	<u>SUBJECT</u>	<u>NUMBER</u>
	ATTENDANCE IN COURT	402/04
EFFECTIVE DATE: 08-24-09	AMENDS: 07-30-08	RESCINDS:
DISTRIBUTION: Administration, CID, Patrol, Communications, Clerical	REFERENCES: CALEA / IACLEA / TPCFA	

.10 INTRODUCTION:


- A. The many hours of investigation and preparation of criminal cases by peace officers may be wasted if the evidence they have gathered is not properly presented in the courtroom. The time an officer spends on the witness stand is extremely important in the process of establishing the guilt or innocence of the accused. An officer's courtroom demeanor, knowledge of the facts of the case and ability to answer questions effectively are significant to the court in its determination of guilt or innocence.
- B. No matter how well the pre-trial preparation has been carried out, the final result of this effort frequently depends on how well the officer performs in court. Officers testify truthfully and accurately, and do so in such a manner as to clearly identify the important facts of the case, and to impress the judge and jury with their integrity and professionalism.

.20 ATTENDANCE REQUIREMENTS:

- A. Police officers promptly attend court, on the assigned day and time, when subpoenaed. If, for a valid reason, they are unable to attend, they notify the respective court office of their inability to attend.
- B. If an officer is absent from or tardy to court, he provides a written report covering his absence or tardiness to his supervisor who forwards it to the Chief of Police. The Chief of Police will determine the validity of the absence or tardiness, and make a recommendation for disciplinary action, if applicable.

.30 DRESS AND DEMEANOR:

- A. First impressions, in many instances, are based upon an officer's general appearance as the officer steps into the courtroom; therefore, the officer's clothing is neat and clean, shoes shined, hair combed, and face shaven.
- B. If the officer is a member of the patrol division, it is best that the officer wear a full regulation uniform in court, however the wearing of appropriate civilian clothing is permissible.
- C. If the officer wears civilian clothing, it must be clean conservative clothing, in keeping with the respect due the court. A suit or sport coat and a tie are worn when testifying in civilian clothing.

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- D. Upon arrival at the court, an officer notifies the bailiff that he/she is present, signs in (if applicable), is seated, and awaits his/her turn to testify.
- E. When waiting to testify, officers do not gather outside the courtroom door and engage in undignified conduct.
- F. When an officer is called forward to testify, the officer steps forward with dignity. When asked to take the oath as a witness, the officer stands erect with heels together, raises right hand to the level of his/her ear, and looks directly at the officer administering the oath. The officer's reply to the oath is in a clear, firm voice.

.40 SUBPOENAS:

- A. Most subpoenas for Alamo Colleges police officers are delivered by either the Bexar County Sheriff's Department or the Constable's office.
- B. Every officer of this Department will cooperate with the deputies and constables serving subpoenas. If the officer is notified by telephone that a subpoena has been issued, he obtains the court, date, and time from the caller, and waives delivery service. He picks up the subpoena on his way to court.
- C. When an officer is required to attend two different courts at the same time, he attends the higher court and notifies the lower court of his whereabouts.
- D. Officers receiving subpoenas must notify their supervisor of court date, time, court to attend, and reason for subpoena. This information is relayed to the Chief of Police.

.50 COMPENSATION FOR OFFICER'S COURT APPEARANCE:

This procedure applies to all personnel employed by the Alamo Colleges Police Department. These guidelines shall pertain only to those criminal and civil matters actually resulting from on-duty prescribed functions that are job-related to the Alamo Colleges.

- A. No compensation for on-duty court appearance shall be awarded.
- B. Personnel will receive compensatory time for off-duty court appearances. Monetary reimbursement is not normally granted.



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- C. On-duty personnel attending court shall be afforded transportation by the Department.
- D. Off-duty personnel shall have the option of reporting to the station for transportation by the Department, or they may utilize their own transportation without travel or parking reimbursement.