

**APPENDIX F**

***(SCRIPTS FOR INTRODUCING PHYSICAL EVIDENCE IN YOUTH COURT)***

October 2004

## **SCRIPT FOR INTRODUCING STATEMENT SIGNED BY THE WITNESS**<sup>1</sup>

(Prior to the hearing, you should number or letter the exhibit by writing on it. The prosecution uses numbers, i.e., 1, 2, 3, etc. and the defense should use letters, i.e., A, B, C, etc. Once marked, they can be referred to as Prosecution Exhibit 1 or Defense Exhibit A).

### **TWO WAYS TO INTRODUCE**<sup>2</sup>

#### A. Without a Witness on the Stand

1. “Your honor, at this time I’d like to introduce into evidence the statement of Jane Doe, which I’ve marked as Defense exhibit A.”
2. “Jane Doe was present on the night of the crime and witnessed the incident. (“Jane Doe has known the offender for many years and can address his character”)“The statement is signed by Jane Doe and dated June 17, 2004.”
3. “May I read it to the jury?”
4. (Read the statement to the Jury.)

#### B. With a Youth Court Member as a Witness on the Stand

1. “At this time your honor, I call John Doe, a youth court member to the stand.”
2. “Your honor, may I approach the witness?”
3. “John Doe, I am handing you exhibit A (or exhibit 1, if prosecution). Do you recognize this?”
4. “What is it?” (Answer, i.e.,: “It’s a statement given by a witness”)
5. “Whose statement is it?”
6. “Is it signed?”
7. “Is it dated?”
8. “What is the date?”

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<sup>1</sup> Remember, you must disclose this type of evidence to your opponent prior to the hearing. This means you tell them about it and show it to them if they want to see it.

<sup>2</sup> If the witness will appear in court and testify, you do not need to introduce their written statement.

9. “At this time your honor, I’d like to have exhibit A introduced into evidence.”
10. “May the witness read it to the jury?”
11. (Have witness read the statement to the jury)

\* Remember: Use the facts from the statement during closing argument.

**SCRIPT FOR INTRODUCING STATEMENT OBTAINED OVER THE  
TELEPHONE AND WHICH IS UNSIGNED**<sup>3</sup>

(Prior to the hearing, you should number or letter the exhibit by writing on it. The prosecution uses numbers, i.e., 1, 2, 3, etc. and the defense should use letters, i.e., A, B, C, etc. Once marked, they can be referred to as Prosecution Exhibit 1 or Defense Exhibit A).

**TWO WAYS TO INTRODUCE**

- A. With a Youth Court Member as a Witness on the Stand<sup>4</sup>
- a. “At this time your honor, I call John Doe, a youth court member to the stand.”
  - b. “Your honor, may I approach the witness?”
  - c. “John Doe, I am handing you exhibit A (or exhibit 1, if prosecution). Do you recognize this?”
  - d. “What is it?” (Answer, i.e.: “It’s a statement given by witness Jane Doe”)
  - e. “How do you know it is a statement of Jane Doe?” (Answer: “I was on the telephone when Jane Doe was interviewed and heard her state the information in this statement.”)
  - f. “When was this statement taken?”
  - g. “Is this statement a fair and accurate representation of what Jane Doe said on the phone that day?”
  - h. “At this time your honor, I’d like to have exhibit A introduced into evidence.”
  - i. “May the witness read it to the jury?”
  - j. (Have witness read the statement to the jury)

\* Remember: Use the facts from the statement during closing argument.

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<sup>3</sup> Remember, you must disclose this type of evidence to your opponent prior to the hearing. This means you tell them about it and show it to them if they want to see it.

<sup>4</sup> If the witness will appear in court and testify, you do not need to introduce their written statement.

## **SCRIPT FOR INTRODUCING A POLICE REPORT**<sup>5</sup>

(Prior to the hearing, you should number or letter the exhibit by writing on it. The prosecution uses numbers, i.e., 1, 2, 3, etc. and the defense should use letters, i.e., A, B, C, etc. Once marked, they can be referred to as Prosecution Exhibit 1 or Defense Exhibit A).

### **TWO WAYS TO INTRODUCE**<sup>6</sup>

#### A. Without a Witness on the Stand

1. “Your honor, at this time I’d like to introduce into evidence the police report pertaining to this case, which I’ve marked as Prosecution exhibit 1.”
2. “Police officer Jane Doe arrested the defendant and prepared this report. However she is unavailable tonight. “The report is dated June 17, 2004.”
3. “May I read portions of it to the jury?”
4. (Read the relevant portions of the report to the Jury.)

#### B. With a Youth Court Member as a Witness on the Stand

1. “At this time your honor, I call John Doe, a youth court member to the stand.”
2. “Your honor, may I approach the witness?”
3. “John Doe, I am handing you exhibit A (or exhibit 1, if prosecution). Do you recognize this?”
4. “What is it?” (Answer, i.e.,: “It’s a police report”)
5. “Whose report is it?”
6. “Is it signed?”
7. “Is it dated?”
8. “What is the date?”

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<sup>5</sup> Remember, you must disclose this type of evidence to your opponent prior to the hearing. This means you tell them about it and show it to them if they want to see it.

<sup>6</sup> If the police officer will appear in court and testify, you do not need to introduce their arrest report.

9. “At this time your honor, I’d like to have exhibit A introduced into evidence.”
10. “May the witness read portions of this report to the jury?”
11. (Have witness read relevant portions the jury)

\* Remember: Use the facts from the report during closing argument.

## SCRIPT FOR INTRODUCING *OBJECTS OR MERCHANDISE*<sup>7</sup>

(Prior to the hearing, you should number or letter the exhibit by writing on it. The prosecution uses numbers, i.e., 1, 2, 3, etc. and the defense should use letters, i.e., A, B, C, etc. Once marked, they can be referred to as Prosecution Exhibit 1 or Defense Exhibit A).

### TWO WAYS TO INTRODUCE

#### A. Through a witness (i.e., police officer, victim or store security guard)

1. “Your honor, may I approach the witness?”
2. “Officer Smith, I am handing you exhibit #1 (or exhibit A, if defense). Do you recognize this?”
3. “What is it?” (i.e., “It’s the lipstick that was taken by Jane Doe on July 1” or “It’s lipstick that is the same type taken by Jane Doe on July 1”)
4. “How do you know that it’s the lipstick that was taken?” (or, “How do you know that it’s the same type of lipstick that was taken?”) (Witness should be able to explain how he or she knows this)
5. “At this time your honor, I’d like to have exhibit 1 introduced into evidence.”
6. “Would you please describe this exhibit to the jurors?”
7. “How much was the store selling this item for?”
8. “May I show it to the jury?” (Show to jurors)

#### B. Without a witness (where you obtained the original or sample object and a witness is unavailable)

1. “Your honor, at this time I’d like to introduce into evidence the item that was taken (or, “an object that is identical to the one taken”) by the offender on August

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<sup>7</sup> Remember, you must disclose this type of evidence to your opponent prior to the hearing. This means you tell them about it and show it to them if they want to see it.

1, 2004, which I've marked as Prosecution exhibit 1."

2. "I went to the store and obtained the object that was taken by Jane Doe" (or, I obtained an item that is identical to the one taken by Jane Doe").
3. "May I show the object to the jury?" (Show to jurors)

\* Remember: Use the exhibit during closing argument.

## SCRIPT FOR INTRODUCING PHOTOGRAPHS<sup>8</sup>

(Prior to the hearing, you should number or letter the exhibit by writing on it. The prosecution uses numbers, i.e., 1, 2, 3, etc. and the defense should use letters, i.e., A, B, C, etc. Once marked, they can be referred to as Prosecution Exhibit 1 or Defense Exhibit A).

### TWO WAYS TO INTRODUCE

#### A. Through a witness (i.e., police officer, youth court member, or victim)

1. “Your honor, may I approach the witness?”
2. “Officer Smith, I am handing you exhibit #1 (or exhibit A, if defense). Do you recognize this?”
3. “What is it?”
4. “How do you know that it depicts the car that was damaged?”
5. “Is it a fair and accurate representation of what the damage to the car looked like on June 6, 2004?”
6. “At this time your honor, I’d like to have exhibit 1 introduced into evidence.”
7. “May I show it to the jury?” (Show to jurors)

#### B. Without a witness (where you have taken the photograph or witness unavailable)

1. “Your honor, at this time I’d like to introduce into evidence photographs of the items taken by the offender on August 1, 2004, which I’ve marked as Prosecution exhibit 1.”
2. “I went to the store and photographed the item taken. (or, “A store security guard took this photograph on the night of August 1, 2004. However she is unavailable tonight.”). The photograph is a fair and accurate representation of the item taken.”
3. “May I show the photograph to the jury?” (Show to jurors)

\* Remember: Use the exhibit during closing argument.

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<sup>8</sup> Remember, you must disclose this type of evidence to your opponent prior to the hearing. This means you tell them about it and show it to them if they want to see it.