

Basic Training Module Specifications

<u>Functional Area:</u>	III. Detention and Prosecution
<u>Subject Area:</u>	B. Case Prosecution
<u>Module Title:</u>	4. TESTIMONY AND CASE CRITIQUE
<u>Hours:</u>	Not less than 4 hours

Notes to Instructor:

Identify possible examination techniques used by counsel in questioning.

Identify appropriate testimonial methods.

Use of a mock trial is suggested. The trainees should be exposed to a common crime situation which they all investigate on which the mock trial is based.

Cover cross examination techniques that the officer may be subject to in a trial situation.

Module Objectives:

III.B.4.1. Demonstrate Proper Demeanor Prior to Testifying in a Legal Proceeding.

- a. Appears in courtroom when subpoenaed following proper procedures.
 - (1) appears promptly.
 - (2) wears appropriate attire.
 - (3) notifies prosecutor of his/her presence.
- b. Maintains confidentiality (e.g., does not discuss case with jurors, witnesses, defense attorney, or media).

III.B.4.2. Present Testimony in a Legal Proceeding.

- a. Communicates so that person receiving information understands message.
 - (1) uses proper language;
 - (2) avoids use of jargon words;
 - (3) maintains eye contact with the finder of facts (judge or jury, as appropriate).
- b. Answers all questions truthfully and to the best of his/her knowledge.
 - (1) gives brief answers;
 - (2) testifies to facts and observations, not opinions;
 - (3) does not speculate;
 - (4) anticipates possible objections.

III.B.4.2. Present Testimony in a Legal Proceeding (continued).

- c. Presents evidence in legal proceedings.
 - (1) Testifies to have evidence admitted into court by:
 - (a) identifying evidence as being the same as was originally seized;
 - (b) documenting chain of evidence.
- d. Controls emotions (e.g., avoids arguing, avoids interrupting others when speaking).
- e. Ensures that evidence is re-secured properly after a legal proceeding.

III.B.4.3. Review a Case with Prosecutors or City Attorneys Following a Legal Proceeding.

- a. Discusses with prosecutor or city attorney problems regarding a past case that should be corrected in future cases including:
 - (1) problems concerning testimony,
 - (2) amount of preparation before a case,
 - (3) officer's conduct,
 - (4) chain of evidence,
 - (5) legal technicalities, etc.

Module History

Reviewed 9/21