burning an occupied dwelling house. To wit, the accused poured one or more gallons of gasoline on or near the door and hallway of room 321 of Maize Dormitory and set the gasoline alight, burning said dormitory in violation of SCL 750.72.

COUNT 2

THE GRAND JURY DOES HEREBY CHARGE:

On May 19, 2020, in Erie County County, State of Superior, in the commission of a felony, Chris MUNROE caused the death of a living person, thereby committing the act of FELONY MURDER. To wit, during the commission of an act of arson in the first degree, the accused proximately caused the death of a living person, Shawna Bowman, in violation of SCL 750.316.

A TRUE BILL OF INDICTMENT

Madux Bayog

Foreperson of the Grand Jury, Erie County, Superior

Date: July 24, 2020

SELECTED PROVISIONS OF THE SUPERIOR PENAL CODE

PENAL CODE (Selected provisions)

PART I. GENERAL PROVISIONS

Article 2. General Principles of Liability

SECTION 2.01. General Requirements of Culpability

- (1) *Minimum Requirements of Culpability.* A person is not guilty of an offense unless he acted purposefully, knowingly, recklessly, or negligently, as the law may require, with respect to each material element of the offense.
- (2) *Kinds of Culpability Defined.*
 - (a) *Purposefully.* A person acts purposefully with respect to a material element of an offense when, if the element involves the nature of his conduct or a result thereof, it is his conscious objective to engage in conduct of that nature or to cause such a result.
 - (b) *Knowingly.* A person acts knowingly with respect to a material element of an offense when, if the element involves the nature of his conduct or is the result thereof, he is aware that his conduct is of that nature or that it is practically certain that his conduct will cause such a result.
 - (c) *Recklessly.* [Omitted.]
 - (d) *Negligently.* [Omitted.]

DEFINITION OF CRIMES

PART II. DEFINITION OF SPECIFIC CRIMES

Article 6. Criminal Homicide

SECTION 6.1. Criminal Homicide

- (1) A person is guilty of criminal homicide if he or she purposefully, knowingly, recklessly, or negligently causes the death of another human being.
- (2) Criminal homicide is murder, manslaughter, or negligent homicide.

SECTION 6.2. Murder

- (1) Criminal homicide constitutes murder when it is committed purposely or knowingly, or committed recklessly under circumstances manifesting extreme indifference to the value of human life.
- (2) Murder is a Class A felony.

SECTION 6.3. Murder, Degrees of.

- (1) *Murder in the first degree.* A criminal homicide constitutes murder in the first degree when it is perpetrated by any kind of willful, deliberate, intentional, and premeditated killing, or committed in the perpetration or attempted perpetration of any arson, sex offense, robbery, kidnapping, burglary, or other felony committed or attempted with the use of a deadly weapon.

Article 15. Arson and Other Burnings

SECTION 15.1. Arson

- (1) A person is guilty of arson if he or she purposely and without justification burns a dwelling house, defined as a house, apartment, dormitory, or similar structure that is the permanent, temporary, or seasonal residence of some person, or burns any other kind of permanent building or structure.
- (2) Arson in the first degree is a Class D felony.

SECTION 15.2. Arson, Degrees of.

- (1) *Arson in the first degree.* A person commits arson in the first degree if he or she
 - (i) burns a permanent building or structure;
 - (ii) the structure is a dwelling house;
 - (iii) the structure is the dwelling house of someone other than the one who burned it;
 - (iv) the dwelling house was occupied, that is, some other person was physically present in the structure at the time of the burning; and
 - (v) the person maliciously, intentionally and without excuse burned the structure.

STIPULATIONS

STATE OF SUPERIOR CIRCUIT COURT

STATE OF SUPERIOR,

Prosecution,

v.

CHRIS MUNROE,

Defendant.

**CRIMINAL ACTION
DOCKET NO. 20-001-FY**

Judge Cynthia Johnson

STIPULATIONS

COME NOW the parties and agree to the

following stipulations:

1. The case of *State v. Munroe* has been bifurcated. This trial concerns only the guilt phase. No evidence that goes solely to the extent of the penalty faced by Defendant Munroe may be presented by either party.
2. Chris Munroe has entered a plea of not guilty to all indicted charges and has not indicated intent to raise any affirmative defense.
3. Shawna Bowman died at 9:47 a.m. on May 20, 2020. Her death was caused by sepsis and multi-organ failure due to full-body third degree burns.
4. Jurisdiction, venue, and chain of custody of all evidence are proper and may not be challenged.
5. A witness must be formally tendered to the Court in accordance with Rule 702 of the Rules of Evidence before testifying in the form of an expert opinion.
6. Both parties waive all objections and motions based on the Constitution of the United States. Both parties also waive all objections and motions based on privilege.
7. All witnesses reviewed their affidavits and reports immediately prior to trial and were given an opportunity to revise them. None did so. All witnesses affirm the truthfulness of everything stated in their affidavits. When preparing and reviewing their sworn statements, all witnesses were instructed to include everything that they know may be relevant to their testimony.
8. All documents, signatures, and exhibits included in the case materials are authentic; no objections to the authenticity of any documents will be entertained. Both parties must still lay proper foundation prior to entering evidence, and both parties reserve the right to dispute any legal or factual conclusions based on these items and to make objections other than to authenticity.
9. All electronic timestamps contained within exhibits are authentic and accurate.

10. All objections to Exhibit 1.A, the Arrest Report prepared by the arresting officer of the Erie Police Department, have been waived. If offered, it is admissible by either party at any time the record is open without further foundation. However, both parties reserve the right to object to Exhibit 1.B, the addendum to Exhibit 1.A, regarding witness interviews.
11. Chris Munroe waived the right against self-incrimination under the Fifth Amendment to the United States Constitution and will testify. Either party may refer to Monroe's decision to testify throughout trial.
12. No witness currently possesses any physical injury relating to or resulting from the events of May 19, 2020 or any other events materially relevant to this case.
13. David McCurtis is currently studying abroad in an exchange student program through Eden University and was not able to be subpoenaed to testify. He has been declared unavailable as a witness.
14. Chris Munroe was taken into custody at 11:40 p.m. on May 19, 2020 in the parking lot adjacent to Maize Dorm on the Spartan Conservatory campus.

DATED: AUGUST 22, 2020

IT IS SO ORDERED

Cynthia Johnson _____.

Cynthia Johnson

Judge of the Superior Court

APPLICABLE CASE LAW

APPLICABLE CASE LAW

All decisions were rendered by the Superior Supreme Court

Criminal Trials

State v. Bayog

In a criminal case, the burden of proof lies solely on the State to prove every element of each charge beyond a reasonable doubt. The State may rely on both direct and circumstantial evidence to do so. This burden, however, does not apply to every individual fact alleged. Instead, it requires that the cumulative effect of all presented evidence must convince the finder of fact beyond a reasonable doubt that the State has proved each element. The defendant bears no burden of proof except in cases in which the defendant raises an affirmative defense.

State v. Pugh

In Superior, criminal trials may be bifurcated, where guilt is decided in one phase of trial and sentencing (if applicable) in the next. During the guilt phase of a bifurcated trial, it is improper for either party to comment on prospective sentencing. Such evidence is irrelevant under Rule 401 of the Rules of Evidence, and any attempts to elicit or comment on such evidence may be grounds for a mistrial.

State v. Way

Even if the State chooses not to discuss a charge at trial, as long as the State included the charge in the indictment, the defendant may still elect to present evidence to rebut it. The State may not argue the relevance of such rebuttal evidence simply because the State chose not to present evidence supporting that charge at trial.

State v. Wilson

While motive may be relevant circumstantial evidence for consideration by the jury, proof of motive is not an essential element in any criminal charge. If the jury is convinced beyond a reasonable doubt that a defendant committed the crime, the defendant may be convicted even without proof of motive.

Charges

State v. Gomez

While malice is an essential element of arson in the first degree, malice does not necessarily mean ill will; conduct that is (1) intentional and (2) without justification or excuse is sufficient to constitute malice.

State v. Winget

If the defendant's willful conduct constitutes a felony and is the proximate cause of the death of another individual, the defendant may be charged with first degree felony murder. Proximate cause in such a murder case has two elements: (1) that but for the defendant's conduct, the death would not have occurred; and (2) that the death was a reasonably foreseeable result of the defendant's conduct.

State v. D'Ippolito

Intent to cause a death is not required for the felony murder rule to apply. During a convenience store robbery, a Class D felony, the defendant unintentionally dropped a loaded handgun on the floor. The gun discharged, shooting and killing a store clerk. Because the store clerk's death was a reasonably foreseeable consequence of the defendant's conduct of using a loaded gun during the attempted robbery of the store, the defendant's felony murder conviction was upheld.

State v. Michael

A victim's pre-existing condition does not break the causal chain for felony murder. Defendant kidnapped and restrained the victim, leaving her unattended in the trunk of a car for a five-day period. This constituted a Class C felony. During that time, the victim – who had previously been diagnosed with chronic epilepsy - died of a grand mal seizure. Defendant's felony murder conviction was upheld despite the victim's pre-existing medical condition because the victim's death was a reasonably foreseeable consequence of the defendant's conduct of restraining the victim in such circumstances.

Preliminary concerns

Romain v. Fox

Under Rule 104(b) of the Rules of Evidence, the court recognizes that some evidence may only be relevant if some other fact exists. In cases where a party seeks to introduce such evidence, the court may admit the evidence conditionally, meaning that the party introducing the evidence may lay the foundation after the evidence is admitted. However, during trial, that party must introduce evidence that would allow a jury to find that the contingent fact is more likely than not true. If the party fails to do so, the court shall strike the conditionally admitted evidence from the record provided that the opposing party renews its objection.

Heath v. Harrison

The fact that a piece of evidence has the mere potential to be used in an improper manner does not render it inadmissible. As long as the proponent of a piece of evidence relies on a valid path to admissibility in accordance with the Rules of Evidence, the evidence may be admitted for whatever purpose the Rules allow. Judges who believe jurors are likely to use evidence in an improper manner not intended by counsel may issue a limiting instruction to prohibit improper evidence use; judges who believe counsel intends an improper purpose should exclude the evidence entirely.

State v. Parizo

As the State of Superior does not provide for rebuttal witnesses, in all criminal homicide cases, notice is required before a party presents character evidence in accordance with Rule 404(a)(2)(a). Prior to trial, the defense must notify the State of its intent, specifically indicating the pertinent character trait(s) about which they intend to enter evidence. Pursuant to Rule of Evidence 405, if the Defense gives the required prior notice, either party may introduce opinion or reputation evidence on direct examination, and specific instances of conduct on cross examination, to prove or rebut the alleged character or character trait.

State v. Hirsch

The mere fact that a defense team gives notice of intent to enter evidence of the defendant's pertinent character trait does not automatically render that evidence admissible. Pertinent trait evidence must still be presented in accordance with Rule of Evidence 405. In a first-degree murder case, the trial court properly applied Rule 405(a) by preventing the defense from introducing evidence of specific instances of the defendant's conduct relating to the defendant's peacefulness on direct examination, even though the defense properly provided notice of intent to offer this evidence prior to trial. During the direct examination of a defense witness, the scope of character evidence testimony was correctly limited to the witness's opinion of the defendant's peacefulness and the defendant's reputation for peacefulness in the community.

Expert Testimony

Frankford's Shrimp Shack v. The Oceanic

Trial judges serve as the gatekeepers of expert testimony, and as such, are tasked with ensuring that scientific testimony is reliable. As the judge makes this determination, they may consider the expert's qualifications, data, and methods, but not the expert's conclusions themselves. When a party attempts to tender an expert, they have the burden of proving, by a preponderance of the evidence, that the expert satisfies each section of Rule 702 of the Rules of Evidence.

Hudson v. Ridgeway

When assessing methods under Rule 702(c) of the Rules of Evidence, judges may consider factors such as: (1) whether the theory or technique has been or can be tested; (2) whether it has been peer reviewed and published; (3) whether it has gained widespread acceptance within the field; and (4) whether it has a known, calculable error rate. However, there is no definitive checklist of what must or must not be present for admission; judges must apply the rule based on the totality of the circumstances.

Kleinschmidt v. Bunce

Rule 703 of the Rules of Evidence does not allow experts to act as conduits to hearsay who merely repeat what others tell them. Experts may only present otherwise inadmissible evidence once they relate such evidence to some specialized knowledge on the expert's part, as required under Rule 702 of the Rules of Evidence.

State v. Price Psychology Services

Testimony by profilers has become increasingly common in modern criminal cases. While Rule 704(b) of the Rules of Evidence prohibits witnesses from stating an opinion about whether the named defendant did or did not possess a mental state that constitutes an element of the charged crime, it does not prohibit a properly tendered expert from presenting a psychological profile of (1) the defendant; (2) an unnamed perpetrator of a specific type of offense; or (3) an individual other than the defendant in the case.

Hearsay

Allen v. Williams

Unlike many evidentiary rules, Rule 801(d)(2) of the Rules of Evidence may be invoked in only one direction. Under this rule, when the plaintiff or the State conducts an examination, they may offer statements by the defendant, regardless of which party called the witness being questioned. Rule 801(d)(2) does not permit the defense to offer the defendant's statements, even if the opposing party has already elicited such statements in a preceding examination.

State v. Schmidly

In a criminal case, a victim, police officer, or other officer of the state is not a party-opponent or agent of the party-opponent of the defense for the purposes of Rule of Evidence 801(d)(2), even if such a person has been designated as a party representative.

Belgium's Best Waffles v. Great American Cookie Company

While practices may differ in other jurisdictions, in the state of Superior, the definition of "hearsay" may include any declarant's out-of-court statement, even if the declarant is on the stand or scheduled to testify in trial.

Paige's BBQ v. Phil's Dixie Queen Diner

The fact that a witness is not present in court does not, in and of itself, make the witness unavailable under Rule 804(a) of the Rules of Evidence. In addition, while Rule 804(b) provides several exceptions to the rule against hearsay that apply only when a declarant is unavailable, the mere fact of a declarant's unavailability pursuant to Rule 804(a) is not itself an exception to hearsay. Unless a statement meets an exception under Rule 804(b), it may be excluded as hearsay, even if its declarant is considered to be unavailable, pursuant to Rule 804(a).

Glazier v. Yasinovsky

As various rules of evidence are applied, the ruling sometimes turns to who made a particular statement. If the proponent of a statement produces evidence that would permit a reasonable jury to find, by a preponderance of the evidence, that a specific person made a statement, then the statement may be attributed to that person for admissibility purposes in accordance with Rule of Evidence 104(b). For instance, absent evidence to the contrary, statements in text messages may be attributed to the owner of the phone from which the messages were sent.

JURY INSTRUCTIONS

JURY INSTRUCTIONS

At the conclusion of a jury trial, the judge will instruct the jury how to apply the law to the evidence. Hypothetically, if the judge in your mock trial case were to provide instructions to the jury, they would look something like the following.

[Please note: These instructions may NOT be tendered to the mock trial jury or used as an exhibit during the competition; however, students may use these concepts in fashioning their case and making arguments to the jury.]

PRELIMINARY INSTRUCTIONS

I. Role of the Jury

Now that you have been sworn, and before the presentation of evidence, I have the following preliminary instructions for your guidance as jurors in this case.

You and only you will be the judges of the facts. You will have to decide what happened. You should not take anything I may say or do during the trial as indicating what I think of the evidence or what your verdict should be. My role is to be the judge of the law. I will make legal decisions during the trial, and I will explain to you the legal principles that must guide you in your decisions.

Neither sympathy nor prejudice should influence your verdict. You are to apply the law as stated in these instructions to the facts as you find them and in this way decide the case.

II. Evidence

The evidence from which you are to find the facts consists of the following:

1. The testimony of the witnesses;
2. Documents and other items received as exhibits; and
3. Any facts that are stipulated—that is, formally agreed to by the parties.

The following things are not evidence:

1. Statements, arguments, and questions of the lawyers for the parties in this case;
2. Objections by lawyers;
3. Any testimony I tell you to disregard; and
4. Anything you may see or hear about this case outside the courtroom.

You must make your decision based only on the evidence presented in court. Do not let rumors, suspicions, or anything seen or heard outside of court influence your decision in any way.

You should use your common sense in weighing the evidence. Consider it in light of your everyday experience with people and events, and give it whatever weight you believe it deserves.

Certain rules control what can be received into evidence. When a lawyer asks a question or offers an exhibit into evidence, and a lawyer on the other side thinks that it is not permitted by the rules of evidence, that lawyer may object. An objection simply means that the lawyer is requesting that I make a decision on a particular rule of evidence. Objections to questions are not evidence. You should not be influenced by the objection or by my ruling on it. If the objection is sustained, ignore the question. If it is overruled, treat the answer like any other.

A. Direct and Circumstantial Evidence

Evidence may either be direct or circumstantial. Direct evidence is direct proof of a fact, such as testimony by a witness about what that witness personally saw, heard, or did. Circumstantial evidence is proof of one or more facts from which you could find another fact. You should consider both kinds of evidence. The law makes no distinction between the weight to be given to either direct or circumstantial evidence. You may decide the case solely based on circumstantial evidence.

B. Credibility

In deciding the facts, you must determine what testimony you believe and what testimony you do not believe. You are the sole judges of the credibility, or believability, of the witnesses. You may believe all, some, or none of a witness's testimony. In deciding which testimony to believe, you should use the same tests of truthfulness as in your everyday lives, including the following factors:

1. The ability of the witness to see, hear, or know the things the witness testifies to;
2. The quality of the witness's understanding and memory;
3. The witness's manner and behavior while testifying;
4. The witness's interest in the outcome of the case or any motive, bias, or prejudice;
5. Whether the witness is contradicted by anything the witness said or wrote before trial or by other evidence; and
6. How reasonable the witness's testimony is when considered in the light of other evidence that you believe.

Inconsistencies or discrepancies within a witness's testimony or between the testimonies of different witnesses may or may not cause you to disbelieve a witness's testimony. Two or more persons witnessing an event may simply see or hear it differently. Mistaken recollection, like a person's failure to recall, is a common human experience. In weighing the effect of an inconsistency, you should also consider whether it was about a matter of importance or an insignificant detail. You should also consider whether the inconsistency was innocent or intentional.

POST-TRIAL INSTRUCTIONS

The weight of the evidence to prove a fact does not necessarily depend on the number of witnesses who testified or the quantity of evidence that was presented. More important is how believable the witnesses were, and how much weight you think their testimony deserves.

You will now hear opening statements by the parties and the presentation of evidence. At the conclusion of the evidence, I will instruct you on the law that you are to apply to the facts.

POST-TRIAL INSTRUCTIONS

I. Duty of Jury; Apply the Law

Members of the jury, you have seen and heard all the evidence and the arguments of the lawyers. It is your duty to find the facts and to render a verdict reflecting the truth. You should consider all the evidence, the arguments, contentions and positions urged by the attorney(s), and any other contention that arises from the evidence. All twelve of you must agree to your verdict.

My role now is to explain to you the legal principles that must guide you in your decisions. You must not substitute or follow your own notion or opinion about what the law is or ought to be. You must apply the law that I give to you, whether you agree with it or not.

II. Presumption of Innocence; Reasonable Doubt; Burden of Proof.

The defendant, Chris Munroe, pleaded not guilty to the offense charged. The fact that the defendant has been indicted is no evidence of guilt. The defendant is presumed to be innocent. The presumption of innocence means that Chris Munroe has no burden or obligation to present any evidence at all or to prove that s/he is not guilty.

The entire burden or obligation of proof is on the government to prove that Chris Munroe is guilty. This burden stays with the government throughout the trial. In order for you to find Chris Munroe guilty of the offenses charged, the government must prove each and every element of the offenses charged beyond a reasonable doubt.

Proof beyond a reasonable doubt does not mean proof beyond all possible doubt or to a mathematical certainty. A reasonable doubt is a fair doubt based on reason, logic, common sense, or experience. It may arise from the evidence, or from the lack of evidence, or from the nature of the evidence. Proof beyond a reasonable doubt is proof that fully satisfies or entirely convinces you of the defendant's guilt.

If, having now heard all the evidence, you are convinced that the government proved each and every element of a charged offense beyond a reasonable doubt, you should return a verdict of guilty for that offense. However, if you have a reasonable doubt about one or more of the elements of the offense charged, then you must return a verdict of not guilty of that offense.

III. Arson – First Degree. (Based upon SCL 750.72)

The defendant has been charged with first degree arson. To find the defendant guilty, you must find that the following five elements have been proved beyond a reasonable doubt:

First, that the defendant burned a permanent building or structure;

Second, that the structure is a dwelling house, defined as a house, apartment, dormitory, or similar structure that is the permanent, temporary, or seasonal residence of some person;

Third, that the structure is the dwelling house of someone other than the defendant;

Fourth, that the dwelling house was occupied by some person other than the defendant at the time of the burning; and

Fifth, that the defendant maliciously, intentionally and without excuse burned the structure.

IV. Murder – First Degree in Perpetration of a Felony. (Based upon SCL 750.316)

The defendant has been charged with the offense of first degree murder in perpetration of a felony, first degree arson. To find the defendant guilty of first degree murder under the felony murder rule, you must find that the following three elements have been proved beyond a reasonable doubt:

First, that the defendant committed first degree arson;

Second, that while committing first degree arson, the defendant killed a living person; and

Third, that the defendant's conduct was a proximate cause of the living person's death, meaning that (1) but for the defendant's conduct, the death would not have occurred; and (2) the death was a reasonably foreseeable result of the defendant's conduct.

If you find from the evidence beyond a reasonable doubt that the defendant (1) committed first degree arson; and (2) the defendant's commission of first degree arson was the proximate cause of death of Shawna Bowman, a living person, it is your duty to return a verdict of guilty of first degree murder under the felony murder rule.

If you do not so find, or have a reasonable doubt as to one or more of these things, it is your duty to return a verdict of not guilty of first degree murder under the felony murder rule.

You may now retire to the jury room to deliberate.

AFFIDAVIT OF Jordan Tyson

1	My name is Jordan Tyson. I just graduated from Spartan Conservatory this spring and I'll be
2	attending Rollins College in Florida this fall. I know Rollins isn't the most famous college
3	in the world, but it has a beautiful campus and small classes, and they're giving me a good
4	scholarship. And honestly, after everything that happened to Shawna Bowman, I'm glad to
5	leave Superior.
6	Shawna was my best friend. She was really competitive in everything she did. She was the
7	captain of the girls' soccer team for two years, and she joined the mock trial and Science
8	Olympiad teams. Despite how hard she pushed herself, Shawna was a really nice person. She
9	went out of her way to be friends with everyone. If there was a big exam, she'd organize a study
10	group and buy all the pizza, or if there was a school dance, she'd invite all the girls over to get
11	ready. Her parents paid extra for her to have a single room in Maize Dorm, so it was a great
12	place to hang out with other students. Our student IDs give us access to all campus buildings
13	until 10 p.m. on weekdays and 11:30 p.m. Friday to Sunday. No one without an active
14	student ID can get in, and outside those hours, students can only get into their own dorms.
15	Until the start of our senior year, the only person I can think of who was ever mean to Shawna
16	was her ex-boyfriend, David McCurtis. David was a year older than Shawna and me, and he
17	dated her for half of our sophomore and most of our junior year. At first, David seemed like
18	the perfect boyfriend for Shawna since he was captain of the football team and very popular.
19	They were quite an "item" at all the school dances and social events. But by the end of our
20	sophomore year, things had changed. For one thing, David wasn't much of a student.
21	He seemed to be okay with earning C's, and he forced Shawna to skip study groups to spend
22	time with him. David was controlling like that in most aspects of their relationship. He would
23	get mad at her for speaking to or texting other guys. Once he even accused her of cheating

AFFIDAVIT OF Jordan Tyson (continued)

24	on him. Sometimes I noticed bruises on Shawna’s arms, but when I asked her about them,
25	she said she got them playing soccer. I’d watched some of the games and they did get
26	pretty physical, and I didn’t think Shawna would lie to me.
27	Over the summer, I thought things between them were getting better. Shawna and David
28	were both taking classes in summer school, and they spent a lot of time together. Shawna
29	sent me photos of them swimming and going to cookouts, and I couldn’t see any bruises,
30	though Shawna had put filters on the pictures. But when I came back to school in the fall
31	and the bruises were back – months away from soccer season – I confronted her. This time
32	she admitted it was David. She said David would sometimes grab her too hard or even hit her,
33	but she insisted it was deserved or they were just playing and David didn’t know his own
34	strength. I wasn’t so sure, and I told her that she needed to go to the school administration,
35	but she said no. She said David would get upset if she told anyone, and she begged me to
36	keep it to myself. I never actually saw David grab her or treat her roughly our junior year,
37	so I did as Shawna asked. But when he graduated in 2019 and Shawna ended the
38	relationship, I was glad.
39	David didn’t take it too well at first, and he even sent her some pretty scary texts that
40	summer, which Shawna showed to me. But as far as I know, no one at Spartan Conservatory
41	heard from him after he left for college at Eden University, four hours away from Erie.
42	I’d been friends with David on Facebook since my sophomore year, and I still read his posts
43	sometimes. In early December of 2019 David posted photos of his new girlfriend at Eden
44	University. One week later he posted, complaining that his dad had taken away his car
45	because he’d gotten a DUI and had lost his license for 6 months. His relationship status was
46	unchanged, though. I was relieved on both counts – David had no reason to come back to

AFFIDAVIT OF Jordan Tyson (continued)

47	Spartan Conservatory, and now he had no way to get here. But just as everything with
48	David was resolved, Chris Munroe started acting crazy toward Shawna.
49	Every semester when grades were released, the school posted GPA and class rank data
50	on the student portal of the school website. At the end of our junior year, Shawna
51	found out she was in the running to be our class’s valedictorian and receive the Great Lakes
52	Scholarship. I’m not when the Great Lakes Scholarship started, but it was a pretty big deal.
53	The scholarship gives the class valedictorian a free ride to the college of their choice every
54	year. I didn’t have the grades to care much about it, but I know Shawna did. She talked about
55	it all the time; whenever there was a project, a test, or even a homework assignment, Shawna
56	would shut herself in her room studying, saying that was the only way she could earn the
57	Great Lakes. She didn’t need the money -- her family was well-off. I assumed she just
58	saw it as another competition to win.
59	Chris Munroe was Shawna’s biggest competition for the Great Lakes Scholarship. Chris
60	was on scholarship to Spartan Conservatory, and Chris had retained the top spot in our class
61	for most of our first three years. Chris was a science buff, and Chris took every AP course
62	Spartan Conservatory offered except AP Art. Chris managed to ace nearly every class,
63	join a few clubs, run cross country, and work a job at a gas station down the road all at the
64	same time, even if it meant sometimes going to school events in a work uniform. Chris and I
65	weren’t great friends or anything, but we had a lot of classes together, and Chris was clearly
66	brilliant. The first couple years of high school, Chris would sometimes come to Shawna’s study
67	groups to help people out, which I really appreciated. But when the class ranks were posted
68	at the end of the 2019 spring semester, that all changed. Shawna and I were looking at the
69	ranks on a computer in the library when Chris walked up. Chris saw that Shawna’s GPA

AFFIDAVIT OF Jordan Tyson (continued)

70	was just barely higher than Chris’s and became angry, glaring at Shawna and kicking over
71	a chair before stomping out of the room.
72	When the fall semester of our senior year began, Shawna sometimes invited Chris over to
73	study as she always had. But Chris would say no because Chris “didn’t want to help Shawna
74	steal the Great Lakes,” or because, “if Shawna is really the best, she should be able to ace the
75	test without my help.” As the year went on, Chris’s comments became more and more
76	aggressive, and I started to feel uncomfortable just being around Chris. Sometimes in AP
77	Calculus, I saw Chris scowling angrily at Shawna when Shawna was looking the other way.
78	If Chris saw me watching, Chris would look down and start working on a math problem. It
79	was strange. In the spring, Chris even punched a wall after Shawna scored higher than Chris
80	on one Calculus test. Chris had to wear a brace on Chris’s right hand until right around our
81	final exams. Chris’s attitude concerned Shawna, but it also made her want to work harder.
82	Shawna told me that even if Chris needed the money, Shawna didn’t want the scholarship to
83	go to someone who was so obsessed and hyper-competitive.
84	Shawna’s hard work paid off. Going into final exams in May, Shawna had all A’s, and
85	Chris was on the verge of getting a B in AP Calculus BC. Shawna tried to be nice about it, and
86	she even invited Chris to a math and science study group at her room in Maize Dorm the
87	Friday before finals. But, unsurprisingly, Chris turned down the invitation because it might
88	help Shawna. Chris wasn’t the only one to decline the invitation, though. Everyone Shawna
89	invited bailed to go to the Finals Dance instead. It’s a huge tradition, like a prom but even
90	better. It starts at 9 p.m. and ends at midnight, and almost every senior goes since it’s their
91	last dance at Spartan Conservatory. But Shawna didn’t want to attend. Shawna’s leg had
92	been in a cast since she broke it at the first soccer game in April, and she said if she couldn’t

AFFIDAVIT OF Jordan Tyson (continued)

93	dance, she might as well study. I didn't want her to be stuck all alone, so I said I'd come study,
94	too. If only I'd known what would happen. I wish I'd convinced her to meet in the library or
95	go to the dance anyway; then maybe she'd still be here.
96	That night, May 19, I got to Shawna's third floor dorm room just after 9 p.m. Everyone else
97	had already left for the dance; I didn't see or hear anyone else in the dorm. We ordered a pizza,
98	grabbed some sodas from the vending machines, and got to work. By about 10:55, we had
99	finished the pizza and were getting a little burnt out from studying. Shawna was sitting at her
100	desk in the far corner nearest the door, while I was on the other side of the room, beside the
101	window. She called me over to watch a funny video on her computer, and as I was getting up
102	to go back to my chair, I started to smell gasoline. I thought that maybe I was delusional
103	because I was so tired, but then I saw fluid coming under the door. Seconds later,
104	everything ignited.
105	I didn't know what to do. We didn't have any water or any way to put the fire out, and my
106	phone was dead so I couldn't call for help. The fire alarm started blaring, but the sprinklers
107	didn't come on immediately. I pulled the window open in the hopes that we could escape.
108	I could hear Shawna coughing a lot from the smoke, and I reached for her hand and motioned
109	to the window. I told her to jump first, and then I would jump and make sure we both got
110	away safely. It was a long way down, but there was grass outside the window, and we had no
111	other option. Shawna shook her head no, motioned to her leg, and told me through her
112	coughs to take her unlocked phone, get out and call for help. That was the last thing she
113	ever said to me, possibly to anyone.
114	I did what Shawna said. I jumped out the window. I landed really hard on my right side,
115	and I felt an immediate pain in both my right leg and my right wrist. I tried to get up and find

AFFIDAVIT OF Jordan Tyson (continued)

116	Shawna’s phone to call 911, but it hurt too much to move. Panicking, I looked around for
117	someone to help me, and I saw a person walking rapidly away from the dorm toward the
118	parking lot. They were wearing a yellow collared shirt and dark pants, and they were carrying
119	a bright red object that looked like a plastic gas container. I could not tell which hand the person
120	was using to carry the object. The clothes looked a lot like the uniforms they wear at the gas
121	station where Chris Munroe works. The person was far enough away that I couldn’t see their
122	face, but they were the same height and had the same hair color as Chris. I called out to
123	them for help, but they didn’t turn around. They seemed startled because they tripped
124	over the curb, dropped the gas can, and got up and ran into the parking lot, ducking
125	behind a dark colored SUV.
126	A few seconds later, I heard voices. It was two juniors, Ana Gandhi and Don Zacek,
127	running toward me, dressed like they’d been at the dance. They told me that they had
128	called 911 and help was on the way. I couldn’t stand up, so Ana and Don found Shawna’s
129	phone, grabbed under my arms, and pulled me farther away from the building. It hurt like
130	crazy, but the fire was growing quickly, so we needed to get as far away as we could.
131	It took the firefighters five whole minutes to arrive, and at least another minute for police
132	and the paramedics. It seemed like an eternity. A firefighter asked me if I knew of anyone
133	still in the building, and I frantically told them Shawna was trapped inside because of her leg.
134	Then EMTs put me on a gurney and took me to an ambulance, where a cop asked if I had any
135	idea what happened. I told him about the gasoline and the person in the yellow shirt and
136	gave him Shawna’s phone. Right then the firefighters ran up with a person they’d just pulled
137	out of the building. The person was burned from head to toe and so disfigured that I couldn’t
138	immediately tell who it was. But I could see the remnants of a cast on their right leg, and I

AFFIDAVIT OF Jordan Tyson (continued)

139	knew that it was Shawna.
140	The EMTs surrounded her while the ambulance rushed us to the hospital. We were both
141	taken right into surgery. The next thing I knew, I woke up in the recovery room with casts on
142	my right leg and wrist. I tried asking about Shawna, but no one would talk with me. I later
143	learned that she died a few hours after we got to the hospital. The doctors tried everything
144	to save her, but she was too badly burned. I never even got to say good-bye. If only I'd made
145	Shawna go through the window first. I'm not sure I can ever forgive myself.
146	When I got out of the hospital a few days later, I heard that they had arrested Chris Munroe
147	for Shawna's murder. Some people thought it could have been David McCurtis, but I know it
148	was Chris. Chris always got so angry when Shawna did well, and Chris talked about the Great
149	Lakes as "my scholarship and no one else's." Besides, David is at least half a foot taller than
150	Chris; I would have recognized David if he had been in the parking lot that night. At least
151	Chris's plan didn't work: the school cancelled exams and donated the 2020 Great Lakes
152	award to charity in Shawna's honor. But that's not enough. I want Chris to pay for what
153	happened to Shawna, and I hope Chris rots in jail for the rest of Chris's life.

AFFIDAVIT OF Jordan Tyson (continued)

154	Of the available exhibits, I am familiar with the following and only the following:
155	Exhibit 2.B looks like the gas canister I saw the person carrying on May 19. Exhibit 2.C.
156	is the uniform for workers at Gas ‘N Go. Exhibit 4 is a map of Spartan Conservatory and the
157	surrounding area. Exhibit 5 is an accurate screenshot of texts Shawna received during the
158	summer of 2018, which she showed to me at that time. I have also reviewed the statements
159	attributed to me in Exhibit 1.B, and they appear to be a fair and accurate characterization
160	of my conversation with the police on May 19.

Jordan Tyson
SIGNATURE

Christi Lea
Christi Lea
Notary Public

Date: August 3, 2020

THE STATE OF
SUPERIOR

Christi Lea
My commission expires
12/16/21

AFFIDAVIT OF Amador Vega

1	My name is Amador Vega. I am a guidance counselor at Spartan Conservatory, a
2	prestigious high school in Erie, Superior. I was the person responsible for selecting Chris
3	Munroe as a scholarship student to attend Spartan Conservatory, and I was also Chris’s
4	academic advisor.
5	I’ve been an advisor at Spartan Conservatory since 2011. On average, 450 students
6	attend Spartan Conservatory each year, divided evenly among me and the two other advisors.
7	As a guidance counselor, I have many responsibilities. I help students resolve social conflicts
8	if any arise, navigate stress or anxiety if they feel it, and regain good academic standing if
9	they lose it. The biggest part of my job is helping students plan for college.
10	At a private school like Spartan Conservatory, advertising is everything, and one of our
11	most important selling points is that we get results. Parents choose Spartan Conservatory
12	because we take pride in our students’ accomplishments and are invested in their success. It
13	is my job to see that each student graduates and attends their best fit college. With such a
14	large student body, this is a huge responsibility, and one that I take very seriously. When a
15	student enters their senior year, I help them prepare their college applications and even arrange
16	practice interviews if they request them. I encourage our highest achievers to apply to the top
17	universities in the nation. If I see that a student is less skilled academically, I steer them
18	toward universities where they can still achieve success.
19	Finding the right programs and colleges for everyone takes a lot of time and can be a bit
20	stressful. I’ve never seen this happen at Spartan Conservatory, but I’ve definitely heard of
21	advisors at prep schools losing their jobs when an assigned student doesn’t go to college or
22	doesn’t graduate. Thankfully, most of our students (or, more accurately, their parents) are
23	extremely self-motivated and don’t need a lot of help.

AFFIDAVIT OF Amador Vega (Continued)

24	One of my favorite parts of my job is getting to know and assist our scholarship students.
25	While most students pay a hefty price to attend this school, each year we admit between
26	eight and twelve low-income students on merit-based scholarships. I helped start this program
27	in 2010 after Spartan Conservatory got some bad press about lack of diversity, and I have
28	been a big proponent of it ever since. I think the program benefits everyone: these students
29	help our school by adding socio-economic diversity, and we help them by giving them a
30	first rate education.
31	As a result of my hard work, every single one of our scholarship students has graduated
32	with honors and attended a four-year university. The program's success has generated lots
33	of good press for the school and even resulted in a significant raise for me a few years ago.
34	The only hiccup we've ever had is with Chris Munroe.
35	Chris started school in the fall of 2016. Chris came from a single parent household,
36	and Chris's mother was tasked with caring for both Chris and a younger sibling. From what
37	I gathered, Chris's mother tried to provide Chris with support, but due to stress and finances,
38	she was unable to offer Chris the kind of encouragement and financing necessary to put a child
39	through college. Despite Chris's circumstances, however, Chris was excelling in public school,
40	so when I received Chris's application, I decided that Chris would be a perfect scholarship
41	candidate.
42	Chris's transition from public school to boarding school was a little bumpy, and Chris
43	did have one small incident during freshman year. Chris had joined the Science Olympiad team
44	and was enthusiastic about Chris's robotics project. But when it came time for the regional
45	competition, Chris finished in fourth place, just shy of advancing to the next level. Chris kicked
46	over one of the advancing students' projects, and it caught on fire. Thankfully, no one was hurt.

AFFIDAVIT OF Amador Vega (Continued)

47	But the project was so damaged that the other student dropped out of the competition, and
48	Chris, now in third place, was allowed to advance. While this helped to foster Chris’s interest in
49	science, Chris’s teacher advisor and I agreed that Chris’s behavior was unacceptable. As a result,
50	I met with Chris once per week for the rest of the semester to talk about anger management
51	and coping strategies. Chris seemed to progress well with my counseling, so at the end of the
52	year, I signed off for Chris to continue at Spartan Conservatory without further intervention.
53	Chris excelled academically even as a freshman at Spartan Conservatory, proving that I
54	was right to select Chris for our diversity program. Chris not only held the top position in the
55	class, but Chris also joined a few clubs and started a volunteer organization that encouraged
56	our students to serve as tutors at low-income elementary schools in Erie. When Chris turned
57	16, Chris even picked up a job at a gas station nearby to earn some extra money, and Chris’s
58	grades were not affected at all. Chris wanted to study chemical engineering at Stanford,
59	and based on Chris’s first two years, I believed Chris could do it.
60	In fact, by the middle of Chris’s sophomore year, it was clear that Chris might be a
61	contender for the Great Lakes Scholarship. The Great Lakes is the only full-ride college
62	scholarship we offer, and it is awarded to each class’s valedictorian. I knew that if Chris won,
63	not only would Chris benefit, but Chris’s success would result in positive publicity for Spartan
64	Conservatory and my diversity program. But of course, if someone else won, Chris still had
65	the grades to get into Stanford and could apply for other scholarships.
66	When I told Chris about the Great Lakes award, Chris was excited – almost too excited –
67	about the prospect of a full merit scholarship. Every time report cards and class ranks came
68	out, Chris would come into my office and ask, “How’s my scholarship?” or “No one’s beating
69	me for the Great Lakes, right?” Each time, I assured Chris that Chris’s top class rank seemed

AFFIDAVIT OF Amador Vega (Continued)

70	secure. By Chris’s junior year, Chris started to act somewhat arrogant about it. When Chris
71	declined to take AP Art, an “easy A” course that most juniors at Spartan Conservatory take,
72	I reminded Chris that doing well on AP courses is the best way to maintain top class ranking.
73	But Chris didn’t listen. That decision allowed Shawna Bowman, another junior, to just barely
74	pass Chris in the class rankings. I didn’t know Shawna very well because she wasn’t assigned to
75	me, but I had heard good things about her from her teachers and her advisor.
76	When the rankings came out in spring of 2019 and Chris was no longer first, Chris
77	immediately started scrambling to get back to the top position. I helped Chris plan the best
78	senior schedules I could, but I made it clear that with the extra AP course, Shawna might
79	have an edge over Chris no matter what. Chris seemed furious. I tried to convince Chris to
80	apply to other scholarships and reminded Chris that Stanford has generous need-based aid
81	programs, but Chris said, “No, I have to stop Shawna. If I don’t, I can kiss Stanford goodbye.
82	All my hard work will be for nothing. I’ll be stuck in menial jobs the rest of my life. The Great
83	Lakes is my only way out! I have to do whatever it takes to get back on top.” Chris’s response
84	concerned me, but I thought Chris just planned to put even more effort into getting good
85	grades. I didn’t think Chris intended to do anything rash.
86	Chris worked harder than any student I have ever seen during senior year. Looking back,
87	perhaps I should have asked Chris more questions or checked in more often, but I always saw
88	Chris as a driven student and I didn’t want to do anything to harm Chris’s work ethic.
89	However, in the spring, when Chris punched a wall from stress and fractured a hand, I decided
90	to step in. I scheduled a meeting with Chris at the end of April to try and talk about what
91	Chris was feeling.
92	Chris came by for a few minutes on April 26, still wearing a brace. I tried to talk through

AFFIDAVIT OF Amador Vega (Continued)

93	what happened and get Chris to open up about the anger Chris was experiencing, but it felt
94	like I was getting nowhere – Chris had become irrationally angry about the scholarship and
95	was having a lot of trouble calming down. Although Chris seemed on edge, Chris finally agreed
96	to my game plan: I would give Chris information on three additional scholarship programs, and
97	Chris would complete the applications and meet up with me in three weeks. I thought Chris was
98	likely to receive a good portion of Chris’s college tuition if Chris put work into these applications.
99	I reminded Chris that I was always available to read essays, look over resumes, or just talk.
100	Even though Chris seemed irritated, Chris nodded, so I thought Chris would do as I
101	recommended. But Chris was muttering as Chris left. I couldn’t make out all the words, but I
102	am certain that I heard Shawna’s name.
103	I didn’t see or hear from Chris during the three-week period. I sent a check-in email on
104	May 10 but received no response. Chris skipped our appointment on May 17. I tried to schedule
105	another meeting with Chris, but Chris’s email made it clear Chris wanted no part of that. Based
106	on Chris’s emails, I hoped Chris had applied for the other scholarships. However, after
107	investigating further, I couldn’t find records of Chris requesting the official transcripts or written
108	teacher recommendations that most scholarships require. Chris could have sent unofficial
109	transcripts, which are available for free online, and requested teacher recommendations
110	in-person instead of through my office. But I don’t think that’s likely. Chris had always
111	requested through my office in the past, which leads me to believe that Chris never filled those
112	applications out. I did not have a chance to speak with Chris about it before the horrifying
113	events of May 19.
114	On May 20, I was absolutely devastated when I learned that Shawna Bowman had been
115	killed in a dorm fire. I was even more shocked to learn that Chris had been arrested when Officer

AFFIDAVIT OF Amador Vega (Continued)

116	Krishnamurthy interviewed me. I want to believe that Chris is a good person and would never
117	commit such a heinous act, but the way Chris talked about Shawna was definitely extreme. I
118	wish I had done more to help Chris; perhaps if I had been more proactive, I could have
119	intervened and prevented this tragedy.
120	I know people have been talking about David McCurtis as someone who could have been
121	involved. I wasn't David's advisor, but I had seen him come into the advising office before.
122	He wasn't the brightest student, and his grades frequently fell so low that he lost academic
123	eligibility to play sports. His father, who is a generous donor to the school, protested
124	(unsuccessfully) to more than one of my colleagues to get David's eligibility back. That being
125	said, I never heard of David being reported for any physical abuse or violent altercations. With
126	his family's reputation in the community, I don't know how amenable Spartan Conservatory
127	students would be to filing a report about David, but if one had been created, it would have
128	passed through my office.
129	Of the available exhibits, I am familiar with the following and only the following: The
130	statements attributed to me in Exhibit 1.B appear to be a fair and accurate summary of my
131	conversation with the police on May 20. Exhibit 2.A shows Maize Dorm after that terrible fire.
132	Exhibit 4 is a map of the school. Exhibit 6 accurately reflects my email correspondence with
133	Chris Munroe during April and May. Exhibit 7 is the disciplinary report I filed during Chris's
134	freshman year; it is the only report in Chris's disciplinary file.

Amador Vega

SIGNATURE

Kelly Pinkston

Kelly Pinkston

Notary Public

Date: Aug. 7, 2020

THE STATE OF
SUPERIOR

Kelly Pinkston

My commission expires
2/18/23

Report of Skyler Paige



**ERIE POLICE DEPARTMENT
CRIMINAL INVESTIGATION DIVISION
INVESTIGATIVE REPORT**

1	Division Chief:	Skyler Paige
2	Date:	July 28, 2020
3	RE:	Case No. 20CR050624
4	SUMMARY	
5		Shawna Bowman, a senior at Spartan Conservatory, died as the result of burns sustained in
6		a fire deliberately set outside her dorm room (321 Maize Dormitory) on the night of May 19,
7		2020. Chris Munroe, a classmate of Bowman, threatened Bowman as Munroe grew concerned
8		that Bowman would earn the Great Lakes Award, a full-ride college scholarship, in Munroe's
9		stead. All evidence points to Munroe as the perpetrator who set fire to Bowman's dorm room,
10		and Munroe has been charged with arson and felony murder.
11	CREDENTIALS	
12		I am the Division Chief of the Criminal Investigation Division of the Erie Police
13		Department ("EPD"), a position I have held since June of 2018. I earned my Bachelor of
14		Science with Honors in chemistry from Cornell University in 1998 and then attended the
15		University of Illinois at Chicago, earning my Masters of Forensic Science in 2000. I worked
16		for the Chicago Police Department as a forensic specialist from 2000 until 2010, during which
17		time I conducted DNA, fingerprint, and blood spatter analysis for more than 300 cases.
18		From 2007-10 I continued working while I obtained my Masters in Forensic

Report of Skyler Paige (Continued)

19	Psychology online from Southern New Hampshire University. In 2010, I accepted a
20	detective position in the EPD. Admittedly, some of my colleagues in Chicago considered this
21	move a step backward in my career, but I wanted to raise my family in a smaller,
22	safer environment. In 2014 I was promoted to Chief Investigator, and in 2018 I assumed the
23	role of Division Chief in the Criminal Investigation Division of the EPD.
24	
25	Since 2010 I have attended more than 200 hours of Continuing Professional Education
26	seminars on topics covering the best practices in arson investigations, fingerprint, DNA,
27	and bloodstain pattern analysis, and examination of the criminal mind. I am a member of
28	the American Academy of Forensic Sciences, the International Crime Scene
29	Investigator’s Association, the International Association of Crime Analysts, and the
30	American Society of Criminology.
31	
32	As Division Chief, I am responsible for overseeing all EPD criminal investigations. I analyze
33	or review all evidence relating to major crimes, including, but not limited to,
34	homicide, kidnapping, rape, armed robbery, and arson. This case was no exception, as I
35	personally conducted the investigation into the death of Shawna Bowman.
36	BASES OF OPINIONS
37	I relied on the following evidence to reach my conclusions:
38	<ul style="list-style-type: none"> ● Police report filed by Officer Benjamin Krishnamurthy, including summaries of the
39	<ul style="list-style-type: none"> <ul style="list-style-type: none"> interviews Officer Krishnamurthy conducted at the scene (Exhibit 1.A & 1.B)
40	<ul style="list-style-type: none"> ● Physical evidence at or near the crime scene, including (1) fragments of wood

Report of Skyler Paige (Continued)

41	and carpet from Maize Dormitory; (2) the gasoline can located near the dorm;
42	and (3) the clothing that Munroe wore at the time of Munroe’s arrest
43	(Exhibits 2.B & 2.C)
44	<ul style="list-style-type: none"> ● Fingerprint analysis of the gasoline can found at the scene (Exhibit 2.B)
45	<ul style="list-style-type: none"> ● Gasoline receipt time-stamped 22:34:46 on 5/19/20 from the
46	<ul style="list-style-type: none"> ● Gas n’ Go station located at 1791 Erie Dr., Erie, Superior 40422 (Exhibit 3)
47	<ul style="list-style-type: none"> ● Texts retrieved from Bowman’s cell phone (Exhibit 5)
48	I visited the scene on May 20, 2020 to gather physical evidence from Maize Dormitory. The
49	photos in Exhibit 2.A accurately depict the building on that day, and Exhibit 4 accurately
50	portrays the campus. I did not conduct my own interviews of eyewitnesses to the events of
51	May 19, relying instead on the accounts that Officer Krishnamurthy provided.
52	
53	To come to my conclusions, I analyzed (1) the composition of various materials found at the
54	crime scene; (2) the fingerprints found on the gas container; and (3) the interview notes
55	recorded by Officer Krishnamurthy. The methods I used are standard within the field of
56	crime scene analysis and are used by crime scene investigators globally.
57	INVESTIGATION
58	1. Fire accelerant analysis
59	According to eyewitness Jordan Tyson, the fire began in the vicinity of room 321 in Maize
60	Dormitory. Photographs of the scene were taken on May 20 after the fire chief declared the
61	building safe to enter. At that time, I obtained samples of carpet, wallboard, and flooring from
62	the vicinity of room 321 and the surrounding area. I sealed the samples in airtight metal

Report of Skyler Paige (Continued)

63	containers to prevent evaporation of any accelerants used to start the fire.
64	
65	I also mapped the areas where the damage was most extensive in order to determine
66	the origin of the fire. My mapping revealed that the charring was most intense
67	outside room 321, confirming that the hallway just outside the door to room 321 was
68	the place of origin.
69	
70	Back at the lab, I analyzed the samples using the “passive headspace” method: I inserted carbon
71	strips into the metal cans containing the samples. Next, I warmed the cans and debris, driving
72	the accelerant residue from the debris into the top, or “headspace,” of the containers, where it
73	was absorbed by the carbon strips. The carbon strips were removed from the cans and washed
74	with solvents to release the trapped material; then the solvents were injected into a gas
75	chromatograph to analyze their chemical composition. This method is extremely sensitive and
76	can detect one one-thousandth of a drop of an accelerant. My tests revealed that regular grade
77	gasoline (87 octane) was poured under and on the outside of the door of room 321 and
78	subsequently ignited.
79	
80	The burn pattern indicates that approximately one gallon of gasoline was used as the
81	accelerant. The gasoline quickly caught fire, spreading into the room and igniting the
82	surrounding rooms. Due to the presence of thick industrial carpet in the hallway and in the
83	room itself, smoke quickly engulfed the room and the hallway, making it difficult for anyone in
84	the vicinity to see or to breathe. The fire spread quickly throughout the top floor but was

Report of Skyler Paige (Continued)

85	contained by the eventual activation of the sprinkler system and the quick response of the Erie
86	Fire Department before extensive damage to the lower floors.
87	
88	Gas chromatography analysis of miniscule amounts of gasoline remaining in the gas can at
89	the scene revealed that it contained detergents and other additives consistent with both
90	the accelerant used in the fire and the regular gasoline sold at the Gas n' Go station
91	on Erie Drive. The station owner, Kiran Patel, provided a cash receipt for one gallon of
92	gasoline purchased at the station approximately 30 minutes prior to the ignition of the fire.
93	The composition of the sample is also consistent with regular gasoline sold by Sheetz, Wawa,
94	and Exxon stations within a two-mile radius of the school, so it is not possible to
95	definitively conclude that the gasoline was purchased at the Gas n' Go on Erie Drive.
96	However, receipts from those three stations during the hours of 9 to 11 p.m. on May 19 did
97	not reveal any purchases of one single gallon of gasoline.
98	
99	2. Fingerprint analysis
100	Fingerprint analysis compares prints obtained from physical evidence with prints from
101	known individuals, analyzing them for similarities or differences in patterns (arch, loop,
102	whorls) and minutia (ridge endings, bifurcation, and short ridges). Ridge endings are the
103	points at which a ridge, or line, terminates; bifurcations are points at which a single ridge splits
104	in two; short ridges are significantly shorter than average. Our laboratory uses
105	pattern-based algorithms to compare two prints. While the FBI does not require a specific

Report of Skyler Paige (Continued)

106	number of matching characteristics to declare a match, the greater the number of points
107	in common, the more reliable the result. Some experts in the field require only 12
108	points in common to declare a match, while other experts require 20 points in common.
109	Our standard is to declare a match if two samples have 16 or more points in common.
110	Four fingerprints (three full and one partial) were found on the gasoline container retrieved from
111	the scene. I compared those prints against the prints obtained from Chris Munroe during booking.
112	I determined that two of the prints found on the gasoline container matched those of Munroe:
113	(1) A full print from the handle of the container was a 20-point match for the left middle finger
114	of Munroe; and (2) A full print from the screw-on lid of the container was an 18-point match for
115	Munroe’s left index finger. A partial print, also taken from the lid of the can, was a seven-point
116	match with Munroe’s left thumb.
117	
118	One additional full print was obtained from the lid of the can. This print did not match the
119	prints from Chris Munroe, and no match was obtained when the print was run through the
120	federal IAFIS (“Integrated Automated Fingerprint Identification System”) database.
121	Several unidentifiable partial smudges were obtained from the handle and body of the container.
122	
123	3. Interview analysis
124	Officer Benjamin Krishnamurthy interviewed key eyewitnesses as part of his investigation;
125	summaries of those interviews are included in his report (Exhibit 1.B).
126	

Report of Skyler Paige (Continued)

127	The interviews revealed several key facts that implicate Munroe in this fire. First, Munroe
128	believed that Bowman was about to earn the full-ride college tuition Great Lakes Award, an
129	award Munroe had demonstrated substantial interest in receiving. Second, Munroe had
130	demonstrated threats of and tendencies toward violence, with respect to property and Munroe's
131	own person. Finally, Munroe had access to gasoline – the accelerant used to start the fire –
132	at Munroe's job at the Gas n' Go station located one mile from the school.
133	
134	Based on his investigation at the scene, Officer Krishnamurthy apprehended Chris Munroe at
135	11:40 p.m. on May 19, 2020 to prevent Munroe from fleeing the area.
136	
137	CONCLUSIONS
138	The evidence demonstrates that Chris Munroe set the fire in Maize Dormitory on May 19,
139	2020, that led directly to the death of Shawna Bowman. Accordingly, on May 20, Chris Munroe
140	was arrested and charged with arson and felony murder.
141	
142	While no eyewitness definitively placed Munroe at the scene, the physical evidence and
143	the testimony of Jordan Tyson make it extremely likely that Munroe was present at Maize Dorm

Report of Skyler Paige (Continued)

144	on May 19 when the fire was set. Tyson attests that an individual wearing a yellow shirt and
145	dark pants, believed to be the perpetrator, fled the scene in a suspicious manner soon after the
146	fire was set. When apprehended, Chris Munroe was wearing a uniform matching that description:
147	a Gas n’ Go yellow polo shirt and dark cargo pants. Tyson also reported that the alleged
148	perpetrator dropped the gasoline can that was found at the scene, a can that contained
149	Chris Munroe’s fingerprints.
150	
151	Admittedly, the timeline makes it a bit difficult for Munroe to reach the scene in time.
152	Munroe clocked out at work from the Gas n’ Go at 10:40, and the fire was reported at 11:01 by a
153	call to 911 (so it may have begun several minutes prior). Munroe does not own a car, and buses
154	do not run between the gas station and the school at that hour on Friday evening. Still, it
155	would have been possible for Munroe, a member of the school cross country team, to walk
156	briskly or to jog from the gas station to the school in 15 minutes, arriving in time to set the fire.
157	
158	Munroe claims that Bowman’s former boyfriend, David McCurtis, purchased one gallon of
159	gasoline at the station on the night of May 19, using a loaner container from Gas n’ Go. As
160	already stated, station owner Kiran Patel provided a receipt proving that such a gasoline
161	purchase was made – but since it was a cash purchase, the buyer cannot be corroborated.

Report of Skyler Paige (Continued)

162	Security cameras at the station were not working on the night in question, so no
163	videos exist to prove that McCurtis made the purchase in question. Although our
164	investigation revealed that McCurtis had sent threatening texts to Bowman in late spring
165	and summer of 2019, no other witnesses report seeing McCurtis in Erie after McCurtis
166	graduated in May of 2019 and left for Eden University, four hours from Erie.
167	
168	Our investigation did confirm that McCurtis got into trouble during his first year at Eden
169	U. He failed several courses and was arrested in December 2019 for underage drinking and
170	DUI. McCurtis's license was revoked for six months, and McCurtis was ordered to
171	complete a 20-hour substance abuse course and pay a \$1,500 fine. As a first-time
172	offender, McCurtis's charges were dismissed after successful completion of these requirements.
173	But because of his arrest, McCurtis's fingerprints are in the IAFIS database. The prints were
174	tested and determined not to match the prints from the gasoline can obtained during
175	this investigation. Additionally, McCurtis was scheduled to move into a summer school dorm
176	the weekend of May 19 - 21, 2020, to repeat courses failed during McCurtis's freshman
177	year. Because of this information, McCurtis was not considered to be a viable suspect.

Skyler Paige

SIGNATURE

Adrienne Applewhite

Adrienne Applewhite

Notary Public

THE STATE OF
SUPERIOR
Adrienne Applewhite
My commission expires
1/21/21

AFFIDAVIT OF Chris MUNROE

1	My name is Chris Munroe. I was born on April 25, 2002, and I have lived in Superior my
2	whole life. I used to be a senior at Spartan Conservatory. I was weeks away from graduating and
3	winning one of the highest honors in the whole school, but then I was arrested for this crime
4	that I did not commit.
5	Growing up, I never thought I would be a prep school kid. My dad left when I was pretty
6	young, and my mom worked two jobs to support me and my little brother. We always had food
7	and a place to stay, but we never had money to buy more than the essentials. My mom told me
8	that if I worked hard in school, I could earn a scholarship, go to college, and get a good job. I'm
9	districted to Erie High, but it's a pretty dangerous place and they don't offer a lot of advanced
10	classes. So I decided to apply to the scholarship program at Spartan Conservatory. After loads
11	of essays and interviews, they let me in, so I packed up my few belongings and went off to
12	boarding school.
13	Spartan Conservatory was a complete culture shock. Almost everyone there came from
14	money, and I didn't always fit in. I didn't have a new cellphone like most people, and while I
15	could get texts and send emails, I could never afford data plans that let me text constantly. I
16	mainly used the phone for school, to call my mom, or in emergencies.
17	I saw a lot of people at Spartan Conservatory taking the school for granted: missing
18	homework assignments, slacking on projects, or even skipping class. I didn't have that luxury.
19	My mom wouldn't yell at an administrator if I didn't get an A, so I had to work for my grades.
20	And I wanted to make the most of my opportunity. I've always wanted to be an engineer, so I
21	joined the Science Olympiad club. That got off to a rough start after I accidentally knocked over
22	another student's robotics project. It caught on fire, so the student quit the competition. Because
23	of what happened, my guidance counselor forced me to sit through anger management training.

AFFIDAVIT OF Chris MUNROE (continued)

24	But despite all that, I ended up advancing to state finals my freshman year, and Science
25	Olympiad became my favorite club. I made friends there, and those friends even convinced
26	me to join cross-country to get in shape.
27	Sometimes it was hard to balance it all, especially because I had to pick up a job at a
28	Gas ‘N Go station near campus. The station is open 24/7. I usually worked 20 hours a week,
29	mostly on weekends. I didn’t have a car, but my boss, Kiran Patel, understood if I was a little
30	late because the bus wasn’t on time. By the middle of my senior year, I even got a promotion!
31	The only bad thing was that the station was about a mile from campus. Some nights when I was
32	scheduled until 10:30 p.m., I wouldn’t get off work until 11:00 p.m. By that time, the buses
33	wouldn’t be running. While the 15 to 20-minute walk to my dorm wasn’t bad during the day,
34	it felt a lot longer when I had to do it alone at night.
35	I always thought that I would get the Great Lakes Scholarship to pay for college. The Great
36	Lakes – given to the valedictorian – is the most prestigious award at the school. The competition
37	is intense. Every time class ranks are posted, everyone checks to see where they stand. Until my
38	junior year, I had stayed in the top position for our class, and I hoped that I would be a shoo-in
39	to win. But as junior year began, Shawna Bowman started catching up to me. She was able to
40	take one more AP course that year than I was, and her GPA in May of 2019 was a couple
41	hundredths of a percent higher than mine.
42	I never had anything personal against Shawna; we took most of the same rigorous classes
43	and she always seemed to work hard. But I knew that she had the money to go anywhere she
44	wanted without debt – even Harvard or Yale. I wanted to attend Stanford for chemical
45	engineering, but unless I got a huge scholarship, it wouldn’t be an option. I tried not to hold it
46	against Shawna, but it hurt to watch her trying to take away my future just because she liked

AFFIDAVIT OF Chris MUNROE (continued)

47	being competitive. When she wasn't focused on beating me, though, Shawna could be nice.
48	We were in Science Olympiad together for two years, and we even studied for AP exams together
49	during junior year. AP exams don't factor into your GPA, so there was no need to be competitive,
50	and Shawna actually helped me out.
51	That being said, Shawna and I were not friends, especially not senior year. After Shawna
52	passed me in class rank, she was actually pretty rude to me. If she outperformed me, she would
53	laugh at me or call me a "sore loser," and once after an AP Calculus test she made me so angry
54	that I punched a wall in the hallway and fractured a couple of bones in my right hand. After the
55	doctor said to avoid writing, typing, and other hand activities for the next month, I realized that
56	I needed to do something about how Shawna was making me feel. My school counselor,
57	Amador Vega, offered to meet with me and help me apply for other scholarships, but I wanted
58	to focus my efforts on the Great Lakes award. I started working even harder, staying in the
59	library late at night and even bringing textbooks to read behind the counter at work if business
60	was slow. I had never felt this stressed about school in my life, but I didn't want to let Shawna
61	take my dream away from me.
62	By the middle of May of 2020, I was feeling pretty good. I had gotten my Stanford
63	acceptance letter, I had studied endlessly for AP Calculus, and I knew that AP Chemistry would
64	be a breeze. My hand was feeling better, too – I hardly ever had to wear the brace the doctor
65	had prescribed. Exams would be exhausting, but I was going to get through them, and I was
66	feeling prepared. Then, on May 19, everything fell apart.
67	That Friday was the last day of spring classes, and exams were scheduled to start the next
68	Monday. But instead of worrying about exams, everyone was talking about the Finals Dance.
69	It's an Spartan Conservatory tradition, the last big event seniors can go to before graduation.

AFFIDAVIT OF Chris MUNROE (continued)

70	My friends had been pestering me to go, but honestly, I don't like dances. Shawna was hosting a
71	study group, but I wasn't interested. In any case, I was scheduled to work until 10:30 p.m. Even
72	if I wanted to go to the dance, it would have taken me at least an hour to walk home, shower
73	and change, and then walk to the gym. Even if I got off work on time, I would miss all but the
74	last half hour of the dance - unless I went in my silly work uniform. My uniform is an eyesore;
75	I didn't think I would have too much fun in a yellow polo and black cargo pants, so I told
76	everyone I was booked for the night.
77	That day, I got out of class and immediately started getting ready for work since my shift
78	started at 4:30 p.m. The night shift worker often came in late, so I knew I might not get out
79	on time at 10:30 p.m. But that didn't bother me too much; I didn't usually make plans for
80	after work, and I was honestly thankful for the extra time on the clock. Plus, it's unusual to
81	get a bunch of customers that late, so it was pretty easy work.
82	At any rate, that's where I was on May 19 – at work. It was a weird shift right from the start.
83	The station had blown a fuse during a storm earlier that week, and the security cameras weren't
84	working. Kiran was in the office on the phone, trying to get the security company to fix them.
85	Ever since the storm, Kiran had been telling every employee to be hyper-vigilant if they saw
86	anything out of the ordinary. At some point that evening, Kiran told me the night shift worker
87	had called in sick, so Kiran would take his place. By 10:35 p.m., I was ready to be done with
88	customer surveillance and go home, but David McCurtis walked in.
89	I hadn't seen David in almost a year, but he was hard to forget: he was loud and he was
90	huge -- at least half a foot taller than I am. He graduated from Spartan Conservatory when I
91	was a junior, and from what I know, everyone was happy to see him go. He comes from a really
92	wealthy family in Eden -- his dad owns the Superior Unicorns NBA team -- and he gets away

AFFIDAVIT OF Chris MUNROE (continued)

93	with basically everything. Shawna Bowman dated him for almost two years. I never really
94	understood it; no one did. He treated her terribly. Every time I saw them together, he berated
95	her about not being smart or pretty or thin enough. Sometimes, she even came to class with
96	bruises on her arms, which I assumed were from David. Shawna ended things when he
97	graduated, and he took it badly. Until May 19, 2020, I thought he had gone off to college and
98	found someone else – I’d seen pictures he posted on Instagram in early November of 2019,
99	kissing another girl in front of the Eden University football stadium.
100	When David came in, he asked if we had any empty gas containers so that I could sell him
101	a single gallon of gas. I was pretty wary of dealing with him alone in the middle of the night, so
102	I tried to make the sale and get him out of the station as quickly as possible. I grabbed the red
103	loaner gas container we keep as a courtesy for customers, charged him for a gallon, and then
104	sent him outside to fill the container. He paid in cash. I don’t remember what he was wearing;
105	I didn’t notice it, so it probably wasn’t anything too out of the ordinary. As I saw David turn out
106	of the parking lot, I straightened up the service counter, clocked out in Kiran’s office, and left.
107	I thought about going to the dance or walking to a fast food place for a quick bite, but I
108	checked my phone, and it was already 10:45 p.m. So I decided to stop by the vending machines
109	at the student union instead. I do that a lot, so I don’t remember what I got. Then I headed back
110	to my dorm, Roberts Hall. On the way, I heard sirens. I assumed it was a false alarm – that
111	someone had burned their popcorn too much and set off the detector – but then I started to
112	smell smoke from the direction of the Maize Dorm quad. I thought about going to look, but I
113	was tired from work and decided to just go home. All of a sudden, a police officer approached
114	me and asked to see my phone. I had nothing to hide, so I unlocked it and handed it to him.
115	Suddenly he told me I was being taken into custody, handcuffed me, and threw me into the

AFFIDAVIT OF Chris MUNROE (continued)

116	back of a police car. I was completely caught off guard; I had no idea what the police could
117	possibly want with me! The next day, I was shocked when they charged me with arson and
118	felony murder. It's absolutely insane that they think I'd do this!
119	I have no idea how the fire started or who would do that to Shawna. The police should be
120	trying to find the real killer. It was probably David McCurtis – if anyone wanted to hurt
121	Shawna, it was him. But when I tried to tell the police that, they wouldn't listen. They probably
122	know that David's rich family would make sure he got away with it, so they decided not to even
123	look for him. They only want to lock someone up, and I'm an easy target. I have to admit, I'm
124	pretty scared.
125	Of the available exhibits, I am familiar with the following and only the following:
126	Exhibit 2.A is a photo of the dorm shown to me by the police. Exhibit 2.B looks like the gas
127	container I loaned to David McCurtis, though I can't be sure it's the exact same one.
128	Exhibit 2.C is my work uniform at Gas 'N Go. Exhibit 3 looks like the receipt I printed out for
129	the station's records when I sold the gas to David. Exhibit 4 is a map of Spartan Conservatory's
130	campus. Exhibit 6 shows emails between me and my guidance counselor, Amador Vega.
131	Exhibit 7 is a disciplinary report from my freshman year that I had to sign. I have also
132	reviewed the statements attributed to me in Exhibit 1.B, and they appear to be a fair and
133	accurate characterization of my conversation with the police on May 19-20.

Chris Munroe

SIGNATURE

Michelle Strickland

Michelle Strickland

Notary Public

Date: July 26, 2020

THE STATE OF
SUPERIOR

Michelle Strickland

My commission expires

9/16/21

AFFIDAVIT OF Kiran Patel

1	My name is Kiran Patel. I have lived in Superior since I was a teenager. I was not born
2	in the United States, but I am proud to say that I became a citizen on September 11, 2011.
3	The 10 th anniversary of 9/11, “Patriot Day,” just seemed like the right time to act.
4	I’m proud, now, to call America my home. Where else could a poor immigrant family start
5	from nothing and after a few years own more than 40 gas stations across five states? My parents
6	sacrificed a lot to bring our family to this country, and I am grateful every day that they did.
7	Watching them start the Gas ‘N Go business taught me that hard work, diligence, and integrity
8	are the path to success. Growing up, my parents made sure that I learned what it meant to work
9	hard. They had me rotate through every job in the stores before I went off to Superior University,
10	where I earned my business degree with honors. After I graduated in 2012, my dad made me
11	the manager of our store in Eden. Three years later he promoted me to regional manager for
12	five stores in Erie County, where I’ve tripled the overall sales in just five years.
13	As regional manager, I oversee the hiring and training of our store managers, develop
14	our regional marketing plan, and make sure that each store is running efficiently. I also lead
15	quarterly trainings for all of our employees, including part-timers. Our cashiers are the face of
16	our brand, so I want to make sure they’re a good fit and uphold our company motto: “We go the
17	extra mile so you don’t have to.” Also, employee morale is important to me. I want our
18	employees to know that we care about them, so I chat with them individually when I visit the
19	stores each week.
20	My favorite store is the one on Erie Drive in Erie. It’s not too far from the interstate, so
21	it’s open 24/7. It’s also only a mile from that expensive boarding school, Spartan Conservatory.
22	Students from the school are frequent customers. Many drive expensive cars I could never
23	have afforded at their age. They dress in designer clothes and spend ridiculous amounts on

AFFIDAVIT OF Kiran Patel (Continued)

24	snack food and energy drinks. I'll bet they receive an allowance from their parents and never
25	have to earn their own money.
26	In the second week of April this year, the store manager at the Erie Drive store went on
27	maternity leave for two months, so I picked up many of her shifts. That's when I really got to
28	know Chris Munroe, a high school student we hired in 2016. Chris impressed the store manager
29	from the start, and I could see why. Chris asked lots of questions at the quarterly trainings and
30	was eager to learn. Whenever I visited that store, I could see that Chris was a hard worker and
31	great with the customers.
32	Chris started working as a cashier right after Chris turned sixteen. I was surprised that a
33	student at the boarding school applied for a job, but then I learned that Chris was attending on
34	a full scholarship. The number of activities on Chris's resume impressed me, and Chris's
35	reference, a teacher named David Gray, said Chris was a model student with a strong work
36	ethic. When I got to know Chris, I agreed with the teacher's assessment. Chris's mom was a
37	single parent and unable to financially support Chris, so Chris wanted to work as many hours as
38	I would allow. Yet despite that tough background, Chris always had a very upbeat, positive
39	attitude. My family's encouragement had always been so important to me that I wanted to
40	"pay it forward" by helping Chris. In the years that Chris worked for me, Chris became like
41	family. Whenever I saw Chris, I would ask about Chris's classes and other activities. Chris
42	started showing me quarterly report cards and class rank reports, and I was amazed -- Chris
43	was first in the class in both 2016 and 2017! Chris clearly could achieve anything, with the
44	right resources and support.
45	Because of Chris's initiative and great attitude, Chris was quickly promoted from cashier
46	to head cashier. In December of 2019 the manager promoted Chris to shift supervisor. This

AFFIDAVIT OF Kiran Patel (Continued)

47	change meant that Chris supervised and trained other cashiers, counted the registers as each
48	cashier clocked out, and put the extra cash and checks in the store safe. Chris did an excellent
49	job with these new responsibilities.
50	Soon after I began filling in as store manager in mid-April, Chris reported to work with
51	one hand wrapped up in a brace. Chris told me that several bones were fractured because “I
52	lost my cool for a second.” I was surprised by that. I offered to let Chris take a few weeks off
53	until the hand healed, but Chris reacted very strongly. “NO!! I mean, thank you, but I really
54	need to work if I can. I promise I’ll still be able to do a good job.” Chris appeared stressed by
55	the very thought of not working, so I dropped the subject.
56	During that time, I noticed that Chris also started bringing in textbooks to study during
57	slow periods. Chris had never done that before, so I made a joke about “Guess you’re not
58	succumbing to senioritis, are you?” Chris looked startled, so I quickly said, “It’s a compliment!
59	Most seniors slack off by now, don’t they?” Chris looked extremely upset, saying, “I wish I
60	could! If I keep my top class rank, I’ll get a full college scholarship. But if someone else gets in
61	my way and takes my money, I don’t know what I’ll do.” A customer came in right then, so we
62	didn’t talk any further. But the conversation stuck with me because Chris looked pretty anxious
63	about the whole thing.
64	Even so, I never saw Chris do anything violent, even when stressed. In fact, around the
65	station, Chris was known for being nice to everyone. Chris was cool, calm, and collected when
66	dealing with angry customers, and Chris went out of the way to help Chris’s co-workers
67	whenever they were given difficult tasks. It seemed to me like Chris’s professionalism carried
68	over into Chris’s academic life as well. Even though Chris talked constantly about wanting to
69	be the top student at Spartan Conservatory, Chris always spoke respectfully about Chris’s

AFFIDAVIT OF Kiran Patel (Continued)

70 classmates. I remember once, Chris was talking about a classmate, Shawna something, who
71 was competing against Chris for that top spot. Chris said she was the nicest person Chris had
72 met. More than once, Chris said how glad Chris was to have Shawna as a friend, even if she
73 was smarter than Chris. Chris told me that the competition pushed Chris to work harder, and
74 that was why Chris brought so much schoolwork into the station.

75 On May 20, I was stunned when I heard Chris had been arrested and accused of murdering
76 another student by setting a fire in a dorm the night before. I was even more shocked when I
77 learned that the victim was Shawna. That was just crazy! When the police came to interview me,
78 I told them they must be mistaken: Shawna was Chris's friend, and besides, Chris was working
79 at the store on the evening of May 19. Chris was scheduled from 4:30 – 10:30 p.m. and was
80 definitely at the station, manning a cash register, when I arrived at 9:00 p.m.

81 I remember that night very clearly; I was aggravated to be at the station. Usually I'd be
82 home at that hour on a Friday, but I had to come in to deal with the company that provides our
83 security cameras. We have two cameras outside to cover the gas pumps, and two cameras inside
84 that view the entire store. Lightning had struck a nearby transformer a few days earlier,
85 overheating the circuits and blowing out all the cameras. The security company kept promising
86 to fix them, but no one had shown up yet. It was ridiculous. Even though the store was in a safe
87 area, I paid good money to keep those cameras working, and I was tired of excuses. So I called
88 up the company, asked to speak with a manager, then spent several hours getting passed
89 around and playing phone tag. To add insult to injury, the night shift worker called in at
90 around 9:45 p.m., claiming to be sick, and I had no one to fill in besides me. It was going to
91 be a long night.

92 Around 10:15 p.m., while I was on hold with the security company, I let Chris know that I

AFFIDAVIT OF Kiran Patel (Continued)

93	would take over at 10:30 p.m. and Chris could go home. I vaguely remember waving at Chris
94	around 10:40 p.m. when Chris came into my office to clock out. I don't remember hearing
95	anyone come into the store between 10:15 p.m. and when Chris left, but I had seen cars in the
96	parking lot near the gas pumps. Around midnight, when I walked outside to take out trash, I
97	smelled smoke and saw light in the direction of the prep school. I finally left for home at
98	6:30 a.m. My house is in the opposite direction, so I didn't learn about the fire at Spartan
99	Conservatory until the police came to see me at the station that same day.
100	When the police spoke with me, they asked if Chris had ever purchased or taken gasoline
101	from the station. I said no, not to my knowledge. I also told them that we try to keep one or
102	two inexpensive red plastic gasoline containers at each of our stores to loan to motorists who
103	run out of gas, but I couldn't seem to find the one for the Erie Drive store. I didn't know if the
104	store had one the night of the fire, since that's not something I'd confirmed when I began filling
105	in as manager. In checking our cash register receipts for May 19, I found a receipt for one gallon
106	of gas purchased inside the store just after 10:30 p.m. That was an unusually small purchase,
107	and I have no idea who bought it since they paid with cash and we have no security video
108	footage from that night.
109	Like everyone in town, I was horrified to hear that a student died in the fire. The news
110	reports say that Shawna was a senior and one of the brightest students in the school –
111	maybe even the top student in the class. What a tragic loss! I cannot imagine what her family
112	and friends are going through. Given how Chris spoke about Shawna, I'm sure Chris was just
113	as devastated by her loss as anyone in Arcadia. I hope the police catch the person who did it –
114	because there's just no way it was Chris.
115	Of the available exhibits, I am familiar with the following and only the following:

AFFIDAVIT OF Kiran Patel (Continued)

116	Exhibit 2.B looks like the type of gas container we usually keep at our stores (although I
117	cannot confirm that it's from any of the stores I manage). Exhibit 2.C looks to be the uniform
118	that all Gas n' Go employees are required to wear. Exhibit 3 is a receipt for one gallon of
119	gasoline purchased on May 19, 2020, and it is the only receipt for such a small amount of
120	gasoline that the station collected between 10:00 p.m. and 11:00 p.m. that evening. Exhibit 4
121	is a map of Spartan Conservatory; it also gives information about the direction and distance
122	to the Gas N' Go gas station my family owns near the school. I have also reviewed the
123	statements attributed to me in Exhibit 1.B, and they appear to be a fair and accurate
124	characterization of my conversation with the police on May 20.

Kiran Patel
SIGNATURE

Patti Chichester
Patti Chichester
Notary Public

Date: August 8, 2020

THE STATE OF
SUPERIOR

Patti Chichester
My commission expires
8/30/21

REPORT OF DR. Avery Parker

State v. Munroe: Findings and Conclusions

August 15, 2020

1	<u>Retention and Compensation</u>
2	The defense asked me to examine the evidence surrounding Shawna Bowman’s death,
3	to develop a criminal profile for the perpetrator, and to see how well that profile fit with David
4	McCurtis, a person of interest in this case who was only cursorily investigated by the Erie
5	Police Department. I spent a total of 45 hours on case preparation, for which I was paid
6	my standard defense consulting rate of \$500/hour. If I testify, I will earn an additional \$5,000
7	to cover my time and expenses.
8	<u>Background and Qualifications</u>
9	I am a criminal profiler. In 1985 I received my BA in Criminal Justice from the University
10	of Georgia. To pursue my interest in criminal psychological profiling, I earned my PhD
11	in psychology at the University of Virginia in 1990. I then applied to work at the FBI.
12	After completing the FBI’s training program and working as a field agent for five years,
13	I was promoted to a profiler position at the National Center for the Analysis of Violent
14	Crime (“NCAVC”). There, I honed my skills and investigated hundreds of cases
15	involving abduction, homicide, arson, terrorism, and other violent crimes.
16	After 21 years as a profiler, I decided to step back from fieldwork and accept a
17	teaching position with the NCAVC. Since 2016, I have taught criminal investigation and
18	profiling to new FBI recruits looking to join the NCAVC. When asked, I consult for the State
19	or the defense, and I frequently testify as an expert witness in those cases. My consulting
20	rate of \$500/hour only applies when I consult for the defense, as any work done on behalf
21	of the State is considered part of my job with NCAVC. Since 1998, I have testified as an expert
22	at least 45 times, of which approximately 30 were for the defense.
23	<u>Rationale and Methods</u>

REPORT OF DR. Avery Parker (Continued)

24	While generating a criminal profile isn't an exact science, it can be an extremely
25	useful tool in an investigation. Creating a profile essentially involves deductive reasoning.
26	Each element of a crime enables profilers to infer facts about the perpetrator based on
27	crime trends, similarity to other cases, and criminal psychology. An accurate profile can
28	help investigators narrow down their suspect pool, targeting their efforts toward those most
29	likely to have committed the crime. Profiling can help officers stay smart and safe as
30	they apprehend violent or dangerous criminals.
31	Criminal profiling is generally a five step investigative process in which a profiler
32	analyzes all available evidence in a case to develop a profile of the likely perpetrator of the
33	crime. First, a profiler considers the specific type of criminal act, comparing it to similar crimes
34	in the past. Next, the profiler conducts a detailed analysis of the crime scene in order
35	to determine how the crime was committed. Factors such as the offender's movements
36	and positioning during the crime, as well as their use of any weapons or physical substances
37	to aid in commission of the crime, clue us into the criminal's thought process during the
38	event. Next we evaluate the victim's activities, contacts, and background to find connections
39	to potential suspects and possible motives for their targeting. In the process, we analyze
40	physical and testimonial evidence with the objective of determining possible and
41	probable motives. Finally, putting it all together, we produce a full profile of the
42	criminal. Depending on the extent of the evidence, the profile may include information
43	about height, build, background, intelligence, drug use, or a host of other factors specific
44	to the probable perpetrator.
45	I began my research in this case by investigating the fundamental details of the crime.
46	First, I gathered information about the criminal act itself, reviewing Exhibits 1.A & 1.B

REPORT OF DR. Avery Parker (Continued)

47	(Police report), Exhibits 2.A, 2.B & 2.C (Crime scene photographs), and Exhibit 4 (Map).
48	This evidence revealed that this incident was an act of arson that specifically targeted
49	Shawna Bowman, and that the fire was started with an accelerant, gasoline.
50	From there, I reviewed as much information as I could about the victim. I read the
51	statements of Jordan Tyson and Chris Munroe, Exhibit 5 (Text messages recovered from
52	the phone of Shawna Bowman) and Exhibit 6 (emails between Chris Munroe and Amador Vega).
53	Next, I reviewed the forensic evidence associated with the case, including the report of CSI
54	Paige and Exhibit 3 (Gas receipt from Gas n’ Go). Finally, I contacted Spartan Conservatory
55	and asked for all student disciplinary reports associated with fire. They provided me with
56	only one report, Exhibit 7, a report about Chris Munroe. I asked both the school and
57	Munroe’s attorneys for any other reports filed about Munroe and McCurtis, and the
58	school provided none. Upon completing my review of the material facts in this case, I
59	was able to create a criminal profile of the perpetrator.
60	<u>Findings and Conclusions</u>
61	A. Type of Arson
62	The first step in profiling an arson case is to classify it based on mode, motive, and
63	destruction. People light destructive fires for many reasons, from pyromania (an irresistible
64	impulse to set fires) to insurance fraud. In this case, based on the choice of victim and the level of
65	destruction, I was able to conclude that this crime constituted “spite” or “revenge” arson. In
66	cases driven by revenge, fire damage is typically extensive but is focused on the site occupied
67	by the victim. A revenge arsonist’s goal is to cause as much harm as possible to the victim, so it
68	is not uncommon for these fires to claim lives. This motivation and the resulting
69	damage distinguish revenge arson from other types of arson. Most arsonists either feel

REPORT OF DR. Avery Parker (Continued)

70	indifferent about harming others or try to avoid it, while revenge arsonists’ primary goal is
71	to inflict harm.
72	B. Profile of Revenge Arsonist
73	A thorough profile includes information about the perpetrator’s probable background,
74	intelligence level, prior bad acts, modus operandi, and relationships with others. Revenge
75	arsonists typically come from a lower to lower-middle class household. They are also typically of
76	lower intelligence; they rarely succeed in school and often have lower IQs. In this case, where no
77	measures were taken to hide or destroy physical evidence such as the gas container, it is unlikely
78	that the perpetrator possesses a high degree of intelligence. Despite their relative lack of
79	intelligence, however, revenge arsonists typically have at least 10 years of formal education.
80	Revenge arsonists typically display a history of minor violence. People who prefer fire
81	as a weapon tend to light smaller fires earlier in life as a way to get out their anger. Typically
82	they also lash out at friends or loved ones when stressed. In most cases, we look for someone
83	with either a criminal record or a history of violent behavior. In many instances, these actions
84	will coincide with use or abuse of alcohol or other drugs.
85	Revenge arsonists almost always follow a similar pattern in the method they use to
86	commit their crimes. Usually these perpetrators set the fires in or around the community
87	where they live. Yet even if they reside close to the crime scene, revenge arsonists tend
88	to stay away from the site once they start the fire. Typically, they use a personal vehicle to
89	get to their intended burn site, and they leave in that vehicle almost immediately after setting
90	the fire. Unlike pyromaniacs or thrill seeking arsonists, these arsonists do not watch their
91	fires. Instead, they light the fire and flee the scene for hours to days after the incident, and
92	they usually focus on developing a strong alibi.

REPORT OF DR. Avery Parker (Continued)

93	Finally, revenge arsonists follow a similar pattern in their relationships, both with the
94	victim and with others. These individuals see the world as constantly cheating them, and
95	their relationships are typically unhealthy and short-lived. They value a high degree of control
96	in their relationships and may tend to exhibit abusive behaviors for the duration of
97	any relationship. When they view their victim as having hurt or cheated them, arson serves
98	as a way to vengefully harm the victim; they see it as a <i>quid pro quo</i> . Because these
99	arsonists target a specific individual and don't necessarily idolize fire itself, they pose a low
100	threat of committing a series of similar acts in the short term.
101	C. Application to David McCurtis
102	David McCurtis fits the profile of a revenge arsonist in a number of significant ways, so I
103	am concerned by the Erie Police Department's ("EPD's") quick dismissal of David as the
104	possible perpetrator. While I understand the arresting officer's reluctance to believe a
105	detainee's claim about an alternative suspect, I found no evidence that the EPD made any
106	real attempt to verify or disprove that McCurtis was present at or near Spartan Conservatory
107	on May 19. The EPD reported that McCurtis was presumed to be in Eden moving into his
108	summer school dorm on the weekend of May 19-21, but no witness confirmed that
109	assumption. McCurtis could have been in Erie on May 19 and driven to Eden on May 20 or 21.
110	McCurtis lost academic standing due to failing grades and had to enroll in summer school
111	at both Spartan Conservatory and Eden University to maintain a passing average.
112	McCurtis's academic difficulties correspond to the intelligence level I would expect to see
113	in a revenge arsonist. In addition, McCurtis's criminal record includes a recent DUI,
114	which signals alcohol abuse, and statements about McCurtis reveal a history of violence.
115	McCurtis also had access to a vehicle – a dark SUV like the one seen by Tyson – and was

REPORT OF DR. Avery Parker (Continued)

116	not found near the site of the fire afterward, two important revenge arsonist profile factors.
117	McCurtis’s relationship with the victim is even more troubling, as it is laden with
118	both psychological and physical abuse. McCurtis used a number of stereotypical abuse
119	and control tactics during his relationship with Bowman. He isolated her from her friends;
120	he constantly criticized her, undermining her self-esteem to make her dependent upon him;
121	and when those tactics failed to control Bowman, McCurtis apparently escalated to
122	physical abuse.
123	McCurtis’s manipulative, domineering behavior stems from the same type of personality
124	that seeks revenge when a relationship ends. McCurtis’s texts indicated McCurtis’s
125	perception that Bowman wronged him by ending their relationship. Since it appears that the
126	EPD did not bother to corroborate McCurtis’s whereabouts on the night in question,
127	I cannot rule out the possibility that this fire was McCurtis’s attempt at revenge.
128	D. Application to Chris Munroe
129	Although the defense only asked me to focus my investigation on David McCurtis,
130	having generated this profile, I cannot help but evaluate its application to Chris Munroe.
131	While I must admit that some parts of the profile fit Munroe, several red flags raise serious
132	questions about whether Munroe could be the arsonist. First, Munroe’s intelligence level
133	is significantly higher than I would expect of the person who started this fire; it would be
134	highly unusual for a revenge arsonist to graduate second in their high school class. In
135	addition, Munroe’s relationship with the victim doesn’t immediately give cause for
136	concern; Munroe seemed to have a functioning relationship with Bowman as a colleague
137	in school, if not as a friend. In fact, Munroe seemed to have close, functioning relationships
138	with many of Munroe’s peers and with Munroe’s boss, another deviation from the profile.

REPORT OF DR. Avery Parker (Continued)

139	In addition, Munroe’s behavior at the time of the fire is very different from that of a typical
140	revenge arsonist. Such perpetrators almost never remain at or near the scene of the
141	crime immediately afterward. Instead, these arsonists generally try to place themselves in
142	highly crowded areas that are far from the crime scene, where multiple people can
143	corroborate their alibi. While I can’t say with certainty whether or not Munroe’s alibi of
144	walking alone to the student union after work is to be believed, I can say that the story Munroe
145	is telling does not fit the typical criminal profile for a revenge arsonist.
146	It is true that there are multiple accounts of Munroe responding violently when
147	Munroe perceived that other students’ achievements interfered with Munroe’s own
148	success. However, Munroe’s school record only included one documented instance of past
149	violent behavior – nearly four years prior – and Munroe claims the incident was purely
150	an accident. Munroe received anger management counseling as a result of that incident,
151	and Munroe’s school counselor reported that Munroe learned coping strategies and was
152	able to move on. While Munroe’s words to and about Bowman are certainly concerning,
153	Munroe does not fully fit the revenge arsonist profile. It is clear that the Erie Police
154	Department rushed to judgment in arresting Munroe within an hour of the incident.
155	E. Oath
156	I understand I have a duty to update this report if I receive any additional relevant
157	information or reach any additional conclusions prior to trial. I understand that I also have
158	a duty to be truthful and complete in this report, and I have upheld that obligation.

Avery Parker
 SIGNATURE
Victoria Moore
 Victoria Moore
 Notary Public

THE STATE OF
SUPERIOR
 Victoria Moore
 My commission expires
 7/6/22

EXHIBITS

Exhibit 1 - Erie Police Department Reports

Exhibit 1.A - Erie Police Department Records Arrest Report

ERIE POLICE DEPARTMENT RECORDS				
Arrest Report				
Erie County			Case #: 20CR050624	
Arrestee's Name: (Last, first, middle)		SS#	D.O.B	
Munroe	Chris C.	xxx-xx-4723	04/25/2002	
Charges:		Booking Number:	Defendant status:	
Arson; felony murder		02073647	Adult	
Crime Occurred:	Date	Time:	Location:	
	05/19/2020 Friday	23:01	Spartan Conservatory 732 Erie Dr. Erie, Superior, 40422	

Circumstances of Arrest	
Responding Officer:	Officer Benjamin Krishnamurthy
Victim:	Shawna Bowman
Report of Responding officer:	
<p>On May 19, 2020, I was called to a fire on the campus of Spartan Conservatory. When I arrived, the Erie County Fire Department was already on the scene. As Fire Captain Ty Gomez noted, this fire appeared to be deliberately set. Although it caused extensive damage to the dorm, his team was able to contain it before it spread to other buildings. I began interviewing witnesses and collecting evidence. I spoke with several Spartan Conservatory students. Based on their accounts of Munroe's interactions with Shawna Bowman, and Tyson's description of the clothing, height, and hair color of the suspected perpetrator, I had enough evidence to bring Munroe in. I found Munroe in the parking lot near Maize dorm, wearing the outfit Tyson described. Munroe voluntarily gave me Munroe's phone. I then brought Munroe to the station for questioning. Munroe was held overnight and arrested the next day (5/20/20).</p>	

Forensic evidence (collected at the scene):

- A red gasoline container found in the parking lot near Maize Dorm.
- Chris Munroe's cellular phone, voluntarily handed over to me. Relevant screenshots were catalogued and preserved.
- Shawna Bowman's cellular phone, provided by Jordan Tyson. Relevant screenshots were catalogued and preserved.
- The clothes Munroe was wearing when arrested were photographed and preserved as evidence.

❑ Exhibit 1.B - Witness Interviews

Report Addendum: Witness Interviews

Recorded by Officer Benjamin Krishnamurthy

Jordan Tyson: 11:15pm, 05/19/20 interviewed at the crime scene

Jordan Tyson spoke with me at the scene of the crime. While Tyson was visibly injured, Tyson was not in critical condition. Tyson seemed in shock at the time of the interview and continued to repeat the name "Shawna," telling me we needed to "Get Shawna out." Tyson insisted that student Shawna Bowman was still inside the burning building when Tyson got out. Tyson reported being in the dormitory building at the time it was set on fire. Tyson stated that Maize dorm was one of three dorms that housed female students and that Tyson had been in the room assigned to Shawna Bowman for a study session at the time the fire started. Tyson recalled smelling gasoline and seeing a pool of liquid forming under the dorm room's door seconds before the fire started. Tyson stated that Tyson escaped the fire by jumping out the window, and that this jump was the source of Tyson's injury. Tyson described seeing someone rapidly flee the scene of the fire; that individual reportedly dropped a red gas canister. Tyson noted that this suspect was wearing a yellow shirt and dark pants and compared their wardrobe to the work uniform of a student named Chris Munroe. Tyson noted that Munroe had made threats towards Bowman in the past and insisted that I find and question Munroe.

Ana Gandhi and Don Zacek: 11:23pm, 05/19/20 interviewed at the crime scene

Ana Gandhi, the Resident Assistant ("RA") for Shawna's floor of Maize Dorm, spoke with me at the scene of the crime. Gandhi reported attending a school dance and seeing the fire as she was walking home with her date, Don Zacek. She reported seeing smoke and flames coming from the dorm starting at 11:00 pm and immediately called 911. Gandhi reported seeing a victim, later identified as Jordan Tyson, exit from the third floor window. Gandhi and Zacek moved Tyson away from the fire to the location where the EMTs found the three of them. Gandhi indicated that only students could enter dorms because an access card is required, though she admitted that someone had propped the door open for a short time that afternoon. Zacek corroborated her story in full.

Chris Munroe: 12:25am, 05/20/20 interviewed at the police station

After being advised of Munroe's rights, Chris Munroe chose to speak with me about the fire. Munroe claimed Munroe worked at a convenience store about a mile from the Spartan Conservatory campus, and that Munroe was working until 10:45pm on May 19. Munroe claimed that after work, Munroe walked to the school's student union, purchased food with cash at a vending machine, and then walked toward Roberts dorm, where Munroe lived. Munroe denied being at or near the scene of the crime until 11:40 p.m., when the police found Munroe walking towards the dormitories and apprehended Munroe. At the time of the arrest and the interview, Munroe was wearing what Munroe identified as a convenience store uniform. The uniform included a yellow polo shirt with a small logo on the front and dark cargo style pants. Munroe was not wearing an arm brace at the time of arrest, although Munroe complained of pain in Munroe's right wrist and asked to retrieve a brace from Munroe's room prior to leaving the campus. This request was denied. When asked if Munroe's work required contact with red gas canisters, Munroe stated that the station had such canisters available to loan to customers in need. Munroe reported providing one to a customer, David McCurtis, on the night of May 19. Munroe claimed that McCurtis was a former boyfriend of the victim. Munroe voluntarily provided Munroe's cellular phone for examination. While the phone contained no text messages of material consequence, emails between Munroe and Amador Vega that discussed Shawna Bowman were documented and preserved.

Exhibit 1.B - Witness Interview Continued

Kiran Patel: 10:04am, 05/20/20, interviewed at Gas n' Go

Kiran Patel reported being the regional manager and an owner of the establishment where Chris Munroe was employed. Patel stated that Munroe was a model employee. Patel recalled Munroe being present at the station on May 19, 2020 from 4:30 p.m. to about 10:40 p.m. When asked if the station carried red gas containers, Patel stated that they did, and that one was unaccounted for. When asked about customers between 10 and 11pm on May 19, Patel reported working in the store's office at that time and denied seeing or hearing any customers enter the station during that period. Patel provided a receipt for a purchase of one gallon of gas in that time frame.

Amador Vega: 11:25am, 05/20/20, interviewed on the Spartan Conservatory campus

As someone with whom Munroe had discussed negative feelings about Shawna Bowman, Amador Vega was interviewed about those communications with Munroe. Vega, Munroe's academic advisor, explained that Munroe was in the running for a full college scholarship, and that Munroe saw Shawna Bowman as Munroe's only competition. Vega reported Munroe becoming enraged and aggressive about the prospect of not winning the scholarship, but stated that the only injury Munroe ever caused was to Munroe's own hand. Vega also provided me with Munroe's full disciplinary history, which contained only one report.

Exhibit 2 - Erie Police Department Photographs Taken on May 20, 2020

Exhibit 2.A - Police Department Photograph of Dormitory (1)



Maize Dorm, May 20, 2020

Exhibit 2.A - Police Department Photograph of Dormitory (2)



Maize Dorm, photographed aerially, May 20, 2020

Exhibit 2.B - Photograph of Gasoline Can Recovered from the Scene



Key: **Medium blue circles:** full prints (20 points, 18 points) matching Chris Munroe
Light green circle: partial print (7 points) matching Chris Munroe
Orange circle: full print; no match found

Exhibit 2.C - Uniform Worn by Chris Munroe at the Time of Munroe's Arrest



Exhibit 3 - Gas 'N Go Receipt, May 19, 2020

GAS N GO
1791 ERIE DRIVE
ERIE, SUPERIOR
959-832-5897
5/19/2020 10:34 PM

SALE

AMOUNT	\$2.24
TAX	\$0.29
TOTAL	\$2.53

Payment: CASH
AUTH # 5016 APPR CODE: 86484947
APPROVED

UNLEADED 07 GASOLINE

Customer Copy



Exhibit 4 - Map of Spartan Conservatory Academy

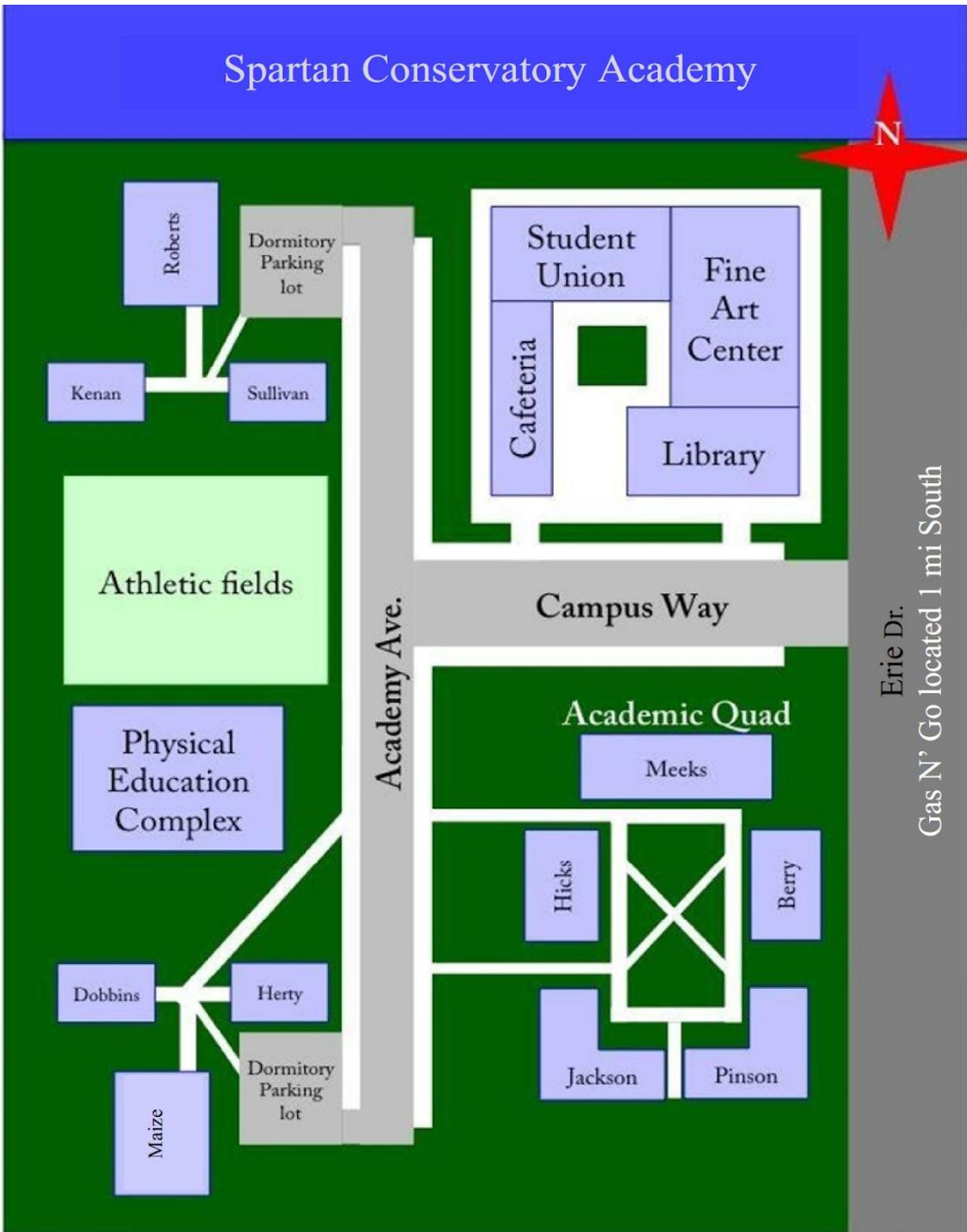


Exhibit 5 - Text Messages Recovered from the Phone of Victim Shawna Bowman



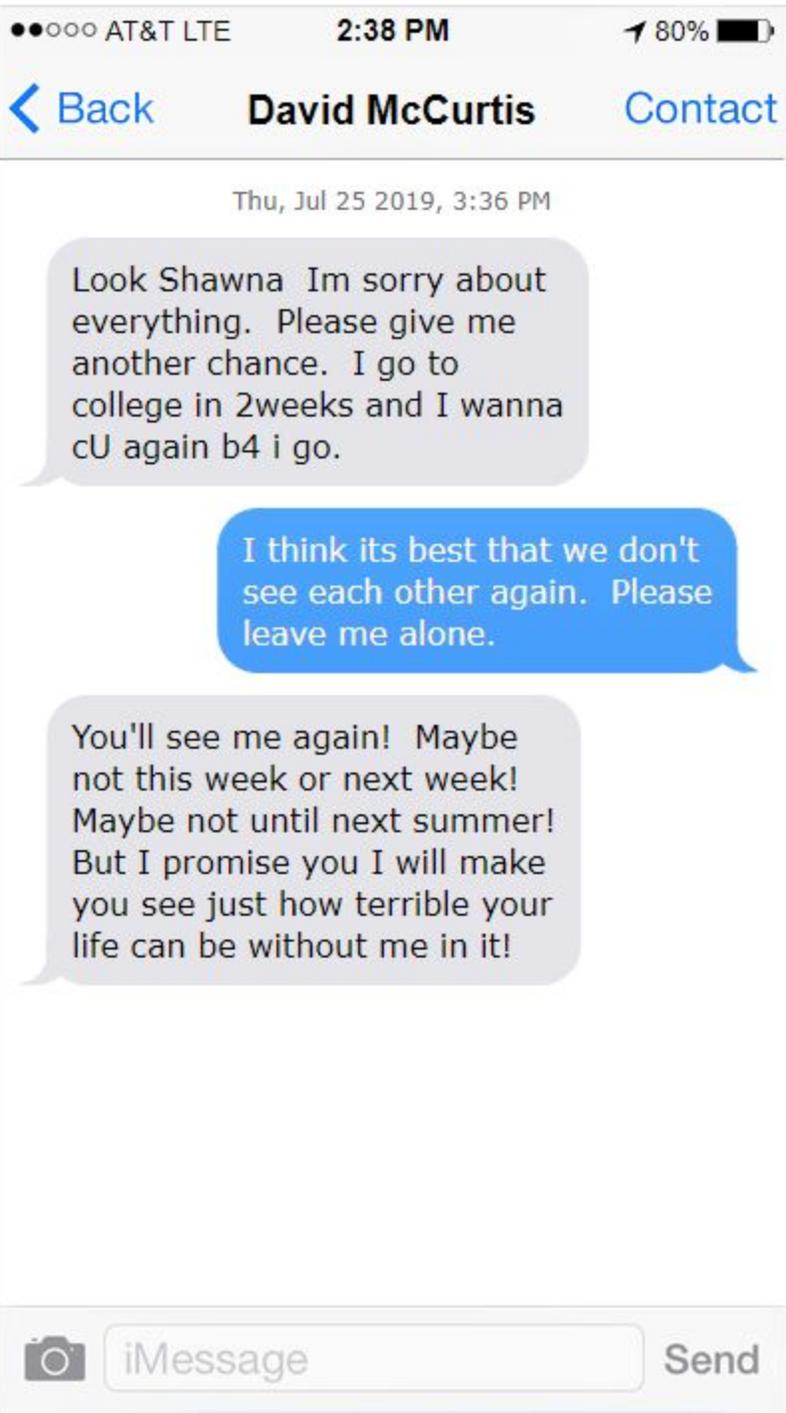


Exhibit 6 - Emails between Amador Vega and Chris Monroe

Emails

On 4/25/2020 at 10:35 AM, Chris Munroe <cmunroe@spartancon.org> wrote:

I can come by around 3:35. But unless you have a way to get Shawna Bowman out of the picture, there isn't much to talk about.

- Chris

On 4/24/2020 3:10 PM, Amador Vega <avega@spartancon.org> wrote:

I'd just like to chat. I know an injury can make this time of year difficult, especially when you are under stress.

Warmly,
Amador Vega

*On 4/24/19 at 2:42 PM, Chris Munroe
<cmunroe@spartancon.org> wrote:*

I can come in after class on Wednesday. But I am really fine. I just lost control for a bit.

- Chris

*On 4/24/2019 9:35 AM, Amador Vega
<avega@spartancon.org> wrote:*

Chris,

I heard about your hand injury. I would love to make an appointment to discuss what happened and how to best move forward. If you are free anytime this week, please let me know.

Warmly,
Amador Vega

On 5/17/2020 at 8:57 PM, Chris Munroe <cmunroe@spartancon.org> wrote:

My scholarship is going to be fine. After this weekend, Shawna Bowman won't matter to me at all. I spent too much time this year letting Shawna get the best of me, when I really just needed to take matters into my own hands this whole time. No need to meet. I have work anyway.

- Chris

On 5/17/2020 4:13 PM, Amador Vega <AVega@spartancon.org> wrote:

Chris,

I noticed you missed our meeting today. Is everything going okay? How did the scholarships turn out? Do you have any time to meet this week? Maybe Friday during lunch or after school before the dance?

Warmly,
Amador Vega

On 5/10/2020 9:14 AM, Amador Vega <avega@spartancon.org> wrote:

Chris,

How are the scholarship applications going? Have you turned them in yet? If you need any help proofreading, my door is always open; if not, I will see you at 3:35 next Wednesday for our meeting.

Warmly,
Amador Vega

Exhibit 7 - Spartan Conservatory Incident Report

Student Incident Report Spartan Conservatory

Report date and time: March 10, 2017 3:45pm
Incident date and time: March 8, 2017 10:50am
Report filed by: Amador Vega

Student name: Chris Munroe
Date of birth: April 25, 2002 **Age:** 14 **Grade:** 9
Incident Location: Spartan Conservatory physical education complex
Offense: Destruction of property
Parent notified: Yes **Police called?** No

Description of incident:

Chris competed in the Robotics event at the Science Olympiad Regional Competition hosted in the Spartan Conservatory gymnasium. Chris was awarded fourth place. As the top three places were announced, Chris became resentful and angry. Chris punched at and then kicked the project built by the student who took second place. The project fell over, started to smoke, and eventually caught on fire. The fire alarm sounded and the building was evacuated. While Chris claims the incident was an accident and that Chris did not intend to harm the project, the teacher advisor for Science Olympiad, David Gray, disagreed. Mr. Gray called me during the alarm and said that Chris had intentionally harmed the project and ought to be suspended or punished.

Remediation/follow up recommended? Yes

Description of recommended remediation:

Chris should receive anger management counseling once per week for the remainder of the school year. Failure to complete the counseling sessions will result in Chris's expulsion. At the end of the school year, Chris should be re-evaluated and, pending advisor approval, be allowed to continue studying as a scholarship student at Spartan Conservatory.

Signature of student: Chris Munroe **Date:** 3/10/17
Signature of counselor: Amador Vega **Date:** 3/10/17

Remediation completed? Yes

Date completed: May 15, 2017

Description of completed remediation:

Chris met with me each Thursday from March 13 – May 15, 2017. I worked with Chris on developing skills to handle stressful situations and deal with anger in a respectful manner. Chris had experienced some difficulty during the transition from a large public school to Spartan Conservatory, and I have helped Chris learn to control the emotions resulting from this transition. Chris has made significant progress in the past two months, and based on that progress, I am fully comfortable signing off for Chris to continue studying at Spartan Conservatory in our scholarship program.

Signature of counselor: Amador Vega **Date:** 5/15/17