

Unit 6, Lesson 10: Scripted Mock Trial - Boston “Massacre”

Lesson Overview

In this lesson, students play the roles of attorneys, witnesses, bailiffs, and jurors and conduct a scripted mock trial of Captain Thomas Preston. Preston is charged with giving his men an illegal order to fire on the night of March 5, 1770. The witnesses and their statements are drawn from the actual depositions that they gave in the hours and days following the “Boston Massacre.”

Students will develop background content for the trial that will inform preliminary conclusions about what happened, where people were standing, how many people were at the event, then revisit their conclusions after witnesses testify about what they observed.

This is an extended lesson that is likely to take several days to complete and requires extra preplanning (e.g., assigning students to roles).

Delaware Standard(s)

- **History Standard 1, 4-5 [Chronology]:** Students will study historical events and persons within a given time frame in order to create a chronology and identify related cause-effect factors.
- **History Standard 2a, 4-5 [Analysis]:** Students will draw historical conclusions and construct historical accounts from primary and secondary source materials
- **History Standard 3, 4-5 [Interpretation]:** Students will explain why historical accounts of the same event sometimes differ and relate this explanation to the evidence presented or the point-of-view of the author.

Big Ideas: cause, effect, evidence

Essential Questions

- Was Captain Thomas Preston guilty of giving an illegal order to fire?
- What evidence supports my conclusion?

Enduring Understandings

- Students will understand that, while most historians agree that Captain Preston was not guilty, alternative conclusions can be formulated based on the evidence presented.

Resources

- [Google Slides](#)
- [Resource 1: Stipulated Facts \(facts everyone agrees to\)](#)
- [Resource 2: Story Map of the Events of March 5, 1770](#)
- [Resource 3: Mock Trial Instructions and Overview](#)
- [Resource 4: Scripted Mock Trial Charges and Roles](#)

- [Resource 5: Role Assignments](#)
- [Resource 6: Steps in the Mock Trial](#)
- [Resource 7: Mock Trial Script](#)
- [Resource 8: Note Recording Sheet](#)
- [Resource 9: Drawing Conclusions](#)
- [Resource 10: Outcomes of the Trials - Facts are Stubborn Things](#)
- [Resource 11: Checks for Understanding](#)

Procedures

Pre-Planning

The scripted mock trial requires students to play roles. They are provided scripts for the roles to be played. Prior to the day of implementing the lesson, you will need to assign the roles to students and provide them with the relevant scripts. A list of roles is provided in **Resource 5**. **Resource 6** offers spaces where you can fill in the names of students who will play the various roles in the mock trial.

The key witnesses have a red asterisk to the left of their names on **Resource 5**. If you have a large class, there are additional witnesses for the defense if you prefer to give every student a witness or attorney role as opposed to being jurors or a bailiff.

The scripts are all found in **Resource 7**. The teacher is encouraged to play the role of the judge so that the trial moves along in ways that are efficient and engaging (less fumbling than if a student served as judge).

You may want to give students some class time to work in attorney-witness groups to rehearse for their parts.

Students without witness or attorney roles can play the roles of jurors. If every student is given a role, you may want to invite parents or other school personnel to be jurors. Or proceed with a “bench trial” during which the judge presides and decides guilty or not guilty.

1. **Introduce the Lesson:** Tell students that, in this lesson, they will engage in a scripted mock trial to learn about how trials work and draw conclusions about the guilt or innocence of Captain Thomas Preston - an officer in the British army. The trial involves questions about the deaths of five colonists (do not mention “Boston Massacre” unless students bring it up). A future activity asks them to decide whether it truly was a “massacre” or a case of propaganda. Let them process the evidence and draw their own conclusions before suggesting it was a “massacre”. Students will learn about the case background when they read Resource 2.
2. **Present the Essential Questions:** Was Captain Thomas Preston guilty of giving an illegal order to fire? What evidence supports my conclusion?
3. **Building Content Knowledge:** Distribute copies of [Resource 1: Stipulated Facts \(facts everyone agrees to\)](#). Explain that stipulated facts are ones that everyone agrees to in a trial. Read aloud with students as they follow along - pausing after each section to check for understanding of each section’s header questions. Or have them read independently and highlight information that they think might be important.

4. **Story Map:** Distribute copies of [Resource 2: Story Map of the Events of March 5, 1770](#). Have students create a story map using the information presented in Resource 1. Tell students that they should select the four most important scenes for the story to develop their story maps.
5. **Mock Trial Instructions and Overview:** have students read [Resource 3: Mock Trial Instructions and Overview](#).
6. **Roles:** [Resource 4: Scripted Mock Trial Charges and Roles](#) is primarily a teacher resource. It describes the charges against the defendant Captain Thomas Preston which you can read aloud to students, and the roles for the mock trial. You can use [Resource 5: Role Assignments](#) to insert the names of students who will play the various roles.
7. **Explain Steps in a Mock Trial:** see [Resource 6: Steps in the Mock Trial](#) for the steps and explain them to students.
8. **Preparing and Rehearsing:** See [Resource 7: Mock Trial Script](#). Distribute copies of the scripts assigned to the appropriate students playing the different roles. You may want to give these out a day or two in advance so that students can read over them. In class, put them in groups that allow them to rehearse for the mock trial. Groups should consist of...
 - a. a witness
 - b. attorney who will do direct examination of that witness
 - c. attorney who will cross-examine that witness
9. **Conduct the Scripted Mock Trial.** Encourage students to take notes on each witness using [Resource 8: Note Recording Sheet](#)
10. **Draw Conclusions:** Distribute copies of [Resource 9: Drawing Conclusions](#). Students are now asked to draw evidence supported conclusions for the case question: *Was Captain Preston guilty or not guilty?*
 - a. Let the jury or judge announce the verdict. Poll the participants in the scripted mock trial - do they find Captain Thomas Preston guilty or not guilty?
11. **Reveal the Outcomes and Effects:** see [Resource 10: Outcomes of the Trials - Facts are Stubborn Things](#). The information on this paper can be read by students or presented orally as a “mini lecture” by the teacher.
12. **Explaining Competing Accounts:** the lesson offers an opportunity for you to reinforce students’ understanding of why there might be different accounts of the same event.
 - a. Remind students that the testimony that they heard from witnesses at the mock trial are based on real statements given by people who were at the scene of the shootings on March 5, 1770. In all, over 90 people gave depositions and, as students heard, much of it was conflicting. This is a valuable opportunity to lead a discussion around questions at the heart of Delaware History Standard 3:
 - i. Why might there be different and conflicting accounts of what happened on March 5, 1770?
 - ii. Does it mean that some or everyone was lying? What are some alternative explanations?

- b. For purposes of the standard to be mastered in grade 4, applaud all plausible responses but be sure to pull the conversations back to explanations relating to points of view and evidence presented.
13. **Checks for Understanding:** Have students complete [Resource 11: Checks for Understanding](#).