

SECTION E. TRAFFIC COURT PREDICATE QUESTIONS

Introduction & arraignment

Identification & Venue

General questions relating to moving violations

- 107-11 State parking violations
- 249-10 Untaxed vehicle
- 286-25 Safety Check
- 286-85 No reconstruction permit
- 286-102 Driving without a license
- 291-2 Reckless driving
- 291-3 Open container
- 291-11 Seat-belt violation
- 291C-14 Fleeing the scene
- 291C-31 Traffic control devices (Red light)
- 291C-32 No right turn on red (also ROH §15-6.3)
- 291C-32a3A (more) Red light
- 291C-38 General lane marking questions
- 291C-48 Wrong way on a one way street
- 291C-49(1) Unsafe changing of lanes
- 291C-61 Failure to yield to traffic
- 291C-63(b) Stop sign
- 291C-81 Position of turning (use of traffic-control devices)
- 291C-102 Speeding [laser -- 20-20]
- 291C-102 Speeding - Speed limit signs
- 291C-102 Speeding - Speed check - Pace
- 291C-102 Speeding - [K15 - Radar]

Dannenberg Memo on foundation for Laser

- 291C-103 Exhibition of speed / racing on highways
- 291C-131 Spilling load
- 431:10C-104No No-fault insurance
- 710-1077(1)(G) Contempt

Contempt Cases - Procedure

Contempt - Court records witness

ROH 15 Parking

ROH Parking or stationary violations

15-8.4 U-turn in business district

41-31.1 Prohibited noise (boom box)

Admin Rule 11-60.1-34(C) Engine left standing

Predicate questions for non-parking stationary violations

Violation of posted signs

HRE 802.1(3) Prior Identification

General purpose questions

Refreshing Recollection

Moving violation predicate questions (signs/lights)

Parking / stationary violations

IN COURT

YOUR INTRODUCTION:

Good _____, Your Honor.
[Your name], University of Hawaii law student practicing
under Hawaii Supreme Court Rule 7, for the Prosecution.

ARRAIGNMENT FOR ALL CHARGES:

ASK DEFENDANT:

1. Please step forward.
2. Are you _____?
3. [read the charge]
4. Do you understand the charge?
[if no, simply the language.]
5. How do you plead?
[Assuming they say "Not Guilty," the trial will start.]
6. Have a seat.
7. The State Call (Officer _____).

**** REMEMBER TO INVOKE THE EXCLUSIONARY RULE -- HRE 615 ****

I. IDENTIFICATION

1. Officer, please state your name and occupation for the record.
2. Were you so employed and on duty on [date]?
3. On that date, did you cite one known to you as [D]?
4. If you were to see that person, again, would you be able to recognize him/her?
5. If he/she is in this courtroom today, please point to him/her out and describe what he/she is wearing.

**** MAY THE RECORD REFLECT THAT THE WITNESS HAS IDENTIFIED THE DEFENDANT?**

II. VENUE

1. What did you cite the D for on that date?
2. Where was the location of the alleged offense?
3. Is that in the City and County of Honolulu, State of HI?

*** GO TO SPECIFIC VIOLATION SECTION**

III. GENERAL QUESTIONS RELATING TO MOVING VIOLATIONS

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
On foot? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. Where were you when you first observed the D?
6. Where was D?
7. In what direction were you facing?
8. What were you doing when you first observed the D?
9. What actions did D take to cause you to cite him/her?
- ** INSERT ESSENTIAL ELEMENTS HERE. i.e., traffic signs?
10. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
11. What did you do after you observed the D's actions?
12. Did you explain to D why s/he was stopped?
13. What, if anything, did D say?
14. Were there any passengers in the vehicle?
15. Who was behind the wheel?
16. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?
- ** RESERVE THE RIGHT TO RECALL AND REST.

§ 107-11 STATE PARKING VIOLATION

** NEED DMV LETTER THAT SHOWS D IS THE RO, OR
ASK IF D WILL STIPULATE TO OWNERSHIP.

Direct of Officer

1. Officer, please state your name and occupation for the record.
2. Were you so employed and on duty on [date]?
3. What was your assignment on that date?
4. D tagged in the car: DO ID. What caused you to cite D?

Vehicle not attended: As part of your assignment on that date, did you cite a [type of vehicle] bearing license number _____?

** IF WITNESS CAN'T REMEMBER, ASK IF LOOKING AT THE CITATION WOULD REFRESH HIS MEMORY AS TO THE LICENSE NUMBER. SHOW D AND THEN WITNESS PURSUANT TO HRE 612 TO REFRESH RECOLLECTION.

5. Where did you cite that vehicle?
6. Is that in the C&C of Honolulu, State of HI?
7. What did you cite the D for?
8. How is parking controlled on _____?
9. How many of these signs are posted on _____?
10. Were there any posted or painted parking signs?
11. Were the curbs or stalls painted?
12. Were theses signs clear and unobstructed?
13. In what direction do these signs face?
14. What do these signs say?
15. Would they be visible to someone in D's position?
16. Were they official C&C of Honolulu or State of HI markings or devices?
17. What do they require a driver to do?

Continued in the Back --->

** IF D STIPULATED TO OWNERSHIP, SKIP TO Q#23.

18. Did you run a computer check on the D's vehicle ?

19. Was the vehicle reported stolen?

20. Were license plates reported stolen?

** SHOW DMV LETTER TO OWNER OF VEHICLE.

21. May the record indicate that I am showing D what has been marked for identification State's Exhibit A, a one page document from the C&C of Honolulu, Division of Motor Vehicles and Licenses certifying that D is the registered owner of the vehicle bearing the license number _____.

22. At this time your honor, State moves State's exhibit A into evidence.

(This is a public document under seal with a signature which purports to be an attestation from the Dept of Motor Vehicles of the C&C of Honolulu and pursuant to HRE 902, 803(b)(8) and 1005, the State requests that this document be entered into evidence.)

23. Officer, did all you testified to take place within the C&C of Honolulu, State of HI?

§ 249-10 UNTAXED VEHICLE

Direct on Officer

- ** DO IDENTIFICATION
- ** DO VENUE
- 1. On [date] what was your assignment?
On foot? Drove? what?
- 2. At what time did you first observe the D?
- 3. What were the lighting conditions in the area you cited
the D? The weather conditions? Traffic conditions?
Road conditions?
- 4. Where were you when you first observed the D?
- 5. Where was D?
- 6. In what direction were you facing?
- 7. What were you doing when you first observed the D?
- 8. What actions did D take to cause you to cite him/her?
- 9. Did you observe whether D had the registration sticker?
What does the sticker indicate?
Did D have the registration papers?
- 10. What did you do after you observed the D?
- 11. Did you explain to D why s/he was stopped?
- 12. What, if anything, did D say?
- 13. Were there any passengers in the vehicle?
- 14. Who was behind the wheel?
- 15. Officer, did all that you testify to occur in the C&C of
Honolulu, State of HI?

Cross of D

- 1. What kind of vehicle were you driving on [date]?
Is this your vehicle?
- 2. Did you have the sticker on your car?
Did you have the papers in the car?

§ 286-25 SAFETY CHECK

- ** NEED DMV LETTER THAT SHOWS D IS THE RO, OR
ASK IF D WILL STIPULATE TO OWNERSHIP OF VEHICLE.

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
 2. At what time did you first observe the D?
 3. What were the lighting conditions in the area you cited
the D? The weather conditions? Traffic conditions?
Road conditions?
 4. What were you doing when you first noticed the D?
 5. What drew your attention to the D on that day?
 6. Where was the D?
 7. Where were you?
 8. What kind of vehicle was D driving?
 9. In what direction was D traveling?
 10. Where were you? In what direction were you facing?
 11. did you observe whether D has a current safety sticker
(vehicle registration)?
 12. Did you explain to D why s/he was stopped?
 13. Did D have appropriate papers?
 14. What, if anything, did D say?
 15. Were there any passengers in the vehicle?
 16. Who was behind the wheel?
- ** IF D STIPULATED TO OWNERSHIP, SKIP TO Q#19.
- ** SHOW DMV LETTER TO OWNER OF VEHICLE.
17. May the record indicate that I am showing D what has
been marked for identification State's Exhibit A, a one
page document from the C&C of Honolulu, Division of
Motor Vehicles and Licenses certifying that D is the
registered owner of [description of the vehicle].

Continued on the Back --->

18. At this time your honor, State moves State's exhibit A into evidence.

(This is a public document under seal with a signature which purports to be an attestation from the Dept of Motor Vehicles of the C&C of Honolulu and pursuant to HRE 902, 803(b)(8) and 1005, the State requests that this document be entered into evidence.)

19. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

** RESERVE THE RIGHT TO RECALL AND REST.

Cross of D

1. What kind of vehicle were you driving on [date]?
2. Is this your vehicle?
3. did you have the safety sticker on your car?
4. Did you have the papers in your car?

§ 286-85 NO RECONSTRUCTION PERMIT

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. What were you doing when you first noticed the D?
5. What drew your attention to the D on that day?
6. Where was the D?
7. Where were you?
8. What kind of vehicle was D driving?
9. In what direction was D traveling?
10. Where were you? In what direction were you facing?
11. What specifically led to your inquiry as to whether the D had a reconstruction permit?
12. What did you do after you observed the D's vehicle?
13. Did you explain to D why s/he was stopped?
14. Did you ask the D whether s/he has a reconstruction permit? Did s/he produce such a permit?
15. What, if anything did D say?
16. Were there any passengers in the vehicle?
17. Who was behind the wheel?
18. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

** RESERVE THE RIGHT TO RECALL AND REST.

Cross of D

1. What kind of vehicle were you driving on [date]?
2. Did you have a reconstruction permit for that vehicle?

§ 286-102 DRIVING WITHOUT A LICENSE

- ** If D produces a valid DL, move to amend to HRS § 286-116(a) -- no license on person. Move to dismiss. Otherwise . . .
- ** NEED DMV LETTER SHOWING D WAS DWOL.

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. When did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Where was the D?
5. Where were you? In what direction were you facing?
6. What were you doing when you first observed the D?
7. Upon making these observations, what did you do?
8. Did you explain to D why s/he was stopped?
9. Did you cite him/her for that?
10. After stopping the D, did you ask for his driver's license?
11. What, if anything, did D say?
12. Who was behind the wheel?
13. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

** SHOW DMV LETTER TO OWNER OF VEHICLE.

May the record indicate that I am showing D what has been marked for identification State's Exhibit A, a one page document from the C&C of Honolulu, Division of Motor Vehicles and Licenses certifying that D had no valid, current driver's license on [date].

At this time your honor, State moves State's exhibit A into evidence.

(This is a public document under seal with a signature which purports to be an attestation from the Dept of Motor Vehicles of the C&C of Honolulu and pursuant to HRE 902, 803(b)(8) and 1005, the State requests that this document be entered into evidence.)

§ 291-2 RECKLESS DRIVING

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. What were you doing when you first noticed the D?
6. What actions did D take to cause you to cite him/her?
7. Where were you? What were you driving?
In what direction were you facing?
8. Where was D?

Speeding.

9. Did you attempt to clock D? What result?
10. Signs posted? How many? Official C&C of Honolulu or State of HI signs? How do you know?
Did D have an unobstructed view of signs?

Relationship to other cars.

11. Were there other cars on the road? How many?
Did D attempt to pass them? In what manner?
What did other drivers do in respect to D's actions?
12. Did you notice anything unusual about D's car?
Did he have his lights on? Time of incident?
13. Did the chase commence?
What was result of your pursuit?
Where was D's vehicle finally stopped?
13. What did D do when he stopped his motor vehicle?
14. Did you explain to D why s/he was stopped?

Continued in the Back --->

15. Did you cite him/her for that?
16. After stopping the D, did you ask for his driver's license?
17. What, if anything, did D say?
18. Were there any passengers in the vehicle?
19. Who was behind the wheel?
20. Did all that you testified to occur in the C&C of Honolulu, State of HI?

Cross of D

1. What kind of vehicle were you driving?
Where were you going?
Familiar with the area?
2. When did you first notice the officer?
Did you attempt to stop when you first noticed him/her following you?

§ 291-3.1 & 3.2 & 3.3 OPEN CONTAINER

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Were you working alone at that time?
Were you in uniform or plainclothes?
Riding or walking?
2. Where did you initially observe D? What time?
3. What kind of area was that? (parking lot, street, etc)?
Where was D parked, if at all?
4. Why were you at that location?
5. Are you familiar with that area? How?
6. What drew your attention to D?
7. Where was D? Where were your? How far from D?
(where was your partner?)
8. What were the lighting conditions in the area you cited
the D? (flashlight? Overhead street-lights?)
9. View? Clear & unobstructed?
10. Could D see you? How do you know?
11. Was D alone? With others?
12. What happened next?
 - a. what did you see? (bottle or can of beer)
 - b. where was it?
 - c. how was it packed? (familiar w/ way beer packed?)
 - d. how did it look (pack or open?)
 - e. what if anything was in the container?
 - f. how much (was in it)?
 - g. how did it feel? (cold to touch?)
 - h. did you smell it?
 - i. what did you do with the bottle/can? (seize it?)
(from whom?) (amber bottle threw the rest away)
13. Was there any conversation? What was said?
14. How did D appear at this time? (his behavior, smell,
eyes, any injuries, any complaints of pain?)
15. What did that indicate to you in your opinion?

Continued in Back --->

16. Did you then place D under arrest?
17. How long have you been employed as a police officer?
18. Have you made other arrest/assisted in cases concerning alcohol?
19. Have you made any OPEN CONTAINER ARRESTS?
20. What did you do with the evidence following the arrest?
21. Did you mark it in any IDENTIFIABLE way?
22. Pursuant to a subpoena, did you bring that evidence with you to court today?
23. May I have it?

** MARK FOR ID. SHOW DEFENSE COUNSEL.

24. I show you what has been marked as exhibit #___ for ID. Do you recognize it?
 - a. Would you identify it for the record?
 - b. Is this the evidence you obtained on [date], when you arrested D?
 - c. Is it in the same or substantially the same condition? How do you know?

** STIP: CHAIN OF CUSTODY OR ASK THE FOLLOWING QUESTIONS.

25. Have you seen this evidence between [date] and today?
26. Where did you get State's Exhibit #___ for ID, today?
27. Does it appear to be in substantially the same condition that it was on [date]?

** MOVE INTO EVIDENCE IF STIP TO CHAIN OF CUSTODY; IF NOT, CALL CHEMIST LATER TO COMPLETE CHAIN.

28. Did all that you have testified to occur in the C&C of Honolulu, State of HI?

Open Container § 291-3.1 & 3.2 & 3.3

Direct on Chemist

* HPD tel: 943-3281

Qualify as Expert:

1. Name and place of employment
2. How long have you been so employed?
3. What are your duties in that capacity?
4. What type of training/education have you had to qualify for this position? Describe.
5. Have you had occasion to analyze substance to determine if it is alcohol based?
6. How many times?
7. Is such analysis a regular part of your duties?
8. How many such analyses do you do in a given month?
9. Have you been qualified as an expert in the analyses of alcohol based liquors by this jurisdiction?
10. How many times? [VOIR DIRE]

**** MOVE COURT TO DECLARE WITNESS AS EXPERT IN THE FIELD OF CHEMISTRY AND ANALYSIS OF ALCOHOL BASED LIQUORS.**

Chain of Custody

11. I show you what has been marked as State's Exhibit # ___ for ID.
12. Have you seen it before? Who gave it to you? Why? What police number # ____.
13. When was the first time you saw it?
14. When you first received State's Exhibit # ___ for ID, what condition was it in?
15. Where was it sealed?
16. What was the condition of the bag itself? (tampering?)
17. What did you do with the exhibit?

Continued in Back --->

Test Results

18. How many tests did you conduct?

19. Describe the tests and the results.

** MARK TEST RESULTS FOR ID. SHOW DEFENSE COUNSEL.

20. Did you mark down these results? Where?
Do you recognize this? Is that your signature?
What is it? What does it contain?

** ENTER INTO EVIDENCE NOW.

21. After you ran the tests, what did you do with the exhibit?

22. What did you do after putting the contents back into the bag?

** TEST RESULTS: MARK. SHOW. ENTER INTO EVIDENCE.

Chain of Custody

23. What did you then do with the bag?

24. When did you next see the exhibit?

25. Is there anything different about the bag now from the way it looked when you returned it to the evidence room?

** MOVE INTO EVIDENCE. HAND TO JUDGE.

§ 291-11.5 & 11.6 SEAT-BELT VIOLATION

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
On foot? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. Where were you when you first observed the D?
Where was D? How far away were you from the D?
6. In what direction were you facing?
7. What were you doing when you first observed the D?
8. What actions did D take to cause you to cite him/her?
9. Was there a child in the car? How old?
10. What seatbelt devices were in the D's vehicle?
[Child passenger restraint?]
11. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
12. What did you do after you observed the D's actions?
13. Did you explain to D why s/he was stopped?
14. What, if anything, did D say?
15. Were there any passengers in the vehicle?
16. Who was behind the wheel?
17. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

§ 291C-14 FLEEING THE SCENE -- ATTENDED VEHICLE

Direct on Investigating Officer

1. Please state your name and occupation for the record.
2. Were you so employed and on duty on [date]?
3. What were your duties on that date?

Qs re Victim

4. On that date did you speak with a person known to you as [victim]?
5. At what time did you speak with him/her?
6. Why did you speak with him/her?
7. Where did the reported accident occur?
8. Is that within the C&C of Honolulu, State of HI?
9. As part of your duties were you required to examine [victim's] vehicle?
10. Did you do so? What did you observe?

Qs re Fled Vehicle

11. How did you identify the other vehicle involved in the accident?

When D = RO [if D ≠ RO skip to Q#27]

12. Did you check to find out who was the registered owner of the other vehicle?
13. And who was the owner of that vehicle?
14. Was the vehicle bearing license #_____ reported stolen?
15. Were the license plates numbered #_____ reported stolen?
16. Did you interview the RO of the other vehicle?
17. What did you ask him/her?
18. And what was his/her response?
Did s/he indicate that s/he struck the vehicle?
19. Where did you interview the owner of the other vehicle?
20. Did you see the other vehicle there?
21. Did you examine the vehicle?
22. What was the lighting like? What was the weather?
23. What did you observe?
24. If you were to see the person known to you as the RO of the vehicle would you be able to identify him/her?

Continued in Back --->

25. If he/she is in the Courtroom today would you please point him/her out and describe him/her?
- ** MAY THE RECORD REFLECT THAT THE WITNESS HAS IDENTIFIED THE DEFENDANT?
26. Did you issue a citation to the D?

Qs When D * RO

27. Where did you cite the D? What time?
28. What was the lighting like at that time?
29. What vehicles, if any, did you see at D's home?
30. What were your duties as they related to D's vehicle?
31. Did you conduct such an examination?
32. And what did your examination disclose?
33. What were your duties as they related to the D?
34. Did you in fact conduct such an interview?
35. What did he say in response to your questions?
[did he indicate that he struck a vehicle?]
- ** HRE 303(a)(1): Admission by a party opponent is not excluded as hearsay rule.
- ** HRE 611(a) permits leading Qs to develop testimony.
36. Did you cite him/her at that time?
37. If you were to see the person known to you as that person again would you be able to identify him/her?
38. If he/she is in the Courtroom today would you please point him/her out and describe him/her?
- ** MAY THE RECORD REFLECT THAT THE WITNESS HAS IDENTIFIED THE DEFENDANT?

§ 291C-14 FLEETING THE SCENE -- ATTENDED VEHICLE

Direct on Driver of Struck Vehicle

1. Please state your name for the record.
2. Were you involved in an accident on [date]?
3. Where did the accident occur?
4. At what time did the accident occur?
Weather? Lighting?
5. Did you see the vehicle that struck your vehicle?
6. How far away were you from the other vehicle?
7. What kind of vehicle were you driving?
8. What kind of vehicle was it that struck your vehicle?
9. When did you first notice the other vehicle?
Why did you notice it?
10. How did the accident occur?
11. What did you do immediately after the accident?
12. What did the driver of the other vehicle do?
13. Did you see the driver of the other vehicle?
14. What was the lighting like when you saw him/her?
15. How far away from the other driver were you when you saw him/her?
16. In what position were the windows of the other vehicle?
17. Did the driver of the other vehicle at any time give you his/her name, address and registration number?
18. For how long did you have a view of the driver of the other vehicle?
19. If you were to see the driver of the other vehicle would you be able to identify him/her?

Continued in Back --->

20. If s/he is in the Courtroom today would you please point him/her out and describe him/her?

** MAY THE RECORD REFLECT THAT THE WITNESS HAS IDENTIFIED THE DEFENDANT?

21. Were you able to see into the car?

22. Were there any passengers in the other vehicle?

23. Who was behind the wheel?

24. Did you examine your vehicle after the accident?

25. When did you examine your vehicle?

26. What did you discover as a result of this examination?

27. What damage you discovered could have been attributed to prior damage, if any?

28. Did you report the accident to the police?

29. When was that?

30. Where were you when you reported the accident?

31. Did the police come to talk to you?

32. Who from the police dept came to talk with you?

33. And what did you tell the officer?

34. Did all this happen in the C&C of Honolulu, State of HI?

** ENTER ESTIMATE OF DAMAGES TO EXHIBITS TO THE COURT.

§ 291C-31 TRAFFIC CONTROL DEVICES

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. Where were you when you first observed the D?
6. Where was the D?
7. In what direction were you facing?
8. What were you doing when you first observed the D?
9. What actions did D take to cause you to cite him/her?
10. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
11. Were there any traffic control devices in the area that prohibited the D's action? What were they?
12. Are they official C&C or State of HI traffic control device or markings?
How do you know? (normal part of beat? familiar area?)
13. Were there any non-traffic conditions (i.e., roadway conditions, construction) immediately surrounding D's vehicle that may have caused D to disregard the traffic control device?
13. What did you do after you observed the D's actions?
14. Did you explain to D why s/he was stopped?
15. What, if anything, did D say?
16. Were there any passengers in the vehicle?
17. Who was behind the wheel?
18. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

HRS §291C-32(a)(3)(B) & ROH §15-6.3
"NO RIGHT TURN ON RED"

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. What were you doing when you first noticed the D?
6. What actions did D take to cause you to cite him/her?
7. Where were you? Where was D?
8. In what direction were you facing?
9. Was the intersection regulated with any solid line/traffic lane marking indicating where D was to stop? Was it an official lane marking? How do you know?
10. How far from the intersection or stopline was D when you first saw him?
11. How is traffic flow in that intersection controlled?
12. Were they official C&C of Honolulu or State of HI traffic signals? How do you know?
13. Were they operating normally?
14. In what directions do these signals face?
15. Was the traffic signal clearly visible and unobstructed to traffic headed in the direction D was traveling?

Continue in the back --->

16. What color did it display to traffic headed in the direction D was traveling at the time D crossed the stopline? How do you know?
17. Were there any signs in the area that prohibited the D's actions? What did these signs say?
18. Were these signs official C&C of Honolulu, State of HI traffic signs? Once again, how do you know?
19. In what direction did the sign face?
20. Was the sign clear and unobstructed to the traffic headed in the direction D was traveling?
21. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
22. What did you do after you observed the D's actions?
23. Did you explain to D why s/he was stopped?
24. What, if anything, did D say?
25. Were there any passengers in the vehicle?
26. Who was behind the wheel?
27. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

Cross of Defendant

1. Did you slow down upon approaching the intersection?
2. How fast were you traveling?
3. When did you first notice the officer?

§ 291C-32(a)(3)(A) RED LIGHT
[RUNNING A RED / NO STOPPING BEFORE TURNS ON RED]

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. What were you doing when you first noticed the D?
6. What actions did D take to cause you to cite him/her?
7. Where were you? Where was D?
8. In what direction were you facing?
9. Was the intersection regulated with any solid line/ traffic lane marking indicating where D was to stop? Was it an official lane marking? How do you know?
10. How far from the intersection or stopline was D when you first saw him?
11. How is traffic flow in that intersection controlled?
12. Were they official C&C of Honolulu or State of HI traffic signals? How do you know? (normal part of beat? familiar area?)
13. Were they operating normally?
14. In what directions do these signals face?
15. Was the traffic signal clearly visible and unobstructed to traffic headed in the direction D was traveling?
16. What color did it display to traffic headed in the direction D was traveling at the time D crossed the stopline? How do you know?

Continue in the back --->

17. Was the sign clear and unobstructed to the traffic headed in the direction D was traveling?
18. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
19. What did you do after you observed the D's actions?
20. Did you explain to D why s/he was stopped?
21. What, if anything, did D say?
22. Were there any passengers in the vehicle?
23. Who was behind the wheel?
24. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

§ 291C-38 GENERAL LANE MARKING QUESTIONS

**** DO IDENTIFICATION**

**** DO VENUE**

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. What were you doing when you first noticed the D?
6. What actions did D take to cause you to cite him/her?
7. Where were you? Where was D?
8. In what direction were you facing?

9. Solid Line

- a. Single or Double? White or Yellow?
- b. Was the marking clearly marked on [date]? Clearly visible? Anything covering the line?
So, were they visible to someone in D's position?
- c. Was this an official C&C or State of HI traffic marking? How do you know?
- d. What do these lines/markings require driver to do?
- e. Describe traffic conditions surrounding D's car.
- f. Anything on roadway (obstructions, construction) to cause D to cross the line.
- g. Did any police officer direct D to cross the line?
- h. Did D signal when s/he changed lane?
- i. What effect did D's action have on other traffic?
[*If solid white, cross only if great care & unusual circumstances.]

Continue in the back --->

9. **Directional Arrows**

- a. Clearly marked on [date]? Clearly visible?
Anything covering the line?
- b. Was this an official C&C/State of HI traffic marking? How do you know?
- c. What do these arrows require a driver to do?
- d. In what lane was the arrow located?
- e. In what direction did the arrow indicate to proceed?
- f. In what lane was D located?
- g. What did D do?

* **For Offenses Requiring Hazardous Conditions**
(i.e., unsafe backing, following too closely, or basic speed rule), add:

- a. In your opinion Officer, did the acts you have described by the D create a hazard to other traffic?
 - b. Would you explain what kind of a hazard you believed the D's acts caused?
10. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
 11. What did you do after you observed the D's actions?
 12. Did you explain to D why s/he was stopped?
 13. What, if anything, did D say?
Did D relate any unusual circumstances which caused him/her to disobey the markings?
 14. Were there any passengers in the vehicle?
 15. Who was behind the wheel?
 16. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

Cross of D

1. Did you see the markings/arrows?
2. Are you familiar with area in question?
3. Were they clearly visible?
4. Are you aware of what such markings indicate?
5. Where were you going? Were you in a hurry?
6. What were the traffic conditions at the time?

HRS SECTION 291C-48 WRONG WAY ON A ONE WAY STREET

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. What were you doing when you first noticed the D?
6. What actions did D take to cause you to cite him/her?
7. Where were you? Where was D?
8. In what direction were you facing?
9. Were there any one way signs posted? Any road markings? Where? How many?
10. Unobstructed and clearly visible to one in D's position?
11. How fast was D traveling?
12. Did D attempt to change his direction at any time?
13. Did you actually see D driving the wrong way?
14. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
15. What did you do after you observed the D's actions?
16. Did you explain to D why s/he was stopped?
17. What, if anything, did D say?
18. Were there any passengers in the vehicle?
19. Who was behind the wheel?
20. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

Cross of D in the back ---->

Cross of D

1. Did you see the one way sign at any time?
Did you see the posted markings?
Are you familiar with the area?
2. How fast would you estimate you were going?
3. Did you attempt to change your direction at any time?
4. When did you first observe the officer?
5. Traffic conditions?
6. Were you in a hurry? Where were you going?

§ 201C-49(1) UNSAFE CHANGING OF LANES

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. What were you doing when you first noticed the D?
6. What actions did D take to cause you to cite him/her? Please describe the action using the diagram.
7. Where were you? Where was D?
8. In what direction were you facing?
9. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
10. What were you doing during that time?
11. Did D's actions create a hazard to any other vehicles in the area? Please describe how his/her actions affected other vehicles.
12. What did you do after you observed the D's actions?
13. Did you explain to D why s/he was stopped?
14. What, if anything, did D say?
15. Were there any passengers in the vehicle?
16. Who was behind the wheel?
17. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

§ 291C-61 FAILURE TO YIELD TO TRAFFIC

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. What were you doing when you first noticed the D?
6. What actions did D take to cause you to cite him/her? Please describe the action using the diagram.
7. In what direction was the D traveling?
8. In what direction was the other car traveling?
9. Where were you? In what direction were you facing?
10. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
12. What did you do after you observed the D's actions?
13. Did you explain to D why s/he was stopped?
14. What, if anything, did D say?
15. Were there any passengers in the vehicle?
16. Who was behind the wheel?
17. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

** RESERVE THE RIGHT TO RECALL AND REST.

§ 291C-63(b) STOP SIGN

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
On foot? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. Where were you when you first observed the D?
6. Where was D?
7. In what direction were you facing?
8. What were you doing when you first observed the D?
9. What actions did D take to cause you to cite him/her?
10. Were there signs in that area that prohibit D's actions? Where were they located? What did they say?
11. Were the signs clearly marked and unobstructed?
12. In which direction did those signs face?
Were they visible to traffic headed in the direction D was traveling?
13. Were they official C&C of Honolulu or State of HI signs?
14. Was the stop line clearly marked and unobstructed?
Was it visible? Official C&C of Honolulu or State of HI marking?
15. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
16. What did you do after you observed the D's actions?
17. Did you explain to D why s/he was stopped?
18. What, if anything, did D say?
19. Were there any passengers in the vehicle?
20. Who was behind the wheel?
21. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

§ 291C-81 POSITION OF TURNING
[USE OF TRAFFIC-CONTROL DEVICES]

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
Foot patrol? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. Where were you when you first observed the D?
6. Where was the D?
7. In what direction were you facing?
8. What were you doing when you first observed the D?
9. What actions did D take to cause you to cite him/her?
10. Which lane was D in?
What did he/she do from that lane?
11. Were there any signs posted? Official signs?
12. Were there any other traffic device restricting the course of action the D took?
13. Were the traffic devices clearly visible?
14. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
15. What did you do after you observed the D's actions?
16. Did you explain to D why s/he was stopped?
17. What, if anything, did D say?
18. Were there any passengers in the vehicle?
19. Who was behind the wheel?
20. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

Cross of D...Back ---->

1. Are you familiar with the area?
2. Did you see the restrictive sign posted?
3. Did you see the other traffic control devices?
4. Were you in a hurry?
5. Where were you going?
6. What were the traffic conditions like? Time?
7. When did you first notice the officer?

§ 291C-102 SPEEDING
[Laser -- LTI 20-20]

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
2. What type of vehicle were you operating on that day?
3. Were you equipped with any type of device to measure the speed of a motor vehicle?
4. Were you certified to use LTI 20-20 laser gun? By whom?
5. Was this certification valid on the date of the offense?
6. Were you instructed in testing & operating the device?
7. How many hours of instructions did you receive?
8. On [date], did you test your LTI 20-20 laser gun? How?
9. When were these tests done? Before & after citation? 4 tests
What were the results of those tests?
10. At what time did you first observe the D?
11. What were the lighting conditions in the area you cited the D? Weather/traffic/road conditions?
12. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
13. Where were you when you first observed the D?
In what direction were you facing?
14. Where was D? What direction was D traveling?
15. What actions did D take to cause you to cite him/her?
(pass any other vehicles?)
16. Were there any other vehicles near D's car?
Would they have had any effect on your laser unit?
What's the expansion rate? (1,000 ft = 3 ft?)
17. Where was the beam aimed on D's car? (license plate?)
18. How do you know it was aimed there? (red dot/sight scope)
19. Did you have clear and unobstructed view of D's car and plate?
20. How far away was D's car when you activated laser gun?
21. What was the readout on the laser unit?

** GO TO SPEED LIMIT SIGN QUESTIONS

§ 291C-102 SPEEDING

SPEED LIMIT SIGNS

1. Were there any speed limit signs posted in the area?
2. Where were they located?
3. Would D have passed these signs?
4. Were these signs clearly visible and legible?
5. Are you familiar with C&C of Honolulu or State of HI traffic control devices?
6. How did you become familiar with them?
(training and experience -- being on patrol)
7. Have you seen similar traffic control signs before?
8. Were these signs official C&C of Honolulu or State of HI traffic control signs?
9. What speed was indicated on these signs?
- ** MAY THE COURT TAKE JUDICIAL NOTICE OF THE SPEED SCHEDULE be specific
ON FILE WITH THE DISTRICT COURT?
10. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
11. What did you do after ascertaining D's speed at ____ mph?
12. Did you explain to D why s/he was stopped?
13. What, if anything, did D say?
14. Were there any passengers in the vehicle?
15. Who was behind the wheel?
16. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

Cross on D

1. Where were you going? In a rush? Late for work?
Where did you come from?
2. Did you notice the officer? When?
3. Have you traveled on that road before? How often?
4. [Don't ask cabbies this question] What year is your car?
Ever have you speedometer calibrated for accuracy?

§ 291C-102 SPEEDING
[Speed Check -- Pace]

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
2. What type of vehicle were you operating on that day?
3. Please describe what is a speed check (why they are made; how often; how long are they good for)
4. Are speech check conducted in the regular course of maintaining HPD vehicles?
5. Who conducted the speech check on your vehicle?
6. Are results and date of the speed checks recorded? How?
7. Was there a speed check covering your vehicle on [date]?
8. What were the results of the speed check?
- ** GET SPEED CHECK CARD FROM OFFICER AND SHOW THE D --
LET THE RECORD SO REFLECT
9. At what time did you first observe the D?
10. What were the lighting conditions in the area you cited the D? Weather/traffic/road conditions?
11. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
12. Where were you when you first observed the D?
In what direction were you facing?
13. Where was D? What direction was D traveling?
14. What caused you to first notice D?
15. What did you do after observing this?
16. Where did you begin clocking the D's vehicle?
Distance bet/ your vehicle & D? Same or different lane?
Were there any cars in bet/ your car & D? What distance did you maintain your clock of D's car? Was the distance bet/ your car and D's car maintained throughout?
17. Did you have a clear & continuous view of D's car at all times during the clock?
18. During this clock, what speed did your speedometer show?
19. According to your speed check, what speed would the D have been traveling?

** GO TO SPEED LIMIT SIGN QUESTIONS

§ 291C-103 EXHIBITION OF SPEED / RACING ON HIGHWAYS

Direct of Officer

- ** DO IDENTIFICATION
- ** DO VENUE
- 1. On [date] what was your assignment?
On foot? Drove? what?
- 2. At what time did you first observe the D?
- 3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
- 4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
- 5. Where were you when you first observed the D?
In what direction were you facing?
- 6. Where was D? What direction was s/he heading?
- 7. What drew your attention to the D?
- 8. Did you have a clear and continuous view of the D from the time you first saw him/her until the time you stopped him/her?
- 9. What kind of vehicle was D operating? (customized?)
- 10. What was D doing before you cited him/her?
(burning rubber, screeching tires, revving engine)
- 11. Was s/he accelerating at a normal rate of speed?
- 12. Were there other vehicles traveling at this speed?
- 13. Were there bystanders or other persons other than D at that location?
- 14. Based on your experience as a police officer, could you tell how fast D was going?
- 15. In your opinion, how fast was D traveling?
- 16. What did you do after you observed the D's actions?
- 17. Did you explain to D why s/he was stopped?
- 18. What, if anything, did D say?
- 19. Were there any passengers in the vehicle?
- 20. Who was behind the wheel?
- 21. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

§ 291C-131 SPILLING LOAD

Direct of Officer

- ** DO IDENTIFICATION
- ** DO VENUE
- 1. On [date] what was your assignment?
- 2. At what time did you first observe the D?
- 3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
- 4. Where were you when you first observed the D? In what direction were you facing?
- 5. Where was D? What direction was s/he heading?
- 6. What drew your attention to the D?
- 7. Did you have a clear and continuous view of the D from the time you first saw him/her until the time you stopped him/her?
- 8. What kind of vehicle was D operating? (truck?)
- 9. What was loaded on D's vehicle?
- 10. How was it loaded?
- 11. Was it entirely within D's vehicle?
- 12. Was it secured in any manner?
- 13. Was there a covering for the load?
- 14. What did you do after you observed the D?
- 15. Did you explain to D why s/he was stopped?
- 16. What, if anything, did D say?
- 17. Were there any passengers in the vehicle?
- 18. Who was behind the wheel?
- 19. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

Cross of D

- 1. What were you carrying?
- 2. Were you using this load for your work?
- 3. Did you have it secured in any manner?
- 4. Did you use any covering?
- 5. Where were you going?

§ 431:10C-104 NO NO-FAULT INSURANCE

[Stipulated Facts]

1. On [date], [D] was operating a motor vehicle, license #_____.
 2. [D] was operating the motor vehicle on [street], a public street, road, or highway in the C&C of Honolulu, State of HI.
 3. On the date of the offense, this vehicle was registered to [RO] and was not covered by a valid No-Fault insurance policy.
 4. The Defendant before the Court today is [D], the same person who was operating the motor vehicle on the date in question.
- ** You may wish to put additional stipulations on the record, depending on the facts of your case, e.g., D did not know the vehicle was not insured, or the D was told that the vehicle was insured, but in fact it was not insured.

HRS 710-1077(1)(g) CONTEMPT CASES

Elements

1. ID
2. Venue
3. Knowingly Disobey
4. Order of the Court

Types of Contempts -- Witnesses Needed

A. No Show Arraignment and Plea

1. Person who can ID:
 - a. Arresting officer
 - b. Judge, A&P DPA, Clerk, Bailiff
2. Certified copy of court calendar for no show date.
3. Custodian of records, HPD, for submission of bail receipt.

B. No Show Trial

1. Person who can ID and also who can testify that D did not appear for trial.
 - a. Arresting officer or
 - b. any other officer involved in case.
2. Certified copy of court calendar for prior court date when D was ordered to appear in court for trial.
3. Certified copy of court calendar when D failed to appear for trial.

C. No Show on Proof of Compliance (POC) Date on DAGP, Suspended Sentence, or Probationary Status

1. Person who can ID D:
 - a. Arresting officer
 - b. Arraignment or trial DPA
 - c. Probation officer
2. Certified copy of court calendar showing conviction, sentence of D, and ordering D to appear for next court date.

3. Certified copy of court calendar showing no show on proof of compliance date.
4. Person who can testify re: non-compliance of D with conditions ordered by court.
 - a. Probation officer
 - b. Custodian of records of district court for fines not paid by D
 - c. Custodian of records for CSSP re: records relating to D not doing community service work

Alternative and Unique Way of Proving ID of D

1. Fingerprints
2. Mug Shots

Relevant Rules

HRE 803(b)(8) Public Records

HRE 1002 Requirement of Original
HRE 1003 Admissibility of duplicates

HRE 902 Self-Authentication

HRS 710-1077(1)(g) "intentionally disobeys"

CONTEMPT CASES -- PROCEDURE

Penal Summons

1. Check the return of service and (if possible) have the service officer be on call to show proof of personal service.
[This is to overcome any argument that there was lack of service.]

Court Calendar -- Certified Copy

2. Get STIPULATION from D Atty that the Court Calendar is a true and accurate record of the events that transpired on that day. If not:
3. Call Court Clerk to certify the calendar.
 - a. clerk's position.
 - b. duties of the clerk.
 - c. duties include keeping accurate records.
 - d. such information is routinely kept on the calendar as a usual course of business.
 - e. have clerk determine calendar to be a true and accurate copy.
 - f. have clerk read into the record the contents of the calendar.

If Process Server Unavailable

1. Get Court's copy of the Complaint to show service.
2. Have it introduced through the Court Clerk and have the Court take judicial notice of its own proceedings.

CONTEMPT: SHERIFF OR OFFICER WHO SERVED PS OR BW

1. Name and employment
 2. Were you so employed and on duty on [date]?
 3. On that day, did you serve a PS/BW to one known to you as [D]?
 4. If you were to see that person again, would you recognize him/her?
 5. If he/she is in court today, please point to him/her and describe what he/she is wearing.
- ** MAY THE RECORD REFLECT THAT THE WITNESS HAS IDENTIFIED THE DEFENDANT.
6. Do you follow a procedure when you serve PS/BW?
 7. Did you follow that procedure on this day?
 8. Did you explain to D why you were serving a PS/BW?
 9. Did you tell him/her of the date that he/she was to appear in court?
 10. Did you give D a copy of the PS/BW?
 11. Did D sign within the red block of the original copy?
 12. What is the purpose of having D sign within the red box?
- ** MAY THE RECORD REFLECT THAT I AM SHOWING DEFENSE COUNSEL A CERTIFIED COPY OF THE PS/BW ORIGINAL.
- ** MAY THE RECORD REFLECT THAT I AM SHOWING THE WITNESS WHAT HAS BEEN MARKED FOR ID STATE'S EXHIBIT #1.
13. Is it in substantially the same or the same condition as it was when you first saw it?
 14. Please note the signature in the red box. What is the signature there?
 15. Did you witness this document being signed?
Who signed it?
 16. Did all of the events to which you testified today occur within the C&C of Honolulu, State of HI?
- ** YOUR HONOR, I WOULD LIKE TO MOVE INTO EVIDENCE STATE'S EXHIBIT #1 FOR IDENTIFICATION.

CONTEMPT: COURT RECORDS WITNESS
[HRS 622-11]

1. State your name and occupation.
2. How long have you been employed in that capacity?
3. What are your duties?
4. As part of your duties do you have access to the official criminal records for the 1st Circuit Court, State of HI?
5. Pursuant to a subpoena issued from the Prosecuting Attorney Office, did you search the records of the 1st Circuit Court and bring with you the following documents?
 - a. _____
 - b. _____
6. Are these documents kept in the regular course of business?

[mark each document as State Exhibit #1, #2, etc.]

** MAY THE RECORD REFLECT THAT I AM SHOWING DEFENSE COUNSEL A CERTIFIED COPY OF THE _____.

** MAY I HAVE MARKED FOR ID THE CERTIFIED COPY OF _____ AS STATE'S EXHIBIT #____.

7. I show you State Exhibit #__, marked for ID, and ask if you can identify it.
 8. What does the document purport to be?
 9. Is this exhibit a xerox copy?
 10. Where is the original?
 11. Is this copy certified to be a full, true and correct copy of the original on file with your office?
 12. Any seals on the exhibit?
 13. Describe.
- ** THE STATE OFFERS STATE'S EXHIBIT #____ FOR ID INTO EVIDENCE AS STATE'S EXHIBIT #____.

ROH 15 PARKING

Direct on Officer

1. Please state your name and occupation for the record.
2. Were you so employed and on duty on [date]?
3. Identification
 - a. For Parking: On that date did you cite a vehicle with license plate # _____?
** INTRODUCE DMV LETTER (SEE BELOW)
 - b. For D: On that date did you cite someone known to you as [D]?
 - (1) If you were to see that person again today could you identify him/her?
 - (2) If you see him/her in the Courtroom today would you point out and describe him/her?
** MAY THE RECORD REFLECT THAT THE WITNESS HAS IDENTIFIED THE DEFENDANT?
4. What first brought the D to your attention?
5. Could you describe what the D did that caused you to cite him/her?
6. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
7. Other Qs as Appropriate
 - a. for exhibits: Ask that any exhibits be marked for ID. Show D or counsel mentioning for the record. Show officer if necessary: is it in the same or substantially the same condition now as it was when alleged offense took place? Enter into evidence.
 - b. for DMV letter: Describe for Court, "I have state's exhibit marked ___ for ID which is a public document under seal with a signature which purports to be an attestation from the Dept. of Motor Vehicles of the C&C of Honolulu and pursuant to HRE 902 and 803(b)(8) I request this document now be entered into evidence."
8. Time? Weather? Lighting? Traffic conditions?

Continued in Back --->

ROH PARKING OR STATIONARY VIOLATIONS

Direct of Officer

1. State your name and occupation.
2. Were you so employed and on duty on or about [date]?
3. Officer do you recall citing a [make of vehicle] with a license plate # _____ at, [location]?
4. Is that in the C&C of Honolulu, State of HI?
5. Please relate to the Court why you cited this vehicle.
6. Were there any signs or markings in that area?
 - a. where were the signs?
 - b. what did they say?
 - c. was it clear and legible on the day in question?
 - d. should the D have seen it?
 - e. were they official C&C of Honolulu sign?
7. ENTER HPD/DMV DOCUMENTS

"State at this time would like to move into evidence an affidavit/record from _____, showing that [D] is the owner of [make of car & license #].
(admissible under HRE 902(4) as a self-authenticating document. It's a certified copy of a public record.)
8. if D is not RO: if D not RO, but signed the request for trial date, ask to stipulate that s/he operated/parked the MV in Q on that date. If D doesn't stipulate, dismiss the charge as to the D and PS the RO.
IF D does stipulate, arraign D, inform court of the stipulation, proceed with trial.

if D is RO: then presumed the person who parked the car. Ask D to stipulate that he is the RO.
If D doesn't, mark DMV letter and enter into evidence.
If D does, arraign D, inform court of the stipulation, proceed with trial.

Cross on D

1. Are you the RO of the car?
2. Did you park the car?
3. What time/parked/come back?

ROH § 15-8.4 U-TURN IN BUSINESS DISTRICT

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
On foot? Drove? what?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. Where were you when you first observed the D?
In what direction were you facing?
6. What were you doing when you first observed the D?
7. Where was D? What direction was D traveling?
8. What actions did D take to cause you to cite him/her?
9. Were there signs/markings/traffic control devices in that area that prohibit D's actions?
Where were they located? What did they say?
10. Were they clearly marked and unobstructed?
(functioning properly?)
11. In which direction did they face?
Were they visible to traffic headed in the direction D was traveling?
12. Were they official C&C of Honolulu or State of HI signs?
13. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
14. What did you do after you observed the D's actions?
15. Did you explain to D why s/he was stopped?
16. What, if anything, did D say?
17. Were there any passengers in the vehicle?
18. Who was behind the wheel?
19. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

ROH 41-31.1 PROHIBITED NOISE

** DO ID
** DO VENUE

[Diagram? Have the witness approach the blackboard]

1. Where were you when you first observed the D?
2. What first drew your attention to the D's vehicle?
3. What were the lighting conditions like in the area?
What were the weather conditions like?
What were the traffic conditions like?
4. Approximately what time was it when the alleged violation occurred?
5. How far away was the D when you first noticed him?
 - Must be audible 30 feet!
 - Illicit that the noise was audible from 50+.
 - Did officer perhaps measure the distance?
6. Did you have a clear and unobstructed view of the D's vehicle from the time you first observed him until the time the violation was complete?
7. How do you know that the loud noise was coming from inside of the D's vehicle?
8. Was there any other possible source for the noise in the immediate vicinity?
9. What did you do after you observed the D's actions?
10. Did you explain to the D why you stopped him?
11. What if anything did he say?
12. Did you see anything in D's car (stereo, etc)?
13. Were there any passengers in the vehicle?
14. Who was behind the wheel?
15. Did all that you testified to occur in the C&C of Honolulu, State of HI?

maybe
not.

41-31.1

REVISED ORDINANCES OF HONOLULU

41-31.5 Exemptions.

Sec. 41-31.1 Prohibited noise.

- (a) It is unlawful for any person or persons to play, use, operate or permit to be played, used or operated, any radio, tape recorder, cassette player or other machine or device for reproducing sound, if it is located in or on any of the following:
- (1) Any public property, including any public street, highway, building, sidewalk, park or thoroughfare; or
 - (2) Any motor vehicle on a public street, highway or public space;
- and if the sound generated is audible at a distance of 30 feet from the device producing the sound.
- (b) Possession by a person or persons of any of the machines or devices enumerated in subsection (a) shall be prima facie evidence that that person operates, or those persons operate, the machine or device.
- (Added by Ord. 90-26)

Sec. 41-31.2 Enforcement.

- (a) Powers of Arrest or Citation. Any authorized police officer shall issue a citation for any violation under this article, except they may arrest for instances when:
- (1) The alleged violator refuses to provide the officer with such person's name and address and any proof thereof as may be reasonably available to the alleged violator.
 - (2) When the alleged violator refuses to cease such person's illegal activity after being issued a citation.
- (b) Citation.
- (1) There shall be provided for use by authorized police officers, a form of citation for use in citing violators of this article which does not mandate physical arrest of such violators. The form and content of such citation shall be as adopted or prescribed by the administrative judge of the district court and shall be printed on a form commensurate with the form of other citations used in modern methods of arrest, so designed to include all necessary information to make the same valid within the laws and regulations of the State of Hawaii and the City and County of Honolulu.
 - (2) In every case when a citation is issued, a copy of the same shall be given to the violator.
 - (3) Every citation shall be consecutively numbered and each carbon copy shall bear the name of its respective original.
- (Added by Ord. 90-26)

Sec. 41-31.3 Violation—Penalty.

Any person convicted of a violation of the provisions of this article shall be punished by a fine of \$100.00 for the first offense, \$500.00 for the second offense within six months of the first offense, and \$1,000.00, or forfeiture of the sound system or components of the sound system up to \$1,000 in value, or a combination of forfeiture and fine to total \$1,000.00 for conviction of the third offense within one year of the first offense. (Added by Ord. 90-26)

Sec. 41-31.4 Permits.

- (a) A permit for a temporary exemption from the provisions of this article may be issued by the director of finance to commercial, religious, political, civic, charitable, athletic and other organizations, or individuals, for activities such as carnivals, parades, fund raisers, fairs, bazaars, public speeches and meetings.
- (b) The director of finance shall prescribe a form of application for such a permit which shall be completed by the applicant and which, when completed, shall state the date, time of day, duration and nature of the proposed activity, the reason for the proposed activity, the name of the person who shall be in charge of the proposed activity, and such other pertinent information as the director shall desire.
- (c) In determining whether to grant or deny an application for a permit hereunder, the director shall consider the information provided in the application together with the impact of the proposed noise on the health, safety and welfare of the residents of and visitors to the surrounding area. If more information is needed in order for the director to make a determination on the application, the director may request further information from the applicant by means of a supplemental application.
- (d) The applicant shall submit the completed form, accompanied by a fee of five dollars, to the director not later than five days prior to the proposed activity; thereafter, the director shall notify the applicant of the decision

CHAPTER 41 R.O.H.

Section 41-31.1(a)(1) PROHIBITED NOISE (PORTABLE RADIO)

On or about _____, in the _____ District, City and County of Honolulu, State of Hawaii, you did play, use, operate, or permit to be played, used, or operated, any radio, tape recorder, cassette player, or other machine or device for reproducing sound located in or on any sidewalk, park, or thoroughfare, and the sound generated was audible at a distance of 30 feet from the device producing the sound, thereby violating § 41-31.1(a)(1) R.O.H.

Section 41-31.1(a)(2) PROHIBITED NOISE (MOTOR VEHICLE)

On or about _____, in the _____ District, City and County of Honolulu, State of Hawaii, you did play, use, operate, or permit to be played, used, or operated, any radio, tape recorder, cassette player, or other machine or device for reproducing sound located in or on any motor vehicle on a public street, highway, or public space, and the sound generated was audible at a distance of 30 feet from the device producing the sound, thereby violating § 41-31.1(a)(2) R.O.H.

PENALTY: Any person convicted of a violation of the provisions of this article shall be punished by a fine of \$100 for the first offense, \$500 for the second offense within 6 months of the first offense, and \$1000, or forfeiture of the sound system or components of the sound system up to \$1000 in value, or a combination or forfeiture and fine to total \$1000 for conviction of the third offense within one year of the first offense.

~~80-117-70-11~~ 41-71 -E57- 13-90-26(a)(1) pedestrian
Prohibited Noise HRO 90-26 EMOTOR VEHICLE 13-90-26(a)(2) car

On or about _____ date _____ in the Honolulu District, C & C of Honolulu, State of Hawaii you played, operated, or permitted to be played, used or operated, a radio, tape recorder, cassette player, or other machine or device for reproducing sound, from a motor vehicle on a public street, highway, or public space and the sound that was generated was audible at a distance of 30 feet from the device producing the sound. In violation of 90-26 of the Hawaii Revised Ordinance. (tape = sound reproducing device)

Officer _____

1. Please state your name and occupation for the record.
2. Were you so employed and on duty on _____ date _____?
3. On that date do you recall citing one known to you as _____?
4. If you were to see him again would you be able to recognize him?
5. If the you see him in the courtroom please point him out and describe what he is wearing.

MAY THE RECORD REFLECT THAT THE WITNESS HAS ID THE DEFENDANT

6. What did you cite the D for?
7. Where was the location of the alleged offense? * must be public street or space
8. Is that in the Honolulu District, C & C of Honolulu, State of Hawaii?

(did you prepare a diagram - May the witness approach the blackboard)

9. Where were you when you first observed the D?
10. What first draw your attention to the D's vehicle?
11. What were the lighting conditions like in the area? What were the weather conditions like?
12. What were the traffic conditions like?
13. Approximately what time was it when the alleged violation

occurred?

14. How far away was the D when you first noticed him?

must be
audible
30 + feet

15. (Elicit that the noise was audible from 50-)

16. Did you have a clear and unobstructed view of D's vehicle from the time you first observed him until the time the violation was complete?

17. How do you know that the loud noise was coming from inside of the D's vehicle?

18. Was there any other possible source for the noise in the immediate vicinity?

19. What did you do after you observed the D's actions?

20. Did you explain to the D why you stopped him?

21. What if anything did he say?

22. Were there any passengers in the vehicle?

23. Who was behind the wheel?

24. Did all that you testified to occur in the Honolulu District, C & C of Honolulu, State of Hawaii.

Thank You no further questions for this witness.

ADMIN RULE § 11-60.1-34(C) ENGINE LEFT STANDING

Direct of Officer

** DO IDENTIFICATION

** DO VENUE

1. Officer, why did you cite [D] for [offense]?
2. Where did you first see D?
3. What drew your attention to him/her?
4. What type of vehicle was he/she driving/
5. Was the vehicle in motion when you first noticed it?
6. When you approached the vehicle was it in a stationary position?
7. Approximately how long?
8. Was the motor running when you approached the stationary vehicle?
9. Did you explain to D why s/he was being cited?
10. What if anything did D tell you?
11. Was anyone in the vehicle? If so, what doing?
12. Who was behind the wheel of the vehicle?
13. Did all you have testified to occur in the C&C of Honolulu, State of HI?

PREDICATE QUESTIONS FOR NON-PARKING STATIONARY VIOLATIONS

* MARK EXHIBIT BEFORE HAND.

Direct of Officer

1. Please state your name and occupation for the record.
2. Were you so employed and on duty on [date]?
3. What was your assignment on that date?
4. As part of your assignment on that date do you recall citing a [type of vehicle] bearing license # ____?
5. Where did you cite that vehicle?
6. Is that within the C&C of Honolulu, State of HI?
7. Why did you cite the vehicle?
8. Was a computer check run on the vehicle?
9. Was the vehicle reported stolen?

** SHOW DMV DOCUMENT TO OWNER OF VEHICLE.

- . "May it please the court, may the record indicate that I am showing D State' Exhibit "A", a one page document from the C&C of Honolulu, Division of Motor Vehicle and Licenses certifying that D is the registered owner of the [type of vehicle] bearing license # ____.

"At this time your honor, the State moves State's Exhibit "A" into evidence."

VIOLATION OF POSTED SIGNS

** DO IDENTIFICATION

** DO VENUE

1. On [date] what was your assignment?
2. At what time did you first observe the D?
3. What were the lighting conditions in the area you cited the D? The weather conditions? Traffic conditions? Road conditions?
4. Did you prepare a diagram?
 - a. Please orient the court to the diagram.
 - b. Is this a fair and accurate depiction of the area?
 - c. Are you familiar with the area? How?
5. Where were you when you first observed the D? In what direction were you facing?
6. Where was D? In what direction was D facing?
7. What actions did D take to cause you to cite him/her? Please describe actions using the diagram.
8. What were you doing when you first observed the D?
9. Did you have a clear and continuous view of D's vehicle from the moment you first saw him/her until the moment the alleged violation occurred?
10. What were you doing during that span of time?
11. Are there signs posted in the area that prohibit D's actions? Where?
12. Did those signs appear to be the official C&C of Honolulu or State of HI traffic signs? How do you know?
13. In which direction did those signs face?
14. Were they clearly visible and unobstructed so that traffic headed to the direction D was traveling could see them?
15. What did you do after you observed the D's actions?
16. Did you explain to D why s/he was stopped?
17. What, if anything, did D say?
18. Were there any passengers in the vehicle?
19. Who was behind the wheel?
20. Officer, did all that you testify to occur in the C&C of Honolulu, State of HI?

HRE 802.1(3) PRIOR IDENTIFICATION

- * If officer is unable to identify D presently in court or s/he states that he is unable to remember the D.
- 1. Is there anything that would help refresh your recollection?
- 2. I show you your citation No. _____.
- 3. Have you ever seen this before?
- 4. How do you know? (signed by the officer)
- 5. Who was the citation made out to?
- 6. When, where, what kind of violation?
- 7. Is it written in your handwriting?
- 8. What is your standard procedure for stopping a motorist for a traffic violation?
- 9. When you are given a driver's license, what do you do? (compare picture on DL with driver).
- 10. Did you do that in this case?
Did anything interrupt this procedure?
- 11. Did the DL picture match the driver?
Did you write down all the information on D's DL verbatim onto your citation?
- 12. Would you have issued this citation to the D if the photograph on the license did not match the driver?
- * If no license, ask if anything would refresh his memory and then show him the ticket.
- ** MAY THE RECORD REFLECT PRIOR IDENTIFICATION OF THE D.

See State v. Ildefonso, 72 Haw 573, 827 P.2d 644 (1992)

H

GENERAL PURPOSE QUESTIONS

****NOTE: IF MORE THAN ONE WITNESS IS NEEDED, BE SURE TO ASK VENUE QUESTION FROM EACH WITNESS**

****FOR PARKING VIOLATIONS, ASK IF D WILL STIP TO OWNERSHIP OR THAT RESPONSIBLE FOR TICKET**

Arresting/citing Officer

1. Please state your name and occupation for the record.
2. Were you so employed and on duty on date of violation?
3. On that date, did you arrest/cite someone known to you as Defendant?
- 3a. PARKING: On that date, did you cite a vehicle bearing State of Hawaii license plate number _____?
Introduce DMV letter if no stipulation.

DMV letter: Have marked for identification by the court clerk. Public document under seal with a signature which purports to be an attestation from the DMV of the C & C of Honolulu and pursuant to HRE 902, 803(b)(8) and 1005 - State requests that document be entered into evidence.

If witness cannot remember - refresh memory.

"Did you write a citation on that date?"

"Would looking at that citation refresh your memory as to the license number?" YES

Show citation to defense counsel/defendant and then to witness. note: HRE 612 does not require that the witness had prepared the document, only that the writing be produced at the hearing. [i.e. for tag team situations].

4. If you were to see that person again, would you be able to recognize him/her?

If witness cannot identify Defendant, HRE 802.1(3) - Prior identification may be used - ASK:

A. Do you recall how you made I.D. at the time of the citation? (Should be driver's license with picture). If not, ask if anything would refresh his memory and show him the ticket. HRE 406 - Habit: routine practice may be used to establish the way a police officer makes I.D. at the scene - routine practice HPD uses - If he recalls, ask him how he made I.D. - ask if license was used. Ask if he elicited I.D. statements from Defendant.

B. Did you compare the picture on the license with the driver?

- C. Did the picture on the identification match the driver?
- D. Did you copy the name from the license onto the citation?

E. What was that name?

- 5. If you see that person in the courtroom today, please point him/her out and describe what that person is wearing.

May the record reflect the witness has identified the defendant

- 6. What did you cite/arrest the Defendant for?

- 7. Where did the offense take place?

- 8. Is that within the _____ District, C & C of Honolulu, State of Hawaii?

- 9. What first brought Defendant to your attention?

State v. Barnes and State v. Bennett hold that when police officers are acting in concert and communicating over a radio, the knowledge of one is deemed to be the knowledge of all for determining the reasonableness of the officer's conduct in stopping a vehicle.

- 10. Could you describe what the Defendant did that caused you to cite him/her?

- 11. Would it help to explain by using a diagram?

May the witness approach the chalkboard.

After diagram is drawn, have officer orient court to the diagram. Ask officer if he is familiar with that area/intersection and how he is familiar with it. Fair and accurate depiction on (date of violation).

If tag team situation, get officers involved to describe area between two positions with reference to any way Defendant could have turned off road before their position

- 12. Time? Weather? Lighting? Traffic conditions?

NON-MOVING VIOLATION

- 13. Were there any posted parking signs/painted curbs/stalls painted? (Ask about condition of painted markings - visibility)

- 14. Traffic light & location & visibility & working normally/ did you check them? Or are you familiar with these lights? Would the lights be clear and unobstructed to anyone coming from the same direction as the Defendant?

15. Traffic control signs & condition of painted signs?
Clear and unobstructed view.
16. Lane markings & condition of painted markings?
17. Visibility of devices/markings?
18. Visible to someone in Defendant's position?
19. Were they official C & C of Honolulu or State of Hawaii markings/devices?
20. What do these lines/markings/arrows/devices require a driver to do?
21. Where were you when you first observed the Defendant's vehicle?
Did you have a clear and unobstructed view of the Defendant at all times?

For those offenses requiring the creation of some sort of hazardous conditions (such as unsafe backing or following too closely or basic speed rule) ASK:

In your opinion Officer, did the acts you have described by the Defendant create a hazard to other drivers?

Please explain the kind of a hazard that was created by Defendant.

(Under Sec. 702, HRE, the officer, by his traffic training and experience should be qualified to render his/her opinion. If court requires, ask the officer a few questions to illustrate that training and experience)

22. Where did you stop Defendant's vehicle?
23. Who was behind the wheel of the vehicle?
24. Were there any passengers?
25. Did you explain why you were citing him/her?
26. Did the Defendant say anything at the time?

The State has no further questions of this witness at this time, however, we reserve the right to recall the witness at a later time in rebuttal

REFRESHING RECOLLECTION

1. The witness is unable to recall a fact and indicated this.
2. Would anything help refresh your recollection?
3. What would that be?
4. Show the item to Defendant/Defense Counsel.
5. Request permission to approach the witness.
6. Hand the document to the witness.
YOUR HONOR, MAY THE RECORD REFLECT THAT I'VE PLACED A ____
PAGE DOCUMENT BEFORE OFFICER _____.
7. Do you recognize this?
8. How do you recognize it?
9. What is it?
10. When was it prepared/produced?
11. Were the facts fresh in your mind at that time?
12. Please read it silently to yourself.
13. Has your memory been refreshed as to _____?
14. Retrieve the document.
YOUR HONOR, MAY THE RECORD REFLECT THAT I'VE RETRIEVED THE
____ PAGE DOCUMENT FROM OFFICER _____.
15. Now what was _____?

PREDICATE QUESTIONS

MOVING VIOLATIONS

(Draw diagram of scene if applicable)

1. State your name and occupation.
2. Were you so employed and on duty on or about, (date of offense)?
3. On that day did you cite/arrest one known to you as,
(defendant's name) ?
4. Establish ID:
 - a. If you were to see him again would you be able to ID him?
 - b. If you see him at this time, please ID him for the record?
 - c. May the record note that the witness had IDed the Defendant?
5. What/Where was the location of the alleged offense?
6. Venue:
 - a. Is that in the _____ District, CCH?
7. At what time did you first observe the Defendant?
8. Where were you when you first observe the Defendant?
9. Where was the Defendant initially?
10. What was it that you observed/What drew your attention to Defendant's vehicle?

PREDICATE QUESTIONS

Stop Signs (you must establish);

1. position of the sign;
2. what did the sign say;
3. official C&C traffic sign;
4. was it clear and legible on the night/day in question;
5. was the sign facing Defendant's direction (notice to Defendant).

Traffic Lights (establish the following);

1. position of the traffic light;
2. color of the light facing the Defendant;
3. official C&C traffic control device;
4. was the traffic light operating normally on the day in question?

PREDICATE QUESTIONS

PARKING/STATIONARY VIOLATIONS

(Draw diagram of scene if applicable)

1. State your name and occupation?
2. Were you so employed and on duty on or about (date of offense)
3. Officer do you recall citing a (make of vehicle and license)
at, (location)?
4. Is that in the _____ District, CCH?
5. Please relate to the Court why you cited this vehicle.
(Note: Factual circumstance must be brought out establish
any C&C sign:
 - (a) Where the sign was;
 - (b) Official C&C traffic sign;
 - (c) What did the sign say;
 - (d) Was it clear and legible on the day
in question;
 - (e) Would the Defendant have had notice?
6. Enter HPD/DMVL documents;
 - a. State at this time would like to move into evidence an
affidavit/record from _____, showing that _____
_____ is the owner of (make of vehicle and license number.)