

# Truro Police Department

## TESTIFYING IN COURT

*Policy Number: OPS-8.05*  
*Reference:*

*Effective Date: June 1, 2000*

*Accreditation Standards: 1.1.1*  
*Mass. General Law:*  
*Other:*

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**POLICY:** It shall be the policy of the Truro Police Department to make its officers available as witnesses for the Commonwealth whenever their services are requested.

**PROCEDURE:**

1. Officers will only testify as a witness for the Commonwealth when:
  - a. The department's prosecutor advises them of their required attendance.
  - b. Their attendance is requested by another agency in writing.
    - i. Upon receiving a written request by another agency the officer shall forthwith forward copies of said request to the departments prosecutor and the Chief of Police or Officer in Charge.
2. Officers appearing as a witness for the Commonwealth
  - a. In the Orleans District Court department shall be dressed:
    - i. In their required duty uniform
    - ii. In a jacket and tie attire
  - b. Jury of Six Session, Grand Jury Session, or Superior Court Department Officers shall be dressed in jacket and tie attire.
3. Every police officer testifying in court or at any administrative hearing shall:
  - a. Be punctual in reporting at the time and place set for the trial or hearing.
  - b. Review in advance all aspects of the particular case.
  - c. Testify to what he knows or believes to be the truth.

4. Police officers shall not discuss the case with the defendant in the absence of his attorney, if he has one, or make any agreement with the defendant's attorney for recommendations as to the disposition of the case without the knowledge of the departments prosecutor or the District Attorney's representative.
5. It is understandable that occasionally mistakes in testimony may be made and an officer should voluntarily correct any error as soon as possible. In addition, an officer may realize after he has left the witness stand that he has overlooked some particular point. In such cases he shall inform the prosecutor as soon as possible in a manner that his not distracting to the court.
6. A police officer should not testify in any civil case that relates to his police duties unless he is part of the lawsuit or he has been legally summoned to appear, or unless permission has been obtained from the Chief or Officer in Charge.
7. A police officer shall not testify for the defendant in any criminal case without being legally summoned to appear. As soon as he learns he will be asked to testify in any such case he should inform the Chief or Officer in Charge, of the nature of his testimony and this information should immediately be brought to the attention of the prosecutor.
8. This policy is to be used in conjunction with all relevant existing department policies, procedures, rules, regulations, and statute law.