



by Gary M. Ogle

STAY CURRENT!

This annual update to Gary Ogle's quick-reference *California Criminal Evidence* is loaded with new cases:

Trial procedure

Court questioning of witnesses. §1.02
Failure to object to cross examination. §1.50
Intemperate or inflammatory language in closing. §§1.71-80

Relevance

Discretion to exclude evidence. §§2.11, 14
Prior crime showing identity of perpetrator. §2.40
Prior drug use to show knowledge. §2.43
Prior crimes evidence in sexual abuse cases. §2.59
Character evidence. §§2.66-69, 95
Prior conviction. §2.74-89
Motive. §§2.117, 125, 147, 149
Drug addiction or use. §§2.160, 164
Expert testimony. §§2.174, 179
Lay opinion. §2.178
DNA testing. §2.184
PAS device. §2.194
Gangs. §2.199
Polygraph. §2.214
Drug intoxication. §2.222
Photos. §§2.234, 236, 247
Other perpetrator. §2.266
Refusal to cooperate. §2.272

Privileges

Psychotherapist-patient. §§3.42, 43, 45
Attorney-client. §3.57
5th Amendment. §3.83

Physical evidence

Document foundation. §§5.44, 50, 54, 59

Hearsay

Limitation in criminal cases. §6.02
Multiple hearsay. §6.06
Conversation with witness. §6.17
Not offered for truth. §6.27
Admissions and confessions. §§6.51, 56, 58, 65
Declarations against interest. §§6.82, 83, 85
Prior statements. §6.110
Spontaneous statements. §6.126
Statements of mental or physical state. §§6.151, 157, 158,
Former testimony. §6.175
Past recollection recorded. §6.195

Miranda and 5th Amendment

Failure to testify. §7.01-2
Later testimony. §7.10
Miranda violation. §7.15

You may now continue to turn to *California Criminal Evidence* for reliable, criminally-focused discussions of troublesome evidentiary questions like:

- Scope of defendant's cross examination
- Limits on judicial discretion to exclude irrelevant evidence
- Admissibility of prior crimes evidence
- Use of character evidence
- Impeaching the credibility of a witness
- Defendant's motive or intent to commit crime
- Photographic evidence

- Evidence of gang membership or drug addiction
- Victim's fear of defendant, prior threats
- Admissions and confessions
- Witness rehabilitation
- 5th Amendment issues
- *Miranda* violations
- Limits on closing argument

We are confident that you will not want to be without this valuable update. You may, however, return the supplement within 30 days for full credit. Please include the enclosed invoice, and check the reason for the return on the back of the invoice.

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