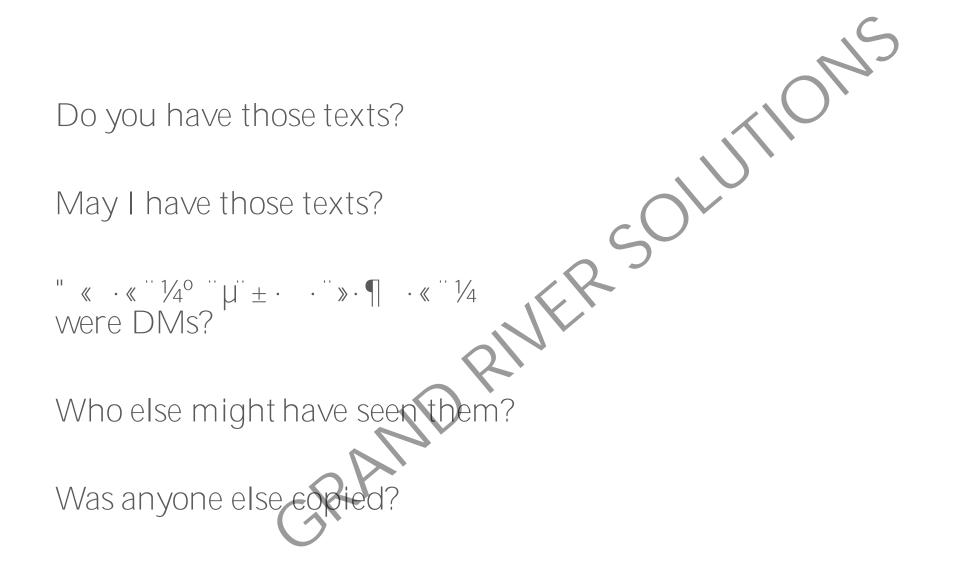






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<101 Thorough? (Does it tell whole picture?) 5 Authenticated? Is there an explanation for what was omitted? 2AND'





Explain why you are asking it

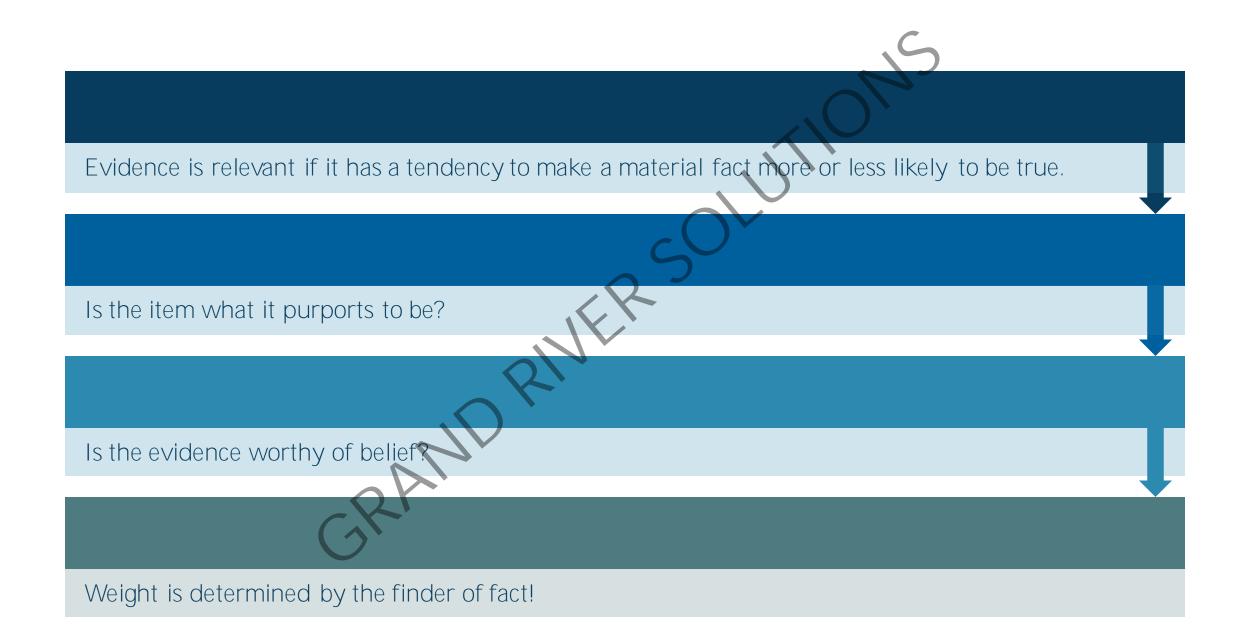
Share the evidence that you are asking about, or that you are seeking a response to Can you tell me what you were thinking when....

Help me understand what you were feeling when...

A re you able to tell me more about...

• Evidence that is based on personal knowledge or observation and that, if true, proves a fact without inference or presumption.

• Evidence based on inference and not on personal knowledge or observation.



1. At 1:18 am, Pat captured a video of Elliott and Sam. In the video, Sam had one arm around Elliott's shoulders, and Elliott's head was resting on Sam's shoulder. In the video, both Sam and Elliott, and at least 2 others, were loudly singing Happy Birthday, although the video cut out before the singers said the name of the person to whom they were singing.



Do you really need to assess either?

Why they are different

How to write about it

When a party attacks credibility of the other, but on a non-issue (delay in reporting, did not go to law enforcement, minimized the report in comments to a friend or family)

How to ask questions to get to the bottom of it without being offensive

How to apply your conclusions to the process

Corroboration? Plausibility? They were convincing when they shared their story? They could not have seen what they said they saw? That makes no sense? They seemed more trustwor Some combination of the above?



I can trust the consistency of the person's account of their truth.

It is probably true, and I can rely on it.

I trust their account based on their tone, and reliability. They are honest and believable. It might not be true, but it is worthy of belief. It is convincingly true. The witness is sincere and speaking their real truth. GRAND RIVER SOLUTIONS

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Did the witness correctly observe, process, interpret and recall the information? Is there corroboration?

vs. Credibility: bias, collusion, motive in outcome, outright (proven) lying, judging the person

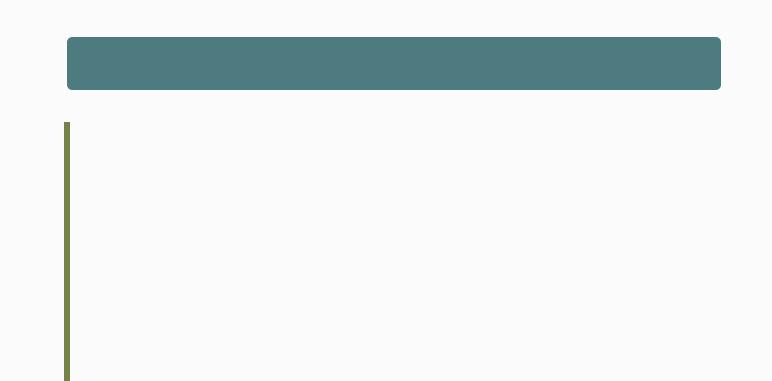
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Corroborating evidence Inconsistencies Sufficient or insufficient explanation of inconsistencies Logic, plausibility Pattern or history Past record Motive to falsify Bias for/against a part Material omission Ability to recollect events

Dyer v. MacDougall, 201 F.2d 265, 268-69 (2d Cir. 1952) (acknowledging the conduct, manner, and appearance that make up a witness's demeanor).

Courtroom Psychology for Trial La(M2) People with enlarged pupils are compassionate and those with beady eyes use cold logic; a person who looks up and to the left while thinking is metaphorical... a low pitched voice indicates confidence, while a high-pitched voice reduces believability.

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1. Determine the material facts focus only on material facts.

2. Determine which material facts are:

Undisputed consistent, detailed and plausible, and/or agreed upon by the parties [e.g., Marcy and Jack attended a fraternity party on April 5, 2019]

Disputed unsupported by documentary or other evidence, or are facts about which an element of doubt remains [e.g., Marcy alleged that Jack kissed her without her consent around 1am at the party, and Jack asserted he never kissed Marcy and went home early]

State clearly which facts are accepted, and which are rejected, and state the reasons why.

* $\langle \neg \neg t^{\alpha} t^{\alpha} \rangle \otimes x_{\pm} \times x_{\pm} \otimes t^{\alpha} \otimes t^{\alpha$

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