

**CITY OF OCONOMOWOC POLICE DEPARTMENT
POLICIES & PROCEDURES**

DATE: September 7, 2020

HISTORY: September 16, 2019
October 1, 1999

SUBJECT: Court Appearance and Testimony

POLICY NUMBER: 99-040

I. PURPOSE

The purpose of this directive is to state the officer's responsibility regarding his/her testimony, conduct and appearance when it is necessary to testify before Lake Country Municipal Court, Waukesha County Circuit Court or any other criminal or civil court that requires their testimony.

II. GUIDELINES

- A.** In addition to the underlying importance of officers writing complete and accurate reports, each individual must review all pertinent material prior to appearing to give testimony. It is the officer's responsibility to have appropriate records available for court.
- B.** Pre-trial conferences for the purpose of enabling prosecutors to become more aware of the scope and specifics of information to be presented should be treated with the same degree of professionalism as other formal proceedings.
 - 1. When scheduled for circuit court, the officer MUST call 548-7069 after 5:00 P.M. the day before your subpoena indicates you are to appear for court, or up to 8:00 .m. the day of your scheduled appearance. You will hear a recording which will list all of the cases that area being rescheduled or cancelled for the next court day. If the case for which you were required to appear is not named on the recording, you must report to the district attorney's office. If you have been previously cancelled, there is no need to call.
- C.** When summoned to a municipal court, officers must report 15 minutes prior to the scheduled court time and meet with the city attorney. While waiting to testify, listen quietly to the proceedings. Avoid congregating with other officers or spectators outside the courtroom.
- D.** When appearing before any court, officers are required to be neatly attired in full regulation uniform unless assigned to a plain-clothes assignment. Officers are to refrain from wearing boots or other forms of foul weather footwear when appearing to give testimony.
 - 1. Exception:
 - a. Officers who, due to an injury, are unable to wear a uniform or carry a firearm are permitted to appear in court in a suit/sport coat and tie.
- E.** When summoned to testify, remember, first impressions of you will be formed as you walk to the stand and accept the oath. When your case is called or your presence is required before the court, respond briskly. If you are to testify, sit or stand erect while the oath is administered and face directly toward the judge. Hold your right hand at about the level of your ear and answer in a firm, clear voice.
- F.** After taking the oath, position yourself at the designated testifying location. Don't slouch or lean forward with elbows on the knees, or lean back on the witness chair.

- G. During examination, speak in a clear, firm voice, and answer all questions truthfully and honestly. Remain calm and polite regardless of tactics used by the defense.
- H. After your testimony has been concluded, return to your seat in a professional manner, showing no emotion which indicates pleasure or displeasure.
- I. When your presence is no longer required in court, complete the online time entry for court overtime. Enter the actual hours involved. On-duty officers will remain in their assigned squad area until 1/2 hour prior to needed attendance.

III. CONCLUSION

- A. Diligent investigation and careful preparation of cases may be wasted if you fail in the very important task of giving evidence in court. However important other enforcement activities are, your work often is judged by your performance in the courtroom. Not only is the substance of your testimony important, but your conduct and demeanor also have great influence on the court.

IV. EXCEPTIONS TO THIS POLICY MAY BE AUTHORIZED ONLY BY THE CHIEF OF POLICE

This policy is effective immediately
and will supersede any directives or understandings in conflict