

## **COMMONLY USED TERMS IN CRIMINAL/JD PRACTICE**

### **A. DISCOVERY**

#### **Brady Material**

Any evidence in the possession of the prosecution that could be deemed favorable to the defendant must be turned over to the defense.

#### **Rosario Rule**

Prior statements of a witness, whether written or recorded and known as Rosario material, must be turned over to the adversary for use on cross-examination. Both the prosecution and defense are subject to this rule.

### **B. SUPPRESSION**

#### **Huntley Hearing**

Held to determine whether a statement given by a suspect to law enforcement was voluntarily made and thus admissible at trial.

#### **Sandoval Hearing**

Held to determine whether a defendant's prior criminal record can be used by the prosecutor to impeach his credibility in the event the defendant testifies.

#### **Molineux Rule**

A hearing held to determine whether prior crimes committed by the accused may be admitted into evidence by the prosecutor to establish that defendant committed the crime for which he's on trial, even if the defendant doesn't testify.

#### **Mapp Hearing**

Held to determine whether physical evidence seized by police can be admitted at trial against a defendant.

#### **Wade Hearing**

Held to determine whether methods used by police to identify a suspect suggested to the witness which suspect should be picked out. This applies to lineups or photo arrays or whatever else cops may use. If the judge determines the ID procedure was suggestive, the witness cannot identify the suspect in court at trial.

#### **Dunaway Hearing**

Held to determine if the statements made by defendant to the police was elicited as a result of improper search and seizure.