



*Trial based on the short story - All Summer in a Day by Ray Bradbury*

### **Fact Pattern**

It is the year 2050. A significant number of colonists from Earth have spent 25 years on the planet Venus. Venus has a highly unusual climate where the sun comes out for just two hours every seven years. This situation makes it difficult for every person living on Venus. It is particularly difficult for those who have lived on Earth recently, because they realize the beauty and importance of a day with sunshine.

Margot Russel comes from a family that has only recently moved to Venus. She is a nine-year old who lived on Earth until only five years ago. Because of this fact, Margot has a vivid memory of what the sun is like. Her five years on Venus, however, have taken a serious toll on the young Margot. Not having taken well to her new home, Margot is frail, quiet, and pale. Furthermore, she is frequently the victim of cruel bullying from those in her class who have spent their entire lives on Venus and do not have any memories of the sun.

Margot and her classmates attend school in an underground facility. On the one day that the sun comes out for its brief but important two hours, all of the students in the class read and write stories about the sun. When Margot begins to read her poem to the class, a student, William Curry, starts to tease her unmercifully, jealous that she has a memory from Earth about what the sun is really like. William is quickly joined by others in the class including John Heller and Cynthia Peters. The three students continue to taunt Margot, pushing her from side to side and calling her names. Remaining silent, Margot tries to run away from the group. As the group grows more and more frustrated by Margot's reluctance to speak out and fight back, they overpower her and push her into a closet, locking the door of the closet behind them. However, before the students leave – June Smith runs back and unlocks the closet door.

When the two-hour summer sun is over and heavy rain begins to fall once again, the students, all of whom witnessed and cheered what William, John, and Cynthia had done to Margot, remember that Margot is locked in a closet. They let her out and watch as she races towards her home.

William, John, and Cynthia are charged with false imprisonment.

False Imprisonment requires:

1. The defendant intended to confine the plaintiff, without authority of law
2. The plaintiff did not consent to the confinement
3. The plaintiff was conscious (aware) of the confinement

**Witnesses:**

**Prosecution:**

Pepper Martin – Student

Sam Ellis – Teacher

Margot Russel

**Defense:**

William Curry

Cynthia Peters

John Heller

June Smith

## **The State v. Curry, Peters, and Heller**

**Bailiff:** All rise. The Court is now in session

**Judge:** Good Morning. You may be seated. Today we hear the case of State vs. Curry, Peters, and Heller, being tried as co-defendants. Is the Prosecution ready?

**Prosecution:** We are, Your Honor.

**Judge:** Is the Defense ready?

**Defense:** Yes, we are, Your Honor.

**Judge:** Prosecution, you may make your opening statement.

**Prosecution:** Thank you. Your Honor, and may it please the court. Your Honor and ladies and gentlemen of the jury, we are here today to prove that William Curry, Cynthia Peters, and John Heller locked a helpless Margot Russel in a closet and are indeed guilty beyond a reasonable doubt of false imprisonment. Teacher Sam Ellis will tell us how the defendants have had a history of bullying towards Margot and how they do not behave in class. She will also testify how Margot is a timid and kind girl who would never hurt a fly. Margot herself will testify that she gave no permission to be locked in a closet and what exactly happened on that day. Finally, we will hear from Ms. Pepper Martin who will tell us how she and all of her other peers saw Ms. Russel getting unmercifully thrown into the closet and how William Curry has been a bully throughout his time at Underground Elementary. With all this evidence presented we will prove, beyond a reasonable doubt, that William Curry, John Heller, and Cynthia Peters are guilty of false imprisonment.

**Judge:** Defense, you may make your opening statement.

**Defense:** Your Honor and ladies and gentlemen of the jury, we are here today to show that William, Cynthia, and John are not guilty of false imprisonment. I, the representing defense attorney, and my clients, will prove that Margot Russel could have gotten out of the closet anytime she wanted to. There was no intent on behalf of my clients to falsely imprison, and the children only put Margot in the closet because they wanted to make the class feel safe as Margot

has had a history of getting mad easily. First, we will hear from June Smith an eyewitness who will describe the events, that include Margot bragging to the class about her seeing the sun that nobody else has. Then she will describe how they only put her in the closet because they felt threatened by Margot. Next, we will hear from Cynthia Peters who will tell us that there was no intent to put Margot in the closet, and that the door to the closet was unlocked the entire time so Margot could have gotten out anytime she wanted to. Lastly, William Curry will testify that Margot has been hostile before and will also claim this was self-defense. Through this testimony, I will prove that my clients are not only not-guilty of any crime, but maybe even be victims of young Margot themselves. By learning this, ladies and gentleman, you will see that William Curry, Cynthia Peters, and John Heller are not guilty of false imprisonment.

**Judge:** Prosecution, please call your first witness.

**Prosecution:** We call Margot Russel to the stand.

**Bailiff:** Please raise your right hand. (*Margot raises her right hand*) Do you promise to tell the whole truth and nothing but the truth?

**Margot:** I do.

**Prosecution:** Please state your name for the record.

**Margot:** I am Margot Russel.

**Prosecution:** Margot, have you lived on our planet for a long time?

**Margot:** No – my parents and I only moved here a few years ago.

**Prosecution:** Where were you living prior to coming here?

**Margot:** My parents and I lived on Earth.

**Prosecution:** Was coming to a new school and making friends hard for you?

**Margot:** I guess – I miss my friends from Earth. I've never felt like I belong here.

**Prosecution:** Could you describe what happened on the day of the incident?

**Margot:** It was an exciting day; we were reading our poems about the sun. It was near the time that the sun was going to come out. William started to taunt and tease me again. I was minding my own business but soon I'd had enough. This was one of my most important days on Venus and I wasn't going to have it be ruined. I ran away from them, but it was too late. I was overpowered and seized and then thrown into the closet. I was kicking, screaming, and throwing

myself against the door. They left me and went to enjoy the sun. I spent two painful hours in that closet. Finally, they let me out and I ran home to my parents.

**Prosecution:** Can you describe what your experience was like?

**Margot:** It was a painful experience because I wasn't able to see the sun and now, I have to wait for another seven years. I also did not know if they would come back to let me out of the closet.

**Prosecution:** Did you give them permission to lock you in the closet?

**Margot:** No, they all swarmed around me. William grabbed me, and Cynthia locked the door.

**Prosecution:** Did you know that June Smith eventually unlocked the door?

**Margot:** No, I was so nervous that I did not try to open the door and had no idea it was unlocked.

**Prosecution:** Did you call or scream for help?

**Margot:** I did, but everyone was outside enjoying the sun, so no one could hear. It was also a wood-lined closet so the sound was muffled.

**Prosecution:** I hear your family planning to leave Venus next year?

**Margot:** Yes, we are planning to leave because I have been frequently bullied at school and it is unbearable.

**Prosecution:** We have no further questions for this witness your honor.

**Judge:** Defense, you may cross examine the witness.

**Defense:** Margot – on the day of the sun coming out – is it not true that everyone was very excited and emotions were running high?

**Margot:** Yes.

**Defense:** You had been excited for days – correct?

**Margot:** Yes.

**Defense:** Has it been hard not seeing the sun?

**Margot:** Yes – of course.

**Defense:** Is it true that the students in the class regularly tease and play around?

**Margot:** Well, yes.

**Defense:** Is it correct to say that before they approached you, you were clenching your fists?

**Margot:** Yes, I was clenching my fists, but only because I was frustrated.

**Defense:** Isn't it true that you clench your fists when you are angry?

**Margot:** Sometimes.

**Defense:** So, it's correct to say you were angry in that situation?

**Margot:** Yes, they were bullying me. I was scared.

**Defense:** Isn't it true that you've lost your temper easily in the past?

**Margot:** Well, I wouldn't say I lost my temper easily in the past.

**Defense:** Well didn't you scream in defiance when you were asked to just take a shower?

**Margot:** Yeah, but it's always raining on Venus and I didn't like the water showering on my head.

**Defense:** Would you say you were upset or angry in that situation?

**Margot:** Yes, very upset and angry.

**Defense:** How were the children to know what you might have done next once they saw your fists clench?

**Margot:** Well, I'm not sure.

**Defense:** Once you were in the closet, it was unlocked by June. So you could have gotten out of the closet the entire time?

**Margot:** I guess so.

**Defense:** Is it also correct to say that you didn't continue to try to get out of the closet?

**Margot:** Yes, but I was so nervous that I didn't realize it was unlocked.

**Defense:** The defense has no further questions your honor.

**Judge:** Prosecution, please call your next witness.

**Prosecution:** We call Pepper Martin to the stand.

**Bailiff:** Please raise your right hand. (*Pepper raises her right hand*) Do you promise to tell the truth the whole truth and nothing but the truth?

**Pepper:** I do.

**Bailiff:** Please be seated.

**Prosecution:** Thank you for your time here today Ms. Martin. What is your name and where do you go to school?

**Pepper:** I am Pepper Martin and I go to Underground Elementary. I am a student in Mrs. Ellis' class.

**Prosecution:** What is your relationship with the defendants?

**Pepper:** They are fellow students in Mrs. Ellis' class. They are not in my group of friends.

**Prosecution:** What did you see on the day in question?

**Pepper:** I saw Margot getting pushed around by some of the other kids and they were teasing her as well.

**Prosecution:** What were William, Cynthia, and John doing to Margot the day of the events?

**Pepper:** William was intentionally pushing Margot with the help of Cynthia and John. They grabbed her roughly, and William had her thrown in the closet.

**Prosecution:** So, was this against Margot's will?

**Pepper:** I would say so, given to how shaken up she seemed. She even missed the sun that only comes out once every 7 years.

**Prosecution:** Were there other kids there that saw it happen and did nothing?

**Pepper:** Yes... there was a bunch of other classmates there, and they did nothing.

**Prosecution:** And Margot wasn't let out of the closet by the defendants, correct?

**Pepper:** Correct, it was by me and some others who remembered she had been stuck and felt awful.

**Prosecution:** Thank you for your action that day. We have no further questions for this witness at this time.

**Judge:** Defense, you may cross-examine the witness.

**Defense:** Thank you for your story Pepper. I want to ask, how long was Margot in the closet?

**Pepper:** She was in the closet for about 2 ½ hours. Or the amount of time the sun was out and more.

**Defense:** From your experience, is it correct to say William is a friendly classmate to you?

**Pepper:** That is a hard question to answer...I don't know him that well.

**Defense:** So, you wouldn't say you are friends with William, Cynthia, or John?

**Pepper:** No, I am not friends with them.

**Defense:** Would you say that William and the other defendants are playful individuals?

**Pepper:** He can be a jokester at times.

**Defense:** How does Margot get along with everyone?

**Pepper:** She is very quiet and prefers to be alone.

**Defense:** Did you know Margot out of school?

**Pepper:** No, we are just classmates.

**Defense:** Has Margot ever acted rudely?

**Pepper:** No, she always keeps to herself.

**Defense:** How does Margot behave when the teacher is present?

**Pepper:** She behaves well in class.

**Defense:** Does the teacher leave frequently; how long is she gone for?

**Pepper:** Sometimes, just to run to get copies.

**Defense:** What was your first response to the situation on the day in question?

**Pepper:** I felt bad for Margot, but I was really excited to see the sun.

**Defense:** In your opinion, if something criminal happened to a student, wouldn't a teacher help them?

**Pepper:** Well, I would hope so.

**Defense:** And when the class had disagreements in the past, no one was criminally charged or convicted?

**Pepper:** No that has never happened. We are just kids, not criminals.

**Defense:** Thank you for your time.

**Judge:** Prosecution, you may call your next witness.

**Prosecution:** We call Sam Ellis to the stand.

**Bailiff:** Please raise your right hand (*Sam raises his right hand*). Do you swear to tell the whole truth and nothing but the truth?

**Sam:** I do.

**Prosecution:** Could you state your name and occupation?

**Sam:** My name is Sam Ellis. I am a teacher at the Underground Elementary.

**Prosecution:** Sam, is it normal for kids to push each other, or to lock each other in spaces for extended periods of time?

**Sam:** No, of course not. We don't want any bullying at our school, and I had never seen kids do that.

**Prosecution:** On the day of the incident, what was going on in your classroom?

**Sam:** We asked the kids to write about the sun. Margot was the only one who had seen it and it made some of the others emotional. It is hard living up here.



**Prosecution:** And after the sun went away, what did you discover?

**Sam:** Some of the kids opened a closet and Margot was in there. She seemed really upset and came out crying.

**Prosecution:** That is not typical behavior is it?

**Sam:** No, certainly not. I felt awful about what had happened to her.

**Prosecution:** How long have you been teaching?

**Sam:** I have been teaching for almost 15 years and I have seen all the kids in the class grow up, except for Margot because she is fairly new.

**Prosecution:** Do William, John, and Cynthia behave in the classroom?

**Sam:** They don't. They mostly joke around and do not do classwork. They are distractions and pranksters. William has always been teasing students but his only specific target is Margot.

**Prosecution:** Is Margot an aggressive child?

**Sam:** No, she is a quiet girl seeing as how she came from Earth. I believe she is planning to go back to Earth soon.

**Prosecution:** Have you experienced any other negative actions towards Margot, that may have been from William or more kids?

**Sam:** Yes, they sometimes make fun of her and taunt her for her memory of the sun.

**Prosecution:** Mrs. Ellis did you ever talk to William the days prior?

**Sam:** Yes, I have called his parents multiple times and have had many talks with him during recess, because earlier that day he was making fun of Margot's poem.

**Prosecution:** Were all the students present before leaving the room to go outside to see the sun?

**Sam:** I was told so, but apparently Margot wasn't there.

**Prosecution:** So, the children lied to you, saying Margot was there?

**Sam:** Yes, I wanted to trust them.

**Prosecution:** Thank you for your time.

**Judge:** Defense you may examine the witness.

**Defense:** Thank you. Sam, if something criminal happened at the school don't you think you would be aware and help?

**Sam:** Yes.

**Defense:** And do the kids sometimes have disagreements?

**Sam:** Well yes, all people do.

**Defense:** And all of your students are typically well behaved, they aren't criminals, right?

**Sam:** Of course not.

**Defense:** Isn't it true that William, John, and Cynthia had past tension with Margot?

**Sam:** Yes.

**Defense:** Well, if they have had previous incidents then why would you leave the room?

**Sam:** They were talking about their poems. I've left the room in the past and nothing like this has ever happened. I assumed I could trust them.

**Defense:** Isn't it true that you knew Margot is emotionally unstable when it comes to the sun?

**Sam:** Ummm yes, she has had a difficult time adjusting to the weather on Venus. But everyone has to get used to it at some point.

**Defense:** Isn't it true that you did a head count before going out to the sun, but you left out Margot?

**Sam:** I didn't do a headcount. I asked the kids if we were all here and they told me yes, so we went outside to see the sun.

**Defense:** You were the only adult and you failed one of the duties that comes with your job. You left the defendants, children I remind you, alone with no supervision, correct?

**Sam:** That is correct, I'm so sorry Margot (*looks at Margot and breaks a tear*).

**Defense:** Where did you go during this event and why?

**Sam:** I was short a couple of copies and had to run to the copy-room to make more. I didn't think I would be long, but the copier jammed, and I was out longer than I expected.

**Defense:** Is it true that when you came back to the room you did not notice that Margot wasn't there?

**Sam:** We were all so excited to see the sun, myself included, that the thought never crossed my mind.

**Defense:** We have no further questions of this witness your honor.

**Judge:** The witness may step down.

**Judge:** Defense you may call your first witness to the stand.

**Defense:** Your Honor, we call June Smith.

**Bailiff:** Please raise your right hand (*June raises her right hand*) – Do you promise to tell the whole truth and nothing but the truth?

**June Smith:** Yes.

**Defense:** Please state your name for the record.

**June:** My name is June Smith.

**Defense:** Are you a student in the same class as Margot Russel?

**June:** Yes, I am.

**Defense:** Could you describe what happened on the day in question?

**June:** In class we read our poems about the sun. Margot's was really good. The teacher left, so we were all talking to Margot. I could tell she was upset for some reason because she had her fists clenched, so William, Cynthia, and John put her in the closet. This way Margot could calm down until the teacher got back.

**Defense:** What did you do after Margot was put in the closet?

**June:** After I saw Cynthia, John, and William close the door on her, I decided to make sure the door was unlocked, this way she could calm down, but still get out at any time to see the sun.

**Defense:** How much time was there between Margot going into the closet, and the time she left the closet?

**June:** There was about 2 hours between the time she went into the closet to the time she went out, but she could have gotten out of the closet anytime she wanted too because I went to make sure the door was unlocked only moments after the door was closed.

**Defense:** We have no further questions for this witness.

**Judge:** Prosecution, the witness is yours for cross-examination.

**Prosecution:** Did William shout something before throwing Margot in the closet?

**June:** Yes, he did.

**Prosecution:** What did he yell?

**June:** He said something like, "Hey everyone, let's put Margot in the closet before the teacher comes," and was telling Margot that she was wrong about the sun coming out that day.

**Prosecution:** Isn't it true that William encouraged everyone to lock her up?

**June:** Yes.

**Prosecution:** Isn't it true that you didn't step in when you saw Margot being bullied?

**June:** Yes, but after I saw Margot get locked in the closet, I did what I could and unlocked the door.

**Prosecution:** When you unlocked the closet did you tell Margot that she could leave?

**June:** No, I did not. I thought she would have heard the lock turn. I also was in a rush to go line up for the sun event.

**Prosecution:** Isn't it true that you unlocked the closet without anyone, including Margot, knowing?

**June:** Yes, it didn't come to mind that she did not know that the door was unlocked. I heard the turn of the lock, so I assumed she did too.

**Prosecution:** Is it true that after she was released from the closet she ran away from the group?

**June:** Yes, a few others and I saw her sprint away.

**Prosecution:** No further questions your honor.

**Judge:** The defense may call its next witness.

**Defense:** We call to the stand Cynthia Peters.

**Bailiff:** Please raise your right hand. (*Cynthia raises her right hand*) Do you promise to tell the whole truth and nothing but the truth?

**Cynthia:** I do.

**Defense:** What is your name, and what is your relation to the defendant?

**Cynthia:** My name is Cynthia Peters and I am 9 years old. I am classmates with William, John, and Margot.

**Defense:** If I may, how are your grades?

**Cynthia:** I get A's and B's usually and I am better at math than language arts.

**Defense:** What happened that day in class?

**Cynthia:** We were reading our poems about the sun and writing stories. The poems were about the sun and I felt like Margot was bragging to everyone that she had seen the sun and everyone else hadn't. Once we saw the teacher leave everyone started talking to Margot.

**Defense:** What happened after this?

**Cynthia:** Well, we saw her get mad and clench her fist and she looked angry. Her face was red, and she stared at us. We all were scared because I have seen her get frustrated easily. All we tried to do was to defend ourselves, so we put her in the closet.

**Defense:** Can you tell us why you felt the need to defend yourself?

**Cynthia:** Well Margot loses her temper easily. Weeks ago, she refused to shower. She screamed when the water touched her. Before putting her in the closet, we saw her clench her fist and look angry. We thought she might hurt someone.

**Defense:** What were the reasons you put Margot in the closet?

**Cynthia:** We were just trying to let her calm down and wait until the teacher came back.

**Defense:** We have no further questions for this witness.

**Judge:** Prosecution – you may cross examine.

**Prosecution:** After you put Margot in the closet, did you hear Margot screaming while she was in the closet?

**Cynthia:** No, the closet was muffled.

**Prosecution:** Did you forget about Margot or did you purposefully leave her in the closet for over 2 hours?

**Cynthia:** We were distracted by being out in the sun.

**Prosecution:** Why did you tell the teacher everyone was there when Margot was in the closet?

**Cynthia:** I just wanted to get outside, I didn't want to miss any of the sun.

**Prosecution:** Is it true that you and the others were jealous that Margot remembered the sun and you didn't?

**Cynthia:** We were kind of jealous, but that's not why we put her in the closet.

**Prosecution:** Is it true that you and two others pushed Margot in the closet and locked it?

**Cynthia:** Yes.

**Prosecution:** Were you forced to push Margot in the closet, or did you join because you wanted to?

**Cynthia:** No, I wasn't forced to.

**Prosecution:** We have no further questions of this witness.

**Judge:** The witness may step down. Defense – please call your next witness.

**Defense:** We call the Defendant William Curry to the stand.

**Bailiff:** Please raise your right hand. (*William raises his right hand*) Do you promise to tell the whole truth and nothing but the truth?

**William:** I do.

**Defense:** Please state your name for the record.

**William:** My name is William Curry.

**Defense:** How do you know Margot Russel?

**William:** We are in the same class.

**Defense:** How long have you and Margot been classmates?

**William:** Just a couple of years.

**Defense:** Does Margot describe the sun differently from everyone else?

**William:** Yes, she said it was like a penny, but it's not. It's like a stove. It's like she was showing off to everyone, by bragging that she has seen the sun and everyone else hasn't.

**Defense:** Have you ever seen Margot get mad before?

**William:** Yes, I have.

**Defense:** Tell me about Margot getting mad.

**William:** Margot gets frustrated and breaks the rules at school. Once, a month ago, she refused to shower in the school shower rooms. She had clutched her hands to her ears and over her head and just started to scream loudly. The teachers had to come to calm her down.

**Defense:** Does Margot have many friends?

**William:** Not really.

**Defense:** Does Margot play during break time?

**William:** No.

**Defense:** Have you tried to include and play with Margot in the past?

**William:** Yes, we always try to include her in our games of tag in the tunnel, but she always stands there and does nothing.

**Defense:** We have no further questions of this witness. The Defense rests.

**Judge:** Prosecution – you may cross examine.

**Prosecution:** Is it a fact that you left helpless Margot in the dark locked closet for more than two whole hours while you enjoyed the sun?

**William:** Well... yes, but it was out of self-defense.

**Prosecution:** Is it true that you told the class to lock Margot in the closet?

**William:** Yes, I guess so.

**Prosecution:** Is it true that you have been bullying Margot ever since she started to come to Underground Elementary?

**William:** I wouldn't say I "bully" her, but she can get on my nerves.

**Prosecution:** Is it true that you locked the closet?

**William:** Yes, I locked the closet.

**Prosecution:** We have no further questions of this witness.

**Judge:** The prosecution may make its closing statement.

**Prosecution Closing Statement:**

Your Honor and ladies and gentlemen of the jury, we have proven that William Curry, John Heller, and Cynthia Peters are guilty beyond a reasonable doubt of false imprisonment. We have heard from Margot Russel about how the trio forcefully shoved Margot in the closet, locked it, and left her there. Margot's testimony also helped to prove that her experience in the closet was harsh and traumatizing. In addition, we have heard from Sam Ellis, the teacher, tell us how long this bullying has gone on for and how Margot is a quiet girl who doesn't fight back. We heard from Pepper Martin who told us that she saw William, John, and Cynthia, throw Margot into the closet against her will. Finally, we heard from William Curry himself, admitting that he did all of this. In conclusion, ladies and gentlemen of the jury, we have proven that William Curry, John Heller, and Cynthia Peters are guilty of false imprisonment. Thank you

**Judge:** Defense, you may make your closing statement.

**Defense Closing Statement:**

Your honor, and ladies and gentlemen of the Jury, I hope that my clients and I have made it crystal clear that, without a doubt, William, Cynthia, and John are not guilty of false imprisonment. All they were trying to do was to protect the class because the teacher wasn't there. The class needed protection. Who knows what Margot might have done considering the fact that she refused to comply with a simple request to take a shower last month. Also, since June Smith made sure the door wasn't locked, Margot could have gotten out of the closet anytime she wanted too – hopefully after she had calmed herself down. Because the door was

unlocked the entire time, there is no way the Defendants are guilty of false imprisonment. Ladies and gentlemen of the Jury, it is clear the prosecution did not prove Mr. Curry, Ms. Peters, or Mr. Heller are guilty in this case. Thank you.

**Judge's Charge to the Jury:**

Ladies and Gentlemen of the Jury, you are the only judges of whether the witnesses are believable. As you decide this case, you should pay attention to how the witnesses looked and acted when they were testifying, to what they said, and to whether different witnesses said things that were the opposite of one another. You should pay attention to all the evidence that shows a witness is credible, and you should pay attention to whether a witness might have reason to say what he/she did even though it might not be the truth. You should also ask yourself whether a witness actually saw the things he/she testified to and whether he/she seems to have a good memory about what he/she saw. Finally, you should remember that two people who see something happen may see or hear it differently, and sometimes people do not remember things correctly and may make an honest mistake. When witnesses disagree with each other, you should decide whether they disagree on something important or on something that is unimportant. You should decide whether the disagreement is because one person made a mistake or because someone told a lie.

The defendants have been charged with false imprisonment.

To find the Defendants guilty of this offense, you must find that all of the following elements have been proven beyond a reasonable doubt:

- The defendants had the intent to confine the plaintiff, without authority of law
- The plaintiff did not consent to the confinement
- The plaintiff was conscious (aware) of the confinement

The Jury may leave the courtroom to deliberate.