

Supplement Index

ABERRANT BEHAVIOR

Sentencing Reform Act of 1984,
§ 50:41.10

ABSENCE OR PRESENCE

Judicial misconduct, absence from
courtroom, § 52:3.10

Prosecutorial misconduct, adverse
comments of prosecutor on
defendant's presence at trial,
§ 51:27

ABSENTIA, TRIALS IN

Defense, preparation of, § 34:47-
34:49

ACCOMPLICE TESTIMONY

Physical appearance of,
§ 16:17.10

Sample closing argument,
§ 48:38.50

ACQUITTAL JUDGMENT

Weight and sufficiency of evi-
dence, motions for directed
verdict and judgment of
acquittal, § 43:19, 43:20

ADAM WALSH AMENDMENTS

Bail, § 3:9.20

ADVERTISING AND PUBLICITY

Clients, § 1:2.30

AGREEMENTS

Contracts or Agreements (this
index)

ALCOHOL AND INTOXICATION

Involuntary intoxication, defenses,
§ 34:7.20

ALCOHOL AND

INTOXICATION—Cont'd

Voluntary intoxication, defenses,
§ 34:7.10

ALTERNATE JURORS

Jury and jury trial, § 53:4.10

ANONYMOUS JURIES

Selection of jury, § 39:6.10

ANONYMOUS TIPS

Suppression of evidence,
§ 26:2.100

ANTICIPATORY SEARCH WARRANTS

Exclusionary hearing, § 26:34.10

APPEALS

Death of defendant during appeal,
§ 50:69

Failure of court to advise of right
of, § 50:67

Fugitive status, effect on appellate
rights, § 50:68

Guilty plea, waiver of right to
appeal sentence, § 31:10.20

Judgment and Sentence (this
index)

Timing, § 50:67.20

Waiver of right to, § 50:67.10

APPRENDI CASE

Mandatory minimum sentences,
§ 50:61.20

Validity of sentence, § 50:61.10

ARMED WITH FIREARM

Judgment and sentence,
§ 50:34.20

ARREST

- Bail reform, § **3:9.60**
- Search incident to arrest, § **3:2.20**
- Search incident to citation, § **3:2.10**
- Validity of arrest, factors and elements affecting, § **3:1.10**

ARTIFICIAL INTELLIGENCE (8220AI8221)

- Scientific evidence, § **12:35.50**

ASSAULT

- Sample closing argument, Fraud and related offenses, § **48:77**
- Summation, assault with intent to murder, § **48:76**

ATTENUATION DOCTRINE

- Suppression of evidence, § **26:7.30, 26:7.70**

ATTORNEY-CLIENT FEE AGREEMENT

- Conflict of interest and, § **1:5.10**

ATTORNEY-CLIENT PRIVILEGE

- Subpoenas on defense counsel, § **1:7.10**

ATTORNEYS

- Attorney-client fee agreement and conflict of interest, § **1:5.10, 1:5.20**
- Attorney-client privilege, subpoenas on defense counsel, § **1:7.10**
- Duties of counsel, § **5:1.50**
- Fees and fee agreements
 - Conflict of interest, § **1:5.10, 1:5.20**
 - Hearing on conflict of interest, defendant's right to be present, § **1:5.20**
 - Hearing on conflict of interest, defendant's right to be present, § **1:5.20**

ATTORNEYS—Cont'd

- Misconduct
 - Error during trial proceedings, failure to timely apprise trial court of, § **54:7**
 - Gag orders, § **54:6.10**
 - Prosecutorial Misconduct** (this index)
 - Publicity, § **54:6.10**
 - Sleeping during trial, § **54:8**
 - Preparation of defense, effective assistance of counsel, § **34:1.20**
 - Prosecutorial Misconduct** (this index)
 - Sixth Amendment right to paid counsel of choice, § **39:1.20**

AUDIO AND VIDEO RECORDINGS

- Other law enforcement recordings, § **13:7.95**
- Police body cam audio, § **13:7.90**

AUTOPSIES

- Admissibility, § **15:1.10**

BAD FAITH

- Prosecutorial misconduct, bad faith comments of prosecutor regarding defense strategy, § **51:30**

BAIL

- Adam Walsh Amendments, § **3:9.20**
- Counsel, right to, § **3:8.50**
- Dangerousness, § **3:9.10**
- Reform, § **3:9.60**

BITE MARK

- Evidence, § **12:48**

BODY CAM AUDIO

- Police, § **13:7.90**

BOLSTERING OF WITNESSES

- Prosecutorial misconduct, § **51:28**

INDEX

BREATHALYZER

Hospital blood tests, § 23:17
Vehicular homicide, § 23:10.50

BULLETS

Firearms and Bullets (this index)

CAMERA AUDIO

Excluding police body
13:18.70

CAPITAL CASES

Charge to jury, § 49:2.10
Prosecutorial misconduct, § 51:29

CELL TOWER RECORDS

Generally, § 13:7.70
Cell tower dump, § 13:7.80
Crime scene and physical evidence, § 12:2.50
Proof of location, § 12:49
Suppression of evidence,
§ 26:55.50
Suppression of GPS monitoring,
§ 13:7.50

CHARGE TO JURY

Jury and Jury Trial (this index)

**CHEMICAL DEPENDENCY
EVALUATION**

Probation, conditions of,
§ 50:64.20

CHILDREN OR MINORS

Judgment and sentence, use of or
attempted use of minors in
offense, § 50:46.10

CITATION

Search incident to citation,
§ 3:2.10

CLIENTS

Advertising and publicity, § 1:2.30
Attorney-client privilege, § 1:7.10
Conflict of interest, attorney-client
fee agreement and, § 1:5.10
Duties of counsel, § 5:1.50

CLIENTS—Cont'd

Forfeiture of right to counsel,
§ 1:6.50
Joint defense agreements, § 1:7.60
Public defenders, § 1:2.70
Subpoenas on defense counsel,
§ 1:7.10

CLOSING ARGUMENTS

Sample, Fraud and related offenses, § 48:77
Summation, assault with intent to
murder, § 48:76

CO-CONSPIRATORS

Defense preparation during pre-
sentation of evidence against
co-conspirators, § 34:47

COLLOQUY REQUIREMENT

Insanity defense, § 35:1.10

COMMUNICATIONS

Insurers, privileged communica-
tions, § 70:2.10

COMPETENCY HEARINGS

Memory witnesses, § 58:15.10

**COMPETENCY OF
DEFENDANT**

Guilty plea, competency to enter,
§ 31:9.10

CONDITIONS

Probation. **Judgment and
Sentence** (this index)

CONDUCT OR BEHAVIOR

Attorneys (this index)
Judicial misconduct, § 52:3.10,
52:14
Prosecutorial Misconduct (this
index)

CONFESSIONS

Suppression of evidence, involun-
tary confession, § 26:3.50

CONFLICTING FACTUAL THEORIES

Prosecutorial misconduct, use of conflicting factual theories, § 51:34

CONFLICTS OF INTEREST

Appeal, § 50:70
Attorney-client fee agreement, § 1:5.10

CONSPIRACY

Defense preparation during presentation of evidence against co-conspirators, § 34:47

CONSTITUTIONAL MATTERS

Look back provisions, constitutionality of, § 50:38.50

CONSTRUCTIVE AMENDMENT

Weight and sufficiency of evidence, variance and constructive amendment, § 43:20

CONTEMPT

Sentencing Reform Act of 1984, criminal contempt, § 50:52.10

CONTINUANCE AND ADJOURNMENT OF PROCEEDINGS

Preliminary hearings, § 3:29
Bail reform, § 3:9:60

CONTRACTS OR AGREEMENTS

Attorney-client fee agreement and conflict of interest, § 1:5.10
Plea agreements, § 31:10.10, 50:39.10

CONTROLLED SUBSTANCES

Generally *Narcotics* (this index)

CORAM NOBIS RELIEF

Generally, § 50:71

COUNSEL

Bail, § 3:8.50
Duties of counsel, § 5:1.50
Invocation of right to counsel, § 26:18.50
Pleas and plea bargaining, right to counsel, § 31:9.20

COURTS, COURTROOMS AND COURTHOUSES

Appeal, failure of court to advise of right of, § 50:67
Attorney misconduct, failure to timely apprise trial court of error during trial proceedings, § 54:7
Forfeiture contained in plea agreement, duty of court to determine existence of factual basis for, § 31:10.10
Judicial misconduct, absence from courtroom, § 52:3.10
Polygraphs, court decisions in other states, § 17:25.10

CRIME SCENE

Scene of Crime (this index)

CRIMINAL CONTEMPT

Sentencing Reform Act of 1984, § 50:52.10

CROSS-EXAMINATION

Fifth Amendment, assertion of, § 56:11
Forensic pathologist, sample cross-examination, § 63:26.10
Hearsay, § 67:24.50
Iverson case, Charles Jones cross, § 65C:1, 65C:2
Kirk, Claude W., cross-examination of, § 65B:1, 65B:2
Obstacles to, § 56:11
State of Florida v. William Kennedy Smith, Anne Mercer cross, § 65D:1, 65D:2

INDEX

CROSS-EXAMINATION

—Cont'd

- United States v. Boyer, et al.*, Kirk Cross, § **65B:1**, **65B:2**
- United States v. Robert Ernest Bishop*, Richard E. Taylor cross, § **65E:1**, **65E:2**

CUSTODY

- Presentence, § **50:6.10**

DANGEROUSNESS

- Bail, § **3:9.10**

DAUBERT

- Voice prints, § **12:36.10**

DEADLOCKED JURIES

- Judicial misconduct, § **52:15**

DEFENSES

- Generally, § **34:1-34:51**
- Absentia, trials in, § **34:47-34:49**
- Attorney-client privilege, § **1:7.10**
- Co-conspirators, preparing defense during presentation of evidence against, § **34:47**
- Constitutional protections, § **34:52**
- Duress, § **34:7.30**
- Entrapment by estoppel, § **34:5.10**
- Estoppel, entrapment by, § **34:5.10**
- Intoxication
 - Involuntary, § **34:7.20**
 - Voluntary, § **34:7.10**
- Preparation of
 - Absentia, trials in, § **34:47-34:49**
 - Co-conspirators, during presentation of evidence against, § **34:47**
 - Entrapment by estoppel, § **34:5.10**
 - Prosecutorial misconduct, § **34:49**
 - Requesting testimony of interviewing agents, § **34:51**

DEFENSES—Cont'd

- Preparation of—Cont'd
 - Stipulation to testimony, § **34:50**
 - Witness tampering, restriction based on, § **34:48**
- Prosecutorial misconduct
 - Bad faith comments of prosecutor regarding defense strategy, § **51:30**
 - Capital cases, comments on frequency of defense expert's testimony in, § **51:29**
 - Defense attorney, prosecutor serving as, § **51:31**
 - Preparation of defense, § **34:49**
- Public authority, § **34:7.40**
- Requesting testimony of interviewing agents, § **34:51**
- Restriction based on witness tampering, § **34:48**
- State Laboratory mishandling of evidence and misconduct, § **34:53**
- Stipulation to testimony, § **34:50**
- Subpoenas on defense counsel, attorney-client privilege, § **1:7.10**
- Substantive defense, entrapment by estoppel, § **34:5.10**
- Summary testimony and charts, § **34:26.10**
- Trials in absentia, § **34:47-34:49**
- Using Power Point to present, § **37:8**
- Voluntary intoxication, § **34:7.10**
- Witness tampering, restriction based on, § **34:48**

DEFINITIONS

- Hemp, congressional definition of, § **21:8.85**

DELIBERATIONS

- Judicial misconduct, conduct during deliberations, § **52:14**

DEMURRERS

- Dismissal** (this index)
- Double Jeopardy, § **28:17**
- 1st Amendment, statutes that violate, § **28:11.50**
- Offensive language, § **28:11.70**

DEPORTATION OF DEFENSE WITNESS

- Prosecutorial misconduct, § **51:38**

DESCRIPTION

- Eyewitness testimony, § **62:5.10**

DIRECTED VERDICT

- Weight and Sufficiency of Evidence** (this index)

DISCLOSURE

- Prosecutorial misconduct, failure to disclose special treatment to key government witnesses, § **51:26**

DISCOVERY

- Due Process Protections Act, § **29:26**
- Mandatory disclosure, Rule 16, § **29:3.50**
- Missing Evidence due to hacking, § **29:16.70**
- Sanctions for discovery violations, § **29:16.30**
- Suppression of evidence for discovery violations, § **29:25**
- Witnesses
 - Prior testimony of grand jury witness, § **29:11.10**
 - Use of discovery materials, § **29:24**

DISMISSAL

- Generally, § **28:16**
- Demurrers** (this index)
- 1st Amendment, statutes that violate, § **28:11.50**
- Prejudice, dismissal with, § **28:15**

DISMISSAL—Cont'd

- Speedy Trial Act violations, § **28:14**

DISPARITY BETWEEN FEDERAL AND STATE SENTENCING

- Sentencing Reform Act of 1984, § **50:55.30**

DIVERSIONARY DISPOSITIONS

- Generally, § **2:3.20 et seq.**
- CARE, § **2:3.60**
- RISE, § **2:3.40**
- VALOR, § **2:3.80**

DNA

- Bite mark evidence, § **12:48**
- Federal DNA database law, § **50:64.30**
- Suppression of evidence, warrantless searches, § **26:2.52**

DOUBLE-BLIND LINEUPS

- Generally, § **4:21**

DOUBLE JEOPARDY

- Motions, Demurrers, § **28:17**

DUE PROCESS PROTECTIONS ACT

- Discovery, § **29:26**

DURESS

- Defenses, § **34:7.30**

ELECTRONIC EAVESDROPPING

- Facial recognition technology, § **5:19**
- Police body cam audio, § **13:7.90**
- Proof of location, § **12:49**
- “Ring” and similar devices, § **5:18**
- Suppression of GPS monitoring, § **13:7.50**
- Surveillance videos, § **5:17**

INDEX

ELECTRONIC

EAVESDROPPING—Cont'd

Trail cameras and drones,
§ 26:57.99

ENTRAPMENT

Judgment and sentence
Sentencing Reform Act of 1984,
imperfect entrapment,
§ 50:43.10
Validity and effect of sentence,
§ 50:61.30

ENTRAPMENT BY ESTOPPEL

Defense, substantive, § 34:5.10

ERROR OR MISTAKE

Attorney misconduct, failure to
timely apprise trial court of
error during trial proceedings,
§ 54:7

ESTOPPEL

Entrapment by estoppel, § 34:5.10
Equitable, grounds for dismissal,
§ 52:16

EVIDENCE

Artificial Intelligence
(8220AI8221), § 12:35.50
Bite mark, § 12:48
Co-conspirators, preparation of
defense during presentation
of evidence against, § 34:47
Crime scene. **Scene of Crime** (this
index)
Experts and Expert Witnesses
(this index)
Hearsay
Exceptions, medical treatment
exception, § 67:34
Medical treatment exception,
§ 67:34
Missing evidence, § 30:16.70
Objections (this index)
Overview evidence, summary evi-
dence vs., weight and suffi-
ciency of, § 43:8.50

EVIDENCE—Cont'd

Physical and Scientific Evidence
(this index)
Pretrial investigation. **Physical
and Scientific Evidence** (this
index)
Pretrial proceedings. **Suppression
of Evidence** (this index)
Proof of location, § 12:49
**Psychiatrists, Psychoanalysts
and Psychologists** (this
index)
Scene of Crime (this index)
Sufficiency of. **Weight and Suffi-
ciency of Evidence** (this
index)
Summary vs. overview evidence,
weight and sufficiency of,
§ 43:8.50
Suppression of Evidence (this
index)
Third-party guilt, § 34:14.10
**Weight and Sufficiency of Evi-
dence** (this index)

EXCEPTIONS AND EXCLUSIONS

Firearm exception to stop and
frisk, suppression of evi-
dence, § 26:2.10
Forfeiture by wrongdoing excep-
tion, § 67:35
Medical treatment exception,
hearsay, § 67:34
Searches and seizures, plain view
exception, § 26:2.130
Suppression of evidence,
§ 26:2.10, 26:2.70, 26:4,
26:30-26:40

EXCLUSIONARY RULE

Suppression of evidence, good
faith exception to exclusion-
ary rule, § 26:2.70

EXHIBITS

Objections, prejudicial exhibits,
§ 66:5.10

EXHIBITS—Cont'd

Prejudicial exhibits, objections,
§ 66:5.10

**EXIGENT SEARCH
EXCEPTION**

Suppression of evidence,
§ 26:57.70

**EXPERTS AND EXPERT
WITNESSES**

Forensic pathologist, sample cross
examination, § 63:26.10

Insanity defense, § 35:27

Internet, finding experts using,
§ 9:3.10

Prosecutorial misconduct, com-
ments on frequency of
defense expert's testimony in
capital cases, § 51:29

Psychiatric testimony admissible,
§ 35:27

Selecting and working with
experts, § 9:3.10

Sexual and psychological abuse,
§ 36:2.10

Ultimate issue, opinions on,
§ 33:2.10

EXPUNGEMENT

Statutory & executive expunge-
ment of prior convictions,
§ 21:8.90

EYEWITNESSES

Identification, charge to jury,
§ 49:23.10

EYEWITNESS TESTIMONY

Identification procedures,
§ 62:5.10

FACIAL RECOGNITION

Generally, § 5:19

FENTANYL ALERT

Generally, § 21:8.80

FIFTH AMENDMENT

Cross-examination, assertion of
Fifth Amendment, § 56:11

FIREARMS AND BULLETS

Crime scene and physical evi-
dence

Bullets, matching to batch,
§ 12:27.10

Bullet's path, determining,
§ 12:29.10

Proof of location, § 12:49

Trail cameras and drones,
§ 26:57.99

Judgment and sentence, use of or
armed with firearm,
§ 50:34.20

Suppression of evidence, firearm
exception to stop and frisk,
§ 26:2.10

FIRST AMENDMENT

Statutes that violate, § 28:11.50

FIRST STEP ACT

Implementation, § 50:74

**FLEEING MISDEMEANOR
SUSPECT**

Warrantless entry, § 26:2.60

FLUIDS

Crime scene and physical evi-
dence, horizontal gaze
nystagmus test for seminal
fluids, § 12:46

FORENSIC PATHOLOGIST

Experts and expert witnesses,
sample cross examination,
§ 63:26.10

**FORFEITURE AND
FORFEITURE
PROCEEDINGS**

Currency, § 68:7.10

Fugitive disentitlement doctrine,
§ 68:16

INDEX

FORFEITURE AND

**FORFEITURE
PROCEEDINGS—Cont'd**

Homes and surrounding property,
§ 68:8.10

Motels, § 68:8.20

Plea agreement, duty of court to
determine existence of
factual basis for forfeiture
contained in, § 31:10.10

**FORFEITURE BY
WRONGDOING**

Exception, § 67:35

**FORFEITURE OF RIGHT TO
COUNSEL**

Clients, § 1:6.50

**FRAUD AND RELATED
OFFENSES**

Sample closing argument, § 48:77

**FUGITIVE DISENTITLEMENT
DOCTRINE**

Forfeiture proceedings, § 68:16

FUGITIVE STATUS

Appellate rights, effect on,
§ 50:68

GAG ORDERS

Attorney misconduct, § 54:6.10

GANGS

Gang affiliation, motion in limine,
§ 30:16.30

GOOD FAITH

Suppression of evidence, good
faith exception to exclusion-
ary rule, § 26:2.70

GOVERNMENT WITNESSES

Prosecutorial misconduct, failure
to disclose special treatment
to key government witnesses,
§ 51:26

GPS MONITORING DEVICES

Generally, § 13:7.30

Mandatory GPS monitoring as
condition of probation,
§ 50:61.50

Suppression of evidence,
§ 26:55.30

Suppression of GPS monitoring,
§ 13:7.50

GRAND JURIES

Discovery, prior testimony of
grand jury witness,
§ 29:11.10

**GUILTY BUT MENTALLY ILL
STATUTE**

Charge to jury, § 49:27.10

GUILTY PLEAS

Acceptance by court, when court
may accept, § 31:2.10

Appeal, waiver of right to,
§ 31:10.20

Competency to enter guilty plea,
§ 31:9.10

Forfeiture contained in plea agree-
ment, duty of court to
determine existence of
factual basis for, § 31:10.10

Package deals, § 31:10.30

Post-conviction remedy following,
§ 31:11.10

Remedies, post-conviction, fol-
lowing, § 31:11.10

Waiver of right to appeal sentence,
§ 31:10.20

Written conditional guilty plea,
§ 31:24.10

HALLUCINOGENS

Generally **Narcotics** (this index)

HEARSAY

Cross-examination, defendant's
right, § 67:24.50

Medical treatment exception,
§ 67:34

HEROIN

Decriminalization of
Other drugs, § 21:8.95

**HOMES AND SURROUNDING
PROPERTY**

Forfeiture and forfeiture proceed-
ings, § 68:8.50

HOMICIDE

Vehicular homicide, attacking the
breathalyzer, § 23:10.50
Vehicular homicide, breathalyzer,
hospital blood tests, § 23:17

HOMOPHOBIA

Jury selection, § 39:58

HOMOSEXUALS

Sentencing Reform Act of 1984,
increased vulnerability,
§ 50:55.40

**HORIZONTAL GAZE
NYSTAGMUS TEST FOR
SEMINAL FLUIDS**

Crime scene and physical evi-
dence, § 12:46

HOSPITAL

Blood tests, § 23:17

IDENTIFICATION

Cross-racial identification, charge
to jury, § 49:24.10
Eyewitness testimony, § 62:5.10

IDENTITY

Eye-witness testimony re.,
§ 49:23.10

IMPERFECT ENTRAPMENT

Sentencing Reform Act of 1984,
§ 50:43.10

INFORMERS

Suppression of evidence, probable
cause, § 26:2.20

**INSANITY AND INSANITY
DEFENSE**

Colloquy requirement, § 35:1.10
Jury rejection of, § 35:2.10
Psychiatric testimony admissible,
§ 35:27

INSURERS

Privileged communications,
§ 70:2.10

INTERNET

Expert witnesses, finding using
Internet, § 9:3.10

INTERROGATION

Suppression of evidence, police
interrogation, § 26:3.60

INTOXICATION

Alcohol and Intoxication (this
index)

**INVESTIGATIONS AND
INVESTIGATORS**

Detentions, investigative,
§ 26:2.110
Physical and Scientific Evidence
(this index)

INVOLUNTARY CONFESSION

Suppression of evidence,
§ 26:3.50

IVERSON CASE

Cross-examination of Charles
Jones
Background, § 65C:1
Trial, § 65C:2

JAIL HOUSE RECORDINGS

Generally, § 13:4.50

**JOINT DEFENSE
AGREEMENTS**

Clients, § 1:7.60

JUDGMENT AND SENTENCE

Abuse of trust, enhancement of
sentence due to, § 50:43.20

INDEX

JUDGMENT AND SENTENCE

—Cont'd

- Appeal
 - Conflict of interests on appeal, § 50:70
 - Failure of court to advise of right of, § 50:67
 - Post-verdict motions, § 50:11.10
 - Waiver of right to, § 50:67.10
- Appellate rights, effect of fugitive status on, § 50:68
- Apprendi case
 - Mandatory minimum sentences, § 50:61.20
 - Validity of sentences over statutory maximum, § 50:61.10
- Armed with firearm, § 50:34.20
- Chemical dependency evaluation, conditions of probation, § 50:64.20
- Conditions of probation. Probation, conditions of, *infra*
- Conflict of interests on appeal, § 50:70
- Coram nobis relief, § 50:71
- Custis Rule, § 50:55.50
- Custody, presentence, § 50:6.10
- Death of defendant during appeal, § 50:69
- DNA, federal DNA database law, § 50:64.30
- Enhancement for being manager or supervisor of criminal activity, § 50:34.30
- Entrapment, § 50:43.10, 50:61.30
- Expungement of prior convictions, § 50:75
- Firearms, use of or armed with, § 50:34.20
- First Step Act implementation, § 50:74
- Fugitive status, effect on appellate rights, § 50:68

JUDGMENT AND SENTENCE

—Cont'd

- Look back provisions, constitutionality of, § 50:38.50
- Manager or supervisor of criminal activity, enhancement for being, § 50:34.30
- Mandatory GPS monitoring as condition of probation, § 50:61.50
- Mandatory minimum sentences, § 50:61.20
- Minors, use of or attempted use of in offense, § 50:46.10
- Mitigating circumstances, § 50:38.10
- No-contact orders, § 50:61.40
- Plea negotiations, waiver of right to appeal sentence, § 31:10.20
- Post-verdict motions, review on appeal, § 50:11.10
- Prior convictions, § 50:55.50
- Probation, conditions of
 - Generally, § 50:72
 - Chemical dependency evaluation, § 50:64.20
 - Mandatory GPS monitoring, § 50:61.50
 - Medical marijuana, § 50:64.21
 - Religious freedom, § 50:64.10
- Procedural error, § 50:63.10
- Rehabilitation efforts, post-offense and post-conviction, § 50:66
- Religious freedom, conditions of probation, § 50:64.10
- Remorse, lack of, § 50:35.10
- Resentencing, § 50:61.70, 50:65
- Restorative justice, § 50:33.20
- Review of sentence
 - Appeal, failure of court to advise of right of, § 50:67
 - Appeal, post-verdict motions, § 50:11.10

JUDGMENT AND SENTENCE

—Cont'd

- Review of sentence—Cont'd
 - Appeal, waiver of right to, § 50:67.10
 - Appellate rights, effect of fugitive status on, § 50:68
 - Fugitive status, effect on appellate rights, § 50:68
 - Rehabilitation efforts, post-offense and post-conviction, § 50:66
 - Resentencing, vindictiveness in, § 50:65
 - Vindictiveness in resentencing, § 50:65
- Sentencing guidelines, § 50:76
- Sentencing Reform Act of 1984** (this index)
- Sex offender monitoring, § 50:73
- Statutory maximum, validity over, § 50:61.10
- Use of firearm, § 50:34.20
- Validity and effect of sentence
 - Apprendi* cases, § 50:61.10, 50:61.20
 - Entrapment, § 50:61.30
 - Mandatory minimum sentences, § 50:61.20
 - Statutory maximum, validity over, § 50:61.10
- Vindictiveness in resentencing, § 50:65
- Violence, crime of, § 50:34.10

JUDICIAL MISCONDUCT

- Absence from courtroom, § 52:3.10
- Conduct during deliberations, § 52:14
- Deadlocked juries, § 52:15
- Double Jeopardy, § 28:17
- Equitable estoppel as grounds for dismissal, § 52:16
- Public trial, defendant's right to, § 52:2.50

JUDICIAL MISCONDUCT

—Cont'd

- Recusal of trial judge, federal law, § 52:4.50

JURY AND JURY TRIAL

- Alternate jurors, § 53:4.10
- Charge to jury
 - Capital cases, § 49:2.10
 - Cross-racial identification, § 49:24.10
 - Eye-witness identification, § 49:23.10
 - Guilty but mentally ill Illinois statute, § 49:27.10
 - Knowledge, § 49:17.50
 - Lesser included offenses, § 49:14.10
 - Nonproduction of evidence, failure to testify, § 49:11
 - Presumptions and burden of proof, failure to testify, § 49:11
 - Production of evidence, failure to testify, § 49:11
 - Witnesses, failure to testify, § 49:11
- Cross-racial identification, § 49:24.10
- Deadlocked juries, judicial misconduct, § 52:15
- Discovery, prior testimony of grand jury witness, § 29:11.10
- Disruptive behavior of juror, § 53:16.10
- Judicial misconduct, deadlocked juries, § 52:15
- Jury Selection** (this index)
- Knowledge, § 49:17.50
- Lesser included offenses, charge to jury, § 49:14.10
- Participation of jury during trial, § 39:54
- Violation of no-contact rule, § 52:24

INDEX

JURY SELECTION

- Generally, § 39:54-39:58
- Anonymous jury, § 39:6.10
- Homophobia, § 39:58
- Note-taking, § 39:55
- Public trial, right to, § 39:1.10
- Questioning of witnesses, § 39:56
- Summaries of evidence, § 39:57
- Witnesses, questioning of, § 39:56

KIRK, CLAUDE W.

- Cross-examination, § 65B:1, 65B:2

KNOWLEDGE

- Charge to jury, § 49:17.50

LANGUAGE

- Jury charge, requests, § 49:4, 49:4.10
- Offensive language, § 28:11.70
- Timing of requests, § 49:4.10

LAY WITNESSES

- Generally. **Witnesses** (this index)

LESSER INCLUDED OFFENSES

- Jury and jury trial, § 49:14.10

LIE DETECTOR TESTS

- Polygraphs** (this index)

LSD (LYSERGIC ACID DIETHYLAMIDE)

- Narcotics, § 21:31-21:41

LYSERGIC ACID DIETHYLAMIDE (LSD)

- Narcotics, § 21:31-21:41

MANDATORY MINIMUM SENTENCES

- Generally, § 50:61.20

MARIJUANA

- Decriminalization, § 21:8.10
- Fentanyl alert, § 21:8.80
- Hemp, congressional definition of, § 21:8.85

MARIJUANA—Cont'd

- Interaction with federal law, § 21:8.60
- Local measures, § 21:8.50
- Medical providers, § 21:8.70
- Medical use, § 21:8.40
- Possession of more than one ounce, § 21:8.20
- Recreational possession, § 21:8.30
- Recreational possession, § 21:8.20

MEDICAL TREATMENT EXCEPTION

- Hearsay, generally, § 67:34

MEGA-TRIALS

- Federal Complex Case designation, § 37:7

MEMORY WITNESSES

- Witnesses, competency hearing, § 58:15.10

MENTALLY ILL

- Charge to jury, guilty but mentally ill Illinois statute, § 49:27.10

MIRANDA V. DUE PROCESS

- Suppression of evidence, § 26:19.50

MISCONDUCT OF PROSECUTOR

- Prosecutorial Misconduct** (this index)

MISTAKE

- Pleas and plea bargaining, mutual mistake, § 31:25.10

MITIGATING CIRCUMSTANCES

- Generally, § 50:38.10

MODERN DIGITAL AND INTERNET CRIMES

- Digital photography, § 71:1
- Revenge porn, § 71:2

MOTIONS

- Codefendants confession, § 30:16.50
- Dismissal, § 28:14-28:16
- Double Jeopardy, § 28:17
- Missing evidence, § 30:16.70
- Offensive language, § 28:11.70
- Plea negotiations, motion to vacate plea, § 31:27.50
- Suppress wiretaps, § 13:18.30
- Weight and Sufficiency of Evidence** (this index)
- Wiretaps, minimization, § 13:18.50

MOTOR VEHICLES

- Suppression of evidence, orders to exit motor vehicle, § 26:2.30
- Suppression of GPS monitoring, § 13:7.50

MURDER

- Sample closing argument, Fraud and related offenses, § 48:77
- Summation, assault with intent to murder, § 48:76

MUSHROOMS (PSILOCYBIN)

- Decriminalization of, § 21:8.100

MUTUAL MISTAKE

- Pleas and plea bargaining, § 31:25.10

NARCOTICS

- Decriminalization, § 21:8.100
- Other drugs, § 21:8.95
- Heroin, decriminalization of Other drugs, § 21:8.95
- Mushrooms (psilocybin), decriminalization of, § 21:8.100
- Other drugs, decriminalization of, § 21:8.95
- Possession of more than one ounce, § 21:8.15

NEGOTIATIONS

- Pleas and Plea Bargaining** (this index)

NEW OFFENSES AND ISSUES

- Generally, § 72:1 et seq.
- Obstruction, official proceeding, § 72:3
- Revenge porn, § 72:2

NOTE-TAKING

- Jury selection, § 39:55

OBJECTIONS

- Exhibits, prejudicial, § 66:5.10
- Prejudicial exhibits, § 66:5.10
- Suppression of evidence, exclusionary hearing, standing to object to search or seizure, § 26:30.10

OPENING STATEMENT

- Prosecutorial misconduct, commenting on anticipated defense evidence, § 51:16.20

ORAL SEARCH WARRANT

- Suppression of evidence, § 26:2.90

ORDERS

- Attorney misconduct, gag orders, § 54:6.10
- Sentence and punishment, no-contact orders, § 50:61.40

ORGANIZED CRIME

- Gang affiliation, motion in limine, § 30:16.30

PACKAGE DEALS

- Guilty pleas, § 31:10.30

PAYMENT

- Prosecutorial misconduct, use of paid prosecutor, § 51:32

PERJURY

- Sentencing Reform Act of 1984, § 50:52.20

INDEX

PHYSICAL AND SCIENTIFIC EVIDENCE

Polygraphs (this index)
Scene of Crime (this index)

PLAIN VIEW EXCEPTION

Searches and seizures, § **26:2.130**

PLEA AGREEMENTS

Sentencing Reform Act of 1984, § **50:39.10**

PLEAS AND PLEA BARGAINING

Appeal, waiver of right to appeal sentence, § **31:10.20**
Competency to enter guilty plea, § **31:9.10**
Credibility of defense counsel, § **31:18.10**
Factual basis for forfeiture contained in plea agreement, duty of court to determine existence of, § **31:10.10**
Forfeiture contained in plea agreement, duty of court to determine existence of factual basis for, § **31:10.10**
Guilty Plea (this index)
Motion to vacate plea, § **31:27.50**
Mutual mistake, § **31:25.10**
Right to counsel, § **31:9.20**
Sentence, waiver of right to appeal, § **31:10.20**
Waiver of right to appeal sentence, § **31:10.20**
Withdrawing or changing plea, Rule 32(e), § **31:27.10**

POLE CAMERAS

Suppression of evidence, § **26:55.70**

POLICE INTERROGATION

Suppression of evidence, statutes regarding, § **26:3.60**

POLYGRAPHS

Court decisions in other states, § **17:25.10**
Prosecutorial misconduct, calling attention to defendant's refusal to take, § **51:17.10**
Testing techniques, § **17:20.10**

PORNOGRAPHY

Revenge porn, § **72:2**

POSSESSION

Suppression of evidence, failure to have search warrant in possession at time of search, § **26:24.10**

POST-CONVICTION REMEDIES

Guilty pleas, § **31:11.10**

POST-VERDICT MOTIONS

Judgment and sentence, review on appeal, § **50:11.10**

PREJUDICIAL EXHIBITS

Objections, § **66:5.10**

PREJUDICIAL OR INFLAMMATORY REMARKS

Prosecutorial misconduct, impermissible vouching of witness, § **51:16.10**

PRELIMINARY HEARINGS

Continuances, § **3:29**

PREMISES WARRANT

Suppression of evidence, scope of warrant, § **26:30.20**

PREPARATION FOR TRIAL

Effective assistance of counsel, § **34:1.20**
Strategic decisions, § **34:1.20**
Witnesses, sequestering, § **32:27**

PRESENCE

Absence or Presence (this index)

PRESENTATION OF EVIDENCE

Defense preparation during presentation of evidence against co-conspirators, § 34:47

PRESUMPTIONS AND BURDEN OF PROOF

Charge to jury, nonproduction of evidence, failure to testify, § 49:11

PRETRIAL INVESTIGATION

Physical and Scientific Evidence (this index)

Witnesses (this index)

PRETRIAL PROCEEDINGS

Discovery (this index)

Plea Negotiations (this index)

Suppression of Evidence (this index)

PRIOR TESTIMONY OF GRAND JURY WITNESS

Discovery, § 29:11.10

PRISONER RECORDINGS

Generally, § 13:4.50

PRIVILEGES AND IMMUNITIES

Insurers, communications with, § 70:2.10

Qualified privileges, § 70:10.60

Reporter's privilege, § 70:10.70

PROBABLE CAUSE

Suppression of evidence, informers and probable cause, § 26:2.20

PROBATION

Judgment and Sentence (this index)

Mandatory GPS monitoring as condition of, § 50:61.50

Sexual history, revelation of, § 50:64.22

PROCEDURAL ERROR

Sentence, § 50:63.10

PRODUCTION OF EVIDENCE

Charge to jury, failure to testify, § 49:11

PROOF

Location, § 12:49

PROSECUTORIAL MISCONDUCT

Adverse comments of prosecutor on defendant's presence at trial, § 51:27

Bad faith comments of prosecutor regarding defense strategy, § 51:30

Bolstering of witness' testimony as impermissible, § 51:28

Capital cases, comments on frequency of defense expert's testimony in, § 51:29

Conflicting factual theories, use of, § 51:34

Defendant's refusal to take a polygraph exam, § 51:17.10

Defense

Bad faith comments of prosecutor regarding defense strategy, § 51:30

Preparation of, § 34:49

Defense attorney, prosecutor serving as, § 51:31

Defense witness, comments on frequency of defense expert's testimony in capital cases, § 51:29

Deportation of defense witness, § 51:38

Disclosure, failure to disclose special treatment to key government witnesses, § 51:26

Expert witnesses, comments on frequency of defense expert's

INDEX

PROSECUTORIAL

MISCONDUCT—Cont'd

- testimony in capital cases, § 51:29
- Failure to correct inaccurate testimony, § 51:35
- Government witnesses, failure to disclose special treatment to key government witnesses, § 51:26
- Impermissible bolstering of witness' testimony, § 51:28
- Impermissible vouching of witness, § 51:16.10
- Lie detector test, defendant's refusal to take, § 51:17.10
- Opening statement, commenting on anticipated defense evidence, § 51:16.20
- Paid prosecutor, use of, § 51:32
- Polygraph exam, defendant's refusal to take, § 51:17.10
- Prejudicial or inflammatory remarks, § 51:16.10
- Presence of defendant at trial, adverse comments of prosecutor on, § 51:27
- Refusal to take a polygraph exam, defendant's, § 51:17.10
- Special treatment to key government witnesses, failure to disclose
Witnesses, § 51:26
- Threatening potential witnesses, § 51:25
- Us-versus-them theme, § 51:37
- Vindictiveness of prosecutor, § 51:36
- Vouching of witnesses as impermissible, § 51:16.10
- Witnesses
 - Asking defendant to comment on the credibility of other witnesses, § 51:33
 - Capital cases, comments on frequency of defense

PROSECUTORIAL

MISCONDUCT—Cont'd

- Witnesses—Cont'd
 - expert's testimony in, § 51:29
 - Failure to correct inaccurate testimony, § 51:35
 - Impermissible bolstering of witness' testimony, § 51:28
 - Impermissible vouching of witness, § 51:16.10
 - Prejudicial or inflammatory remarks, § 51:16.10
 - Special treatment to key government witnesses, failure to disclose, § 51:26
 - Threatening potential witnesses, § 51:25

PSILOCYBIN (MUSHROOMS)

- Decriminalization of, § 21:8.100

**PSYCHIATRISTS,
PSYCHOANALYSTS AND
PSYCHOLOGISTS**

- Insanity defense, § 35:27

PSYCHOLOGICAL ABUSE

- Expert testimony, § 36:2.10

PUBLIC AUTHORITY

- Defenses, § 34:7.40

PUBLIC DEFENDERS

- Clients, § 1:2.70

PUBLICITY

- Attorney misconduct, § 54:6.10

PUBLIC TRIAL, RIGHT TO

- Jury selection, § 39:1.10

PUNISHMENT AND VERDICT

- Charge to jury, guilty but mentally ill Illinois statute, § 49:27.10

QUALIFIED PRIVILEGES

- Privileges and immunities, § 70:10.60

QUESTIONING BY POLICE

Suppression of evidence,
§ 26:3.60

QUESTIONING OF WITNESSES

Jury selection, § 39:56

**RACIAL VOICE
IDENTIFICATION**

Voiceprints and voice identifica-
tion, § 14:12.10

REFORM

Bail reform, § 3:9.60

REFUSAL

Prosecutorial misconduct, calling
attention to defendant's
refusal to take a polygraph
exam, § 51:17.10

REHABILITATION

Review of sentence, § 50:66

RELIGIOUS FREEDOM

Review of sentence, conditions of
probation, § 50:64.10

REMEDIES

Guilty pleas, post-conviction,
§ 31:11.10

REMORSE, LACK OF

Sentencing, § 50:35.10

REPORTERS

Privileges, § 70:10.70

RESENTENCING

Motion, § 50:61.70

**RESENTENCING,
VINDICTIVENESS IN**

Review of sentence, § 50:65

RESTORATIVE JUSTICE

Generally, § 50:33.20

REVIEW

Judgment and Sentence (this
index)

SANCTIONS

Discovery violations, § 29:16.30

SCENE OF CRIME

Artificial Intelligence
(8220AI8221), § 12:35.50

Bullets, matching to batch,
§ 12:27.10

Bullet's path, determining,
§ 12:29.10

Cell tower records, § 12:2.50

Daubert, voice prints, § 12:36.10

Excluding police body cam audio,
§ 13:18.70

Firearms

Bullets, matching to batch,
§ 12:27.10

Bullet's path, determining,
§ 12:29.10

Fluids, seminal, horizontal gaze
nystagmus test, § 12:46

Horizontal gaze nystagmus test for
seminal fluids, § 12:46

NAS report on forensic science,
§ 12:1.10, 12:47

Physical evidence. See entries
throughout this topic

Seminal fluids, horizontal gaze
nystagmus test, § 12:46

Test for seminal fluids, horizontal
gaze nystagmus, § 12:46

Trail cameras and drones,
§ 26:57.99

Voice prints, expanding applica-
tion of *Daubert*, § 12:36.10

Weight and sufficiency of evi-
dence, § 43:8.10

SEARCHES AND SEIZURES

Anticipatory search warrants,
§ 26:34.10

Arrest, § 3:2.10, 3:2.20

Authority to consent to,
§ 26:2.120

Backpack left at crime scene,
§ 26:57.80

INDEX

SEARCHES AND SEIZURES

—Cont'd

- Border searches, electronic,
§ 26:7.100
- Citation, search incident to,
§ 3:2.10
- Consent, § 26:2.120
- Electronic border searches,
§ 26:7.100
- Exigent circumstances, § 26:2.80
- Good faith exception to exclusion-
ary rule, § 26:2.70
- Parole status and warrantless
searches, § 26:2.51
- Plain view exception, § 26:2.130
- Shocking statements, use of to
obtain search warrant,
§ 26:34.50
- Sneak and peek warrants,
§ 26:57.90
- Standing to object to search or
seizure, § 26:30.10
- Stop and Frisk** (this index)
- Strip searches, § 26:2.40
- Suppression of Evidence** (this
index)
- Time of execution, § 26:34.40
- Warrantless searches. **Suppres-
sion of Evidence** (this index)

SEARCH WARRANT

- Suppression of Evidence** (this
index)

SEIZURE

- Searches and Seizures** (this
index)

SELECTING AND WORKING WITH EXPERTS

- Expert Witnesses** (this index)

SELECTION OF JURY

- Jury Selection** (this index)

SEMINAL FLUIDS

- Crime scene and physical evi-
dence, horizontal gaze

SEMINAL FLUIDS—Cont'd

- nystagmus test, § 12:46

SENTENCE AND PUNISHMENT

- See **Judgment and Sentence** (this
index)
- Prior convictions during criminal
episode should count as
single conviction, § 50:61.15

SENTENCING ENTRAPMENT

- Validity and effect of sentence,
§ 50:61.30

SENTENCING REFORM ACT OF 1984

- Aberrant behavior, § 50:41.10
- Criminal contempt, § 50:52.10
- Disparity between federal and
state sentencing, § 50:55.30
- Entrapment, imperfect, § 50:43.10
- Homosexuals, increased vulner-
ability of, § 50:55.40
- Imperfect entrapment, § 50:43.10
- Perjury, § 50:52.20
- Plea agreements, § 50:39.10
- Safety valve provision, § 50:55.10
- Special skills, upward departure
based upon, § 50:55.20

SEQUESTERING WITNESSES

- Generally, § 32:27

SEX AND SEXUAL MATTERS

- Sex offender monitoring, § 50:73

SEXUAL ABUSE

- Expert testimony, § 36:2.10

SEXUAL HISTORY

- Probation, § 50:64.22

SHOCKING STATEMENTS

- Suppression of evidence, use of to
obtain search warrant,
§ 26:34.50

SIXTH AMENDMENT

Counsel of choice, right to paid,
§ 39:1.20

SLEEPING DURING TRIAL

Attorney misconduct, § 54:8

SPECIAL SKILLS

Sentencing Reform Act of 1984,
§ 50:55.20

SPECIAL TREATMENT

Prosecutorial misconduct, failure
to disclose special treatment
to key government witnesses,
§ 51:26

SPEEDY TRIAL

Dismissal for violation, § 28:14

STANDING

Generally, § 68:1.10

STANDING TO OBJECT

Suppression of evidence,
exclusionary hearing,
§ 26:30.10

Traffic stop, § 26:30.10.1

**STATE OF FLORIDA V. WILLIAM
KENNEDY SMITH**

Cross-examination of Anne
Mercer, § 65D:1, 65D:2

STATUTES

Charge to jury, guilty but mentally
ill Illinois statute, § 49:27.10

Eyewitness identification,
§ 62:5.10

1st Amendment, statutes that
violate, § 28:11.50

Sentence, validity over statutory
maximum, § 50:61.10

Suppression of evidence, police
interrogation, § 26:3.60

STINGRAY

Suppression of evidence,
§ 26:55.60

STIPULATIONS

Defenses, stipulations to
testimony, § 34:50

STOP AND FRISK

Firearm exception to stop and
frisk, § 26:2.10

Informers and probable cause,
§ 26:2.20

STRIP SEARCHES

Suppression of evidence,
§ 26:2.40

SUBPOENAS

Attorney-client privilege,
subpoenas on defense
counsel, § 1:7.10

SUFFICIENCY OF EVIDENCE

**Weight and Sufficiency of Evi-
dence** (this index)

SUMMARIES OF EVIDENCE

Jury selection, § 39:57

SUMMATION

Accomplice testimony, sample
closing argument, § 48:38.50

Assault with intent to murder,
sample closing argument,
§ 48:76

Sample closing argument, Fraud
and related offenses, § 48:77

SUPPRESSION OF EVIDENCE

Anonymous tips, § 26:2.100

Anticipatory search warrants,
exclusionary hearing,
§ 26:34.10

Areas not specified by warrant,
§ 26:10.15

Attenuation doctrine, § 26:7.30,
26:7.70

Backpack left at crime scene,
§ 26:57.80

Border searches, electronic,
§ 26:7.100

Cell tower records, § 26:55.50

INDEX

SUPPRESSION OF EVIDENCE

—Cont'd

- Community caretaking function, § 26:57.94
- Confession, involuntary, § 26:3.50
- Consent to search, § 26:2.120
- Continuation of stop, § 26:7.85
- Decriminalization defeating probable cause, § 26:57.30
- Discovery and inspection, failure to have search warrant in possession at time of search, § 26:24.10
- Discovery techniques, use of discovery materials, § 29:25
- DNA and warrantless searches, § 26:2.52
- Electronic border searches, § 26:7.100
- Exceptions, firearm exception to stop and frisk, § 26:2.10
- Excluding police body cam audio, § 13:18.70
- Exclusionary hearing
 - Anticipatory search warrants, § 26:34.10
 - Manner of execution, § 26:34.30
 - Requirement of warrant, § 26:34.20
 - Shocking statements, use of to obtain search warrant, § 26:34.50
 - Standing to object to search or seizure, § 26:30.10
- Exigent search exception, § 26:57.70
- Firearm exception to stop and frisk, § 26:2.10
- Good faith exception to exclusionary rule, § 26:2.70
- GPS monitoring devices, § 26:55.30
- Hand touch of package insufficient, § 26:57.85

SUPPRESSION OF EVIDENCE

—Cont'd

- Informers and probable cause, § 26:2.20
- Interrogation, police, statutes regarding, § 26:3.60
- Investigative detentions, § 26:2.110
- Invocation of right to counsel, § 26:18.50
- Involuntary confession, § 26:3.50
- Jurisdiction of Native American territorial police officer, § 26:57.92
- “Meaningless Drive” as probable cause, § 26:57.98
- Miranda v. Due Process, § 26:19.50
- Missing evidence, § 30:16.70
- Motor vehicle, orders to exit, § 26:2.30
- Object to search or seizure, standing to, § 26:30.10
- Oral search warrant, § 26:2.90
- Orders to exit motor vehicle, § 26:2.30
- Parole status and warrantless searches, § 26:2.51
- Plain view exception to warrant requirement, § 26:2.130
- Pole cameras, § 26:55.70
- Police interrogation, statutes regarding, § 26:3.60
- Possession of search warrant at time of search, failure to have, § 26:24.10
- Probable cause, informers, § 26:2.20
- Protective sweep warrantless search, § 26:2.50
- Search
 - Sneak and peek, § 26:57.90
- Search and seizure. See entries throughout this topic
- Seizure, definition of, § 26:57.96

SUPPRESSION OF EVIDENCE

—Cont'd

- Shocking statements, use of to obtain search warrant, exclusionary hearing, § 26:34.50
- Sneak and peek warrants, § 26:57.90
- Standing to object to search or seizure, § 26:30.10
- Statutes regarding police interrogation, § 26:3.60
- Stingray, § 26:55.60
- Stop and frisk, firearm exception to, § 26:2.10
- Strip searches, § 26:2.40
- Suppression of GPS monitoring, § 13:7.50
- Time of search, failure to have search warrant in possession at, § 26:24.10
- Trail cameras and drones, § 26:57.99
- Voluntariness of confession, § 26:3.50
- Warrantless entry
 - Fleeing misdemeanor suspect, § 26:2.60
- Warrantless searches
 - Generally, § 26:2.30 et seq
 - DNA, § 26:2.52
 - Exigent circumstances, § 26:2.80
 - No warrant needed, § 26:2.60
 - Parole status and warrantless searches, § 26:2.51
 - Plain view exception to warrant requirement, § 26:2.130
 - Possession of warrant, warrant not in possession at time of search, § 26:24.10
- Warrants
 - Anticipatory search warrants, § 26:34.10
 - Good faith exception to exclusionary rule, invalid

SUPPRESSION OF EVIDENCE

—Cont'd

- Warrants—Cont'd
 - warrant, § 26:2.70
- Manner of execution, § 26:34.30
- Necessity of (warrant not needed), § 26:2.60
- Oral search warrants, § 26:2.90
- Possession of warrant, warrant not in possession at time of search, § 26:24.10
- Requirement of warrant, generally, § 26:34.20
- Scope of premises warrant, § 26:30.20
- Shocking statements, use of to obtain warrant, § 26:34.50
- Time of execution, § 26:34.40
- Warrantless searches, supra
- Wiretaps, minimization, § 13:18.50

SUPPRESSION OF GPS

- Monitoring, § 13:7.50

SURVEILLANCE

- Suppression of GPS monitoring, § 13:7.50
- Videos, § 5:17

TAYLOR, RICHARD E.

- Cross-examination, § 65E:1, 65E:2

TESTS AND TESTING

- Crime scene and physical evidence, horizontal gaze nystagmus test for seminal fluids, § 12:46

Polygraphs (this index)

THREATENING POTENTIAL WITNESSES

- Prosecutorial misconduct, § 51:25

TIME OR DATE

- Appeal, § 50:67.20

INDEX

TIME OR DATE—Cont'd

Attorney misconduct, failure to timely apprise trial court of error during trial proceedings, § 54:7

Suppression of evidence, failure to have search warrant in possession at time of search, § 26:24.10

TRAFFIC STOP

Standing to object, § 26:30.10.1

TRIAL

Charge to jury. **Jury and Jury Trial** (this index)

Judgment and Sentence (this index)

Judicial Misconduct (this index)

Jury Selection (this index)

Misconduct of attorney. **Attorneys** (this index)

Prosecutorial Misconduct (this index)

Weight and Sufficiency of Evidence (this index)

TRIAL PREPARATION

Defenses (this index)

Witnesses (this index)

TRIALS IN ABSENTIA

Defense, preparation of, § 34:47-34:49

UNITED STATES v. BOYER, ET AL.

Cross-examination, § 65B:1, 65B:2

UNITED STATES V. ROBERT ERNEST BISHOP

Cross-examination of Richard E. Taylor, § 65E:1, 65E:2

USE OF FIREARM

Judgment and sentence, § 50:34.20

VARIANCE

Weight and sufficiency of evidence, variance and constructive amendment, § 43:20

VERDICT

Directed verdict. **Weight and Sufficiency of Evidence** (this index)

VERDICT AND PUNISHMENT

Charge to jury, guilty but mentally ill Illinois statute, § 49:27.10

VIDEO TAPES AND RECORDINGS

Excluding police body cam audio, § 13:18.70

Facial recognition technology, § 5:19

“Ring” and similar devices, § 5:18

Suppression of GPS monitoring, § 13:7.50

Surveillance videos, § 5:17

VIEW

Weight and sufficiency of evidence, view of crime scene, § 43:8.10

VINDICTIVENESS

Resentencing, vindictiveness in, § 50:65

VOICEPRINTS AND VOICE IDENTIFICATION

Attacking particular testimony, § 61:29

Crime scene and physical evidence, expanding application of *Daubert*, § 12:36.10

Racial voice identification, § 14:12.10

VOLUNTARINESS OR INVOLUNTARINESS

Confession as involuntary, § 26:3.50

**VOLUNTARINESS OR
INVOLUNTARINESS
—Cont'd**

Intoxication, defenses, § **34:7.10**
Suppression of evidence, involun-
tary confession, § **26:3.50**

VOLUNTARY INTOXICATION

Defenses, § **34:7.10**

VOUCHING OF WITNESSES

Prosecutorial misconduct,
§ **51:16.10**

WAIVER

Guilty plea, waiver of right to
appeal sentence, § **31:10.20**

WARRANTLESS SEARCHES

Protective sweep, § **26:2.50**
Suppression of Evidence (this
index)

WARRANTS

Sneak and peek, § **26:57.90**
Suppression of Evidence (this
index)

**WEIGHT AND SUFFICIENCY
OF EVIDENCE**

Acquittal, motion. Motions for
directed verdict and judgment
of acquittal, *infra*
Constructive amendment, variance
and, § **43:20**
Crime scene, view of, § **43:8.10**
Directed verdict, motion. Motions
for directed verdict and judg-
ment of acquittal, *infra*
Motions for directed verdict and
judgment of acquittal
Generally, § **43:19**
Variance and constructive
amendment, § **43:20**
Summary vs. overview evidence,
§ **43:8.50**
Variance, § **43:20**

WIRETAPS

Minimization, § **13:18.50**
Motions to suppress, § **13:18.30**

WITNESSES

Charge to jury, failure to testify,
§ **49:11**
Competency hearing, memory
witnesses, § **58:15.10**
Deportation of defense witness,
§ **51:38**
Discovery (this index)
Expert Witnesses (this index)
Eyewitness testimony, identifica-
tion procedures, § **62:5.10**
Forensic pathologist, sample cross
examination, § **63:26.10**
Insanity defense, § **35:27**
Jury selection, questioning of wit-
nesses, § **39:56**
Memory witnesses, competency
hearing, § **58:15.10**
Preparation for trial, sequestering
witnesses, § **32:27**
Prosecutorial misconduct
Asking defendant to comment
on credibility of other wit-
nesses, § **51:33**
Capital cases, comments on
frequency of defense
expert's testimony in,
§ **51:29**
Deportation of defense witness,
§ **51:38**
Impermissible bolstering of
witness' testimony, § **51:28**
Impermissible vouching of wit-
ness, § **51:16.10**
Prejudicial or inflammatory
remarks, § **51:16.10**
Special treatment to key
government witnesses,
failure to disclose, § **51:26**
Threatening potential witnesses,
§ **51:25**

INDEX

WITNESSES—Cont'd

Psychiatric testimony admissible,
§ **35:27**

Sequestering witnesses, § **32:27**

WITNESS TAMPERING

Defense preparation, restriction
based on witness tampering,
§ **34:48**

WORKING WITH EXPERTS

Expert Witnesses (this index)

WRONGDOING

Forfeiture by wrongdoing excep-
tion, § **67:35**