14.1 – 14.10 COMPETENCY REQUIREMENTS

<table>
<thead>
<tr>
<th>Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.1 Interviewing and Interrogation</td>
</tr>
<tr>
<td>14.2 Preliminary Investigation</td>
</tr>
<tr>
<td>14.3 Burden of Proof</td>
</tr>
<tr>
<td>14.4 Concepts of Evidence</td>
</tr>
<tr>
<td>14.5 Rules of Evidence</td>
</tr>
<tr>
<td>14.6 Evidence Collection and Preservation</td>
</tr>
<tr>
<td>14.7 Lineups</td>
</tr>
<tr>
<td>14.8 Sources of Information</td>
</tr>
<tr>
<td>14.9 Subpoenas</td>
</tr>
<tr>
<td>14.10 Courtroom Testimony and Demeanor</td>
</tr>
</tbody>
</table>

Note to Administrators
In order for POST to review and approve your agency’s Field Training Guide, you MUST submit the following electronic files:

1) The POST FTP Approval Checklist (Form 2-230)
2) Your department’s Policy & Procedure Manual
3) Your completed Guide (Volumes 1 & 2), including ALL competency requirements covered in Part 5, Sections 1–18.
LIST OF SUBTOPICS

14.1 INTERVIEWING AND INTERROGATION
   14.1.01 Preparing for an Interview
   14.1.02 Taking Statements
   14.1.03 Contents of a Good Statement
   14.1.04 Miranda Warning
   14.1.05 Conducting an Interview

14.2 PRELIMINARY INVESTIGATION
   14.2.01 Investigating Cold Crimes
   14.2.02 Crimes Against Property
   14.2.03 Handling Crimes Against Property
   14.2.04 Crimes Against Persons
   14.2.05 Handling Crimes Against Persons
   14.2.06 Investigating Specific Crimes
   14.2.07 Serious Injury or Death Scenes
   14.2.08 Evidence Technicians/Criminalists
   14.2.09 Preliminary Investigations

14.3 BURDEN OF PROOF
   14.3.01 Understanding the Burden of Proof

14.4 CONCEPTS OF EVIDENCE
   14.4.01 Evidence Definition and Types
   14.4.02 Evidence and Related Materials
   14.4.03 Purpose of Evidence
   14.4.04 Tests of Admissibility
   14.4.05 Witness Qualifications
   14.4.06 Privileged Communication

14.5 RULES OF EVIDENCE
   14.5.01 Exclusionary Rule
   14.5.02 Hearsay Rule

14.6 EVIDENCE COLLECTION AND PRESERVATION
   14.6.01 Locating Physical Evidence
   14.6.02 Weather Conditions
   14.6.03 Preserving Evidence
   14.6.04 Agency Policy
   14.6.05 Storage of Evidence
   14.6.06 Taking Evidence to Laboratories and Court
   14.6.07 Chain of Custody/Evidence
   14.6.08 Demonstrate Handling of Evidence

14.7 LINEUPS
   14.7.01 Methods for Identifying Suspects
   14.7.02 Agency Policy and Procedures
   14.7.03 Photographic Identifications

14.8 SOURCES OF INFORMATION
   14.8.01 Networking with the Community
   14.8.02 Informants
   14.8.03 Public and Private Records

14.9 SUBPOENAS
   14.9.01 Definition, Authority, and Immunities
   14.9.02 Agency Practices

14.10 COURTROOM TESTIMONY AND DEMEANOR
    14.10.01 Professional Demeanor and Appearance
    14.10.02 Pre-Trial Conference
    14.10.03 Principles of Effective Testimony
    14.10.04 Dealing with Attorney Personalities
    14.10.05 Courtroom Security Policies and Procedures
    14.10.06 Perjury and Falsifying Police Reports
    14.10.07 Courtroom Testimony Preparation and Demonstration
**14.1 INTERVIEWING AND INTERROGATION**

**14.1.01 Preparing for an Interview**

The trainee shall explain the systematic steps he/she should take in preparing for an interview or interrogation.

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**FTO:**
- Field Perform
- Role Play
- Written Test
- Verbal Test

**Trainee:**
- Field Perform
- Role Play
- Written Test
- Verbal Test

**Comments:**

**Additional Information:**

**14.1.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**

Department Policies: 600 Investigation and Prosecution
14.1.01 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

Interview definition: is the process of gathering information from a person who has knowledge of the facts an officer will need to conduct an investigation. (Learning Domain 15)

Interview vs Interrogations:
Interview: The process of questioning non-suspects such as victims or witnesses (who typically are willing to cooperate).
Interrogation: The process of questioning suspects (who often may be unwilling to provide information to investigating officers). Questions or conduct reasonably likely to elicit an incriminating response.

Preparation:
1. Be physically and mentally prepared:
   • Become well acquainted with the circumstances surrounding the crime.
   • Determine the number, role, and priority of the people who should be interviewed (i.e., victim, witness, suspect, etc.).
   • Develop an interview plan of questions that should be asked to establish the facts of the incident (i.e., who, what, when, where, why, how).
   • Organize equipment that will be needed to document the interviewee’s statements (e.g., notebook and pencil, tape recorder with charged batteries and blank cassettes).

2. Separate the involved parties:
   • If possible, move the person, with his or her consent, to a location where there will be no interruptions or distractions.
   • Focus the person’s attention on speaking with the officer rather than on interacting with others.

3. Establish rapport:
   • Tell the interviewee why the interview is being conducted.
   • Describe the interview process that will be followed.
   • Assure the person that by using this process, the officer will be able to gather that person’s statement accurately.
   • Be courteous, considerate, and patient.
   • Control the interview by remaining calm and polite.
### 14.1.02  Taking Statements

The trainee shall discuss basic rules in statement taking and interviewing. These rules shall minimally include:

A. Asking direct and brief questions; Let the person being interviewed do the majority of the talking
B. Controlling the interview; Minimize rambling by the person being interviewed
C. Avoiding leading questions except when absolutely necessary
D. Putting the person being interviewed at ease
E. Writing statements verbatim (when appropriate) from person being interviewed
F. Not improvising or making assumptions

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Field Perform</td>
<td>Role Play</td>
<td>Written Test</td>
<td>Verbal Test</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Reference(s):**

**Case # (If applicable)**

**Incident #**

**Additional Information:**

14.1.02  Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

N/A
14.1.02 Part B - Agency Training Details (field will expand automatically)

The above/below information will be read by the trainee and then discussed with the FTO.

An interview is the process of gathering information from a person who has knowledge of the facts an officer will need to conduct an investigation.

The field notes taken by officers during an interview must be clear, accurate and complete. Statements can be critical in tying together the specific facts of a specific incident or crime. The existence of some crime elements may only be revealed within the statements of witnesses, victims, and the suspects themselves.

Separate the involved parties
- If possible, move the person to a location where there will be no interruptions or distractions.
- Focus the person’s attention on speaking with the officer rather than interacting with others.

Establish rapport
- Tell the interviewee why the interview is being conducted.
- Describe the interview process that will be followed.
- Assure the person that by using this process, the officer will be able to gather that person’s statement accurately.
- Be courteous, considerate, and patient.
- Control the interview by remaining calm and polite.
- Ask the person to recount what has happened.
- Allow the person to speak freely.
- Have the person describe the incident just as that person understands it, using that person’s own words.

Keep the person focused.
Listen carefully to what is being said.

- Be particularly attentive to the essentials of the incident the person describes by including the:

  - role of the person being interviewed (victim, witness, etc.),
  - type of crime, if any, that has been committed,
  - time of the occurrence, and
  - exact location of the person during the crime or incident.

- If the person begins to wander from the specific topic, guide the person back to the subject (i.e., “You mentioned that....” “Let’s go back to...”).
- Maintain eye contact and use nonverbal gestures (e.g., nodding the head) to encourage the person.
Obtain identification information.
- Confirm the person’s role in the event or incident. (e.g., victim, witness, possible suspect, etc.)
- Note the person’s:
  - complete name,
  - address and phone number (home, cellular, work and email address), and
  - any other information necessary for identification purposes.

Ask the interviewee to repeat their account of what happened.
- Guide the interview by asking questions that will keep the person from becoming distracted and wandering from the point.
- Stop the person and ask questions when necessary to clarify points.
- Write down information in short statements, recording only the most important words.
- If a statement is particularly important, quote the entire statement.

Ask additional questions.
- Obtain detailed descriptions of property, suspects, etc.

Review information with the person.
- Repeat specific information to verify the information is accurate and complete.
- Give the person an opportunity to add facts as necessary.

Ask for confirmation.
- Have the person confirm important details such as:
  - direct quotes,
  - time relationships,
  - information regarding weapons, or
  - physical descriptions.

Make modifications or corrections as necessary.
- Information may have been initially recorded incorrectly because the officer:
  - misunderstood something the interviewee said,
  - wrote something down incorrectly, or
  - the officer’s wording may have incorrectly characterized the interviewee’s statement.

Verify changes.
- Once any changes have been made, the information that has been added or modified should be verified.
14.1.03 Contents of a Good Statement

The trainee shall describe the contents of a good statement. These contents shall minimally include:

A. What happened
B. When it happened
C. Where it happened
D. Who it happened to
E. How it happened
F. Why it happened
G. How many people were involved
H. Who else was involved

Reference(s):
Case # (If applicable)
Incident #

Received Instruction | Competency Demonstrated | How Demonstrated? | Remedial Training | How Remediated?
---------------------|------------------------|-------------------|------------------|------------------
When completed, print full name | When completed, print full name | Date | When completed, print full name | Date |
FTO: |
Trainee: |

Comments:

Additional Information:

14.1.03 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 323 Report Preparation
14.1.03 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

The basis for determining relevant information requires peace officers to make the fine distinctions between an opinion, a fact, and a conclusion. The following table illustrates these distinctions.

**Opinion** - The victim was in pain
- A statement that:
  - can be open to different interpretations,
  - expresses a belief not necessarily substantiated by proof.

**Fact** - The victim’s arm was broken
- A statement that:
  - can be verified or proven
  - has real, demonstrable existence.

**Conclusion** - The victim was not able to explain what had happened because she was in pain due to her broken arm.
- A statement that is based on the analysis of facts and opinions.
- Conclusions should always be accompanied with the supporting facts and opinions. Conclusions presented without supporting information may be considered unwarranted.

---

14.1.04 Miranda Warning

The trainee shall explain the ramifications of issuing the Miranda warning and describe when and why it should or should not be used during interrogations.

### Reference(s):

<table>
<thead>
<tr>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

### Received Instruction

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Trainee:</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
</tr>
<tr>
<td>Date</td>
<td>Date</td>
</tr>
</tbody>
</table>

### Competency Demonstrated

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Trainee:</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
</tr>
<tr>
<td>Date</td>
<td>Date</td>
</tr>
</tbody>
</table>

### How Demonstrated?

- Field Perform
- Role Play
- Written Test
- Verbal Test

### Remedial Training

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Trainee:</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
</tr>
<tr>
<td>Date</td>
<td>Date</td>
</tr>
</tbody>
</table>

### How Remediated?

- Field Perform
- Role Play
- Written Test
- Verbal Test

---

**Comments:**
Additional Information:

<table>
<thead>
<tr>
<th>14.1.04</th>
<th>Part A - Reference Agency Policies/Procedures, if applicable <em>(600 characters maximum)</em></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Department Policies: 313 Temporary Custody of Juveniles, 600 Investigation and Prosecution</td>
</tr>
</tbody>
</table>
14.1.04 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

Miranda Warning: 1. You have the absolute right to remain silent. 2. Anything you say can and will be used against you in a court of law. 3. You have the right to talk to a lawyer and have him present before and during questioning. 4. If you cannot afford to hire a lawyer, one will be appointed to represent you free of charge before or during questioning, is you wish. 5. You can decide at any time to exercise these rights and not answer any questions or make any statements. (From CIPD issued card)

Introduction: The Miranda warning and a valid waiver of those rights are required before any custodial interrogation. Custody and interrogation must both exist before the Miranda warning is necessary. (Learning Domain 15)

Custody means a formal arrest or its “functional equivalent.” It is objectively determined by the totality of circumstances. People are in custody for Miranda purposes when they have been:

• actually placed under arrest
• subjected to the kinds of restraints associated with a formal arrest (e.g., handcuffs, guns, lockups, etc.)

Interrogation occurs when a peace officer:

• engages in direct/express questioning of a person about a crime
• uses words or conduct reasonably likely to elicit an incriminating response from a person

Not all questioning is “interrogation.” For example, routine booking questions are not interrogation. Neither are casual comments by custodial officials.

The Fifth Amendment privilege against self-incrimination applies to testimonial communication only. This privilege is not violated by requiring the person to provide:

• handwriting samples
• voice samples for analysis
• body fluids or other samples for analysis

In addition, this privilege is not violated if the person is asked to:

• model articles of clothing
• participate in a lineup
• submit to routine fingerprinting
• repeat a statement for voice identification

Peace officers need to realize that if they fail to follow the Miranda procedures, any statement they may obtain during custodial interrogation may be inadmissible against the person at the criminal trial to prove guilt.
Temporary Custody of Juveniles:
- Whenever a juvenile is taken into temporary custody, he/she shall be given the Miranda rights advisement regardless of whether questioning is intended (Welfare and Institutions Code § 625).

### 14.1.05 Conducting an Interview

Given a situation in which a statement should be taken, the trainee shall properly conduct an interview and satisfactorily summarize the information on the appropriate form.

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FTO:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Trainee:</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>When completed, print full name</td>
<td>Date</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comments:**

**Additional Information:**

#### 14.1.05 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 323 Report Preparation, 600 Investigation and Prosecution

**N/A**

#### 14.1.05 Part B - Agency Training Details (field will expand automatically)

The above information will be read by the trainee and then discussed with the FTO.
### 14.2 PRELIMINARY INVESTIGATION

#### 14.2.01 Investigating Cold Crimes

The trainee shall properly obtain all information necessary for the completion of a thorough preliminary investigation of a “cold” crime.

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td>Field Perform</td>
</tr>
<tr>
<td>Trainee:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Comments:

---

**Additional Information:**

14.2.01 Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

Department Policies: 323 Report Preparation
<table>
<thead>
<tr>
<th>14.2.01</th>
<th><strong>Part B - Agency Training Details</strong> <em>(field will expand automatically)</em></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The above / below information will be read by the trainee and then discussed with the FTO.</td>
</tr>
<tr>
<td></td>
<td>An effective investigative report contains… (Learning Domain 18)</td>
</tr>
<tr>
<td></td>
<td>initial information…</td>
</tr>
<tr>
<td></td>
<td>• establishing how the officer(s) became involved with the specific incident and additional background information.</td>
</tr>
<tr>
<td></td>
<td>identification of the crime…</td>
</tr>
<tr>
<td></td>
<td>• including the facts that are necessary to show that the specific crime has taken place.</td>
</tr>
<tr>
<td></td>
<td>identification of the involved parties…</td>
</tr>
<tr>
<td></td>
<td>• such as the reporting person(s), victim(s), witness(es), or suspect(s).</td>
</tr>
<tr>
<td></td>
<td>witness/victim statements…</td>
</tr>
<tr>
<td></td>
<td>• noting the details of the events the involved parties observed or experienced.</td>
</tr>
<tr>
<td></td>
<td>crime scene specifics…</td>
</tr>
<tr>
<td></td>
<td>• necessary to accurately reestablish the scene and events of the crime.</td>
</tr>
<tr>
<td></td>
<td>property information…</td>
</tr>
<tr>
<td></td>
<td>• including descriptions and details pertaining to stolen items as well as physical evidence.</td>
</tr>
<tr>
<td></td>
<td>officer actions…</td>
</tr>
<tr>
<td></td>
<td>• including descriptions of all actions taken by peace officers that are related to the incident.</td>
</tr>
</tbody>
</table>
14.2.02 Crimes Against Property

The trainee shall review and explain an officer’s responsibilities associated with the preliminary investigation and reporting of in-progress or fresh crimes against property. These responsibilities should minimally include:

A. Identity or description of suspect(s)
B. Description of loss
C. Direction of flight of suspect(s)
D. Possibility of weapons being involved
E. Radio broadcasts of all known and important information
F. Conducting a witness check
G. Pursuit and/or apprehension of suspects, if possible

Reference(s):

Case # (If applicable) | Incident #
--- | ---

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>Date</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Field Perform</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Role Play</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Written Test</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Verbal Test</td>
</tr>
</tbody>
</table>

Additional Information:

14.2.02 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

N/A

14.2.02 Part B - Agency Training Details (field will expand automatically)

The above / below information will be read by the trainee and then discussed with the FTO.

Information covered should include the training material covered in 14.2.01, as well as information presented in this section.
14.2.03 **Handling Crimes Against Property**

Given an in-progress or fresh incident involving a crime against property, the trainee shall properly assess and perform all the objectives necessary to satisfactorily complete the preliminary investigation, including the satisfactory completion of the proper report(s).

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td>Date</td>
</tr>
</tbody>
</table>

- Field Perform
- Role Play
- Written Test
- Verbal Test

When completed, print full name

Comments:

**Additional Information:**

14.2.03 **Part A - Reference Agency Policies/Procedures, if applicable** *(600 characters maximum)*

Department Policies: 319 Victim and Witness Assistance, 418 Detentions and Photographing Detainees, 600 Investigation and Prosecution, 603 Eyewitness Identification

14.2.03 **Part B - Agency Training Details** *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

Information covered should include the training material covered in 14.01 and 14.2.01
### 14.2.04 Crimes Against Persons

The trainee shall review and explain an officer’s responsibilities associated with the preliminary investigation and reporting of in-progress or fresh crimes against persons. These responsibilities should minimally include:

- A. Identity or description of suspect(s)
- B. Description of injury and/or loss
- C. Direction of flight of suspect(s)
- D. Possibility of weapons being involved
- E. Radio broadcasts of all known and important information
- F. Conducting a witness check
- G. Pursuit and/or apprehension of suspects, if possible

#### Reference(s):

- Case # (If applicable)
- Incident #

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>When completed, print full name</td>
<td>Date</td>
</tr>
<tr>
<td></td>
<td>Field Perform</td>
<td>Role Play</td>
<td>Written Test</td>
<td>Verbal Test</td>
<td>Field Perform</td>
</tr>
</tbody>
</table>

**Comments:**

#### Additional Information:

**14.2.04 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**

Department Policies: 319 Victim and Witness Assistance, 330 Emergency Notification, 418 Detentions and Photographing Detainees, 600 Investigation and Prosecution, 603 Eyewitness Identification

---

**Note:**

- Field Perform
- Role Play
- Written Test
- Verbal Test

---

**Page 17 of 62**
14.2.04 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

Information covered should include the training material covered in 14.01, 14.2.01 - 14.2.02, as well as information presented in this section.

The effective investigation of crimes against persons involves apprehending criminals, assisting crime victims, and protecting the community. To be an effectual peace officer, the student must understand how each of these components interconnect.

A peace officer who responds to a call of a crime against a person has to wear many hats. Emergency care for victims, protection of community members against further harm, apprehension of the perpetrator, and preserving the integrity of the scene are all part of the job.

A peace officer responding to a call where a person has been seriously injured at the hands of another may experience many difficult emotions including revulsion, anger, and the desire for revenge. Peace officers and community members share these reactions, which cannot easily be brushed away. It is the peace officer’s job to keep a clear head, bring the situation back to normal as quickly as possible, and avoid the temptation of dispensing street justice or engaging in retaliation.

A peace officer must be able to explain how these crimes impact a community’s perception of crime, fear, and law enforcement.

14.2.05 Handling Crimes Against Persons

Given an in-progress or fresh incident involving a crime against a person, the trainee shall properly assess and perform all the objectives necessary to satisfactorily complete the preliminary investigation, including the satisfactory completion of the proper report(s).

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td>FTO:</td>
<td>Received Instruction</td>
<td>Competency Demonstrated</td>
</tr>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
</tr>
<tr>
<td>Trainee:</td>
<td>Field Perform</td>
<td>Role Play</td>
</tr>
</tbody>
</table>

Comments:
14.2.05 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 319 Victim and Witness Assistance, 330 Emergency Notification, 418 Detentions and Photographing Detainees, 600 Investigation and Prosecution, 603 Eyewitness Identification

14.2.05 Part B - Agency Training Details (field will expand automatically)

The above / below information will be read by the trainee and then discussed with the FTO.

Information covered should include the training material covered in 14.01 and 14.02

14.2.06 Investigating Specific Crimes

The trainee shall explain the steps to take while investigating various crimes against persons, including:

A. Rape/Sexual assault
B. Robbery
C. Kidnapping
D. Child Abuse
E. Elder Abuse
F. Felonious assault

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Received Instruction</td>
<td>Competency Demonstrated</td>
<td>How Demonstrated?</td>
</tr>
<tr>
<td>FTO:</td>
<td>When completed, print full name</td>
<td>Date</td>
</tr>
<tr>
<td>Trainee:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Comments:
### Additional Information:

<table>
<thead>
<tr>
<th>14.2.06</th>
<th>Part A - Reference Agency Policies/Procedures, if applicable <em>(600 characters maximum)</em></th>
<th>N/A</th>
</tr>
</thead>
</table>
14.2.06 Part B - Agency Training Details (field will expand automatically)

The above / below information will be read by the trainee and then discussed with the FTO.

SEXUAL VIOLENCE/ SEXUAL ASSAULT RESPONSE PROCEDURE Document

Initial Responding Officer’s Responsibilities:

1. In the event of a simple sexual assault with an adult victim (i.e., simple battery of a sexual nature), the responding officer(s) shall investigate and report on the incident similar to that of other reported crimes in accordance with but not limited to the following department policies:
   a. Policy 600 – Investigation and Prosecution
   b. Policy 403 – Crime and Disaster Scene Integrity
   c. Policy 312 – Search & Seizure
   d. Policy 802 – Property & Evidence

2. In the event of a sexual assault (non-simple battery) or any crime of a sexual nature involving a minor victim, the initial responding officer shall:
   a. Determine the location and condition of the victim to address safety concerns and summon emergency medical assistance if needed.
   b. Evaluate the scene for people, vehicles, or objects involved as well as possible threats.
   c. Relay all vital information to responding officers and supervisors, including any possible language barriers.
   d. Secure the crime scene to ensure that evidence is not lost, changed, or contaminated and establish a crime scene log when appropriate.
   e. Record observations of the crime scene, including the demeanor of the suspect and victim and document any injuries or disheveled clothing.
   f. Request assistance from the watch commander and request an SAI respond to the scene when appropriate.
   g. Show understanding, patience, and respect for the victim’s dignity and attempt to establish trust and rapport.
   h. Determine the age of the victim. If she/he is a minor, refer to the “Sexual Assault Response for Juvenile Victims”, Appendix C. Under NO circumstances should the initial officer question a Juvenile Victim other than to provide medical aid or emotional support. Additionally, be cognizant of what you say in the presence of, or within earshot of the victim.
   i. The initial officer’s duty is to administer emotional and first aid to the victim. Be especially sensitive to the fact that the victim has experienced a very traumatic incident. Introduce yourself and explain your purpose. Assure the victim that she/he is safe now and that you are here to help her/him. Acknowledge the ordeal that the victim has been through and determine whether the victim has any physical injuries requiring immediate medical attention. Note that in the majority of sexual assault cases, victims do not sustain physical trauma. Remember that due to the trauma of a sexual assault, a victim reaching out for assistance may be in crisis. The victim’s behaviors may actually be symptomatic of this condition and can range from hysteria, crying and rage to laughter, calmness, and unresponsiveness. There is no one typical reaction, so it is important to refrain from judging, victim blaming, or disregarding any victim.
   j. At no time shall the victim be asked if she/he is desirous of prosecution.
   k. Identify support systems for the victim, such as friends, family, a rape crisis counselor from the Coalition for Family Harmony, or related community services. Assist the victim with making contact to the appropriate parties and in contacting an advocate if desired. The SAI will be able to assist with contacting the Coalition if necessary.
   l. Limit the preliminary interview so that the victim is not then asked the same questions by an SAI. The initial responding officer shall
keep their discussion with the victim to questions that focus on the immediate safety of the victim, witnesses, and any other person who may continue to be in jeopardy. Potential evidence, crime scene, and suspects should also be identified; however, only enough questioning should take place to establish basic probable cause to suggest a crime has occurred and patrol officers shall not conduct in-depth investigative interviews with the victim. Once basic information is known, advise the watch commander who will take the steps necessary to provide for the safety of others and/or secure evidence for further processing by the SAI or FET.

m. The initial responding officer shall remain with the victim until relieved by an SAI or the SAI Sergeant (assuming one or the other can be reached and is able to respond). If an ambulance is needed, the initial responding officer shall stay with the victim and additional officers should be assigned to obtain witness statements. The officer with the victim should communicate additional information with dispatch via a phone.

n. Be aware that a victim of sexual assault may bond with the first responding officer. It is important to explain the role of the different members of the sexual assault response team and help with transitions through introductions.

o. Document all observations, and actions taken in the initial crime report.

3. Identify and Locate Witnesses and Suspects

Based on the victim’s emotional and physical state, questions of the victim concerning the assault and description and location of the suspect shall be limited. Responding officers must identify and interview any potential witnesses, bearing in mind that there may be multiple crime scenes. It is especially important that the first person the victim told about the sexual assault be identified and interviewed.

4. Documentation

Any officer who interviews a witness or a suspect, identifies evidence, or processes a crime scene shall write his or her own report detailing the actions he or she took. These supplemental reports shall be compiled by the first responding officer for the follow-up investigation regardless of whether an arrest is made.

B. Robbery:

Follow information as covered in 14.2.04, as well as information contained in this section. The elements of 211 PC, Robbery, must be established. To arrest a subject for robbery, the necessary crime elements must include:

• taking of personal property of another
• from the person or immediate presence
• against the person’s will
• accomplished by means of force or fear

To understand the crime of robbery, peace officers need to become familiar with the following terms:

Immediate presence means an area within which the victim could reasonably be expected to exercise some physical control over his or her property.

Force means the overcoming of resistance by the exertion of strength, weight, power, threat, or duress. Any force directed at a victim is sufficient.

Fear means the reasonable apprehension of danger to oneself or another. This means a reasonable person, under the same set of circumstances, would be in fear of life, fear of danger of injury, or fear that personal property may be injured or damaged.
In the course of a robbery, there must be a reasonable apprehension of danger. The apprehension of danger is defined as (Penal Code Section 212):

- the fear of an unlawful injury to the person or property of the person robbed, or of any relative of his or member of his family
- the fear of an immediate and unlawful injury to the person or property of anyone in the company of the person robbed at the time of the robbery

C. Kidnapping:
CIPD has an MOU with VCSO to complete the investigations into the crime of kidnapping. CIPD Officers will respond to the call for service and obtain initial statements to establish the crime, put out a BOLO if needed, and start the investigation until relieved by VCSO.

D. Child Abuse
See Policy 316: Child Abuse

E. Elder Abuse
See Policy 314: Adult Abuse

F. Felonious Assault:
Follow other investigative sections in 14.2 and establish the proper crime dependent upon the specifics of the investigation, including the force used, injuries to the victim, and any relationships between the involved parties. Common crimes to consider include, but are not limited to:

- 245(a)(1) PC
- 245(a)(4) PC
- 243(d) PC
- 273.5(a) PC
14.2.07 Serious Injury or Death Scenes

The trainee shall discuss the steps to take initially at a scene where a serious injury or death has occurred. These steps shall minimally include:

A. Preserving the scene, including the restriction of unauthorized police personnel
B. Determining the need for first aid and summoning medical assistance
C. Identifying and apprehending suspect(s), if possible
D. Making proper notifications
E. Locating visible physical evidence
F. Locating and interviewing witnesses or possible witnesses as appropriate

Reference(s):

<table>
<thead>
<tr>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

Additional Information:

14.2.07 Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

Department Policies: 312 Search and Seizure, 326 Outside Agency Assistance, 329 Major Incident Notification, 330 Emergency Notification, 331 Death Investigation, 403 Crime and Disaster Scene Integrity, 809 Jeanne Clery Campus Security Act

14.2.07 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

Information covered should include the training material covered in 14.01 and 14.02
### 14.2.08 Evidence Technicians/Criminalists

The trainee shall recognize what types of situations require the skills of an evidence technician or criminalist.

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Field Perform</td>
<td>Field Perform</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Role Play</td>
<td>Role Play</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Written Test</td>
<td>Written Test</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Verbal Test</td>
<td>Verbal Test</td>
</tr>
</tbody>
</table>

**Comments:**

**Additional Information:**

#### 14.2.08 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 326 Outside Agency Assistance, 600 Investigation and Prosecution, 601 Sexual Assault Investigations, 802 Property and Evidence, 807 Computers and Digital Evidence

**Part B - Agency Training Details (field will expand automatically)**

The above / below information will be read by the trainee and then discussed with the FTO.

Information covered should include the training material covered in 14.01 and 14.02
### 14.2.09 Preliminary Investigations

The trainee shall demonstrate the ability to conduct thorough and complete preliminary investigations.

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>When completed, print full name</td>
<td>Date</td>
</tr>
</tbody>
</table>

- **FTO:**
  - Field Perform
  - Role Play
  - Written Test
  - Verbal Test

- **Trainee:**
  - Field Perform
  - Role Play
  - Written Test
  - Verbal Test

<table>
<thead>
<tr>
<th>Comments:</th>
<th></th>
</tr>
</thead>
</table>

### Additional Information:

- **14.2.09 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**
  - Department Policies: 323 Report Preparation, 600 Investigation and Prosecution

- **14.2.09 Part B - Agency Training Details (field will expand automatically)**
  - The above / below information will be read by the trainee and then discussed with the FTO.
  - Information covered should include the training material covered in 14.01 and 14.02
### 14.3 BURDEN OF PROOF

#### 14.3.01 Understanding the Burden of Proof
The trainee shall define the term “burden of proof” and determine whether the burden of proof falls upon the prosecution or defense during a criminal trial in the following situations:

- **A. Criminal Guilt**
- **B. Corpus delicti**
- **C. Jurisdiction**
- **D. Double jeopardy as a defense**
- **E. Self-defense as a defense**
- **F. Insanity as a defense**

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td></td>
<td>When completed, print full name</td>
<td>Date</td>
</tr>
<tr>
<td></td>
<td>Date</td>
<td>Date</td>
<td>Field Perform</td>
<td>Field Perform</td>
<td>Role Play</td>
</tr>
</tbody>
</table>

**Comments:**

**Additional Information:**

#### 14.3.01 Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

* N/A
5.14 Investigations/Evidence

<table>
<thead>
<tr>
<th>14.4 CONCEPTS OF EVIDENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>14.4.01 Evidence Definition and Types</strong></td>
</tr>
<tr>
<td>The trainee shall review the term “evidence” as defined by California law, and recognize the various concepts of evidence, including:</td>
</tr>
<tr>
<td>A. Direct evidence</td>
</tr>
</tbody>
</table>

**Reference(s):** Evidence Codes 140 and 410

<table>
<thead>
<tr>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>FTO:</strong></th>
<th><strong>Trainee:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Received Instruction</td>
<td>Competency Demonstrated</td>
</tr>
<tr>
<td>When completed, print full name</td>
<td>Date</td>
</tr>
<tr>
<td>☐ Field Perform</td>
<td>☐ Field Perform</td>
</tr>
<tr>
<td>☐ Role Play</td>
<td>☐ Role Play</td>
</tr>
<tr>
<td>☐ Written Test</td>
<td>☐ Written Test</td>
</tr>
<tr>
<td>☐ Verbal Test</td>
<td>☐ Verbal Test</td>
</tr>
</tbody>
</table>

Comments:
14.4.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 802 Property and Evidence

14.4.01 Part B - Agency Training Details (field will expand automatically)

The above / below information will be read by the trainee and then discussed with the FTO.

Circumstantial evidence is evidence that tends to prove a fact in the case based on an inference. This is distinguished from direct evidence which directly proves a fact in a case without inference.

14.4.02 Evidence and Related Materials

The trainee shall discuss and give examples of the following evidence and related materials:

A. Fruits of a crime
B. Instrumentalities of a crime
C. Contraband

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Received Instruction</td>
<td>Competency Demonstrated</td>
<td>How Demonstrated?</td>
</tr>
<tr>
<td>FTO:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Date</td>
<td>Field Perform</td>
</tr>
<tr>
<td>Date</td>
<td>Date</td>
<td>Role Play</td>
</tr>
<tr>
<td>Date</td>
<td>Date</td>
<td>Written Test</td>
</tr>
<tr>
<td>Trainee:</td>
<td></td>
<td>Verbal Test</td>
</tr>
</tbody>
</table>

Comments:
14.4.02  Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 802 Property and Evidence

14.4.02  Part B - Agency Training Details (field will expand automatically)

The above / below information will be read by the trainee and then discussed with the FTO.

Fruits of a Crime: The results of a criminal act. It is the material objects acquired in consequence of a commission of a crime.

Instrumentalities of a Crime: Property used or intended to be used in connection with the commission of an offence. Example: If a suspect used a firearm to rob the victim, the firearm would be the instrumentalities of a crime.

Contraband: Any property that it is illegal to produce or possess, or items used in an unlawful activity or manner. Smuggled goods that are imported into or exported from a country in violation of its laws.

14.4.03  Purpose of Evidence

The trainee shall explain the purposes for offering evidence in court including:

A. As an item of proof  C. To rehabilitate a witness
B. To impeach a witness  D. To assist in determining sentence

Reference(s):

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Received Instruction</td>
<td>Competency Demonstrated</td>
</tr>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
</tr>
<tr>
<td>Trainee:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Comments:
### Additional Information:

14.4.03 **Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**

Department Policies: 802 Property and Evidence

---

14.4.03 **Part B - Agency Training Details (field will expand automatically)**

The above information will be read by the trainee and then discussed with the FTO.

---

14.4.04 **Tests of Admissibility**

The trainee shall explain the tests which an item of evidence must successfully pass before it may be admitted into any criminal court, including that the evidence must:

- A. Be relevant to the matter in issue
- B. Be competently presented in court
- C. Have been legally obtained

Reference(s): Evidence Code 210

<table>
<thead>
<tr>
<th>Reference(s)</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evidence Code 210</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FTO</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>When completed, print full name</td>
<td>Date</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Trainee</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comments:**
Additional Information:

14.4.04  Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 312 Search and Seizure, 600 Investigation and Prosecution, 802 Property and Evidence

14.4.04  Part B - Agency Training Details (field will expand automatically)

The above information will be read by the trainee and then discussed with the FTO.

14.4.05  Witness Qualifications

The trainee shall identify at least three of the following as qualifications that a witness must meet before testifying in a criminal trial in the State of California:

A. Know the difference between right and wrong
B. Understand his/her duty to tell the truth
C. Possess the ability to express himself/herself concerning the matter to be understood
D. Testify only to those facts that are personal knowledge (with the exception of those areas covered by the Hearsay Rule)

Reference(s): Evidence Code 701

Case # (If applicable)  Incident #

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td></td>
<td>When completed, print full name</td>
<td></td>
</tr>
<tr>
<td>Trainee:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Comments:
14.4.05 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)  

N/A

14.4.05 Part B - Agency Training Details (field will expand automatically)  
The above information will be read by the trainee and then discussed with the FTO.

14.4.06 Privileged Communication  
The trainee shall explain the privileged communication rule and provide examples to include:

A. Husband and wife  
B. Attorney and client  
C. Clergy person and confessor  
D. Physician and patient

Reference(s): Evidence Codes 950, 970, 980, 990, and 1030  
Case # (If applicable)  
Incident #  

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trainee:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Comments:

Additional Information:

14.4.06 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)  

N/A
14.5 RULES OF EVIDENCE

14.5.01 Exclusionary Rule
The trainee shall describe the effects of the “Exclusionary Rule” upon police actions and procedures in the following areas:
A. Civil rights
B. Inadmissible evidence
C. Possibility of false arrest

Reference(s):

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>When completed, print full name</td>
<td>Date</td>
</tr>
<tr>
<td>Trainee:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

How Remediated?
- Field Perform
- Role Play
- Written Test
- Verbal Test

Comments:

Additional Information:

14.5.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 312 Search and Seizure, 802 Property and Evidence
14.5.01  Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

The exclusionary rule requires that evidence obtained by the government or its agents (including peace officers) in violation of a person’s rights and privileges guaranteed by the U.S. Constitution be excluded at trial.

<table>
<thead>
<tr>
<th>14.5.02  Hearsay Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>The trainee shall define the Hearsay Rule and give examples of exceptions to the rule, including:</td>
</tr>
<tr>
<td>A. Spontaneous statements</td>
</tr>
<tr>
<td>B. Admissions</td>
</tr>
</tbody>
</table>

**Reference(s):** Evidence Codes 1200 and 1220

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Trainee:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Received Instruction</strong></td>
<td><strong>Competency Demonstrated</strong></td>
</tr>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
</tr>
<tr>
<td>Date</td>
<td>Date</td>
</tr>
<tr>
<td>Comments:</td>
<td></td>
</tr>
</tbody>
</table>

**Additional Information:**

14.5.02  Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

N/A
14.5.02  Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

Hearsay evidence is evidence of a statement that is made by someone other than the witness who is testifying in court and that is offered to prove the truth of the matter stated (Evidence Code Section 1200).

Spontaneous statements are admissible exceptions to the hearsay rule in both criminal and civil cases. Testimony can be offered by anyone overhearing the statement. (Evidence Code Section 1240). Spontaneous statements are statements made about some exciting or unnerving event, at or proximate to the event, while the person making the statement is still under the excitement or stress of that event.

Confessions and admissions by a defendant are admissible as exceptions to the hearsay rule. (Evidence Code Section 1220) An admission is a statement that is incriminating but falls short of a full acknowledgment of guilt. It only acknowledges some facts that tend to prove or imply guilt.

A confession is an express and complete acknowledgment of all elements of the offense.

Dying declarations are statements made by a dying person about the circumstances surrounding the person’s impending death. The statement must be based on the speaker’s personal knowledge and made under a sense of impending death. (Evidence Code Section 1242). Under California law, the victim must actually die for the declaration to be admitted under this exception to the hearsay rule. Any person may be a witness to a dying declaration.

Traditionally, dying declarations have been limited to homicide cases where the person making the declaration (the declarant) was the victim of the homicide. The Evidence Code has been extended, however, to all civil and criminal cases, where the facts about a declarant’s death are at issue.
### 14.6 EVIDENCE COLLECTION AND PRESERVATION

#### 14.6.01 Locating Physical Evidence

The trainee shall search a crime scene and locate physical evidence through the use of an organized method which may include:

- **A. Strip**
- **B. Quadrant**
- **C. Spiral**

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>Date</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Field Perform</td>
</tr>
<tr>
<td>Trainee:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Role Play</td>
</tr>
<tr>
<td>Comments:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Written Test</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Verbal Test</td>
</tr>
</tbody>
</table>

#### Additional Information:

**14.6.01 Part A - Reference Agency Policies/Procedures, if applicable** *(600 characters maximum)*

Department Policies: 312 Search and Seizure, 802 Property and Evidence

**14.6.01 Part B - Agency Training Details** *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

- **Strip:** A method of searching an area where the area is divided into strips. Each strip is then searched individually by an officer or a collection of officers where each individual officer is assigned a specific strip.
- **Quadrant:** A method of searching an area where the area is divided into quadrants. Each quadrant is then searched individually by an officer or a collection of officers where each individual officer is assigned a specific quadrant.
- **Spiral:** A method of searching an area where the area is searched in a circular pattern. A spiral search is usually started from the outside of the area to be searched and then searched in a circular pattern where the officer will eventually end up in the middle of the search area.
14.6.02 Weather Conditions

The trainee shall explain and/or demonstrate the methods for preserving evidence at a crime scene in fair and inclement weather.

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

**Relevant Information:**

- **Received Instruction**
  - When completed, print full name
  - Date

- **Competency Demonstrated**
  - When completed, print full name
  - Date

- **How Demonstrated?**
  - Field Perform
  - Role Play
  - Written Test
  - Verbal Test

- **Remedial Training**
  - When completed, print full name
  - Date

- **How Remediated?**
  - Field Perform
  - Role Play
  - Written Test
  - Verbal Test

**Comments:**

**Additional Information:**

14.6.02 Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

Department Policies: 802 Property and Evidence

14.6.02 Part B - Agency Training Details *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

It is the responsibility of the initial primary responding officer to secure and protect the integrity of the crime scene until officially and properly relieved. Initially, officers should not touch anything or do anything that could alter a crime scene in any way except to preserve life or administer aid to a victim.

Protecting the crime scene can include establishing a perimeter (inner and outer), assigning personnel to maintain the perimeters, placing fixed barriers to prevent entry to the area, and maintaining a crime scene log.

During inclement weather action may be necessary to protect the evidence such as, but not limited to:

- providing a tent covering to protect from rain or sunlight,
- erecting temporary walls or barriers to reduce wind contamination, or
- using cardboard to temporarily cover tire tracks or footprints.
### 14.6.03 Preserving Evidence

The trainee shall demonstrate the ability to properly preserve evidence in a way that ensures it is received by the examining authority or court in as nearly as possible to the same condition as it was found.

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>□ Field Perform</td>
<td>□ Field Perform</td>
</tr>
<tr>
<td></td>
<td>Date</td>
<td>Date</td>
<td>□ Role Play</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>□ Written Test</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>□ Verbal Test</td>
<td></td>
</tr>
</tbody>
</table>

FTO:

Trainee:

Comments:

Additional Information:

14.6.03 Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

Department Policies: 802 Property and Evidence

14.6.03 Part B - Agency Training Details *(field will expand automatically)*

Refer to section 14.6.02.

The above information will be read by the trainee and then discussed with the FTO.
14.6.04  **Agency Policy**

The trainee shall review and explain the agency’s policies and procedures regarding the following:

- A. Handling controlled substances
- B. Depositing property, evidence, and money
- C. Calling out Crime Scene Investigators and/or detectives to process a crime scene
- D. Depositing firearms, miscellaneous weapons, and explosives
- E. Withdrawing and returning property

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td>Field Perform</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Role Play</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Written Test</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Verbal Test</td>
</tr>
</tbody>
</table>

| Trainee:       |                        |                         |                  |                  |                |            |

**Comments:**

**Additional Information:**

14.6.04  **Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**

Department Policies: 802 Property and Evidence

14.6.04  **Part B - Agency Training Details (field will expand automatically)**

The above information will be read by the trainee and then discussed with the FTO.
### 4.6.05 Storage of Evidence

The trainee shall explain the provisions of the agency’s rules, policies, and procedures regarding the storage of evidence.

#### Reference(s):

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td>Field Perform</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Role Play</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Written Test</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Verbal Test</td>
</tr>
</tbody>
</table>

| Trainee: | | | | | |

**Comments:**

#### Additional Information:

14.6.05 Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

Department Policies: 802 Property and Evidence

14.6.05 Part B - Agency Training Details *(field will expand automatically)*

The above information will be read by the trainee and then discussed with the FTO.
14.6.06  Taking Evidence to Laboratories and Court

The trainee shall review and explain the agency’s policies and procedures regarding taking evidence to laboratory examination facilities and court.

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Trainee:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Remarks:

Additional Information:

14.6.06  Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 802 Property and Evidence

14.6.06  Part B - Agency Training Details (field will expand automatically)

The above information will be read by the trainee and then discussed with the FTO.
### 14.6.07 Chain of Custody/Evidence

The trainee shall explain the meaning of “chain of custody” or “chain of evidence.”

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Received Instruction</strong></td>
<td><strong>Competency Demonstrated</strong></td>
<td><strong>How Demonstrated?</strong></td>
</tr>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Field Perform</td>
</tr>
<tr>
<td>Date</td>
<td>Date</td>
<td>Role Play</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Written Test</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Verbal Test</td>
</tr>
</tbody>
</table>

**Comments:**

**Additional Information:**

14.6.07 **Part A - Reference Agency Policies/Procedures, if applicable** *(600 characters maximum)*

Department Policies: 802 Property and Evidence

14.6.07 **Part B - Agency Training Details** *(field will expand automatically)*

The above / below information will be read by the trainee and then discussed with the FTO.

The chain of custody is the written, witnessed, unbroken record of all individuals who maintained control or had access to any physical evidence. A complete and accurate chain of custody record is absolutely essential in establishing the validity and integrity of evidence in court.
### 14.6.08 Demonstrate Handling of Evidence

Given a crime situation in which any form of evidence is recovered, the trainee shall collect, preserve, and deliver the evidence, and properly complete all necessary forms (property reports, evidence tags, etc.) in order to document the chain of custody.

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
<th>Remedial Training</th>
<th>How Remediated</th>
<th>How Demonstrated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**FTO:***

**Trainee:**

**Comments:**

**Additional Information:**

#### 14.6.08 Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

- Department Policies: 323 Report Preparation, 802 Property and Evidence

#### 14.6.08 Part B - Agency Training Details *(field will expand automatically)*

- The above information will be read by the trainee and then discussed with the FTO.
### LINEUPS

**14.7.01 Methods for Identifying Suspects**

The trainee shall explain technical methods for identifying suspects, including:

<table>
<thead>
<tr>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Field show-up</td>
</tr>
<tr>
<td>B. Photo identification</td>
</tr>
<tr>
<td>C. Identification kit</td>
</tr>
<tr>
<td>D. Artist’s conception</td>
</tr>
</tbody>
</table>

**Reference(s):**

- Case # (If applicable)
- Incident #

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **FTO:**
  - When completed, print full name
  - Date

- **Trainee:**
  - When completed, print full name
  - Date

**Comments:**

**Additional Information:**

**14.7.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**

- Department Policies: 603 Eyewitness Identification

**14.7.01 Part B - Agency Training Details (field will expand automatically)**

The above / below information will be read by the trainee and then discussed with the FTO.

- Field Show-Up: When circumstances require the prompt display of a single suspect to a witness
- Photo Identification: A photo lineup, also known as a photo array and or photo display, is a procedure used by law enforcement personnel to discover or confirm the identity of a criminal suspect. Generally a police officer shows a set of photographs to a victim or witness and asks whether he or she recognizes one of the persons in the photographs as the perpetrator. A positive identification of a suspect can be used to place the suspect under arrest, and the act of identification may be used later as evidence in the prosecution of the defendant.
- Identification Kit: A kit used to attempt to identify an individual by their fingerprint. This can be done electronically by the use of an in-field identification kit or by booking someone into the county jail for finger print identification.
- Artist’s Conception: An artist’s rendering of a suspect based on information given to them by an eye witness.
14.7.02 **Agency Policy and Procedures**

The trainee shall review and explain the agency policy and procedure(s), including admonitions, for conducting the following types of line-ups:

A. In custody
B. In the field
C. Photographic

### Reference(s):

<table>
<thead>
<tr>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>Date</td>
<td>When completed, print full name</td>
<td>Date</td>
<td></td>
</tr>
<tr>
<td>Trainee:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comments:**

**Additional Information:**

**14.7.02 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**

Department Policies: 603 Eyewitness Identification

**14.7.02 Part B - Agency Training Details (field will expand automatically)**

The above information will be read by the trainee and then discussed with the FTO.
### 14.7.03 Photographic Identifications

The trainee shall explain and/or demonstrate the following procedures for a photographic identification:

- **A.** Use of multiple photos
- **B.** Witness instructions
- **C.** Control of the situation
- **D.** Similar appearances

#### Reference(s):

- Case # (If applicable)
- Incident #

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td>Date</td>
</tr>
<tr>
<td>Field Perform</td>
<td>Field Perform</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Role Play</td>
<td>Role Play</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Written Test</td>
<td>Written Test</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Verbal Test</td>
<td>Verbal Test</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comments (field will expand automatically)**

---

### Additional Information:

**14.7.03 Part A - Reference Agency Policies/Procedures, if applicable** *(600 characters maximum)*

Department Policies: 603 Eyewitness Identification

---

**14.7.03 Part B - Agency Training Details** *(field will expand automatically)*

The above information will be read by the trainee and then discussed with the FTO.
### 14.8 SOURCES OF INFORMATION

#### 14.8.01 Networking with the Community

The trainee shall discuss the importance of identifying and developing sources of information through networking with persons in the community.

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td>Field Perform</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Trainee:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comments (field will expand automatically)**

### Additional Information:

#### 14.8.01 Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

<table>
<thead>
<tr>
<th>14.8.01 Part A - Reference Agency Policies/Procedures, if applicable <em>(600 characters maximum)</em></th>
<th></th>
<th></th>
<th>N/A</th>
</tr>
</thead>
</table>

#### 14.8.01 Part B - Agency Training Details *(field will expand automatically)*

The below information will be read by the trainee and then discussed with the FTO.

Policing involves outreach that is designed to promote community partnerships. In this effort, officers and local resources work together to identify and solve common problems. The phrase, “The whole is greater than the sum of all its parts,” exemplifies the importance of developing trust between community partners.
14.8.02  Informants

The trainee shall describe techniques for identifying and developing “informants,” including:

A. The hazards of divulging too much information to informants  
B. The danger of breaking confidentialities

### Reference(s):

- Case # (If applicable)
- Incident #

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td>Field Perform</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Role Play</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Written Test</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Verbal Test</td>
</tr>
</tbody>
</table>

**Comments (field will expand automatically)**

### Additional Information:

#### 14.8.02  Part A - Reference Agency Policies/Procedures, if applicable  
(600 characters maximum)

Department Policies: 602 Informants

#### 14.8.02  Part B - Agency Training Details  
(field will expand automatically)

The above information will be read by the trainee and then discussed with the FTO.
14.8.03 Public and Private Records
The trainee shall explain the types of public and private records that may be of assistance when collecting investigative information.

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>Date</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Field Perform</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Trainee:</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>Date</td>
<td>How Demonstrated?</td>
<td>Remedial Training</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Field Perform</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Role Play</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Written Test</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Verbal Test</td>
<td></td>
</tr>
</tbody>
</table>

Comments (field will expand automatically)

Additional Information:

14.8.03 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)
Department Policies: 600 Investigation and Prosecution, 800 Crime Analysis

14.8.03 Part B - Agency Training Details (field will expand automatically)
The above / below information will be read by the trainee and then discussed with the FTO.

iCop when appropriate
Outside agency records request
14.9 SUBPOENAS

14.9.01 Definition, Authority, and Immunities

The trainee shall define the term “subpoena” and describe the authority and immunities associated with the subpoena, including:

A. Who may exercise the power of a subpoena
B. Who may serve a subpoena
C. How a subpoena is served
D. Who is subject to the power of a subpoena
E. What immunities from arrest are granted to a person traveling in answer to a subpoena
F. How a subpoena is enforced

Reference(s):
1985 Civil Code (including subsections), 2020.220 Civil Code (including subsections)

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Field Perform, Role Play, Written Test, Verbal Test</td>
<td>When completed, print full name</td>
<td>Field Perform, Role Play, Written Test, Verbal Test</td>
</tr>
</tbody>
</table>

Trainee:

Comments (field will expand automatically)

Additional Information:

14.9.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 325 Subpoenas and Court Appearances

14.9.01 Part B - Agency Training Details (field will expand automatically)

The above information will be read by the trainee and then discussed with the FTO.
### 14.9.02 Agency Practices

The trainee shall review and explain the agency’s practices and policies concerning the subpoena process.

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

#### 14.9.02 Part A - Reference Agency Policies/Procedures, if applicable *(600 characters maximum)*

Department Policies: 325 Subpoenas and Court Appearances

#### 14.9.02 Part B - Agency Training Details *(field will expand automatically)*

The above information will be read by the trainee and then discussed with the FTO.
14.10 COURTROOM TESTIMONY AND DEEMANOR

14.10.01 Professional Demeanor and Appearance
The trainee shall explain the value of impressive and professional courtroom demeanor and appearance.

Reference(s):

<table>
<thead>
<tr>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td></td>
<td>Date</td>
</tr>
<tr>
<td>Field Perform</td>
<td>Field Perform</td>
<td>Role Play</td>
<td>Field Perform</td>
<td></td>
</tr>
<tr>
<td>Written Test</td>
<td>Written Test</td>
<td>Verbal Test</td>
<td>Written Test</td>
<td></td>
</tr>
<tr>
<td>Verbal Test</td>
<td>Verbal Test</td>
<td></td>
<td>Verbal Test</td>
<td></td>
</tr>
</tbody>
</table>

FTO: Trainee:

Comments (field will expand automatically)

Additional Information:

14.10.01 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 325 Subpoenas and Court Appearances

14.10.01 Part B - Agency Training Details (field will expand automatically)

The above / below information will be read by the trainee and then discussed with the FTO.

Peace officers’ demeanor in and around the courtroom is as important as their appearance and testimony. The credibility of officers giving testimony can be greatly influenced by their body language, attitude, manner of speaking, and behavior. If an officer behaves like a professional, the jurors will perceive those officers as professional.
14.10.02 Pre-Trial Conference

The trainee shall explain the value of a pre-trial conference with the prosecuting attorney. This shall minimally include:

A. Refreshing the officer’s memory
B. Coordination of efforts

Reference(s):
Case # (if applicable)   Incident #

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

FTO: 
Trainee: 

When completed, print full name  Date  When completed, print full name  Date

Field Perform
Role Play
Written Test
Verbal Test

Comments (field will expand automatically)

Additional Information:

14.10.02 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)  N/A

Department Policies: 325 Subpoenas and Court Appearances

14.10.02 Part B - Agency Training Details (field will expand automatically)

The above information will be read by the trainee and then discussed with the FTO.
### 14.10.03 Principles of Effective Testimony

The trainee shall identify and explain principles of effective testimony. These principles shall minimally include:

- A. Honesty
- B. Clarity
- C. Brevity
- D. Objectivity
- E. Poise

#### Reference(s):

- Case # (If applicable)
- Incident #

<table>
<thead>
<tr>
<th>FTO:</th>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td>Field Perform</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Role Play</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Written Test</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Verbal Test</td>
</tr>
</tbody>
</table>

#### Comments (field will expand automatically)

#### Additional Information:

**14.10.03 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**

Department Policies: 325 Subpoenas and Court Appearances

**14.10.03 Part B - Agency Training Details (field will expand automatically)**

The above information will be read by the trainee and then discussed with the FTO.
### 14.10.04 Dealing with Attorney Personalities

The trainee shall explain the value of furnishing testimony in a professional manner, even when confronted with attorneys that are:

- A. Irate
- B. Offensive
- C. Threatening
- D. Argumentative
- E. Overly friendly

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (If applicable)</th>
<th>Incident #</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Additional Information:

**14.10.04 Part A - Reference Agency Policies/Procedures, if applicable** *(600 characters maximum)*

Department Policies: 325 Subpoenas and Court Appearances

**14.10.04 Part B - Agency Training Details** *(field will expand automatically)*

The above information will be read by the trainee and then discussed with the FTO.
### 14.10.05 Courtroom Security Policies and Procedures

The trainee shall become familiar with local courtroom security policies and procedures such as:

A. Prisoner Escort  
B. Prisoner Restraint  
C. Screening of Courtroom Audience  
D. Disturbance Procedures

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td>When completed, print full name</td>
</tr>
</tbody>
</table>

**FTO:**  
**Trainee:**

**Comments (field will expand automatically)**

**Additional Information:**

<table>
<thead>
<tr>
<th>14.10.05 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department Policies: 325 Subpoenas and Court Appearances</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>14.10.05 Part B - Agency Training Details (field will expand automatically)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The above information will be read by the trainee and then discussed with the FTO.</td>
<td></td>
</tr>
</tbody>
</table>
### 14.10.06 Perjury and Falsifying Police Reports

The trainee shall recognize that perjury and the falsification of police reports are crimes, and may result in the following consequences:

- **A.** Criminal and civil action against the officer
- **B.** Irreparable damage to the officer’s credibility (Brady List)
- **C.** Irreparable damage to the prosecution of a case
- **D.** May result in civil actions against the agency

### Reference(s):

<table>
<thead>
<tr>
<th>Reference(s):</th>
<th>Case # (if applicable)</th>
<th>Incident #</th>
</tr>
</thead>
</table>

### Received Instruction

<table>
<thead>
<tr>
<th>FTO:</th>
<th>When completed, print full name</th>
<th>Date</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Trainee:</th>
<th>When completed, print full name</th>
<th>Date</th>
</tr>
</thead>
</table>

### Competency Demonstrated

<table>
<thead>
<tr>
<th>FTO:</th>
<th>When completed, print full name</th>
<th>Date</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Trainee:</th>
<th>When completed, print full name</th>
<th>Date</th>
</tr>
</thead>
</table>

### How Demonstrated?

- Field Perform
- Role Play
- Written Test
- Verbal Test

### Remedial Training

<table>
<thead>
<tr>
<th>FTO:</th>
<th>When completed, print full name</th>
<th>Date</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Trainee:</th>
<th>When completed, print full name</th>
<th>Date</th>
</tr>
</thead>
</table>

### How Remediated?

- Field Perform
- Role Play
- Written Test
- Verbal Test

### Comments (field will expand automatically)

### Additional Information:

**14.10.06 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)**

Preface: Law Enforcement Code of Ethics, Department Mission, Philosophy, and Core Goals, Department Policies: 321 Standards of Conduct, 325 Subpoenas and Court Appearances, 604 Brady Material Disclosure

### 14.10.06 Part B - Agency Training Details (field will expand automatically)

The above information will be read by the trainee and then discussed with the FTO.
### 14.10.07 Courtroom Testimony Preparation and Demonstration

The trainee shall demonstrate the ability to prepare and furnish courtroom testimony in such a manner as to promote professionalism and the administration of justice.

### Reference(s):

<table>
<thead>
<tr>
<th>Received Instruction</th>
<th>Competency Demonstrated</th>
<th>How Demonstrated?</th>
<th>Remedial Training</th>
<th>How Remediated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>When completed, print full name</td>
<td>When completed, print full name</td>
<td>Date</td>
<td>Date</td>
<td>□ Field Perform</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>□ Role Play</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>□ Written Test</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>□ Verbal Test</td>
</tr>
</tbody>
</table>

### Additional Information:

#### 14.10.07 Part A - Reference Agency Policies/Procedures, if applicable (600 characters maximum)

Department Policies: 325 Subpoenas and Court Appearances

#### 14.10.07 Part B - Agency Training Details (field will expand automatically)

The above information will be read by the trainee and then discussed with the FTO.

---

**See next page for Attestation**

**Part 5 – Section 14: Investigation/Evidence**

**ATTESTATION FOR SECTION 14**

**TO ENTER YOUR ELECTRONIC SIGNATURE:**

- Click on the ‘X’ in the signature line to activate the signature field > Right click and select “Sign” from the menu.
- Click on “Select Image” > Locate your signature file > Click “Open” to place your signature (date appears automatically).
• Enter your full name next to your signature.

YOUR ELECTRONIC SIGNATURES VERIFY that the Field Training Officer (FTO) and Trainee attest to the following:

1. The FTO(s) provided all instruction, training, and related feedback/comments to the Trainee in accordance with the agency’s training requirements for this portion of the Field Training Program.
2. The Trainee demonstrated all competencies required for this portion of the Field Training Program.
3. If remedial training was performed, the results were reviewed by the appropriate FTO(s) and accepted by the Trainee.
4. The final evaluation of the Trainee’s performance for this portion of the Field Training Program were approved by the FTO(s) and accepted by the Trainee.

Primary Field Training Officer:   Print Full Name: ______________________________________

Trainee:   Print Full Name: ______________________________________

IMPORTANT: After signing the Attestation, the file will be “locked” and CANNOT BE MODIFIED. If you need to make changes, both signatures must be removed and re-entered after the final revisions have been made.

To remove the electronic signature: Right click on the signature line > Select “Remove” from the menu.

See the following pages for Instructions to Administrators and FTOs
How to Complete Part 5 (Sections 1–18)

INSTRUCTIONS TO ADMINISTRATORS

VOLUME 2 OF THE FIELD TRAINING GUIDE CONSISTS OF 18 SECTIONS WHICH MAKE UP PART 5. Each section is provided as a separate file on the POST website (https://www.post.ca.gov/field-training--police-training.aspx). Prior to submitting your FTP Guide to POST for review, you must complete all 18 sections and include them as part of your Guide.

1. **Set up:** Keep an unchanged copy of each section file as a master for reference. Make a copy of the file to use for your agency-specific entries.

2. **Front cover (optional):** To keep a hard copy of Volume 2 for internal use, you can add your agency name and date to the front cover.

3. **For each section (1–18):**
   - Open the applicable file and add your agency name and date to the header on page 1. (DO NOT change any other headers or footers or alter any other sections of the file.)
   - Below each table:
     - **Part A:** Enter applicable references from your agency’s Policies & Procedure Manual.
     - **Part B:** Enter your agency’s training details.

4. **After completing ALL sections (1–18),** you MUST submit the following materials via flash drive, CD, or DVD to POST for review and approval (do not send printed copies):
   1) Your completed FTP Guide
   2) FTP Approval Checklist (POST Form 2-230)
      - NOTE: Guides submitted without this form will NOT be reviewed.
   3) Your Department’s Policy & Procedure Manual

5. **MAIL YOUR ELECTRONIC MEDIA TO:**
   Commission on POST
   860 Stillwater Road, Suite 100
   West Sacramento, CA 95605
   Attn: Phil Caporale – BTB

6. You will receive status notification within 90 days from the date received.

See next page for Instructions to Field Training Officers
How to Complete Part 5 (Sections 1–18)

INSTRUCTIONS TO FIELD TRAINING OFFICERS (FTOs)

VOLUME 2 OF THE FIELD TRAINING GUIDE CONSISTS OF 18 SECTIONS WHICH MAKE UP PART 5. Each section has been customized by your agency administrator(s) to include references to policies and procedures and training details to meet your agency’s Field Training Program requirements. Each file is provided as a separate file. For each section (1–18), complete all tables for each topic.

1. **Set up:** Keep an unchanged copy of each section file as a master for reference. Make a copy of the file to use for your training sessions.

2. **Tracking your training sessions:**
   - Upon completing each competency, enter the FTO and trainee names and dates, and how the competency was demonstrated, into the applicable tables.
   - Enter any note-worthy comments related to the trainee’s performance.

3. **If trainee requires remedial training:**
   - Enter the FTO and trainee names and dates, and how the competency was remediated, to show that each competency was completed.
   - Enter any additional note-worthy comments related to the trainee’s performance.

4. **Attestation:** After all competencies have been performed, including any remedial training, the primary FTO and Trainee MUST enter their electronic signatures on the Attestation page (see instructions) to verify that the Trainee has completed this portion of the Field Training Program.

**End Section**