

Preparing for Defenses

- **Consent**
 - Victim hiding consensual act from family or boyfriend
 - Rape Shield, or...?
- **Late Report** (= didn't happen): Rape Trauma Syndrome or CSAAS expert?
- **Victim is Inconsistent, therefore NOT credible.**
 - Minor Inconsistencies are the hallmark of credibility
- **Expert: Deft. Is NOT a pedophile.**
 - Stoll Motion

Voir Dire

- Sex cases are difficult enough...so the right jury is KEY!
- Every DDA/ Case has a different "ideal" jury.
- Look for people who care about the community.
- I like fathers...
- Do Not choose prior victims: May have unresolved issues...(you should find these jurors because the judge will often give them an opportunity to speak privately.
- 2 stories does not equal reasonable doubt.
- Can the juror base a conviction on victim testimony alone?