

PENNSYLVANIA STATEWIDE HIGH SCHOOL  
MOCK TRIAL COMPETITION

1998

Commonwealth of Pennsylvania

v.

Leigh Walker

*Sponsored by:*

*The Young Lawyers Division of  
The Pennsylvania Bar Association*

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# **PROBLEM QUESTIONS & CONTACT INFORMATION**

In an effort to accommodate questions from all regions regardless of competition dates, we have made some changes in the manner in which questions relating to the problem will be handled.

All questions regarding the problem should be submitted (preferably in writing so as to avoid any miscommunications) to Temple-LEAP. Questions may be received in the following manners:

Fax: 215-204-5455  
Email: dtrevask@thunder.ocis.temple.edu  
Mail: Temple-LEAP  
Temple University School of Law  
1719 N Broad St  
Philadelphia PA 19122-6098  
Phone: 215-204-1887

**Deadline for submission of any and all questions relating to the problem is December 19, 1997. No questions will be accepted after this date.**

Once the question submission deadline has passed, the problem committee will begin its review. All questions will be handled in one (1) memo to be distributed to all schools and coordinators no later than January 12, 1998. **This will be the only question and answer memo distributed.**

Questions regarding local competitions, Rules of Competition, and Rules of Evidence should be directed to your Regional Coordinators or your District/Local Coordinators.

# INTRODUCTION & ACKNOWLEDGEMENTS

The 1998 Statewide High School Mock Trial Competition is modeled after a competition sponsored by Street Law, Inc., formerly known as the National Institute for Citizen Education in the Law (NICEL), in Washington, D.C. This year's case materials were inspired and based on a mock trial problem developed by the D.C. Street Law Project, Georgetown University Law Center. Although that civil case bears little resemblance to this criminal package, Temple-LEAP sincerely thanks Street Law, Inc. for sharing its ideas.

The problem centers around Temple High School in New Temple County. On trial is the former track coach, Leigh Walker, who is charged with conspiracy and delivery of a controlled substance -- anabolic steroids. Temple's star runner, Benjamin/Benita Johnson (who everyone calls Ben), goes into an uncontrollable rage after the team does not qualify for a State Championship that everyone including Dr. Carol Lewis, the school principal, badly wanted. A blood test reveals that Ben had been using steroids and that the steroids triggered the incident. Mickey Johnson, Ben's parent, furious over what he/she has learned, contacts Captain Melendez of the New Temple police and demands an investigation. The subsequent investigation reveals that the team trainer, Alex Buehler, had been giving the drugs to Ben. In a plea agreement, Buehler has agreed to testify at Walker's trial in exchange for a reduced sentence.

The 1998 case materials were developed by Temple-LEAP staffer and third year student Greg Wiegand under the auspices of the Young Lawyers Division of the Pennsylvania Bar Association (PBA/YLD). A number of Philadelphia and statewide volunteers helped fine tune the problem. Susan Donmoyer of the Pennsylvania Bar Association provided administration assistance to the competition. Members of the PBA/YLD Mock Trial Committee headed by Harrisburg attorney Deborah Spertzel provided support in producing the problem and coordinating the statewide competition. Anne Panfil, counsel for the Criminal Procedural Rules Committee of the Pennsylvania Supreme Court, reviewed the problem along with Harrisburg attorney Alan Boynton, chairperson of the 1996 National Mock Trial Competition that was held in Pittsburgh. Pembroke College Professor David Vanderhoof, Bucks County attorney and former Chief of Police Harry Cooper, Temple Athletic Director and attorney David O'Brien reviewed an early draft of the problem and Mr. O'Brien's encouragement in developing these case materials is greatly appreciated. Other attorneys who reviewed drafts and offered their suggestions are also owed a debt of gratitude for their support of the young people of Pennsylvania. We thank David L. Barger of Philadelphia, Patrick Timoney of Montgomery County, Dr. Morris Jenkins, a Criminal Justice Professor at Penn State - Abington, Sonya Reid, Marissa Boyers of the Philadelphia Public Defender's Office, Robert Schiraldi of Temple Drug and Alcohol Referral Education and Lauri LaFoe of Dauphin County.

A special word of thanks goes to Ann Marie Scarpino, a former state champion teacher coach at North Pocono High School and now a first-year Dickinson Law student. Ms. Scarpino reviewed numerous drafts of the problem and made significant contributions to its final form. Additionally, special thanks are given to Ryan Cunnane, Anne Pielli, Roberta West and all of the LEAP staff that made the creation of this problem possible.

IN THE COURT OF COMMON PLEAS  
OF NEW TEMPLE COUNTY  
Criminal Division

Commonwealth of Pennsylvania

\*

Criminal Action: No. 1812--97

v.

\*

Leigh Walker, Defendant

\*

CRIMINAL COMPLAINT

I, the undersigned, do hereby state under oath (affirmation):

- (1) My name is Captain Jo Melendez, Badge #89 of the New Temple County Police Department;
- (2) I accuse Leigh Walker, who lives at 1515 Winchester Street, with violating the penal laws of the Commonwealth of Pennsylvania;
- (3) The day of the week and date when the accused committed the offense was on or about March 22, 1997 and at various times and dates prior thereto;
- (4) The place where the offense was committed was in the county of New Temple;
- (5) The act committed by the accused was in violation of §2-231 Delivery of a Controlled Substance and §1-131 Conspiracy, which are against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly;
- (6) I ask that a warrant of arrest or a summons be issued and that the accused be required to answer the charges I made; and
- (7) I swear to or affirm the within complaint upon my knowledge, information and belief, and sign it on March 29, 1997 before Chris Herrington whose office is that of County Magistrate.

Commonwealth of Pennsylvania

County of New Temple

}

/s/Captain Jo Melendez #89

Personally appeared before me on March 29, 1997, the affiant above named who, being duly sworn (affirmed) according to law, signed the complaint in my presence and deposed and said that the facts set forth therein are true and correct to the best of his/her knowledge, information and belief.

/s/ Chris Herrington, County Magistrate  
Issuing Authority



IN THE COURT OF COMMON PLEAS  
OF NEW TEMPLE COUNTY  
Criminal Division

Commonwealth of Pennsylvania

\*

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\*

Leigh Walker, Defendant

\*

**AFFIDAVIT OF PROBABLE CAUSE**

I, the undersigned, do hereby state under oath (affirmation):

- (1) My name is Captain Jo Melendez, Badge #89 of the New Temple County Police Department;
- (2) I am a representative of the New Temple County Police Department which has been investigating the violent drug incident of Benjamin/Benita Johnson, residing at 2323 Sundale Drive, New Temple County.
- (3) The New Temple County Police Department has received the following information regarding the violent drug incident of Benjamin/Benita Johnson:
  - (A) Alex Buehler, age 22, whose residence is 5656 Valley Road, New Temple County, has stated that he gave anabolic steroids to Johnson at Temple High School and has stated that Leigh Walker knew and assisted in the delivery of steroids to Benjamin/Benita Johnson.
  - (B) Mickey Johnson stated he believed that Leigh Walker gave drugs to his/her child.

Based on the aforementioned information, I request that an arrest warrant be issued for Leigh Walker, whose residence is 1515 Winchester Street, New Temple County.

I swear to or affirm the above information upon my knowledge, information, belief, and sign it on March 29, 1997 before Chris Herrington whose office is that of County Magistrate.

/s/ Captain Jo Melendez #89

# WARRANT

**TO ANY AUTHORIZED PERSON:**

Pursuant to this warrant, you are commanded to arrest Leigh Walker, defendant, if found in the Commonwealth of Pennsylvania and bring him/her before the undersigned to answer the foregoing complaint.

/s/ Chris Herrington, County Magistrate  
Issuing Authority

# DOCKET TRANSCRIPT

Chris Herrington, County Magistrate  
Issuing Authority

Leigh Walker  
**Defendant**

Jo Melendez  
**Affiant**

**Date of Arrest:** April 1, 1997

**Preliminary Hearing:** April 15, 1997

**Charges:**

Conspiracy §1-131

Manufacture, Delivery or Possession of Controlled Substances; Anabolic Steroids  
§2-231

**Offense Date:**

On or about March 22, 1997

All charges bound over to court. Bail set at \$10,000 cash or bond. Bond posted. Defendant released subject to conditions of bail.

Certified this 15th day of April, 1997

/s/ Chris Herrington  
County Magistrate

I, the above-named Issuing Authority certify that this Transcript is a true and correct Transcript of the Docket.

IN THE COURT OF COMMON PLEAS  
OF NEW TEMPLE COUNTY  
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Commonwealth of Pennsylvania

v.

Leigh Walker, Defendant

\*  
\*  
\*

Criminal Action: No. 1812--97

Charges:  
Manufacture, Delivery or  
Possession of Controlled Substances  
-- Anabolic Steroids; Conspiracy

ARRAIGNMENT

I, Leigh Walker, have been advised of the offenses charged in the criminal information against me by the District Attorney of New Temple County and I/my lawyer have received a copy thereof.

I have been advised and fully understand that I/my lawyer have the right to request discovery or disclosure from the District Attorney as provided by the Rules of Criminal Procedure within fourteen (14) days of today's arraignment date.

I have been advised and I fully understand that I/my lawyer have the right to file with the Court any pre-trial application for relief in the form of a single omnibus pre-trial motion as provided by the Rules of Criminal Procedure within thirty (30) days of today's arraignment date.

I hereby enter a plea of Not Guilty to the above charges and request a trial by Jury.

Date: 4-15-97

/s/ Leigh Walker  
Defendant

/s/  
Attorney for the Defendant

/s/  
Attorney for the Commonwealth

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Leigh Walker, Defendant

\*

**INFORMATION**

The District Attorney of New Temple County by this information charges that on or about March 22, 1997, in said County, Leigh Walker, did, with the intent to commit a specific crime, do an act which constituted a substantial step toward the commission of the crime.

**Specific Crimes Attempted:**

**Conspiracy:**

Acts done: Defendant did on or about March 22, 1997 provide and facilitate the distribution of a controlled substance to Benjamin/Benita Johnson in conjunction with Alex Buehler.

**Manufacture, Delivery, or Possession of Controlled Substances; Anabolic Steroids:**

Acts done: Defendant did on or about March 22, 1997 provide and facilitate the distribution of a controlled substance to Benjamin/Benita Johnson in conjunction with Alex Buehler.

All of which are against the Act of Assembly and the Peace and Dignity of the Commonwealth of Pennsylvania

/s/

\_\_\_\_\_  
District Attorney

Citations: Conspiracy §1-131  
Manufacture, Delivery, or Possession of Controlled Substances; Anabolic Steroids §2-231

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**RULE 1100 WAIVER**

I have been advised and I understand that under Rule 1100 of the Pennsylvania Rules of Criminal Procedure my trial in New Temple County Court must begin on or before October 12, 1997, which is the 180th day from the date of the filing of the criminal complaint accusing me of the above charges. I am aware that these charges may be dismissed if my trial does not commence on or before the 180th day or within any additional time allowed to the Commonwealth under the provision of Rule 1100.

I have been advised and I understand that by signing this "Waiver" I am waiving or giving up my right to be tried within 180 days from the filing of the criminal complaint, and I am agreeing that I can be tried after the 180th day.

I have not received any promises, nor have I been forced to sign this waiver. I read and write the English Language and have graduated from college. I have reviewed this "Waiver" with my attorney.

Date: October 1, 1997

/s/ Leigh Walker  
Defendant

Date: October 1, 1997

/s/  
Attorney for the Defendant

IN THE COURT OF COMMON PLEAS  
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Commonwealth of Pennsylvania

v.

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**PRE-TRIAL ORDER**

And now, this 5th day of January, 1998, it is hereby ordered that:

The Commonwealth brings this action against the defendant, Leigh Walker, for conspiracy to deliver a controlled substance and delivery of a controlled substance. This conspiracy was uncovered following the March 22, 1997 steroid-induced incident involving Benjamin/Benita Johnson. The Commonwealth alleges that Temple High track coach Leigh Walker conspired with athletic trainer Alex Buehler to illegally deliver anabolic steroids to student-athlete Benjamin/Benita Johnson without a physician's authorization for such delivery. The Commonwealth alleges that Walker knew that Buehler was dispensing anabolic steroids to Ben Johnson and that Walker promoted and facilitated the entire process by which said drugs were delivered. The Commonwealth alleges that the Defendant's actions were in violation of §2-231 and §1-131 of the Criminal Code of the Commonwealth of Pennsylvania.

Defendant Walker denies that he/she conspired to deliver a controlled substance to Benjamin/Benita Johnson. Defendant further argues that he/she was unaware of the drug use of Benjamin/Benita Johnson. Alex Buehler acted alone or with parties other than the Defendant. In addition to pursuing this defense, Defendant is not precluded from raising other defenses, including but not limited to the failure of the prosecution to prove its case beyond a reasonable doubt.

The Commonwealth and the Defendant have agreed to stipulate as to the authenticity of certain documents as more fully set forth on the Evidentiary Stipulations filed herewith.

A defendant in a criminal action is presumed to be innocent until proven guilty. This presumption places upon the Commonwealth the burden of proving the defendant guilty beyond a reasonable doubt. Although the Commonwealth has the burden of proving that the defendant is guilty, this does not mean that the Commonwealth must prove its case beyond all doubt and to a mathematical certainty, nor must it demonstrate the complete impossibility of innocence. A reasonable doubt is a doubt that would cause a reasonably careful and sensible person to hesitate before acting upon a matter of importance in his own affairs. A reasonable doubt must fairly arise out of the evidence that was presented or out of the lack of evidence presented with respect to some element of the crime. A reasonable doubt must be a real doubt; it may not be an imagined one, nor may it be a doubt manufactured to avoid carrying out an unpleasant duty.

The witnesses available for trial are listed below. Only two witnesses may be called by each side. A negative inference may be made about the witness not called, however, his/her testimony may not be introduced at trial. Since a defendant has a constitutionally protected right not to incriminate him/herself, no inference -- either negative or otherwise may be made as to the defendant's decision not to testify.

**For the Commonwealth**

- \* Mickey Johnson, Parent of Ben/Benita "Ben" Johnson
- \* Alex Buehler, former Athletic Trainer, Temple High School
- \* Jo Melendez, Police Captain, New Temple

**For the Defendant**

- \* Leigh Walker, Defendant, former Track Coach, Temple High School
- \* Benjamin/Benita "Ben" Johnson, former Track Star, Temple High School
- \* Dr. Carol Lewis, Principal, Temple High School

/s/ Jefferson Thomas  
Jefferson Thomas, Senior Judge



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Leigh Walker, Defendant

\*

EVIDENTIARY STIPULATIONS

The parties have stipulated to the authenticity of the following items:

1. The Criminal Complaint, attached Affidavit of Probable Cause, Arrest Warrant, Docket Transcript, Arraignment Sheet and Information.
2. The November 12, 1996 letter to Mickey Johnson from Leigh Walker and the attached flier. Mickey Johnson received the letter and attachments.
3. The October 18, 1996 memorandum on drug testing written by Captain Jo Melendez.
4. The October 20, 1996 memo from Leigh Walker to Principal Lewis.
5. Hospital blood report from blood test given to Ben Johnson on March 22, 1997.
6. Report of Dr. Harold Cooper, court appointed independent medical examiner.
7. Copy of the plea agreement between the Commonwealth and Alex Buehler.
8. School newspaper article by Leigh Walker outlining dangers of drug use.

The parties reserve the right to dispute any legal or factual conclusions based on these items and to make objections other than to authenticity.

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\*

**STIPULATED FACTS**

The Commonwealth and the Defendant hereby agree and stipulate to the accuracy of the following facts:

- (1) Benjamin/Benita "Ben" Johnson, a senior at Temple High School in New Temple County, severely injured him/herself on Saturday, March 22, 1997 during a violent incident in the high school locker room.
- (2) An independent, court-appointed, medical expert has determined that the March 22, 1997 violent incident was one of "steroid rage" caused by an adverse reaction to the ingestion of anabolic steroids both over a sustained period of time and on the day of the incident.
- (3) Alex Buehler, the athletic trainer at Temple High, provided Benjamin/Benita with anabolic steroids over a sustained period of time and on the day of Benjamin/Benita's violent episode.
- (4) Buehler has pled guilty to the lesser charge of possession of a controlled substance and has agreed to testify against Defendant Leigh Walker in return for a reduced sentence. He is still awaiting sentencing.
- (5) Buehler told police that he delivered steroids to Ben Johnson with the knowledge and assistance of Defendant Leigh Walker.
- (6) Saturday, March 22, 1997 was the day of the Tri-Conference track meet hosted by Temple High School.

- (7) After the Tri-Conference meet, Ben flew into a uncontrollable rage in the locker room.
- (8) Ben Johnson punched lockers with his/her fists, kicked a water fountain with his/her right foot, and repeatedly slammed his/her head against a brick wall until he/she lost consciousness.
- (9) Ben Johnson was admitted to New Temple Hospital with a broken left hand, a compound fracture of the right foot and a severe concussion.
- (10) A blood test taken at the hospital revealed large quantities of anabolic steroids in Ben Johnson's system.

# APPLICABLE LAW OF NEW TEMPLE

**Statutory Law:** Criminal Code of the Commonwealth

**§2-231.      **Manufacture, Delivery or Possession of Controlled Substances; Anabolic Steroids****

- (A) It shall constitute a crime within the Commonwealth to manufacture, deliver or possess with intent to manufacture or deliver without the written authorization of a licensed physician, anabolic steroids.
- (B) The unauthorized manufacture, delivery or possession with intent to manufacture or deliver any anabolic steroids shall carry a fine not exceeding \$5,000 and/or a term of confinement not exceeding 2½ years.

**§1-131.      **Conspiracy****

A person is guilty of conspiracy with another person or persons to commit a crime if with intent of promoting or facilitating its commission he or she agrees with such other person or persons that they or one or more of them will engage in conduct which constitutes such a crime or attempt or solicitation to commit such a crime.

# LIST OF WITNESSES

## **For the Commonwealth**

- \* Mickey Johnson, Parent of Benjamin/Benita "Ben" Johnson
- \* Alex Buehler, former Athletic Trainer, Temple High School
- \* Jo Melendez, Police Captain, New Temple

## **For the Defendant**

- \* Leigh Walker, Defendant, former Track Coach, Temple High School
- \* Benjamin/Benita "Ben" Johnson, former Track Star, Temple High School
- \* Dr. Carol Lewis, Principal, Temple High School

## WITNESS STATEMENTS

### PROSECUTION WITNESS: Statement of Mickey Johnson

1 March 22nd, 1997 was one of the worst days of my life. That was the day my  
2 Benjamin/Benita (who everyone calls Ben) was hospitalized. It was also the day I found out  
3 the truth about Leigh Walker. But let me tell you about myself before I get too deeply into  
4 this sad story. I am fifty years old. I attended Northeast University from 1964 to 1968,  
5 where I received a full four-year track scholarship. I maintained an A- average while  
6 spending about thirty hours per week training. I shattered all the school sprint records. My  
7 junior and senior years, I was selected All-American. I even tried out for the 1968 Olympic  
8 Team but missed qualifying by one-tenth (.1) of a second in the 100 meters. That was a  
9 huge disappointment, especially when I found out that one of the people who made the team  
10 - my teammate and friend Leigh Walker - had used steroids to gain an unfair advantage over  
11 other competitors. Leigh always denied deliberately misusing steroids and claimed that the  
12 steroids found in the pre-Olympic drug test had been mistakenly given by his/her family  
13 doctor. I knew otherwise. We had always trained together until Walker suddenly stopped  
14 working out with me just prior to the Olympic trials. When I found out later that Walker  
15 had been using steroids, I realized that he/she stopped working out with me to hide his/her  
16 drug use. Walker didn't care how badly he/she hurt me by using drugs. I know that my  
17 lack of training with someone of Walker's ability was the only reason that I didn't make the  
18 Olympic team.

19 After graduating from college in 1968, I moved to New Temple to start my job at  
20 Capital City Bank as a cashier. It was there that I met my spouse Pat. During college and  
21 high school, I never dated since I didn't want to be distracted from my goals. When Pat  
22 came into my life, I fell madly in love. We were married in June of 1970.

23 My career took off. In 1973, I was promoted to bank manager. In 1979, we had  
24 Ben, our pride and joy. Then in 1981, we had Jennifer. My life was a dream come true  
25 with a nice house, two beautiful children and a loving marriage. But in 1988, my dreams  
26 were ruined when Pat and Jennifer were killed in a car accident by a drunk driver.

27 My job is important to me, but I live for Ben. It just tears me up inside that Ben is  
28 siding with Walker in this situation, denying that Walker was involved. I think Walker  
29 brainwashed my kid against me. It wasn't always this way. From kindergarten through 8th  
30 grade, Ben went to St. Richard's, a private Catholic School that had a total enrollment of  
31 200 students and an outstanding reputation. Ben excelled at school both academically and  
32 athletically. I recognized early on that Ben had a chance to really make a mark - maybe  
33 even make the Olympic track team. In 5th grade, I decided that Ben needed to drop  
34 basketball and soccer and focus on running.

1 For 9th grade, I decided to enroll Ben at Temple High School, the local public  
2 school, which had a solid academic reputation and, most importantly, a nationally renowned  
3 track team. My former teammate, Leigh Walker, was the track coach. In 20 years, I  
4 hadn't talked to Walker more than to say "Hello" when we passed each other at the gym or  
5 in town, but I was glad to see that Walker wanted to help me get Ben on the team. Despite  
6 Walker's denial about his/her drug use back in college, I thought Walker was trying to make  
7 things up to me for stealing my chance at the Olympics by helping my kid have an Olympic  
8 shot. Walker assured me that she/he would keep an eye on Ben. I was willing to bury the  
9 hatchet; I didn't know Leigh intended to bury it in my back.

10 Around the time Ben entered 9th grade, I became regional manager. I loved being  
11 the regional manager, but the 60+ hours per week were difficult to handle. I really had to  
12 juggle things to get to see Ben run in meets. I resigned as the regional manager after Ben's  
13 incident. Currently, I am a branch manager and make half as much as I did before my  
14 resignation. Now, I have more time to focus on Ben. I intend to be in court for every  
15 moment of Walker's trial.

16 Freshman year, Leigh had the crazy idea of putting Ben on the Junior Varsity squad.  
17 Leigh said something about saving him/her from excessive pounding on his/her weak knees  
18 (Ben had had some surgery to clean out both knee joints in 8th grade). It was just a minor  
19 thing that would occasionally get inflamed. I told Leigh that Ben's future depended on  
20 running varsity all four years and that Ben's knees would survive. Leigh realized that I was  
21 right and my kid ran for the varsity beginning his/her freshman year.

22 By her/his junior year, Ben had become one of the team's leading sprinters. He/she  
23 was good, but not great. I was a little disappointed Ben hadn't become the sprinter I knew  
24 he/she could be, but I tried to hide that disappointment by telling Ben to keep working hard.  
25 I was really pleased by Ben's development between junior and senior seasons. That hard  
26 work seemed to pay off. Even now, I can't believe it was just the drugs. My kid had a ton  
27 of talent and really worked hard at applying that talent. I know that the steroids helped  
28 Ben's development, but I also know that drugs alone won't make you faster. You have to  
29 still be willing to work out hard.

30 Things got a lot better in his/her senior year when Ben reached a new plateau thanks  
31 to his/her new body -- the body of an Olympic athlete. During the summer before his/her  
32 senior year, Ben and I would sometimes train together. His/Her progress from the previous  
33 season was unbelievable. He/She became increasingly muscular. Ben cut 1/2 a second off of  
34 his/her 100 meter time -- an incredible achievement. Ben was always an extremely hard  
35 worker. He'd/She'd train year round, waking up at five a.m. to fit in two runs per day. But  
36 now he/she also lifted weights, drank power shakes, and read all he/she could about body  
37 building. Ben increased his/her workouts to the point where he/she spent every free minute  
38 working out. Ben was being recruited by some of the top track schools in the country.  
39 Running was going to be the key to his/her future, just as I had observed back when Ben was  
40 in 5<sup>th</sup> grade.

1           In the spring of Ben's junior year, his/her grades slipped from mostly A's to some  
2 A's, a few B's and one C in English. I figured that Ben was taking it easy to focus on  
3 running. His/Her grades got slightly worse senior year. Otherwise, things were just as  
4 they'd always been except he/she sometimes would get in bad moods. My friends and I  
5 chuckled about how hormones could make teenagers unbearable at times. Like any teenager,  
6 Ben was concerned about his/her appearance. He/She frequently brushed his/her teeth, used  
7 quarts of mouthwash, and often washed his/her face. However, he/she couldn't prevent  
8 getting the typical teenage case of acne. Ben had perfect attendance junior and senior year  
9 except for a few sick days due to severe headaches.

10           I went to a rally in March of 1997 before the all important Tri-Conference Meet.  
11 Temple High victories here had always been the spring board to statewide success in the  
12 previous years and the same was true again this year. Principal Lewis announced that the  
13 whole school was depending on the team to show the nation that something good was  
14 happening in the New Temple schools. This was the first time I had ever seen the principal  
15 in public and I was struck by how he/she was so behind the team. Walker really got caught  
16 up in the moment and told Lewis and all of the students how victory was at hand. He/She  
17 ended by proclaiming, "Nothing will stand in our path to victory." Given what he/she did  
18 to my Ben, I now know what that statement really meant.

19           March 22nd was the day of the Tri-Conference Meet. A win by the Temple team  
20 would guarantee a place in the state championships. Ben had been edgy all week about the  
21 meet, so much so that he/she had red splotches all over his/her chest. The day was  
22 unusually hot. Ben ran in the 100 meters, 200 meters and the 800 meter relay. Ben won the  
23 two individual events, but the team came in second in the relay. His/Her anchor leg time  
24 was fast during the 800 meter relay, but the handoff at the start of the final leg cost the team  
25 a first place finish in both the race and the meet. I was very disappointed because I hate to  
26 lose. Bobbie Hayes, the teammate who had handed off the baton to Ben, tried to give Ben a  
27 hug in consolation after the race. But Ben just pushed Bobbie away and ran off. Ben left  
28 the track and ran right into the locker room. The next thing I know his/her teammates were  
29 telling me that Ben was tearing up the locker room. I was extremely concerned because Ben  
30 does not have a violent bone in his/her body. I rushed into the locker room only to find  
31 Ben lying on the floor unconscious with blood everywhere. Ben was immediately placed on  
32 a stretcher. While we were rushing toward the ambulance, which fortunately was always at  
33 school for sporting events, I kept wondering how all this could be happening to my child and  
34 to me.

35           Ben regained consciousness on the way to the hospital. I just held Ben's hand and  
36 stated that everything would be all right. In the emergency room, doctors diagnosed Ben  
37 with a broken left hand, a compound fracture of the right foot and a severe concussion. My  
38 greatest fear was that his/her injuries would prevent Ben from running college track. A  
39 blood test ordered by the doctors at the hospital revealed excessive steroid use that we now  
40 know triggered Ben's rage. I couldn't believe it when they showed me the blood test results.  
41 The doctors later explained that excessive doses of anabolic steroids can cause uncontrollable



1 anger in steroid abusers called "steroid rage", what the kids called "roid rage." This rage  
2 often causes a steroid user to become violent toward him/herself or others. I had no clue  
3 about any steroid use along the way or I would have done something to prevent this terrible  
4 event. But this tragedy could have been prevented if Leigh Walker hadn't supplied my child  
5 with drugs. After I discovered that Ben had been using steroids, I confronted him/her to find  
6 out where he/she had gotten the drugs. He/She told me that Alex Buehler, the trainer  
7 Walker had hired, had given him/her the steroids. I called Walker from the hallway phone  
8 and told him that Ben would be fine. I also told him that we had a big problem with  
9 Buehler. I told Walker that he/she had to fire Buehler right away and call the police to  
10 arrest Buehler. Walker didn't say anything for a few moments, then said "Let me deal with  
11 this problem. It's best if its dealt with among ourselves. We can talk about the police  
12 later." My child was in the hospital and Walker was telling me to keep my mouth shut and  
13 to whitewash the situation.

14 Suddenly, I remembered a time a few months earlier when I had run into Buehler  
15 coming out of Walker's office. Walker and Buehler had been going at it with each other  
16 over something that had clearly upset them both. Neither of them saw me and the only piece  
17 of the conversation I overheard was Buehler telling Walker he/she was sick of being  
18 Walker's mule. Buehler didn't even see me as she/he came out of the office and Buehler  
19 crashed right into me, knocking us both down. An envelope Buehler was carrying fell open  
20 on the floor and several twenties fell out. I couldn't tell how much was in the envelope, but  
21 it looked like a pile of money to me. Buehler seemed really embarrassed and picked the  
22 envelope up and apologized for bumping into me, then ran off. I went in to speak with  
23 Leigh about Ben's workout schedule. Walker asked me if I had seen what was in the  
24 envelope. When I told him/her that I had, Walker joked, "Now you know how come my  
25 teams do so well--that was the bribe money for the meet officials so they will let us win." I  
26 didn't pursue it any further because Leigh has a pretty odd sense of humor and I just wanted  
27 to talk about my kid. Had nothing ever happened to Ben, I might never have thought about  
28 the money again. But now I know something was going on.

29 I called my friend Captain Jo Melendez and asked him/her to launch a police  
30 investigation. I told Jo about what my kid had said about Buehler, about Walker's odd  
31 response to my call and about the money in the envelope. Melendez was excited about the  
32 information. "I knew it!" the Captain exclaimed, "I knew Walker was dirty." When the  
33 investigation showed that Walker was behind the drug dealing, a lot of things became clear  
34 to me. Walker had always been a cheat who used others to gain personal advantage. First  
35 with me, using me as a training partner until it no longer fit into his/her illicit plans, and  
36 later with the young people under his/her charge. And it almost worked. Owlville College  
37 was looking closely at Walker for the head coaching position at the school. There was even  
38 talk that Walker might become an Olympic coach. Walker would have made it all the way  
39 back to the big time.

40 I'm angry at Buehler but I feel sorry for him/her too. Walker used Buehler. I  
41 always liked Alex Buehler. Buehler reminded me of myself, in that he was a kid who had

1 been dealt a poor hand to play, but who, with guidance, could still succeed. I had made  
2 friends with Buehler when he/she first started working out at the local gym years ago when  
3 he/she was the high school track star at Temple. Buehler helped train Ben from time to time  
4 back when Ben was in junior high school. I even loaned Alex some money on a couple of  
5 occasions when he/she was in tight spots over the years.

6 Ben does not believe Leigh did anything wrong, but what does Ben know? Ben's a  
7 confused 18 year old kid. Buehler gave Ben the drugs, but Buehler was only acting on the  
8 instructions given by Walker. The blame is all Walker's. Walker made Buehler the athletic  
9 trainer and pressured him/her to give steroids to Ben. Walker provided the money for  
10 Buehler to purchase the drugs that went to Ben. I understand why the prosecutor made this  
11 deal with Buehler and I support the deal. Buehler is not the guilty party here. In fact, I  
12 even spoke to Buehler's defense lawyer during the plea negotiations with the prosecutor and  
13 told her that I would not oppose the plea agreement. There is no need for this incident to  
14 ruin another life.

Signed and sworn to under oath this 22nd day of October, 1997

/s/ Mickey Johnson

Signed before me this 22nd day of October, 1997

/s/ Samuel J. Papermill  
Notary Public

**PROSECUTION WITNESS: Statement of Alex Buehler**

1 Benjamin/Benita Johnson was a friend of mine. We all call him/her Ben. I met  
2 her/him through Mr./Mrs. Johnson when I was in 10th grade and Ben was attending a  
3 private Catholic school. Mr./Mrs. Johnson belonged to the local gym where I would go to  
4 work on weights. As a former track star - he/she just missed making the Olympics -  
5 Mr./Mrs. Johnson was a great person for me to talk to about training. I felt pretty lucky  
6 having both Coach Walker and Mr./Mrs. Johnson to advise me on how to improve my  
7 running.

8 I was the star runner at Temple High under Coach Walker when I first met Ben.  
9 Mr./Mrs. Johnson had asked me to show her/his kid a few things on the track. I was happy  
10 to do it because I liked the way the Mr./Mrs. Johnson treated me, like I was somebody  
11 important. After the first time, I also liked to do it because Mr./Mrs. Johnson always  
12 slipped me a few bills following those private workouts as a way to say "thanks".

13 Ben was hospitalized on March 22, 1997 just after I turned 22 years old. It was the  
14 spring of his/her Senior year. I was always four years ahead of Ben in school until all of  
15 this exploded on me, so we never ran together on any team. I used to tease her/him that  
16 we'd run together some day on the Olympics, but I never really thought Ben would get that  
17 good and, by the time she/he was getting that good, injuries had ruined my career.

18 Currently, I am in my fifth and final year at Owlville College. Everything that  
19 happened in the spring of 1997 has messed up my life, but I feel I have things under control  
20 again. I started Owlville on a Huxtable Scholarship, which I won for my track success in  
21 high school. I lost the scholarship after my sophomore season when my back injuries forced  
22 me to give up running. The doctors told me that the muscle mass I had developed was too  
23 much for my spine to carry. I had been born with a lousy body and, even with all my work  
24 to improve it, my body ultimately let me down.

25 I've always been interested in how the body functions, in part because my body was  
26 always breaking down. Even before I knew I was through as a runner, I had started to look  
27 into physical therapy and athletic training as a career option. When my back went out and I  
28 knew I was going to lose my scholarship after the end of my sophomore year, I decided it  
29 was time to see if training was truly the type of work I wanted to pursue. I spoke with  
30 Coach Walker about jobs in the field, and she/he offered me a part-time position at Temple  
31 High. Looking back on it, I should have known that hooking up with Walker again was a  
32 bad idea. However, I needed the job and Walker was the only person who I knew would  
33 hire me without any previous experience.

34 Looking back on it, Coach was a hypocrite about everything. I remember when I  
35 was a 9th grader and Coach Walker lectured us about using steroids. He told us how he had  
36 been penalized unfairly for using steroids which his family doctor had mistakenly prescribed.

1 Sure! Those kinds of steroids aren't even the ones they test for at the Olympics. Each time  
2 Walker told the story about his/her steroid disqualification, he/she would conclude by saying,  
3 "The moral of this story - steroids work, but they don't work if you get caught." Coach  
4 Walker's whole attitude about using steroids was two-faced. In public he/she told us that  
5 steroids were harmful, but in private he/she would regale us with stories about his/her glory  
6 days of running track. As if there would have been any glory for Coach without the boost  
7 he/she got from drugs.

8 Coach began supplying me with steroids at the end of my sophomore year. Ever  
9 since junior high school, I suffered from painful back spasms. I had a reoccurrence of my  
10 back problem in my sophomore year at Temple High. My recovery took longer than  
11 expected. One day, Coach handed me some little white pills and said that they would heal  
12 me and improve my running times. Coach told me to take one pill a day for the first week,  
13 two a day for the second week, three a day for the next two weeks, back down to two a day  
14 for the fifth week and one a day for the sixth week. After two weeks off, Coach told me to  
15 repeat the cycle. Coach also got me a complimentary membership at the local gym and told  
16 me to "start building some muscle." Coach told me there was a lot I could learn from the  
17 guys at the gym. I did exactly what he told me. I found the biggest weightlifter in the place  
18 and asked him to help me get bigger and stronger so that I could run faster. There was a lot  
19 of sweat in that gym, but there were probably even more chemicals than sweat. I learned a  
20 lot from those guys, just as Coach said I would. Although my times had improved after I  
21 took the pills from Coach for the eight week cycle, the stuff I started getting at the gym was  
22 even more powerful. I lifted weights all the time to strengthen my muscles; I was using both  
23 the pills coach gave me and some other things my new friends at the gym gave me. I knew it  
24 was illegal, but I didn't think Coach would let me do anything that would put me at real  
25 harm. I didn't realize how little Coach cared about anything but winning. I knew steroids  
26 were bad for me, but I kept taking them because I was running so well. My times were fast  
27 enough to lead our track team to the state championship, the first in our school's history.  
28 We had our team picture in all the papers and Coach and I were featured on a local  
29 television sports program. Coach Walker was so happy about that championship that he/she  
30 never asked for anything in return for the pills.

31 Without any drugs, I was a better than average runner on a very good team. With  
32 the chemical boost, I was a great runner on a fantastic team. Steroids weren't my only  
33 drugs, though. One day, in my senior year, I got caught in the bathroom smoking pot. I  
34 was also carrying steroids. Coach Walker gave me this stern lecture about not using drugs (I  
35 had to bite my tongue not to laugh in her/his face). Then Coach told me not to worry about  
36 the repercussions because she/he "had been there before and knew what I was going  
37 through." Coach promised that he/she would take care of everything for me. I ended up  
38 getting off without any real punishment. Coach probably could have taken care of this  
39 situation, too, but I was tired of lying for Coach and being Coach's mule. Testifying against  
40 Coach Walker will be one way I can try to make it up to Ben and his/her parent for the harm  
41 that I've caused.

1 I saw a lot of myself in Ben when we first started training together. Ben was  
2 obsessed with running. She/he talked about innovative training ideas and often experimented  
3 with special diets to try to gain a competitive edge. But it never seemed like she/he really  
4 enjoyed the sport. It was more like a job. During his/her junior year, Ben kept challenging,  
5 but not quite reaching, the school record times in the 100 and 200 meters. Our team didn't  
6 even make it to the state championship that year, however, because Ben ran really badly at  
7 the Tri-Conference Meet. This was the first time we didn't get to the states in years. Coach  
8 Walker was furious. Coach said that during the 1996-97 season "the team will stop at  
9 nothing short of victory" and then gave us Walker's trademark, all-knowing, wink.

10 Soon after the 1996 Tri-Conference loss, at the end of my first season as the trainer,  
11 Coach Walker called me into his/her office and told me that it "was time for me to really  
12 help the team." I told Coach that I wasn't going to be part of anything dirty, but Coach  
13 wouldn't listen to me. He/she insisted that I owed him "big time." Coach told me to close  
14 the office door, then she/he handed me an envelope full of cash. He/She instructed me to go  
15 to the local gym and purchase steroids. When I refused, he/she threatened to inform  
16 Owlville College that I abused steroids and other drugs. I would've been kicked out of  
17 school if anyone found out I used drugs. I couldn't afford to lose my place in school so I  
18 agreed to buy the steroids for Walker. Coach told me that every season she/he picked one  
19 top runner to introduce to the advantages of anabolic steroids and this year it was Ben  
20 Johnson. According to Coach, one athlete on a team taking steroids does not raise suspicion.  
21 She/He told me that it had become too dangerous for her/him to give any of her/his runners  
22 the pills, but that I would be the "perfect mule".

23 As Coach had instructed, I talked to Ben after practice one day about a way to  
24 improve his/her running times. Of course, Ben was interested. I said that I had read about a  
25 new vitamin that made leg muscles stronger. As the athletic trainer, I told Ben, I could get  
26 him/her this new vitamin. Ben was anxious to try anything that would improve his/her  
27 performance. The next day, I gave Ben a bag of pills and started him/her on the same eight  
28 week cycle I had been following for years. Ben was very grateful for the pills I supplied  
29 him/her with every few weeks. On meet days, I gave him/her extra steroids. Ben would  
30 swallow those pills on the spot. We never got caught until the end.

31 No doubt due to the steroids I began giving him/her that spring, Ben rapidly  
32 recovered from her/his injury and started showing great improvement. March 22nd was the  
33 day of the Tri-Conference meet. I spotted Ben standing in the hall near the exit door leading  
34 into the teachers' parking lot. Ben looked like he/she was waiting for me. I always entered  
35 the school through the side exit. I handed Ben a bag filled with some white tablets and Ben  
36 said, "Thanks. These vitamins will give me just the kick I need for today's meet." I felt  
37 compelled to tell Ben that she/he was going to wreck herself/himself just the way I had if  
38 she/he didn't stop using the drugs so heavily. Ben looked at me really oddly and said,  
39 "What drugs? You told me these were vitamins." I lost it right then and started shouting at  
40 her/him about being so stupid as to think the pills were vitamins. Ben started laughing and  
41 pointed out that I was the fool for getting so upset. "I've known about what you and my

1 dad/mom have been doing for months, ever since Coach sent home that newsletter on steroid  
2 symptoms. But as Coach always said, "the stuff works". I was totally surprised that Ben  
3 thought her/his parent was the force behind the drugs, but before I could tell Ben the full  
4 story, Principal Lewis came up out of the blue. The principal sent Ben to the locker room  
5 to get ready for the meet and took me aside to talk about a couple of the runners who were  
6 nursing injuries. Lewis is a jerk who thinks he/she knows everything about everything just  
7 because he/she is the principal.

8 That afternoon at the meet, Ben won two individual races but fouled up the baton pass  
9 on the anchor leg of the 800 meter relay. That loss cost the team a spot in the state meet for  
10 the second year in a row. Ben went into the locker room after the race and tore up the  
11 place. Then I spotted Ben's parent heading for the locker room. A few minutes later, Ben  
12 left the locker room on a stretcher. Mr./Mrs. Johnson was with him/her as the paramedics  
13 loaded the stretcher into a waiting ambulance. Later, I heard from other students that Ben  
14 flew into a "roid rage" and injured him/herself pretty badly. I felt awful. I know that I  
15 contributed to putting Ben in the hospital. Of course, I never would have given Ben the  
16 drugs if Coach had not forced me into it. Coach is ultimately responsible for this frightening  
17 event.

18 Three days after the incident, Captain Melendez came to visit me at Owlville College.  
19 Captain Melendez told me that a group of Temple High students had fingered me as the  
20 person who gave Ben the steroids. Captain Melendez arrested me in front of my friends and  
21 charged me with delivering drugs. I was so humiliated. At the police station, Captain  
22 Melendez asked me to cooperate with the investigation of Coach Walker. I was scared, so I  
23 said I would. I didn't want to take the fall for someone else. Melendez questioned me about  
24 where I got the drugs and I told Melendez the whole story about Coach and the drugs. After  
25 I finished my story, Captain Melendez told me not to worry. Melendez said that the police  
26 and Mr./Mrs. Johnson wanted to fry bigger fish than me. In exchange for the promise of a  
27 lesser sentence, I provided the police with the whole story, explaining Coach Walker's  
28 leading role in the case. I also agreed to testify against Coach at trial. I wanted to do the  
29 right thing so I agreed to the plea agreement offered by the prosecutor.

Signed and sworn to under oath this 22nd day of October, 1997

/s/ Alex Buehler

Signed before me this 22nd day of October, 1997

/s/ Samuel J. Papermill  
Notary Public

**PROSECUTION WITNESS: Statement of Captain Jo Melendez**

1 I am forty years old. Since 1985, I have been Captain of the New Temple police  
2 force. I grew up in New Temple where I graduated from Temple High School in 1973. I  
3 then graduated from Temple State University where I majored in law enforcement. In 1977,  
4 I enrolled in the New Temple Police Academy. From 1978 to 1980, I attended two years of  
5 law school as an evening student. I discontinued my studies because I felt that I could better  
6 protect the community by continuing as a police officer instead of becoming a lawyer. From  
7 1977 to 1985, I patrolled Temple on a regular shift. In the 1970s, this was a beautiful,  
8 prosperous, and peaceful area. But in the 1980s, the character of the community drastically  
9 changed with the economic recession. In the 1980s, the manufacturing industry in Temple  
10 County laid-off over 80% of its employees. The area surrounding Temple was  
11 disproportionately affected. This area now has the highest rate of crime, both violent and  
12 non-violent, of any area in the county. Just a few blocks away from Temple High School is  
13 a street known as the "Avenue of Ecstasy". On this street, all drugs are available for  
14 purchase. The New Temple police force has arrested many dealers along this street in the  
15 past five years but the drugs keep coming back. The area is plagued by robberies, burglaries  
16 and car thefts.

17 In 1985, I was promoted to Captain of the New Temple Police Department. My  
18 duties as Captain included supervising the police officers who patrolled the area and  
19 developing strategies to reduce the criminal activity. In 1986, I attended extensive training  
20 classes on strategies for curtailing crime. I implemented many of these strategies in Temple  
21 County such as creating a community crime watch, recruiting informants and conducting  
22 outreach programs for teenagers. I received a medal of commendation for my efforts. Yet,  
23 despite my efforts, the high crime rate around Temple High continued.

24 By 1987, I realized that much of the crime in the area was being committed by  
25 individuals under the age of 21 and that if the behavior of this group could change then  
26 overall criminal activity would be reduced. I began attending a master's program in criminal  
27 justice at Temple State University to increase my knowledge about juvenile crime and  
28 prevention. In 1990, I received my master's degree with high honors for my thesis on  
29 "Creating a Zone of Safety at Schools." I am often asked to speak on this topic and to make  
30 recommendations to schools on safety issues.

31 In the fall of 1990, the County Crime Commission approved my proposal to  
32 implement a model safe school program at Temple High. I met with then Principal Sanders  
33 on numerous occasions to discuss my ideas, but she was so disorganized and irresponsible  
34 that little happened. No wonder the school was such a war zone. In the 1991/92 academic  
35 year, we arrested 38 Temple High students for drug-related crimes -- 30 of these arrests  
36 took place on school grounds. I was greatly relieved in 1992 when Dr. Carol Lewis took  
37 over as principal. These days, the drug related incidents at Temple are virtually non-  
38 existent. Since I've been working with Dr. Lewis, I've visited Temple on at least forty  
39 occasions. I have never seen any sign of drugs or of students buying or selling drugs at  
40 those visits.

1           Immediately, things began to improve at Temple with Dr. Lewis' arrival. He/She  
2 created a school safety committee, enforced harsh penalties for students who were caught  
3 using or selling drugs, and increased school spirit 100%. In my opinion, by 1993, Temple  
4 had become a model school, with 85% of the senior class graduating, with clean halls and  
5 cheerful students, and with the best track team in the nation. The kids at Temple were the  
6 type of kids that were going to be model citizens. Temple was one of the safest schools in  
7 not only New Temple County but the entire region. By the spring of 1994, only two  
8 students from Temple were expelled for drug usage, down from 50 during Dr. Lewis' first  
9 year. That low level has continued.

10           To help Temple High out, three police officers patrol the school together about four  
11 times each month for about half an hour through unannounced visits. These visits work. In  
12 the fall of 1995, we only had two incidents. One officer confiscated a pack of cigarettes and  
13 another confiscated ten whipped cream canisters -- unfortunately, someone had already  
14 inhaled the potentially deadly nitrous oxide fumes. This type of behavior is reminiscent of  
15 my high school days at Temple, not of the drug market atmosphere of the late 1980s at  
16 Temple.

17           Around the early fall of 1996, Dr. Lewis did mention that he/she had some problems  
18 with some track students but that he/she had the situation under control. I sent Principal  
19 Lewis a memorandum about the possibility of drug testing some of the athletes. I had just  
20 received another grant and I thought this would be a great way to use the money.

21           Because of the success of the police department's crime-prevention educational series  
22 at Temple, in the summer of 1996, I received a grant and was able to give Dr. Lewis nearly  
23 \$20,000 to be used on behalf of the school. I wanted to use the money to implement a drug  
24 testing program for the athletes. We would have been able to really change the culture at  
25 Temple High if Coach Walker hadn't undercut all of my efforts with Dr. Lewis to make  
26 Temple High the safest school in the nation. I laid out my plan in my memo to Principal  
27 Lewis and, based on our discussions, I thought Lewis was on my side. However, Coach  
28 Walker, without mentioning it to me, wrote Lewis a memo opposing the drug testing. At  
29 first, I thought Walker was just some liberal, ACLU type, but now I know he was the worse  
30 kind of drug dealer imaginable-- a dealer who targets innocent kids.

31           I was suspicious of Walker even before the Coach undercut my drug testing idea.  
32 Everybody knew of Walker's drug use -- he was disqualified from the Olympics for it -- and  
33 I knew from Lewis that Walker had intervened a couple of times by getting kids, caught with  
34 drugs, an easier punishment. I was told by the Chief of a larger department from outside  
35 our region that I should be very careful about Coach Walker. I had talked with this Chief,  
36 and others, about my drug testing plan and they had really liked it -- it would have really put  
37 Temple on the map if we had put the plan into action. But this Chief warned we to "watch  
38 my back" with Walker since she/he obviously "had juice" with the community leaders. I  
39 later told the Chief that the warning to watch out for Walker helped me nab Walker for this  
40 crime.

41           I had heard a lot of rumors over the years about steroid activity at the local gym. It  
42 was always a little embarrassing to me because I worked out there, too. Everybody in town



1 used the gym. I, obviously, never saw any signs of drug use at the gym or it would have  
2 been closed down in a second. You better believe that. My officers have been watching that  
3 place closely since all of this went down.

4 Mr./Mrs. Johnson rightly blames Coach Walker for Ben's injuries. We know Walker  
5 told Johnson to get "help" from Buehler. We also know that Buehler gave out the drugs  
6 with Walker's knowledge after securing the drugs with money from the Coach.

7 Coach Walker claims that Buehler is making up the whole story about Walker's  
8 involvement in supplying Ben Johnson with steroids. I've been a cop a long time and I know  
9 when someone is trying to tell me a tall tale. Buehler was scared to death when I arrested  
10 the kid and there is no way he/she made up this story. Besides, Walker is the only one with  
11 a motive here. If kids run faster, Walker gets the college job and an Olympic post. Buehler  
12 feeding drugs to Ben only makes sense if Walker is running the show.

13 This investigation has been frustrating because Walker covered his/her tracks so well.  
14 Walker made Buehler his/her mule and it worked. I had a lot of people call me with  
15 information about Buehler, wanting to hand over the kid's head on a platter. But, I already  
16 had Buehler. Plus, a lot of folks just didn't want to believe that Walker could be dirty.  
17 Principal Lewis still thinks Walker is innocent. Of course, Lewis may just want to cover  
18 over his/her culpability here for supporting Walker's stand against drug testing. Had Lewis  
19 implemented my testing program in 1996, this may have all been uncovered then and Ben  
20 would not have been hurt.

21 I interviewed a lot of the top runners from Walker's teams over the years. None of  
22 them were very cooperative; most were evasive. It makes a lot of sense that only Buehler  
23 admitted the steroid use -- he/she was already caught red-handed. These other runners, stars  
24 from the past, didn't want to be revealed as drug users and cheats years after their glory days  
25 in high school.

26 Had Mickey Johnson not called me and told me about Buehler and the envelope of  
27 cash, I might never have gotten the goods on Coach Walker. However, Walker raised my  
28 suspicions with his/her own actions, too. Coach Walker called me the day after I heard from  
29 Mickey Johnson. Walker told me that he/she "ran a nice program" and that he/she wasn't  
30 going to "see it ruined by groundless accusations."

Signed and sworn to under oath this 22nd day of October, 1997

/s/ Captain Melendez

Signed before me this 22nd day of October, 1997

/s/ Samuel J. Papermill  
Notary Public

**DEFENSE WITNESS: Statement of Benjamin/Benita Johnson**

1 My name is Benjamin/Benita Johnson. Everyone calls me Ben. March 22nd, 1997  
2 was the day that all my dreams came to an end. That was the day that I severely injured my  
3 foot and the day I began to see how selfish and manipulative my mother/father could be. I  
4 was 17 years old back then. I was a senior and the fastest runner at Temple High.  
5 Currently, I attend Crimson College and I am working to rehabilitate my right foot. One  
6 day, I hope to run track on the collegiate level.

7 For the past 8 or 9 years, I have grown up in a single parent home. My  
8 mother/father and sister, Jennifer, were killed by a drunk driver back in '88. The loss of my  
9 parent was a tremendous blow to me and my mother/father. I attended St. Peter's Catholic  
10 school from kindergarten through 8th grade. In 3rd grade, I began participating in three  
11 different sports. I played basketball, soccer and I ran track. Academically, I made the  
12 honor roll every year. In 5th grade, my mother/father forced me to drop basketball and  
13 soccer and pushed me into devoting all of my time to running track. He/She felt that my  
14 only chance at winning a college scholarship and possibly making the Olympic team was to  
15 pursue track.

16 In 9th grade my mother/father enrolled me in Temple High school. It was the school  
17 with the best reputation for producing star runners. Temple made the state championships in  
18 track nearly every year. My father/mother even knew the track team coach, Leigh Walker,  
19 from their younger days of running track together. I tried out for the Varsity track team my  
20 freshman year, but I just missed making it. Coach Walker thought that one year at the  
21 Junior Varsity level would do me some good. But my father/mother demanded that I run on  
22 the Varsity team. He/She went to see Coach and talked him/her into allowing me to run  
23 Varsity. Some of the other runners who didn't make Varsity were jealous.

24 It was around that time that I became friends with Alex Buehler. Buehler was a  
25 sophomore in college and a member of the Owlville college track team. Buehler was the  
26 fastest sprinter on Owlville College's track team before his/her injuries forced him/her to  
27 retire. More than anything, I wanted to be like Buehler. I had known Buehler for a few  
28 years, ever since Buehler was in high school. Buehler had worked out with me occasionally  
29 while I was in junior high school. Buehler told me then that hard work was the key to  
30 success. It's a message Coach Walker always stressed. In an effort to improve my times, I  
31 would run extra laps at the end of every practice. The rest of the track team thought I was  
32 trying to show off, but I would have done anything to earn their respect. After one of those  
33 workouts, I broke down and confided in Buehler about all the pressure my father/mother was  
34 placing on me to excel at track. I would have done anything back then to please my  
35 father/mother.

36 Thanks to my father/mother I had no life outside of school and the track. I went to  
37 school at 8:30 in morning, then I had track practice after school. After practice, Coach

1 Walker drove me directly home. At home, I had lots of chores to do and homework to  
2 complete. My mother/father would not get home from work until 9:00 p.m. We ate dinner  
3 together at 9 p.m., then I washed up the dishes, finished my homework, got a shower and  
4 went to bed. I never went out on the weekends or attended any parties. A few times,  
5 teammates would come over to my house and we would party. Some of them would smoke  
6 pot, but I never tried that stuff. Occasionally, Buehler and I would hang out in the park  
7 after practice and smoke cigarettes. My father/mother would have gone crazy if he/she ever  
8 found out that I didn't spend every afternoon locked in the house. My father/mother was  
9 always concerned that something bad would happen to me if I wasn't at school or at home. I  
10 hate him/her for robbing me of those years. Coach Walker is the only one who really cares  
11 about me. Coach understood that my father/mother was pushing me too hard.

12 In the 1995 Tri-Conference race leading up to the state championships, I got really  
13 nervous and didn't run up to my potential. I came in dead last in the 100 meters and in sixth  
14 place in the 200 meters. After those races, I swore to myself that I would not let that  
15 happen again. I worked very hard to improve my body. I lifted weights constantly. But the  
16 weight lifting did not seem to be doing all that much for my physique. Buehler had been  
17 hired by Coach as a part-time athletic trainer at this point. After practice one day he/she  
18 approached me and asked if I was interested in trying a new vitamin. I had been nursing a  
19 slight injury and Buehler said this would help. Of course I was interested in anything that  
20 would improve my health and my running times. The next day, Buehler gave me three little  
21 white tablets and told me that they would make me faster and stronger. I took the pills and  
22 continued to work out every spare minute. After a month or so, I began to notice changes in  
23 my body. I was getting stronger and stronger. I also cut 1/2 second off my 100 meter time.  
24 Near the end of my senior season, I was the individual team leader in overall points. The  
25 pills that Buehler supplied me with were really working wonders. Every few weeks, Buehler  
26 would give me a few weeks supply of the vitamins. Coach and my mother/father were  
27 extremely pleased with my performance on the track. Buehler never told me exactly where  
28 he/she got the vitamins, but he/she told me that people in high places were looking out for  
29 me. As an athletic trainer, Buehler told me that he/she had access to all different kinds of  
30 vitamin supplements. Buehler never indicated to me that anyone else had any involvement in  
31 giving me the pills but her/him. As far as I know, it was Buehler who got the pills and it  
32 was Buehler who gave them to me. Coach would never do anything to hurt me so he/she  
33 would not have told Buehler to give drugs to me.

34 On the day of the Tri-Conference meet, I took three pills in the morning given to me  
35 by Buehler. He/she always gave me extra vitamins on race days. This was the most  
36 important event all year. If Temple won the Tri-Conference meet, we would be assured a  
37 spot in the state championships. I started off strong in the 100 and 200 meter events. I won  
38 both and Temple was in first place prior to the start of the 800 meter relay. With the help of  
39 the pills, I felt unbeatable. As the fastest runner on the team, I always anchored the team in  
40 the relay event. The race was tight and it all came down to my final lap. My teammate,  
41 Bobbie Hayes, botched the handoff of the baton. I ran the race of my life, but I still only  
42 managed a second place finish. The loss cost us a chance to compete in the state

1 championships. After the race, Bobbie walked up to me in an effort to give me a hug. I  
2 was so infuriated that he/she cost me the race that I pushed him/her away. My father/mother  
3 had such a look of disappointment on his/her face. I could not bear to look at him/her. I  
4 ran into the locker room after the race. In the locker room, something inside just snapped  
5 and I felt waves of uncontrollable anger washing over me. There was no way I could control  
6 my emotions. Suddenly, before I realized what was happening, I was punching and kicking  
7 everything in sight. I remember hearing a crack in my left hand as I struck a locker with my  
8 fist, but I continued to pound on it. I struck the water fountain with my foot 8 or 10 times  
9 until it began to ache. Finally, I slammed my head against the wall until I lost  
10 consciousness. I don't remember anything after that. The next thing that I remember was  
11 that I was in an ambulance with my father/mother sitting next to me.

12 At the hospital, in addition to my broken bones and my concussion, my mother/father  
13 told me that the doctors found steroids in my system. For some reason, he/she seemed  
14 surprised. My father/mother and Buehler were so chummy I just assumed that my parent  
15 knew that Buehler was supplying me with steroids. My mother/father screamed at me for 10  
16 minutes about how I had embarrassed him/her and then he/she demanded that I tell him/her  
17 where I got the drugs. I told him/her that if he/she paid any attention to what was really  
18 happening in my life then he/she would already know where I got them. That only caused  
19 my mother/father to get angrier. He/She kept yelling about how I had ruined my chances of  
20 receiving the Huxtable scholarship and possibly making the Olympics. I finally broke down  
21 and told him/her that it was the trainer that he/she was such good friends with - Alex  
22 Buehler - who gave me the drugs. My mother/father stormed out of my hospital room and  
23 telephoned Coach. After his/her conversation with Coach, my mother/father came back into  
24 my hospital room and said that he/she suspected that Coach was behind giving me drugs. I  
25 told him/her that he/she was dead wrong and that Coach was the only person I really trusted.  
26 My mother/father still blames Coach for his/her failure to make the Olympic team way back  
27 in the 1960's. That is why he/she wanted any excuse to go after Coach and get him/her in  
28 trouble.

29 My mother/father called his/her buddy, Police Captain Melendez, and accused Coach  
30 of getting me hooked on drugs. I hate my mother/father for getting Coach arrested. Police  
31 Captain Melendez didn't even want to hear my side of the story. He/She has a grudge  
32 against Coach just like my mother/father, so he/she arrested Coach without any hard  
33 evidence. The real culprit in this case is Buehler. He/She is the one who supplied me with  
34 the pills. And he/she is the one that caused me to get a large metal pin in my foot making it  
35 difficult for me to run. I thought he/she was my friend, but Buehler wanted to spoil my  
36 chances of winning the Huxtable scholarship. He/She was afraid that if I won the  
37 scholarship, I would decide to attend Owlville and break all his/her collegiate running  
38 records.

39 Alex Buehler abused my friendship. He/She supplied me with drugs, got me hooked  
40 and then turned around and blamed Coach. I can't believe that I ever looked up to Alex.  
41 The deal Buehler made with the prosecutor is simply a way to pin the blame on someone

1 else. The real travesty is that Coach did nothing but help Buehler throughout his/her running  
2 career. Coach made Buehler a great runner, secured the Huxtable scholarship for him/her,  
3 gave Buehler a job as trainer and paid him/her on top of all that. In return, Buehler lied,  
4 cheated and disrespected the best track coach in the country. Of course, my father/mother  
5 deserves some of the blame as well. Buehler started training me in grade school because my  
6 father/mother was paying him/her to make me a faster runner. Now, my father/mother is  
7 covering up for Buehler because of this personal vendetta against Coach. I never would have  
8 taken drugs if my father/mother did not push me so hard to be the best. I am going to do  
9 everything in my power to prevent Coach from going to jail. Buehler already ruined one life  
10 - mine - I am not going to allow him/her to ruin another.

Signed and sworn to under oath this 25th day of October, 1997

/s/ Benjamin/Benita Johnson

Signed before me this 25th day of October, 1997

/s/ Henry Patrick \_\_\_\_\_  
Notary Public

**DEFENSE WITNESS: Statement of Leigh Walker**

1 My name is Leigh Walker. I am fifty years old. I worked at Temple High School  
2 until this matter blew up last spring. I've been on paid leave since then. For the last fifteen  
3 years, I have taught physical education and coached the championship track team at Temple  
4 High School. We average about twenty-five athletes. Ben Johnson was one of my star  
5 runners. I still can't believe he/she got caught abusing steroids. I am completely torn up  
6 about it. He/She had so much potential, so much to look forward to.

7 A drug problem in any of my students would upset me, particularly someone I've  
8 coached, but I am particularly close to Ben. His/her father/mother and I go way back.  
9 Mickey Johnson and I ran track together in college. We were both All-American, and we  
10 both qualified to compete at the Olympic team trials in 1968. I made the Olympic team, but  
11 Mickey Johnson didn't qualify. Mickey was very bitter toward me after I made the team; I  
12 guess he/she thought he/she should have made it and not me. Later, I was disqualified after  
13 a random urine test of mine turned up dirty. I admitted to using steroids, but I only used  
14 them to speed up my recovery from an illness. I had had mononucleosis a few months  
15 earlier. My family doctor gave me steroids; he didn't know about the Olympic drug testing  
16 and I just assumed he wouldn't do anything to ruin my chances at the gold. That drug test  
17 ruined my Olympic dreams and my running career. Life is funny, though. Had I not had  
18 the problem with the drug testing, I might never have gotten involved in coaching, at least at  
19 such an early age. My first team, a neighborhood squad of 12 year olds, hooked me forever  
20 on this profession. There is nothing finer than to work with young people and to see them  
21 achieve. I really have missed coaching since all of this went down. I lost a great chance to  
22 move up to the college ranks because of what happened, but you never know. When the  
23 trial is over and I'm vindicated, maybe somebody out there will be willing to take a chance  
24 on me. I know I'm never going to give up.

25 Mickey Johnson and I lost touch for a long time after the drug testing incident in  
26 college, but we met again when we both ended up in New Temple County and his/her kid  
27 wanted to come to Temple High to run track. I was glad to close the book on some old  
28 problems and start anew. I didn't realize that the older Johnson was looking still to even the  
29 score. Mickey has always believed that but for my drug use, he/she would have been on the  
30 Olympic team. It puzzles me how anyone can be so deluded. We had been training partners  
31 for years, but once I became ill with mono, we stopped working out together. I thought that  
32 I would slow Mickey down since my recovery was going to take a long time. I also  
33 discovered as I worked my way back into shape that I really enjoyed the quiet of working out  
34 alone. Mickey was always so competitive with me and would always be trying to psyche me  
35 out when we raced together. Not that it did her/him any good. I was always the better  
36 athlete and was ranked higher nationally.

37 Even when I recovered completely, I kept up my solo workouts. It never even  
38 dawned on me that this would end my friendship with the older Johnson. However, she/he

1 really went crazy after the Olympic trials. Mickey didn't seem happy for me the way a true  
2 friend would be when I made the team and she/he did not. After I was disqualified, Mickey  
3 confronted me on the quad and screamed at me that I had "ruined her/his chances to win a  
4 gold medal." What nerve! She/he continued on with some nonsense about me training alone  
5 "just to hide my drug use". Can you imagine that Mickey blamed me for her/his failure to  
6 make the team because we didn't train together before the trials. Even if we had trained  
7 together every moment of every day, right up until the first heats of the trials, there is no  
8 way the older Johnson would have made the team. She/he was good, just not good enough.

9 Ben didn't have much of Mickey's running genes when he/she first tried out for the  
10 team his/her freshman year. He/She barely made the team, in fact. Mickey came to see me  
11 and insisted that I give Ben special consideration. Mickey brought up how he/she had  
12 forgiven me over my expulsion from the Olympic team. I was a bit taken aback to think that  
13 she/he was still worrying about events from a quarter century ago, but I was really happy to  
14 think that we might be friends again. After that I didn't have the heart to cut my friend's  
15 kid, so I gave Ben the benefit of the doubt. I never regretted it. By his/her senior year, Ben  
16 was our star runner. Ben was the key to our future success.

17 In the spring of 1995, we lost the State Championship. Ben choked: last in the 100  
18 meters and sixth in the 200 meters. He/She must have really trained hard afterwards because  
19 there was a marked difference in both his/her physical appearance and his/her running  
20 ability. Ben became extremely muscular. His/Her times improved by half a second. While  
21 this was a big improvement, it wasn't too unusual given the ability of our athletes and the  
22 coaching that they receive from me. Indeed, Ben led the team in points at all his/her senior  
23 meets. I told Ben to continue doing whatever he/she was doing because it was working.

24 Hindsight is 20/20, but there is no way that I could have known that Ben was using  
25 steroids. I feel just terrible that as Ben's coach, I didn't really know anything about his/her  
26 drug problem. I may have overlooked the subtle signs because of all the pressure Mickey  
27 was putting on me to make Ben a star runner. But it was Mickey's responsibility to notice  
28 that his/her child was using drugs. I can't take the place of a parent. In addition, some of  
29 the symptoms of steroid use that Ben possibly showed were similar to typical teenage  
30 problems. Moreover, I believed that my future was at stake if we lost the State  
31 Championship again. At Temple High, track is not just a sport, it's a way of life. Mickey  
32 just didn't understand that his/her child's future wasn't the only thing at stake. I had a great  
33 deal to lose as well.

34 Mickey incorrectly blames me for Ben's drug problem. If a kid as great as Ben  
35 resorted to steroid use, it's clear to me that it's because his/her home environment allowed  
36 for drug use to flourish. Mickey did everything possible to mold Ben into a star runner.  
37 He/She forced him/her to workout constantly, drink power shakes, forego a social life, all in  
38 the pursuit of glory. I think Ben's Dad/Mom should be blaming him/herself. Mickey  
39 definitely could have done something to help Ben. I know he/she was very strict with Ben,  
40 but he/she worked too many hours to enforce his/her rules. He/She thinks that a curfew and

1 few chores are enough to combat the immense problems facing teenagers. Nothing can  
2 replace a parent who is there for their child. Ben turned to drugs out of desperation. It  
3 probably was his/her escape from the realities of his/her home life.

4 Ben's drug problems prove that Mickey needed to do more. It is clear that Mickey is  
5 scared, because he/she is trying to paint a negative picture of me like I was a drug pusher or  
6 something. Ben used steroids because of all the pressure he/she was under at home. Mickey  
7 pushed his/her children to succeed even harder after the death of his/her spouse, Pat.  
8 Mickey didn't think he/she was a good parent unless Ben was the best at everything that  
9 he/she did. He/She also attempted to recapture the glory of his/her youth as a runner by  
10 living through Ben's accomplishments.

11 In the spring of 1994, I selected Alex Buehler, a former Temple High track star, for a  
12 paid part-time position as the athletic trainer who helped the athletes before practice started.  
13 Buehler had run track at Owlville College on a Huxtable Scholarship after she/he graduated  
14 from Temple High until an injury cut short her/his career. I went to bat for my former star  
15 and got her/him a job at Temple High. Buehler worked hard as an athletic trainer and  
16 he/she fulfilled all my expectations. In addition to her/his regular duties, I put Buehler in  
17 charge of buying necessary items for the training room. Every other week or so, I gave  
18 Buehler money from the petty cash drawer in my office to purchase these supplies. Buehler  
19 went to a local gym to buy whatever the training room needed: ace bandages, ice packs,  
20 power shake mix, etc. Buehler always returned from the gym with the things the track team  
21 needed most. Buehler was bad about getting receipts for everything she/he bought, but I  
22 didn't mind covering these little expenses since they helped the team. The older Johnson  
23 makes a big deal out of seeing Buehler get an envelope full of cash from me--it probably was  
24 just one of these petty cash purchases.

25 Buehler also did some private jobs for me as a way of earning extra cash. In his  
26 investigation, Melendez made a big deal about me handing "a pile of cash" to Buehler in an  
27 envelope. It probably was a payment from me for legitimate work Buehler did for me.  
28 Buehler sometimes complained that I worked him/her as hard as a farm animal, but I always  
29 paid Buehler for those tasks. However, I doubt I ever gave Buehler more than \$50 at any  
30 one time. I was tough on Buehler, as I am with all kids. Just like the old story about the  
31 mule and the 2 x 4, sometimes you need to use special tools to get these kid's attention.

32 Buehler was the best runner I ever coached prior to Ben coming to Temple. In  
33 Buehler's senior year of high school, however, she/he was caught in the school bathroom  
34 smoking pot and possessing a sizable amount of steroids. Although Buehler violated the  
35 agreement that all school athletes must sign pledging that they will refrain from drinking and  
36 using any drugs, this was only her/his first violation and I felt she/he deserved a break.  
37 Principal Lewis wanted to suspend her/him immediately and move for expulsion. I was  
38 upset. I confronted Principal Lewis, arguing that he/she was sending a draconian message to  
39 the kids. I think the principal was overzealous. What made Principal Lewis's decision even  
40 more aggravating was that this was the first time that Buehler had been caught smoking pot.



1 I finally convinced Principal Lewis to allow Buehler to continue to run track after serving a  
2 brief in-school suspension. I believed this would provide him/her with an ideal opportunity  
3 to learn about teamwork and discipline. Plus, a running scholarship was Buehler's only hope  
4 to attend college. Buehler surprised us all by making the honor roll for the second semester  
5 of her/his senior year. At graduation, Buehler received the Huxtable Scholarship thanks in  
6 large part to my influence over the selection process. The news that Buehler was the student  
7 who gave Ben the steroids was not a total surprise. Buehler is blaming me for this terrible  
8 incident because he/she is attempting to cover-up his/her own drug problem. I learned later  
9 that Buehler used steroids throughout his/her high school track career. I lobbied to permit  
10 Buehler to continue to run after his/her drug infraction because I thought he/she would turn  
11 his/her life around. I even gave him/her a job with the team when injuries forced Buehler to  
12 stop running. Buehler had everyone fooled, including me. Buehler knows that I didn't know  
13 anything about Ben's steroid problem or I would have done something about it. He/She is  
14 every bit as responsible for Ben's drug habit as Mickey. Buehler cut this deal with the  
15 prosecutor to save his/her own skin. It's hard for me to accept this lack of loyalty, but I  
16 know the police captain scared him/her to death by arresting him/her at Owlville in front of a  
17 big crowd.

18 On two occasions, during the fall of Ben's senior year, I thought about approaching  
19 Principal Lewis about two of my runners whom I suspected of using steroids. They had all  
20 the telltale signs -- acne, bad breath, balding, moodiness, headaches -- and their running  
21 times improved too quickly. In the end, I did approach Principal Lewis about my  
22 suspicions. I had feared that he might suggest that drug testing for all of my runners might  
23 be a good idea, but I was able to convince him otherwise when Captain Melendez tried to  
24 push the plan on us. The drug testing of student athletes, in my opinion, is a violation of a  
25 student's right of privacy. Besides, if it wasn't for the random drug testing of athletes, I  
26 would have ran on the Olympic team back in 1968. However, I felt that I needed to do  
27 something about the drugs at Temple, so I talked to the kids about my own disastrous  
28 problems with steroid use. I even wrote a "Say No to Drugs" piece in the school paper. I  
29 also sent a letter home to my team.

30 A few days after the incident, Captain Melendez interviewed me about Ben's drug  
31 abuse. I explained to him/her that I had absolutely no idea that Ben was taking drugs or  
32 where he got them. Captain Melendez told me that Buehler was in custody and cooperating  
33 with the police. He/She said that Buehler had told him/her the whole story and that I didn't  
34 need to lie anymore. That's when I realized that Buehler was telling the police whatever  
35 he/she thought would get him/her out of trouble. I denied that I instructed Buehler to buy  
36 steroids and to give them to Ben. I love Ben as if he/she were my own child. I only wanted  
37 the best for him/her. Captain Melendez said that he/she didn't believe me and told me he  
38 was going to charge me with providing drugs to Ben. A week later, Captain Melendez  
39 completed his/her sham investigation and arrested me on the track field during a practice.

1 I'm sure that Mickey realizes that her/his parenting approach didn't cut it. In  
2 addition, Buehler bears much of the responsibility for this sad incident. Unfortunately for  
3 Ben though, it's too late to undo all the harm that drugs caused in his/her life.  
4 Isn't it interesting that Ben is not blaming me but rather his/her parent for this whole sorry  
5 mess?

Signed and sworn to under oath this 21st day of October, 1997

/s/ Leigh Walker

Signed before me this 21st day of October, 1997

/s/ Charles Smith  
Notary Public

**DEFENSE WITNESS: Statement of Dr. Carol Lewis**

1 I am the principal of Temple High School in New Temple. The school has a student  
2 body of 1,000. I received my BA in English from West University in 1980 and my Masters  
3 in Educational Administration from Ohio East University in 1982. Upon the completion of  
4 my Masters, I spent two years working for the Ohio State Board of Education, where I  
5 specifically focused on curbing violence and drug usage in public schools. I then spent three  
6 years as the Assistant Principal at Deerfield High School in Oakview, Ohio, before taking  
7 over as Deerfield's principal in 1987. In the 5 years I served as Deerfield High School  
8 principal, the number of drugs on school property dropped dramatically.

9 In 1992, I moved to New Temple to be the principal of Temple Senior High School.  
10 The PTA and the New Temple County School District were impressed with my experience in  
11 addressing and curbing school violence and drug usage, and I was delighted to accept the  
12 challenge of making Temple a safer learning environment. I have been the principal at  
13 Temple for almost four years now. I have made tremendous strides in reducing the  
14 prevalence of drugs and violence at Temple, especially given the prevalence of drugs and  
15 crime in the neighborhood. Things were so bad when I first arrived that a student died of a  
16 drug overdose in home room during the first week of classes. There's not much that I can  
17 do about what students do outside of school. Now Temple is a school where students excel  
18 academically and athletically.

19 The first step I took when I became the principal was to create a security committee  
20 which was responsible for ideas on creating a safer school environment. Leigh Walker was  
21 chair of this committee. I got along with Leigh. I implemented many of the commission's  
22 suggestions as well as my own. I tried to hire four new security officers but, because of the  
23 budget problems, I was only able to hire two, for a total of five. Luckily, Police Officer  
24 Davis's experience and professionalism equal the work of two average officers. Officer  
25 Davis requires everyone to enter through a metal detector and searches their bags.

26 Jo Melendez, the New Temple Police Captain, has been instrumental in helping  
27 Temple remain safe. Thanks to him/her, Officer Davis is stationed at the front door and two  
28 officers randomly show up at the school one or two times a week. In addition beginning in  
29 the fall of 1994, I managed to arrange for a drug-sniffing dog to come into the school about  
30 once a month. The students have mentioned to me that the dog works wonders. In the fall  
31 of 1994, I also explored the idea of drug testing. I wanted to randomly test all students for  
32 drugs but the New Temple County District Attorney told me that we could run into legal  
33 problems if we didn't have any indications of drug use to establish sufficient suspicion.

34 Despite the financial pressures, I was able to take numerous concrete steps to improve  
35 security. In the spring of 1994, I chained shut the six side school doors leading to the  
36 outside so as to physically prevent drug dealers from entering school property. The dealers  
37 loved to enter the school that way to avoid the main entrance that was carefully patrolled by

1 Officer Davis. I also instructed the security officers to patrol the halls instead of  
2 concentrating all of their efforts on the front door. Unfortunately, I was ordered by the  
3 Superintendent in August of 1994, to take the chains off because they created a fire code  
4 violation. Ever since then, I have done my best to make sure that our security officers,  
5 teachers, and students monitor these doors. I tried to obtain special exit doors that could  
6 only be opened in the event of an emergency. These doors cost over \$30,000, however, so I  
7 knew that the School District wouldn't pay for them. There are signs posted, both inside and  
8 out, at every exit door. The signs advise students that it is illegal to enter or exit or to help  
9 someone enter or exit through the doors. The signs also advise students that breaking the  
10 rule carries a suspension.

11 Despite the size of the school, we have a family atmosphere where I recognize all the  
12 students. I encourage my staff to do likewise. That way, it's easy to spot and apprehend  
13 anyone who does not belong in the building. In 1993, I set up a telephone number where  
14 students could call anonymously to report any safety concerns. The hotline won an award  
15 for excellence in 1994.

16 In addition, I periodically hold seminars and conduct poster campaigns for the student  
17 body and staff on issues such as guns, gang violence, and drugs. We don't have a major  
18 problem with drugs or gangs at Temple but it's important to alert students to the harms of a  
19 larger world. This past December, as part of New Temple's Drug Awareness Week, I  
20 organized a widely publicized presentation about the dangers of drug use. The panelists  
21 specifically cautioned the students that you don't have to use hard drugs to be in grave  
22 danger. They spelled out in great detail the dangers of drugs that are popular with today's  
23 youth -- marijuana, nitrous oxide, and steroids. I remember them mentioning steroids in  
24 particular because I recall that Alex Buehler had a funny look on his/her face. Ben Johnson  
25 was also there.

26 Because of the harsh penalties that I impose for anyone caught using or selling drugs  
27 or alcohol, I've earned the nickname "the enforcer." During the 1992/93 school year, thirty  
28 students were expelled for drug related offenses. My predecessor did not have much  
29 experience curbing school drug use, so the school district asked her/him to leave and hired  
30 me. It would have been impossible for me to change the situation overnight. During the  
31 1993/94 year, only twelve were expelled for drug-related offenses. Six of those twelve  
32 students were athletes. Two of them were caught using steroids and both were wrestlers.  
33 The other four were basketball players who used marijuana before a game. The expulsions  
34 took care of any drug-related problems. But as an extra precautionary measure, in the fall  
35 of 1994, I intensified my efforts to educate and monitor the athletic teams. I talked with  
36 Coach Walker on numerous occasions about his/her team. Coach Walker assured me that  
37 his/her athletes were clean and that there were absolutely no problems. Coach told me that  
38 the fast times of the athletes were of no concern to me because the times of our track athletes  
39 have always been better than those of the neighboring schools. But just to be safe, I mailed  
40 a letter, a flier and an article about the dangers of steroids to all track team parents.

1 Captain Melendez was a big proponent of drug testing of student athletes and in  
2 retrospect, a drug testing program might have made a difference in uncovering Ben's drug  
3 use earlier. I was in favor of the drug testing idea until Coach Walker convinced me that it  
4 would be too costly in the long run. And that cost is why I'm still against the program.  
5 Melendez wants to make this decision of mine appear to be the result of Coach Walker's  
6 "conspiracy" but that is false. I made this decision on my own.

7 Ben was by no means a model student and I had several talks with him about his/her  
8 attendance and attitude problems. But, without the cooperation of Mr./Ms. Johnson, there's  
9 really little I could do. Mr./Ms. Johnson never had the time to meet with me except for that  
10 one occasion when he/she wanted to discuss whether the school would nominate Ben for the  
11 Huxtable Scholarship. The four year college scholarship is given to our best scholar/athlete.  
12 I remember thinking that Mr./Ms. Johnson would stop at nothing to ensure that Ben was our  
13 nominee. Track is the heart and soul of Temple. In preparation for the 1995 Tri-Conference  
14 meet, I bought the team sleek new uniforms for a bargain price of \$2,500.

15 I feel just terrible that it was Alex Buehler who gave Ben the steroids. I really  
16 thought that the school had finally gotten through to Buehler. In March of 1994, after  
17 Buehler was caught smoking pot in the bathroom, I suspended her/him for two weeks and  
18 had a long meeting with her/his mother. This was the first time that Buehler had been in  
19 any kind of trouble. She begged me to give Buehler a second chance, because she/he would  
20 only get into trouble if she/he were suspended since she couldn't supervise her/him during  
21 the day. I refused since I believe strongly in disciplining and teaching children lessons.  
22 However, I did agree to allow Buehler to continue running after Coach Walker intervened  
23 and assured me that the kid was good at heart. After Ben's violent episode, I immediately  
24 fired Buehler as an athletic trainer. It was only then that I learned from Coach Walker that  
25 Buehler was behind all of this drug use.

26 Actually, if I had been more alert to Ben's problems, I might have uncovered  
27 Buehler's illegal activity right before the meet when I saw Buehler and Ben together. I  
28 overheard Ben tell Beuhler that his parent was "pushing" something on him. Based on what  
29 I know, I think Ben Johnson was talking about using steroids because of the pressure to  
30 succeed that Mickey Johnson placed on the child. Beuhler was helping out his/her friend by  
31 supplying the drugs. When all of this blew up, Beuhler tried to blame it on Coach Walker to  
32 escape the punishment. And it worked. Beuhler had always tried to "get over" on folks. I  
33 think that Walker was a little blind to Beuhler. I would never have hired Beuhler as trainer  
34 because of an incident when he/she was in high school, but Coach Walker wanted to give the  
35 kid a chance and I let Coach talk me into hiring Beuhler. Back in high school when Beuhler  
36 was caught with drugs, Coach Walker also talked me into giving Beuhler a break. I didn't  
37 expel the kid, just suspended him/her in school for three days. Well, when this is all done  
38 and Coach is back working at school, I'm going to follow my instincts and give the kids the  
39 tough love they need. I think Coach understands this better today, too.

1 I am deeply sorry for Mr./Mrs. Johnson's pain. As a principal who cares deeply  
2 about each and every student, I grieve for this needless and tragic incident. I understand  
3 Mr./Mrs. Johnson' pain, and that he/she is hurt and angry. Clearly, he/she is looking  
4 frantically for someone or something to blame. Mr./Mrs. Johnson can't see that the person  
5 to blame, besides Alex Buehler, is facing him/her in the mirror. Mr./Mrs. Johnson must  
6 have known what was going on. He/She let things get out of control. Johnson wants to  
7 blame Coach Walker, but Buehler gave Ben the drugs. I do my best to create and maintain  
8 as safe a learning environment as possible, but I can't guarantee complete protection from  
9 society's evils.

Signed and sworn to under oath this 22nd day of October, 1997

/s/ Dr. Carol Lewis

Signed before me this 22nd day of October, 1997

/s/ Charles Smith  
Notary Public

**TEMPLE HIGH SCHOOL**  
1 APOLLO WAY  
NEW TEMPLE, PA 98765

November 12, 1996

Mickey Johnson  
2323 Sundale Drive  
New Temple, PA 01234

Dear Mickey:

Greetings. I am writing all parents of track team members about what could be a serious problem -- the use of steroids by athletes to enhance their performance. We have no reason to believe that track team members are currently using steroids. There have been no major problems in the past. However, since steroid usage is on the rise nationally, we wanted to advise you of this trend.

I have attached an information sheet on the signs of steroid usage and an article about the link between steroid abuse and heart disease. Both the school and the parents must work together to protect our children from the harmful effects of steroids.

If you suspect your child is using steroids, please notify the school and consult your doctor.

Thank you for your attention to this matter.

Sincerely,

/s/ Coach Leigh Walker

Attachments

*Dear Mickey,*

*Ben's times are improving at a miraculous pace. Keep it up and the Huxtable Scholarship is within reach.*

*Fondly, Coach Walker*

Temple High Students, Friends, & Family:

If you see these signs in a Temple High athlete, that athlete may need our help. Get them help immediately by seeing Coach Leigh Walker in room 222.

### THE WARNING SIGNS OF ANABOLIC STEROIDS

Category	Warning Sign(s)
Bladder	Frequent urination
Bones	Stunted growth Pain
Breath	Bad Smelly
Chest	Soreness Tenderness
Hair	Balding
Heart	Higher risk of heart disease, heart attack
Muscles	Increased injuries Bulking
Personality	Mood swings Aggression Fatigue Headaches
Skin	Acne Yellowing Red splotches



**NEW TEMPLE POLICE DEPARTMENT**  
99 SUGARLOAF DRIVE  
NEW TEMPLE, PA 98765

**M E M O R A N D U M**

TO: Principal Carol Lewis  
FROM: Captain Jo Melendez  
DATE: October 18, 1996  
RE: Drug Testing of Athletes

\*\*\*\*\*

I hope today finds you well. It's been such a pleasure working with you to improve the safety of Temple High School. I look forward to continuing our collaborative efforts. The police officers especially enjoy working with the school which has such an incredible track team -- the pride and joy of New Temple County.

I thought you would be interested to know recent developments in the law regarding the drug-testing of athletes. The U.S. Supreme Court has decided that it is permissible to require all students who wish to participate in a school's football program to submit to drug testing.

The Supreme Court will allow the testing because of the following:

- a) the invasion of privacy is minimal since it's no more intrusive than using a public bathroom;
- b) high school students do not have as many privacy rights at school as adults do in our society;
- c) drugs have been a tremendous problem with the football team in the past; and
- d) football is a dangerous sport that heightens the harm that drug use may cause.

I think this reasoning applies to all sports. It would be a good idea to talk with the New Temple County School District attorney about whether testing would be appropriate. You can't be too safe. Since we have the drug-free schools grant money, this program of drug testing will not cost the school a dime. It also will put Temple High on the map as a serious player in the anti-drug network.

cc: School Athletic Director and Coaches

Exhibit 2

**TEMPLE HIGH SCHOOL**  
1 APOLLO WAY  
NEW TEMPLE, PA 98765

**M E M O R A N D U M**

TO: Principal Carol Lewis  
FROM: Coach Leigh Walker  
DATE: October 20, 1996  
RE: Captain Melendez's Memo on Drug Testing of Athletes

\*\*\*\*\*

This idea of drug testing athletes is a bad one. You know how I feel about this and my reasons -- both person and professional -- for opposing drug testing. But here's one that Captain Melendez is just plain wrong about the cost. Sure, the grant will pay for the drug testing this year, but what about the next year and the year after that? Who will pay for it then? And who will pay for the lawyers who will have to defend this policy in court when it is challenged -- as you know it will be -- by one of our kid's parents.

I urge you to use the grant money to sponsor the peer mediation program in the school. Violence prevention is a key to drug resistance, overall, and it is a much better use of these funds. They have some great mediators over at the law school who will be happy to train our kids in peaceful conflict resolution.

Let's meet and talk about this before you make your decision.

Exhibit 3

**CUNNANE HOSPITAL**  
123 HEALING AVENUE  
NEW TEMPLE, PA 97865

<b>Patient:</b>	Benjamin/Benita "Ben" Johnson 2323 Sundale Drive New Temple, PA 01234	<b>D.O.B.:</b>	October 31, 1979
		<b>Age:</b>	17
<b>Employer:</b>	Student T.H.S.	<b>Height:</b>	5'10"
<b>Insurer:</b>	Double Cross Health Ins.	<b>Weight:</b>	170 lbs
<b>Admitted:</b>	3/22/97 7:06 p.m.		

---

**Drug reactions:** None

**Diagnosis:**

1. Broken Left Hand
2. Compound Fracture Right Foot
3. Concussion

Attending physician: Dr. Harold Cooper

*HISTORY OF PRESENT INJURY:*

The patient, a seventeen-year-old male/female, arrived at the Emergency Room via ambulance, accompanied by his/her parent, complaining of pain in left and right hands, left and right feet and a severe headache and dizziness. The patient's parent reports that he/she found the patient lying on the floor of a high school locker room unconscious and bleeding from the head and hands. The parent further reports that the patient is a member of the high school track team and that his/her child's teammates informed the parent that the patient injured him/herself after a track meet loss. The patient indicates that he/she struck different stationary items in the locker room with his hands, feet and head.

*MEDICAL HISTORY:*

The patient underwent prior arthroscopic surgery on the left knee cap to repair bones spurs five years earlier. No other medical problems were stated by the patient. The patient is not allergic to any medications. The patient denies any drug or alcohol abuse. The patient claims he/she is a non-smoker.

*PHYSICAL EXAMINATION:*

On physical examination, the patient is a very muscular adolescent male/female in no acute distress. The vital signs are normal with a respiratory rate of 15 and a temperature of 98.6. The blood pressure is 90/60. The cardiac examination is normal. The lungs revealed a diffuse inspiratory wheeze indicating possible tobacco use. The abdomen is soft and nontender. The upper thigh area includes several small stretch marks indicating rapid muscle growth. The patient is conscious, alert, oriented, but complains of dizziness. Reflexes are normal. Extremities are bleeding, bruised and swollen. There is a small cut on the patient's forehead. The patient states that he/she cannot move his/her extremities without severe pain. A complete workup is ordered including: X-rays, CAT scan, and blood panel.

*LABORATORY EVALUATION:*

The patient's hemoglobin and white count are within normal range. The electrolytes are normal. The BUN and Creatinine are normal. The toxicology screen is positive for anabolic steroids. The x-rays demonstrate two fractures in the left hand and a compound fracture of the right foot. The CAT scan is normal.

*HOSPITAL COURSE:*

The patient was admitted for surgery to place two metal pins in his/her right foot and for observation following the concussion. The patient's left hand is immobilized with a plaster cast. The patient's parent will be informed of the presence of anabolic steroids in his/her child's system. Drug counseling is recommended.

The patient will be discharged in 2 or 3 days on crutches with instructions to follow up in my office in two weeks.

/s/ Harold Cooper, M.D.  
Harold Cooper, M.D.  
Treating Physician

Certified as a true and correct copy of the original in the medical files of Cunnane Hospital. Pursuant to G.S. 409, 1952, the original of all medical records must remain in the custody of the treating hospital.

/s/ William Sheffield  
William Sheffield, Director  
Cunnane Hospital - Medical Records

**CUNNANE HOSPITAL**  
123 HEALING AVENUE  
NEW TEMPLE, PA 97865

<b>Patient:</b>	Benjamin/Benita "Ben" Johnson 2323 Sundale Drive New Temple, PA 01234	<b>D.O.B.:</b>	October 31, 1979
<b>Employer:</b>	Student T.H.S.	<b>Age:</b>	17
<b>Insurer:</b>	Double Cross Health Ins.	<b>Height:</b>	5'10"
<b>Admitted:</b>	3/22/97 7:06 p.m.	<b>Weight:</b>	170 lbs

---

IN-PATIENT BLOOD LABORATORY

**Lab Values:**

Hemoglobin	16.3	Cortisol	30.3
White Count	9.7	Creatinine	1.1
BUN	34		

**Lab Technician's Comments:**

The lab values for this patient are normal, except for the presence of Cortisol. Cortisol is an anabolic steroid with limited medicinal uses. The level of Cortisol is 30.3 which is a extremely high level for the time of day that the patient's blood was tested.

/s/ Jay Smith  
Jay Smith, Lab Technician

Certified as a true and correct copy of the original in the medical files of Cunnane Hospital. Pursuant to G.S. 409, 1952, the original of all medical records must remain in the custody of the treating hospital.

/s/ William Sheffield  
William Sheffield, Director  
Cunnane Hospital - Medical Records

# INDEPENDENT COURT REPORT ON STEROID RAGE

Dr. Harold Cooper

## SUMMARY

After analyzing all of the reports including Benjamin/Benita "Ben" Johnson's blood report and a summary of his/her behavior leading up to the injuries sustained on March 22, 1997, I am convinced that this incident is a classic example of steroid rage.

The medical report and all other medical evidence indicates that Ben's cortisol level was 30.3 micrograms when she/he was tested on March 22, 1997. Cortisol is the generic term used to incorporate all different types of steroids found in the patient's blood. Ben's level of 30.3 is an extremely high level. Everyone has cortisol in their system naturally. However, a non-steroid user would have a level of 3 to 14 micrograms at that time of the day. The body level fluctuates throughout the day, with the body producing more in the morning than in the afternoon or evening. Accordingly, the normal level of cortisol level in the a.m. is 10 to 15 micrograms.

Studies have shown that prolonged and heavy use of steroids can alter the chemistry of the brain. In the beginning stages this can cause such small reactions as being irritable or having mood swings. Prolonged exposure can cause the user to be hostile and aggressive and become physically violent. The violence usually is directed at others, but in many cases the user actually will cause harm to him or herself, as was this case.

It is impossible to determine what will cause the user to go into a steroid rage. It could be such a small incident as bumping into him/her in a hallway. Certainly, losing a race, which Ben had placed so much effort and importance on, would be a sufficient trigger to cause the violence. However, it is important to note that without the effects of steroids, Ben would most likely never react in such a manner.

The violent steroid rage episodes themselves are characterized by the users uncontrollable anger and violence. The user may not even be aware of his/her own actions while the user is in this rage. It is similar to being in a trance like state, with the users only mission being to unleash their unbelievable anger. The user cannot control him/herself and will often cause personal physical harm in the process. Ben stated that he/she felt "waves of uncontrollable anger" washing over him/her. In fact, Ben did not stop violently punching and kicking things until Ben was knocked unconscious by thrusting his/her head into the wall. This unfortunately, is typical steroid rage.

Exhibit 6

IN THE COURT OF COMMON PLEAS  
OF NEW TEMPLE COUNTY  
Criminal Division

Commonwealth of Pennsylvania

\*

Criminal Action: No. 1800--97

v.

\*

Alex Buehler, Defendant

\*

PLEA AGREEMENT

I, Alex Buehler, 22 years old and residing at 5656 Valley Road, New Temple, Pennsylvania, committed the crime of Possession of a Controlled Substance -- Anabolic Steroids which is a violation of 35 P.S. §780-113(a)(16). I have completed high school and am currently a senior at Owlville College. I am able to read and write English.

My lawyer has told me what the elements of the crime(s) are that the District Attorney must prove to convict me. I know that I can go to jail for up to one (1) year and be fined up to \$5,000 for the crime I committed.

Nobody has promised me anything or threatened me or forced me to plead guilty. I, myself, have decided to plead guilty. I know what I say today is final.

In exchange for my plea and my truthful testimony at trial in the case against Leigh Walker, the District Attorney has agreed to make a sentencing recommendation of one year probation. Nothing else has been promised to me in exchange for my guilty plea. I know if the judge does not go along with the plea bargain or agreement, I can withdraw my guilty plea and have a trial before a judge and jury or before a judge alone.

I understand that I do not have to plead guilty, even if I committed the crimes. I understand I have an absolute right to plead not guilty and have a trial. I waive that right and enter this plea agreement.

Date: September 30, 1997

/s/ Alex Buehler  
Defendant

/s/  
Counsel for Defendant

/s/  
District Attorney

Exhibit 7

# The Owl

Spring 1997

Vol. 2; No. 5

Editor in chief: Susan Glover  
Articles editor: Stacy Shore

Advisor: Sam Overton  
Principal: Dr. Carol Lewis

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## Just Say No

by Coach Leigh Walker

Over the last few months, there has been a lot of discussion in the media about steroid use among athletes. It seems that the use of steroids has replaced constant and persistent training. I am vehemently against the use of drugs among athletes.

I have been involved in athletics for many years. I have countless anecdotes about athletes who were at the peak of their careers when a scandal broke out about their steroid use. They became disgraced and lost everything. The Temple track team is against the use of drugs of any kind. Any student discovered using drugs will be suspended from taking part in any athletic event.

It does not pay to use drugs. Like the popular slogan, when you are offered drugs by anyone "just say no." And if you or anyone you know has a problem and needs help, talk to one of the counselor's or the coaches.

## Everyday Heroes

*Everyday Heroes* tells the moving stories of twenty real-life men and women who have face and overcome serious challenges in their lives. The multi-cultural stories encourage students to take charge of their lives and to do their best. The activities that follow the stories help students develop important reading, thinking, and writing skills. In addition, each story is accompanied by six photographs to provide readers with an even better sense of each everyday hero to make the stories of success all the more powerful for students. Educators interested in considering *Everyday Heroes*

*Continued on next page*

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