

Evidence Presentation Systems

Policy and Procedures Manual

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Table of Contents

Evidence Presentation Systems.....	1
Table of Contents.....	2
Chapter 1 – Introduction	3
1.1 Purpose of the manual	3
1.2 Manual contents	3
1.3 What are evidence presentation systems?	3
Chapter 2 – Roles and responsibilities.....	5
Chapter 3 – Policy and procedures for use of EPS's	6
3.1 Appropriate use	6
3.2 Availability	6
3.3 Reserving and scheduling EPS's.....	7
3.4 Using EPS's during court events.....	8
3.5 Security and maintenance.....	9
Appendix A - Equipment request form.....	10

Chapter 1 – Introduction

1.1 Purpose of the manual

The purpose of this manual is to outline the policy and procedures governing the use of Court Services Branch (CSB) Evidence Presentation Systems (EPS) in BC courtrooms. The policy and procedures have been developed to:

- promote the use of information technology during criminal court events, and;
- facilitate the effective and efficient use of CSB evidence presentation systems.

1.2 Manual contents

The manual contains the following chapters:

Chapter 1 – Introduction outlines the purpose and contents of the manual and describes the available evidence presentation systems.

Chapter 2 – Roles and Responsibilities provides a general overview of the roles and responsibilities of the various parties involved in the use of evidence presentation systems.

Chapter 3 – Policy and Procedures for Use of EPS's outlines the policy and procedures governing the use of evidence presentation systems.

Appendix A is a sample of the equipment request form.

1.3 What are evidence presentation systems?

Evidence Presentation Systems (EPS's) are combinations of electronic equipment that can be used by provincial Crown Counsel and Defence to present or summarize electronic or audio-visual evidence during criminal court events. EPS's have been distributed throughout the province. EPS's have been configured to integrate with laptop computers but do not include laptops.

Evidence Presentation Systems (EPS's) must only be used for:

- presentation of evidence during criminal court events prosecuted by provincial Crown Counsel where a judge or other judicial officer of the Provincial Court, Supreme Court or Court of Appeal presides and where provincial Crown Counsel and Defence have agreed to, or the court has ordered or approved, the presentation of electronic evidence, and
- presentation of evidence during provincially-prosecuted criminal jury deliberations.

EPS's will not be provided for civil court events or civil jury deliberations.

There are four different configurations of EPS's:

1. **Analogue Evidence Presentation Systems** consisting of:
 - video cart
 - combination DVD/VCR player, and;
 - television monitor.
2. **Basic Digital Evidence Presentation Systems** consisting of any combination of:
 - up to three monitors
 - powered speaker, and;
 - high quality PC projector (optional)
3. **Standard Digital Evidence Presentation Systems** consisting of:
 - combination DVD/VCR player
 - document camera
 - powered speaker, and;
 - audio/video cart.

Note: In limited distribution

Additional LCD monitors are not supported by standard systems.

4. **Advanced Digital Evidence Presentation Systems** consisting of:
 - combination DVD/VCR player
 - document camera
 - powered speaker
 - controller/image annotation system
 - witness/counsel touch screens, and;
 - audio/video cart.

Note: In limited distribution

Individual document cameras and PC projectors may also be available. These pieces of portable equipment are packed in cases suitable for shipping.

Chapter 2 – Roles and responsibilities

The following paragraphs outline the general responsibilities of the various stakeholders that play a role in the use of EPS's.

Court Services Branch is responsible for:

- supplying accurate information to Trial Coordinators and Judicial Case Managers respecting the availability of EPS's and their technical specifications
- setting-up and pre-testing EPS's
- preparing and updating an EPS User Guide
- providing on-site support to users of EPS's
- with the court's approval, operating EPS's to display evidence to juries during deliberations or instructing juries on how to operate EPS's, and
- removing EPS's from the courtroom after use.

Designated Court Services Branch staff members are responsible for:

- receiving and processing equipment request forms, and
- scheduling EPS's.

Provincial Crown Counsel and Defence are responsible for:

- completing and submitting equipment request forms to the appropriate contact
- reviewing the EPS user guide and familiarizing themselves with the operation of EPS's in advance of the court event
- providing compatible laptop computers to connect with EPS equipment, and
- operating EPS's during the court event.

Chapter 3 – Policy and procedures for use of EPS's

This chapter outlines the policy and procedures governing the use of EPS's. These policies and procedures also apply to individual pieces of electronic equipment. Policies are numbered and organized under the following general headings:

- appropriate use
- availability
- reserving and scheduling EPS's
- using EPS's, and
- security and maintenance.

Detailed procedures for reserving and scheduling EPS's and using EPS's during criminal court events are included under the appropriate headings.

3.1 Appropriate use

Policy

3.1.1 EPS's must only be used for:

- presentation of evidence during criminal court events prosecuted by provincial Crown Counsel where a judge or other judicial officer of the Provincial Court, Supreme Court or Court of Appeal presides and where provincial Crown Counsel and Defence have agreed to, or the court has ordered or approved, the presentation of electronic evidence, and
- presentation of evidence during provincially-prosecuted criminal jury deliberations.

3.1.2 EPS's will not be provided for civil court events or civil jury deliberations.

3.1.3 EPS's will not be provided for criminal court events prosecuted by the federal Department of Justice.

3.2 Availability

Policy

3.2.1 EPS's are available for use in all types of provincially-prosecuted criminal court events in Provincial Court, Supreme Court or Court of Appeal.

3.2.2 Analogue and Basic EPS's are available if requested at least 14 days in advance of the court event. If all available CSB-owned Analogue and Basic EPS's have been reserved for the requested time period, CSB will obtain and provide an additional Analogue or Basic EPS at no cost to the requester.

- 3.2.3 A limited number of Standard and Advanced EPS units are available for use on a first-come, first-served basis. Confirmed Standard or Advanced EPS reservations will not be cancelled because of a subsequent request for the same EPS during the same time period.
- 3.2.4 Where a Standard or Advanced EPS is not available for use during a court event, or where provincial Crown Counsel or Defence requires equipment other than what is available in a Standard or Advanced EPS, privately obtained evidence presentation equipment may be used during a court event. Any costs associated with the use of privately obtained evidence presentation equipment will be borne by the person who obtained the equipment.
- 3.2.5 CSB can not guarantee the availability of a Standard or Advanced EPS where a Standard or Advanced EPS has been reserved but the trial date is changed or exceeds its estimated length. The provincial Crown Counsel or Defence who reserved the Standard or Advanced EPS must make alternate arrangements if an EPS is unavailable.
- 3.2.6 CSB is not responsible for providing a substitute Standard or Advanced EPS if a reserved EPS is unavailable for any reason. The provincial Crown Counsel or Defence who reserved the Standard or Advanced EPS must make alternate arrangements if an EPS is unavailable.

3.3 Reserving and scheduling EPS's

Policy

- 3.3.1 Requests for EPS's for criminal court events must be documented on the equipment request form and submitted to the appropriate registry contact.
- 3.3.2 All EPS's are reserved and scheduled by the designated CSB staff at that registry.

Procedures

1. The provincial Crown Counsel or Defence who requires the EPS will complete the equipment request form and submit the form to the designated CSB staff member at that registry.
2. The designated CSB staff member will determine whether the requested type of EPS is available for the requested time period.
3. If the requested EPS is not available, the designated CSB staff member will inform the requester that an EPS is not available.
4. If the requested EPS is available, the designated CSB staff member will reserve the EPS and notify the requester that an EPS has been reserved.

5. The designated CSB staff member will file the equipment request form in the appropriate file.
6. Upon notification that an EPS has been reserved, the designated CSB staff member will assign a CSB staff member to set-up and pre-test the equipment before the court event. If a piece of portable equipment needs to be shipped from another location, the designated CSB staff member will arrange for shipping of the equipment.
7. In the event that an EPS is no longer required, the requester will inform the designated CSB staff member.
8. If an EPS is no longer required, the designated CSB staff member will cancel the EPS reservation and notify the assigned CSB staff member that he or she will no longer be required to set-up and pre-test the equipment.

3.4 Using EPS's during court events

Policy

- 3.4.1 A CSB staff member will set-up and pre-test the EPS prior to the court event.
- 3.4.2 The provincial Crown Counsel or Defence who requested the EPS is responsible for its operation during the court event.
- 3.4.3 A CSB staff member who has been trained in operation of the equipment will be available at the courthouse to answer any questions relating to operation of the EPS during the court event. CSB Headquarters staff will provide backup telephone support.
- 3.4.4 With the court's approval, CSB staff will instruct juries on how to operate EPS's or operate EPS's and display evidence to juries during deliberations.
- 3.4.5 CSB staff are not responsible for providing operational support for privately obtained evidence presentation equipment used during a court event. Upon request, CSB staff will provide access to the courtroom in advance of the court event in order to allow set-up and pre-testing of privately obtained evidence presentation equipment.

Procedures

1. The assigned CSB staff member will bring the EPS to the courtroom and set-up the equipment in advance of the court event.
2. The assigned CSB staff member will ensure that the appropriate User Guide is available for the provincial Crown Counsel or Defence who requested the EPS.

3. The assigned CSB staff member will conduct a pre-test of the equipment to ensure it is working properly.
4. If the equipment is not working properly, the assigned CSB staff member may contact CSB Headquarters for assistance in remedying the problem.
5. If the problem can not be remedied in advance of the court event, the assigned CSB staff member will determine whether another EPS is available.
6. If another EPS is unavailable, the assigned CSB staff member will inform the provincial Crown Counsel or Defence who requested the EPS that an EPS is unavailable.
7. The assigned CSB staff member will remove the EPS from the courtroom at the end of the reserved time period.

3.5 Security and maintenance

Policy

- 3.5.1 Court locations are responsible for ensuring the security of their EPS's in accordance with government security policies.
- 3.5.2 CSB is responsible for repair, maintenance and replacement of EPS's.

Appendix A – Equipment request form



Courtroom Equipment Request Form

Court Services Branch

COURT LOCATION: _____
☐ Supreme Court ☐ Provincial Court
Case Name _____
Court File Number(s) _____
Dates required: From ____/____/____ to ____/____/____
Court Phone Number _____
Court Fax Number _____

REQUESTOR:
Contact Name _____
Contact Phone Number _____
Contact Fax Number _____
Contact Email _____
Date request submitted: ____/____/____

EQUIPMENT	
<input type="checkbox"/>	Analogue – Evidence Presentation CART* (see description right)
<input type="checkbox"/>	Basic Digital – Evidence Presentation (see description right)
<input type="checkbox"/>	Large LCD Monitor with Laptop Connection Cable
<input type="checkbox"/>	Witness Privacy Screen
<input type="checkbox"/>	PC Monitors (Basic EPS only) QTY: _____
<input type="checkbox"/>	Video Distribution Amplifier (for PC Monitors)
<input type="checkbox"/>	Projector (connects to PC, DVD/VCR, Doc Cam)
<input type="checkbox"/>	Portable Projection Screen
<input type="checkbox"/>	Powered Speaker
<input type="checkbox"/>	Closed Circuit Witness system (CCW)
<input type="checkbox"/>	Audio Cassette Player
<input type="checkbox"/>	VHS Video Cassette Player
<input type="checkbox"/>	DVD Player
<input type="checkbox"/>	Document Camera (Connects to TV or Projector)
<input type="checkbox"/>	Hearing Assistance Equipment
<input type="checkbox"/>	White Board
<input type="checkbox"/>	Flip Chart on Easel

Analogue Evidence Presentation System (EPS)
Mobile Audio/Video cart with a TV and DVD/VCR player
Note: This system does not support Counsel computer input.

Basic Digital EPS
Mobile components include **three(3)** PC monitors, video distribution amplifier and speaker to allow Counsel's PC to playback evidence.
Note: A projector may be used instead of or to augment the monitors.

***Note:** court participants will provide their own computers.*

NOTE: REQUESTS MUST BE RECEIVED AT LEAST 14 DAYS PRIOR TO COURT DATE

*Formats: DVD Player – plays -RW / -R / +RW / +R / CD Player – plays /CD-R / -RW / MP3 / JPEG

Authorized by (CSB employee - print name) _____

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Exhibit Control Manual

Chapter 2: Exhibits Entered Into Court

Section 4: Describing Exhibits

The Court Clerk completes the front of the *Exhibit Card* ([ADM 050](#)), which forms an auditable record of exhibits entered into court. If your registry is using the DARS exhibit filter function, leave the "Description of Exhibits" field blank on the *Exhibit Card*, as the filtered exhibit list printed from DARS removes the need to manually record descriptions.

If you are not using the filter function in DARS, all entries must be handwritten in ink, in the "Description of Exhibits" field on the *Exhibit Card*. Any changes made to either the filtered exhibit list or the handwritten *Exhibit Card* must be initialled by the Court Clerk and Exhibit Clerk. Entries must never be erased or obliterated with white-out, but shall be carefully ruled out so that the original entry remains legible.

In a sexual assault case, the court clerk must mark the *Exhibit Card* with the code "SAC" (abbreviation for Sexual Assault Charge) in red ink in the box for 'Special Instructions'. (If the *Card* does not have the box - note "SAC" in red beside the case name.) This is to flag the case for the Exhibit Clerk because there are special procedures for disposal of these exhibits.

Whether or not your location is using the filtered exhibit list function, log all exhibits in DARS, using the logging standards in Seminar 9: Exhibits, in the DARS Technical Institute in the [Academy of Court Administration](#). When logging exhibits, care must be taken to describe each exhibit as specifically as possible. Abbreviations should be avoided, especially when describing attractive or valuable exhibits. The following questions should be asked by the Court Clerk when describing an exhibit:

- What kind of article is it? (e.g., watch, ring, etc.)
- Who or what is the article designed for? (e.g., man's, woman's, child's, etc.)
- What is the serial number or other identifying number?
- What is the material type? (e.g., plastic, cork.)
- What is the colour?
- What is in the photograph?
- Does it appear damaged? (e.g., scratched or broken.)
- Is it an original document or a copy? (indicate whether a photo, certified, carbon or FAX copy). Some FAX copies may need to be photocopied before entering, but the Judge's approval is necessary. If photocopies of paper exhibits are provided for the use of jurors, it is unnecessary to record these copies on the *Exhibit Card*.

[Top](#)