

# OCDLA EVIDENCE OBJECTIONS SHEET

Bob Wyatt, Wyatt Law Office (Oklahoma City) • Oct. 2023

SCOPE OF RULES	OKLAHOMA	FEDERAL
<p>Rules of Evidence do <b>not</b> apply to certain proceedings or hearings</p> <p><b>Lee v. State</b>, 661 P.2d 1345, 1983 OK CR 41 allows hearsay at hearings on suppression b/c Evid. Rules do not apply</p> <p><b>U.S. v. Miramonted</b>, 365 F.3d 902 (10th Cir. 2004) allows hearsay at hearings on suppression b/c FRE do not apply</p>	<p><b>2103(B)(2)</b> proceedings for extradition or rendition; <b>sentencing</b> or granting or <b>revoking probation</b>, advancement of deferred judgment; issuance of warrants for arrest, summons or search warrants; proceedings for bail; and juvenile emergency show- cause hearings.</p>	<p><b>FRE 1101(d)</b> These rules do not apply to: preliminary questions of fact; grand jury; Misc. proceedings, including extradition or rendition; <b>sentencing</b> or granting or revoking probation or supervised release, issuance of warrants, proceedings for bail; <b>FRE 104(a)</b> preliminary questions</p>
Defendant's "limited" testimony	<b>§ 2105</b> Defendant by testifying upon a preliminary matter does not become subject to <b>cross-exam</b> as to other issues	<b>FRE 104(d)</b> Defendant by testifying upon a preliminary matter does not become subject to cross-exam as to other issues
Limiting Instructions	<b>2106</b> (offered against only one party and not the other)	<b>105</b>
<b>Offers of Proof – when judge refuses to admit evidence you tender</b>		
<i>Hammon v. State</i> , 999 P2d 1082 (2000)	2104(A)(2)	103(b) and (c)
<i>Vanscoy v. State</i> , 734 P2d 825 (1987) must make offer of proof at trial if State's motion in limine sustained		
<b>Objections to Questions</b>	<b>12 Okla. Stat. §</b>	<b>Fed. R. Evid.</b>
<b>Absence</b> of Entry in <b>Business Records</b>	2803(7)	803(7) or 803(6)
<b>Absence</b> of <b>Public Record</b> or Entry	2803(10)	803(10)
Admissions -- Not hearsay	2801(B)	801(d)(2)
Ambiguous & Vague	2611	611(a)
Argumentative	2611(A)	611(a)
Asked & Answered (Repetitive/Cumulative)	2611(A)(2) & 2403	611(a), 403
<b>Assumes Facts</b> NOT in Evidence	2611	611
<b>Authentication</b> - Instruments, Conversations, Voices	2901 (unless 2902)	901
Badgering	2611(A)(3)	611
<b>Best Evidence Rule</b> (requirement of original)	3002-3008	1001, 1002
Beyond Scope of Cross	2611(A), (C), & (D)	611(a) & (b)
Bias, Prejudice, Interest, Motive	2607	607
Bolstering (not allowed until witness character is challenged)	2608(A)(2), 2403, Nickell v. State 885 P2d 670	403, 608( a)(2)
Broad Question--Overly Broad	2403, 2611(A)	403, 611(a)

<b>Business Records Exception</b> Records of Regularly Conducted Activity	2803(6)	803(6)
Calls for a <b>Conclusion</b>	2701(lay)/2702 (experts)	701/702
Calls for a <b>Narrative Answer</b> (There is No Question Pending) (Move to Strike If Necessary)	2104(A)(2) (motion to strike) & 2611	611 & 103 (Motion to strike)
Calls for a <b>Privileged Communication</b>	2501 et seq	501
Calls for <b>Opinion or Conclusion</b>	2701(lay)/2702 (expert W)	701
Calls for an <b>Opinion</b> (By an incompetent Witness)	2701-2705 or 2601-2606	601-606 or 701-706
Calls for <b>Hearsay</b> (Do NOT Object If It is Your Client's Statement)	2801 & 2802	801
Calls for <b>Immaterial Answer</b>	2401	401
Calls for <b>Irrelevant Answer</b>	2611, 2401-2402	401-402
Character	2608(A) & (B); 2404(A)(2)	608(a) & (b)
Character of <b>Accused (REPUTATION/OPINION)</b> - May introduce specific instances of conduct on cross - IMPROPER CHARACTER EVIDENCE SHOWN FOR PROPENSITY (allowed for motive, intent, opportunity, plan, knowledge, identity) - PRIOR CRIMES (conformity)	2404(A)(1) and (B), & 2405 2405(A)  2404(A)  2404(B)	404-405
Character of <b>Defendant -- Bad Acts/Other Wrongs</b>	2404 and 2405	404-405
Character of <b>Victim</b>	2404(A)(2) and 2405, 2608	404-405
Child Witnesses/Closing Courtroom, Alternative Methods Act	2611.2 - 2611.12	18 USC § 3509(b)
Competence to Testify	2601-2606	601-606
<b>Completeness Rule</b> (Complete Writing/Recording)	2107	106
Compound Question – multiple questions in one	2611	611
Compromise/Offers to Compromise	2408 & 2410	408 & 410
<b>Computer Records</b> --Business Records	<b>2901(B)9</b> & 2902 thru 2803(6) Business Records	902* thru 803(6)
<b>CONFRONTATION</b> - <b>NO FORENSIC EVIDENCE EXCEPTION</b> , <i>Bullcoming v. New Mexico</i> , 564 U.S. 647 (2011); - <b>TESTIMONIAL</b> – <i>Crawford</i> (If statement is <b>testimonial</b> , confrontation clause applies. If testimonial but <b>not</b> offered for the truth of the matter asserted, then <i>Crawford</i> is not applicable ( <b>not hearsay</b> )).	6th Amend, <i>Crawford v. Washington</i> , 541 U.S. 36	6th Amend, <i>Crawford</i>
Confusing the Issues	2403	403
Confusing/Misleading/Ambiguous/Vague	2611(A)(1)-(3)	611
Cross-Exam Inappropriate	2611	611(a)
Cumulative	2611(A) or 2401, 2403	401, 403, or 611a
Documents affecting Interest in Property	2803(B)(14)	803(14)
Document Speaks for Itself	3001, 3002	1001, 1002

Dying Declaration	2804(B)(2)	804(b)(2)
Excited Utterance	2803(2)	803(2)
<b>Expert exception to Hearsay</b> --underlying facts do NOT need to be admissible to be considered by an expert if such facts are reasonably relied upon in the field in forming opinions or inferences	2703	703
<b>Expert Opinion</b> - knowledge, skill, training & educ., or experience - Field of expertise must be generally accepted - Expert reliably applied the principles - Opinion is not permissible if related to mental state or an element of the crime of defense raised - Make sure the expert testifies in the field qualified for (i.e., a fire expert is not an electrician) <b>Daubert v. Merrill Dow Pharmaceuticals, Inc.</b> (can and has been tested, peer-review publication, known or potential rate of error, and to a degree general acceptance <i>unless new science</i> ) <b>Kumho Tire Co. v. Carmichael</b> ( <i>Daubert</i> applies to all tech & skill experts, not just scientists) - Opinion on Ultimate Issue allowed - Allowed even if underlying facts not admissible if reasonably relied on in the field	2702-2705 2702  2703 FRE 702(d) FRE 704(b)  2703   2704 2703	702-706           704 703
Family Records	2803(13)	803(13)
Firsthand Knowledge-Lacks Personal Knowledge	2602	602
Forfeiture by Wrongdoing-Def't made witness unavailable	2804(B)(5)	804(b)(6)
Former Testimony	2804(B)(1)	804(b)(1)
Foundation -- <b>lacking</b> (personal knowledge)	2602	602, or <b>experts 701,702</b>
Guilty Plea	2410	410
Habit, Routine & Practice	2406	406
Harassing (see also Badgering)	2611(A)	611(a)(3)
Hearsay & Confrontation	6th Amend, <i>Crawford v. WA</i>	6th Amend, <i>Crawford</i>
Hearsay Generally	2801-2892	801
Hearsay Attacking/Supporting Credibility of Declarant	2806	806
Hearsay Exceptions	2803, 2803.1 & 2804	803-804
Hearsay Within Hearsay	2805	805
Hypothetical Improper	2611(A), 2701, 2703	611(a), 701, 703
Immaterial (No Longer in FRE)	2401-2402	401-402
IMPEACHMENT	2607-2610	607-610
Impeachment of Own Witness	2607	607
Improper <b>Character</b> Evidence	2404, 2405, 2608	404, 405, 608
Improper <b>Characterization</b>	2611(A)	611(a)
Improper <b>Cross</b>	2609(B), 2611, 2403	608(b), 611

Improper <b>Impeachment</b>	2607-2610 (and others)	607-610, 613 (and others)
Improper <b>Predicate</b> (lacks foundation or knowledge)	2602, 2701-2702	602, or for experts 701,702
Incompetent (Witness Incompetent to Answer)	2601-2606	601-606
<b>Internet Exception</b> to Hearsay <b>does NOT exist but see</b> 803(6) and FRE 902(12, 13 & 14)—see Computer Exception	2803-2804; 2901(B)9 & 2902 thru 2803(6) Business Records	902* thru 803(6); possibly 804
Irrelevant	2401-2402	401- 402
Judge Interrogation of Witnesses	2614	614
Judgment as to Personal, Family, or General History or Boundaries	2803(B)(23) (read w/ 2803(19-21))	803(23) (read w/ 803(19)-(20))
Judgment of <b>Previous Conviction</b>	2803(B)(22)	803(22)
Judicial Notice	2201-2203	201
Lay Opinion Evidence	2701-2705	701, 704
Leading & Suggestive	2611(C) (D)	611(c)
Learned Treatises	2803(B)(18)	803(18)
Limited Admissibility (Limiting Instructions)	2106	105
Market Reports & Commercial Publications	2803(B)(17)	803(17)
Marriage, Baptismal, and Similar Certificates	2803(B)(12)	803(12)
Memory ( <b>Impeach</b> )	2607	607
Mischaracterizes evidence	2611	611(a)
Misleading Question--more prejudicial than probative	2403, 2611(A)	403, 611(a)
Misleading the Jury	2403	403
Misquoting the Witness--more prejudicial than	2403, 2611	403, 611a
Mistakes Evidence/Misquotes the Witness/Facts NOT in Evidence	2611(A)(1)	611(a)
Misstating Facts	2403, 2611(A)	403, 611(a)
Narrative improper	2611	611(a)
No Corpus Delicti – confession must be supported by independent evidence; <i>Simmons v. State</i> , 94 Okla. Crim. 18 (1951); <i>Fontenot v. State</i> , 881 P2d 69 (1994)		
No Proper <b>Foundation</b>	2602 <i>see</i> 2703 (experts)	602 <i>but see</i> 703 (experts)
<b>Prior Statements-- Not hearsay</b>	2801(B)	801(d)(1)
Non-Responsive Answers	2611	611(a)
NOT The <b>Best Evidence</b> ("original" Evid Rule)	3002	1002, generally 1001-1008
Objections--Must State Specific Grounds	2104(A)(2) & 2103	103
Offers of Proof	2104(A)(2) & (B)	103(a)(2) & 103(b)
<b>Offers to Compromise</b>	2408	408
Opinion By Expert & Non-Expert	2704 Okla. allows opinions on ultimate issue (even as to mental health)	702-706 (limited opinions on ultimate issue of mental health FRE 704)

Original Evidence Rule ( <b>"Best Evidence" Rule</b> )	3002, 3001-3008	1002, generally 1001-1008
Other Bad Acts, Crimes or Wrongs	2404(B)	404b
Parole Evidence Rule (agreements not in contract inadmissible) 12A O.S. 2-202 May be explained or supplemented	UCC, 15 O.S. 137	UCC 2.202
Personal Knowledge lacking	2602	602
Present Sense Impression	2803(B)(1)	803(1)
Presumptions & Presumed Facts	2301-2305	301-302
<b>Presumptions &amp; Presumed Facts</b> --must favor the Defendant ( <b>JURY Question</b> -state has burden always).	2304 (criminal); 2301-2305	Common Law (crim): 301-302(civil)
Prior Convictions	2609 & 2403	609(a)-(e) & 403
Prior Inconsistent Statements	2613, 2801	613(a)-(b), 801
Privileges	2501 et seq	501
Privileged Communication	2501 et seq	501
Propensity Rule ( <b>Character</b> )	2404(A)(1)&(2)	404(A)
Public Records & Reports	2803(B)(8)	803(8) and 1005
Rape Shied & Other Bad Sex Acts Limited	2412- 2414	412-414
Rape Shield Prior Sex Activity of Victim	2412, 2404, 2405	412, 404, 405
Recorded Recollection	2803(B)(5)	803(5)
Records of Regularly Conducted Activity ( <b>"Business Records Exception"</b> )	2803(B)(6)	803(6)
<b>Records of Religious Organizations</b>	2803(B)(11)	803(11)
Records of Vital Statistics	2803(B)(9)	803(9)
Refreshing Present Recollection	2612	612
Relevance	2401-2402	401-402
Relevance-- <b>Conditional Admission</b>	2401-2402	104(b)
Relevance-- Generally	2401-2402	401-402
Relevance-- <b>Limited Admissibility</b>	2106, 2401-2402, 2405	105, 401-402
Relevance-Exclusion b/c of <b>Prejudice, Confusion, or Waste of Time</b>	2403 & 2401	401, 403
Repetitious	2403, 2611(A)	403, 611(a)
Reputation as to Character	2803(B)(21)	803(21)
Reputation Concerning Boundaries & History	2803(B)(20)	803(20)
Reputation Concerning Personal Family History	2803(B)(19)	803(19)
Requirement of Unavailability of Declarant	2804(A)	804(a) & (b)
<b>Residual Exception-Hearsay</b> (info not included in other exceptions to the Hearsay Rule)	2804.1	807
Rule of <b>Completeness</b> (Complete Writing/Recording)	2107	106
Rule of Sequestration ( <b>"INVOKE THE RULE"</b> )	2615	615

Self-incrimination	5 <sup>th</sup> Amendment; Okla. Const. Art II, § 21	5 <sup>th</sup> Amendment
Similar Crimes or Acts in Sex Cases	2413, 2414	413, 414, 415
Speaks for Itself (Evidence or Document speaks for itself)	3001, 3002	1001, 1002
Specific Instances of Misconduct of Witness	2608(B)	608(b)
Speculative/Calls for Speculation	2602	602
State of Mind of Witness	2803(B)(3)	803(3)
Statement Against interest	2804(B)(3)	804(b)(3)
Statement of Personal or Family History	2804(B)(4)	804(b)(4)
Statement Under Belief of Impending Death ( <b>Dying Declaration</b> )	2804(B)(2)	804(b)(2)
Statements for Purposes of <b>Medical Diagnosis</b> or Treatment	2803(B)(4)	803(4)
Statements in <b>Ancient Documents</b>	2803(B)(16)	803(16)
Statements in Documents That Affecting Interests in PROPERTY	2803(B)(15)	803(15)
Subsequent Remedial Measures	2407	407
Then-Existing Mental or Emotional Condition (Witness' <b>State of Mind</b> )	2803(B)(3)	803(3)
Then-Existing <b>Physical Condition</b>	2803(B)(3)	803(3)
Undue Delay in proceedings	2403	403
Unfairly Prejudicial/Unfair Prejudice	2403	403
Unintelligible/Vague	2611	611(a)
Violates <b>BEST Evidence Rule</b>	3002	1002, generally 1001-1008
Wasting Time	2403	403
Witness is Incompetent for this issue (No Foundation)	2602; 2601-2606	601-606
Wrongs improper to admit ( <b>Bad Acts</b> and Other)	2404(B)	404(b)
<b>OBJECTIONS TO EXHIBITS</b>		
Contains hearsay	2801-2802	801
Contains inadmissible matter (mentions insurance, prior convictions, etc.)	2401-2402, 2403, 2801	
Immaterial	2401-2402	401-402
Irrelevant	2401-2402	401-402
No <b>authentication</b>	2901 & 2902	901-902
No <b>foundation</b>	2602 but see 2703 (experts)	602 but see 703
Prejudice outweighs the probative value	2403	403

<b>OBJECTIONS TO ANSWERS</b>		
Argumentative		403, 611(a)
Beyond Expertise ( <b>testifying outside field of expertise</b> )	2702-2704	702,703
Conclusion	2701-2705	701-702 xx602?
Hearsay	2801-2802	801
Hostile	2403, 2611	403, 611(a)
Immaterial	2401-2402	401-402
Improper characterization	2611(A)(1)	611(a)
Irrelevant	2401-2402	401-402
Misleading	2403, 2611	403
Narrative Improper	2611	403, 611(a)
Non-Responsive to Question asked- <b>MOVE TO STRIKE under 2104</b>	2611, 2403, 2104(A)(2)	611(a), 403, 103(b)
Opinion	2701-2705	701-702
Personal Knowledge lacking	2602	602
Privileged	2501 et seq	501
Refusing to Answer—Compel response	2611	403, 611(a)
Unresponsive/volunteered (move to Strike 2104/103)	2611, 2403, 2104(A)(2)	611(a), 403, 103(b)
Violates parole evidence rule-Move to Strike	2104(A)(2)(motion to strike)	103(b)
Volunteering Info -- Move to Strike (2104/103)	Move to Strike (2104), 2611	103(b), 611(a)
<b>HEARSAY DEFINED</b>		
Hearsay - out of court statement offered for the truth of the matter asserted	2801(A)(3)	801(c)
<b>NON-HEARSAY</b>		
<b>Declarant-Witness's Prior Statement</b>		
Inconsistent with testimony & under oath	2801(B)(1)(a)	801(d)(1)(A)
Consistent with testimony & used to rebut allegation of recent fabrication	2801(B)(1)(b)	801(d)(1)(B)
<b>Identification of a person made after perceiving the person</b>	2801(B)(1)(c)	801(d)(1)(C)
<b>NON-HEARSAY</b>		
<b>Opposing Party's Statement</b>		
- Party's own statement	2801(B)(2)(a)	801(d)(2)(A)
- Party has manifested an adoption or belief in its truth	2801(B)(2)(b)	801(d)(2)(B)
- By a person authorized by party to make	2801(B)(2)(c)	801(d)(2)(C)
Statement by a party's agent w/in scope of agency	2801(B)(2)(d)	801(d)(2)(D)
Statement of a co-conspirator	2801(B)(2)(e)	801(d)(2)(E)

<b>RESPONSES TO HEARSAY OBJECTIONS</b>		
Not offered for truth of the matter asserted	2801-2802, 2803, 2804	801, 803, 804
- but to show <b>declarant's knowledge</b>	2801-2802, 2803, 2804	801, 803, 804
- but to show <b>prior inconsistent statement</b>	2801-2802, 2803, 2804	801, 803, 804
- but to show <b>state of mind</b> of the declarant	2801-2802, 2803, 2804	801, 803, 804
- but to <b>show statement was made</b>	2801-2802, 2803, 2804	801, 803, 804
- but to show the <b>effect on the person who heard</b> the statement	2801	801
- but to show the <b>operative facts or verbal act</b>	2801	801
impeachment of out-of-court declarant is permissible to the same extent it is available for a testifying	2806	806
- Is not hearsay b/c it is a <b>statement of an opposing party</b>	2801(B)(2)	801(d)(2)
- is not hearsay b/c it is made by a person and was adopted by the opposing party as the party's own ( <b>vicarious statement of opposing party</b> )	2801(B)(2)(b)	801(d)(2)
- is not hearsay b/c it is made by an <b>authorized agent of the opposing party</b>	2801(B)(2)(d)	801(d)(2)
- is not hearsay b/c it is <b>inconsistent with the witness's trial testimony</b> given under oath (in trial or deposition or earlier hearing)	2801(b)(1)(a)	801(d)(1)(A)
- is not hearsay b/c it is <b>consistent with the witness's trial testimony</b> and is offered to <b>rebut</b> an express or implied charge of recent fabrication or improper motive or influence)	2801(B)(1)(b)	801(d)(1)(B)
Is admissible hearsay as a <b>Business Record</b> kept in the ordinary course of business: (1) Record of an act; (2) Made at the time or near when the event took place (3) By or from information transmitted by one with personal knowledge of the event/act (4) The record is kept in the ordinary course of business (5) Was the regular practice make such a record.	2803(6)	803(6)
Is admissible hearsay as a <b>Computer Record</b> kept in the ordinary course of business (803(6) and 902: 1. Record generated by electronic process or system that produces an accurate copy certified by (name of qualified persons) who complies with the certification requirements of FRE 902(11) or (12). 2. Data copied from the electronic devise/storage medium was authenticated by a process of digital identification as show by a certification by (name of qualified person) 3. The computer operator possessed the knowledge	2803(6); <b>2902(B)(9)</b> , 2902, 2804.1; OKLA has <b>NOT</b> adopted FRE 902(14), so use <b>RESIDUAL EXCEPTION § 2804.1. Give notice in advance of trial.</b>	803(6) and 902(13)& (14) as modified in 2017
Is admissible hearsay b/c <b>Excited Utterance</b>	2803(2)	803(2)
Is admissible hearsay b/c the statement is contained in a <b>Learned Treatise</b> by reliable authority	2803(18)	803(18)



Is admissible hearsay b/c made for <b>Medical Diagnosis</b> or describing medical history <ul style="list-style-type: none"> <li>to describe past/present symptoms/pain/sensations</li> <li>to describe inception of cause or external source was reasonably pertinent to diagnosis or treatment</li> </ul>	0803(4)	803(4)
is admissible hearsay b/c it is a <b>Present Sense Impression</b> (describes or explains event/condition made while declarant was perceiving the event/condition or immediately thereafter	2803(1)	803(1)
Is admissible hearsay b/c it is a <b>Recorded Recollection</b> of a matter recorded about which the witness once had knowledge but now has insufficient recollection to testify fully and it was made or adopted (recorded) by the witness when it was fresh on the witness's memory and reflects that knowledge correctly.	2803(5)	803(5)
It is not hearsay b/c <b>Statement Against Interest</b> <ul style="list-style-type: none"> <li>Either impacts witness's pecuniary interest or "criminal" interest (admission or confession)</li> <li>Reasonable person in declarant's position would not make unless he believed it to be true and offer any corroborating evidence that supports the position (if it exposes declarant to criminal liability)</li> </ul>	2804(B)(3)	804(b)(3)
<b>RESIDUAL HEARSAY EXCEPTION</b> <ul style="list-style-type: none"> <li>There is no specific exception               <ol style="list-style-type: none"> <li>The Statement has circumstantial guarantee of trustworthiness--after considering the totality of circumstances under which it was made and evidence, if any, corroborating the statement</li> <li>The statement is more probative on the point for which it is offered than any other evidence that can be procured through reasonable efforts</li> <li><b>I have given adverse party NOTICE</b> orally in advance of trial/hearing of my intention to offer this residual hearsay</li> </ol> </li> </ul>	2804.1	807
<b>BUSINESS RECORDS</b>		
<ol style="list-style-type: none"> <li>Are you the custodian of the record?</li> <li>Were they made at or near the time of the event by/from the information transmitted by a person with knowledge of the event?</li> <li>Was it a regular practice to make this record?</li> <li>Are the records kept in the ordinary course of business?</li> </ol> <b>IF COPIES TENDERED</b> (not originals) <ol style="list-style-type: none"> <li>Are the records true and correct copies?</li> <li>Have they been altered in any way?</li> </ol>	2803(6)	803(6)

<b>Self-Authenticating Documents</b>		
Acknowledged/Notarized Documents	2902(8)	902(8)
Certified Copies of Public Records –	2902(4)	902(4)
Cloned Electronic Device Storage, Medium, or File or Certified Data:	None; see <b>2901</b> and <b>2804.1</b> Residual. <b>Give notice</b>	902(14)
Certified Domestic Records of Regular Activity–	2902(11)	902(11)
Certified Foreign Records of Regular Activity	2902(12)	902(12)
Certified Records Generated by Electronic Process	2901(B)(9)	902(13)
Commercial Paper and Related Documents	2902(9)	902(9)
Domestic Public Documents - Sealed.	2902(1)	902(1)
Domestic Public Documents <i>Not</i> Sealed	2902(2)	902(2)
Foreign Public Documents	2902(3)	902(3)
Newspapers and Periodicals	2902(6)	902(6), 803(18)
Official Publications	2902(5)	902(5)
Presumptions Under a Federal or State Statute	2902(1)	902(10)
Trade Inscriptions and the Like	2902(7)	902(7)
<b>Authentication Required</b>		
Ancient Documents	2901(b)(8)	901(b)(8)
Comparison by Expert or Trier of Fact	2901(b)(3)	901(b)(3)
Data Compilations	2901(b)(8)	901(b)(8)
Distinctive Characteristics or the Like	2901(b)(4)	901(b)(4)
Methods Provided by Statute	2901(b)(10)	901(b)(10)
Non-expert Opinion about Handwriting	2901(b)(2)	901(b)(2)
Opinion about a Voice (Voice Identification)	2901(b)(5)	901(b)(5)
Process or System (Evidence About)	2901(b)(9)	901(b)(9)
Public Records (Evidence About)	2901(b)(7)	901(b)(7)
Telephone Conversations (Evidence About)	2901(b)(6)	901(b)(6)
Testimony of Witness with Knowledge 1. Must be rationally based on perception 2. Must be helpful 3. Must not be based on scientific, technical or specialized knowledge (as that is in the realm of an expert witness)	2901(b)(1) 2701(a) 2701(b) 2701(c)	901(b)(1) 701(a) 701(b) 701(c)

**Other recommended resources:** Whinery, OKLAHOMA EVIDENCE: COMMENTARY ON THE LAW OF EVIDENCE (West); FEDERAL TRIAL OBJECTIONS QUICK REFERENCE CARD 4th (NITA: Wolters Kluwer); FEDERAL RULES OF EVIDENCE WITH OBJECTIONS 15th Ed. (NITA: Wolters Kluwer); Mauet, TRIAL TECHNIQUES (Wolters Kluwer)

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