

CASE BRIEF
PEOPLE V. WOODSON

People v. Woodson is the trial of Jesse Woodson, a resident of Pikesville. Woodson is charged with assault with a deadly weapon and with violating a new anti bullying and cyber bullying statute.

The prosecution alleges that Jesse Woodson is the leader of a gang responsible for bullying a new Pikesville resident, Angel Sterling. The prosecution further states that Jesse made online threats toward Angel using online social networking sites such as “FacePlace” and “Buddylink.” As a result of these communications, Angel became extremely distraught and was unable to attend school. After some time had passed, Angel returned to school, and the prosecution alleges that Jesse followed Angel home and attacked Angel with a brick in an alleyway. Jesse was arrested for attacking Angel with a brick and violating the anti-bullying and cyber-bullying statute.

The defense alleges that Jesse is a good citizen who is responsible, attends school, and helps to care for Jesse’s younger sister Harriett. The defense further argues that Angel is overly sensitive, depressed, and angry about moving to Pikesville, and Angel has exaggerated the issues at school. Lastly, the defense argues Jesse did not physically harm Angel and that in fact other suspects had the means, motive, and opportunity to attack Angel.

The pretrial issue is whether the new California (hypothetical) anti-bullying and cyber-bullying statute violates the First Amendment freedom of speech and expression. The statute bans harassing, threatening, and intimidating language made to students.

The defense argues that the statute unlawfully prohibits protected speech. It argues the statute bans speech that extends beyond threats alone and is therefore overbroad and vague. As a matter of law, the statute cannot be applied to Jesse’s conduct.

The prosecution argues that the statute is constitutional as it only prohibits language that falls within categories of speech that are unprotected by the First Amendment. The prosecution also argues that the statute is limited as it only applies to students and communications that interfere with the education of that student. Because the statute does not violate the First Amendment, the statute should be deemed constitutional, and the charge against Jesse should not be dropped and the trier of fact (trial court) should be able to determine whether Jesse is guilty as charged.