

1 Police reports are not evidence. To the
2 extent that an officer testified about what they
3 did or what they heard or who they interviewed, you
4 can consider that. However, you cannot have the
5 police reports, because they are not evidence in
6 this case.

7 But you can bet that if there was other
8 information that would be helpful to you in your
9 decision making process that either counsel or
10 myself would have brought it out during the
11 trial.

12 The judge also gave you a specific
13 instruction on the believability of witnesses. And
14 there are a number of factors for to you consider.
15 You may decide that some factors are more important
16 than others. You may decide to weigh some heavily
17 and others not as much. That is entirely up to
18 you.

19 Some of the factors that the Court lists
20 are the extent of the opportunity to see or hear
21 what the people are testifying about. Certainly
22 common sense, right? If they have no basis for
23 knowing what they are telling you, now how much
24 credibility are you going to give them?

25 The ability to remember or communicate what
26 they are testifying about. The character and
27 quality of their testimony.

28 Let's talk about Ms. Rhoads for a moment.