

Section 2.3

Elements of the Violation Worksheet

Code:
Section:
Text:

Elements What must be proved to establish each element? What are the simplest parts of the requirement?	Evidence A fact of consequence that furnishes proof of the violation. A fact is a statement that can be proven (e.g., documentation, testimony, photos).	Inference A conclusion based upon reasoning. The reasoning can make it more or less probable.

If you have difficulty, . . .

Ask the following questions if you are having difficulty breaking the section into their elements:

- What is the general requirement? What has to be done?
- Who is required to perform or complete the requirement? Who is the requirement designed to protect?
- How is the requirement to be completed? Is there a specific method?
- Are there other parts of the requirement that are very specific or detailed? (e.g., type of equipment, specifications, named documents, records, licenses, etc.)
- Where and/or when is the requirement to occur?
- What, if any, are the exceptions to the requirement?

Inferences should be clearly labeled and only made when you have sufficient facts – they may not be necessary to prove the elements of the violation.
