



“Will You Please Take the Stand?”

Courtroom Testimony for Law Enforcement Officers – Part 1

By David Berger

[Editor's Note: This is the first of a two-part series written to address an oft-times overlooked necessity of new officer academy training. It was originally published in the Training Wheel in Sep-Dec 1999. The Training Bureau administration felt that the information contained within was valuable enough to be re-published.]

– Ron Corbin]

Prologue

Many seasoned veterans of law enforcement will echo one of the sentiments of frustration to being a cop when they give an explanation of the court system as, “We risk our lives to catch ‘em and lock ‘em up, then the courts let them go on a technicality.” That is exactly why law enforcement organizations must change one of the ways they go about training their officers.

It’s important that cops are taught how to protect themselves while performing the duties involved in patrol, but it’s every bit as important that today’s cop is also trained how to survive the courtroom. It’s well established that cops face as much stress as anyone in the private or public sector. But when you think about the fact that most cops are more likely to deal with stress as the result of an experience in court, rather than a critical incident like a shooting, it becomes clear that law enforcement organizations are not doing nearly enough to prepare cops for the emotional consequences of the courtroom experience.

How much time did you spend at the academy learning how to deal with courtroom demeanor – especially when it comes to coping with a few obnoxious defense lawyers and occasionally antagonistic judges? Police officers must be trained to look at going to court as an opportunity, not an inconvenience. Cops must see their testimony in the same way they see their weapon and handcuffs, as tools with which to fight crime. Too many of us think our job is done after the arrest is made. But if we want to see the successful conviction of the criminals we lock up, we have to start thinking differently about the other end of the system.

Courtroom Testimony

Recently, while preparing for a class in courtroom testimony at the Metropolitan Police Department’s In-Service Training Section in Las Vegas, Nevada, I took some extra time to make inquiries of officers as to their apprehensions regarding their appearing in court. Those apprehensions, ranging from lack of trust in the system to outright fear, were not at all surprising. Considering that the feedback was fairly consistent with knowledge I already had been exposed to, in an informal manner, it was apparent that officers throughout the country universally experience those apprehensions.

The reasons are varied. Some of the responses I received were:

