



Sheridan Police Department
Policies and Procedures
20.7
Chapter 20 – Investigations
Section 7 – Officer's Role in Judicial Negotiations

Date: January 1, 2013
Revised: 03/16/2022

Signature:

A handwritten signature in blue ink, appearing to be "T. K. H.", is written over a light blue horizontal line.

The role of the officer as a witness in court proceedings represents an area where many critical factors are at stake, most importantly, the officer's and agency's reliability and credibility. In an overall sense, the officer is an investigator and presenter of fact. He or she is not an attorney and should refrain from activities that cross the bounds of being a fact finder and presenter. From an official standpoint, the final determination of how a case is disposed of in the legal system is the prerogative of the prosecutor.

20.7.1 Criminal Cases

- A. When requested to speak with a defense attorney on criminal cases, the officer should consult with the prosecutor on whether or not to discuss the case with the defense attorney and any limitations on the scope of the conversation.
- B. Officers will not enter into any plea negotiations with any defense attorney, nor will they give their opinions to a defense attorney about the suitability of a case for a plea negotiation.
- C. Officers may discuss plea arrangements with members of the prosecutor's office.

20.7.2 Civil Cases

- A. Members of the department shall notify the chief of police in writing through the chain of command when they are involved in any kind of civil litigation arising out of their duties.
- B. In the case that the department is listed as a defendant, information concerning the case will not be discussed with the plaintiff or the plaintiff's attorney unless prior approval has been received from the city attorney or the attorney representing the city in the case.