

Expert Insights: Testifying in Court as a Drug Recognition Expert

Expert Insights: Testifying in Court as a Drug Recognition Expert, an eLearning course, is designed to support Drug Recognition Experts (DREs) as they prepare to appear as witnesses in drug-impaired driving trials. Throughout the course, experts in the fields of law enforcement and prosecution share advice on enhancing courtroom presence and testimony skills, in addition to examining some of the challenges of testifying in impaired driving cases.

This course explores the role of the DRE witness, fundamental courtroom rules and processes, case file preparation, and personal preparation, recognizing that the groundwork for successful testimony is multi-faceted. Learners interact with the content sequentially, beginning with the preparation required before appearance as a DRE witness at a trial, the expert witness testimony during the direct examination, cross-examination by the defense attorney, and considerations after the conclusion of the trial.

While tailored to officers who are DREs, this eLearning course is not part of the process of qualifying for or certifying an individual as a DRE.



Learning Hours:

4 hours

Completion Standards:

Certificate of Completion awarded based on assigned learning hours and minimum 80% score on post course assessment.

Portal course sessions are active Jan. 1 – Dec. 31 of each year and course content must be completed by December 31 to earn your certificate.

Target Audience:

Law enforcement officers who have previously completed the Drug Evaluation and Classification (DEC) Program or are already DREs, and prosecutors, as a guide to working with DREs to prepare for drug-impaired driving trials.

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Learning Objectives

- *Identify the role of the witness in an impaired driving case*
- *Describe the common courtroom routines and the roles of the courtroom participants*
- *Explain the connection between a detailed report and an effective trial testimony*
- *Articulate relevant evidence as it relates to case preparation and prosecution*
- *Prepare a comprehensive case file for effective courtroom presentation*
- *Identify resources for preparing to qualify as an expert witness*
- *Describe strategies for communicating effectively with the prosecution team*
- *Explain the importance of the outcome of a voir dire examination*
- *Identify standards regarding the admissibility of expert testimony*
- *Describe the chronology of an effective testimony*
- *Recall types of questions posed by the prosecutor during direct examination*
- *Explain how to structure detailed answers to open-ended questions*
- *Recall types of objections made during direct examination*
- *Describe appropriate reactions to objections made during the direct examination*
- *Recall fundamental courtroom rules for witness testimony*
- *List techniques used by the defense attorney during a cross-examination*
- *Describe effective ways to respond to questions during a cross-examination*
- *Identify common defense challenges to the DRE protocol*
- *Demonstrate effective responses to common defense challenges to the DRE protocol*
- *Explain the importance of updating the curriculum vitae of a DRE at the conclusion of a trial*
- *Identify sources for professional development resources for DREs*
- *Discuss the value of obtaining post-trial feedback from the prosecutor as a way to reflect on witness performance*
- *Explore case law that relates to DRE cases*

Cooperative Partners:

This tuition-free online training was developed by the Virginia Center for Policing Innovation (VCPI) and the National Highway Traffic Safety Administration (NHTSA), and funded by the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS).



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