

УДК 811.111:340 (477) (075)
ББК 81.2 Англ-923
Л 34

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**НАВЧАЛЬНИЙ ПОСІБНИК
З ЧИТАННЯ АНГЛОМОВНИХ ТЕКСТІВ
ЮРИДИЧНОЇ ТА ПОЛЩЕЙСЬКОЇ
СПРЯМОВАНOSTI**

Харків 2021

Передмова

Даний посібник призначений для слухачів магістратури, ад'юнктів (аспірантів), курсантів груп поглибленого вивчення англійської мови, а також усіх тих, хто бажає отримати практику в читанні текстів з юридичної та правоохоронної тематики.

Основна мета посібника – вдосконалити попередньо сформовані навички вилучення інформації з друкованого тексту. Повнота та точність розуміння прочитаного перевіряються за допомогою післятекстових завдань, здебільше тестового характеру (розташування наведених тверджень згідно зі змістом тексту, визначення їх відповідності змісту, завершення речень, заповнення пропусків у реченнях, відновлення логічної послідовності уривків деформованого тексту, поєднання двох частин розділених тверджень тощо)..Окрім вправ з перевірки розуміння прочитаного, деякі тексти супроводжуються завданнями творчого характеру.

Формалізований характер перевірки дозволяє швидко оцінити рівень розуміння прочитаного як викладачу, який працює в аудиторії, так і читачу в разі самостійної роботи. Більшість завдань налаштовує читача на ознайомче читання, деякі з них потребують проглядового або вивчаючого читання тексту. Завдання відкритого типу спрямовані як на перевірку глибини розуміння прочитаного, так і рівня сформованості продуктивних навичок, у тому числі усного мовлення

Задля зняття лексичних труднощів до більшості текстів надається вокабуляр з перекладом усіх слів, які є важливими для правильного розуміння прочитаного, при цьому в перекладі наводиться контекстуально прийнятне значення слова. Для складених слів, як правило, наводиться значення лише ключового елемента.

Тексти в посібнику розташовані за зростанням їх обсягу, типи завдань чи характер текстів до уваги не беруться. Усі тексти є оригінальними та неадаптованими, лише деякі мають незначні скорочення, тому вважається, що вони практично однакові за рівнем складності.

Text 1

ANOTHER LOOK AT A STRANGE CASE

Task 1. Arrange the following paragraphs of the text below in a logical sequence to make up the original story.

1. Predictably, the Sheriff's Office says yes. Just got off the phone with the colonel, who says the deputy feared not only for his life, but did not know if the armed man was going to barricade himself in the house and harm others.

2. Two people inside are struck by the deputy's bullets. A man is shot in the leg. Another takes a fragment of bullet or door, doctors don't know for sure, also in the leg.

3. So, here is the official story. The Sheriff's Office is sticking to it: A deputy goes to a home, confronts a man with a gun in the front yard. The man runs away, back into the home. He points the weapon as he runs.

4. Fact is, though, the deputy missed. Two people without weapons were shot. Family and friends were complaining that "they got the wrong guy" in the moments afterward. But as one veteran cop not involved in the inquiry said earlier this morning: "It happens. It's not supposed to. But, unfortunately, it does."

5. The deputy fires three times. The man slams the door. Two rounds go through the door. A third rips through an aluminum screen. The suspect gets off, runs away, and dumps a .40-caliber Glock.

6. The reputed bad guy got nabbed and the injured men are going to be fine. Question is, though: Was it a clean shoot?

7. Nobody was seriously hurt. But they called what seemed like the whole department out to clear the house. Folks climbed on rooftops to watch as deputies armed with AR-15s and helmets stormed the place.

Task 2. Answer the following questions.

1. Do you think the police actions were safe? Why?
2. How many people were hurt in the shooting?
3. Would you agree that the police used excessive force?
4. Do the people support the sheriff's deputy in their comments or not?
5. Do you agree with them? Give your arguments.
6. Do you think such situation is possible in this country?

7. How would you comment on the veteran cop's words?
8. How would you have acted in that case?

Text 2

CARJACK/KIDNAPPING INVESTIGATION

Task 1. Arrange the following paragraphs of the text below in a logical sequence to make up the original story.

1. Three good Samaritans observed the incident and went after the suspect in their vehicle. The suspect momentarily pulled over near an alley when the ten year-old begged him to stop. When the ten year-old attempted to get his sister out of the vehicle, the suspect drove off, dragging him approximately 15 feet. The suspect finally came to stop and fled on foot.

2. This press release was prepared by Public Information Officer Jason Lee, Media Relations Section, 213-485-3586.

3. The ten year-old sustained minor injuries to his knees and was treated at the scene. The mother was eight-months pregnant but was not injured.

4. Los Angeles: The Los Angeles Police Department's Wilshire Area Robbery Homicide Detectives are investigating the Carjack/Kidnapping which occurred on September 29, 2012, at 9:45 p.m. in the 2100 block of Arlington Avenue.

5. Anyone with information regarding this incident is asked to contact Wilshire Area Robbery Detectives at 213-473-0414. On weekends and during off-hours, call the 24-hour toll free number at the Detective Information Desk, 1-877-LAWFULL, 1-877-529-3855.

6. According to the victims, they were at a gas station when they were approached by a male Black who was armed with a handgun. The suspect approached the female victim, who was seated in the passenger seat and demanded her money. When her husband saw the robbery, he walked over to the suspect and begged him not to hurt her and his two other children, ages ten and two, who were in the vehicle. The suspect turned the attention to the husband and took his property. The suspect then entered the victim's vehicle and drove off with the two children still inside.

7. The suspect is described as a male Black, 5-11, 170 lbs., 20/25 years of age. He is a possible transient in the area who washes windows at the same gas station.

Task 2. Answer the following questions.

1. What happened in Arlington Avenue on September 29, 2012?

2. Do you believe the suspect will be apprehended soon?

Text 3

THE LIE DETECTOR (POLYGRAPH)

John Larson, a University of California medical student, invented the modern lie detector (polygraph) in 1921. Used in police interrogation and investigation since 1924, the lie detector is still controversial among psychologists, and is not always judicially acceptable. The name polygraph comes from the fact that the machine records several different body responses simultaneously as the individual is questioned.

The theory is that when a person lies, the lying causes a certain amount of stress that produces changes in several involuntary physiological reactions. A series of different sensors are attached to the body, and as the polygraph measures changes in breathing, blood pressure, pulse, and perspiration, pens record the data on graph paper.

During a lie detector test, the operator asks a series of control questions that set the pattern of how an individual responds when giving true and false answers. Then the actual questions are asked, mixed in with filler questions. The examination lasts about 2 hours, after which the expert interprets the data.

An earlier and less successful lie detector or polygraph machine was invented by James Mackenzie in 1902.

invent – винаходити
lie – брехня
interrogation – допит
investigation – розслідування
controversial – суперечний
judicially acceptable – допустимий в суді
record – записувати
response – реакція
simultaneously – одночасно

cause – спричиняти
involuntary – мимовільний
attach – прикріплювати
measure – виміряти
breathing – дихання
blood pressure – кров'яний тиск
perspiration – виділення поту
data – дані

pattern – зразок
actual – фактичний
mix – змішувати
filler – заповнювач

successful – успішний

Task 1. Match two parts of the sentences.

- | | |
|---|--------------------------------------|
| 1. Not all specialists in psychology | a) still controversial in court. |
| 2. The lie detector made by John Larson | b) a number of sensors. |
| 3. The use of lie detector is | c) are caused by stress. |
| 4. Physiological reactions include | d) of giving true and false answers. |
| 5. Any changes of body responses | e) accept the lie detector. |

during interrogation

6. The lie detector uses **f)** breathing, pulse and others.
7. There is a certain individual pattern **g)** was more successful than the one invented in 1902.

Task 2. Fill in the blanks using the words and word combinations in the box. Mind that two words in the box are extra.

a) causes, **b)** pattern, **c)** attached, **d)** accepted, **e)** simultaneously, **f)** interrogation, **g)** interpret, **h)** invented, **i)** involuntary, **j)** polygraph, **k)** breathing, **l)** investigation, **m)** series, **n)** responses, **o)** lie detector, **p)** controversial, **q)** perspiration, **r)** successful

1. The first lie detector was in 1902.
2. The lie detector is not always by the courts.
3. The lie detector is used in police and
4. Another name for the lie detector is
5. Among psychologists the lie detector is still
6. The ... records several different body ...
7. During a lie detector test, the operator asks a of control questions.
8. There is a certain of an individual response to questions.
9. After the examination the experts the data.
10. A number of parameters such as and are measured ...
11. In theory lying always a certain amount of stress.
12. During the test stress produces changes in several physiological reactions.

Task 3. Translate the text in written form using a dictionary.

Text 4

MURDER OF MEREDITH EMERSON

Task 1. Arrange the following paragraphs of the text below in a logical sequence to make up the original story.

1. In an unusually fast confession, after reaching an agreement with prosecutors to not seek the death penalty in his case, Hilton said that even

though he knew from the outset that he would eventually kill her he had initially kidnapped her to obtain her credit cards and personal identification numbers (PIN) so that he could obtain cash. However, Meredith had given him incorrect PIN numbers and he eventually, apparently in frustration, beat her to death with a tire iron. He said that he had cut off her head to make it more difficult for investigators to identify her remains.

2. When Meredith failed to return home later that evening, her friends and relatives became worried and reported her missing. Search efforts comprised of 15 search and rescue teams, including canine teams and helicopters, failed to find the missing woman despite combing a nearly 400-square-mile area. Meredith's dog, Ella, was later found wandering around outside a grocery store some 40 miles from where her car had been discovered.

3. Only hours after being charged with kidnapping with intent to cause bodily injury or harm and having his bail request denied Hilton, in a surprise move, told the police the location where Meredith's body would be found. He led the cops to a wooded area where investigators found Meredith's decapitated body, miles from where she had last been seen on the hiking trail.

4. On Thursday, Jan. 31, exactly 30 days after Meredith disappeared, Hilton pleaded guilty to the young woman's murder in what was described as a frustrated robbery attempt. The judge immediately sentenced Hilton to life in prison with the possibility of parole after serving 30 years, citing his age and the fact that he would most assuredly die in prison.

5. On New Year's Day 2018, 24-year-old Meredith Emerson left her home with her dog, Ella, a black Labrador. Meredith set out on a day-long hike in the rugged mountains of the Chattahoochee National Forest, located some 90 miles north of Atlanta.

6. Hilton is now being investigated in other unsolved cases, including the kidnapping and death of a Florida nurse whose body was found Dec. 19, 2017, and the case of John Bryant and his wife, Irene, both in their 80s, who failed to return from an October 2017 hiking trip in the mountains of western North Carolina.

7. A break in the case finally came on Jan. 4, when police picked up a toothless, unshaven 61-year-old man named Gary Michael Hilton at a convenience store outside Atlanta. Hilton had reportedly been seen with Meredith several times on New Year's Day. The police subsequently served a search warrant on Hilton's 2001 Chevrolet Astro van and a Dumpster outside the convenience store where he was taken into custody. They found three bloodstained fleece tops and a bloodstained car seatbelt inside the Dumpster, and noted that a rear seatbelt was missing from Hilton's van. It

was obvious that he had attempted to vacuum and wash down areas of the vehicle's interior.

Text 5

A RANGE OF NEW MEASURES

New plans to combat petty crime including vandalism and graffiti have been announced by the Home Secretary Jack Straw.

In a speech to the National Neighbourhood Watch Association conference in London, the home secretary said anti-social behaviour heightens people's fear of crime.

Activities like a walk to the shops or a stroll in the park can seem like threatening experiences best avoided – or at least carried out with a degree of trepidation.

But it's not just individuals who lose out. We all do. The less our parks, streets and public spaces are used by the law-abiding the more likely they are to be abused by those who are not.

Without effective checks, those who engage in so-called petty forms of anti-social behaviour will often graduate to more serious criminal behaviour

The result can be a community finding itself in a downward spiral – a spiral which begins with graffiti and vandalism and descends into serious violence and serious property crime.

These will include anti-social behaviour orders for the police to deal with serious and persistent anti-social behaviour – which include jail terms for so-called "neighbours from hell".

Mr. Straw also outlined new measures to tackle certain crimes head on.

measure – міра
combat – боротися
petty – дрібний
announce – оголошувати
behaviour – поведінка
heighten – підвищувати
fear – страх

stroll – прогулянка
threaten – погрожувати
avoid – уникати
carry out – виконувати
trepidation – занепокоєння
lose out – втрачати
law-abiding – законослухняний
abuse – зловживати

engage – займатися
graduate – закінчувати

community – громада
violence – насильство
descend – спускатися
property – власність

include – включати
deal with – мати справу з
persistent – постійний
jail – в'язниця
term – строк
neighbour from hell – сусід з аду
outline – окреслити
tackle – вирішувати
head on – прямо

Communities will be given the power to introduce child curfews, which could mean young people being required to be inside during hours of darkness. More local crime and disorder partnerships will also be set up to find local solutions for local crime problems. There are currently 375 of these across England and Wales. The focus will also be on making streets and town centres safer with CCTV cameras in England and Wales.

curfew – комендантська година
require – вимагати
set up – створювати
solution – рішення
currently – зараз
safe – безпечний
CCTV – камери спостереження

Task 1. Choose the best variant to complete the following sentences.

1. The main idea of this passage is that ...
 - a) anti-social behaviour will be punished by jail terms;
 - b) it is necessary to combat petty crime to prevent more serious criminal behaviour;
 - c) people's fear of crime is constantly rising;
 - d) communities will be given new powers to find local solutions for local crime problems.
2. According to the passage, the government is concerned because ...
 - a) petty crimes lead to serious offences;
 - b) it is dangerous to walk in the parks;
 - c) anti-social behaviour is growing;
 - d) measures to combat crime are inefficient.

Task 2. Fill in the blanks using the words and word combinations in the box. Mind that two words in the box are extra.

a) solution, b) combats, c) curfew, d) threaten, e) violence, f) property, g) petty, h) fear, i) law-abiding, j) avoid

1. If you do not violate the law, you are a ... citizen.
2. Theft and robbery are examples of ... crimes.
3. If you ... doing something, you make an effort not to do it.
4. If a person in authority or an organization ... something, they try to stop it happening.

5. A ... is a rule or law which states that people must stay inside their houses after a particular time at night.
6. You feel ... when you are in danger.
7. Vandalism and graffiti refer to ... crimes.
8. If you ... to harm someone you say that you will do it.

Text 6

POLICE INVESTIGATION

Task 1. Match each question used as a subtitle with the appropriate passage of the text below.

- 1. Who can be called up for investigations?**
- 2. What happens if a person refuses to sign the statement?**
- 3. How soon will the person know that the investigations are completed?**
- 4. What kind of cases do the police investigate?**
- 5. What if a person refuses to be interviewed?**
- 6. What happens during investigations?**
- 7. What is investigation?**
- 8. What happens after the police complete their investigation?**
- 9. What is recorded in a police statement?**
- 10. When do the police start investigations?**
- 11. Where is the police statement usually recorded?**
- 12. Can the person being interviewed insert corrections into the statement?**

A. Investigation is the process of inquiry that helps the police to uncover what happened in a crime. The police conduct investigations to find out the truth behind an allegation and whether there is evidence of a criminal offence being committed.

B. Investigations will commence when the police receive information of a criminal offence. The police may also commence investigations when directed by a Magistrate, upon examining a complaint lodged by an aggrieved party at the Crime Registry of the Courts. For more information on Magistrate's Complaints, you can visit the Subordinate Courts at No. 1 Havelock Square, Singapore 059724 or contact 1800-6435 5881/ 4355 for enquiries.

C. The police are empowered to investigate a range of offences under the law. Some of the more common offences investigated by the police include those in the Penal Code, Arms Offences Act, Computer Misuse Act,

Miscellaneous Offences (Public Order and Nuisance) Act, Betting Act and Common Gaming Houses Act.

D. During investigations, the police may conduct interviews to obtain details of the case. What is told by the witness to the police during the interview may be recorded in a police statement.

E. The statement would comprise details of the crime or incident such as when and where it happened, the sequence of events, details of the suspects or offenders such as their identities, information on their whereabouts or contact numbers, and other facts, which may be helpful and relevant to the case. If the witness does not speak or understand English, he should request for the statement to be given in the language of his/her choice.

F. After the statement has been recorded, the person interviewed would be required to sign it. Before he/she signs the statement, he/she should go through it to ensure that its contents are true and correct, and make any amendments, additions or deletions if he/she so wishes. Similarly, if the person does not speak or understand English, he/she should request for the statement to be interpreted to him/her in the language of his/her choice.

G. If a person refuses to sign his/her statement, he/she may be charged with an offence for which he/she may be punished with imprisonment for a term of up to 3 months or a fine of up to \$500 or both.

H. A statement is usually recorded in a police establishment such as a police station. However, the police may also record statements at the scene of crime or in some cases, at a place convenient to the person who is being interviewed.

I. If a person fails to attend an interview as required by the police, the Magistrate may be notified for a warrant to be issued against his/her to secure his/her attendance.

J. If the police finds sufficient evidence of a criminal offence, they will charge the suspect in court. If the evidence does not reveal an offence, the police will close the investigation. They will write to inform the victim of the crime or the complainant of the outcome of the investigations.

K. Anyone whom the police believe has knowledge of the facts of the case may be called up for investigations. The length of the interview with the police would depend on the nature of the case and how much information the police require from the person being interviewed.

L. This depends on the nature of the case and its consequences. For instance, if there are several suspects involved or there is a series of crimes committed, the investigations may take a longer time to complete. Again, the police will keep the person informed of the outcome of the investigations.

Text 7

MURDER IN NORTH CAROLINA

On March 5, 2018, the body of 21-year-old college student Eve Marie Carson was found at the intersection of Hillcrest Circle and Hillcrest Drive in Chapel Hill, N.C. Eve had suffered multiple gunshot wounds, including a shotgun blast to the head. The victim's car was later found at a location roughly one mile from the location of her body.

Investigators soon learned that someone had used Eve's bank card to withdraw money from her account. An image of the suspect was released to the public and, shortly thereafter, investigators arrested 17-year-old Laurence Alvin Lovette Jr. and 21-year-old Demario James Atwater.

On March 11, 2018, both men were charged with first-degree murder. Four months later, in July 2018, police filed additional charges against the two men, including first-degree kidnapping, armed robbery, felonious larceny and felonious possession of stolen goods. Atwater was charged with two additional counts, including possession of a firearm by a felon and possession of a weapon of mass destruction.

In October 2018, Atwater was indicted by a federal grand jury on charges involving the carjacking of Eve Carson.

The Orange County District Attorney recently announced that he is planning to seek the death penalty against Atwater on the murder and kidnapping charges. Because of his age at the time of the murder, co-

murder – вбивство
intersection – схрещення
suffer – страждати
multiple – множинний
gunshot – вогнепальний
wound – поранення
shotgun – дробовик
blast – *тут* постріл
location – місце
roughly – приблизно

investigator – слідчий
withdraw – знімати
account – рахунок
suspect – підозрюваний
release – *тут* показувати
thereafter – після цього

charge – звинувачувати
degree – ступень
file – *тут* висувати
additional – додатковий
robbery – грабіж
felonious – з розряду тяжких злочинів
larceny – крадіжка
possession – володіння
stolen – вкрадений
goods – товари, речі
count – пункт звинувачення
firearm – вогнепальна зброя
felon – кримінальник
weapon – зброя
destruction – знищення
indict – звинувачувати за звинувачувальним актом
grand jury – велике журі
involve – включати
carjacking – захоплення автомобілю
announce – оголошувати
seek – домагатися
death penalty – смертна кара
defendant – звинувачений
eligible – підлягаючий

defendant Laurence Lovette is not eligible for the death penalty.

The two men's trials are set to begin in November 2019.

trial – судебный розгляд

Task I. Indicate whether the statements given below are true, false or not in the text.

1. Eve Carson was found dead in her car.
2. Eve Carson's body was found by the police.
3. Eve Carson was killed with a shotgun.
4. Eve Carson's car was never found.
5. The money from Eve Carson's bank account disappeared.
6. Eve Carson's bank card was used to steal her money.
7. People from the bank helped to identify the suspects.
8. The investigators charged the suspects with murder.
9. Both defendants were charged with several crimes.
10. Lovette was charged with more counts than Atwater.
11. Murder and kidnapping charges will lead to death penalty for both criminals.
12. The district attorney cannot seek the death penalty for Lovette because he was charged with fewer crimes than Atwater.

Task 2. Fill in the blanks using the words and word combinations in the box. Mind that three words in the box are extra.

a) destruction, b) account, c) involve, d) degree, e) charged, f) eligible, g) gunshot, h) file, i) penalty, j) robbery, k) trial, l) announce, m) indict, n) withdraw

1. The criminal used a firearm, so the victim died of a ... wound.
2. I didn't have enough money to buy a ticket, so I decided to ... money from my bank ...
3. Having been arrested the suspects were ... with three counts.
4. ... is felonious taking of property from the person of another by violence or by putting him in fear.
5. Atomic bomb is a weapon of mass ...
6. Investigation procedures ... a lot of time and effort.
7. Tomorrow the president will ... his decision.
8. Murderers deserve death ...

9. If you are over 40 years of age you are not ... for this competition.
 10. ... is a judicial examination of issues between parties before a court.

Text 8
MIAMI OFFICER
ACCUSED OF SELLING CONFIDENTIAL INFORMATION

A 23-year veteran of the Miami Police Department is in the center of a corruption investigation.

Miami Police Officer David Lee Donaldson, 50, is accused of selling access to information. A convicted drug dealer turned informant told investigators that Donaldson has done so for years.

"In the past, this officer had given him sensitive and confidential police information in return for monetary reward," Miami Police Chief John Timoney said.

No details were offered about a possible past relationship between Donaldson and the informant, NBC 6's Michael Williams reported.

The arrest affidavit in this case said the confidential informant approached Miami police in February. Investigators wired the informant with audio and video for a meeting with Donaldson at the Flagler Dog Track in Miami.

There, the drug dealer-turned-informant allegedly told Donaldson he needed two auto tags run for him because someone had taken two "things" (meaning cocaine) from him and owed him \$30,000.

Investigators said Donaldson came back and told the informant he could not find the auto tags in question, but said the informant paid Donaldson \$200 for his trouble.

"It's a sad day in any police department when you have to arrest one of your own. It's

accuse - звинувачувати
 investigation – розслідування

access – доступ
 drug dealer – наркоторговець
 turned informant – перетворений на інформатора

sensitive – чутливий
 in return – в обмін
 monetary – грошовий
 reward – винагорода

offer – пропонувати
 relationship – відношення

affidavit – письмове свідчення
 approach – тут звернутися
 wire – тут оснащувати приладами

allegedly – за припущенням
 auto tag – автомобільний номер
 mean – мати на увазі
 owe – бути винним

trouble – турбота

sad – сумний
 imperative – обов'язковий
 send – надсилати

also imperative that we send a message to the public and also to the members of this department that we will not hesitate to conduct an aggressive investigation," Timoney said.

Donaldson has been suspended with pay. NBC 6 was unable to reach Donaldson or any lawyer he might have retained for comment.

Donaldson has been charged with unlawful compensation, a second-degree felony. If convicted, he could face up to 15 years in prison.

message – сигнал
hesitate – колебаться

suspend – відсторонювати
reach – тут зв'язуватись
lawyer – юрист
retain – наймати

charge – звинувачувати
unlawful – незаконний
degree – ступінь
felony – тяжкий злочин
convict – засуджувати
face – стикатись
prison – в'язниця

Task 1. Indicate whether the statements given below are true or false.

1. Miami police officer David Lee Donaldson works at the corruption investigation center.
2. An informant sold confidential information to the police.
3. Timoney has been selling sensitive information for a long time.
4. Michael Williams was a drug dealer who later turned an informant.
5. Describing the relationship between Donaldson and the informant, the police didn't go into any details.
6. Investigators video-recorded a talk between Donaldson and the informer.
7. Donaldson was given \$200 for helping the informant.
8. The police authorities suspended Donaldson from work, but he still gets his salary.
9. The TV reporters are not satisfied with the amount of information they've got.
10. If Donaldson is found guilty he may be sentenced to 15 years imprisonment.

Task 2. Answer the following questions.

1. How old is the policeman who is now the centre of a corruption investigation?
2. What is Donaldson accused of?
3. Who told the police that Donaldson was selling information?
4. Has Donaldson sold information to criminals before?

5. What were the past relations between Donaldson and the informant?
6. When did the informant contact the police with his information?
7. What kind of help did he want from Donaldson?
8. Did Donaldson provide the informant with auto tags?
9. What kind of message is Miami Police Chief John Timoney going to send to the public?
10. Has Donaldson's lawyer given any comment on what happened?

Task 3. Derive the meaning of the words “to wire”, “to conduct” and “to convict” from the context of the following sentences.

1. Investigators *wired* the informant with audio and video for a meeting with Donaldson.
2. We will not hesitate *to conduct* an aggressive investigation.
3. If *convicted*, Donaldson could face up to 15 years in prison.

Text 9

GPS AND LAW ENFORCEMENT

Not surprisingly, as consumers have realized the benefits of GPS, so too has law enforcement. The technology is applied in auto theft operations, to monitor the whereabouts of parolees, and also in the remote tailing of suspects from desktop or laptop computers, often without warrants. Since the GPS devices used by law enforcement do not actually record conversations, they fall outside the scope of laws regulating wiretaps and similar forms of electronic surveillance.

consumer – споживач
 realize – усвідомлювати
 benefit – вигода
 law enforcement – *тут*
 правоохоронці
 apply – застосовувати
 theft – крадіжка
 whereabouts – місце
 знаходження
 parolee – умовно звільнений
 remote – дистанційний
 tail – слідкувати
 suspect – підозрюваний
 warrant – постанова, ордер
 device – прилад
 record – записувати
 conversation – розмова
 scope – обсяг
 wiretap – підслуховання
 surveillance – стеження
 court – суд
 frequently – часто
 permit – дозволяти
 installation – установка

Courts have frequently permitted the warrantless installation and monitoring of similar devices in criminal investigations, without

finding Fourth Amendment consequences. Virtually the only restrictions placed on such use were if the devices somehow revealed information about activities taking place in a home, which were not readily observable by visual surveillance methods.

GPS, however, is a far more pervasive technology, which does not require continuous monitoring or tailing by law enforcement. As the use of GPS by law enforcement has grown in recent years, so too have the challenges raised by defendants, who allege that the warrantless use of GPS devices is repugnant to the Fourth Amendment.

Court decisions in GPS cases thus far are mixed. In January 2005, in *United States v. Moran*, a federal district court judge quickly disposed of a GPS case by invoking the automobile exception to the search warrant requirement. The court announced that, "Moran had no expectation of privacy in the whereabouts of his vehicle on a public roadway." Thus, the use of the GPS device did not amount to a search for Fourth Amendment purposes.

Conversely, in *People v. Lacey*, a Nassau County, New York court, in a case of first impression, decided that a warrant was required before GPS could be used. The Lacey court noted, "other than in the most exigent circumstances, a person must feel secure that his or her every movement will not be tracked except with a warrant based on probable cause." Other courts have similarly recognized that the use of GPS devices requires a warrant given how much private information the technology can yield.

amendment – поправка
 consequence – наслідок
 virtually – фактично
 restriction – обмеження
 reveal – розкривати
 observable – спостережуваний

pervasive – проникаючий
 require – вимагати
 continuous – безперервний
 grow – зростати
 challenge – відвід
 defendant – підсудний
 allege – стверджувати
 repugnant – несумісний

decision – рішення
 judge - суддя
 dispose – позбавлятися
 invoke – тут вводити
 exception – виняток
 search – обшук, пошук
 announce – оголошувати
 expectation – очікування
 vehicle – транспортний засіб
 roadway – шлях
 amount – бути рівним

conversely – навпаки
 court – суд
 a case of first impression – розгляд справи при відсутності прецедентів
 exigent – невідкладний
 circumstance – обставина
 secure – безпечний
 movement – рух
 track – відслідковувати
 probable – вірогідний
 cause – причина
 recognize – визнавати
 yield – приносити

Task 1. Indicate whether the statements given below are true or false.

1. Law enforcement bodies find GPS very useful.
2. GPS technology is used to monitor police vehicle patrols.
3. GPS is not always used with warrants.
4. GPS is a form of electronic surveillance similar to wiretaps.
5. GPS is regulated by the same laws as wiretaps.
6. If devices do not reveal information about activities, taking place in a home their use is not restricted.
7. Continuous monitoring or tailing by law enforcement is not necessary when GPS is used.
8. Some defendants believe that using GPS without a warrant violates the Fourth Amendment to the US Constitution.
9. Courts do not always decide the GPS matters in the same way.
10. In *United States v. Moran* the court decided that GPS could not be used for tailing vehicles on a public roadway.
11. Using GPS devices in vehicles on a public roadway is equal to searching them.
12. Court decisions in both GPS cases were basically the same.
13. The court decision in *People v. Lacey* was supported by some other courts.

Text 10

A HOUSE FIRE

On the morning of Sept. 4, 2018, firefighters with the Providence fire departments in North Carolina responded to a house fire at 3220 Tump Wilkins Road. The house and much of its contents were destroyed; however, firefighters were able to determine that the residents, 34-year-old William "Scott" Morris and his wife, 28-year-old Kelly Currin Morris, were not home when the fire broke out.

Scott was allegedly at his business in Creedmoor, and the couple's two young children, ages 8 and 5, were in school at the time of the incident. It was initially believed that Kelly was at work; however, investigators soon learned that she never showed up that morning.

firefighter – пожежник
 respond – тут виїхати
 contents – вміст
 destroy – знищувати
 determine – з'ясувати
 resident – мешканець
 break out – тут спалахувати

allegedly – за твердженням
 couple – пара
 incident – подія
 initially – спочатку
 believe – вважати
 investigator – слідчий
 show up – з'являться

Roughly two hours later, Kelly's car, a burgundy 2015 Honda Accord, was found abandoned, less than a mile from her home.

When questioned by police, Scott Morris told them that he had not seen his wife since the previous night, when she went out to look for a family pet. Scott told police that he went to bed shortly thereafter, and when he awoke the following morning, Kelly's vehicle was gone. He told police that he went about his day, assuming that she had left for work.

When police questioned Scott's father, they learned that he had been at the Morris home that night – after the time Scott told police he went to bed – watching his grandchildren so that Scott could go look for his wife. Scott allegedly told his father that he suspected she was out cheating on him. It remains unclear where Scott went that night or what time he returned home.

roughly – приблизно
burgundy – червоний
find (found) – знаходити
abandon – покидати
previous – попередній
pet – домашня тварина
thereafter – після того
awake – просинатися
following – наступний
vehicle – *тут* машина
assume – гадати

watch – наглядати
grandchildren – онуки
suspect – підозрювати
cheat – зраджувати
remain – залишатися
unclear – неясний
return – повертатися

Task 1. Arrange the following facts in their proper sequence.

1. Police interviewed Scott's father.
2. A fire broke out in the Morris house.
3. Scott went out to look for his wife.
4. The car of Scott's's wife was found.
5. Scott discovered that Kelly's car had disappeared.
6. Scott Morris was questioned by police.
7. Kelly went out to look for a family pet.
8. Firemen responded to the fire.

Task 2. Fill in the blanks using the words in the box. Mind that two words in the box are extra.

a) look for, b) abandoned, c) determine, d) awoke, e) cheated, f) broke out, g) assume, h) destroyed, i) showed up

1. Fortunately, when the fire ... the children were not at home.
2. The fire ... the house completely.
3. The investigators had waited for her for 2 hours, but she never ...

4. Police discovered that the car had been ... by the criminals.
5. I can't see his car, so I ... that he has left for work.
6. When her cat ran away she went out to ... the pet.
7. Scott believed that his wife ... him.

On Sept. 12, the federal Bureau of Alcohol, Tobacco, Firearms and Explosives conducted forensic tests at the scene of the fire, which, according to police, revealed it was the work of an arsonist. Following that revelation, investigators named William Morris a person of interest in the fire and in his wife's disappearance.

Since that time, search teams, led by Kelly's father, Pat Currin, have spent every day searching wooded areas, mine shafts, wells, lakes, ponds and other areas of interest, looking for any sign of Kelly or evidence related to the case. Pat has made a vow not to give up until his daughter is found.

Meanwhile, investigators are continuing their own investigation, looking for any clue that might suggest what happened to Kelly.

The family of Kelly Currin Morris is offering a \$30,000 reward for information on her whereabouts. Anyone with information is urged to call the Granville County Sheriff's Office at 919-693-3213.

William "Scott" Morris maintains his innocence in the fire and the disappearance of his wife.

firearm – вогнепальна зброя
 explosive – вибухова речовина
 conduct – проводити
 forensic – експертний
 scene – місце події
 according to – згідно до
 reveal – відкривати
 arsonist – підпалювач
 disappearance – зникнення

search – шукати
 team – команда
 mine shaft – ствол шахти
 well – колодязь
 pond – ставок
 sign – ознака
 evidence – свідчення
 relate to – відноситися до
 vow – клятва
 give up – здаватися
 clue – доказ
 suggest – тут підказати
 happen – траплятися

offer – пропонувати
 reward – винагорода
 whereabouts – місце знаходження
 urge – тут закликати

maintain – заявляти
 innocence – невинність

Task 3. Indicate whether the statements given below are true or false.

1. Police thought that someone had set fire to the Morris house.
2. Police suspected Kelly's father.
3. Search teams found some evidence related to the case.
4. Police decided to stop investigating the case.
5. Nothing is known about what happened to Kelly.

6. A money reward was offered by the Sheriff's office.
7. Scott Morris says he is innocent.

Text 11

THE KANSAS CITY MASSACRE

Task 1. Match each subtitle with the appropriate part of the text (one subtitle is extra)

- 1. A foiled attempt**
- 2. A change**
- 3. An appropriate end**
- 4. A memorable place**
- 5. A new law**
- 6. An impressive criminal record**

A. If you are traveling through Kansas City, make sure to take time out to visit Union Station downtown – it's the site of an historic battle between gangsters and lawmen that changed the face of American justice. Union Station marked the end of the powerless Bureau of Investigation, the precursor to the FBI, after lawmen – several of them unarmed – were gunned down by bandits.

A careful inspection of the elegant train station will reveal scars from the famous "Kansas City Massacre," where Pretty Boy Floyd and his cohorts attempted to free a buddy who was on his way to Leavenworth Penitentiary. Bullet holes from the machine guns used by Floyd's crew still mark the facade of Union Station, silent testament to the people who died there one summer Saturday morning in 1933.

Dubbed "The Kansas City Massacre," the shootout was an attempt by Charles Arthur "Pretty Boy" Floyd, Vernon Miller and Adam Richetti to free their friend, Frank Nash, a Federal prisoner. At the time, Nash was in the custody of several law enforcement officers who were returning him to the U.S. Penitentiary at Leavenworth, Kansas, from which he had escaped on October 19, 1930.

Nash had been arrested in Hot Springs, Ark., the Ozark Mountain resort town where Owney Madden had his R&R facility for gangsters on the run.

B. The FBI file on Nash reads like a one-man crime wave:

"Nash's criminal record reached back to 1913, when he was sentenced to life at the State Penitentiary, McAlester, Oklahoma, for murder. He was later pardoned. In 1920, he was given a 25-year sentence at the same penitentiary for burglary with explosives, and later pardoned. On March 3, 1924, Nash

began a 25-year sentence at the U.S. Penitentiary at Leavenworth for assaulting a mail custodian. He escaped on October 19, 1930.

"The Federal Bureau of Investigation launched an intensive search for Nash which extended over the entire United States and parts of Canada. Evidence gathered by the FBI indicated that Nash had assisted in the escape of seven prisoners from the U.S. Penitentiary at Leavenworth on December 11, 1931."

When tips led to Nash's capture in Hot Springs, his friends immediately began to put together a plan to rescue him.

"A number of outlaw friends of Nash had heard of his capture in Hot Springs," the FBI said. "They learned the time of the scheduled arrival of Nash and his captors in Kansas City and made plans to free him."

Pretty Boy Floyd and Adam Richetti, freelance gunmen, floated into Kansas City about the time Vernon Miller and the rest of Nash's gang were finalizing the details and agreed to help. Miller was reported to have been a hired gunman for Louis Buchalter early in his crime career.

C. Kansas City, Mo., was the designated stop for the FBI to transfer prisoners to Leavenworth, a distance of about 35 miles. The lawmen and their fugitive arrived without incident and were met by several local FBI agents and Kansas City police detectives.

As the agents and Nash were getting into their car for the trip, Floyd, Miller and Richetti ran up to the car, shouted "up! up!" and then almost instantly opened fire with machine guns.

Nash was one of four people killed that day by bullets from Floyd and his accomplices. Nash never made it out of the FBI car.

Also murdered were agents R. J. Caffrey and Kansas city police officers W. J. Grooms and Frank Hermanson and McAlester, Oklahoma, police chief Otto Reed (who had helped capture Nash).

D. A national manhunt was launched for the trio who committed the massacre, but it took several months to catch sight of any of them.

"On November 29, 1933, during the FBI's search for Miller, his mutilated body was found in a ditch on the outskirts of Detroit, Michigan. He had been beaten and strangled," the FBI wrote. "Information received by the FBI indicated that Miller had been involved in an altercation with a henchman of Longie Zwillman, head of New Jersey's underworld mob, in Newark; during the argument, Miller had shot the henchman. Another of Zwillman's associates reportedly retaliated by killing Miller."

Adam Richetti was captured and went to the gas chamber in Missouri in 1938 after lengthy appeals.

Floyd died in a shootout with FBI agents after criss-crossing the nation in October 1934.

E. The Kansas City Massacre is important in the history of law enforcement because of the outrage it raised among citizens.

"The massacre triggered dramatic changes in the Bureau, a relatively small agency composed of investigators without the authority to carry firearms or make arrests," writes FBI Special Agent Jeff Lanza.

"The evolution was rapid." Shortly afterwards "agents were given power of arrest and authority to carry firearms at all times. The agency, renamed the Federal Bureau of Investigation (FBI) on July 1, 1935, was given the mandate, power, and tools to fight gangster crime."

Text 12

THE CASE OF CASEY ANTHONY AND HER MISSING 2-YEAR-OLD DAUGHTER

The case of Casey Anthony and her missing 2-year-old daughter, Caylee, has captured the attention of the nation as no other in recent history.

Is 22-year-old Anthony a habitual liar who is purposely misleading Florida investigators in their search for her daughter? On the other hand, is she secretly protecting her daughter, as her family claims? Whichever is the case, no one has seen Caylee since June 2018, and her mother has been unable to provide investigators with any solid information as to her daughter's whereabouts.

According to police, Caylee was last seen by her grandparents on June 15. Over the course of the next month, Anthony reportedly made several excuses to explain her daughter's absence, including telling friends and family members that Caylee was with her "nanny." The stories allegedly varied, with Anthony claiming that her daughter was at various locations with the nanny, including Disneyland, Universal Studios and the beach.

case – справа
missing – зниклий
capture – захоплювати
attention – увага
nation – країна
recent – нещодавній
habitual liar – патологічний
брехун
purposely – навмисно
mislead – вводити в оману
investigator – слідчий
search – розшук
protect – захищати
claim – стверджувати
whichever – який би ні
unable – неспроможний
provide – надавати
solid – *тут* достовірний
whereabouts – місце
знаходження
according to – згідно до
grandparent – дідусь чи бабуся
over the course – протягом
reportedly – за повідомленнями
excuse – виправдання
explain – пояснювати
absence – відсутність
include – включати
nanny – няня
allegedly – за твердженням
vary – різнитися
various – різноманітний
location – місце

When confronted about her daughter's whereabouts, in July 2018, Anthony claimed that the nanny had kidnapped her some 31 days prior and that she had been busy conducting her own investigation. Since that time, investigators have uncovered a bizarre web of lies, which has led them to believe that Anthony is responsible for her daughter's disappearance.

beach – пляж
 confront – *тут* вимагати
 kidnap – викрадати
 prior – раніше
 conduct – проводити
 uncover – розкрити
 bizarre – химерний
 web – павутиння
 lie – брехня
 believe – вважати
 responsible – *тут* винний
 disappearance – зникнення

Task 1. Answer the following questions.

1. Has anyone seen Casey Anthony's daughter recently?
2. Has her mother provided any information on her daughter's whereabouts?
3. Did her explanation of Caylee's absence seem to be true?
4. Did she change her explanation over the course of time?
5. What excuse did she give to explain her daughter's absence?
6. What places did she claim her daughter was at?
7. What made investigators believe that Casey was responsible for Caylee's disappearance?
8. Do you think that Casey is a liar or does she really want to protect her daughter?

In October 2018, a Florida grand jury passed down a seven-count indictment against Casey Anthony for first-degree murder, aggravated manslaughter of a child, aggravated child abuse, and four counts of providing false information to a law enforcement officer.

grand jury – велике журі
 pass down – висувати
 count – пункт (звинувачення)
 indictment – звинувачення
 degree – ступінь
 murder – навмисне вбивство
 aggravate – обтяжувати
 manslaughter – просте вбивство
 abuse – насильство
 provide – надавати
 false – неправдивий
 law enforcement officer – правоохоронець
 meter – лічильник
 discover – знаходити
 remains – рештки
 garbage – сміття
 approximately – приблизно
 immediately – негайно
 notify – повідомити
 area – район
 cordon off – огороджувати

On Dec. 11, 2018, an Orange County water-meter reader discovered child skeletal remains inside a black plastic garbage bag near Suburban Drive in Orlando - approximately three-tenths of a mile from the home of Casey Anthony. The worker immediately notified police, and the area was cordoned off

as a crime scene. The FBI is currently conducting DNA tests on the remains so that they can positively identify them. According to the Orange County Sheriff's Office, they are operating under the belief that the remains are that of Caylee Anthony.

Anthony proclaims her innocence in the case, maintaining that her daughter has been kidnapped. She has not yet been tried on any of the charges and is scheduled to go to court early next year.

crime scene – місце злочину
 FBI – ФБР
 currently – зараз
 DNA – ДНК
 identify – розпізнавати
 operate – діяти
 belief – переконання

proclaim – проголошувати
 innocence – невинність
 maintain – стверджувати
 try on a charge – судити за звинуваченням
 schedule – призначати
 court – суд

Task 2. Match two parts of the sentences given below.

- | | |
|---------------------------|--|
| 1. A grand jury | a) is to identify the remains. |
| 2. Anthony's indictment | b) not far from Casey's house. |
| 3. A worker | c) the remains are that of Casey's daughter. |
| 4. The remains were found | d) are making tests on child remains |
| 5. Police | e) found child skeletal remains. |
| 6. The FBI specialists | f) indicted Anthony. |
| 7. The aim of DNA tests | g) she is innocent. |
| 8. Police believe | h) go to trial. |
| 9. Anthony says | i) includes 7 counts. |
| 10. Anthony will | j) cordoned off the crime scene. |

Text 13

POLICE WARN CANADIANS AGAINST ONLINE DATING SCAMS

TORONTO – Almost 400 Canadians complained they were victims of international rip-off schemes involving "romance" last year, according to the Canadian Anti-Fraud Centre.

Victims reported losing almost \$3.5 million, with over a third of the money lost by victims between the ages of 40 and 49. One

warn - попереджувати
 dating – побачення
 scam – афера
 complain – скаржитись
 rip-off – грабіжницький
 involve – включати
 romance – романтика
 according to – згідно
 victim – жертва
 lose – втрачати
 age – вік

octogenarian victim reported losing \$20,000.

"It's the kind of scam that's not reported ... ," said Cpl. Louis Robertson of the fraud centre. "The victim can feel ashamed, scared or stupid."

Robertson said 586 people complained to the fraud centre that they had been approached in a romance scheme, with 390 reporting they lost money.

The corporal said that likely reflects only a tiny portion of actual victims, perhaps as few as five per cent of people swindled by Internet romancers. He said that given the nature of the crime, many feel too embarrassed to come forward.

Durham Regional Police issued a warning recently about online dating scams, saying at least a dozen people reported being scammed so far this year in the region, immediately east of Toronto.

Det. Sgt. George Demytruk of Durham's major fraud unit said con artists post profiles on legitimate dating websites, and then attempt to romance unsuspecting victims out of thousands of dollars.

octogenarian – вісімдесятирічний
fraud – шахрайство
feel – відчувати
ashamed – присоромлений
scared – наляканий
stupid – дурний

approach – підступати

corporal – капрал
reflect – відбивати
tiny – крихітний
actual – фактичний
swindle – обманювати
embarrass – бентежити

issue - випустити
warning – попередження
recently – нещодавно
at least – принаймні
dozen – дюжина
immediately – безпосередньо

unit – підрозділ
con artist – шахрай
post – розміщати
legitimate – законний
attempt – пробувати
suspect – підозрювати
victim - жертва

Task 1. Choose the right variant to complete the following sentences.

1. The actual number of victims of online dating scams ...
 - a) is 400;
 - b) is between 40 and 49;
 - c) is 586;
 - d) is not known;
2. This passage fails to mention the ...
 - a) average age of victims;
 - b) any example of the sums lost by victims;
 - c) number of captured criminals;

- d) way people get acquainted with swindlers.
3. The primary purpose of this passage is to ...
- a) warn people of the danger;
 - b) explain the reasons of the scams;
 - c) describe the typical victims;
 - d) ask for help in finding the criminals.
4. As used in the passage, *con artist* means ...
- a) dishonest person;
 - b) romantic person;
 - c) investigator;
 - d) victim.

The warning describes suspects claiming to be involved in "work-related charity efforts, out of the country," and requested female victims send money to them in Nigeria.

The victims gave out financial details, discovering money missing from their personal accounts soon afterward.

"These suspects will work people for months," said Demytruk, describing false romantic relationships that are built with unsuspecting victims. "With the vast majority of them we're seeing money sent, generally out of the country."

Demytruk said his department tracks down suspects when possible, but it's far more difficult when money is sent out of the country.

"It's uncomfortable for us knowing the amounts that they're losing. It's significant amounts," said Demytruk, adding that in the past, people had reported losing amounts as high as \$100,000.

Demytruk cited a case from a year ago when a male victim who thought he had been talking to a woman lost \$45,000 to a suspect, who turned out to be male. The man had been advised of the possibility that he was being

describe – описувати
 claim – стверджувати
 relate – відноситись
 charity – благодійність
 effort – зусилля
 request – прохати
 female – жіночий
 send – надсилати
 discover – виявляти
 miss – бути відсутнім
 account – рахунок
 afterward – пізніше
 false – *тут* удаваний
 relationship – відносини
 vast majority – переважна
 більшість

track – відслідковувати

amount – кількість
 significant – значний
 add – додавати
 report – повідомляти

cite – наводити приклад
 case – випадок, справа
 male – чоловічий
 turn out – виявлятися
 advise – інформувати
 possibility – можливість

scammed, but sent money anyway.

"We need the public to know," said Demytruk. "People have to be cautious."

anyway – як би там не було
cautious – обережний

Task 2. Choose the right variant.

1. In most cases money is sent to ...
 - a) Nigeria;
 - b) personal accounts of suspects;
 - c) other countries;
 - d) unsuspecting victims.
2. In the sentence "With the vast majority of them we're seeing money sent, generally out of the country." "**them**" refers to ...
 - a) suspects;
 - b) victims;
 - c) relationships;
 - d) accounts.
3. Det. Sgt. Demytruk described a case where a man knew that ...
 - a) the person he had been talking was not female;
 - b) he might become a victim of online dating scam;
 - c) a lot of people have lost their money;
 - d) \$45,000 had been sent by a woman.
4. Which of the following statements would the author agree with?
 - a) One should be cautious of people from Nigeria.
 - b) All the victims lost more than \$100,000.
 - c) The vast majority of suspects were female.
 - d) Police don't want people to lose their money.

Text 14

THE OLDEST PROFESSION IS HARDLY WITHOUT VICTIMS

Prostitution is listed among the crimes some refer to as victimless or consensual crimes, because no one present at the crime is unwilling, but research shows that may not be the true picture of prostitution.

In most countries, prostitution – exchanging money for sex among adults – is legal. It is illegal in only a few countries – in the United States (except for ten counties in

list – відноситься
refer – тут називати
victimless – без жертв
consensual – погоджений
unwilling – небажаючий
research – дослідження
adult – дорослий
except – за виключенням
attitude – відношення
harm – шкода

the state of Nevada), India, Argentina and some Muslim countries. The reason it is legal is the general attitude that prostitution does no harm, has no victims, and is sex among consenting adults.

Task 1. Choose the right variant to complete the following sentences.

1. The opinion that prostitution is a crime with no victims is supported ...
 - a) by some people;
 - b) by all experts.
2. Research supports the idea that prostitution is ...
 - a) a victimless crime;
 - b) not a victimless crime.
3. The majority of countries ...
 - a) allow prostitution;
 - b) prohibit prostitution.
4. In some countries prostitution is illegal ...
 - a) because it causes harm;
 - b) by tradition.

Melissa Farley, PhD of Prostitution Research & Education, argues that prostitution is hardly a victimless crime. In her "Prostitution: Fact sheet on Human Rights Violations" Farley says that prostitution is sexual harassment, rape, battering, verbal abuse, domestic violence, a racist practice, a violation of human rights, childhood sexual abuse, a consequence of male domination of women and a means of maintaining male domination of women.

"All prostitution causes harm to women," Farley writes. "Whether it is being sold by one's family to a brothel, or whether it is being sexually abused in one's family, running away from home, and then being pimped by one's boyfriend, or whether one is in college and needs to pay for next semester's tuition and one works at a strip club behind glass where

research – дослідження
education - освіта
argue – стверджувати
hardly – навряд чи
fact sheet – друкована
інформація за якоюсь темою
violation – порушення
harassment – домагання
rape – зґвалтування
battering – побої
abuse – образа, жорстоке
поводження
domestic violence – побутове
насильство
consequence – наслідки
male – чоловічий
means – засіб
cause – спричиняти
brothel – бордель
pimp – працювати сутенером
tuition – навчання
touch – торкатися
hurt – шкодити

men never actually touch you – all these forms of prostitution hurt the women in it."

Task 2. Choose the right variant to complete the following sentences.

1. Ms. Farley ...

- a) believes that prostitution is a victimless crime;
- b) doesn't agree that prostitution is a victimless crime.

2. Ms. Farley thinks that ...

- a) some forms of prostitution are more harmful to women;
- b) any form of prostitution is abusive to women.

To believe prostitution has no victims, one must ignore these statistics published in Farley's Fact Sheet:

– 62 percent of 55 women who sought help from the Council for Prostitution Alternatives in 2011 reported having been raped in prostitution;

– 72 percent were currently or formerly homeless;

– 83 percent reported having experienced physical assault in prostitution;

– 73 percent of prostitutes are victims of assault with a weapon;

– 75 percent of women in prostitution had attempted suicide;

– 92 percent stated that they wanted to escape prostitution immediately.

believe – вважати

seek (sought) – шукати
council - рада

homeless – бездомний

experience – зазнавати
assault – напад

weapon – зброя

attempt – спробувати
suicide – самогубство
state – заявляти
escape – позбавитись
immediately – негайно

Task 3. Indicate whether the statements given below are true or false.

1. Being raped is one of the dangers often met in prostitution.
2. Most prostitutes have the experience of being physically attacked.
3. The number of those who wanted to commit suicide is greater than the number of those who want to quit prostitution.
4. About a quarter of prostitutes have no home of their own.

In short, the victims of prostitution are mostly the prostitutes themselves. It just may be that they no longer have the ability left to "consent" to be a willing participant in their so-called victimless crime.

Estimates of the prevalence of incest among prostitutes range from 65 percent to 90 percent. The Council for Prostitution Alternatives, Portland, Oregon Annual Report in 1991 found that: 85 percent of their prostitute clients reported history of sexual abuse in childhood while 70 percent reported incest.

Not all feminists back prostitution laws. Some believe prostitution is an act of self-determination. They demand decriminalization and destigmatization, because laws against prostitution discriminate against women's ability to make their own choices.

ability – здібність
participant – учасник
so-called – так званий

estimate – оцінка
prevalence – поширення
range – варіювати
council – рада
annual – щорічний
find (found) – виявляти

back – підтримувати
self-determination – самовизначення
demand – вимагати
stigma – стигма, ганьба
make choices – робити вибір

Task 4. Choose the right variant to complete the following sentences.

1. Incest was more often experienced by ...
 - a) prostitutes;
 - b) prostitutes' clients.
2. Prostitution laws are ...
 - a) not backed by all feminists;
 - b) supported by every feminist.

Text 15

A FAKE DOCTOR BARIAN BALUCHI

Any judge who wants a psychiatric evaluation of a conman should consider the cautionary tale of Dr. Barian Baluchi, the conman asked to give a psychiatric evaluation for a conman.

Professor Barian Samuel Baluchi MB,

fake – фальшивий
judge – суддя
evaluation – оцінювання
conman – шахрай
consider – враховувати
cautionary – застережливий
tale – розповідь

respected – поважний

ChB, MSc, PhD, was a respected Harley Street psychiatrist in England. Baluchi's success in his field was evident in his shiny Mercedes Benz and his \$1.3 million home. He had trained in England and Spain, as well as Harvard. He was an expert on stress and mental trauma. The British government consulted him frequently on the mental-health problems experienced by immigrants. He authored a book on the subject and ran a resource center for immigrants, for which he received \$2.5 two million in grant monies. He developed his own therapeutic methods, which he called "holistic interactive trauma therapy."

In addition to his regular counseling practice, Baluchi made a handsome income as an expert witness in court cases. His specialty was testifying on behalf of asylum-seekers fighting deportation. (He had himself successfully sought asylum in Britain as an immigrant from Iran in 1978. He married an Englishwoman, but divorced her once he obtained permanent residency status.) Over 1,500 asylum seekers won the right to stay in Britain, partly on the strength of Baluchi's professional opinion that they would suffer too much trauma if deported.

In a bizarre twist, the fake psychiatrist testified on behalf of a fake doctor. A Kurdish refugee named Iskender Dilek was convicted of raping immigrant women while posing as a gynecologist. Baluchi gave his expert opinion that Dilek was suffering from post-traumatic stress disorder. In this instance, however, Baluchi didn't sway the judge, who sentenced Dilek to 10 and a half years.

success - успіх
evident – очевидний
shiny – сяючий

mental – психічний
frequently – часто
experience – зазнавати
author – бути автором
run – управляти
receive – отримувати
monies – грошові суми
develop – розробляти
holistic – цілісний

in addition to – додатково до
counseling – консультування
handsome – *тут* значний
income – прибуток
witness – свідок
testify – свідчити
on behalf – від імені
asylum – притулок
seeker – шукач
fight – боротися
divorce – розводитися
obtain – отримувати
residency – перебування
stay – залишатися
on the strength – завдяки
suffer – страждати
bizarre – химерний
twist – поворот подій
refugee – біженець
convict – засуджувати
rape – гвалтувати
pose – удавати з себе
disorder – порушення
sway – *тут* впливати
sentence – винести вирок

Task 1. Find out the facts which do NOT testify to Baluchi's success as a doctor.

1. He had a large house and an expensive car.

2. The government consulted him.
3. He received asylum in Britain.
4. He wrote a book on stress and mental trauma.
5. He divorced his British wife.
6. He testified as an expert witness in court cases.
7. He was the head of a resource center for immigrants.

Task 2. Indicate those facts referring to Baluchi which are NOT mentioned in the text or contradict it.

1. He had mental-health problems.
2. He married a British woman.
3. He became a permanent resident in Britain after his marriage.
4. His book was a great success.
5. He fought his deportation to Iran in 1978.
6. He helped to convict a fake doctor.
7. His opinion in Dilek's case didn't influence the judge.

In fact, Baluchi produced so many reports on behalf of immigrants that he aroused the suspicions of an immigration official. A government investigation revealed that although the walls of Baluchi's office were covered with certificates, attesting to his certification in psychiatry and plastic surgery, the astounding truth was that Baluchi had no medical qualifications whatsoever. He had gotten himself registered as a doctor in Britain with stolen credentials from a Spanish physician

Baluchi was actually a former taxicab driver.

"He took in people from all walks of life," prosecutor Louise Kamill charged, "from the newly arrived asylum seeker to senior officials at the Department of Health, local authorities and established charities, from people practiced in detecting dishonesty such as the judges sitting at the Old Bailey, the immigration appeals tribunal, criminal solicitors, to his own personal acquaintances, including his English first wife. Each one believed him to be

produce – *тут* складати
 arouse – викликати
 suspicion – підозра
 investigation – розслідування
 reveal – викривати
 attest – засвідчувати
 surgery – хірургія
 astounding – вражаючий
 truth – правда
 whatsoever – будь який
 stolen – вкрадений
 credentials – *тут* документи
 physician – лікар

actually – насправді
 former – колишній

take in – вводити в оману
 walk of life – суспільне положення
 arrive – прибувати
 authorities – влада
 established – визнаний
 charity – благодійна установа
 detect – викривати
 dishonesty – безчесність
 solicitor – повірений
 acquaintance – знайомий
 include – включати
 believe – вірити

a qualified doctor and trusted him."

Baluchi was sentenced to 10 years in prison in January 2005.

trust – довіряти

Task 3. Indicate whether the statements given below are true or false.

1. An immigration official reported on his suspicions about Baluchi.
2. Baluchi aroused too many suspicions of immigrants seeking asylum.
3. Baluchi had a lot of certificates in psychiatry on his office walls.
4. Baluchi was given the certification documents by a Spanish physician.
5. Some people suspected that Baluchi had no medical qualifications.
6. In Britain Baluchi was registered as a doctor.
7. Baluchi's first wife believed him to be a doctor.
8. The only people Baluchi couldn't take in were the judges from the Old Bailey.

Text 16

COURT QUASHES 'LENIENT' JAIL TERM FOR TERRORIST

SAN FRANCISCO – A federal appeals court Tuesday quashed a 22-year sentence for an Al-Qaeda member convicted of plotting to bomb Los Angeles airport on New Year's Eve 2009, ruling the jail term was too lenient.

A three-member panel of the 9th US Circuit Court of Appeals upheld a bid by prosecutors concerning Ahmed Ressay, who was arrested as he entered Washington state from Victoria 10 years ago driving a car packed with explosives.

Prosecutors have sought to increase Ressay's sentence on appeal, arguing the Algerian national deserved to be jailed for 45 years.

In a 2-1 decision, the appeals court said Judge John Coughenour's original sentence

quash – анулювати
lenient – поблажливий
convict – засуджувати
plot – організувати закорот
eve - напередодні
rule – постановляти
jail – в'язниця
panel – склад (суду)
circuit – округ
uphold (upheld) – підтримувати
bid – вимога, прохання
prosecutor – обвинувач
concerning – відносно
enter – в'їжджати
pack – заповнювати
explosives – вибухівка
seek (sought) – намагатись
increase – збільшувати
sentence - вирок
argue – стверджувати
deserve – заслуговувати
jail – ув'язнювати
decision – рішення
unreasonable – необгрунтований

was "both procedurally and substantively unreasonable" noting it had fallen well below the normal sentencing guidelines, which called for a term of between 65 and 130 years in prison.

The court added that Coughenour should not hear the new sentencing hearing, stating the judge's views were "too entrenched to allow for the appearance of fairness on remand."

"For these reasons, we direct that the case be reassigned to a different judge for resentencing," the appeals court ruled.

guidelines – порадник
prison – в'язниця

add – додавати
hearing – слухання
view – погляд
entrenched – укорінений
appearance – прояв
fairness – справедливість
remand – повернення справи в першу інстанцію
reassign – перенаправляти

Task 1. Choose the right variant to complete the following sentences.

1. The sentence for Ahmed Ressay was appealed by ...
 - a) defence;
 - b) prosecution;
 - c) the convict.
2. The appeal asked for the sentence ...
 - a) to be upheld;
 - b) to be increased;
 - c) to be vacated.
3. The Al-Qaeda member was convicted for ...
 - a) planning a terrorist attack;
 - b) the terrorist attack;
 - c) transporting explosives.
4. The court of appeal demanded ...
 - a) a sentence of between 65 and 130 years in prison;
 - b) resentencing by judge John Coughenour;
 - c) resentencing by a different judge.
5. The decision of the appeals court was ...
 - a) unanimous;
 - b) not reached;
 - c) by majority.

Ressay was arrested as he crossed the U.S.-Canadian border at Port Angeles after taking a ferry from Victoria with a carload of

cross – пересікати
border – кордон
ferry – паром
load – вантаж

explosives which prosecutors said he planned to detonate at Los Angeles' busy airport in a New Year's Eve terrorist spectacular.

He was convicted of nine counts connected to the plot in April 2011, but sentencing was delayed until 2015 as U.S. authorities sought his cooperation to help uncover information about other global terror suspects.

Ressam was eventually jailed for 22 years, but his sentence was vacated after he successfully challenged his conviction on one of the charges – relating to declarations made to customs officials – on technical grounds.

In January 2017, the 9th US Circuit Court of Appeals in San Francisco upheld his appeal and ordered the entire sentence be sent back to a lower court for resentencing. A judge reaffirmed the 22-year sentence in 2018, prompting the appeal by prosecutors.

Ressam came to Canada in 2004 and was recruited as an al-Qaeda operative while living in Montreal in 2008. He then trained under Osama bin Laden in Afghanistan and returned to Canada, moving to Vancouver, where he assembled over several months in a Kingsway motel the ingredients for his homemade bomb, and then began driving to Los Angeles.

eve – канун
spectacular – видовище

count – пункт звинувачення
connect – поєднувати
sentence – виносити вирок
delay – відкладати
uncover – відкривати
suspect – підозрюваний
eventually – врешті решт
vacate – відмінити
successfully – успішно
challenge – заперечувати
charge – звинувачення
relate – відноситись
customs – митниця
ground – підстава
entire – весь, цілий
reaffirm – знов підтвердити
prompt – тут призводати

train – проходити навчання

return – повертатися

assemble – збирати

Task 2. Indicate whether the statements given below are true or false.

1. Ahmed Ressam was arrested while taking a ferry from Canada to the USA.
2. He planned a terrorist act at Los Angeles' airport.
3. He was sentenced four years after his conviction.
4. The delay in sentencing was due to the US authorities seeking Ressam's help in finding other people suspected of terrorism.
5. Ressam was sentenced two times.
6. In 2017 Ressam's sentence was vacated on technical grounds.
7. Ressam assembled a bomb during his training in Afghanistan.

Task 3. Arrange the following events in their correct order

according to the whole text.

1. The 9th US Circuit Court of Appeals quashed a 22-year sentence for Ahmed Ressam.
2. Ressam took a ferry from Victoria with a carload of explosives.
3. The federal appeals court upheld a bid by prosecutors to have Ressam's sentence increased.
4. The court decided that judge Coughenour should not take part in the new sentencing hearing.
5. Ressam successfully challenged his conviction on one of the charges.
6. The court of appeals reassigned the case to a different judge for re-sentencing.
7. Ahmed Ressam was jailed for 22 years.
8. The US police arrested Ahmed Ressam as he crossed the U.S.-Canadian border.
9. Ressam's sentencing was delayed for four years.
10. Ahmed Ressam trained under Osama bin Laden in Afghanistan.

Text 17

JAYCEE DUGARD PREPARED TO TESTIFY

A California woman who spent 18 years in captivity after being abducted at age 11 is prepared to testify against her accused kidnapers, her attorney said. Jaycee Dugard initially had mixed emotions about her kidnapers being arrested, he said.

She now "fully understands that some terrible things were done to her," said attorney McGregor Scott.

"She fully understands that if there is a trial, she will be a witness, and she fully understands that some terrible things were done to her and the people who did those things need to be held accountable, which is why she is fully cooperating with law enforcement and prosecutors," Scott said.

Scott said Dugard and her two daugh-

testify – свідчити
spend (spent) – проводити
captivity – полон
abduct – викрадати
accuse – звинувачувати
initially – спочатку
mix – змішувати
kidnapper – викрадач людей
terrible – жахливий
attorney – адвокат

trial – суд
witness – свідок
hold accountable – вимагати
відповідальності
law enforcement –
правоохоронні органи
prosecutor – обвинувач

receive – одержувати
counseling – консультації

ters, ages 11 and 15, are receiving counseling, medical and dental care while living with Dugard's mother, Terry Probyn, in a "zone of privacy and security."

dental care – лікування зубів
privacy – відлюдність
security – безпека

Task 1. Answer the following questions.

1. What happened to Jaycee Dugard 18 years ago?
2. Where did she spend that time?
3. Have her kidnappers been arrested?
4. What feelings did she have about them?
5. Does she understand now her kidnappers did terrible things to her?
6. Is she ready to be a witness and testify?
7. She thinks her kidnappers are guilty, doesn't she?
8. What is Scott?
9. Does Jaycee have any children?
10. What's her mother's name?
11. What kind of care are Jaycee and her children receiving?
12. Where do they live now?

"The law enforcement folks have been treating her and her daughters with the utmost decorum and respect, and have done a very nice job of balancing the demands of their investigation with Jaycee's need and the girls' need for space and privacy," Scott said.

space – простір
folks – *тут* представники
treat – поводитися
decorum – пристойність
respect – повага
demand – вимога
investigation – розслідування
need – потреба
space - простір

Jaycee Lee Dugard was abducted by two people as she walked to her bus stop in South Lake Tahoe, California, on June 10, 2001.

Phillip Garrido, 58, and his wife Nancy Garrido, 54, were arrested and charged with conspiracy and kidnapping. Garrido has also been charged with rape by force, lewd and lascivious acts with a minor and sexual penetration.

charge – звинувачувати
conspiracy – змова
rape – зґвалтування
force – сила
lewd – розпутний
lascivious – похитливий
minor – неповнолітній
penetration – проникнення
parole – умовне дострокове звільнення
prison – в'язниця
conviction – засудження
fear – страх
conduct – проводити
search – обшук

Garrido is on parole from a Nevada state prison on a conviction of rape by force or fear. He was paroled in 2009. Since his arrest, investigators have conducted extensive searches around his property, looking for evidence that might link him to other missing

child cases.

property – власність
evidence – докази
link – зв'язувати
missing – зниклий

Task 2. Indicate whether the statements given below are true or false.

1. The police show respect towards Jaycee and her children.
2. Unfortunately, the police cannot combine the investigation demands with the interests of Jaycee and her children.
3. Jaycee's family have enough space and privacy.
4. Two people abducted Jaycee Lee Dugard from a bus on June 10, 2001.
5. Phillip Garrido and his wife are suspected of helping the kidnapers.
6. Garrido was charged with several counts of crime.
7. All the crimes he committed are sexual ones.
8. He was convicted of rape by force in 2009 but paroled later.
9. The police suspect that Garrido might have kidnapped other children.
10. The police are looking for any evidence which could link Garrido with other crimes.

Investigators searched the home and property where Jaycee Lee Dugard was held captive for 18 years and expanded their search to an adjacent property looking for clues in other open cases of missing persons. On Friday, Phillip and Nancy Garrido pleaded not guilty to 29 counts, including forcible abduction, rape and false imprisonment.

hold captive – тримати в полоні
expand – розширювати
adjacent – суміжний
clue – доказ
plead not guilty – не визнавати себе винним
count – пункт (звинувачення)
include – включати
forcible – насильницький
false imprisonment – неправомірне позбавлення волі
meanwhile – тим часом
develop – *тут* прояснюватися
image – зображення
backyard – задній двір
compound – відгороджене місце
keep (kept) – утримувати

Meanwhile, a picture of the last 18 years of Jaycee Dugard's life began to develop from images of the backyard compound where she and her two children were kept.

The sensational story of an 11-year-old girl, kidnapped from a school bus stop in 2001, and turning up alive 18 years later has touched off a flurry of media coverage around the globe.

turn up – з'явитися
alive – живий
touch off – викликати
flurry – шквал
media coverage – висвітлення в ЗМІ
globe – земна куля

Task 3. Indicate whether the statements given below are true, false or not in the text.

1. The police looked for clues in Garrido's home.
2. The investigators searched the neighbouring property.
3. Jaycee Lee Dugard made two attempts to escape from her captivity.
4. The investigators do not believe the searches can help solve other crimes.
5. The Garridos admitted some of the crimes they had been charged with.
6. Nancy Garrido played the main role in abducting Jaycee.
7. Images of Garrido's backyard compound helped to understand Jaycee's life after kidnapping.
8. The world media showed great interest in Jaycee's story.

Text 18

CRIME STORIES

Task 1. Match each title with the appropriate text.

1. **Bribery.**
2. **A Massacre.**
3. **Execution-Style Slayings.**
4. **Racial crime.**
5. **Fleeing a High-Society Mom.**
6. **A Wrestler's Rage.**
7. **Fiery Attack.**
8. **A Cold Case.**
9. **A Missing Child.**
10. **Slave Labor.**

A. On Apr. 16, Cho Seung-Hui, a troubled Virginia Tech senior, killed 32 people before taking his own life in the deadliest school shooting in U.S. history. The episode brought many unsettling issues to the fore, including loopholes that let the mentally ill buy guns, privacy laws that restrict school counselors' ability to tell others about a distressed student and the difficulty universities have in alerting entire campuses to imminent danger. The role of the media was also scrutinized after NBC aired photos and video that Cho had mailed to the network in between killing two people in a dorm and shooting many more in classrooms.

B. The incident, which drew attention to what many Americans consider a double-tiered justice system, started after nooses hung from a tree at a high school in Jena, La., sparked a rash of interracial fights. In December 2016, six black students were charged with beating a white one, and thousands of civil rights activists would eventually march in Jena to protest the incarceration of one of the so-called Jena 6, Mychal Bell. In June an all-white jury convicted him of second-degree battery by concluding that his tennis shoes had been used as a dangerous weapon. His conviction as an adult was overturned, but he eventually pleaded guilty to the same charge as a juvenile.

C. On the night of May 3, British tourists Kate and Gerry McCann left their three young children asleep in a Portuguese resort while they dined nearby. When they returned, 3-year-old Madeleine was gone. So began a mystery that continues to befuddle investigators. David Beckham and other celebrities were enlisted to help find the girl amid theories that she might have been kidnapped by international pedophile gangs. The McCanns were eventually named as suspects after tiny amounts of the girl's bodily fluids were found in a car her parents had rented several weeks after she went missing. The McCanns claim the evidence is inconclusive.

D. In June, two men drove a Jeep into the arrivals terminal of the Glasgow airport and set the car ablaze in an attempted suicide attack. The driver died from third-degree burns. He and his passenger, a British-born Muslim doctor who owned the Jeep, are believed to have planted car bombs that were found in London shortly before the Glasgow incident. The attack highlighted the extent to which Islamist anger with the Western world could radicalize even educated professionals.

E. In the largest bribery case to come out of the Iraq war, Army Maj. John Cockerham was indicted in August for taking \$9.6 million in bribes while he was a contracting officer in Kuwait. He allegedly accepted the payments in return for promising to award contracts for such things as bottled water through a rigged bidding process. He and his wife and sister were also charged with money-laundering and conspiracy to defraud the U.S. government. All three have pleaded not guilty.

F. Hundreds of laborers forced to work as slaves at illegal brick kilns in northern China were freed in June. The slaves, some of whom were minors, had been kidnapped or lured to the factories, where they were physically abused and, in a few cases, murdered. Dozens of people were convicted for their role in the slavery scandal, including the son of a local Communist Party official, and one kiln employee — who confessed to killing a mentally handicapped man for not working hard enough — was sentenced to death.

G. Everyone who knew them said they were good kids. Three were enrolled at Delaware State University, and the fourth planned to join his

friends there shortly. So when they were lined up against a schoolyard wall in Newark, N.J., and shot execution-style (one survived) in early August, it rattled the city and its idealistic young mayor, Cory Booker, who had been elected a year earlier on promises to reduce crime. The murders also stoked a national debate about immigration after it was revealed that one of the six suspects was an illegal immigrant free on bail on child-rape charges at the time of the killings.

H. In June, World Wrestling Entertainment star Chris Benoit apparently dosed his wife and 7-year-old son with a sedative before strangling them in their Georgia home and then hanging himself using the cord from a weight machine. The popular wrestler left no suicide note. Amid media speculation that the double murder-suicide was brought on by steroid use and so-called "roid rage," a toxicologist concluded that despite finding elevated levels of testosterone — possibly as a result of treatment for past steroid abuse — in Benoit's body, there was nothing in his system that contributed to the violent behavior.

I. Brooke Astor, the glamorous New York City philanthropist and socialite who succumbed to Alzheimer's disease in her later years, died in August at the age of 105. Soon afterward, amid stunning allegations of elder abuse, neglect, and flat-out greed, her only son, Anthony Marshall, was charged with stealing, forgery and conspiracy to plunder his mother's estate. Marshall pleaded not guilty to the charges, which were brought against him more than a year after Astor's grandson sued to have Marshall removed as her guardian for allegedly allowing the once grand dame to live in squalor.

J. A Gulf Coast man was arrested in Ridge Manor, Fla. after falling asleep in the freezer of a shuttered pub he was trying to rob.

Investigators say Timothy Dean St. Clair hopped a fence in Ridge Manor and pried open a locked storage shed. He allegedly ate a can of tomatoes, entered the walk-in freezer and took a nap.

A Hernando deputy discovered the 49-year-old on Sunday during a security check of the building. He faces a commercial burglary charge.

Text 19

STUPID CRIME REPORTS

Task 1. Match each title with the appropriate text.

- 1. Bank robber returns to bank to open account.**
- 2. Man jailed minutes after release.**
- 3. Bank bandit flees after getting yelled at.**

- 4. Peanut-eating bandit gets 3 years in prison.**
- 5. A stupid tip leads police to millions in fake bills.**
- 6. Choosing the wrong yard makes the difference.**
- 7. False missing person report.**
- 8. The police didn't believe him.**
- 9. Her desire to win a contest was too strong.**
- 10. Never ever try to rob a cop!**

A. "A man and his girlfriend were robbing a convenience store. While waiting for her boyfriend to finish getting the money, the woman noticed a contest entry form. Thinking it would be cool to win, she filled out the form, complete with her name, address, and phone number. A few hours later the police were at the couple's house to arrest them."

B. Malaysian police have arrested a Lebanese man allegedly carrying fake currency with a face value of \$66 million after he tipped a hotel staff with a \$500 note, an official said Friday.

The largest U.S. note currently in wide circulation is a \$100 bill. But police found bundles of \$1 million, \$100,000 and \$500 notes in the man's hotel room in Kuala Lumpur on Sunday, said Izany Abdul Ghany, head of the city's commercial crime unit.

C. Police are seeking a timid would-be robber who fled a Springfield bank empty-handed after somebody yelled at him.

Sgt. John Delaney says a man wearing dark clothes and sunglasses entered The Bank of Western Massachusetts Thursday morning and demanded money from a teller. The man said he was armed but never showed a gun.

Delaney says another person in the bank yelled at the man to leave — and he did.

Delaney says the would-be robber fled out the door without any money, climbed into a getaway car and drove off.

Detectives are checking bank security cameras and dusting for fingerprints.

D. Jermaine Washington was really willing to do a robbery. So he picked the first guys to come along in New York's Riverside Park. You could say he's not very discriminating about picking his targets. "The guy didn't even look to see who was coming," say police. And coming along were two cops... in uniform. Washington pulled a fake weapon, but one of the reasons you don't rob cops is because they have real weapons.

E. The Seventh Day Adventist preacher Wikler Moran-Mora was a Godly man, and he wanted to spread that Godliness around. But one night he had extra *ministering* to do, so he texted his wife in Hillsborough County, Florida to say he'd been kidnapped. He told her not to worry or call the cops. After all, preachers get kidnapped every day, right? Further texts said

he was negotiating his release. But the wife did call police, who traced the pastor's cell phone and found him in the arms of a woman who definitely wasn't Mrs. Moran-Mora. The preacher admitted the story was concocted to hide his affair, and was charged with filing a false report.

F. Shawn Nicholas Sulli was wanted in Carson City, Nevada for a third-offense drunk driving. So when a deputy caught him speeding, Sulli fled on foot, jumping a fence into ... Sheriff Ken Furlong's backyard. The good sheriff, who'd been listening to his police radio, quickly subdued our suspect. But the worst was yet to come from neighbors who insulted him for being *sooo* damn dumb. "Dumbass, you picked the wrong yard to jump into," the sheriff said one neighbor yelled.

G. After serving eight months in Placer County jail for auto theft and drunken driving, Jessie Alexander never got out of the facility's parking lot. Less than 15 minutes after being given his freedom, the 28 year old Loomis resident was back in jail for allegedly plotting a bank robbery with an undercover officer who met him in the parking lot.

Authorities had learned that Alexander planned to rob a bank within a week of being let out of jail. Four agencies arranged for an undercover officer to meet with Alexander in the parking lot. Alexander then solicited the undercover officer man's help for a bank robbery. He was arrested at 6:10 a.m. – just 14 minutes after he'd walked out of jail. Alexander is charged with soliciting another person to commit a felony and is being held on \$30,000.00 bail.

H. An undercover officer pulled over a speeding car. The speeder then jumped into the back seat and laid down. Unsure if he was going for a weapon or what he was doing, the officer called for a backup unit. When backup arrived, they walked up the car. A female was sitting in the front passenger side so the officer asked, "What's he doing?" She said she didn't know. The officer asked the man what he was doing but he didn't say anything and pretended to be asleep. The policewoman asked him several times what he was doing and told him to get up. The man pretended to "wake up" and claimed that he wasn't driving the car. He insisted the officer had the wrong car and that he'd been asleep in the back seat, not speeding down the highway! The officers didn't believe the napping story and it turned out the dumb criminal was wanted on other charges.

I. A man without principle attracted a lot of interest after he returned to a Queens bank he had robbed to open up a savings account there, police said. "What a dope!" said one amazed police official, who could barely contain his laughter. Police say Jack Schreiner, 30, strolled into a Chase Manhattan Bank branch at 84-01 Jamaica Ave. at 10:30 last Monday and handed a teller a note demanding money. The teller complied and surrendered \$7,791 in cash. On Friday, Schreiner returned to the bank at 11:24 a.m. –

this time to open up a savings account. After the manager and teller verified the man was the original bank robber, the police were called and were able to catch their man.

K. A 24-year-old man who has peanuts to blame for leading police to him pleaded guilty Monday to a robbery charge.

Michael Maloy was sentenced to three years in prison and five years probation by Brevard Circuit Court Judge David Dugan.

Maloy was captured on video Sept. 9, 2019, walking into the Walgreens store while snacking on seasoned peanuts. He approached a female clerk and told her to give him money from the cash register, officials said. Maloy, who was unarmed, tossed his head back and put a handful of nuts into his mouth, allowing the store's surveillance cameras to capture his face, officials said.

He then ran out of the store, spilling some of the munchies on the floor before fleeing, officials said.

Police later collected the peanuts for potential DNA evidence linking the incident to Maloy, and when Maloy was caught, he still had peanuts in his pocket. An undisclosed amount of cash was taken during the robbery, officials said. Maloy told the court he was sorry and admitted he had been drinking before the robbery. Maloy could have faced up to 15 years for the robbery.

Task 2. Choose the funniest story. Explain why you like it most of all.

Text 20

BALANCING CRIME DETECTION AND CIVIL LIBERTIES

Which country has the largest forensic DNA database?

The answer, perhaps surprisingly, is our very own United Kingdom. On 31 July 2014, the UK's National DNA Database (NDNAD) held nearly 2,600,000 DNA samples and profiles from identified individuals – not only the largest number of any country in absolute terms, but the largest number per head of population.

The profiles (also known as DNA 'fingerprints') are derived from samples taken compulsorily from individuals 'suspected of involvement in a recordable offence', and

Liberty - свобода
forensic – судово-медичний

sample – зразок
head – *тут* душа

fingerprint – відбиток пальця
derive – вилучати
compulsorily – примусово
suspect - підозрювати
involvement – участь
offence – правопорушення

from samples taken from volunteers as part of the investigation of a crime.

investigation - розслідування

Task 1. Answer the following questions.

1. Which country has the largest forensic DNA database in the world?
2. How many samples and profiles are held by the National DNA Database?
3. Is this number the largest in the world in absolute terms only?
4. Where are the DNA profiles derived from?
5. Are samples taken only from those suspected of an offence?
6. Are all the samples taken compulsorily?
7. Under what other name are DNA profiles known?

The NDNAD, managed by the Government's Forensic Science Service (FSS) on behalf of the Association of Chief Police Officers (ACPO), also contains another 257,000 profiles obtained from samples collected from crime scenes. The database of profiles is constantly searched to see, for example, if the profile of a new crime-scene sample can be matched to a known individual.

on behalf – від імені
chief – головний
contain – містити
obtain – отримувати
crime scene – місце злочину
constantly – постійно
search – шукати
match – співпадати

Opinion polls suggest that most people strongly support the use of DNA profiling as a tool to help catch and convict criminals. Few of us, though, know much about how this huge resource is used and managed.

opinion poll – опит
support – підтримувати
tool – знаряддя
catch – ловити
convict – засуджувати
huge – величезний

Task 2. Answer the following questions.

1. What agency is the NDNAD managed by?
2. What profiles does the database contain besides those taken from suspects and volunteers?
3. What is the database of profiles constantly searched for?
4. Why are most people in favour of the use of DNA profiling?
5. Do they all know how this huge resource is used and managed?

Over the years since the NDNAD was established in 1995, the powers of the police to take and retain samples and profiles have gradually increased. For example, an offence

establish – створювати
power – повноваження
retain – зберігати
gradually – поступово
increase – зростати

no longer needs to be 'serious' to warrant the compulsory taking of a sample from a suspect, and samples and profiles taken from suspects can be kept indefinitely, even if the individual is never convicted or even charged.

If a person who is not a suspect gives a sample voluntarily in the course of a crime investigation – perhaps because everyone in a particular area has been asked to do so – they will be asked if they consent to have the sample and profile retained on the database after the investigation is over. If they say yes, their consent is irrevocable.

The NDNAD is used not only in criminal investigations but also for forensic research. For example, FSS researchers are trying to find out whether specific aspects of a person's genetic profile can be used to predict characteristics that might help to identify them, such as hair colour or racial background. This information could help in narrowing down the range of suspects for a particular offence.

warrant – давати право
keep – утримувати
indefinitely - невизначено
charge – звинуватити

consent – погоджуватись
irrevocable – незворотний

research – дослідження
predict – прогнозувати
narrow – звужувати
range of suspects – круг підозрюваних

Task 3. Answer the following questions.

1. When was the NDNAD established?
2. Do the police have now more or less power to take and retain samples and profiles?
3. Are samples taken now only from those suspected of serious offence?
4. How long can samples and DNA profiles be kept?
5. If an individual is not convicted, are his samples retained and kept?
6. Is consent of a volunteer necessary to retain his profile in the data base?
7. If the volunteer changes his mind, can his profile be removed from the database?
8. In what cases do people give their samples voluntarily?
9. Is the NDNAD used only in criminal investigations?
10. What are FSS researchers trying to find out?

A recent report by Robin Williams, Paul

highlight – розглядати
issue – проблема

Johnson and Paul Martin from the Universities of Durham and Nottingham highlights a wide range of issues raised by the NDNAD. It aims to raise awareness and stimulate discussion. In addition, it recommends several measures to improve public scrutiny of the NDNAD. These include:

- wider public debate about the expansion in the size of the NDNAD and in the number of ways in which it is used;

- independent evaluation of the effectiveness of police use of the NDNAD for detecting crime, to determine whether its value justifies the erosion of civil liberties it represents;

- independent scrutiny of the research carried out using the NDNAD;

- legal scrutiny of the practice of retaining the samples of people arrested but not charged with any offence – is there evidence to justify this?

- improved protection for voluntary donors to ensure that consent is free and informed and can be withdrawn at a later date, and that further consent is sought for any research use of samples.

The authors of the current report are not the first to tackle the issues raised by the NDNAD, though their discussion represents the most comprehensive review published to date. One question that has received airtime in the past is whether the NDNAD should be expanded beyond actual, likely and possible 'criminals' to include the entire population.

A step too far? Some argue that it would be fairer than the current situation but Williams et al point out that continual speculative searching of a universal database would almost certainly violate the Human Rights Act, which protects the individual's right to privacy and family life.

raise – піднімати
 aim – мати на мету
 raise - збільшувати
 awareness – розуміння

measure – міра
 improve – покращити
 scrutiny – нагляд
 include – включати
 expansion - розширення

evaluation – оцінка
 determine – визначити
 value – цінність
 justify – виправдовувати
 carry out – проводити
 evidence – свідчення

protection – захист
 ensure - гарантувати
 withdraw – відкликати
 seek (sought) – шукати

current – тут цей
 tackle – вирішувати
 comprehensive – широкий
 review – огляд
 airtime – ефірний час
 expand – розширювати
 actual - фактичний
 entire – весь
 population - населення

step – крок
 fair - справедливий
 current – тут цей
 tackle – вирішувати
 comprehensive – широкий
 expand – розширювати
 entire – весь
 fair – справедливий
 speculative – допитливий

violate – порушувати
privacy – особисте життя

Task 4. Answer the following questions.

1. What is the aim of a recent report by Williams et al?
2. What measures does the report recommend?
3. What do these measures include?
4. Is it the first report tackling the issues raised by the NDNAD?
5. How is this report different from others in which this problem has been discussed?
6. Do the authors of the report support including the entire population in the database?
7. Are there any people who like the idea?

Text 21

**SCIENCE: GAME THEORY BACKS CRACKDOWN
ON PETTY CRIME**

Claims that "zero tolerance" policing – where even the most minor criminal act is pursued by the police – can cut overall crime rates have been bolstered by psychologists using "game theory".

Zero tolerance has been credited with drastic reductions in crime in New York, and it is now being tried out in Britain in Middleborough. But critics have argued that the fall in crime seen in New York was already under way.

Now an analysis of criminal behaviour suggests that zero tolerance may indeed be responsible for falls in crime. In research published in the current issue of *Legal and Criminological Psychology*, Andrew Colman and Clare Wilson of the University of Leicester focused on the behaviour of criminals

back - підтримувати
crackdown – придушення
petty crime – дрібний злочин
claim – твердження
tolerance – толерантність
minor – незначний
pursue – переслідувати
rate – рівень
bolster – підтримувати
credit – приписувати
drastic – різкий
reduction – зменшення
try out - випробовувати
fall – падіння

behaviour – поведінка
suggest – припускати
responsible – відповідальний
research – дослідження
current – поточний
issue – випуск
disorder – порушення

with a personality profile known as antisocial personality disorder (APD).

Loosely defined as "sociopaths", such individuals reject social norms, are deceitful, aggressive and feel little remorse. Studies suggest that while only 2 per cent of the population exhibit APD, it is extremely common among criminals. Around half of people in prison exhibit its symptoms.

To model the behaviour of sociopaths, Colman and Wilson used game theory, the mathematical study of situations where there is a choice of strategies but a conflict of interest. Those with APD can either do what they like or they can conform. Similarly, society as a whole can either tolerate those with APD or act in the same way.

loosely – широко
define – визначати
reject – нехтувати
deceitful – підступний
remorse – каяття
exhibit – демонструвати
common – розповсюджений
prison – в'язниця
choice – вибір
conform – пристосовуватись
similarly – аналогічно
as a whole – в цілому

Task 1. Indicate whether the statements given below are true or false.

1. The game theory supports the idea of "zero tolerance".
2. The zero tolerance approach is being tried outside the USA.
3. No one doubts the success of zero-tolerance policing.
4. There can be other explanations for drastic reductions in crime in New York.
5. Research proved there is no connection between zero tolerance and decrease of crime.
6. People with antisocial personality disorder are called "sociopaths".
7. People who reject social norms are common among the general population.
8. Criminals with APD rarely feel remorse for their crimes.
9. Scholars hoped game theory would help them explain the behaviour of sociopaths.
8. Both sociopaths and society can make a choice of strategies to be used.

Colman and Wilson found that these choices and their respective payoffs and costs bear striking similarities to the game of "chicken", where two drivers head towards

respective – відповідний
payoff – виграш
cost – вартість
bear – нести
striking – вражаючий

each other at high speed in the hope that the other will swerve first. Both sociopaths and society would benefit if the other party "chickened out" first and cooperated with their wishes, while the worst possible outcome would be if everyone adopted sociopathic attitudes, leading to an inevitable collision.

Their model explains the otherwise puzzling fact that the prevalence of sociopaths in society has remained static, despite efforts to lock them up. "If antisocial individuals are removed from society, the strategic vacuum that results can be filled very quickly," says Colman. "Potential thugs can turn into actual thugs as soon as they realize that there's a `manor', to use the criminal jargon, with no one else exploiting its criminal potential."

But, says Colman, the analysis suggests that the prevalence of sociopaths in society is kept constant only because their victims typically lose more than the sociopath gains. "For example, a mugger may gain only a small amount from assaulting or even killing a passer-by," says Colman. "But the consequences for the victim may be catastrophic."

This suggests that the way to reduce the number of sociopaths is to make their activities less worthwhile than cooperating, by introducing measures like zero tolerance. "Forms of antisocial behaviour that are currently not unlawful could be brought within the criminal justice system, and efforts made to maximize the likelihood of being caught and punished if one behaves antisocially," says Colman.

He adds, however, that the analysis shows that crime reduction can also follow from fostering a sense of community: "Any social interventions that improve people's sense of community should also increase the payoffs for cooperation."

similarity - схожість
 chicken – *тут* боягуз
 head – направлятися
 speed – швидкість
 swerve – відвертати
 benefit – отримати вигоду
 outcome – результат
 adopt – приймати
 attitude – відношення
 inevitable – неминучий
 collision – зіткнення
 puzzling – *тут* незрозумілий
 prevalence – переважання
 remain – залишатися
 despite – незважаючи на
 effort - зусилля
 lock up – запирати
 remove – прибирати
 fill – заповнювати
 thug – головоріз
 turn – *тут* перетворитися
 realize – усвідомлювати
 exploit - використовувати

victim – жертва
 lose – втрачати
 gain – вигравати
 mugger – грабіжник
 amount – величина
 assault – нападати
 passer-by – перехожий
 consequence – наслідки

worthwhile – вартий
 introduce – вводити
 measure – міра
 catch (caught) – ловити
 punish – карати

add – додавати
 foster – заохочувати
 sense – почуття
 community - громада
 improve – покращувати
 increase – збільшувати

Task 2. Indicate whether the statements given below are true or false.

1. Two criminals are like two drivers who head towards each other at high speed.
2. Neither society nor potential criminals hope the other party would cooperate.
3. The average number of sociopaths in society changes with time.
4. The situation would be improved if antisocial individuals are removed from society.
5. The gains and losses of criminals and their victims are absolutely different.
6. Zero tolerance creates the situation where sociopaths will have to cooperate.
7. Zero tolerance will punish people for antisocial behaviour which is not illegal now.
8. Creating sense of community is one more way to reduce crime.

Task 3. Fill in the blanks using the words and word combinations in the box. Mind that two word are extra.

a) attitude; b) research; c) rejected; d) catch; e) prevalence; f) crime reduction; g) conform; h) tolerate; j) puzzled; i) currently; k) crime rate; l) behaviour;

1. ... is the ratio of crimes in an area to the population of that area.
2. When crime rate goes down we call it ...
3. A person's ... is the way they act in general.
4. As a rule social norms are ... by criminals.
5. If you ... something you allow it to exist or to happen even though you do not agree or approve.
6. After the ... was completed the scientists published its results in a scientific journal.
7. Antisocial behaviour does not ... to the law.
8. The newly discovered evidence ... the detectives.
9. Gradually the public's ... to police is changing.
10. They can get six months in prison if the police ... them.

Text 22

VICIOUS NEW HATE CRIME. OBSERVATIONS ON DISABILITY

Kevin Davies was kept in a locked garden shed by "friends" for nearly four months, fed scraps and tortured. He died last September. His captors were jailed in July this year.

A pillowcase was put over the head of Barrie-John Horrell, and he was abducted by "friends" who, in the words of the judge, "leeches off him". He was then hit over the head with a brick and strangled. He went missing in July last year. His murderers were jailed this May.

Raymond Atherton was beaten and had bleach poured over him. Teenagers, whom he considered to be friends, used his flat as a place where they could smoke cannabis and have sex. In May last year he was beaten and thrown in the Mersey. His attackers were jailed for manslaughter in April.

There are many more vicious crimes against disabled people. Just this July in Northampton, Brian Sheppard was tipped out of his wheelchair and kicked while on the ground, causing a head injury. He died a day after the attack.

vicious – злісний
hate – ненависть
observation – спостереження
disability – інвалідність
keep (kept) – утримувати
lock – запирати
shed – сарай
feed (fed) – годувати
scraps – відходи
torture – катувати
captor – захоплювач
jail – ув'язнювати
pillowcase – наволочка
abduct – викрадати
leech off – висмоктувати
hit – вдаряти
brick – цеглина
strangle – душити
go missing – зникати
murderer – вбивця

beat (beat, beaten) – бити
bleach – підбілювач
pour – лити
consider – вважати
throw (threw, thrown) – кидати
manslaughter – ненавмисне вбивство

tip out – вивалювати
wheelchair – крісло на колесах
kick – вдарити ногою
cause – спричинити
injury – поранення

Task 1. Answer the following questions.

1. How many criminal cases are mentioned in the passage above?
2. What kind of people were the victims in all these cases?
3. What happened to all of them?

4. Were the criminals found by the police?

5. Did the victims know their attackers?

The language used by police and prosecutors about these crimes is strikingly similar – the attacks are described as "senseless" and "motiveless". Yet there seems to be a pattern. The victims were dehumanised and often assaulted by "friends" who, in many cases, stole their money. All the incidents were vicious and unprovoked. But none of the attacks was investigated or prosecuted with a possible hate crime linked to disability taken into consideration as an aggravating factor.

Disability hate crime is not a separate criminal offence, but the Criminal Justice Act 2003 created what is known as a "sentencing provision". If there is evidence of hostility to somebody because of their disability, that must be seen as an aggravating feature (as is also evidence of racist attitudes, for example). The courts must inform everyone involved that an offence is being treated more seriously because of this. The judge can then increase the sentence, but the police are responsible for gathering the evidence and the Crown Prosecution Service for bringing it to the attention of the judge.

prosecutor – обвинувач
strikingly – надзвичайно
similar – схожий
describe – описувати
senseless – безглуздий
pattern – *тут* схема
victim – жертва
assault – нападати
unprovoked – неспровокований
investigate – розслідувати
link – пов'язувати
aggravating – обтяжуючий

separate – окремий
offence – злочин
justice – правосуддя
create – створювати
sentence – виносити вирок
provision – положення
evidence – свідчення, доказ
hostility – ворожість
feature – риса
attitude – відношення
involve – залучати
treat – розглядати
increase – збільшувати
responsible – відповідальний
gather – збирати
crown – корона
attention – увага

Task 2. Indicate whether the statements given below are true or false.

1. The law enforcers believe that these attacks have no sense and lack motive.
2. All the incidents have nothing in common.
3. People who assaulted the victims often took their money.
4. Neither the police nor the prosecutors took into account the disability factor.
5. Attacks against disabled people constitute a specific crime.
6. The Criminal Justice Act 2003 doesn't provide disability as an aggravating factor.
7. The attitude to disability hate crimes must be the same as to racist

ones.

8. Everyone involved in such a crime should be informed that it is treated differently.
9. The judge cannot increase the sentence unless the police gather the necessary evidence.
10. The Crown Prosecution Service is informed by the judge that the case is very serious.

Robin van den Hende, the policy officer for Voice UK, which campaigns for justice for disabled people, says that such cases "raise questions about whether the section on disability hate crime is being applied. Crimes against disabled people are as serious as race crimes or domestic violence. At one stage the police didn't want to know about those, either. We are at the same stage with crimes against disabled people."

Commander Rod Jarman, who leads on disability matters for the Association of Chief Police Officers, acknowledges that "this is an extremely important area of how policing is delivered". He says that in the cases mentioned, "we have clearly not been able to prove the aggravating factor to a sufficiently high level in order for us to put it to the courts". But that does not chime with the fact that the crimes were not investigated properly as hate crimes and that little, if any, police time went into establishing if there was a pattern of hostility against disabled people, culminating in torture, hostility and death.

The CPS relaunched its policy on disability hate crimes this year, acknowledging that more needed to be done to raise awareness of the problem. Since April, the police have been recording incidents of hate crime and hostility towards disabled people. And the CPS is working with the Disability Rights Commission to develop new guidance on the treatment of disabled victims of crime.

campaign – вести кампанію
raise – піднімати
apply – застосовувати
domestic – домашній
violence – насильство
stage – етап

matter – справа, проблема
chief – головний
acknowledge – визнавати
area – область
deliver – надавати
mention – згадувати
prove – доводити
sufficiently – достатньо
level – рівень
court – суд
chime with – відповідати
properly – належним чином
establish – встановлювати
culminate – досягати кульмінації
death – смерть

relaunch – знов започаткувати
awareness – розуміння
record – реєструвати
develop – розробляти
guidance – настанови

Task 3. Choose the right variant to complete the following sentences.

1. An activist of Voice UK ...
 - a) believes the provision on disability hate crime is being applied;
 - b) doubts that this provision should be applied;
 - c) doesn't think this provision is being applied.
2. The police ...
 - a) do not want to know anything about race crimes or domestic violence;
 - b) treat disability hate crime in the same way as race crimes or domestic violence;
 - c) should treat disability hate crimes as seriously as race crimes or domestic violence.
3. The investigators ...
 - a) proved the disability hate motive in some cases;
 - b) spent too little time to establish any pattern of hostility against the disabled;
 - c) managed to bring the aggravating factor to court.

Task 4. Find words or phrases in the passage above which, in context, are similar in meaning to the words or expressions in the box.

a) to use, b) people with disabilities, c) family violence, d) bias-motivated crime, e) to make worse, f) aggressive behaviour, g) to examine in detail, h) to cause pain

Text 23

CHICAGO'S GANG LOITERING ORDINANCE

In the early 2000s, the City of Chicago held several public hearings concerning the influence of gangs in Chicago neighborhoods. Community residents testified that gangs loitered in order to claim territory, recruit new members, as well as intimidate other residents and rival gangs.

gang – банда
loiter – вештатися
ordinance – указ
concerning – відносно
influence – вплив
neighborhood – округа
testify – свідчити
claim – претендувати
recruit – вербувати
intimidate – залякувати
rival – суперник

Consequently, on June 17, 2002, the City of Chicago passed the Chicago's Gang Congregation Ordinance. This "gang loitering" ordinance basically enabled a police officer to order a group of two or more people to disperse from a public place if the police officer believed that one of these people was a criminal street gang member. Any person who disobeyed such orders could be jailed for up to six months and fined up to \$500. On August 8, 2002, the Chicago Police Department promulgated General Order No. 92-4: a set of guidelines for enforcing the ordinance. During the three years the ordinance was enforced, 89,000 dispersal orders were issued and 42,000 individuals were arrested.

consequently – унаслідок
 congregation – зібрання
 enable – давати можливість
 disperse – розходитись
 believe – вважати
 disobey – не підкорюватися
 jail – ув'язнювати
 fine – штрафувати
 promulgate – обнародувати
 guideline – директива
 enforce – примушувати
 issue – видавати

Task 1. Indicate whether the statements given below are true or false.

1. The public of Chicago was worried about the influence of gangs.
2. The public didn't want to do anything about the problem.
3. Gangs loitering had several purposes.
4. Putting people in fear was one of the aims of gangs loitering.
5. An ordinance regulating loitering was issued by the City of Chicago.
6. The police could order any group of people to disperse.
7. Even one gang member in a group of people was enough for it to be dispersed.
8. The ordinance envisaged strict penalties for refusal to comply with the police orders.
9. Soon special guidelines for enforcing the ordinance were given to the Chicago police.
10. The ordinance was in force from 2000 till 2002.

Jesus Morales was one of those 42,000 individuals arrested under this law. Morales, along with many others arrested for violating the ordinance, challenged the law with the aid of the Illinois Chapter of American Civil Liberties Union and the Cook County Public De-

violate – порушувати
 challenge – заперечувати
 aid – допомога
 chapter – філія
 county – округ
 amendment – поправка
 entitle – давати назву
 face – ставати

fender on the grounds that the law violated the First, Fourth, Eighth, and Fourteenth Amendments of the Constitution. The case entitled *City of Chicago v. Morales* faced the Illinois appellate court, the Illinois Supreme Court, and the U.S. Supreme Court. The U.S. Supreme Court ruled the ordinance was unconstitutional because it violated the vagueness doctrine of the Fourteenth Amendment and substantive due process. In other words, the ordinance failed to adequately notify citizens of what conduct is prohibited, and it allowed for arbitrary and discriminatory enforcement by the police. More specifically, the Court determined the ordinance’s definition of loitering of: “to remain in any one place with no apparent purpose” as too vague.

supreme – верховний
 rule – постановляти
 vagueness – невизначеність
 substantive due process – процедура розгляду справи з належним додержанням норм матеріального права
 fail – бути не в змозі
 notify – повідомляти
 conduct – поведінка
 prohibit – забороняти
 allow – дозволяти
 arbitrary – свавільний
 determine – визначати
 definition – визначення
 remain – залишатися
 apparent – явний

Task 2. Choose the right variant to complete the following sentences.

1. Jesus Morales ...
 - a) challenged the city’s ordinance;
 - b) was the Cook County Public Defender;
 - c) worked for the Illinois Chapter of American Civil Liberties Union.
2. The ordinance was unconstitutional because ...
 - a) it violated the rights of the city’s people;
 - b) it didn’t specify the meaning of “loitering”;
 - c) it violated four amendments to the US Constitution.
3. The passage above fails to mention the ...
 - a) organizations which helped Morales to challenge the ordinance;
 - b) number of courts the case faced;
 - c) reaction of the city authorities.

On February 16, 2010, the City of Chicago passed a revised version of the 2002 gang loitering ordinance. The revisions aimed to eliminate the unconstitutional elements found in the original ordinance. Therefore, the new gang loitering ordinance changed its definition of loitering to: “remaining in any one place under circumstanc-

pass – приймати
 revise – переглядати
 aim – мати намір
 eliminate – усувати
 therefore – через це
 circumstances – обставини
 warrant – давати право
 reasonable – розумний
 purpose – ціль
 establish – встановлювати

es that would warrant a reasonable person to believe that the purpose or effect of that behavior is to enable a criminal street gang to establish control over identifiable areas, to intimidate others from entering these areas, or to conceal illegal activities.”

The new ordinance also changed police guidelines for enforcement of the ordinance. These regulations are highlighted in detail in the Chicago Police Department’s General Order No. 00-02. These new set of guidelines provide police with the new definition of loitering, new enforcement procedure, and the selection of designated areas for enforcement. Furthermore, the new ordinance only calls for enforcement of the ordinance in “hot spots” of the city, which are ultimately determined by the Superintendent of the Police. These designated areas are only disclosed to Police Department members, the City of Chicago Department of Law, and the Municipal Prosecutions Division. These revisions have raised a major controversy over whether or not they alleviate or escalate arbitrary and discriminatory enforcement.

identifiable – тут певний
area – район
enter – входити
conceal – приховувати

highlight – висвітлювати
provide – надавати
designate – вказувати
furthermore – більш того
hot spot – гаряча точка
ultimately – врешті решт
disclose – розкривати
prosecution – звинувачення
division – відділ
raise – викликати
controversy – суперечки
alleviate – пом’якшувати

Task 3. Choose the right variant to complete the following sentences.

1. The primary purpose of this passage is ...
 - a) to describe the contents of the new ordinance;
 - b) to defend the previous version of the ordinance;
 - c) to explain the reasons of controversy over the new ordinance.
2. The definition of loitering in the revised law ...
 - a) remained the same as in the previous one;
 - b) was different from that in the previous one;
 - c) was eliminated as unconstitutional.
3. The information concerning “hot spots” was available to ...
 - a) Chicago police;
 - b) all community residents;
 - c) some gang members.

Task 4. Fill in the blanks using the words and word combinations in the box. Mind that two words in the box are extra.

a) guidelines, **b)** alleviated, **c)** controversy, **d)** changed, **e)** disclosed, **f)** revised, **g)** selection, **h)** concealed, **i)** unconstitutional, **j)** determines.

1. On February 16, 2010 the 2002 version of the gang loitering ordinance was ...
2. The new version eliminated some elements of the ordinance which were ...
3. In the new version the definition of loitering was ...
4. Without the loitering ordinance in force some criminal activities could be ...
5. New ... were created to help the Chicago police enforce the ordinance.
6. The Superintendent of the Police is the person who ... the problem areas in the city.
7. The “hot spots” are not ... to the public.
8. There is a great ... over the efficiency of the revised ordinance.

Text 24

AVOID BECOMING ANOTHER HOPELESS VICTIM OF BANK IDENTITY THEFT

Ever wonder how identity theft occurs? It is actually quite fascinating, if it is not a very malicious and dangerous crime.

Identity theft occurs once a thief assumes another person’s identity by using confidential information supposed to be known exclusively by that person. The thief will commit fraud using the person’s name and important confidential information with-

avoid – уникати
 victim - жертва
 wonder – замислюватися
 identity theft – крадіжка особистих даних
 occur – траплятися
 fascinating – захоплюючий
 malicious – зловмисний
 dangerous – небезпечний
 thief - крадій
 assume – присвоювати
 suppose – припускати
 exclusively - виключно
 commit – скоювати
 fraud – шахрайство
 transaction – обробка

out the victim ever knowing about such transactions.

When the person or victim finally finds out about the crime committed, the thief is long gone in excruciating anonymity. They leave behind a ruined reputation, and a paper trail of ruined credit, debts and collectors.

Sometime the implications of identity theft usually cause the wrongful arrest of the victim. Why so? Because, without the identity theft angle in the case, it can be assumed that the victim was the one who committed the crimes because it was done under his/her name.

It is an alarming occurrence and usually, the victims would suffer the implications of the crime for years to come. The past several years brought about an alarming wave of identity theft crimes in different areas dealing with personal information and economic transactions.

excruciating – нестерпний
trail – слід
ruin - руйнувати
debt – борг

implications – наслідки
cause – спричиняти
angle – аспект
victim – жертва

alarming – тривожний
occurrence - випадок
suffer – страждати
wave – хвиля
deal with – мати справу з

Task 1. The above passage fails to mention:

- 1) the consequences of identity theft;
- 2) the exact mechanism of identity theft;
- 3) the recent growth of identity theft;
- 4) definition of identity theft.

Task 2. Which of the following statements would the author of the passage above agree with?

- 1) identity theft could result in criminal charges brought against the victim.
- 2) the implications of identity theft are felt only for a short time.
- 3) the victim of identity theft usually knows that his identity is assumed by another.
- 4) identity theft crimes are gradually declining.

Task 3. The primary purpose of the passage above is to explain

- 1) the way identity theft is committed;

- 2) what kind of thieves assume another person's identity;
- 3) the difference between varieties of identity thefts;
- 4) the social danger of identity theft.

One of the hardest hit by identity theft crimes are the banks. Bank identity theft has been around long before there were credit card, social security, internet, job banks, airline and medical community identity thefts.

Bank identity theft occurrences vary. Some cases involve a thief continuously withdrawing huge amounts of cash from a bank account of another person until there is none left. Another case may involve the identity thief assuming the name and other personal information of another person then files for a bank loan.

Armed with personal information of another person, an identity thief can obtain a driver's license. He/she can open new lines of credit and bank accounts even buy a car and get a mortgage. Bills and statements from these transactions are diverted to the thief's temporary address.

They then bilk the victim's credit line for all it is worth in cash advances, loans and credit card debt without intent to pay. All these occur with the thief hidden in a shroud of anonymity.

Bank identity theft and other forms of identity theft is a nightmare for millions of people who have become victims of such crime. Indeed, the figures of those victimized have reached into millions already. Sadly, though state and federal laws and stricter bank transactions have been imposed, the number of victims continues to rise each year.

Financial recovery from identity theft can take years. In United States and Canada, many people have reported unauthorized per-

hit – завдавати втрати
security – забезпечення

vary – бути різноманітними
involve – включати в себе
continuously – безперервно
withdraw – знімати
huge – величезний
cash – готівка
account – рахунок
file – тут оформляти
loan – позика

arm – озброювати
obtain – отримувати
driver's license – водійські права
mortgage – закладна
bill – рахунок, вексель
divert – перенаправляти
temporary – тимчасовий

bilk – обманом виманювати
worth – цінність
cash advance – кредит у готівковій формі
intent – намір
hidden – прихований
shroud – покров
nightmare – кошмар
figure – цифра
strict – строгий
impose – застосовувати
rise – зростати

recovery – відновлення
unauthorized – несанкціонований
run up – робити (борги)

sons taking out funds from their bank or financial accounts. There are even worst cases when the victims report of an identity thief who has totally taken over their identities. With it, the thief have run up huge debts and committed crimes all under the name of the victim.

huge - величезний

Task 4. Arrange the following facts in their proper sequence as in the passage above.

1. It can take very long time for a victim of identity theft to recover.
2. The number of identity theft victims is growing fast.
3. Bank identity theft is a very old crime.
4. An identity thief can buy expensive things using the victim's money.
5. Sometimes identity thieves use the victims' names to commit crimes.
6. There are a lot of ways in which personal information of another person can be used by criminals.
7. New laws seem to be of little help in combating identity theft.
8. Banks are among the main targets of identity thieves.

There was a notorious case of identity theft wherein the criminal, a convicted felon incurred more than \$100,000 of credit card debt. Aside from this, the felon also obtained a federal home loan, bought homes, motorcycles, and handguns using the victim's name.

notorious – горезвісний
convict – засуджувати
felon – злочинець
incur debts – залізати у борги
aside from – окрім
obtain - отримувати

With maniacal pride, he called his victim to taunt him. He declared that he could continue posing as the victim for as long as he wanted. During that time, identity theft was not yet a federal crime. Then, the thief filed for bankruptcy still using the victim's name.

pride – гордість
taunt – насміхатися
declare – заявляти
pose – удавати себе

Very bitter was the fact that the criminal only served a brief sentence while the victim and his wife spent more than four years to restore their reputation and credit. They also spent more than \$15,000 of their own money to win back their credit. The criminal did not

bitter – гіркий
serve – відбувати
brief – короткий
sentence – вирок
restore – поновлювати
spend – витратити
win back – повернути
restitution – відшкодування

even made restitution for all the danger he had caused.

danger - небезпека

The only positive thing that came out of this case and the others similar to this is when the Congress created a new federal offense against identity theft in 1998.

create – створювати

similar - схожий

offense – злочин

Task 5. The primary purpose of this passage is ...

- 1) to give an example of identity theft;
- 2) to show the extent and danger of identity theft;
- 3) to explain the origin of a new federal offence created by the Congress;
- 4) to show the disproportional character of punishment for identity theft.

Task 6. Match the definitions given below with the words in the box. Mind that two words in the box are extra.

a) danger; b) pose; c) bankrupt; d) debt; e) convict; f) loan; g) identity; h) thief; i) sentence; j) victim; k) restitution; l) obtain

1. A sum of money that you owe someone.
2. A sum of money that you borrow from a bank and have to pay back usually with interest on it.
3. Someone who has suffered as a result of someone else's actions.
4. A person, business or organization that does not have enough money to pay their debts.
5. A punishment that a person receives after being found guilty of a crime.
6. Giving back to a person something that was lost or stolen or paying them money for the loss.
7. The possibility that someone may be harmed or killed.
8. To find someone guilty of a crime in a court of law.
9. To pretend to be another person in order to deceive people.
10. A person who steals something from another person, especially without using violence.

Text 25

COMMON QUESTIONS ABOUT PROPERTY DAMAGE CLAIMS

This text will answer common questions about your rights, and what you can expect from the insurance company. If you have been involved in an accident, the first step is to report the claim to the insurance company of the driver who caused the wreck. The insurance company will handle the claim differently depending on whether your car can be repaired or must be replaced.

Task 1. Find the right answer to each of the questions asked.

1. Who pays for the rental while my car is being repaired?
2. Do I have to purchase any extra insurance on the rental car?
3. Who can drive the rental car?
4. Where should I rent a car?
5. Can I demand that my car be repaired?
6. Can I choose my own repair shop?
7. How do I prove what damage was caused by the accident?
8. Can I demand original manufacturer parts?
9. What is a total loss?
10. Who pays for towing and storage costs?
11. How is the value of my car determined?
12. Can I recover for recent repairs to my car?
13. The insurance company told me I could keep my car if I pay the "salvage value." What is "salvage value?"
14. Are there any other damages for which I can expect the adjuster to pay?
15. Can I sue in small claims court?
16. Do I need an attorney to file in small claims court?
17. What happens after the other driver has been served?

A. Normally, the insurance company has the sole option to either repair or replace your car. It is usually a question of cost efficiency. That is, if it costs less to replace your car than to repair it, the insurance company will declare your car a "total loss," and take action to replace your car.

B. A "total loss" is when it costs more to repair than replace your car. If your car is declared a "total loss," the insurance company buys your car for its market value. A rental car must be provided until the adjuster makes a reasonable offer. The difficulty is determining market value. Sometimes it takes a week or two before an offer is made, so remain patient. The insurance company has 30 days to process your claim.

C. The insurance company will not pay for extra insurance you purchase from the car rental company. Your own insurance carrier should cover you while driving the rental car. Call your insurance agent to be sure you are covered while driving the rental car.

D. You are entitled to the "fair market value" or the "actual cash value" of your vehicle. Insurance companies usually determine fair market value by referring to the "Blue Book" or a similar publication. Generally, the insurance company is trying to determine what your car was worth immediately before the accident. Once they make an offer, it is up to you to either accept their offer, or show them why your car is worth more money.

If you think your car is worth more than the amount offered, check with the newspaper or the Auto Trader for the sale price of cars the same make and model as yours. Cut out the ads and send them to the insurance adjuster.

E. When you are offered a "total loss" settlement, the insurance company buys your car. If you wish to keep the wrecked car, you may purchase it back from the insurance company for its salvage value. The adjuster can deduct the salvage value from the settlement and you can keep the car.

F. Insurance companies often receive a discount with car rental companies. Ask the insurance adjuster handling your claim where you should obtain a rental car. The insurance company has to pay the cost for the "reasonable incurred rental cost of a substitute vehicle." Clearing the rental car company with the adjuster will avoid the possibility of paying extra for your rental car. Sometimes, you must pay the rental car bill first, with reimbursement coming from the insurance company later.

G. Once the court receives confirmation that the other driver has been served, or received, with a copy of your small claims affidavit, a trial date will be set. At the trial, bring any documentation that backs up your claim, and any witnesses to the accident who can tell the judge what happened. You will have the opportunity to tell your story to the judge. The judge may ask some questions of you and your witnesses. Once you are finished, the other driver will get to tell his side of the story. If you were injured in the accident, you will have to make a claim for both your injuries and the damages to your car. You should always talk with an attorney before making this decision. If you file in small claims court on the property damage claim, you may later be prevented from pursuing your claim for personal injuries in a separate lawsuit.

H. The insurance company must return your car to the condition it was in before the accident. Because your car was probably not new, the mechanic may use refurbished or reconditioned parts. However, you have the right to demand original manufacturer parts so that, if your car is a Ford, you should receive genuine Ford parts.

I. If you are unable to agree with the insurance company or other driver, and you do not have collision coverage, you can sue in small claims court. Small claims courts are designed to handle cases where the amount of the dispute is \$5,000 or less. Information about the forms to be used, and the filing fee can be obtained by calling the court directly.

J. Normally, the rental car agreement only covers one driver. You will have to pay extra charges for having family members drive the rental car while your car is being repaired.

K. Normally, the insurance company for the driver who caused the accident will pay the reasonable towing and storage costs of your car. They will continue to pay the storage costs while determining whether your car is a "total loss." If the insurance company declares the car a "total loss," they will move the car from the repair shop to a wrecking yard or a free storage area. You will be called before your car is moved. If you refuse to allow the insurance company to move your car, you will have to pay the storage costs from the day of your refusal forward. If you want to keep the vehicle, you can pay to have it towed to your home.

L. Small claims courts are designed to allow people to handle disputes on their own, without an attorney. Therefore, you do not need an attorney to file with small claims court.

M. Sometimes, the insurance company will claim that some damage to your car existed before the accident. Similarly, accidents often generate mechanical malfunctions. It can be difficult to determine if a mechanical problem was caused by the wreck or by normal wear and tear. Therefore, it is important that you prove the connection between the auto accident and the damage you are claiming. Ordinarily, mechanics and body repair persons can help you determine the age of body damage or the cause of a mechanical failure. They can help you convince the insurance company that the auto accident caused the damage.

N. The insurance company for the person who caused the wreck is required to provide you with a rental car. If you caused the accident, or there is not another person to blame, you must look to your insurance policy to determine if rental coverage is available. Many insurance contracts do not provide rental coverage for their own customers.

O. When an older car is involved in an accident, it is hard to recover the cost of recent repairs. New tires or a new engine only slightly increases the value of a vehicle. If you have receipts for the new motor or transmission, show them to the adjuster. Simply giving the adjuster the receipts may prompt a better offer.

P. In the event the insurance company chooses to repair the car, you have the absolute right to decide who will repair your vehicle. Many insur-

ance companies will evaluate the cost of repairing your car separately and independently from any repair shop. The insurance company will then work with the repair shop of your choice, to get your car repaired.

Q. Besides the price of the vehicle, you had to pay sales tax, a tag fee, and registration fees. You are entitled to be reimbursed for the prorated amount of these costs that are unused. The insurance company should reimburse you for:

1. 3.00% tax on the actual cash value of the car;
2. The cost of the tag transfer fee; and
3. The prorated amount of your yearly car tax and registration fees.

For example, if your car was wrecked on June 1 and you had just licensed and registered your vehicle on May 1, at a cost of \$120, you are entitled to a return of \$110. \$110 would be the taxes and registration fee for 11/12th of the year.

CONCLUSION

We hope you find this information helpful, and that you can resolve your property damage claim quickly and fairly. If you have additional questions, please feel free to e-mail or call our insurance attorneys at Whitley Law Firm at 1-800-785-5000.

Text 26

THE CASE OF THE BACKWARDS SHORTS

Kathleen Foley tried very hard to convince cops she didn't kill her husband – and she almost succeeded, but a backwards pair of shorts undermined her efforts to get away with murder.

With no weapon, no witnesses, and few clues, cops and prosecutors had a very difficult case.

Just before 6 a.m. on July 31, 2008, Kathleen dialed 911. "I need help," she told the dispatcher. "My husband won't move."

Police officer Edwood Buchman was the first to arrive at the couple's modest home in Fountain Hill, Pa. Buchman found a gruesome scene: 39-year-old Joe face down in

backwards – задом наперед
convince – переконувати
succeed – досягти успіху
pair – пара
undermine – підірвати
effort – зусилля
weapon – зброя
witness – свідок
clue – доказ
prosecutor – прокурор
dial – набирати номер

couple – пара
modest – скромний
gruesome – жахливий
upstairs – вверху
bloody – скривавити

bed in the upstairs bedroom, his head bloodied by four bullet wounds, his 400-pound body covered with a white comforter and a maroon pillow. He was wearing only a pair of gym shorts that were on backwards and not pulled fully up. An empty money clip was on the floor beside the bed.

bullet – пуля
 wound – рана
 comforter – ватна ковдра
 maroon – червоно-коричневий
 pillow – подушка
 wear – носити
 gym = gymnastics
 pull – тягнути
 money clip – затискач для грошей

Task 1. Choose the right variant to complete the following sentences.

1. Kathleen tried hard and ...
 - a) convinced the police that she didn't kill her husband;
 - b) made the police believe her;
 - c) almost got away with murder.
2. It was a difficult case for the police because ...
 - a) the murderer was very clever;
 - b) there were no witnesses;
 - c) a backward pair of shorts undermined their efforts.
3. Joe died because ...
 - a) he was shot;
 - b) his face was covered with a pillow;
 - c) he fell from his bed.
4. The police found that Joe ...
 - a) had four bullets in his head;
 - b) was in bed fully dressed;
 - c) had a money clip in his hand.

Task 2. Fill in the blanks with appropriate words from the box.

convince, undermines, dial, couple, blood, wound
--

1. If you are trying to make someone believe you, you are trying to ... them.
2. Your plans are ruined if something ... your efforts.
3. If you are making a phone call you must ... a number.
4. A ... is two people who are married, living together.
5. If you cut your finger, some ... will come out of it.

6. A ... is damage to part of your body caused by a gun, knife or other weapon.

Task 3. Answer the following questions.

1. What fact shows that the pair was not rich?
2. Why does absence of witnesses make any case more difficult for the police?
3. Do you agree that the scene Buchman found was a gruesome one?
4. Have you ever seen a similar scene in your life?
5. At this stage, who do you think murdered Joe Foley and why they did it?

Kathleen, 38, told investigators she'd spent the night in an adjoining bedroom to escape her husband's loud snoring. She woke-up in the morning, showered, dressed and tried to rouse Joe. When she couldn't she called for help. Then she went downstairs to wait for police. Kathleen told police that's when she noticed that the front door was open. She hadn't heard gunshots or any unusual noises during the night, and told detectives that a robber must have followed them home from a local social club where, she said, Joe had been flashing around a money clip containing \$1,800.

But police weren't buying Kathleen's story. "Kathleen staged the murder scene to make it look as if a burglar killed Joe," said veteran Pennsylvania state police investigator Judith Schreiber. "Witnesses who saw Joe and who watched him pay for drinks said he didn't have a money clip, and he didn't flash any substantial cash," said Schreiber, the lead investigator.

Schreiber said her investigation revealed a more sinister scenario – and a motive – which led cops to charge Kathleen with Joe's murder 15 months later.

investigator – слідчий
adjoin – примикати
escape – врятуватись
snore – хропіти
wake up – просинатись
shower – приймати душ
rouse – розбудити
gunshot – постріл
noise – шум
robber – грабіжник
follow – слідувати
flash – демонструвати

stage – удавати
burglar – зломщик
substantial – значний
cash – готівка
lead – ведучий

reveal – розкривати
sinister – зловісний
charge – звинувачувати

Task 4. Put the following events in their correct sequence according to the story told by Kathleen.

1. Kathleen tried to wake up her husband.
2. A robber followed the pair from a local club.
3. Kathleen found that the front door was open.
4. Kathleen spent the night in a different bedroom.
5. Kathleen put her clothes on.
6. Kathleen waited for the police.
7. Joe flashed his cash around.

Task 5. Indicate which of the facts given below contradict Kathleen's story.

1. Joe snored loudly in his bedroom.
2. Joe didn't have a money clip at the club.
3. Joe paid for his drinks.
4. The investigation found a motive for the murder.

"After nine years of marriage and no children, Kathleen Foley wanted desperately to leave her husband," said Schreiber. Kathleen was having an affair with a married co-worker at Allentown State Hospital where she worked as a psychiatric aide and Joe worked as a recreational therapist. Joe was said to have no inkling of his wife's love affair with George Fleming, working at the hospital.

Schreiber characterized Kathleen's relationship with Fleming as "very passionate with numerous and constant trysts, even at work." Schreiber said Kathleen was obsessed with Fleming and had given him money for a down payment on a new car, and even co-signed for it. And she was planning to leave Joe – just two weeks before his death she'd been apartment hunting.

"But Kathleen was afraid Joe would find out she was planning to leave him for Fleming," said prosecutor McIntyre. She feared Joe would harm her lover, so to protect him she

marriage – шлюб
 desperately – відчайдушно
 affair – любовний зв'язок
 aide – санітар
 recreational – оздоровчий
 inkling – слабка уява

passionate – пристрасний
 tryst – побачення
 to be obsessed with smb – постійно думати про когось
 down payment – виплата в розстрочку
 co-sign – стати поручителем
 hunt – *тут* шукати

fear – боятися
 harm – зашкодити
 protect – захистити
 rump – *тут* всадити
 get rid of – позбавитися від

pumped four bullets into her husband's head from a 9mm handgun while he was lying on the bed sometime between 8 and 10 p.m. on July 30. Then she left the house during night and got rid of the gun. It was never found.

Task 6. Indicate whether the statements given below are true or false.

1. Kathleen didn't love her husband.
2. Kathleen and Joe worked in the same hospital.
3. Kathleen had a lover.
4. Joe suspected that his wife was having an affair.
5. Kathleen and Flemming loved each other very much.
6. Flemming took money from Kathleen.
7. Joe was afraid that Kathleen was planning to leave him.
8. Kathleen feared Flemming would harm Joe.
9. The police found 9mm handgun lying on the bed.
10. Kathleen left the house between 8 and 10 a.m. on July 30.

And to support her story that Joe was shot in his bed while she was asleep elsewhere, she had to remove the clothes he was wearing and put his shorts on. "Because he was a very large man, Kathleen wasn't able to get the shorts all the way up, and in her haste she put them on backwards," said Lehigh County Assistant D.A. Michael McIntyre, who prosecuted the case. "Kathleen Foley outsmarted herself!"

At her trial a tearful Kathleen Foley denied she murdered her husband. "Joe was my life," she testified. "I loved Joe. I liked what we had together." Her lover was fun, she said, but not someone to build a life with. But after only three hours of deliberation, the jury of four men and eight women delivered their verdict: Kathleen Foley was guilty of first degree murder. A judge sentenced her to life in prison. She is serving her sentence at Muncie State Prison near Harrisburg.

"Kathleen Foley is one of the most bra-

support – підтримувати
shoot (shot) – стріляти
remove – знімати
clothes – одяг
haste – спішка
outsmart – перехитрити

trial – судовий розгляд
deny – заперечувати
testify – свідчити
fun – забавка
deliberation – міркування
jury – суд присяжних
deliver – виносити
guilty – винний
degree – ступінь
sentence – вирок
prison – в'язниця
serve – відбувати

brazen – нахабний

zen killers I've ever seen," said McIntyre. "My one regret is she had 15 months of freedom from the day of the murder until she was arrested."

regret – жаль

Just minutes before they reached their verdict, jurors asked for one more look at the photo of Joe Foley's body and the backwards gym shorts.

reach – досягати

Task 7. Match two parts of the sentences given below.

- | | |
|---|---|
| 1. Kathleen had to undress Joe's body | a) and the judge sentenced her for life. |
| 2. Kathleen couldn't pull Joe's shorts up | b) in order to support her story. |
| 3. Kathleen said she loved Joe | c) because Kathleen had 15 months of freedom before the arrest. |
| 4. The jury found Kathleen guilty | d) because he was a very large man. |
| 5. McIntyre is sorry | e) and her lover was just fun. |

Task 8. Answer the following questions. Support your view with the facts from the text.

1. Why did McIntyre say that Kathleen Foley had outsmarted herself?
2. Why didn't the police buy Kathleen's story?
3. What do you think – was Kathleen a clever or a stupid criminal?

Text 27

**HANDCUFFS FOR TWO USE STUDENTS.
STUDENTS ARRESTED FOR DISTRIBUTING FOOD
TO HOMELESS WITHOUT PERMIT**

He claims it has been 18 months since he last held a job and more than a year since he had a place to call home, and food is hard to come by. He said his friends call him Danny, and he leaves it at that.

handcuffs – кайданки
distribute – розподіляти
homeless – бездомний
permit – дозвіл
claim – твердити
hold a job – мати роботу

Danny is part of the third party in a two-way struggle in Massey Park in downtown

party – сторона
struggle – боротьба

Tampa, Fla. Each Sunday, a group of students goes to the park offering free food for Danny and other homeless people. But the police say these students are breaking the law.

The students, members of the nonviolent activist group Food Not Bombs, are in violation of a city ordinance banning the distribution of free food in public places without a permit, according to Captain Bob Guidara, spokesman for the Tampa Police Department.

Three arrests, including those of two of University of South Florida students, have been made on charges of trespassing in the last two weeks at the public park. The charges could have been worse, Guidara said, but the police were not trying to make things difficult for the students.

"We can stack the charges if that will make them happier," Guidara said. "Our intent was for them to leave the park so they would not be feeding people, and they refused by not leaving the park. They were in violation of park rules, and that's why they were trespassing. In addition to that, you have to have a permit in that park and any park to distribute for health concerns. There are facilities downtown that are in place to feed the homeless. I guess they disagreed with the ordinances and kept coming back after receiving warnings for trespassing."

downtown – центр
offer – пропонувати
free – безкоштовний
break the law – порушувати закон

violation – порушення
ordinance – постанова
ban – забороняти
according to – згідно з
spokesman – речник

include – включати
charge – звинувачення
trespass – посягати
worse – гірше

stack – тут збільшувати
intent – намір
feed – годувати
refuse – відмовляти
in addition – крім того
health – здоров'я
concern – тут міркування
facilities – тут приміщення
guess – гадати
warn – попереджати

Task 1. Indicate whether the statements given below are true, false or not in the text.

1. Danny used to be a student of University of South Florida.
2. He lost his job one and a half years ago.
3. He didn't want to give his full name.
4. Danny is struggling against a group of students.
5. The police are sure that students' actions are prohibited by the law.
6. It is not allowed to distribute free food in public places.
7. Captain Bob Guidara supports the students.

8. The students leave a lot of litter in the park area.
9. The police chose the worst charges of all possible.
10. The students agreed to feed people in other facilities downtown.

James Dunson and Lily Lewis, both USF students, were arrested March 28. Mark Parrish, 24, was arrested March 21. All three, who were detained at the scene and released without being taken to jail, have April 19 court dates. Another USF student, Denise Aguero, was given a warning by the police March 21 but was not charged.

One facility for homeless people in the area, according to Aguero, is the Salvation Army shelter downtown. There the homeless can shower and sleep, but only by paying \$10 each night can they eat there.

"The people that we talked to are still hungry," Aguero said. "There are still people who are hungry, and when they have to pay even just \$10 for food, they can't afford it. The different places where they can go to eat are open at different times, and are in different places."

Guidara said the students had opportunities to comply with the law but decided to ignore it.

"The first week (on March 14), they were given verbal warnings," Guidara said. "We've made every effort to contact everyone involved and talked to them about alternatives. The issue is not about feeding the homeless. The issue is that you are feeding the homeless and failing to meet city codes and ordinances overseeing it. The officer explained to these individuals, who we admit are well-intending, why they are not allowed to be giving out food there. City parks, when that has taken place, have become campsites for the homeless. They have been bathing in the fountains. It just makes the parks unat-

detain – затримувати
 scene – місце
 release – звільняти
 jail – в'язниця
 court – суд

shelter – притулок
 shower – душ

hungry – голодний
 afford – дозволяти собі
 opportunity – можливість

comply – дотримувати
 decide – вирішувати

verbal – усний
 effort – зусилля
 involve – стосуватися
 issue – проблема
 fail – не виконувати
 oversee – контролювати
 explain – пояснювати
 admit – визнавати
 intend – мати намір
 allow – дозволяти
 campsite – табор
 bathe – купатися
 unattractive – непривабливий
 rest – решта

tractive to the rest of the city's residents."

Danny laughed at the idea of the city stopping people from feeding the homeless, saying the city is not out to protect anyone's health, but rather to hide the number of homeless people in its streets.

"Why would they say giving away food to the hungry is a health hazard?" Danny asked. "It seems like that is healthier than just letting them starve. I think I know what's healthy for my body, and going hungry isn't healthy. The city isn't out to protect anyone's health. They just want to pretend we are not here."

laugh – сміятися
protect – захищати
hide – приховувати
number – кількість

hazard – небезпека
starve – голодувати
pretend – удавати

Task 2. Choose the right variant to complete the following sentences.

1. James Dunson and Lily Lewis were ...
 - a) detained;
 - b) sent to jail;
 - c) sentenced by court;
 - d) not charged.
2. The Salvation Army provides homeless people with ...
 - a) free food;
 - b) paid shelter;
 - c) paid shower;
 - d) paid food.
3. The students ...
 - a) could have complied with the law;
 - b) were not warned by the police;
 - c) made every effort to contact the police;
 - d) did not understand why they are not allowed to distribute food.
4. The police do ...
 - a) their best to contact the people;
 - b) not want to talk to the students;
 - c) not meet city codes;
 - d) all they can to feed the homeless.
5. The real aim of the city is ...
 - a) to stop the homeless people from bathing in the fountains;
 - b) to prohibit the distribution of food for health concerns;
 - c) to let the homeless people starve;

d) to take the homeless people away from public places.

Dunson and Lewis did not want to talk about the arrests, but Parrish tells a different story than that of Guidara.

"I didn't really understand what was going on when the police showed up," Parrish said. "The officer never really gave us an explanation as to why we were being arrested. This was my first time at the park, so I had never gotten a warning before."

Parrish also said the officer was "bragging" about his reputation for being tough on homeless people, a story which Guidara called "ridiculous."

Danny, who called himself "a veteran of homelessness," sided with the police – sort of.

"I've never had problems with that cop before, so I don't know about that," Danny said. "But there is definitely a bad attitude towards the homeless people here from the city. It's like, 'out of sight, out of mind.' They like to pretend that, if they can't see the homeless people in the streets, than that means the problem isn't there. We all have to go somewhere."

The students were distributing fresh vegetables, pizza and bread, among other things. The students went back Sunday, this time with other groups joining the cause. Whereas the previous two weeks saw less than 10 homeless people take up the Food Not Bombs members on their offer each week, more than 20 people showed up Sunday. The police did not stop them this week, Parrish said, speculating that the police were afraid of the press and other groups aware of what was happening.

Guidara said the absence was an effort to avoid further conflict, though.

"We didn't receive any complaints and we thought this week we would be complaint-driven," Guidara said. "We would have

show up – з'являтися

explanation - пояснення

brag – вихвалитися
tough – жорсткий
ridiculous – сміхотворний

side – брати сторону

sort of – на кшталт
definitely – напевно
attitude – відношення
towards – до
sight – поле зору
mind – розум
mean – значити

fresh – свіжий
vegetables – овочі
bread – хліб
among – серед
join – приєднуватися
cause – справа
whereas – тоді як
previous – попередній
less – менш
offer – пропозиція
speculate – припускати
aware – поінформований

absence – відсутність
avoid – уникати

receive – отримувати
complaint – скарга
drive – спонукати
push – штовхати

had any right to go down there and make arrests, but we're trying to avoid conflict. These students are trying to push the law as far as they can. We are trying to find a resolution. It's frustrating that they are unwilling to even work with us. If there are continuing violations of this ordinance, than we will have to act accordingly."

Aguero said the issue is not as simple as attaining a permit.

"The police make it sound like getting a permit is the solution, but it isn't," Aguero said. "We are trying to help people, not cause problems. We shouldn't need to get a permit to help people who need it."

find – знаходити
resolution – рішення
frustrate – розчарувати
unwilling – небажаючий
even – навіть
accordingly – відповідно

issue – питання
simple – простий
attain – отримувати
sound – *тут* виглядати
solution – рішення
cause – спричиняти
need – мати потребу

Task 3. Indicate whether the statements given below are true or false.

1. The police didn't explain to the students the reason for their arrest.
2. The second time Mark Parrish went to the park he was arrested by the police.
3. The spokesman for the Tampa Police Department didn't believe their officers could boast of being tough on homeless people.
4. Danny was completely on the students' side.
5. The city authorities want the homeless to just disappear from the streets.
6. The number of students feeding the homeless gradually decreased.
7. The students are trying to avoid confrontation.
8. The police did not intervene for fear of publicity.
9. The police are not going to make arrests even if violations continue.
10. The students believe they can feed the homeless without getting a permit.

Task 4. Discuss the following points.

1. In the context of the article how do you understand the expression used in the text "out of sight, out of mind"?
2. Do you believe anyone can distribute food in public places without any permission?

3. Are the police right in preventing students from feeding the homeless?
4. Do you think the reasons given by the police are convincing?
5. Whom would you side with – the police or the students?
6. Are there permanent shelters for the homeless in your city?
7. What would the Ukrainian police do in the same situation?
8. What does the Ukrainian law say about it?

Text 28

DOG BITE LIABILITY

According to the Centers for Disease Control and Prevention, more than 4.7 million people are bitten by dogs annually, resulting in an estimated 800,000 injuries that require medical attention. With over 50 percent of the bites occurring on the dog owner's property, the issue is a major source of concern for insurers.

Over the years, many states have passed laws with stiff penalties for owners of dogs that cause serious injuries or deaths. In about one-third of states, owners are "strictly liable" for their dogs' behavior, while in the rest of the country they are liable only if they knew or should have known their dogs had a propensity to bite (known as the "one free bite" principle).

according to – згідно з
 disease – хвороба
 prevention – профілактика
 bite (bit, bitten) – кусати
 annually – щорічно
 estimate – оцінювати
 injury – поранення
 require – потребувати
 attention – увага
 occur – траплятися
 owner – власник
 property – власність
 issue – проблема
 source – джерело
 concern – занепокоєність
 insurer – страховальник
 stiff – жорсткий
 penalty – покарання
 cause – спричинити
 death – смерть
 strictly liable – строго (безумовно) відповідальний
 behavior – поведінка
 rest – залишок
 propensity – схильність

Task 1. Indicate whether the statements given below are true or false.

1. Not all cases of dog bites require medical attention.
2. Insurers are worried because 4.7 million people are bitten by dogs every year.

3. Fifty per cent of dog owners are bitten by their own dogs.
4. In most states dog owners are strictly liable for their dogs' behavior.
5. In some states dog owners are not liable for dog bites if they didn't know their dogs had a propensity to bite.

Dog bites account for one-third of all homeowners' insurance liability claims, costing \$387.2 million in 2008, up 8.7 percent from 2007, according to the Insurance Information Institute (I.I.I.). An analysis of homeowners' insurance data by the I.I.I. found that the average cost of dog bite claims was \$24,461 in 2008 (the most recent figures available) down slightly from \$24,511 in 2007. Since 2003, however, the cost of these claims has risen nearly 28 percent. Additionally, the number of claims has increased 8.9 percent to 15,823 in 2008 from 14,531 in 2007.

Insurers generally oppose legislation that would require changes to their dog breed practices. They contend that government public health studies and the industry's claims histories show that some breeds are more dangerous than others and are higher loss risks.

account for – приходиться
 claim – позив
 cost – коштувати
 data – дані
 average – середній
 recent – останній
 available – доступний
 slightly – злегка
 rise (rose, risen) – зростати
 additionally – додатково
 number – кількість
 increase – збільшуватися

oppose – виступати проти
 legislation – законодавство
 change – зміна
 breed – порода
 contend – стверджувати
 health – здоров'я
 dangerous – небезпечний
 loss – втрата

ESTIMATED NUMBER AND COST OF DOG BITE CLAIMS, 2003 – 2008

	2003	2004	2005	2006	2007	2008	Percent change, 2007 – 2008	Percent change, 2003 – 2008
Value of claims (\$ millions)	\$324.20	\$319.00	\$321.10	\$322.30	\$356.20	\$387.20	8.70%	19.43%
Number of claims	16,919	15,630	14,295	14,661	14,531	15,823	8.89%	-6.48%

	2003	2004	2005	2006	2007	2008	Percent change, 2007 – 2008	Percent change, 2003 – 2008
Average cost per claim	\$19,162	\$20,406	\$22,464	\$21,987	\$24,511	\$24,461	-0.20%	27.65%

Source: Insurance Information Institute.

Task 2. Indicate whether the statements given below are true or false.

1. The total cost of insurance liability claims in 2007 was higher than in 2008.
2. The average cost of dog bite claims in 2007 was higher than in 2008.
3. The rise in overall claims cost in 2008 was due to the increase of the number of claims.
4. Insurers deny the fact that some breeds have a greater propensity to bite.
5. Insurers do not want to change their dog breed practices.

Dog owners in about one third of the states and the District of Columbia are currently legally liable for deaths or injuries caused by their dogs. At least two states, Pennsylvania and Michigan, have laws that prohibit insurers from canceling or denying coverage to the owners of particular dog breeds. The American Kennel Club also reports that many municipalities have enacted bans on specific breeds. Several states, however, have laws barring municipalities and counties from targeting individual breeds.

On January 26, 2001, two Presa Canario dogs attacked and killed Diane Whipple in the doorway of her San Francisco, California, apartment. The owner of the dogs, Marjorie Knoller, a San Francisco lawyer, was convicted of involuntary manslaughter and keeping a mischievous dog that killed a person—

at least – принаймні
 prohibit – забороняти
 cancel – відміняти
 deny – відмовляти
 coverage – покриття, сума ризиків
 particular – певний
 kennel - кінологічний
 enact – вводити в дію
 ban – заборона
 bar – перешкоджати
 target – спрямовувати

lawyer – юрист
 convict – засуджувати
 involuntary manslaughter – ненавмисне вбивство

she was sentenced to four years in prison for involuntary manslaughter and was ordered to pay \$6,800 in restitution. Her husband, Robert Noel, was convicted of two lesser charges but also received a four-year prison sentence. Knoller became the first Californian convicted of murder for a dog's actions. This was only the third time such charges have been upheld in the United States, the first coming in Kansas in 1997.

keep – утримувати
 mischievous – злобний
 sentence – виносити вирок
 prison – в'язниця
 restitution – відшкодування
 charge – звинувачення
 receive – отримувати
 uphold – підтримувати

Task 3. Choose the right variant to complete the following sentences.

1. The primary purpose of this passage is to describe ...
 - a) the activities of the American Kennel Club;
 - b) the different approach to legal liability and punishment for dog bites;
 - c) concrete examples of criminal penalties.
2. Dog owners are liable for deaths or injuries caused by their dogs ...
 - a) in all the country;
 - b) only in some states;
 - c) in Pennsylvania and Michigan.
3. The law does not allow denying coverage to the owners of some dog breeds ...
 - a) in about one third of the states;
 - b) in California;
 - c) in two states only.
4. Marjorie Knoller and her husband were convicted of ...
 - a) involuntary manslaughter;
 - b) murder and keeping a mischievous dog;
 - c) different crimes.

Homeowners' and renters' insurance policies typically cover dog bite liability. Most policies provide \$100,000 to \$300,000 in liability coverage. If the claim exceeds the limit, the dog owner is responsible for all damages above that amount, including legal expenses. Most insurance companies insure homeowners with dogs. However, once a dog has bitten someone, it poses an increased

renter – зйомник, орендар
 exceed – перевищувати
 responsible – відповідальний
 damage – шкода
 amount – величина
 include – включати
 expenses – витрати
 pose – представляти
 instance – випадок
 suggest – пропонувати
 charge – призначати
 premium – страховий внесок

risk. In that instance, the insurance company may suggest that the homeowner find the dog a new home, or may charge a higher premium, nonrenew the homeowner's insurance policy, or exclude the dog from coverage.

Many insurers are taking steps to limit their exposure to such losses. Some companies require dog owners to sign liability waivers for dog bites, while others charge more for owners of biting breeds such as pit bulls and Rottweilers and others are not offering insurance to dog owners at all. Some will cover a pet if the owner takes the dog to classes aimed at modifying its behavior or if the dog is restrained with a muzzle, chain or cage. It is unlikely that insurers will begin offering specialty insurance policies just for dog bites since the cost of such policies would be prohibitive.

nonrenew – не поновити
exclude – виключати

sign – підписувати
waiver – відмова
aim – націлювати
restrain – стримувати
muzzle – намордник
chain – ланцюг
cage – клітка
prohibitive – надмірно висока

Task 4. Choose the best answer to the following questions.

1. With which of the following statements would the author agree?
 - a) Insurers' companies try to minimize their losses.
 - b) Homeowners and renters are responsible for damages from \$100,000 to \$300,000.
 - c) Insurance companies are now offering dog bites policies.
 - d) All breeds of dogs are equally dangerous.
2. What does this passage fail to mention?
 - a) the way liability coverage is calculated;
 - b) the most aggressive dog breeds;
 - c) the measures insurers take to limit their losses;
 - d) the factors which increase insurers' risks.
3. Which of the following could be an opinion rather than a fact?
 - a) Insurance companies avoid insuring homeowners with dangerous dogs.
 - b) Dog owners are responsible not only for damages, but for legal expenses as well.
 - c) Insurers will not provide insurance policies just for dog bites.
 - d) Some companies do not offer any insurance to dog owners.

Dog owners are liable for injuries their pets cause if the owner knew the dog had a tendency to cause that kind of injury; if a state statute makes the owner liable, whether or not the owner knew the dog had a tendency to cause that kind of injury; or if the injury was caused by unreasonable carelessness on the part of the owner.

There are three kinds of law that impose liability on owners.

A dog-bite statute: where the dog owner is automatically liable for any injury or property damage the dog causes without provocation.

The one-bite rule: where the dog owner is responsible for an injury caused by a dog if the owner knew the dog was likely to cause that type of injury—in this case, the victim must prove the owner knew the dog was dangerous.

Negligence laws: where the dog owner is liable if the injury occurred because the dog owner was unreasonably careless (negligent) in controlling the dog.

In most states, dog owners aren't liable to trespassers who are injured by a dog. A dog owner who is legally responsible for an injury to a person or property may be responsible for reimbursing the injured person for medical bills, time off work, pain and suffering and property damage.

pet – домашня тварина
unreasonable – нерозсудливий
carelessness – недбалість
on the part – з боку

impose – покладати

victim – жертва
prove – доводити

negligence – недбалість
осциг – траплятися

trespasser – особа, що вторгається
reimburse – відшкодувати
bill – рахунок
pain – біль
suffering – страждання

Task 5. Answer the following questions.

1. In what cases are dog owners liable for injuries their pets cause?
2. What are the three kinds of laws that impose liability on dog owners?
3. Are dog owners legally responsible for an injury to a trespasser?
4. What kinds of reimbursement are dog owners liable for?

Text 29

NEW YORK CAR ACCIDENT VICTIM LOSES SETTLEMENT MONEY

Here's a perfect example of a case where the driver of a car who hit a young man crossing the street, did not have enough insurance coverage, leading to insufficient compensation for his injuries.

This particular man was in a shopping center crossing the street when he was hit by a car entering the shopping center. The driver was going about 25-30 miles per hour. He hit the man squarely on the left side of his body, causing him to go flying through the air and land about ten feet from where he started. The injured man was rushed by ambulance to the closest trauma center where he was diagnosed as having a broken femur (the largest bone in your body), trauma to his face, and a bleed under his skull. The victim required a tracheotomy; a hole made in his windpipe to allow a tube from a ventilator to help him breathe. This injured victim spent more than three weeks in the hospital. When he was discharged, he was sent to a rehabilitation facility and ultimately made his way home.

accident – ДТП
victim - жертва
settlement – улагодження
insurance – страховка
coverage - покриття
insufficient – недостатній
injury – ушкодження

enter – *тут* в'їзжати
cause – спричиняти

rush – швидко відправляти
femur – стегно
bone - кістка
bleed – кровотеча
skull – череп
windpipe – дихальне горло
breathe – дихати

discharge – випускати
ultimately – зрештою
facility – установа

Task 1. Answer the following questions.

1. What happened to a man crossing the street?
2. At what speed was the car moving?
3. What injuries did the man suffer?
4. What measures were taken in the hospital to save his life?
5. How long did the victim of the accident stay in the hospital?
6. Where was he sent to after being discharged from the hospital?

Finally, he made his way home, didn't he? The driver of the car had insurance. However, when I investigated the insurance policy he had, it turns out it was a "limited" policy. This means it was a relatively low policy amount. Shortly after I was able to

policy – поліс
turn out – виявлятися
relatively - відносно

document all of my client's injuries to the insurance company, they promptly paid the full insurance policy since they recognized that the injuries my client suffered far exceeded the available insurance in this case.

Q: What other options were available to this young man after the insurance company "tendered" (paid) the insurance policy?

A: One option would have been to sue the driver personally and try to get a judgment against him. If successful, then I would be able to enforce the judgment by seizing his property in order to fulfill the judgment. However, after investigating this possibility, we learned that the driver had no assets - at least none that were in his name. Bringing a lawsuit against him, just to get a "paper" judgment would serve the client no purpose.

amount – величина

promptly – швидко

recognize - визнавати

suffer – страждати

exceed – перевищувати

available – наявний

option – можливість

sue – вчинити позов

judgment – судове рішення

enforce – примусово виконати

seize – наложити арешт

fulfill – виконати

asset – майно

at least – принаймні

lawsuit – позов

Task 2. Indicate whether the statements given below are true or false.

1. Unfortunately, there was no insurance to pay to the injured young man.
2. The insurance company paid only a limited part of the insurance policy.
3. The company realized that the victim needed much more money for his injuries.
4. The young man could have sued the driver.
5. The victim's lawyer seized the driver's property.
6. The driver refused to pay the compensation.
7. A lawsuit against the driver wouldn't help the young man.

In this case, my client had been receiving Medicare benefits because of a pre-existing disability. When Medicare learned (as they always do) that my client had received some compensation for his injuries, they asserted a "lien" against the proceeds of his case. This meant that they were asserting their right to recoup money that Medicare paid for his hospital and medical bills arising out of this car

Medicare – державна система

страхування

exist – існувати

disability інвалідність

assert – заявляти

lien – право утримання

recoup – удержати

bill – рахунок

share – частка

accident. The medical bills alone were astronomical. They were over \$300,000! Medicare wanted everything that my client would receive as his share of the settlement. In effect, this young man potentially would get nothing as a result of his injuries.

Task 3. Indicate whether the statements given below are true or false.

1. The young man had the right to receive Medicare benefits before the accident.
2. Sometimes it is possible for clients to hide information from Medicare.
3. Medicare wanted some compensation for the money they spent on medical bills.
4. The insurance company paid \$300,000 to cover medical bills alone.
5. Medicare wanted some share of the compensation the young man had received.
6. The Medicare plan was to rob the accident victim of all his money.

I appealed to Medicare advising them that it would be tragic if this young man who was severely injured were required to pay back Medicare everything he was awarded in the settlement. Yet Medicare made a reasonable argument: Who else paid for his medical bills when he was in the hospital? Nobody. He did not have any other health insurance. Medicare did not expect to get reimbursed for paying his medical bills. But, when an injured victim brings a lawsuit seeking compensation from the driver of a car, bus, truck or someone else – and is successful, then Medicare steps in and says "You are now required to reimburse us." Many times Medicare will try to negotiate with you, depending upon the amount you recover. Yet the bottom line is that they must be repaid.

If your attorney ignores a Medicare lien,

advise – повідомляти
severely – жорстко
require – вимагати
award – надавати

reasonable – розумний
health – здоров'я

expect – очікувати
reimburse – відшкодувати
seek – шукати

step in – втручатися
negotiate – вести переговори
depend – залежати
recover – отримати
bottom line – нижня межа

attorney – адвокат
lien – право утримання

they do so at their peril. If your lawyer pays you your net share of the settlement without allocating money for Medicare, this is what will happen. Medicare will file a lawsuit against your attorney in federal court. They will ask not only for the money that they were supposed to recover, but also ask for three times the amount (called treble damages). Needless to say, if your lawyer has reached this stage, he has significant problems. The government is not required to go after the client (you, the injured victim). Your lawyer may try to get the money back from you, but what if you already spent it? Now the lawyer has even bigger problems.

peril – ризик
 net – чистий
 allocate – виділяти
 happen – траплятися

treble – потрійне відшкодування
 reach – досягати
 stage – етап
 spend – витратити

Task 4. Choose the right variant to complete the following sentences.

1. It would be tragic if ...
 - a) Medicare hadn't paid the young man's medical bills;
 - b) the young man lost his award in the settlement;
 - c) Medicare got reimbursed for the money it paid.
2. If you get the settlement money from your attorney who doesn't pay anything to Medicare ...
 - a) they can sue you three times in federal court;
 - b) there is no way Medicare can get its money that they were supposed to recover;
 - c) they will create very serious problems for your attorney.

The bottom line? Medicare must be repaid.

The bottom line for this client? He got the short end of the stick since the driver of the car that hit him did not have sufficient car insurance to cover the severe injuries he received. Then, the government stepped in and asked for the total amount of money to cover at least some of their expenses. After an appeal to Medicare, they were "generous" enough to allow my client to take home a

the short end of the stick – розм..
 несправедливість

generous – щедрий
 token amount – символічна

token amount of the original compensation he was entitled to receive.

кількість
entitle – давати право (на щось)

What is the moral of this story? Carry enough car insurance on your insurance policy to cover a serious injury. Then buy an "umbrella" policy (also known as an excess policy) to protect you and your assets in the event your main insurance policy is insufficient to pay compensation to someone seriously injured.

umbrella – парасолька
excess – надлишок

Thanks for taking the time to become informed.

Task 5. Answer the following questions.

1. Why does the article say that the young man got the short end of the stick?
2. Why does the author of the article put the word "generous" in inverted commas?
3. What should a person do to avoid the situation in which the young man got?

Task 6. Translate the passage given below in written form using a dictionary.

About Gerry:

The author of the article above is Gerry Oginski, an experienced medical malpractice & personal injury trial lawyer who has been practicing law in Brooklyn, Bronx, Queens, New York, Staten Island, Nassau, Suffolk & Long Island since 1988.

He is a graduate of Touro College, Jacob Fuchsberg College of Law in Huntington, NY and he is admitted to practice law in New York and Connecticut. He started his legal career working for a defense firm on Wall Street representing doctors, hospitals and businesses who were sued. Four years later he felt the gravitational pull to represent injured victims of medical negligence and accidents. After doing defense work, he joined a personal injury law firm in Brooklyn, NY representing injured victims, and then four years later, joined forces with a large law firm in Queens, NY. While there, he was in charge of the medical malpractice department, and in 2002 opened his own office for the practice of law. His main office is located in Great Neck, Long Island, and he has affiliate offices in Brooklyn and Staten Island.

Gerry prides himself on knowing all the details of each case he handles. Cases are not handed off to associates. When a client calls, he doesn't need to check a file to determine what happened last on the client's case. He knows what happened, since he was the one who handled the matter.

Gerry has become a prolific writer and publishes a monthly newsletter full of legal news, fun trivia games, and a never-ending fictional story that has won him accolades with all who read his newsletter. In addition to his newsletter, he has produced and created an entire video library of instructional videos that help consumers learn about medical malpractice and accident law in New York.

Gerry welcomes all calls about any accident or injury from a doctor or hospital in the State of New York. He promises to give you a straightforward and honest answer about every question you ask. Take a look at his website, where he has over 200 FAQ's, free reports about medical malpractice, wrongful death and accident cases, actual testimony of doctors in cases he's handled, and an entire video library you really should see.

If that's not enough, take a look at his blog where he offers free information about medical malpractice and accident law and when you've finished reading his blog at <http://nymedicalmalpractice.blogspot.com>, jump over to his video blog where he has most of his videos posted at <http://medicalmalpracticetutorial.blogspot.com> – you'll be glad you did.

Text 30

DANGER IN PARADISE: I WAS ROBBED AT GUNPOINT IN THE BAHAMAS

Robberies of tour groups are part of a growing trend in the Bahamas. Here, one woman, Carley Milne, shares her story of being held at gunpoint while on a Segway tour in Nassau.

rob – грабувати
at gunpoint – під прицілом
grow – зростати
trend – тенденція
share – ділитись
hold (held) – тримати

I headed to Nassau seeking a chance to bond with friends, explore a new locale, and disconnect from the rigors of everyday life. I never expected to have my blissful getaway interrupted by armed gunmen on the hunt for valuables, but that's exactly what happened to me.

Friday, November 15th, 2019 started exactly the way a day in the Bahamas should start. After a leisurely breakfast, my friend and I were picked up via taxi and transported to the Bahamas Association for Social Health's (BASH) Earth Village, where Caribbean Segway Tours has their home base. After brief instruction, our tour guide led us into the wilderness. We steered down trails lined with lush greenery and tropical flowers. At one point, we stopped to learn more about the aqueduct system running through the area, watching as fish swam in the water, then hopped back on our Segways to go back through the trails.

Then it happened. As we approached a T-junction in the path roughly ten minutes into our tour, two men stepped out of the bushes dressed in black combat gear, each wielding a large shotgun.

As one pumped his shotgun once, I had a fleeting thought that maybe it was an act... but as soon as I saw the guide ahead of me quickly park his Segway to the side of the road and throw himself to the ground, I knew what we were about to experience was all too real.

head – прямувати
 seek – шукати
 bond – скріпляти зв'язки
 explore – дослідити
 locale – місце
 disconnect – тут відчужитись
 rigors – суворі умови
 expect – чекати
 blissful – розкішна
 getaway – втеча
 interrupt – переривати
 arm – озброювати
 gunman – бандит
 hunt – полювання
 valuables – цінності
 exactly – точно
 happen – траплятися

leisurely – неквапливий
 pick up – підбирати
 Segway – назва електроскутеру
 brief – короткий
 guide – гід
 wilderness – дика природа
 steer – рулити
 trail – доріжка
 line – тут оточувати
 lush – пишній
 greenery – рослинність

hop – пригати

approach – наближатись
 junction – тут перехрестя
 path – стежина
 roughly – приблизно
 step out – виходити
 bush – кущ
 combat gear – військова форма
 wield – тут тримати
 shotgun – дробовик
 pump – тут перезаряджати
 fleeting – короткочасний
 throw down – тут падати
 experience – випробувати

Task 1. Indicate whether the statements given below are true, false or not in the text?

1. The number of robberies in the Bahamas is decreasing.
2. Carley Milne didn't expect any trouble in the Bahamas.
3. On Friday morning everything went wrong from the very beginning.
4. The tourist group was attacked by two gunmen.
5. The gunmen were wearing black masks.
6. The attack took place when the tour was almost over.
7. At first Carley didn't believe the attack was real.

I followed our guide's lead and parked my Segway next to his as one of the gunmen calmly instructed me to lie down around the corner. I pretended I didn't hear him and instead lay down behind my tour guide, my chin pressed to the gravelly path, my hands pressed flat against the ground so they could see them. Everyone else behind me—another eight tourists—each did the same, all of us dead silent as we complied with the gunmen's wishes. One man stood at the head of our group, rifle pointed at us, the other walked to the end of our line and started going through each of our Segway pouches, dumping everything out of them and loading everything he wanted to keep into a black garbage bag.

Everything happened so quickly, and yet it felt agonizingly slow. I laid there on the ground almost paralyzed as I heard change and personal effects hit the ground, silently praying that we would all make it out alive, not caring that I may lose my money, camera or passport. After ten minutes of sifting through our belongings, one of the gunmen went up the line and patted each of us down to make sure none of us were hiding anything else of value.

I thought the ordeal was over and relief started to wash over me. Instead, I heard one

follow lead – наслідувати
 приклад
 lie (lay) down – лягати
 corner – пір
 pretend – удавати
 instead – замість
 chin – підборіддя
 press – вдавлювати
 gravelly – гравійний
 dead silent – в повному мовчанні
 comply – підкорятися
 rifle – гвинтівка
 point – спрямовувати
 pouche – сумка, мішок
 dump – викидати
 load – загрузжати
 keep – *тут* забирати
 garbage – сміття

agonizing – нестерпний
 change – монети
 personal effects – особисті речі
 hit – вдаряти
 pray – молитися
 make out – *тут* вибратися
 alive – живий
 care – турбуватись
 lose – втрачати
 sift – *тут* ритися
 belongings – речі
 pat – *тут* прощупати
 to make sure – впевнитися
 hide – приховувати
 ordeal – випробування
 relief – полегшення
 hurry up – квапитись

of the robbers say “hurry up, the other tour is coming.” The gunmen intercepted the second group and, once again, demanded that everyone get off their Segways and lay face down on the ground.

The other tour guide protested in disbelief, but they made it very clear that they were dead serious, forcing her to the ground and hitting her in the back of the head with one of the guns. The group began to murmur among one another and one of the gunmen fired a silencing shot into the ground as a warning.

After returning to our group to bind our guide’s arms behind his back, they forced the other guide into the aqueduct and fled on foot. As soon as she knew they were gone she radioed to home base to let them know we’d just been held up. Slowly, we all started to move. I turned to look at my friend and clasped her hand, which was shaking uncontrollably. Another woman broke down in tears as she spoke of how fearful she was that she’d never again see her three children. We rose to our feet and hugged one another, checking that everyone was okay and working to determine what was missing. By then, the cops had arrived.

intercept – перехопити
demand – вимагати

disbelief – невіра
force – примушувати
murmur – бормотати
shot – постріл
warning – попередження

return – повертатися
bind – зв’язувати
flee (fled) – втікати
hold up – грабувати
clasp – стискати
shake – трястись
break down – втратити
самовладання
tear – сльоза
fearful – наляканий
rise (rose, risen) – підніматись
hug – обіймати
check – перевіряти
determine – визначати
miss – невістачати
arrive – прибувати

Task 2. Indicate whether the statements given below are true or false.

1. The tourists lay down with their hands on the back of their heads.
2. The gunmen searched the tourists and took all the valuables.
3. Carley’s group was not the only one robbed.
4. One of the gunmen fired a warning shot in the air.
5. The tourists were afraid they would be killed.
6. No one was injured.
7. The gunmen used two Segways to escape.
8. The attack made Carley’s friend very nervous.
9. The tourists tried to determine what valuables had been taken by the gunmen.
10. The cops arrived when the gunmen had disappeared.

Task 3. Choose the right variant to complete the following sentences.

1. When one of the gunmen told Carley to lie down she ...
 - a) lay down around the corner;
 - b) lay down near her guide;
 - c) refused to do it;
 - d) didn't hear him.
2. The gunmen ...
 - a) beat up the tourists;
 - b) took all the valuables;
 - c) fired at people;
 - d) shot one of the guides.
3. The tourists ...
 - a) resisted the gunmen;
 - b) called the police
 - c) fled on foot;
 - d) were terrified by the attack.

When the other tour guide approached our side and finished untying our guide, I noticed she was holding something in her hand—my wallet. Though my camera and cash was gone, miraculously the robbers had dropped the wallet in front of the other tour group before they took off. Meanwhile, they completely missed my friend's purse—everything she had brought along with her was still there. Others didn't fare so well. Some lost cell phones and cameras, others jewelry, and several lost their I.D., credit cards and travel documents.

Stunned but grateful to be alive, we reconvened at the tour group's home base and took group pictures to commemorate our survival. Everyone with the tour company was deeply apologetic and completely stunned by our story. The police told us "we want you to know we are very committed to finding these men, and we will bring them to justice. This never happens here. Never."

approach – наближуватись
untie – розв'язувати
hold (held) – тримати
wallet – портмоне
cash – готівка
miraculously – чудом
drop – роняти
take off – тут втікати
meanwhile – тим часом
completely – повністю
purse – гаманець
fare – тут обійтися
cell phone – стільниковий телефон
jewelry – дорогоцінності
ID – посвідчення особи
stun – приголомшувати
grateful – вдячний
reconvene – збиратись знов
take pictures – фотографуватись
commemorate – відмічати
survival – порятунок
apologetic – вибачливий
be committed – тут дуже бажати
find – знаходити
justice – правосуддя

I later discovered, however, that the message delivered by the policemen was not entirely true. Just one month earlier on October 11th, 2019, two armed men held up a tour group of 11 at the top of the Queen’s Staircase, another popular tourist destination in the area—and the experience sounded chillingly similar to what we had just been through. While at the police station, each of us met with our respective consulates. While I was meeting with the U.S. Consulate, another woman who was not a part of our tour group joined us and told us of how she and her husband had been robbed of their cell phone in Nassau's shopping district. After I had returned home I read an article about the incident, and learned that yet another tourist was a victim of a separate robbery—on the same day.

Couple that comment with the experiences listed above, and it doesn’t sound like thefts, robberies and violence against tourists are a rare occurrence—it’s the norm.

My heart goes out to the hardworking Bahamian people who make their living from the tourism industry and may find themselves impacted as a result of what appears to be a rise in crime. But unfortunately, I don’t see myself returning to the Bahamas anytime soon.

discover – виявляти
 message – повідомлення
 deliver – надавати
 entirely – повністю
 true – вірний
 destination – призначення
 sound – звучати
 chilling – жахливий
 similar – схожий
 respective – відповідний
 district – район
 article – стаття
 incident – інцидент
 victim – жертва
 separate – окремий

couple – поєднувати
 list – тут наводити
 violence – насильство
 rare – рідкий
 occurrence - випадок

Task 4. Indicate whether the statements given below are true or false.

1. Miraculously Carley’s camera and cash were not taken by the robbers.
2. Her friend was lucky to preserve her valuables.
3. All other people in the group lost something of value.
4. The tour company didn’t apologize for the incident.
5. The police promised to find the robbers.
6. The police were quite sincere with the tourists.
7. No hold-ups had been recorded before the incident with Carley’s group.

8. The tourists went to their consulates to meet the officials of their countries.
9. A woman from a different group was robbed in the centre of the capital city.
10. Still crimes against tourists are rare in the Bahamas.
11. Carley doesn't believe that crime can damage the tourist industry in the Bahamas.
12. So far Carley has no plans to come back to the Bahamas as a tourist.

Task 5. Discuss the following points.

1. Have you ever been robbed in your country or abroad?
2. Were the tourists right not offering resistance to the robbers?
3. Can crime influence tourism?
4. Do you know any countries with low crime rate which are attractive to tourists?

Text 31

MARTHA MOXLEY – THE RECENTLY SOLVED MURDER

October 30, 1975: In the town of Greenwich, Connecticut, the night before Halloween was commonly known as "mischief night" or sometimes "doorbell night". On this particular evening, 15-year-old Martha Moxley, and her friends, set out for a night of harmless pranks; spraying shaving cream, throwing eggs and toilet paper around the neighborhood before stopping at the home of Tommy and Michael Skakel.

The Skakel brothers were well known in the neighborhood for their behavior and lack of discipline – and also because they were the nephews of Ethel Skakel-Kennedy, widow of the late Senator Robert F. Kennedy.

The Moxley's and Skakel's lived in Belle Haven, a gated community in Greenwich, an affluent area of town where Hollywood actors live and former President George Bush grew up.

solve – *тут* розкривати
 mischief – *тут* пустощі
 harmless prank – невинна витівка
 shaving cream – крем для гоління
 throw – кидати

neighbourhood – округа
 behavior – поведінка
 lack – відсутність
 nephew – племінник
 widow – вдова

gated community – ізольована
 община
 affluent – багатий
 grow up – зростати

Task 1. Indicate whether the statements given below are true or false.

1. Martha celebrated Halloween in the town of Greenwich.
2. She played childish pranks with her friends Tommy and Michael Skakel.
3. The Skakel brothers were distant relatives of the late Senator Robert F. Kennedy.
4. Ethel Skakel-Kennedy was a former Hollywood actress.
5. The Moxley's and Skakel's were very rich people.

Sometime between 9:30 and 11 p.m. that night, Martha left the Skakel house. Home was only 150 yards away, but Martha never made it. Martha's body was found the next day under a tree in her back yard. Her jeans and underwear had been pulled down, but there was no apparent evidence of sexual assault. She had been beaten so hard with an iron shaft that it had shattered. A jagged piece of it was used to stab her through the neck. Police later learned that the club was part an expensive golf set which had belonged to Tommy and Michael Skakel's mother Anne. Mrs. Skakel had died two years earlier leaving her husband Rushton to raise their large and reportedly unruly family. Their son, Tommy, then 17, was said to be the last person seen with Martha. The day Martha's battered body was found, Greenwich police made a cursory search of the house with Rushton Skakel's permission, but they never obtained a warrant to do a thorough search. This lack of a warrant in the investigation led to accusations of "special treatment" for the well-connected, influential family.

underwear – спідня білизна
apparent evidence – очевидні докази
assault – напад
beat (beat, beaten) - бити
iron shaft – залізний прут
shatter – розбивати ущент
jagged – зазублений
stab – протикати
club – ключка
expensive - коштовний
raise – ростити, виховувати
unruly – неслухняний

batter – сильно бити
cursory search – поверховий огляд
obtain a warrant – отримати ордер/постанову
thorough – ретельний
accusation – звинувачення
treatment – *тут* поводження
influential – впливовий

Task 2. Indicate whether the statements given below are true, false or not in the text.

1. Martha lived not far from the Skakel house.
2. The girl was sexually assaulted in her backyard.
3. A neighbor saw her running fast to her house.

4. Someone killed Martha with a golf club.
5. When Rushton married Ann she already had a large and unruly family.
6. The last person who was seen with Martha was Tommy Skakel.
7. Mrs. Skakel permitted the police to make a search of her house.
8. The police were not very attentive when making a search of the Skakel's house.
9. The search warrant was given to them only the day after.
10. The Skakels were treated by the police in a special way because they were rich and influential.

The Skakels stopped cooperating with police in 1976 and have since refused to be interviewed. Emanuel Margolis, the family's attorney, said Tommy Skakel, now in his early 40's and living in Massachusetts, has always insisted he had nothing to do with the murder.

But police had other suspects besides the Skakels. They questioned a young neighbor of the Moxley's and a 24-year-old tutor living with the Skakel's. They also considered transients off Interstate 95. "We have a circumstantial evidence case, with no witnesses," said Donald Browne, the Special State Prosecutor. "Unfortunately, we have circumstances that point in several different directions." Perhaps new DNA tests done on evidence from Martha's clothing will point investigators in a certain direction, he said.

refuse – відмовлятися
 attorney – адвокат
 insist – наполягати
 have nothing to do with – не мати нічого спільного з

suspect – підозрюваний
 neighbor – сусід
 consider – враховувати
 transient – людина, яка переїжджає, рухається
 circumstantial evidence – непрямі докази
 witness – свідок
 prosecutor – звинувач
 point – вказувати
 clothing – одяг

Task 3. Answer the following questions.

1. When did the Skakels stop cooperating with the police?
2. What did they refuse to do?
3. What is Mr. Margolis?
4. How old is Tommy Skakel now?
5. Where does he live?
6. What has he always insisted upon?
7. Did the police suspect anyone else besides Tommy?
8. Whom did they question in connection with the murder?
9. Who else did they consider?
10. Were there any witnesses to the crime?

11. What was the only evidence the police had in the case?
12. Where did the circumstances in the case point?
13. What kind of test did the police want to make?
14. How would these tests help them?

For years nothing was mentioned about the case publicly. Residents of Greenwich didn't speak of the terrible crime which had gone unsolved. Meanwhile, in 1983, the Greenwich Time/Stamford Advocate hired a freelance writer named Len Levitt to write an article on the case. The article appeared to be "so controversial" at the time that the publishers shelved it until 1991 when a rumor started floating around Greenwich that William Kennedy Smith – then facing a rape charge on which he was acquitted in Palm Beach, Florida – knew something about the murder. This rumor proved to be untrue, but sparked curiosity into Martha's unsolved murder. The article stirred new public interest.

The case regained national attention in 1993 when "A Season in Purgatory," Dominick Dunne's best-selling novel based on the murder, was published. Dunne, who later wrote extensively about the O.J. Simpson trial, encouraged Mark Fuhrman to investigate the case.

mention – згадувати
 terrible – жахливий
 meanwhile – тим часом
 hire – наймати
 freelance – позаштатний
 controversial – суперечливий
 shelve – класти на полицю
 rumor – чутка
 float – *тут* ходити
 rape charge – звинувачення в зґвалтуванні
 acquit – виправдовувати
 prove – виявитися
 spark curiosity – збуджувати зацікавленість
 stir – *тут* викликати

regain – знов отримувати
 purgatory – чистилище
 encourage – заохочувати

Task 4. Indicate whether the statements given below are true, false or not in the text.

1. Periodically articles about the case of Martha Moxley appeared in the press.
2. Len Levitt was a resident of Greenwich.
3. Len Levitt was a freelance writer known for his numerous articles on famous cases.
4. Len Levitt's article was finally published in 1991.
5. William Kennedy Smith was acquitted of Martha's murder.
6. William Kennedy Smith lived in Palm Beach, Florida.
7. William Kennedy Smith didn't know anything about Martha's

unsolved murder.

8. Public became interested in the case again when Len Levitt's article was published.
9. Dunne's novel gained less attention than Len Levitt's article.
10. Dominick Dunne and O.J. Simpson encouraged Mark Fuhrman to investigate the case.

Throughout the years Greenwich Police and the State Prosecutor never stopped searching for clues. But leads were few and far between, and the investigation appeared to be going nowhere.

In September 1994, Detective Frank Garr retired from the Greenwich Police Department. Garr left to take a job with the State Prosecutors Office as an Investigator, taking the Moxley file with him to work on the case full time.

Several years later, former Los Angeles police detective Mark Fuhrman started to write a book about the case. Fuhrman had gained notoriety when his controversial testimony allegedly tainted the prosecutions' case against O.J. Simpson. Throughout his investigation of Martha's murder Fuhrman promised that "Murder in Greenwich" would name the killer.

But Greenwich authorities did not welcome this "outsider". "I have no reason to talk to Mark Fuhrman," snapped one investigator who refused Fuhrman's request for an interview. Authorities told Fuhrman they wouldn't cooperate because they did not want to jeopardize their ongoing investigation. "What they are actually doing." Fuhrman said, "is hiding old mistakes." "If you know there was a mistake and you leave it that way because you won't allow yourself to say or admit that you made a mistake, then that's a catastrophic mistake," he said.

Retired police Detective Stephen Car-

throughout – скрізь, на всьому протязі
clue – ключ, доказ
lead – версія, зачіпка
far between – рідкий

retire – виходити у відставку

former - колишній
gain notoriety – отримати дурну славу
controversial testimony – суперечливі свідчення
allegedly – за твердженнями
taint – *тут* вплинути негативно
promise – обіцяти

snap – говорити різко
refuse - відмовляти
request – прохання
jeopardize – ставити під загрозу
ongoing – таке, що продовжується
actually
hide – приховувати
admit – визнавати

roll, one of the few cooperating with Fuhrman, agreed that investigators made mistakes but insisted the Skakel's did not get special treatment. "Mistakes happened," Carroll said. "Because of inexperience." The department had not handled a murder in 30 years.

insist - наполягати
handle – мати справу

"I think it was bungled from the first moment," Author Dominick Dunne said. "It was a small community then. And this was an amazingly rich family."

bungle – зіпсувати
amazingly – дивовижно

Task 5. Choose the right variant to complete the following sentences.

1. Greenwich Police and the State Prosecutor ...
 - a) found some new leads which helped them in the investigation of the case;
 - b) wanted Frank Garr to help them investigate the case;
 - c) continued searching for clues to the murder.
2. Detective Frank Garr ...
 - a) retired from the State Prosecutor's Office;
 - b) left the Greenwich Police Department;
 - c) could not work on the Moxley case full time.
3. Greenwich authorities ...
 - a) were happy to welcome police detective Mark Fuhrman to investigate the case;
 - b) decided that Mark Fuhrman would jeopardize the ongoing investigation;
 - c) requested to interview Mark Fuhrman.
4. Retired police Detective Stephen Carroll agreed ...
 - a) to give some information to Mark Fuhrman;
 - b) that the police did a good job in the case investigation;
 - c) that the Skakel family was treated in a special way because they were amazingly rich.

Fuhrman's interest in the case gave Moxley's family new hope that the murderer will finally be brought to justice. "He really has stirred things up, and if he can focus attention on the case, we're grateful to him," said the victim's mother, Dorthy Moxley. "That's my life, these days," she said. "The hope that

bring to justice – віддати в руки правосуддя
grateful – вдячний

someday we'll know who did this." Fuhrman's book "Murder in Greenwich" was released in 1998 and publicly named Tommy's younger brother Michael Skakel as the prime suspect.

release – випускати

At the same time another book – "Greentown" – was published. Written by Greenwich native, Timothy Dumas it also pointed to the possible involvement of one of the Skakel brothers in the crime.

native – уродженець
involvement – тут участь

Task 6. Answer the following questions.

1. What gave new hope that the murderer will finally be brought to justice?
2. Why were the Moxley's family grateful to Mark Fuhrman?
3. What is the main thing for the victim's mother Dorthy Moxley now?
4. Whom did the books published name as the prime suspects?
5. Why were both books welcomed by the Moxley's family?

In May 1998, a three-judge panel approved prosecutors' request for a grand jury investigation. The state's chief court administrator then appointed Bridgeport Superior Court Judge George N. Thim to investigate evidence gathered by the Greenwich Police and the State Attorney's office.

judge - суддя
panel – склад суду
approve – ухвалювати
grand jury – велике журі
chief – головний
appoint – призначати
gather – збирати

Such grand juries, it should be noted, are rare in Connecticut and are only used when other investigative procedures have failed. As the grand jury, Judge Thim is able to subpoena witnesses to testify about the killing. Prosecutors in Connecticut do not have subpoena power and have complained they have been paralyzed in the Moxley case because they have been unable to force witnesses and suspects to speak with them.

rare – рідкий
fail – зазнати невдачі
subpoena – викликати повісткою
testify – давати свідчення
complain – скаржитися
force – примушувати

The grand jury interviewed more than 50 witnesses in connection to the case, some reportedly, former residents and staff of the Elan School in Poland Springs, Maine, where

in connection – у зв'язку
reportedly – за повідомленнями
staff – штат, особовий склад

Michael Skakel allegedly confessed to the murder while undergoing rehab.

allegedly – за твердженнями
confess - зізнаватися
undergo rehab – проходити відновлення працездатності
hold hearings – проводити слухання
decide – вирішувати

The grand jury held hearings, behind closed doors for 18 months, officially ended on December 10, 1999. Judge Thim then had 60 days to decide whether he believed there is enough evidence to make an arrest.

Task 7. Fill in the blanks using the words and word combinations in the box. Mind that two words in the box are extra.

a) powers, b) successful, c) school, d) subpoena, e) paralyzed, f) a grand jury investigation, g) often, h) appointing, i) investigate evidence, j) approved, k) forced, l) testified

1. The prosecutor in the case asked for ...
2. A three-judge panel ... it.
3. Judge George N. Thim was appointed in order to ...
4. Such grand juries are not ... used in Connecticut.
5. The grand jury was used in Connecticut because all other investigations were not ...
6. Prosecutors in Connecticut cannot ... witnesses.
7. Witnesses and suspects can not be ... by prosecutors to speak with them.
8. Judges and prosecutors in Connecticut have different ... to subpoena witnesses.
9. If prosecutors cannot subpoena witnesses and suspects, investigations are often ...
10. Among the witnesses interviewed there were people who went to the same ... with Michael Skakel.

Task 8. Translate the passage given below in written form.

On January 19, 2000, at a 9:00 a.m. conference held in Bridgeport, Connecticut, prosecutors announced that an arrest warrant had been issued for "an unnamed juvenile". Attorney Mickey Sherman told reporters that his client, Michael Skakel, was the person in

announce – об'явити
issue – видати (документ)
juvenile – неповнолітня особа

question – and that Skakel was on his way to Connecticut to surrender to authorities.

Later that same day, Michael Skakel surrendered to Frank Garr of the State Prosecutors Office at the Greenwich Police Department. Skakel was booked on charges of murder (as a juvenile) and posted \$500,000 bail before being released.

May 4, 2002 a trial held in Norwalk, CT which took four weeks.

June 7, 2002: After four days of deliberations, the jury found Michael Skakel Guilty as Charged.

Bail was revoked and Michael was confined to Garner Correctional Institution in Newtown, Connecticut, awaiting sentencing on August 9, 2002. Mickey Sherman immediately announced that he would appeal.

August 29, 2002: After two days in court, Michael Skakel is sentenced to 20 years to life in prison.

January 14, 2006: The Connecticut State Supreme Court unanimously upheld the murder conviction of Michael Skakel.

October 26, 2007: A Connecticut State judge rejected Kennedy cousin Michael Skakel's bid for a new criminal trial based on his claim of new evidence, discarding it as a flimsy theory that implicated two Bronx, N.Y., teenagers in 15-year-old Martha Moxley.

surrender – здаватися
authorities – органи влади

book – зареєструвати
post bail – вносити заставу
release – відпускати

deliberation – роздуми
guilty as charged – винний за всіма пунктами

revoke – відмінити
confine – ув'язнити
await – чекати
sentence – виносити вирок
immediately – негайно

supreme - верховний
unanimously – одностайно
uphold (upheld) – підтримати
conviction – засудження
reject – відхилити
bid – претензія, подання
claim – твердження
discard – відкидати
flimsy – *тут* необґрунтований
implicate – вплутувати

Task 9. Find in the Internet “Murder in Greenwich”, a 2002 American television film directed by Tom McLoughlin. The teleplay is based on the 1998 book of the same title by Mark Fuhrman. What new facts can you learn from the film which are not mentioned in the text?

Text 32

POLICE FORCES

The early police forces in nineteenth- | nickname – прізвисько

century America were modeled in part on the Metropolitan Police of London, formed in 1829 by Robert Peel (hence the nicknames "peelers" and "bobbies"). But American police came to differ from the police of other Western nations in several important ways. First, they have always been a part of local government, unlike other countries where the local police are a part of a nationally administered force. Second, because of their local roots police departments appeared at different times throughout the nation. In general, big eastern cities created police forces first, with smaller cities lagging well behind. Third, as a part of the executive office of the city, police departments have been administered separately from state and county systems of criminal justice. Historian Wilbur Miller has argued that this final difference accounts for some of the more obvious contrasts between American and English police: American police have seen themselves as administering justice on the street; the English, as representing law, or the unwritten English Constitution.

differ – відрізнитися

root – коріння

appear – з'являтися

create – створювати

lag behind – відставати

executive – виконавчий

separately – окремо

county – округ

argue – стверджувати

account for – пояснювати

obvious – очевидний

justice – правосуддя

Task 1. Indicate whether the statements given below are true or false.

1. Robert Peel helped to form the American police.
2. Early American policemen were called "peelers" or "bobbies".
3. American police forces were not the same as in other Western countries.
4. American policemen did not represent the nationally administered force.
5. Different cities created their own police at different times.
6. Sometimes small cities were the first to create their police forces.
7. Police departments were a part of state system of criminal justice.
8. American policemen do not see themselves as representing American constitution.

The kind of police Americans knew in the early nineteenth century was descended from the medieval police of England—a constable and watch system composed of a volunteer night watch, who patrolled the city, and a daytime constable, who supervised the watch and charged fees for his services. Most night watchmen, however, were actually paid substitutes for volunteers and traditionally were drawn from society's unemployables. In Shakespeare's *Much Ado about Nothing* (*Багато галасу з нічого*) he ridiculed the notorious failings of the watch, which persisted through the nineteenth century: they drank, slept, and ran from any sign of danger. Constables were venal and illiterate, intervening in crimes only when there was the promise of a good fee. In the United States, similar complaints were voiced about the watch and constables, but cities managed to survive under this loose system until they were quite large. New York had over a half million people before it got a permanent police in 1853, Boston about 175,000 (1859), and Philadelphia about 250,000 (1856).

Cities created their police forces for a variety of reasons, not the least of which was simply imitativenss: in the post-Civil War era, a city with any pretensions had to have modern police officers. This, however, is not to deny the usefulness of the new police. First, they were hierarchically organized and relatively accountable. The wearing of uniforms ensured that citizens could recognize police officers, and the city could try to keep them out of bars and on patrol. The latter innovation — regular patrol beats — incorporated the new organizational mode: patrolling in uniform, it was thought, would deter crime by scaring off criminals.

descend – походити
 medieval – середньовічний
 watch – стражник
 compose – складатися
 supervise – наглядати
 charge fee – брати платню

substitute – заміна
 draw – набирати
 unemployable – безробітний
 ridicule – висміювати
 notorious – горезвісний
 failing – невдача
 persist – продовжуватись
 sign - ознака
 danger – небезпека
 venal – продажний
 illiterate – неписьменний
 intervene – втручатися
 promise - обіцянка
 complaint – скарга
 voice - висловлювати
 manage to survive – примудритись вижити
 loose – невизначений
 permanent – постійний

deny – заперечувати
 relatively – відносно
 accountable підзвітний
 wear – носити
 ensure – гарантувати
 innovation – нововведення
 beat – обхід, патруль
 mode - метод
 deter – стримувати
 scare off – відлякувати

Task 2. Answer the following questions.

1. What was the English medieval policing system composed of?
2. Did the system ensure good policing in England?
3. Were the night watchmen volunteers or were they paid for their service?
4. Where were the night watchmen usually drawn from?
5. What were the notorious failings of the night watchmen?
6. Who ridiculed those failings of the night watchmen?
7. Did those failings disappear in the nineteenth century?
8. In what cases did the night watchmen intervene in crimes?
9. Were Americans happy with this system of constables and night watchmen?
10. Why does the author of the article call this system “loose”?
11. When did American cities get their permanent police forces?
12. What were the reasons for which cities created their police forces?
13. Why was the new police a positive development?
14. What were the reasons for wearing uniforms?
15. What new organizational mode was introduced in American cities?

A second useful feature of the new police derived from their receiving regular salaries from the city government: they no longer needed to extract fees for their services, making them far more helpful to the poor. Salaries also provided a means for politicians to support their supporters; political machines hoping to mobilize the Irish vote would hire Irish police officers. Thus, early on, the ethnic and racial composition of the police force became a mirror of local politics. Police officers were also partisan workers for political parties, working to get out the vote or, sometimes, to prevent people from voting. Until their jobs became subject to civil service rules in the late nineteenth century, the police were intimately tied to city politics. And it was this tie that sometimes caused police to support strikers, say, or to refuse to implement morality legislation such as Sunday closing laws. In both cases, the police were

feature – рiса
 derive – походити
 receive – одержувати
 salary – зарплатня

means – засоби
 support – підтримувати
 vote – голосування
 hire – наймати

mirror – дзеркало
 partisan – партійний
 prevent – запобігати

tie – пов’язувати
 support – підтримувати
 striker – страйкар
 refuse – відмовлятися
 implement – втілювати
 legislation – законодавство

partisans of the city government; when majority state governments enacted laws not supported by a local party, then police might well be on the minority side. Thus partisan conflicts became entangled with issues of ethnicity and working-class politics; states often tried to make the local police responsible to a state-level board in order to undercut city politicians.

Another, and unexpected feature of the new uniformed police came from the opportunistic use of their presence on the streets. They helped strangers find their way, took in lost children, boarded and sometimes fed the homeless, enforced health ordinances, and directed traffic. They became the front line in a long series of urban services that ultimately landed in specially created city departments.

Toward the end of the nineteenth century, police departments began to hire blacks and women. Blacks were often employed to patrol black neighborhoods (the City Guard of New Orleans hired free blacks as early as 1814), but their chances of movement into white neighborhoods were negligible. By the mid-1960s most police departments had some black officers; Washington, D.C., had the most, with blacks composing about 20 percent of the force. Women were hired to oversee lost children, women's lodge rooms, and women prisoners. They were sometimes funded by social welfare organizations rather than by the city, suggesting their status as social workers rather than law enforcement officers. Not until 1968 did women move full time into patrol, the city of Indianapolis leading the way. As a consequence of pressure from the civil rights movement and, later in the 1970s, the women's movement, police departments across the United States began to change their recruitment patterns.

majority - більшість
 enact - вводити в дію
 minority - меншина
 entangle - сплітатися
 issue - проблема
 board - комітет
 undercut - урізати

opportunistic - тут періодичний
 board - давати притулок
 feed (fed) - годувати
 ordinance - розпорядження
 direct traffic - регулювати
 дорожній рух
 urban - городський
 ultimately - в підсумку
 land - тут перетворитися
 create - створювати

employ - наймати
 negligible - незначний

lodge - тимчасове житло
 prisoner - в'язень
 welfare - благодійність
 suggest - навіювати

consequence - наслідок
 pressure - тиск
 pattern - модель

Task 3. Indicate whether the statements given below are true or false.

1. The new police did not extract money for their service as they received regular salaries.
2. Politicians used the police for their own purposes.
3. Local politics were reflected in the ethnic and racial composition of the police force.
4. The police never intervened in voting.
5. The local police were always on the city government's side.
6. The police performed the tasks which are now the responsibility of social services.
7. Black policemen patrolled both black and white neighborhoods.
8. Women first went on patrol in Washington D.C. in the 1970s.
9. Policewomen were sometimes paid both by the city and by social welfare organizations.
10. Under the pressure of the civil rights movement police departments began to recruit blacks and women.

The nature of the patrol officer's task was in part preventive and in part to provide on-the-spot service. But both duties kept officers from following up on complaints, and within twenty years after founding a police department, most cities added detectives to the force. Until now, the organization of the police had been modeled on the military, with officers' titles and similar uniforms. But detectives wore citizens' clothing, which helped some fall prey to police corruption. The lack of a uniform meant difficulty in supervision – something early police reformers had feared.

Police corruption followed and still follows certain structural faults in policing, faults present since the eighteenth century when Jonathan Wild claimed the title of "thief taker-general" in England. Wild, for a fee, would return stolen property to its owners, who would rather have their property than see someone go to prison. Obviously,

provide – забезпечувати
follow up – простежувати

found - засновувати
add – додавати

similar – схожий
clothing - одяг
fall prey – стати жертвою
mean (meant) – означати
supervision – нагляд
fear - боятися

fault – недолік
claim – претендувати
thief - крадій
stolen property – викрадена власність
owner – власник
involve – втягувати
theft - крадіжка

the more involved he was in the original theft, the better able he was to "find" and return the stolen items.

Although there is some evidence of this sort of activity in the pre-police American constabulary, the structural corruption more common in the United States has come from so-called victimless crimes – vice. As criminologist Jerome Skolnick has demonstrated, it is very difficult for detectives to make arrests for these crimes: the "victims" – the buyers of drugs, sex, or gambling – are unwilling to complain. Therefore, the detective must present other forms of evidence, which all too often is obtained by illegal means – bribery, threats, actual involvement in the crime. For instance, a prostitute might be persuaded to testify against a pimp for a bribe of heroin; or a drug dealer might have a drug planted on him by a narcotics detective ("framing a guilty man").

item – предмет

victim - постраждалий
vice – порок

gambling – азартні ігри
obtain – отримувати

bribery – хабарництво
threat – погроза
persuade – переконувати
testify - свідчити
pimp – сутенер
plant – тут підкинути
frame – підставляти
guilty - винний

Task 4. Fill in the blanks with suitable words.

1. As detectives didn't wear uniforms it was very difficult to them.
2. Patrol officers couldn't follow up the
3. Soon after police departments were founded, were added to the force in most cities.
4. Involvement in the original theft made it easy for a policeman to the stolen property.
5. Crimes in which victims do not want to complain are called crimes.
6. Sometimes detectives obtain by illegal means.
7. If you plant a drug on a person you him.

Sometimes when this form of corruption spread beyond a single police officer and became systematic, exposes and prosecutions followed. One such was that of the Lexow committee in 1894, which exposed police

spread – поширюватись
expose – викриття
prosecution – судове переслідування
internal – внутрішній
root cause – основна причина

corruption in New York City. But such investigations, and the growing use of internal police investigation units in recent times, have never been able to attack the root cause of this kind of corruption: crimes in which the victim does not exist as an individual but is the larger society, as in prostitution, drugs, and gambling. Major investigations of police malpractice came about every twenty years after the Lexow investigation – in the Progressive Era, during the 1930s (the Wickersham Commission), in individual cities in the early 1950s, and most notably in the mid-1960s with the President's Commission on the Causes of Violence.

There is also a structural feature of policing unique to the United States—its multiple criminal codes and literally thousands of police departments. When, in the nineteenth century, crime or conflict ranged across jurisdictions, there was no single agency to turn to. Early forms of crime, for example, occurred on railroads, by their nature spread across policed cities, unpoliced countrysides and villages, and often across states, each with a different criminal code. Catching and prosecuting anyone stealing from a train conductor, or a conductor stealing from his employer, was difficult for local police, whose jurisdiction ended at the city limits. Similarly, a criminal operating across a broad district, such as counterfeiters, could easily avoid the local police.

Private detective companies – Allan Pinkerton's was the most famous – offered a solution to this problem for those with the money to hire them. Pinkerton exploited and popularized his operations in a series of thrillers, which he started publishing in 1874. He created a dramatic image of the intelligent detective versus the evildoer. But Pinkerton's business

exist – існувати

malpractice – *тут* посадові злочини

violence насильство

feature – риса
multiple множинний
code – кодекс

range – *тут* переходити
turn to – звернутися
оссуг – траплятися

countryside – сільська місцевість

catch – ловити
steal – красти

district – район
counterfeiter – фальшивомо-
нетник
avoid – уникати

solution – вирішення

thriller - трилер
publish – видавати
versus – проти
intelligent - розумний
evildoer – злодій
mundane – *тут* приземлений

was much more mundane than the image he presented and less honorable. Working most often for large corporations and "testing" the honesty of employees by trying to get them to cheat (for example, offering a bribe to a train conductor in exchange for a free ride), Pinkerton's company earned itself a decidedly bad name by the 1880s and 1890s in its attacks on organized labor.

honourable – почесний
honesty – чесність
employee – службовець
cheat – обманювати
exchange - обмін
free ride – безкоштовний проїзд
earn – заробляти

Task 5. Indicate whether the statements given below are true or false.

1. Numerous prosecutions helped to attack the root cause of police corruption.
2. The largest investigation of the police corruption took place in 1960s.
3. Since the first expose of police malpractice in 1894 such investigations were performed at regular intervals.
4. In the nineteenth century it was not easy for counterfeiters to avoid the local police.
5. It was simple for the police to catch criminals operating across a broad district.
6. Criminals committing crimes on railroads were difficult to prosecute.
7. Private detective companies offered a solution to the problem of criminals operating across jurisdictions.
8. Pinkerton's company often used dishonest methods in their work.
9. A series of thrillers published by Allan Pinkerton in 1874 saved the reputation of his company.

Task 6. Translate the text given below in written form using a dictionary.

Just as employers found the police inadequate in labor incidents, public authorities could not always rely upon them in riots. One of the most famous riots in American history, the New York City draft riot of 1863, raged for two days, with the police ineffectively trying to quell the mobs. The police were unable to coordinate their maneuvers and lacked the training and discipline to confront moving bands of angry men. The riot was brought under control only with help from Union army troops from Pennsylvania.

The difficulties riots caused for police were most notable over a four-year period from 1964 to 1968, when blacks in most major U.S. cities riot-

ed. These riots, first in New York in 1964, followed by one in Los Angeles in 1965, focused attention on brutal police practices in minority communities. Almost inevitably, the police looked bad, both racist and incompetent. The Left and the Right criticized the police, and the decade saw a series of federal initiatives aimed at making the police more efficient and more just.

It is surprising to realize that prior to the period 1890-1920, there was no national coordination of identification other than through picture magazines like the *Police Gazette* and the *Detective*; nor did fingerprinting come into vogue until the first decade of the twentieth century. When a centralized National Identification Bureau was finally created at the turn of the century, it was only with voluntary funding from individual city police departments.

All of these historic elements culminated in the mid-1960s. A series of Supreme Court rulings on evidence (for instance, *Mapp v. Ohio*, 1961, and *Miranda v. Arizona*, 1966) placed more control on police discretion in gathering evidence and ensured that suspects had access to attorneys. Federal legislation funded additional, nonlocal support of policing via the Law Enforcement Assistance Administration (1968). The LEAA transferred millions of dollars to local police for training, communications technology, and weapons.

Yet, by the end of the 1980s, some of the tensions initially present in policing remained. Increased technological competence still left an open mesh rather than a dragnet for criminal catching; police officers retained considerable discretion; minority neighborhoods complained about police brutality and at the same time about inadequate policing; and nonalcoholic drugs troubled the society and the police as much as alcohol enforcement had a half-century earlier. Most of the discussion of these issues took place at the national level, as did most proposed solutions. Yet the distinguishing historical feature of American police, their local funding and control, added a special character to the national problems: they remain local, independent, and a part of city government.

Text 33

SONYA CASS

Task 1. You are now going to read a decision of a US court of appeals on a case of Sonya Cass convicted of violating 18 U.S.C. § 1001. While you are reading try to find answers to the following questions.

1. Whom does the appeal come from?

2. Where and when was it registered?
3. What was the verdict of the district court?
4. What arguments is the appeal based on?
5. What is the decision of the court of appeals?
6. What are the reasons of that decision?
7. What is the difference between the two legal terms "appellant" and "appellee"?

FILED
United States Court of Appeals
Tenth Circuit

PUBLISH
UNITED STATES COURT OF
APPEALS
TENTH CIRCUIT

OCT 15 2007

PATRICK FISHER
Clerk

UNITED STATES OF AMERICA, No. 96-2110
 Plaintiff-Appellee, v. SONYA U.
 CASS, Defendant-Appellant.

Appeal from the United States District Court
for the District of New Mexico
(D.C. No. CR 95-164 LH)

James T. Martin, U.S. Attorney Office, District of New Mexico, Albuquerque, New Mexico, for the Plaintiff-Appellee.

Judith A. Rosenstein, Office of the Federal Public Defender, Albuquerque, New Mexico, for the Defendant-Appellant.

Before **PORFILIO, LOGAN** and **EBEL**, Circuit Judges.

EBEL, Circuit Judge.

Sonya Cass was convicted of making a false statement to a federal agent in violation of 18 U.S.C. § 1001. Cass reported that she had been kidnapped and sexually assaulted, leading the FBI to begin a kidnapping investigation. In the course of the investigation, the FBI uncovered information causing them to believe that Cass had been with a boyfriend during the time she claimed she was kidnapped.

Cass appeals her conviction, arguing that the district court erred in allowing the

to convict – засуджувати
 statement – заява
 violation – порушення
 assault – нападати
 investigation – розслідування
 claim - стверджувати

to err – помилятися
 allow – дозволяти

government to introduce, over objection, the hearsay statements of Cass' husband, her employer, and FBI agents. She also alleges error in the admission of hearsay statements that she was involved in extramarital affairs. We agree with Cass that the complained-of statements are hearsay and that the court erred in admitting them. However, we conclude that the error was harmless because the government introduced abundant admissible evidence of Cass' guilt. Therefore, we affirm the defendant's conviction.

objection - заперечення
 hearsay statement – заява, що базується на плітках
 employer – роботодавець
 admit – приймати
 extramarital – позашлюбний
 conclude – роботи висновок
 harmless – нешкідливий
 abundant – численний
 evidence – свідчення
 guilt – вина
 affirm - підтверджувати

Task 2. Indicate whether the statements given below are true or false.

1. Sonya Cass is an appellee in a district court.
2. Cass was sent to prison for kidnapping an FBI agent.
3. The court decided that Cass had been sexually assaulted.
4. Cass appealed the sentence of the district court because it had admitted hearsay evidence.
5. The court of appeals agreed that it was the mistake of the district court.
6. The court of appeals reversed the decision of the district court.
7. The guilt of Cass was confirmed.

Task 3. Fill in the blanks in the following sentences.

1. If you don't agree with the district court and want to appeal its decision in a court of appeals you are called an ...
2. If you do not give facts but just say what you have heard from other people you present the ... evidence.
3. It is a crime to make a false ... to federal agents.
4. If you are married but have a lover (lovers) you are involved in ... affairs.
5. The court of appeals affirmed the ... of Sonya Cass because the mistake of the district court was ...
6. During the ... of the case the FBI agents discovered that Cass was lying.
7. If evidence is allowed in court it is called ... evidence.

Background

Sonya Cass disappeared from her home on July 22, 2004. The same day, her husband, Kevin Cass, filed a missing persons report. On July 25, Mr. Cass called 911 to report that his wife had been kidnapped, which caused the FBI to begin a kidnapping investigation. On July 28, 2004, in a three-way taped phone conversation, Sonya Cass told Kevin Cass and F.B.I. Agent John Andrews that she had been kidnapped from a store in Clovis, New Mexico, and had been transported to Waco, Texas. Sonya Cass said that a man grabbed her and forced her to take her car to a mall, where it was left. The kidnapper then covered her face and drove her to Waco, Texas. Cass said she escaped by throwing hot grease in the kidnapper's face.

disappear – зникати
missing - зниклий

tape – записувати на магнітну стрічку

grab – схопити
mall – торговельний центр
to escape – врятуватися

throw – кидати
grease – жир

Task 4. Answer the following questions.

1. What happened to Sonya Cass on July 22, 2004?
2. When did her husband, Kevin Cass, ask the police to help?
3. What phone number did he call?
4. What report did he file?
5. What did he say in his report?
6. What did the FBI begin?
7. Where was Sonya Cass allegedly kidnapped from?
8. Where did she say she had been taken to?
9. How many people took part in the kidnapping?
10. How did she escape?

Agent Andrews began investigating the case as a kidnapping, but soon began to suspect that Cass had left New Mexico voluntarily to join her boyfriend Michael Lawrence in Arlington, Texas. After interviewing Cass in Texas, F.B.I. agents there informed her that they did not believe her story. The agents threatened to prosecute her for making a false statement unless she recanted. Cass maintained that she had been kidnapped.

suspect – підозрювати
voluntarily – добровільно
join - приєднатися
threaten – погрожувати
prosecute – переслідувати в суді
recant – зрікатися, відмовлятися (від показань)
maintain – *тут* наполягати

Task 5. Choose the right variant to complete the following sentences.

1. Agent Andrews began to suspect that ...
 - a) Michael Lawrence had kidnapped Sonya Cass;
 - b) Cass had gone to Texas on her own wish;
 - c) Michael Lawrence had joined his girlfriend in New Mexico.
2. The FBI agents ...
 - a) thought that her story was true;
 - b) were afraid that she would prosecute them;
 - c) decided that she was lying and asked her to recant.
3. Cass ...
 - a) admitted that she had made a false statement;
 - b) did not recant;
 - c) threatened the FBI agents.

The prosecution's first witness was Agent Andrews. While testifying, he repeated, over hearsay objections, out-of-court statements of Kevin Cass, Sonya Cass' employer, Dallas FBI agents, bank officials, a taxi driver, and the driver of an airport shuttle. The objections were overruled on the grounds that the out-of-court statements were not admitted for the truth of the statements. The government successfully argued that the statements were introduced to show the effect they had on the investigation and to show inconsistencies between the account Cass gave to Texas FBI agents of her whereabouts and the information New Mexico agents had gathered in their investigation. The government argued that the defense opened the door to such statements by asserting in its opening statement that the FBI failed to conduct a proper kidnapping investigation, and instead conducted an investigation aimed at showing that the allegations of kidnapping were false. Agent Andrews also testified, over hearsay and relevance objections, that prior to her disappearance, Cass was rumored to be in-

shuttle – (тут) автобус
overrule – відхилити

inconsistency – непослідовність
account – звіт
whereabouts – місце
знаходження

assert – стверджувати
fail – зазнати невдачі
conduct – проводити
allegation – твердження
relevance objection – заперечення
щодо релевантності
rumor – чутки, плітки

volved in extramarital affairs.

Task 6. Indicate whether the statements given below are true, false or not in the text.

1. Andrews was the first to testify in court for the prosecution.
2. The defense objected to his evidence.
3. The court agreed with the defense's objections.
4. The hearsay evidence showed no inconsistencies in Cass' account of her kidnapping.
5. The government was angry that the FBI failed to conduct a proper kidnapping investigation
6. The defense asserted that the real aim of the FBI's investigation was to show that there had been no kidnapping at all.
7. The court uncovered that Cass had an extramarital affair with agent Andrews.

Task 7. Fill in the blanks with suitable words.

1. If you do not agree with some statement you ... to it.
2. If a judge does not agree with your objection he/she ... it.
3. To ... means to present evidence.
4. If you ... to do something it means you do not do it.
5. The police could not find the suspect as they didn't know his ...
6. It is not an easy task to ... a proper investigation.
7. If you ... that something is true you say it but do not prove it.
8. If some evidence is not connected with the case we say it is not ...

Hearsay Evidence

Statements by Kevin Cass

Kevin Cass exercised his spousal privilege not to testify. Nevertheless, on the stand, Andrews repeated statements made to him by Mr. Cass, including the statement that shortly after Sonya left the house on July 22 she returned to get her birth and nursing assistant certificates, telling Kevin that she needed the documents for work.

During Andrews' testimony, the government introduced an answering machine tape given to Andrews by Kevin Cass. On the

spousal – подружній
to testify – давати свідчення
nevertheless – тим не менш
nurse – медсестра

testimony - свідчення
answering machine –
автовідповідач

tape, a voice says, "the car is at the mall." Andrews testified that Kevin said the voice on the answering machine was Sonya's, and that after Kevin heard the message he picked up the car at the mall where Sonya normally parked it. Kevin said that he found Sonya's nursing uniform and shoes in the car.

The prosecutor showed Andrews photos taken at an ATM on the morning that Sonya disappeared. Andrews testified that the photos were of a black female who was making a withdrawal of \$100 from Sonya and Kevin's account using Sonya Cass' personal identification number at 9:00 a.m. on the morning that Sonya disappeared. Andrews said that Kevin identified Sonya as the woman in the photos, and said that she was not wearing the clothing she had been wearing when she left the house. The photos and the bank records were introduced into evidence later in the trial.

mall – торговельний центр
message – повідомлення
pick up – тут забирати

ATM (automatic teller machine) – банкомат
withdrawal – зняття (з рахунку)

account – рахунок

to wear – носити (одяг тощо)
record – запис

trial – судовий процес

Task 8. Choose the right variant to complete the following sentences.

1. Andrews testified that ...
 - a) Sonya had given to Kevin her birth and nursing assistant certificates;
 - b) Sonya had taken her birth and nursing assistant certificates and then left the house;
 - c) Kevin had told him Sonya had left the house on July, 22.
2. Kevin Cass ...
 - a) supported his testimony with an answering machine tape;
 - b) told the court that the voice on the answering machine belonged to Sonya;
 - c) decided not to testify.
3. Sonya Cass ...
 - a) did not change her clothes after she had left the house;
 - b) met a black woman at an ATM machine;
 - c) withdrew money from the family account.

Statements by Sonya Cass' Employer

witness – свідок
verify – підтверджувати

No one from Sonya's New Mexico employer was called as a witness. Yet Andrews testified that the employer verified that Sonya did not need her nursing or birth certificate at work, as they were already on file.

Statements by Dallas FBI Agents

Dallas F.B.I. agents interviewed Sonya immediately after she claimed to have escaped from her abductor. These agents were never called to testify. However, Andrews testified that Sonya told the agents that the kidnapper made her shop for and change into new clothes and that he threw her nurse's uniform out of the window of the car. Andrews testified that Sonya told the agents that she had withdrawn money from an ATM machine at the mall, a different machine than the one indicated by bank records. She also said that after escaping from her kidnapper she accepted a ride from a stranger to the bus station. Andrews also testified that Sonya never told Dallas agents that she tried to withdraw money from the Lubbock Airport ATM, although bank records showed that someone had tried to access her account using her personal identification number at around 1 p.m. on July 22.

Extramarital Affairs Testimony

On cross-examination, Andrews testified that numerous people interviewed by the FBI said that Sonya was having an affair with one man and was seeing other men as well. He testified further that Sonya's mother had said that Sonya may have been seeing two men, including one in Arlington, Texas, and that Sonya had bragged to friends, associates and relatives that she could see other men without getting caught. The court interrupted the testimony, and instructed the jury to disregard "the last answer by Agent Andrews," which was the answer that disclosed the information

escape - врятуватись
abductor – викрадач

to make – (тут) змушувати
throw (threw, thrown) – викидати

accept - прийняти
stranger – чужинець

access – отримати доступ

cross-examination – перехресний допит

to brag – вихвалятися

to interrupt – переривати
to disregard – не брати до уваги

about Sonya's reputation for affairs. The court found that the testimony was not hearsay but that it should have been excluded under Fed. R. Evid. 403 because it was prejudicial.

to exclude – виключати
prejudicial evidence – свідчення,
які створюють упередженість

Task 9. Indicate whether the statements given below are true, false or not in the text.

1. Sonya's New Mexico employer testified that Sonya did not need her nursing or birth certificate at work.
2. As soon as Sonya escaped from her abductor Dallas FBI agents interviewed her.
3. No one asked Dallas FBI agents to come to court and give their testimony.
4. Sonya wanted to change into new clothes, so she threw her nurse's uniform out of the window of the car.
5. Sonya admitted withdrawing money from the Lubbock Airport ATM.
6. Sonya gave the money to the kidnapper.
7. After she had escaped a stranger took her to the bus station in his car.
8. Andrews talked to Sonya's mother who lived in Arlington, Texas.
9. A lot of people knew that Sonya was seeing several men at the same time.
10. The court decided to exclude the extramarital affairs testimony as it was hearsay.

Admissible Evidence

The government introduced abundant admissible evidence that tended to prove that Sonya's statement to the FBI that she had been kidnapped was false, including the taxi driver's testimony that on July 22, about 9:00 a.m., she drove Sonya from a mall in Clovis, New Mexico, to a shuttle bus that would take her to the Lubbock Airport. The driver had contacted the police after recognizing Sonya in a missing person's flier circulated by Sonya's family. She testified that she remembered Sonya Cass because Sonya did not have any luggage, which was unusual for

tend – мати тенденцію, схилитись до чогось
to prove – доказувати

recognize – впізнавати
flier – листівка
luggage – багаж

unusual – незвичайний

someone who was going out of town.

An airport shuttle driver testified that on July 22 he drove two passengers, a black woman without luggage and a woman from Minnesota, from the Holiday Inn in Clovis to the airport in Lubbock. He testified that the shuttle arrived at the Lubbock Airport about 1:20 p.m. Central Time. The driver could not identify Sonya as the woman on the shuttle that morning, but said that he had seen Sonya somewhere before.

inn – готель
arrive – прибувати
identify – пізнавати, встановлювати особу

Task 10. Choose the right variant to complete the following sentences.

1. There was enough evidence to show that Sonya Cass ...
 - a) had been kidnapped;
 - b) had been taken to the airport by a taxi driver;
 - c) had taken the shuttle to get to the airport.
2. The taxi driver recognized Ms. Cass because ...
 - a) she had had no luggage;
 - b) she had been with a black woman from Minnesota;
 - c) he had seen her photo before.
3. The bus driver testified that he ...
 - a) had brought Sonya to Holiday Inn;
 - b) had driven Ms. Cass to the Lubbock airport;
 - c) identified her as a black woman from Minnesota.

Testimony of Michael Lawrence

Michael Lawrence testified that Sonya had been staying with him in Texas from July 22 to July 27. He described first meeting Sonya in a nightclub in Dallas in 2004 and said that they spent the night together. After they met, when Sonya returned to New Mexico, Lawrence testified that they spoke to each other daily over the phone. Lawrence's phone records were introduced; they showed that he had called Sonya as often as four times a day. They also showed collect calls from Sonya to Lawrence. Lawrence testified that Sonya was unhappy in her marriage, and

to stay – перебувати
describe – описувати

record – запис
introduce – представляти
collect call – дзвінок за рахунок того, кого викликають

that they had planned for her to leave her husband and move in with him. He testified that he expected Sonya to arrive on July 4, but she had disappointed him. When she still hadn't arrived on July 20, he told her that he was "tired of waiting" for her and to make up her mind about whether she was coming. She finally arrived on July 22. Lawrence said that he picked her up at the airport and noticed that she did not have any luggage, so that weekend he bought her clothes and toiletries. He also told her how to transfer her nursing license from New Mexico to Texas.

On Monday, July 25, Lawrence went to work at about 6:00 a.m. He returned from work late that evening. He testified that Sonya was the only person in his home that day. Phone records showed a call made from Lawrence's house to the Cass' house at 6:45 a.m. that morning. Police records showed that Kevin Cass had called 911 at 6:50 a.m. that morning to report that his wife had been kidnapped.

Lawrence testified that he was not at home on July 28 at 6:53 a.m. Phone records showed a call from Lawrence's home to the Cass' home on July 28 at 6:53 a.m., the same morning that Sonya called Kevin and told him, in a tape recorded conversation, that she had just escaped from her kidnapper and was at the Arlington, Texas, bus station. On July 29, she called Lawrence and told him that she was returning to Clovis, New Mexico. Lawrence testified that after Sonya returned to New Mexico she called him and told him that her mother had filed a missing person's report for her during the week that she was staying with him.

disappoint – розчарувувати
make up one's mind –
вирішитись на щось
notice – помічати
toiletries – туалетні речі
to transfer – перевести

missing person's report – заява
про зниклу особу

Task 11. Indicate whether the statements given below are true, false or not in the text.

1. Michael Lawrence met Sonya Cass for the first time on July 27 in Dallas.
2. Lawrence called Sonya several times a week.
3. Sonya never paid for those phone calls.
4. Lawrence was as unhappy in his marriage as Sonya was.
5. Sonya disappointed Lawrence because she hadn't arrived on July 4.
6. On July 20 she finally arrived at his home without any luggage.
7. Lawrence transferred Sonya's nursing license from New Mexico to Texas.
8. Every day Sonya left Lawrence's house and went shopping.
9. From Lawrence evidence it is clear that it was Sonya who made a call from his house.
10. Kevin Cass evidently called the police immediately after he had received a call from his wife.
11. All in all Sonya made three calls home from Lawrence's house.
12. Her first call home was tape recorded.
13. Sonya's mother never filed a missing person report.

Andrews' Opinion Testimony

Andrews testified that in his opinion Cass' version of her abduction was "highly unusual." He said it was unusual for an abductor to take someone to shop for clothes, or to allow a victim access to a weapon such as hot grease. He also said that it would be unusual for a victim to accept a ride from a stranger after being abducted.

opinion – думка

weapon – зброя

to accept a ride – погодитись,
щоб тебе підвезли

Task 12. Discuss the following point.

1. Do you agree with agent Andrews that Sonya's abduction was "highly unusual"? Give your reasons in favor of this point of view.

Closing Arguments

In its closing, the government argued that the case was about the lies that Sonya had told the F.B.I., her husband, her family and even her boyfriend. The prosecutor said that Sonya said that she needed her nursing and birth certificates for work, but she didn't need them for work in New Mexico. She said

lie – брехня

to force – примушувати
силоміць

she was forced to drive to the mall, but her car was found parked where she normally parked it. She told the Dallas FBI agents that she used an A.T.M. at a mall where she was forced to buy clothes, but she was seen in photographs using a different ATM. She said that her uniform was thrown out of the window of the car. The prosecutor argued from these "facts" that Cass planned to go to Texas and went there voluntarily to be with Michael Lawrence. Defense counsel objected to the government's references in closing argument to evidence that had not been admitted. The court responded: "The jury will remember what the testimony was."

object – заперечувати
reference – тут посилання

respond – реагувати,
відповідати

Task 13. Complete the following sentences according to the text.

1. Sonya lied about her nursing certificate for work because in New Mexico ...
2. It was clear that nobody had forced Ms. Cass to drive to the mall because ...
3. The FBI agents understood that she used a different ATM because ...
4. From all the information about Ms. Cass's behaviour the prosecutor understood that ...
5. Defense objected to the government's use of evidence which ...

Task 14. Now evaluate the evidence so far.

1. Do you think the district court was right in its decision to convict Ms. Cass for making a false statement?
2. How valid do you think the evidence of the prosecution was?
3. Do you think that Ms. Cass was innocent or guilty?

The Defense

During the government's case-in-chief, the defense tried to impeach the government's witnesses by showing that the taxi driver had little chance to observe Sonya, and that discrepancies existed in the descriptions of Sonya's appearance offered by the taxi driver,

to impeach – брати під сумнів

to observe – спостерігати
discrepancy – розбіжність
to exist – існувати
description – опис

the shuttle driver, and Lawrence. The defense also brought out that when the FBI first questioned Lawrence, he told them Sonya had visited him in August or September of 2004. It was only after the FBI showed Lawrence phone records that he agreed that Sonya had arrived in Texas on July 22.

The defense called a Delta Airlines supervisor who had been working at the Lubbock Airport on July 22. She testified that she could not identify Sonya and that Sonya's name did not appear on the passenger manifests for July 22. The defense called a therapist who had seen Sonya a week and a half after she spoke to Dallas FBI agents. The therapist testified that Sonya cried throughout the interview and said that she had been kidnapped and repeatedly raped. She gave her opinion that Sonya was suffering from post-traumatic stress disorder that was consistent with her having experienced a traumatic event. The therapist testified that if Sonya was lying about the kidnapping she would have presented herself in a different way. In addition, family members testified that Sonya was an honest person. Sonya's cousin, Carla Hollings, testified that Sonya and Kevin were a happy couple. Sonya's medical records were admitted. Although they revealed no physical evidence of sexual assault, she had received a diagnosis of sexual assault.

appearance – зовнішній вигляд

supervisor – контролер

repeatedly – неодноразово
 suffer - страждати
 post-traumatic stress disorder –
 посттравматичний стресовий
 розлад
 consistent – сумісний
 to experience – зазнавати
 event – подія

honest – чесний
 couple – пара

to reveal – виявляти

to receive – отримувати

Task 15. Answer the following questions.

1. What did the defense say to impeach the government witnesses?
2. Did the taxi driver, the shuttle driver, and Lawrence describe Sonya's appearance in the same way?
3. When did Sonya actually visit Lawrence?
4. Did the flight supervisor recognize Ms. Cass or not?
5. Did the therapist believe that Sonya had been raped?
6. Was Sonya characterized as an honest or dishonest person by her relatives?

7. Sonya and Kevin lived happily, didn't they?

8. Did Sonya's medical records confirm that she had been raped?

DISCUSSION

Evidentiary rulings by the trial court are reviewed for abuse of discretion. We review such rulings by considering the record as a whole.

Hearsay is defined in Fed. R. Evid. 801(c) as "a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted." Hearsay is not admissible at trial, except as provided by the Federal Rules of Evidence or other statutory authority. See Fed. R. Evid. 802.

The government argues that none of the out-of-court statements repeated by Andrews were hearsay because none were admitted to prove the truth of the matters asserted. Rather, they were admitted to show the effect of the statements on the FBI investigation. For example, the government asserts that Kevin Cass' statement to Andrews that his wife called from somewhere in Texas to say that she had been kidnapped was not introduced to show that Sonya Cass actually called or that she was actually kidnapped, but rather to explain why the FBI began a kidnapping investigation. Similarly, the government asserts that statements made by Texas FBI agents about what Sonya told them were not introduced to prove that Sonya really made the statements or that the statements were true, but only to illustrate that the inconsistencies between the statements and other evidence uncovered by the FBI led the agency to suspect that Sonya was lying and to change the focus of its investigation from a kidnapping investigation to a false statement investigation. The government argues that it was justified in showing this process because the de-

abuse of discretion – зловживання правом на розсуд

define – визначати

prove - доводити

matter – тема, питання, предмет

assert - стверджувати

except – за винятком

provide - передбачати

uncover – відкривати

justify – виправдовувати

fense asserted in its opening statement that the government did not adequately investigate the case as a kidnapping, but rather, quickly concluded that Sonya was lying.

The government relies on United States v. Freeman, 816 F.2d 558 (10th Cir. 1987), for the proposition that statements offered to explain why a government investigation is undertaken are not hearsay. In Freeman, the defendant was convicted of delivery and possession of counterfeit federal reserve notes. At trial, a Secret Service Agent testified about how the investigation into the defendant's activities had come about. The agent recited that a Kansas City police officer told him he had a reliable source with information about counterfeiters. The agent testified that he met with the informant who named certain counterfeiters other than the defendant and said that those counterfeiters were planning to meet with "an unknown white male" at a certain time for the purpose of passing counterfeit money. The agent set up surveillance of the other counterfeiters and caught them passing the money to Freeman.

Although the defense objected to the introduction of the out-of-court statements of the Kansas City police officer and the informant as hearsay, we affirmed the district court's decision to admit the evidence, holding that "out of court statements are not hearsay when offered for the limited purpose of explaining why a Government investigation was undertaken." 816 F.2d at 563 (emphasis added); see also United States v. Farley, 992 F.2d 1122 (10th Cir. 1993) (out-of-court statements of child sexual abuse victim not hearsay if admitted to show why mother began investigation). This case differs from Freeman and Farley in the number and pervasiveness of out-of-court statements that were allowed and because, in the present case, the

to undertake – здійснювати
delivery and possession –
постачання та володіння
counterfeit – фальшиві,
підроблені
to come about – виникнути
recite – (тут) вказувати

reliable source – надійне
джерело

male – особа чоловічої статі
to pass – передавати
set up surveillance –
встановлювати спостереження
to catch (caught) – ловити

hold – (тут) вважати, додер-
жуватись (думки)

sexual abuse – сексуальне
насильство
pervasiveness –
повсюдність, поширеність
proof – доказ

government in fact used the testimony as proof of the matters asserted. |

Task 16. Answer the following questions.

1. How would you define the hearsay evidence?
2. Are there any exceptions to the prohibition to admit hearsay evidence at trial?
3. What arguments did the government put forward to prove that the statements quoted by Andrews were not hearsay?
4. What did the defense think about the kidnapping investigation conducted by the government?

Task 17. In the following paragraphs use the dictionary to find out the meaning of only those unfamiliar words which hamper general understanding of the text.

Government's Use of Out-of-Court Statements Was Extensive and Prejudicial

In Freeman we held that it was not error to admit the statements but cautioned that "out-of-court statements by informants offered to explain the background of an investigation, like all evidence, must be evaluated under the criteria in Fed.R.Evid.Rules 401 and 403 for relevance and to prevent confusion or prejudice on the part of the jury." 816 F.2d at 563. We found the out-of-court statements in Freeman "neither confusing nor prejudicial" because they contained only a single reference to the defendant. Id. at 564; see also Farley, 992 F.2d at 1125 (one of out-of-court statements of abused child admitted where statement "was clearly not offered for the truth of the matter asserted"). Other cases in which we have allowed such testimony involve the admission of, at most, only a few limited statements, and typically if a hearsay objection was raised the trial court immediately instructed the jury as to the limited use of the evidence. See, e.g., United States v. Barela, 973 F.2d 852, 855 (10th Cir. 1992) (approving use of single out-of-court statement of informant to show why police began investigation); United States v. Bowser, 941 F.2d 1019, 1021 (10th Cir. 1991) (approving use of single out-of-court statement of informant that defendant carried gun, in prosecution for narcotics trafficking, to explain officer's aggressive conduct toward defendant). By contrast, in the present case, scores of out-of-court statements were admitted, many of which contained references to Sonya,

and many such statements were not accompanied by limiting instructions, notwithstanding the defendant's objection.

Here, the hearsay problem is exacerbated because the evidence the government presented to "explain the course of its investigation" – Kevin's statements, statements of Dallas F.B.I. agents, statements of Sonya's employer, etc. – go to precisely the issue the government was required to prove – that Sonya lied about being kidnapped. Hearsay evidence that directly goes to guilt is particularly difficult to limit to background purposes. See United States v. Evans, 950 F.2d 187, 191 (5th Cir. 1991) (evidence otherwise admissible as background "becomes inadmissible hearsay if it also points directly at the defendant and his guilt in the crime charged"); United States v. Brown, 767 F.2d 1078, 1084 (4th Cir. 1985) (error to admit out-of-court statements as "background" where statements implicated defendant in charged crime and "effect of the evidence could only have been a substantial bolstering of the government's case by inadmissible hearsay").

Task 18. Answer the following questions.

1. How in view of the defense should all out-of-court statements be evaluated at a trial?
2. Why did the defense believe that the out-of-court statements in United States v. Freeman, 816 F.2d 558 (10th Cir. 1987) had been "neither confusing nor prejudicial"?
3. How was the hearsay evidence treated in other cases quoted by the defense as precedents?
4. In what way was the Sonya's case different from those mentioned by the defense?
5. What was the real purpose of the government in presenting the hearsay evidence as seen by the defense?

The Government in Fact Used Out-of-Court Statements for Their Truth

Although the government's purported use for the statements was to show why the investigation focused on Sonya herself, rather than on an alleged kidnapper, in fact, from the beginning of the trial to the end, the government relied on the out-of-court statements for their truth. For example, in its opening statement, the government said that the jury would learn that the defendant's account of her kidnapping was not true because: "[T]he defendant left for work on that day, July 22, 2004, and took her nursing certificate and birth certificate"; "[i]nstead of withdrawing money from a bank in the mall, she went to an automatic teller machine at another location"; "after the defendant withdrew money, she left a message on her home answering ma-

chine for her husband saying, "The car is at the mall." The only evidence admitted at trial to prove those facts, however, was the testimony of Agent Andrews in which he repeated the out-of-court statements of Kevin Cass and Dallas F.B.I. agents.

The government also argued that Sonya lied about the reason for taking the documents, an assertion that could only be maintained if the out-of-court statements of Kevin Cass and Sonya Cass' employer were treated as evidence of the truth of the matters asserted. Moreover, during the trial, Agent Andrews relied on out-of-court statements of Dallas agents as the basis of his opinion that the kidnapping was unusual. Courts have not hesitated to find error under similar circumstances. See, e.g., United States v. Sallins, 993 F.2d 344 (3d Cir. 1993) (finding out-of-court "background" statements hearsay where government relied on the contents of the statement for their truth during closing argument and where admissible evidence sufficiently established background).

As the government's first witness, Agent Andrews used out-of-court statements to "outline" the entire prosecution case. Police witnesses may not simply repeat on the stand what other witnesses have told them and justify the practice by arguing that the statements are introduced to explain how they went about their investigation. That would be stretching the Freeman rule beyond the breaking point. Freeman allows the out-of-court statements to be admitted for the limited purpose of explaining why an investigation was begun. Here, the government used the out-of-court statements for that purpose, as well as to establish the basis for Andrews' opinion and, in opening statement and closing argument, as proof of the matters asserted.

Here the extensive admission of out-of-court statements, the fact that such evidence went directly to the defendant's guilt, and the use of such evidence to establish the truth of the matters asserted compel the conclusion that such evidence was used for hearsay purposes. Because the use of the evidence was clearly not limited to the reason for which it was admitted, its admission constitutes error.

Task 19. Answer the following questions.

1. What examples did the defense provide to prove that the government relied on the out-of-court statements primarily for their truth?
2. How did the courts react to the "background" statements in the cases similar to that of Sonya Cass?
3. Why did the defense think that the government "had stretched the Freeman rule beyond the breaking point"?

4. Why did the defense think that in that case the admission of out-of-court statements constituted an error?

Harmless Error

A trial court's admission of inadmissible evidence will disturb a defendant's conviction only if the error is not harmless. See Fed. R. Crim. P. 52(a). "[T]he erroneous admission of evidence under a well-established exception to the hearsay rule is harmless unless it had a 'substantial influence' on the outcome or leaves one in 'grave doubt' as to whether it had such effect." United States v. Cestnik, 36 F.3d 904, 910 (10th Cir. 1994) (internal quotations omitted). Thus, the question is whether the admission of the statements substantially influenced the jury's verdict.

Even without the hearsay testimony the government put on a very strong case. The story told by the admissible evidence – the testimony of Michael Lawrence, the taxi and shuttle drivers, the bank and phone records, the answering machine tape, and the taped phone conversations – was quite damning. The defense case was weak, consisting primarily of character evidence and testimony that Sonya was suffering from post-traumatic stress disorder consistent with a kidnapping.

Nevertheless, the inquiry is not whether there was enough evidence to convict the defendant without the inadmissible evidence, but whether the inadmissible evidence had a "substantial influence" on the outcome of the trial. The out-of-court statements of Kevin Cass are particularly troublesome, as they point to planning on Sonya's part. Nevertheless, given the wealth of evidence put forth by the prosecution, we believe the error was harmless. However, the fact that it is harmless error in this particular case does not render the conduct any less erroneous, and it is worth repeating again the caution that the use of hearsay evidence to establish background or to establish the investigator's state of mind presents a situation where "the need for the evidence is slight [and] the likelihood of misuse great." McCormick on Evidence (4th ed.) § 249, at 104.

Cass also maintains that the admission of hearsay violated her Constitutional rights under the Confrontation Clause. However, because Cass failed to raise this objection at trial we review it under a plain error standard. See United States v. Perez, 989 F.2d 1574, 1582 (10th Cir. 1993). For the reasons described above, the admission did not constitute plain error.

Given the strength of the prosecution's case as a whole we find the district court's error harmless.

Accordingly, we AFFIRM the district court's judgment of conviction.

Task 20. Answer the following questions.

1. What was the main issue considered by the court of appeals in making its decision?
2. Why did the court of appeals consider the prosecution case to be strong and the defense case to be weak?
3. Why did the court of appeals come to the conclusion that the district court's error was harmless?
4. Should the final decision in that particular case change in any way the attitude of courts to using the hearsay evidence?
5. Why didn't the court of appeals take into consideration the assertion of Ms. Cass that her constitutional rights had been violated?

Task 21. Discuss the following points.

1. Was the court of appeals right in its decision?
2. What arguments can you offer to support or to reject the above decision?
3. How would a similar case be solved in Ukraine?
4. What does the Criminal Code of Ukraine say about out-of-court statements and hearsay evidence?

List of abbreviations used in the text above

ATM – automatic teller machine

cir. – circuit

Crim.P. – criminal procedure

e.g. – for example

Evid.Rules – evidence rules

Fed.R. – federal rules

id. – idem (лат. – те ж саме)

U.S.C. – United States Code, The Code of the Laws of the United States of America

v. – versus (лат. – проти)

KEYS TO TASKS

Text 1. Another look at a strange case

Task 1 3, 5, 2, 7, 6, 1, 4

Text 2. Carjack/Kidnapping Investigation

Task 1 4, 6, 1, 3, 7, 5, 2

Text 3. The Lie Detector (Polygraph)

Task 1 1 – e, 2 – g, 3 – a, 4 – f, 5 – c, 6 – b, 7 – d.

Task 2 1 – h, 2 – d, 3 – f & l, 4 – j, 5 – p, 6 – o & n, 7 – m, 8 – b,
9 – g, 10 – k & q, 11 – a, 12 – i

Text 4. Murder of Meredith Emerson

Task 1 5, 2, 7, 3, 1, 4, 6

Text 5. A range of new measures

Task 1 1 – b, 2 – a

Task 2 1 – i, 2 – f, 3 – j, 4 – b, 5 – c, 6 – h, 7 – g, 8 – d.

Text 6. Police Investigation

Task 1 1 – K, 2 – G, 3 – L, 4 – C, 5 – I, 6 – D, 7 – A, 8 – J, 9 – E,
10 – B, 11 – H, 12 – F.

Text 7. Murder in North Carolina

Task 1 1 – F, 2 – N, 3 – T, 4 – F, 5 – T, 6 – T, 7 – N, 8 – T, 9 – T,
10 – F, 11 – F, 12 – F

Task 2 1 – g, 2 – n&b, 3 – e, 4 – j, 5 – a, 6 – c, 7 – l, 8 – i, 9 – f,
10 – k

Text 8. Miami Officer Accused of Selling Confidential Information

Task 1 1 – F, 2 – F, 3 – F, 4 – F, 5 – T, 6 – T, 7 – F, 8 – T, 9 – T, 10 – T

Task 3 1. wire – оснащувати приладами, 2. conduct – проводити,
3. convict – засуджувати

Text 9. GPS and Law Enforcement

Task 1 1 – T, 2 – F, 3 – T, 4 – F, 5 – F, 6 – T, 7 – T, 8 – T, 9 – T,
10 – F, 11 – F, 12 – F, 13 – T

Text 10. A House Fire

Task 1 7, 5, 3, 2, 8, 4, 6, 1

Task 2 1 – f, 2 – h, 3 – i, 4 – b, 5 – g, 6 – a, 7 – e

Task 3 1 – T, 2 – F, 3 – F, 4 – F, 5 – T, 6 – F, 7 – T

Text 11. The Kansas City Massacre

Task 1 A – 4, B – 6, C – 1, D – 3, E – 2

Text 12. The case of Casey Anthony and her missing 2-year-old daughter

Task 2 1 – f, 2 – i, 3 – e, 4 – b, 5 – j, 6 – d, 7 – a, 8 – c, 9 – g, 10 – h

Text 13. Police warn Canadians against online dating scams

Task 1 1 – d, 2 – c, 3 – a, 4 – a

Task 2 1 – c, 2 – c, 3 – b, 4 – d

Text 14. Prostitution: A Victimless Crime?

Task 1 1 – a, 2 – b, 3 – a, 4 – a

Task 2 1 – b, 2 – b

Task 3 1 – T, 2 – T, 3 – F, 4 – F

Task 4 1 – a, 2 – a

Text 15. A Fake Doctor Barian Baluchi

Task 1 3 and 5

Task 2 1, 4, 5, and 6

Task 3 1 – T, 2 – F, 3 – T, 4 – F, 5 – F, 6 – T, 7 – T, 8 – F

Text 16. Court quashes 'lenient' jail term for terrorist

Task 1 1 – b, 2 – b, 3 – a, 4 – c, 5 – c

Task 2 1 – F, 2 – T, 3 – T, 4 – T, 5 – T, 6 – F, 7 – F

Task 3 10, 2, 8, 9, 7, 5, 3, 1, 4, 6

Text 17. Jaycee Dugard Prepared to Testify

- Task 2** 1 – T, 2 – F, 3 – T, 4 – F, 5 – F, 6 – T, 7 – T, 8 – F, 9 – T, 10 – T
Task 3 1 – T, 2 – T, 3 – N, 4 – F, 5 – F, 6 – N, 7 – T, 8 – T

Text 18. Crime Stories

- Task 1** 1 – E, 2 – A, 3 – G, 4 – B, 5 – I, 6 – H, 7 – D, 8 – J, 9 – C, 10 – F

Text 19. Stupid Crime Reports

- Task 1** 1 – I, 2 – G, 3 – C, 4 – K, 5 – B, 6 – F, 7 – E, 8 – H, 9 – A, 10 – D

Text 21. Science : Game theory backs crackdown on petty crime

- Task 1** 1 – T, 2 – T, 3 – F, 4 – T, 5 – F, 6 – T, 7 – F, 8 – T, 9 – T, 10 – T
Task 2 1 – F, 2 – F, 3 – F, 4 – F, 5 – T, 6 – T, 7 – T, 8 – T
Task 3 1 – k, 2 – f, 3 – l, 4 – c, 5 – h, 6 – b, 7 – g, 8 – j, 9 – a, 10 – d

Text 22. Vicious new hate crime

- Task 2** 1 – T, 2 – F, 3 – T, 4 – T, 5 – F, 6 – F, 7 – T, 8 – T, 9 – T, 10 – F
Task 3 1 – c, 2 – c, 3 – b.
Task 4 1. to apply, 2. disabled people, 3. domestic violence, 4. hate crime, 5. to aggravate, 6. hostility, 7. to investigate, 8. to torture

Text 23. Chicago's Gang Loitering Ordinance

- Task 1** 1 – T, 2 – F, 3 – T, 4 – T, 5 – T, 6 – F, 7 – T, 8 – T, 9 – F, 10 – F
Task 2 1 – a, 2 – b, 3 – c
Task 3 1 – a, 2 – b, 3 – a
Task 4 1 – f, 2 – i, 3 – d, 4 – h, 5 – a, 6 – j, 7 – e, 8 – c

Text 24. Avoid becoming another hopeless victim of bank identity theft

- Task 1** 2
Task 2 1
Task 3 4
Task 4 8, 3, 6, 4, 2, 7, 1, 5
Task 5 4
Task 6 1 – d; 2 – f; 3 – j; 4 – c; 5 – i; 6 – k; 7 – a; 8 – e; 9 – b; 10 – h

Text 25. Common Questions About Property Damage Claims

Task 1 1 – N, 2 – C, 3 – J, 4 – F, 5 – A, 6 – P, 7 – M, 8 – H, 9 – B,
10 – K, 11 – D, 12 – O, 13 – E, 14 – Q, 15 – I, 16 – L, 17 – G

Text 26. The Case of the Backwards Shorts

Task 1 1 – c, 2 – b, 3 – a, 4 – a.

Task 2 1 – convince, 2 – undermines, 3 – dial, 4 – couple, 5 – blood,
6 – wound

Task 4 7 – 2 – 4 – 5 – 1 – 3 – 6

Task 5 2 and 4

Task 6 1 – T, 2 – T, 3 – T, 4 – F, 5 – T, 6 – T, 7 – F, 8 – F, 9 – F, 10
– F

Task 7 1 – b, 2 – d, 3 – e, 4 – a, 5 – c

Text 27. Handcuffs for two USF students

Task 1 1 – N, 2 – T, 3 – T, 4 – F, 5 – T, 6 – T, 7 – F, 8 – N, 9 – F, 10 – F.

Task 2 1 – a, 2 – d, 3 – a, 4 – a, 5 – d.

Task 3 1 – T, 2 – F, 3 – T, 4 – F, 5 – T, 6 – F, 7 – F, 8 – T, 9 – F, 10 – T

Text 28. Dog Bite Liability

Task 1 1 – T, 2 – F, 3 – F, 4 – F, 5 – T

Task 2 1 – F, 2 – T, 3 – T, 4 – F, 5 – T

Task 3 1 – b, 2 – b, 3 – c, 4 – c

Task 4 1 – a, 2 – a, 3 – c

Text 29. New York Car Accident Victim Loses Settlement Money

Task 2 1 – F, 2 – F, 3 – T, 4 – T, 5 – F, 6 – F, 7 – T

Task 3 1 – T, 2 – F, 3 – T, 4 – F, 5 – F, 6 – T

Task 4 1 – b, 2 – c

Text 30. Danger in Paradise: I was robbed at gunpoint in the Bahamas

Task 1 1 – F, 2 – T, 3 – F, 4 – T, 5 – N, 6 – F, 7 – T

Task 2 1 – F, 2 – T, 3 – T, 4 – F, 5 – T, 6 – F, 7 – F, 8 – T, 9 – T, 10 – T

Task 3 1 – b, 2 – b, 3 – d

Task 4 1 – F, 2 – T, 3 – T, 4 – F, 5 – T, 6 – F, 7 – F, 8 – F, 9 – T,
10 – F, 11 – F, 12 – T

Text 31. Martha Moxley – the Recently Solved Murder

- Task 1** 1 – T, 2 – F, 3 – T, 4 – F, 5 – T
Task 2 1 – T, 2 – F, 3 – N, 4 – T, 5 – N, 6 – T, 7 – F, 8 – T, 9 – F, 10 – T
Task 4 1 – F, 2 – N, 3 – N, 4 – T, 5 – F, 6 – N, 7 – T, 8 – T, 9 – F, 10 – F
Task 5 1 – c, 2 – b, 3 – b, 4 – a
Task 7 1 – f, 2 – j, 3 – i, 4 – g, 5 – b, 6 – d, 7 – k, 8 – a, 9 – e, 10 – c

Text 32. Police Forces

- Task 1** 1 – F, 2 – F, 3 – T, 4 – T, 5 – T, 6 – F, 7 – F, 8 – T
Task 3 1 – T, 2 – T, 3 – T, 4 – F, 5 – T, 6 – T, 7 – F, 8 – F, 9 – T, 10 – T
Task 4 1 – supervise, 2 – on complaints, 3 – detectives, 4 – find,
5 – victimless, 6 – evidence, 7 – frame
Task 5 1 – F, 2 – T, 3 – T, 4 – F, 5 – F, 6 – T, 7 – T, 8 – T, 9 – F

Text 33. Sonya Cass

- Task 2** 1 – F, 2 – F, 3 – F, 4 – T, 5 – T, 6 – F, 7 – T
Task 3 1 – appellant, 2 – hearsay, 3 – statement, 4 – extramarital,
5 – guilt, harmless, 6 – investigation, 7 – admissible
Task 5 1 – b, 2 – c, 3 – b
Task 6 1 – T, 2 – T, 3 – F, 4 – F, 5 – F, 6 – T, 7 – F
Task 7 1 – object, 2 – overrules, 3 – testify, 4 – fail, 5 – whereabouts,
6 – conduct, 7 – assert, 8 – relevant
Task 8 1 – b, 2 – c, 3 – c
Task 9 1 – T, 2 – T, 3 – T, 4 – F, 5 – F, 6 – N, 7 – T, 8 – N, 9 – T, 10 – F
Task 10 1 – c, 2 – a, 3 – b
Task 11 1 – F, 2 – F, 3 – T, 4 – N, 5 – T, 6 – F, 7 – F, 8 – N, 9 – T,
10 – T, 11 – T, 12 – F, 13 – F

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