

149055

# BASIC COURSE INSTRUCTOR UNIT GUIDE

30

## PRELIMINARY INVESTIGATION

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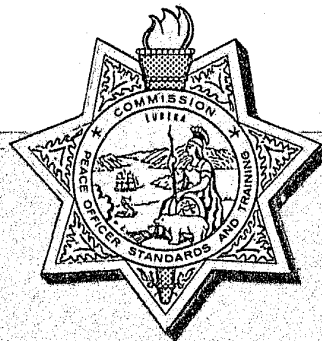
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THE COMMISSION  
ON PEACE OFFICER STANDARDS AND TRAINING  
STATE OF CALIFORNIA

605

The curricula contained in this document is designed as a *guideline* for the delivery of performance-based law enforcement training. It is part of the POST Basic Course guidelines system developed by California law enforcement trainers and criminal justice educators in cooperation with the California Commission on Peace Officer Standards and Training.

## UNIT GUIDE 30

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## METHODS OF COLLECTING AND MARKING EVIDENCE

Given a word picture depicting a crime scene where one of the following types of evidence must be collected, the student will identify the appropriate methods for protecting, collecting, marking (or tagging), and/or packaging evidence:

- A. Fingerprints
- B. Tools and toolmarks
- C. Firearms
- D. Bullets and projectiles
- E. Shoeprints and tiretracks
- F. Bite marks
- G. Questioned documents
- H. Paint
- I. Glass
- J. Fibers
- K. Hairs
- L. Body fluids
- M. Soil

Performance Objective 10.6.2

## CURRICULUM

### A. Categories of evidence to be discussed

#### 1. Fingerprints

##### a. Importance of fingerprint evidence

- (1) In 1946, the California Supreme Court stated, "Fingerprints are the strongest evidence to prove the identity of a person and under the circumstances of a case may alone be sufficient to identify the defendant as the criminal." (People v. Adamson, 27 Calif. 2nd 478)
- (2) Almost all scenes of crimes have the potential of latent fingerprints. Generally, the suspect has to touch something to enter the building or vehicle, touches something inside and touches something to exit.
- (3) In a residential burglary, an auto burglary or an auto theft, one of the best places to check for fingerprints and other types of evidence is at the point of entry.
- (4) Quite often, the suspect has to move something or open something to get to the thing he wants to steal.

- (5) Think of all the possible places which might have been touched if someone entered this building or vehicle with the intent to steal something. Concentrate on those areas or items for the latent examination.
- b. The basis for the theory of fingerprint identification is that a fingerprint is permanent and individual.
- c. These identifiable ridges appear on the fingers, palms, toes, and soles between 100 to 120 days after conception.
- d. There is no change in these ridges throughout life except for size and permanent scars.
- e. An individual can be identified by fingerprints through a method of classification based on pattern type.
- f. A partial print can be compared to and identified as having been made by a particular individual.
- g. Types of fingerprints at the crime scene
  - (1) Visible Prints — Can be seen without any additional treatment, e.g., prints in blood, paint, etc.
  - (2) They may be photographed.
  - (3) The object with the visible print on it may be collected.
- h. Plastic Prints — The result of the fingers being pressed into some soft substance, such as grease, a soft candle, or putty around a window.
  - (1) They may be photographed.
  - (2) The object with the print on it may be collected.
- i. Latent Prints — means hidden. They're not visible and need to be developed.
  - (1) Latent prints are caused by body secretions from the eccrine (sweat) glands and the sebaceous glands.
  - (2) Latent prints on nonporous surfaces may be developed by the dusting method.
    - (a) Lightly dust the surface suspected of having latent prints with the brush containing a small amount of black powder.

- (b) Because the powder adheres to the body secretions left on the handled surface, the print becomes visible.
  - (c) Place a piece of tape over the now visible print, lift the tape, and place it on a latent lift card.
- (3) Latent prints on porous surfaces, like paper items, are developed with chemicals which stain the body secretions absorbed into the surface.
  - (a) Chemical development should only be done by a specialist, generally in a lab or other controlled area.
  - (b) Many of the chemicals used are health hazards.
- (4) Newer techniques include "Super Glue" and laser enhancements to develop latent prints.
- j. Demonstration and practical exercise in location of Prints — Plastic and latent prints on various objects
  - (1) Neatness and order are important
    - (a) Pick out those areas and items to be dusted. Do those areas first which are threatened by contamination.
    - (b) Ask the victim for some newspaper on which to place the items to dust them without ruining the carpets or furniture. The small items could be moved into the kitchen. Move only if you can be sure it won't damage potential fingerprints. It is easier for the victim to clean and usually the light in the kitchen is better.
    - (c) Allow the victim to watch. Answer their questions. It may impress them and they will understand that something is being done to solve this crime. They will also understand that not all surfaces will render fingerprints.
  - (2) Rolling fingerprints
    - (a) Start with clean, fresh ink on a glass slab. Roll the right hand first, beginning with the thumb. Roll the thumb in towards the center of the subject's body and the fingers away from the center of the body.
    - (b) Roll the fingers on the card in the same manner.

- (c) Press the four fingers of one hand on the ink simultaneously. Press the thumb on the ink. Repeat with the other hand. Press them on the bottom of the card in the appropriate boxes.
  - (d) To roll a palm, roll a layer of ink on the person's palm with the ink roller. Press the palm down on the palm card.
- (3) Demonstration and practical exercise in rolling prints
- (a) The State of California AFIS has an Automated Fingerprint and Identification System which can search a partial latent fingerprint against the rolled fingerprints in file. These searches are conducted on all felony crimes and must have victim elimination rolled cards submitted.
  - (b) These computer terminals are now available to local agencies.

2. Tools and toolmarks

- a. Channel lock pliers, vice grips, and wrenches are frequently used to forcefully "twist" open a door knob, leaving tool marks and slippage striations.
- b. Collect the door knob, properly mark it, wrap it in paper and put it in a paper bag or box.
- c. If the tool is recovered, put paper padding between the teeth, secure the jaws against movement, properly mark it, and place it in a paper bag or box.
- d. Screwdrivers are used to pry the bolt on the door knob or to pry open a window creating "drag marks."
- e. Collect the striker plate and screws and maybe even the door knob bolt, if available. Mark them, wrap them in paper so that all surfaces are protected and place them in a paper bag or box.
- f. In the case of a metal window frame, if the case is of a severe enough nature, the window frame should be collected and marked. The area with the scratches on it should be covered with paper. Otherwise, use Mikrosil or other casting material to take an impression.
- g. In the case of a wooden window or door frame, other than the size of the screwdriver, little can be determined. A wood standard may be collected for a possible comparison to any wood particles found on a suspected screwdriver.



- h. If the tool is recovered, mark it, cover the tip with paper and place it in a paper bag or box. Never place in contact with toolmark surface.
- i. Always document prior to removal photography with black and white film. If you can remove it, do it.

### 3. Firearms

- a. Take notes regarding the physical appearance of the weapon before it is moved.
- b. Check for the presence or absence of stains, dust, and trace evidence.
- c. Check the mechanical condition; the position of the slide or bolt, the position of the hammer and the safeties.
- d. Collect trace evidence, hairs, fibers, blood, etc., only if it might be lost in transport. A detailed sketch should be prepared to indicate the location of trace evidence. Better to let experts collect sample off moveable items.
- e. The weapon may be handled by grasping a surface that will not take a fingerprint.
  - (1) Process for latent fingerprints.
  - (2) Avoid areas which appear to be blood stained.
- f. If a semi-automatic, also print the magazine.
- g. General notes on firearms
  - (1) Use all the firearms safety rules ever learned.
  - (2) When dealing with an unfamiliar type of weapon, never be afraid to ask assistance of someone more knowledgeable.
  - (3) Never place anything down the barrel.
  - (4) Never tighten or loosen screws, never break apart, fire, or clean any weapon. It may alter the operational characteristics.
- h. Unload the firearm — never attempt unless knowledgeable About firearm
  - (1) Revolvers

- (a) Mark the position of the cylinder by scribing a line or more preferably, by a felt tip pen along each side of the top strip.
- (b) Prepare a drawing and make notes about the position of every fired and unfired cartridge in relation to the clock position. (Be careful not to spill them out of the chambers.)
- (c) Place the unloaded ammunition in individual containers which are numbered to correspond to the respective chambers from which each was removed.
- (d) The ammunition may also be processed for latent fingerprints.

(2) Semi-automatic handguns

- (a) These are quite often found cocked with a live round in the chamber.
- (b) Remove the magazine, preserving any latent fingerprints.
- (c) Eject the remaining live cartridge and note that you did so. Never work the rest of the ammunition from the magazine through the action of the gun.
- (d) If a round is jammed (stove-piped) in the slide action, do not operate the slide in any way.

4. Bullets and projectiles

- a. Record positions through sketches and photographs
- b. If a projectile is embedded in wood or plaster, cut around it (without striking it) until it falls free. It may be necessary to collect a comparison standard of the site material.
- c. Do not place markings on the sides of the expended bullets. Cartridge casings can be marked on the inside only.
- d. Wrap them in tissues, cotton, or paper padding and place them in a box or an envelope.

5. Shoeprints and tiretracks

- a. A large, clear area of impression is needed for a positive identification.

- b. If no pattern is visible, attempt to locate with oblique lighting and take as accurate a measurement as possible and disregard the next steps.
  - c. Protect the impression against damage or destruction until a criminalist or technician can respond to do the photography and casting.
  - d. If the suspect's shoes are recovered, wrap each in paper to catch any debris which may fall off during the handling and place them in a paper sack or box. Never remove dirt and debris from tread.
  - e. If a suspect's vehicle is recovered, use a flat bed tow truck to take it to the holding facility where the criminalist or technician can examine it.
6. Bite marks
- a. Photograph the area in both color and black and white film, with and without a scale.
  - b. Swab the immediate area with a cotton swab moistened with distilled water to collect any saliva.
  - c. Swab an adjacent area with a cotton swab moistened with distilled water as a control standard.
  - d. Allow the swabs to dry and place them in separate envelopes. Store frozen.
7. Questioned documents
- a. Handwriting
    - (1) Avoid handling the document as it may be examined for fingerprints.
    - (2) Obtain a handwriting exemplar from the suspect.
  - b. Typewriting
    - (1) Avoid handling the document as it may be examined for fingerprints.
    - (2) Obtain the typewriter and forward it to the examiner to allow him to make his own exemplar.
8. Paint
- a. Collect samples with a clean-bladed instrument and include all paint layers. Discard the blade.

- b. Paint standards could be collected from areas attacked by the suspect's tools.
- c. On a hit-and-run case, obtain paint samples from all the damaged areas on a vehicle because composition, thickness, and layers of paint frequently vary at different locations. Go to the metal when getting a sample.
  - (1) Get a paint standard and a paint transfer from the victim vehicle. If there was no transfer, at least obtain a standard.
  - (2) If a suspect vehicle is found, also get a paint standard and a paint transfer. Again, if there was no transfer, at least get a standard.
  - (3) Sketch the location from which the individual paint sample was removed.
- d. Packaging of paint evidence
  - (1) Scrape paint into a paper bindle. Place this in a small envelope.
  - (2) Do not scrape directly into an envelope as the paint chips will break up and fall out the unsealed corners.
  - (3) Do not scrape directly into a plastic bag. Static electricity causes the chips to stick to the interior of the bag, making it difficult to get them out.

9. Glass

- a. If there is a possibility of a physical match (individual type evidence), carefully collect and package all the glass pieces.
- b. When collecting a glass standard, choose a piece still in the frame and mark which side is "outside" and which is "inside." This is done because the fracture patterns may be utilized to determine the direction of the breaking force.
- c. Glass on the ground should be examined for fingerprints. If latents are recovered, an attempt should be made to determine whether they are on the exterior or the interior side of the glass. This can be done by piecing it back together or comparing the dirty side to the clean side.
- d. Large pieces of glass should be packaged to avoid breakage and should be clearly labeled so no one is cut.
- e. Clothing suspected of having glass fragments on them should be wrapped in paper before they are placed in a paper sack.

Any trace evidence which would have fallen loose in the bag and been lost will be caught in the paper wrappings.

- f. Clothing and the glass standard should be packaged separately.

#### 10. Fibers

- a. A small patch of fabric has the possibility of a physical match (individual type evidence) with the parent clothing.
- b. Because of the wide variety of types of fabrics, colors, and textures, little useful information can be determined from a single thread. The possibilities increase when there is a comparison standard.
- c. Packaging is similar to paint fragments. Collect all the traces of fibers, place them in a paper bindle and put it in an envelope.
- d. Be alert for fibers and fabric pieces on broken pieces of glass at the point of entry of a burglary or on a hit-and-run vehicle if pedestrians are involved.
- e. Collect the entire piece of clothing as a standard.
- f. Appreciate that this is one of the most fragile pieces of evidence which exists.
  - (1) These are often blown away. They should be protected from wind and from drafts set by the movement of people.
  - (2) It may be necessary to close doors or windows to keep things from being blown away. Make note of the changes in the doors and windows that are made.
  - (3) Hairs and fibers may be carried away by other objects or persons that come into contact with them.
  - (4) The best way to avoid this is to restrict access to the scene until the investigation of the scene is complete.

#### 11. Hairs

- a. Hair comparisons help to eliminate rather than identify.
- b. On accident cases where there is a question as to whom was driving, hairs taken from the driver's point of impact can assist in the identification.
- c. They can be quite useful in sexual assault cases.

- d. Collect all the hairs in question from the scene. Place them in a paper bindle first, then into an envelope. Avoid folding them when folding the bindle closed.
- e. Collect a random sample from the suspect as a standard. Pull (don't cut) approximately thirty to forty hairs from various locations on the head, not just from the injured or suspected area. Place them all on a sheet of paper, fold (avoid folding the hairs), and place it into an envelope.
- f. Potential for DNA analysis on hairs with roots to shed light on potential donor.
- g. Same considerations as fibers are "fragile" pieces of evidence.

## 12. Body fluids

### a. Blood (General Characteristics)

- (1) Blood can be used to eliminate suspects based upon typing of blood group substances, enzymes and serum proteins. New technology also includes the use of DNA for blood typing.
- (2) ABO blood group system commonly used in forensic typing.
  - (a) O 43%
  - (b) A 40%
  - (c) B 14%
  - (d) AB 3%
- (3) 85% of population secretes their blood type from other body fluids such as perspiration, saliva, semen and urine.

### b. Methods of collection

- (1) In preferred order
  - (a) Take object if possible
  - (b) Scrape
  - (c) Swab
- (2) Wet blood
  - (a) Collect with sterile gauze
  - (b) Air dry if possible

- (c) Package in paper bag or envelope (always paper); if not dry)
- (d) Collect a comparison sample/standard
- (e) Document collection in report so investigator is made aware of sample and can take the proper steps, i.e., take to lab ASAP or have sample frozen.

(3) Dried blood

- (a) If you can collect object, take the object.
- (b) Scrape stain onto paper, fold paper and put into envelope. Take standard from unstained area. Package sample and standard separately.
- (c) Swab method used last. Moisten small amount of gauze in distilled water and dab at stain. Air dry and then package in envelope. Also collect standard from surrounding area.
- (d) Document collection in report so investigator is made aware of sample and can take the proper steps, i.e., take to lab ASAP or have sample frozen.

c. ALWAYS USE NECESSARY PROTECTIVE MEASURES WHEN DEALING WITH BLOOD.

- (1) Be aware of AIDS and Hepatitis infections. Protect yourself.

d. Sexual assault evidence collection

- (1) Do not allow the victim to shower, bathe, clean up, or change clothes. If the victim has changed clothes prior to your arrival, collect the original clothing.
- (2) Collect any clothing or articles left by the suspect. Examine the scene for latent fingerprints. Determine if there is a need for photographs.
- (3) Transport the victim to the hospital as soon as possible.
- (4) The medical staff will do the actual collection and release the evidence to you. Refrigerate or freeze once dried.
- (5) Collect physical evidence from the suspect or have it done at the hospital.

- (a) If apprehended within a reasonable period of time after the assault, collect the suspect's clothing. Do a pubic hair combing.
- (b) Collect a head hair and pubic hair standard by pulling a random sample of each. Then cut a random sample of each. There will be four resulting envelopes of samples.
- (c) Collect a saliva sample by having the suspect hold a cotton swab in his mouth. Allow it to air dry and place it in a paper envelope.
- (d) Get a blood sample for typing and, if the suspect was apprehended within a short period of time, also get a blood sample for blood-alcohol testing and drug screening.

### 13. Clothing

- a. Always package one person's clothing separate from anyone else's clothing.
- b. Package shoes separately from the rest of the clothing.
- c. In the case of bloody or wet clothing, attempt to let it air dry before packaging. Then fold it so the stain is on top and place it in a paper sack. Freeze as soon as possible.
- d. Most often, hospitals will release clothing in a large plastic bag, whether it is bloody or not. It is a good policy to repackage it in paper.
- e. When collecting clothing from a suspect, have the suspect stand on a large sheet of white paper while removing his clothing. After he has finished undressing, fold up the large sheet of paper and book it into evidence also.

### 14. Soil

- a. Soil is often encountered adhering to the shoes of a suspect. Wrap the shoes (individually) in large sheets of paper and place in a paper bag or box.
- b. Collect several, one ounce standard samples from the various locations where the suspect may have traveled.
- c. In the case of a grave or hole, collect samples from various locations at various depths.
- d. Sample should be packaged in tight containers such as glass vials.



- e. All this evidence is examined by specialists and highly trained personnel.

15. Miscellaneous evidence

a. Narcotics

- (1) Package restricted substances from different people separately.
- (2) Avoid the use of slang expressions and conclusive statements when filling out the evidence tags.

b. Gunshot residue (GSR)

- (1) In any type of shooting, i.e., homicide, suicide, officer-involved shooting, etc., as soon as possible place paper bags over the hands of the suspected shooter.  
**EXCEPTION:** Do not do so on any deceased person without the permission of the coroner.
- (2) A trained technician or criminalist will do the actual collection of the trace evidence and will submit it to the lab for examination. Nothing is visible or conclusive at the time of the collection.
- (3) Do not let the suspected shooter wash his hands.
- (4) Avoid any physical contact with the suspect's hands.
- (5) The trace elements being sought are barium, lead, and antimony found in primer and powder.

c. Alcohol

- (1) On "open container" citations, the courts may demand to have a sample of the liquid from the can available. Collect a sample in a glass vial, put tape around the lid to form a seal and mark on the side of the vial the level of the liquid.
- (2) Do collect all the alcohol in connection with a "minor in possession" or "sales to minors" case.

d. Flammables, arsons

- (1) Most cities have access to a specialized arson investigator in connection with the Fire Department. They may want the responsibility for the collection of evidence at a fire or arson.

- (2) Protect the scene and **NO SMOKING**.
- (3) These types of liquids tend to evaporate rapidly.
- (4) Collect samples in airtight containers. If you can smell it (chemical), it should be packaged in an airtight container.
- (5) If present in a puddle, collect the liquid sample as quickly as possible.
- (6) If absorbed into another material, that material should be placed into an airtight container as soon as possible.

16. Explosives, clandestine labs

- a. Clear the area around a bombing or a suspected explosive device or a suspected home lab.
- b. Contact authorized, trained personnel immediately and give them all the information available so they will be prepared with the proper equipment and personnel.

B. Defined: that evidence which is most easily lost or damaged or destroyed by time, weather, or improper protection or handling.

1. Hairs and fibers

- a. These are often blown away. They should be protected from wind and from drafts set by the movement of people.
- b. It may be necessary to close doors or windows to keep things from being blown away. Make note of the changes in the doors and windows that are made.
- c. Hairs and fibers may be carried away by other objects or persons that come into contact with them.
- d. The best way to avoid this is to restrict access to the scene until the investigation of the scene is complete.

2. Flammable liquids and accelerants

- a. These types of liquids tend to evaporate very rapidly.
- b. Collect samples in airtight containers.
- c. If present in a puddle, collect the liquid sample as quickly as possible.
- d. If absorbed into another material, that material should be placed into an airtight container as soon as possible.

3. Prints and impressions

- a. Fingerprints, toolmarks, shoeprints, and tiretracks should be protected against smearing, weathering, and all types of physical contact.



## CHAIN OF CUSTODY

Given a word picture depicting the collecting and processing of evidence, the student will determine whether or not the chain of custody was maintained. (California Evidence Code and Case Law)

Performance Objective 10.7.1

### CURRICULUM

#### A. Introduction

1. An officer's responsibilities in connection with evidence do not stop with locating and booking evidence.
  - a. Evidence must be identified later in court--perhaps months or years later.
  - b. Officers must be able to identify the evidence positively, discuss the circumstances surrounding its finding, and accurately describe what has happened to the evidence since it was first found. This is why each piece of evidence, if it is large enough, should be marked.
  - c. Obviously, this requirement is going to make it mandatory to keep some sort of written record concerning every piece of evidence you locate.
  - d. An officer might be called upon to testify as to who found it, where it was found, how many people have handled it and for what purposes. These specific details must be in written form if you are to give acceptable testimony in court.
  - e. Caution must be exercised in handling, transporting and storing evidence. To ensure its value, the evidence must not be altered.

#### B. Chain of custody/continuity of evidence

1. Collecting and processing the evidence isn't enough to satisfy the court.
  - a. The court will want to be assured that the item submitted as evidence is the same as that found at the scene. Therefore, the court will want to know exactly what happened to the evidence from the time it was found until it was presented in court.

- b. This process is termed "chain of custody" or "chain of continuity."
- 2. Evidence is handled by many people including property personnel, detectives, and scientific personnel.
  - a. It is the officer's responsibility to document the chain of custody from the time he received the evidence, until it is released from his custody.
  - b. The chain of custody must include:
    - (1) Who found the item
    - (2) Where it was found
    - (3) Who recovered and marked it, beginning the official custody of the item
    - (4) Who transported it
    - (5) Where it was booked
  - c. You'll have to testify in court on these points, so make sure your record is complete and accurate.
- 3. The number of persons handling evidence should be kept to a minimum.
  - a. Every person who has handled the evidence might be required to testify in court as to its condition before and after handling.
  - b. The court must be satisfied that the evidence presented is authentic.
  - c. Evidence for which a chain of custody can not be established might be suppressed.
  - d. If the whereabouts of the evidence and what happened to it cannot be accounted for from the time it was found until submitted in court, it may be ruled inadmissible.

C. Property forms

- 1. Property forms must be used to preserve the chain of custody.
- 2. Definition of property categories:
  - a. Evidence is property which may be related to a crime or investigation, or which may implicate or clear a person of a criminal charge. (If property of evidential value is taken into custody and found to be connected with a crime which

occurred outside of the agency's jurisdiction, it must be booked as evidence)

- b. Nonevidence is all property which cannot be connected to a crime but which comes into police custody, either from an officer or a citizen.
- c. Personal Property includes all property which an arrestee had in his possession at the time of arrest and which has no evidential value.





### SUDDEN INFANT DEATH SYNDROME (SIDS) INDICATORS

Given a word picture depicting a child's death, the student will identify whether or not indicators are present which would suggest the possibility of Sudden Infant Death Syndrome (SIDS) death. The following indicators are generally present in a SIDS death:

- A. A SIDS death generally occurs within one year of birth
- B. A SIDS death generally occurs during a sleep period
- C. SIDS infants appear to have been healthy
- D. Generally there are no visible signs of trauma
- E. Frothy or blood-tinged mucus or vomit may be present in or around the nose and/or mouth

Performance Objective 10.23.1

### CURRICULUM

- A. Sudden Infant Death Syndrome (SIDS) indicators:
  - 1. A SIDS death generally occurs within one year of birth.
  - 2. A SIDS death generally occurs during a sleep period.
  - 3. SIDS infants appear to be healthy.
  - 4. Generally there are no visible signs of trauma/injuries.
  - 5. Frothy or blood-tinged mucus or vomit may be present in or around nose and/or mouth.
- B. Sudden Infant Death Syndrome (SIDS) defined
  - 1. SIDS is defined as the sudden and unexpected death of a baby under one year of age, who seemed healthy. The death remains unexplained after:
    - a. Reviewing the medical history
    - b. Investigating the death scene
    - c. Performing an autopsy
- C. Facts about SIDS
  - 1. SIDS cannot be predicted or prevented; at this time its cause or causes remain unknown
  - 2. No one is to blame for a SIDS death. There is nothing that a parent, caregiver or doctor can do to prevent SIDS.

3. SIDS is not caused by suffocation, aspiration, or regurgitation. It is not contagious.
  4. Death occurs quickly and quietly
- D. Factors that distinguish SIDS from other causes of infant mortality
1. Age distribution
    - a. 90% of SIDS deaths occur by 6 months of age
    - b. The largest number (the "peak") is between 2 and 4 months of age
  2. Association with sleep
    - a. Almost all babies who die from SIDS do so when they were asleep or thought to be asleep
    - b. It is very unusual for the death of a baby who was awake at the time of death to be diagnosed as due to SIDS
- E. Statistical frequency of SIDS incidents
1. 85% of all sudden unexpected infant deaths are due to SIDS
  2. SIDS occurs at the rate of 2 in every 1000 live births
- F. Typical SIDS history
1. The parent/caregiver placed the baby down to sleep at night or for a nap
  2. The baby was well, or had a minor illness, such as a cold ("runny nose" or "sniffles")
  3. When the parent/caregiver came back, whether minutes or hours later, they found that the baby was unresponsive or had died
- G. What happens - When SIDS happens
1. Typical sequence of events
    - a. Baby found not breathing
    - b. 911 call initiated
    - c. EMS, fire or police respond
    - d. Decision is made about transporting the baby
    - e. Baby pronounced dead

- f. Coroner/medical examiner goes to home or hospital
- 2. Coroner/medical examiner responsibilities in a SIDS case under California law
  - a. Performance of autopsy/death investigation
  - b. Notification of local health department
  - c. Notification of state SIDS program
  - d. Generation of death certificate
- 3. Local health department responsibilities under California law
  - a. To contact family within three days
  - b. Provide information counseling
  - c. Provide referral information for peer support
  - d. Provide information to state SIDS program

H. Typical findings at the scene of a SIDS incident

NOTE: These finding may vary depending on the length of time since death occurred, room temperature, and other factors.

- 1. Skin tone may be blue, mottled, or gray
- 2. Livor mortis (lividity) which results from the pooling of blood after death, may be mistaken for bruising.
- 3. There is often frothy white or blood tinged discharge draining from the infant's mouth or nose; it may also be on the baby's clothing and bedding.
- 4. Rigor mortis progresses more quickly in infants than in older children or adults.
- 5. Pressure marks may appear on the baby's face or body, caused b lying against objects such as a crib, blanket, or toys.

I. Victim history

- 1. What was the infant's apparent condition when last observed alive?
- 2. Had the infant eaten and slept normally during the prior 24 hours?
- 3. Was there anything unusual about the infant's behavior during the prior 24 hours?

4. Had the infant suffered any injury during the three days prior to the death?
  5. Did the infant have any illness in the previous two weeks? (cold, feeding problems, allergies, etc.?)
  6. Did the infant have any on-going medical problems?
  7. Was the infant taking any medication ?
  8. How, where, and with whom had the infant spent the last 24 hours?
  9. Was there any difficulty at childbirth?
  10. Was the child considered to be developing normally?
  11. Is this the first child death the family has endured?
- J. SIDS is a diagnosis by exclusion.
1. The death of a child during the first year of life, whose death is not attributable to any other cause, is likely to be diagnosed as a SIDS victim.
  2. Although unlikely, what may appear to be a SIDS death, may have been the result of other causes including homicide i.e.: soft smothering

### OFFICER RESPONSE TO SUDDEN INFANT DEATH SYNDROME (SIDS)

Given a word picture describing a possible Sudden Infant Death Syndrome (SIDS) death and the subsequent response by a peace officer, the student will determine if the officer's response met the guidelines for handling a SIDS incident. The guidelines require that an officer:

- A. Explain SIDS facts to involved parties
- B. Explain required investigative tasks
- C. Provide information concerning regional SIDS resources
- D. Make an appropriate referral
- E. Notify the coroner
- F. Avoid making specific remarks which would demonstrate insensitivity to the survivors

Performance Objective 10.23.3

### CURRICULUM

- A. Recommended actions for the responding officer
  - 1. The officer should follow department protocol and personal judgement, based upon the circumstances, in acquiring photographs, removing articles from the home, and in pursuing other actions necessary to complete the preliminary investigation
  - 2. The following steps are helpful when contacting the family/caregiver and conducting the preliminary investigation
    - a. Express your sympathy; use the baby's name
    - b. Assure SIDS survivors that your activities are the standard procedures for the investigation of all death incidents and that there is no suspicion of wrongdoing.
    - c. Explain what you are doing, the procedures you will follow, and the reasons for them.
    - d. If the death appears to be a SIDS incident, tell the SIDS survivors that the death could not have been predicted or prevented.
    - e. Ask open ended questions (examples are provided below)
    - f. If appropriate, assist the SIDS survivors for their trip to the hospital by doing the following:
      - (1) Arranging for the immediate care of any children who may be present.
      - (2) Securing the location before leaving.

(3) Assisting in notifications

g. Provide the parents/caregivers with the name location, and phone numbers of local SIDS support services.

(1) SIDS peer group

(2) County public health nurse

(3) County coroner/medical examiner's office

(4) California statewide SIDS telephone number: 1-800-369-SIDS

B. Techniques for supporting parents and caregivers

1. Use a calm and directive voice
2. Give clear instructions to those present
3. Provide explanations about emergency treatment and transport
4. Reassure parents or caregivers that if the cause of death was SIDS there was nothing they could have done to prevent the baby's death.
5. Allow parents or caregivers to accompany the baby, if the situation permits.

C. Reactions to a SIDS event

1. Since the SIDS scene is one heavily laden with emotion, the demeanor of the officer will have significant impact on those present, including parents/caregivers and other first responders. Actions taken and behaviors exhibited by responding officers will have everlasting emotional impact on those involved.
2. Parents and caregivers will experience a wide range of emotional responses to the loss of an infant.
3. Reactions will be individual and varied.
  - a. A father's and mother's reactions may be different (e.g. one may be calm while the other is violent, etc.)
  - b. One or more parent/caregivers may say "I killed my baby" - "Why did you kill my baby", or make a similar statement.
4. Grief responses exhibited by parents and caregivers may vary widely to include:
  - a. Denial

- b. Anger
- c. Hysteria
- d. Withdrawal
- e. Intense guilt
- f. No visible response (shock)

NOTE: Those present may not accept the fact that the baby is dead

- 5. Responding officer's may have there own psychological reaction to the event including:
  - a. Identification with the parent (e.g. the urge to call home and check on the welfare of your own baby)
  - b. Withdrawal and avoidance of the parent/caregiver
  - c. Self-doubt and self-blame (Did I do something wrong?)
  - d. Sadness and depression
- 6. Police personnel may find parents/caregivers difficult to handle.
  - a. Parents/caregivers may be tearful and hysterical
  - b. May be difficult for the officer to accept that some parents do not initiate CPR
  - c. May be difficult to accept that some parents believe their infant is dead and do not want CPR started
  - d. Police personnel may be unfamiliar with the mourning and grief behaviors of cultures and religions different from their own

#### D. Interviewing parents and caregivers

- 1. Open-ended questions should be directed to parents and caregivers. Examples include:
  - a. What happened?
  - b. Who found the baby? Where?
  - c. What did he or she do?
  - d. Has the baby been moved?
  - e. What time was the baby last seen alive?

- f. How was the baby that day?
- g. How would you describe your baby's health?
- 2. Avoid accusatory questions. Examples include:
  - a. Have you ever hurt your baby?
  - b. Have you ever hit your baby?
  - c. Have you ever allowed your other children to sleep with your baby?

E. On-scene actions

- 1. Ensure the safety of everyone at the SIDS scene by using interpersonal skills to calm the individuals
- 2. Assess the condition of the infant and begin CPR, if appropriate (if fire or EMS personnel are on the scene, defer to them for assessment and treatment)
- 3. Contain the location where the infant was discovered and any area which may be relevant to the incident until properly relieved by a senior officer.
- 4. Obtain initial information and make initial observations to include:
  - a. Location where the infant was discovered, including the position in which the infant was found
  - b. Name of the person who found the infant and the relationship of that person to the infant
  - c. Appearance of the infant, including clothing and bedding
  - d. Description/condition of the immediate area where the infant was found
  - e. Description/condition of the overall residence or other location where the infant was residing
  - f. Behavior of individuals who are present
  - g. Identities of individuals who have knowledge of the incident, but were not at the location when the infant was first discovered (names of anyone who had access to the infant prior to discovery)
  - h. Circumstances which led to the discovery of the infant



- i. The time the infant was put down to rest and the time the apparent SIDS incident was discovered
- j. Any illness the infant may have had at the time of the SIDS incident, as well as the name of the doctor treating the infant.
- k. Description of any resuscitation attempts (e.g. by whom, how long, medical equipment used etc.)
- l. The approximate temperature of the room in which the infant was found

F. Sample investigative checklist

NOTE: The following checklist may be helpful when completing an investigation of an infant death.

- 1. Identification of all parties
  - a. Victim's name, DOB, time found dead?
  - b. Who found the infant in distress or deceased
  - c. Who was last with the infant? What time was it?
  - d. Who was the infant with for the 24 hours preceding the event?
  - e. Who normally takes care of the infant?
  - f. Are there other children in the home? What are their names and birthdates?
  - g. Was there anyone present in the same room with the infant just prior to the discovery?
  - h. Was the victim sleeping alone?
  - i. Who else resides in the home?
- 2. Documentation of the physical scene
  - a. Where was the infant found? (Describe in detail in the room, type of bed on which the infant was found such as crib, bassinet, etc.)
  - b. What was the infant's position when found?
  - c. What was the position of the bedcovers?
  - d. Was there anything near the infant when found, such as blankets, toys, bottles, plastic of any type, etc.?)

- e. If bottles are at the scene, describe the condition of the contents (milk curdled, fresh, full, empty, etc)
  - f. Was there anything caught in the infant's mouth or nose?
  - g. Describe any secretions present (mucous, milk, food, foam, blood, etc.)
  - h. Describe whether rigor mortis or lividity was present
  - i. Describe the condition of the physical location (clean, dirty, wet, etc.)
  - j. Describe anything unusual not covered above
3. Victim history
- a. What was the infant's apparent condition when last observed alive?
  - b. Had the infant eaten and slept normally during the prior 24 hours?
  - c. Was there anything unusual about the infant's behavior during the prior 24 hours?
  - d. Had the infant suffered any injury during the three days prior to the death?
  - e. Did the infant have any illness in the previous two weeks? (cold, feeding problems, allergies, etc.?)
  - f. Did the infant have any on-going medical problems?
  - g. Was the infant taking any medication ?
  - h. How, where, and with whom had the infant spent the last 24 hours?
  - i. Was there any difficulty at childbirth?
  - j. Was the child considered to be developing normally?
  - k. Is this the first child death the family has endured?
4. Collection of physical evidence
- a. Photograph (if possible) the specific place where the baby was found before moving anything that is present

- b. If there is any indication that the baby had suffered a recent injury, photograph the scene where the injury is reported to have occurred.
  - c. Collect any items that were present in the immediate area where the baby was found, including bedding, infant's last bottle, and objects around the victim when found.
  - d. Collect the clothing the infant was wearing when found
  - e. Collect any prescribed medicine if the infant had been ill.
- F. In any death into which the coroner/medical examiner is to inquire:
- 1. The coroner/medical examiner may take charge of any and all personal effects, valuables, and property of the deceased at the scene of death and hold or safeguard them until lawful disposition thereof can be made.
  - 2. The coroner/medical examiner may use discretion in locking the premises and applying a seal to the door or doors prohibiting entrance to the premises, pending arrival, of a legally authorized representative of the deceased: providing that this is done in such a manner as not to interfere with the investigation being conducted by other law enforcement agencies.
  - 3. Any costs arising from the premises being locked or sealed while occupied by property of the deceased may be a proper and legal charge against the estate of the deceased.
  - 4. Any such property or evidence related to the investigation or prosecution of any known or suspected criminal death may, with knowledge of the coroner/medical examiner, be delivered to a law enforcement agency or district attorney, receipt for which shall be acknowledged.
  - 5. It shall be unlawful for any person to search for or remove any papers, moneys, valuable property or weapons constituting the estate of the deceased from the person of the deceased or from the premises, prior to arrival of the coroner/medical examiner or without his permission. At the scene of any death, when it is immediately apparent or when it has not been previously recognized and the coroner/medical examiner's examination reveals that police investigation or criminal prosecution may ensue, the coroner/medical examiner shall not further willfully disturb the body or any related evidence until the law enforcement agency has had reasonable opportunity to respond to the scene, if their purposes so require and they so request.



## EXERCISES



## CRIME SCENE SEARCH FOR EVIDENCE

Given an exercise simulating a crime scene (premises or landscape) where a legally authorized search is permissible, the student will contain the crime scene, search the crime scene, locate and identify evidence, prepare crime scene notes, and prepare a crime sketch of the crime scene using the following criteria:

- A. The search should use a systematic method such as the strip, spiral or quadrant technique.
- B. The physical evidence should minimally include instruments, of the crime, contraband, fruits of the crime, and other evidence pertinent to the event selected.
- C. Crime scene notes should minimally include:
  - 1. Observations of significant conditions present at the time of arrival
  - 2. Identification of victim(s), witness(es), suspect(s), and other person(s) at the crime scene, as appropriate
  - 3. A chronological account of actions taken until relieved
  - 4. Recording of any identification and handling of items of evidence
- D. The crime scene sketch should include the following:
  - 1. Appropriate measurements
  - 2. Identification of items of evidence
  - 3. Identification of reference points
  - 4. Scale to which sketch is drawn
  - 5. A legend
  - 6. Direction of north

Performance Objective 10.2.1

## CURRICULUM

- A. Preliminary investigation
  - 1. EIGHT COMPONENTS OF A PRELIMINARY INVESTIGATION
    - o PROCEED SAFELY TO THE SCENE
    - o DETERMINE NEED FOR EMERGENCY MEDICAL SERVICES AND AID ANY INJURED PERSONS
    - o VERIFY THAT A CRIME, IF ANY, HAS OCCURRED
    - o IDENTIFY AND ARREST THE PERPETRATOR(S), IF APPROPRIATE
    - o AS SOON AS POSSIBLE, PROVIDE DISPATCH WITH ANY SUSPECT INFORMATION INCLUDING PHYSICAL DESCRIPTIONS, DIRECTION OF FLIGHT, MODE OF TRAVEL AND OTHER PERTINENT INFORMATION

- o CONTAIN AND PROTECT THE CRIME SCENE AND CAUSE THE PROPER COLLECTION OF EVIDENCE
- o LOCATE AND INTERVIEW WITNESSES AND IDENTIFY OTHER SOURCES OF INFORMATION
- o COLLECT ALL AVAILABLE INFORMATION NECESSARY TO WRITE A CLEAR AND ACCURATE REPORT (WHO, WHAT, WHEN, WHERE, WHY AND HOW)



## LOCATE FINGERPRINTS

Give an exercise wherein a variety of latent and plastic prints have been placed on a number of items which vary in texture and color, the student will locate the prints.

Performance Objective 10.5.2

### CURRICULUM

- A. Demonstration and Practical Exercise in Location of Prints — Plastic and Latent Prints on Various Objects
  1. Neatness and order are important
    - a. Pick out those areas and items to be dusted. Do those areas first which are threatened by contamination.
    - b. Ask the victim for some newspaper on which to place the items to dust them without ruining the carpets or furniture. The small items could be moved into the kitchen. Move only if you can be sure it won't damage potential fingerprints. It is easier for the victim to clean and usually the light in the kitchen is better.
    - c. Allow the victim to watch. Answer their questions. It may impress them and they will understand that something is being done to solve this crime. They will also understand that not all surfaces will render fingerprints.



## ROLL FINGERPRINTS

The student will roll a full set of legible fingerprints on a standard FBI fingerprint card.

Performance Objective 10.5.3

### CURRICULUM

#### A. Rolling fingerprints

1. Start with clean, fresh ink on a glass slab. Roll the right hand first, beginning with the thumb. Roll the thumb in towards the center of the subject's body and the fingers away from the center of the body.
2. Roll the fingers on the card in the same manner.
3. Press the four fingers of one hand on the ink simultaneously. Press the thumb on the ink. Repeat with the other hand. Press them on the bottom of the card in the appropriate boxes.
4. To roll a palm, roll a layer of ink on the person's palm with the ink roller. Press the palm down on the palm card.

#### B. Demonstration and practical exercise in rolling prints.

#### C. Computerization

1. The State of California has an Automated Fingerprint Identification System (AFIS) which can search a partial latent fingerprint against the rolled fingerprints in file.
  - a. Searches may be done on any felony.
  - b. Whenever possible, victim elimination rolled cards should be submitted.

NOTE: CAL/ID and ALPS are both components of AFIS

2. These computer terminals are now available to local agencies.



### **COMPLETE CHAIN OF CUSTODY FORMS**

Given a word picture of a situation where evidence was collected and a list made of the evidence, the student will complete the necessary forms generally utilized by law enforcement to insure the chain of custody.

Performance Objective 10.7.2

### **CURRICULUM**

#### **A. Assignment**

1. The student will obtain a chain of custody form or equivalent agency form.
2. Instruct the student on how to complete the form.
3. Provide the student with a set of word pictures of situations where evidence was collected and provide a list of the evidence collected.
4. Have the student complete the forms.



### COMMUNITY RESOURCES FOR SIDS SURVIVORS

Given an exercise depicting a possible Sudden Infant Death Syndrome (SIDS) death, the student will identify either verbally or in writing the types of information and community resources that may assist SIDS survivors. They are:

- A. Explanation of SIDS facts to involved parties, as appropriate
- B. Explanation of required investigative tasks and need for complete investigation
- C. Availability of local and regional SIDS survivor support groups
- D. Referral to county public health nurse
- E. State agencies responsible for SIDS education, SIDS survivor counseling and support
- F. County coroner/medical examiner's office

Performance Objective 10.23.2

### CURRICULUM

- A. Explanation of SIDS facts to involved parties, as appropriate
- B. Explanation of required investigative tasks and need for complete investigation
- C. Availability of local and regional SIDS peer parent/careprovider SIDS survivors' support groups
- D. Referral to county public health nurse
- E. State agencies responsible for SIDS education, parent/care provider SIDS survivor counseling and support
- F. County coroner/medical examiner's office

NOTE: Additional material regarding SIDS is contained in Learning Activity 13.30.01





## SCENARIOS



### CONDUCT A PRELIMINARY INVESTIGATION

Given a scenario depicting a crime scene, the student will effectively conduct a preliminary investigation that would minimally include:

- A. Location and identification of suspects, witnesses, and victims
- B. Conduct initial interviews
- C. Complete field notes, noting conditions and events
- D. Complete written reports as may be required

Performance Objective 10.1.1

### CURRICULUM

#### A. Preliminary investigation

##### 1. EIGHT COMPONENTS OF A PRELIMINARY INVESTIGATION

- o PROCEED SAFELY TO THE SCENE
- o DETERMINE NEED FOR EMERGENCY MEDICAL SERVICES AND AID ANY INJURED PERSONS
- o VERIFY THAT A CRIME, IF ANY, HAS OCCURRED
- o IDENTIFY AND ARREST THE PERPETRATOR(S), IF APPROPRIATE
- o AS SOON AS POSSIBLE, PROVIDE DISPATCH WITH ANY SUSPECT INFORMATION INCLUDING PHYSICAL DESCRIPTIONS, DIRECTION OF FLIGHT, MODE OF TRAVEL AND OTHER PERTINENT INFORMATION
- o CONTAIN AND PROTECT THE CRIME SCENE AND CAUSE THE PROPER COLLECTION OF EVIDENCE
- o LOCATE AND INTERVIEW WITNESSES AND IDENTIFY OTHER SOURCES OF INFORMATION
- o COLLECT ALL AVAILABLE INFORMATION NECESSARY TO WRITE A CLEAR AND ACCURATE REPORT (WHO, WHAT, WHEN, WHERE, WHY AND HOW)

#### B. Safely proceed to the scene

1. Be aware of other units that may be responding Code-3 or otherwise.
2. Public safety must be considered no matter what the incident may be.

3. Be aware of vehicle and people in the area, avoid tunnel vision.
  4. If you don't make it to the scene due to an accident, you are of no help.
- C. Aid any injured persons:
1. Be sure to ask if anyone is injured.
  2. Be sure to include suspects and bystanders along with the victim.
- D. Verify that a crime, if any, has occurred. Don't assume that what was dispatched is a true reflection of the event.
- E. Arrest the perpetrator(s), if appropriate.
- F. As soon as possible, provide dispatch with any information concerning suspect, method, and direction of flight.
1. Initiate a crime broadcast of the suspect's description (and vehicle, if one used) and where the suspect has fled. The following identifying data should be broadcast expeditiously:
    - (a) Type of crime
    - (b) Type of business, if applicable .
    - (c) Location of occurrence
    - (d) Time of occurrence
    - (e) Number and descriptions of suspects
    - (f) Direction the suspect took on leaving the scene
    - (g) Whether suspect was on foot or in an auto
    - (h) Description of vehicle, if used
    - (i) Description of weapon used
    - (j) Description of property taken
- NOTE: Speed in broadcasting the above data is essential. A suspect's vehicle travelling 30 MPH will cover nearly one mile in two minutes. A supplemental broadcast should include additional information such as a detailed description of the suspect, his clothing, and vehicle.
- H. Protect the crime scene and cause the proper collection of evidence.

- I. Locate and identify witnesses and other sources of information. If appropriate, interview using proper techniques.
- J. Collect all available information necessary to write a clear and accurate report to include:
  - 1. Who
  - 2. What
  - 3. Where
  - 4. When
  - 5. How
  - 6. Why
- K. Pre-interview preparation
  - 1. Mental checklist
    - a. Be mentally prepared
    - b. Know the type of person to be interviewed--complainant, informant, victim, witness
    - c. Select proper time and place
    - d. Develop list of questions which must be answered
      - (1) main questions directed toward establishing facts of the incident
      - (2) other questions to establish rapport
      - (3) keep in mind questions defense attorney might ask
  - 2. Decide whether to take notes during interviewing (tape record, written, video)
    - a. Advantages
      - (1) Definitive guide for recall and reports
      - (2) Helps prevent misinterpretation of statements
      - (3) Orders responses
      - (4) Provides checklist upon review
      - (5) Can be used in court

b. Disadvantages

- (1) May cause subject to refrain from talking freely
- (2) Time consuming
- (3) May cause interviewer to "lose track" of the interview

## **BURGLARY INVESTIGATION**

Given a scenario, the student will satisfactorily handle those tasks delegated to a field officer responding to an alleged burglary.

Performance Objective 10.13.1

### **CURRICULUM**

#### **A. Preliminary investigation**

##### **1. EIGHT COMPONENTS OF A PRELIMINARY INVESTIGATION**

- o PROCEED SAFELY TO THE SCENE
- o DETERMINE NEED FOR EMERGENCY MEDICAL SERVICES AND AID ANY INJURED PERSONS
- o VERIFY THAT A CRIME, IF ANY, HAS OCCURRED
- o IDENTIFY AND ARREST THE PERPETRATOR(S), IF APPROPRIATE
- o AS SOON AS POSSIBLE, PROVIDE DISPATCH WITH ANY SUSPECT INFORMATION INCLUDING PHYSICAL DESCRIPTIONS, DIRECTION OF FLIGHT, MODE OF TRAVEL AND OTHER PERTINENT INFORMATION
- o CONTAIN AND PROTECT THE CRIME SCENE AND CAUSE THE PROPER COLLECTION OF EVIDENCE
- o LOCATE AND INTERVIEW WITNESSES AND IDENTIFY OTHER SOURCES OF INFORMATION
- o COLLECT ALL AVAILABLE INFORMATION NECESSARY TO WRITE A CLEAR AND ACCURATE REPORT (WHO, WHAT, WHEN, WHERE, WHY AND HOW)

#### **B. Initial actions**

1. Safely proceed to the scene
2. Aid injured persons
3. Verify that a crime, if any, has occurred
4. Arrest the perpetrators if applicable

5. As soon as possible, provide dispatch with any information concerning suspect, M.O. and direction of flight
- C. Evidence considerations
1. Protect the crime scene and cause the proper collection of evidence
  2. Point of entry/exit
    - a. Tool or pry marks
    - b. Broken windows
    - c. Kicked doors
  3. Latents
    - a. Items touched or moved by suspect
    - b. Items left by suspect
  4. Shoeprints and tiretracks
  5. Photograph and sketch crime scene if applicable
- D. Informational sources
1. Victims
  2. Witnesses
  3. Neighbors
- E. Report
1. The student will collect all available information necessary to write a clear and accurate report:
    - a. Who
    - b. What
    - c. When
    - d. Where
    - e. How
    - f. Why



## GRAND THEFT INVESTIGATION

Given a scenario, the student will satisfactorily complete those tasks delegated to a field officer responding to an alleged grand larceny.

Performance Objective 10.14.1

### CURRICULUM

#### A. Preliminary investigation

##### 1. EIGHT COMPONENTS OF A PRELIMINARY INVESTIGATION

- o PROCEED SAFELY TO THE SCENE
- o DETERMINE NEED FOR EMERGENCY MEDICAL SERVICES AND AID ANY INJURED PERSONS
- o VERIFY THAT A CRIME, IF ANY, HAS OCCURRED
- o IDENTIFY AND ARREST THE PERPETRATOR(S), IF APPROPRIATE
- o AS SOON AS POSSIBLE, PROVIDE DISPATCH WITH ANY SUSPECT INFORMATION INCLUDING PHYSICAL DESCRIPTIONS, DIRECTION OF FLIGHT, MODE OF TRAVEL AND OTHER PERTINENT INFORMATION
- o CONTAIN AND PROTECT THE CRIME SCENE AND CAUSE THE PROPER COLLECTION OF EVIDENCE
- o LOCATE AND INTERVIEW WITNESSES AND IDENTIFY OTHER SOURCES OF INFORMATION
- o COLLECT ALL AVAILABLE INFORMATION NECESSARY TO WRITE A CLEAR AND ACCURATE REPORT (WHO, WHAT, WHEN, WHERE, WHY AND HOW)

#### B. Initial actions

1. Safely proceed to the scene
2. Aid injured persons
3. Verify that a crime, if any, has occurred
4. Arrest the perpetrators if applicable

5. As soon as possible, provide dispatch with any information concerning suspect, M.O. and direction of flight and items taken
- C. Evidence considerations
1. Protect the crime scene
  2. Proper collection of evidence if applicable
- D. Informational sources
1. Victims/witnesses
- E. Report
1. The student will collect all available information necessary to write a clear and accurate report:
    - a. Who
    - b. What
    - c. When
    - d. Where
    - e. How
    - f. Why

## **FELONIOUS ASSAULT INVESTIGATION**

Given a scenario, the student will satisfactorily complete those tasks delegated to a field officer responding to an alleged felonious assault.

Performance Objective 10.15.1

### **CURRICULUM**

#### **A. Preliminary investigation**

##### **1. EIGHT COMPONENTS OF A PRELIMINARY INVESTIGATION**

- o PROCEED SAFELY TO THE SCENE
- o DETERMINE NEED FOR EMERGENCY MEDICAL SERVICES AND AID ANY INJURED PERSONS
- o VERIFY THAT A CRIME, IF ANY, HAS OCCURRED
- o IDENTIFY AND ARREST THE PERPETRATOR(S), IF APPROPRIATE
- o AS SOON AS POSSIBLE, PROVIDE DISPATCH WITH ANY SUSPECT INFORMATION INCLUDING PHYSICAL DESCRIPTIONS, DIRECTION OF FLIGHT, MODE OF TRAVEL AND OTHER PERTINENT INFORMATION
- o CONTAIN AND PROTECT THE CRIME SCENE AND CAUSE THE PROPER COLLECTION OF EVIDENCE
- o LOCATE AND INTERVIEW WITNESSES AND IDENTIFY OTHER SOURCES OF INFORMATION
- o COLLECT ALL AVAILABLE INFORMATION NECESSARY TO WRITE A CLEAR AND ACCURATE REPORT (WHO, WHAT, WHEN, WHERE, WHY AND HOW)

#### **B. Investigation**

1. Safely proceed to scene - Officer safety is paramount; therefore, you must prioritize the following circumstances of the individual situation:
2. Upon arrival, assess the scene
  - a. Determine if suspect(s) are still on the scene
  - b. Render first aid

- c. Determine whether to call for paramedics/ambulances
  - d. Determine if additional law enforcement resources are needed
  - e. Determine what, if any, crime(s) have occurred
3. Control the crime scene
- a. Locate and identify victim(s) witnesses
  - b. Preserve the crime scene
  - c. Crowd control
4. Conduct preliminary investigation
- a. Interview victim(s)
  - b. Interview witnesses
  - c. If appropriate, interview suspect
  - d. Collect and preserve instrument(s) of crime
  - e. Collect other physical evidence
  - f. Record crime scene (sketch, photos, video)
    - (1) Photograph victim's injuries
  - g. Conduct follow-up investigation as needed
5. Prepare a clear and accurate report

## SEXUAL ASSAULT INVESTIGATION

Given a scenario, the student will satisfactorily accomplish all tasks delegated to a field officer responding to an alleged sexual assault.

Performance Objective 10.16.1

### CURRICULUM

#### A. Preliminary investigation

##### 1. EIGHT COMPONENTS OF A PRELIMINARY INVESTIGATION

- o PROCEED SAFELY TO THE SCENE
- o DETERMINE NEED FOR EMERGENCY MEDICAL SERVICES AND AID ANY INJURED PERSONS
- o VERIFY THAT A CRIME, IF ANY, HAS OCCURRED
- o IDENTIFY AND ARREST THE PERPETRATOR(S), IF APPROPRIATE
- o AS SOON AS POSSIBLE, PROVIDE DISPATCH WITH ANY SUSPECT INFORMATION INCLUDING PHYSICAL DESCRIPTIONS, DIRECTION OF FLIGHT, MODE OF TRAVEL AND OTHER PERTINENT INFORMATION
- o CONTAIN AND PROTECT THE CRIME SCENE AND CAUSE THE PROPER COLLECTION OF EVIDENCE
- o LOCATE AND INTERVIEW WITNESSES AND IDENTIFY OTHER SOURCES OF INFORMATION
- o COLLECT ALL AVAILABLE INFORMATION NECESSARY TO WRITE A CLEAR AND ACCURATE REPORT (WHO, WHAT, WHEN, WHERE, WHY AND HOW)

#### B. Investigation

##### 1. Safely proceed to scene

- a. Officer safety is paramount; therefore, you must prioritize the following circumstances of the individual situation.

##### 2. Upon arrival, assess the scene

- a. Determine if suspect(s) still on scene

- (1) Determine if suspect(s) (voluntary compliance, detention, arrest)
  - (2) Suspect(s) GOA, obtain information for broadcast
- b. Render first aid
- c. Determine whether to call for paramedics/ambulance
- d. Determine if additional law enforcement resources are needed
- e. Determine what, if any, crime(s) have occurred.
3. Control the crime scene
  - a. Locate and identify victim(s)/witnesses
  - b. Preserve the crime scene
4. Conduct preliminary investigation
  - a. Inform victim of availability of rape crisis services
  - b. Interview victim(s)
  - c. Interview witnesses
  - d. If appropriate, interview suspect
  - e. Collect physical evidence (bedding, clothing, foreign objects, restraints)
  - f. Determine if a forensic medical examinations needed
  - g. Record crime scene (sketch, photos, video)
    - (1) Arrange for photographs of victim's injuries
  - h. Conduct follow-up investigation as needed
5. Inform victim(s) of their PC 293(a) rights
6. Prepare a clear and accurate report
  - a. Document the victim's response to the PC 293(a) advisal.

NOTE: Specific guidelines for the investigation of sexual assaults is contained in the document POST Guidelines for the Investigation of Sexual Assault. The instructor's lesson plan must be consistent with the provisions of that document.

## **HOMICIDE INVESTIGATION**

Given a scenario, the student will satisfactorily perform those tasks delegated to a field officer responding to an alleged homicide.

Performance Objective 10.17.1

### **CURRICULUM**

#### **A. Preliminary investigation**

##### **1. EIGHT COMPONENTS OF A PRELIMINARY INVESTIGATION**

- o PROCEED SAFELY TO THE SCENE
- o DETERMINE NEED FOR EMERGENCY MEDICAL SERVICES AND AID ANY INJURED PERSONS
- o VERIFY THAT A CRIME, IF ANY, HAS OCCURRED
- o IDENTIFY AND ARREST THE PERPETRATOR(S), IF APPROPRIATE
- o AS SOON AS POSSIBLE, PROVIDE DISPATCH WITH ANY SUSPECT INFORMATION INCLUDING PHYSICAL DESCRIPTIONS, DIRECTION OF FLIGHT, MODE OF TRAVEL AND OTHER PERTINENT INFORMATION
- o CONTAIN AND PROTECT THE CRIME SCENE AND CAUSE THE PROPER COLLECTION OF EVIDENCE
- o LOCATE AND INTERVIEW WITNESSES AND IDENTIFY OTHER SOURCES OF INFORMATION
- o COLLECT ALL AVAILABLE INFORMATION NECESSARY TO WRITE A CLEAR AND ACCURATE REPORT (WHO, WHAT, WHEN, WHERE, WHY AND HOW)

#### **B. Initial actions/securing scene**

1. Safely proceed to the scene. Search scene for additional parties (suspects, victims, witnesses, other). This is not a search for evidence.

#### **C. Determine if emergency medical assistance is needed**

1. Upon arrival the officer shall immediately check for signs of life except in cases of obvious death. The officer should use the skills learned in CPR/First Aid. Signs of life include:

- a. Breathing
  - b. Pulse
  - c. Pupillary reaction to light
2. The presence of any one of these signs of death is not definite proof that the person is dead. If there is any doubt whatsoever, for any reason, the officer should immediately summon emergency medical assistance.
3. The obvious signs of death include:
- a. Decomposition
  - b. Decapitation
  - c. Post-mortem lividity
    - (1) Post-mortem lividity is a discoloration of the body. It is caused the gravitational settling of body fluids and is most noticeable as purple in color.
  - d. Rigor mortis
    - (1) A condition which occurs only after death, it is caused by the hardening of the muscles of the body and, depending upon the environment where the body was discovered and the size of the victim, this process usually begins three to four hours after death.

D. Search of dead body

1. Government Code Section 27491.3 makes it unlawful for persons to search and/or remove any property, papers, money, jewelry, etc. from a dead body. This is the responsibility of the coroner/medical examiner only.
- a. In cases where it is apparent that a police investigation may ensue, the coroner/medical examiner, by law, shall not willfully disturb the body or other evidence until law enforcement has had an opportunity to arrive at the scene and investigate.
  - b. Although all property and evidence at the scene belongs in the custody of the coroner, any evidence necessary to the police investigation (i.e., a gun) may be released by the coroner to the law enforcement agency, for which he will demand a receipt.
  - c. Exceptions - Pursuant to Government Code Section 27491.3(d) officers may search dead bodies resulting from traffic accidents



for a drivers license or identification card to determine if an anatomical donor card is attached.

- (1) If an anatomical donor card is located, the officer shall contact the coroner/medical examiner immediately.

E. The jurisdiction over the deceased is with the coroner/medical examiner of the county in which the victim dies, not the county in which the death-causing event occurred. (Ref: 27 Ops. Atty Gen 75)

F. Pronouncement

1. When the officer has determined that the victim is dead, the time should be noted. This information will be used by the coroner/medical examiner's staff and for reporting purposes.
2. The responding field officer, based upon his training, experience and examination of the death scene, shall classify the mode of death. The five specific classifications are:
  - a. Homicide
  - b. Suicide
  - c. Accidental
  - d. Natural
  - e. Undetermined
3. The field officer shall also, based upon the preliminary investigation, determine the need for assisting personnel or supervisory personnel, and shall make the appropriate calls.
4. If the officer is unable to determine whether or not the classification of death is one shown in subsection a through d above and classifies the death as undetermined, the medical examiner/coroner's office shall determine the cause.

G. Crime scene containment

1. Necessary to minimize destruction of evidence
2. Minimizes interference with preliminary investigation
3. Protection of victim's rights and properties
4. The rule of thumb is to determine the actual size of the scene and double the containment area.
5. Initial approach to victim should be maintained. Once the handling officer vacates the crime scene, they should not re-enter.

6. Initiation of the crime scene log for all personnel entering the scene
- H. Physical evidence considerations:

1. Foul weather
  - a. Collect first those types of evidence that will suffer the most loss, but will have the highest yield.
  - b. Work quickly to collect as much as possible.
  - c. Protect shoe and tire marks from rain, dew, snow, etc. by covering them with boxes or an inverted trash can.
2. Remain alert for trace evidence that might exist on the person of surviving victims, witnesses and suspects. Examples of such evidence include hair, fibers, blood, skin, gunshot residue, etc.

Do not allow suspects to wash their hands, change clothes or use the toilet. Avoid exposing them to environmental conditions (i.e. rain or wind) that might contaminate or destroy evidence. Extraordinary measures, such as bagging hands or feet, might occasionally be necessary.

## SUICIDE INVESTIGATION

Given a scenario, the student will satisfactorily perform those tasks delegated to a field officer responding to an apparent suicide.

Performance Objective 10.18.1

### CURRICULUM

NOTE: A general rule to follow in the investigation of suspected suicide is to treat the event as a homicide until the evidence reveals otherwise.

#### A. Preliminary investigation

##### 1. EIGHT COMPONENTS OF A PRELIMINARY INVESTIGATION

- o PROCEED SAFELY TO THE SCENE
- o DETERMINE NEED FOR EMERGENCY MEDICAL SERVICES AND AID ANY INJURED PERSONS
- o VERIFY THAT A CRIME, IF ANY, HAS OCCURRED
- o IDENTIFY AND ARREST THE PERPETRATOR(S), IF APPROPRIATE
- o AS SOON AS POSSIBLE, PROVIDE DISPATCH WITH ANY SUSPECT INFORMATION INCLUDING PHYSICAL DESCRIPTIONS, DIRECTION OF FLIGHT, MODE OF TRAVEL AND OTHER PERTINENT INFORMATION
- o CONTAIN AND PROTECT THE CRIME SCENE AND CAUSE THE PROPER COLLECTION OF EVIDENCE
- o LOCATE AND INTERVIEW WITNESSES AND IDENTIFY OTHER SOURCES OF INFORMATION
- o COLLECT ALL AVAILABLE INFORMATION NECESSARY TO WRITE A CLEAR AND ACCURATE REPORT (WHO, WHAT, WHEN, WHERE, WHY AND HOW)

#### B. Initial actions/securing scene

1. Safely proceed to the scene. Search scene for additional parties (possible suspects, victims, witnesses, other). This is not a search for evidence.

#### C. Determine if emergency medical assistance is needed

1. Upon arrival the officer shall immediately check for signs of life except in cases of obvious death. The officer should use the skills learned in CPR/First Aid. Signs of life include:
    - a. Breathing
    - b. Pulse
    - c. Pupillary reaction to light
  2. The presence of any one of these signs of death is not definite proof that the person is dead. If there is any doubt whatsoever, for any reason, the officer should immediately summon emergency medical assistance.
  3. The obvious signs of death include:
    - a. Decomposition
    - b. Decapitation
    - c. Post-mortem lividity
      - (1) Post-mortem lividity is a discoloration of the body. It is caused the gravitational settling of body fluids and is most noticeable as purple in color.
    - d. Rigor mortis
      - (1) A condition which occurs only after death, it is caused by the hardening of the muscles of the body and, depending upon the environment where the body was discovered and the size of the victim, this process usually begins three to four hours after death.
- D. Search of dead body
1. Government Code Section 27491.3 makes it unlawful for persons to search and/or remove any property, papers, money, jewelry, etc. from a dead body. This is the responsibility of the coroner/medical examiner only.
    - a. In cases where it is apparent that a police investigation may ensue, the coroner/medical examiner, by law, shall not willfully disturb the body or other evidence until law enforcement has had an opportunity to arrive at the scene and investigate.
    - b. Although all property and evidence at the scene belongs in the custody of the coroner/medical examiner, any evidence necessary to the police investigation (i.e., a gun) may be released by the coroner/medical examiner to the law enforcement agency, for which he will demand a receipt.

- c. Exceptions - Pursuant to Government Code Section 27491.3(d) officers may search dead bodies resulting from traffic accidents for a drivers license or identification card to determine if an anatomical donor card is attached.

- (1) If an anatomical donor card is located, the officer shall contact the coroner/medical examiner immediately.

E. The jurisdiction over the deceased is with the coroner/medical examiner of the county in which the victim dies, not the county in which the death-causing event occurred. (Ref: 27 Ops. Atty Gen 75)

F. Pronouncement

- 1. When the officer has determined that the victim is dead, the time should be noted. This information will be used by the coroner/medical examiner's staff and for reporting purposes.
- 2. The responding field officer, based upon his training, experience and examination of the death scene, shall classify the mode of death. The five specific classifications are:
  - a. Homicide
  - b. Suicide
  - c. Accidental
  - d. Natural
  - e. Undetermined
- 3. The field officer shall also, based upon the preliminary investigation, determine the need for assisting personnel or supervisory personnel, and shall make the appropriate calls.
- 4. If the officer is unable to determine whether or not the classification of death is one shown in subsection a through d above and classifies the death as undetermined, the medical examiner/coroner's office shall determine the cause.

G. Crime scene containment

- 1. Necessary to minimize destruction of evidence
- 2. Minimizes interference with preliminary investigation
- 3. Protection of victim's rights and properties
- 4. The rule of thumb is to determine the actual size of the scene and double the containment area.

5. Initial approach to victim should be maintained. Once the handling officer vacates the crime scene, they should not re-enter.
6. Initiation of the crime scene log for all personnel entering the scene

NOTE: If any factor exists that casts suspicion upon the suicide theory, freeze the scene and initiate a homicide investigation.

H. Physical evidence considerations:

1. Look for evidence to substantiate that the event is in fact, a suicide. (e.g. suicide note, audio or video tape, weapon or implement of death, etc.)
2. Foul weather
  - a. Collect first those types of evidence that will suffer the most loss, but will have the highest yield.
  - b. Work quickly to collect as much as possible.
  - c. Protect shoe and tire marks from rain, dew, snow, etc. by covering them with boxes or an inverted trash can.
3. Remain alert for trace evidence that might exist on the person of surviving victims, witnesses and possible suspects. Examples of such evidence include hair, fibers, blood, skin, gunshot residue, etc.

NOTE: Patrol officers at the scene of a suicide should rely upon the advice and counsel of homicide detectives, if available.

## **CHILD NEGLECT, ABUSE AND EXPLOITATION INVESTIGATION**

Given a scenario, the student will satisfactorily accomplish all tasks delegated to a field officer responding to either an alleged child neglect, sexual abuse, physical abuse, or exploitation.

Performance Objective 10.22.1

### **CURRICULUM**

#### **A. Preliminary investigation**

##### **1. EIGHT COMPONENTS OF A PRELIMINARY INVESTIGATION**

- o PROCEED SAFELY TO THE SCENE
- o DETERMINE NEED FOR EMERGENCY MEDICAL SERVICES AND AID ANY INJURED PERSONS
- o VERIFY THAT A CRIME, IF ANY, HAS OCCURRED
- o IDENTIFY AND ARREST THE PERPETRATOR(S), IF APPROPRIATE
- o AS SOON AS POSSIBLE, PROVIDE DISPATCH WITH ANY SUSPECT INFORMATION INCLUDING PHYSICAL DESCRIPTIONS, DIRECTION OF FLIGHT, MODE OF TRAVEL AND OTHER PERTINENT INFORMATION
- o CONTAIN AND PROTECT THE CRIME SCENE AND CAUSE THE PROPER COLLECTION OF EVIDENCE
- o LOCATE AND INTERVIEW WITNESSES AND IDENTIFY OTHER SOURCES OF INFORMATION
- o COLLECT ALL AVAILABLE INFORMATION NECESSARY TO WRITE A CLEAR AND ACCURATE REPORT (WHO, WHAT, WHEN, WHERE, WHY AND HOW)

#### **B. Investigation**

##### **1. Safely proceed to scene**

- a. Officer safety is paramount; therefore you must prioritize the following circumstances of the individual situation

##### **2. Upon arrival, assess the scene.**

- a. Protection of the child(ren) shall be the first priority

- (1) Control the suspect(s) (voluntary compliance, detention, arrest) if appropriate
  - (2) Suspect(s) GOA, obtain information for broadcast, if appropriate
- c. Determine if additional law enforcement resources are needed
- d. Determine if Child Protective Services (CPS) should respond
- e. Determine what, if any, crime(s) have occurred
3. Identify the crime scene
  - a. Preserve the crime scene, if appropriate
4. Locate and identify victim(s)/witnesses
5. Preserve the crime scene if appropriate
6. Conduct preliminary investigation
  - a. Interview victim(s)
  - b. Interview witnesses
  - c. If appropriate, interview suspect
  - d. Collect physical evidence (instruments of abuse i.e. belts, bedding, clothing, erotica, etc.)
    - (1) Determine if a search warrant is appropriate.
  - e. Determine if a forensic medical examination is needed.
  - f. Record crime scene if appropriate (sketch, photos, video)
    - (1) Arrange for photographs of victim's injuries if appropriate.
  - g. Conduct follow-up investigation as needed.
7. Inform victim(s) of their Penal Code Section 293(a) rights if appropriate
8. Notify Child Protection Services and complete the DOJ 8583 form as required by Penal Code Section 11166.
9. Prepare a clear and accurate report
  - a. Document the victim's response to the Penal Code 293 advisal.



NOTE: Specific guidelines for the investigation of sexual assaults is contained in the document POST Guidelines for the Investigation of Sexual Assault. The instructor's lesson plan must be consistent with the provisions of that document.

**LEARNING ACTIVITIES**

### SIDS INCIDENT

Given a re-enactment, simulation, role play, word picture, verbal description, set of facts or other depiction of a possible SIDS incident, students will engage in an instructor-led discussion relating to actions which should be taken during a preliminary investigation. The discussion should address:

- A. Initial actions
- B. Sources of information
- C. Indications that a SIDS death has occurred
- D. Identification of information and community resources that may assist parents and/or child care workers involved in the investigation
- E. Explanation of SIDS facts and required investigative tasks to parents and/or child care workers involved in the investigation
- F. Physical evidence considerations

Performance Objective 13.30.01

### CURRICULUM

- A. Sudden Infant Death Syndrome (SIDS) defined
  - 1. SIDS is defined as the sudden and unexpected death of a baby under one year of age, who seemed healthy. The death remains unexplained after:
    - a. Reviewing the medical history
    - b. Investigating the death scene
    - c. Performing an autopsy
- B. Facts about SIDS
  - 1. SIDS cannot be predicted or prevented; at this time its cause or causes remain unknown
  - 2. No one is to blame for a SIDS death. There is nothing that a parent, caregiver or doctor can do to prevent SIDS.
  - 3. SIDS is not caused by suffocation, aspiration, or regurgitation. It is not contagious.
  - 4. Death occurs quickly and quietly
- C. Factors that distinguish SIDS from other causes of infant mortality
  - 1. Age distribution

- a. 90% of SIDS deaths occur by 6 months of age
  - b. The largest number (the "peak") is between 2 and 4 months of age
- 2. Association with sleep
  - a. Almost all babies who die from SIDS do so when they were asleep or thought to be asleep
  - b. It is very unusual for the death of a baby who was awake at the time of death to be diagnosed as due to SIDS
- D. Statistical frequency of SIDS incidents
  - 1. 85% of all sudden unexpected infant deaths are due to SIDS
  - 2. SIDS occurs at the rate of 2 in every 1000 live births
- E. Typical SIDS history
  - 1. The parent/caregiver placed the baby down to sleep at night or for a nap
  - 2. The baby was well, or had a minor illness, such as a cold ("runny nose" or "sniffles")
  - 3. When the parent/caregiver came back, whether minutes or hours later, they found that the baby was unresponsive or had died
- F. What happens - When SIDS happens
  - 1. Typical sequence of events
    - a. Baby found not breathing
    - b. 911 call initiated
    - c. EMS, fire or police respond
    - d. Decision is made about transporting the baby
    - e. Baby pronounced dead
    - f. Coroner/medical examiner goes to home or hospital
  - 2. Coroner/medical examiner responsibilities in a SIDS case under California law
    - a. Performance of autopsy/death investigation
    - b. Notification of local health department

- c. Notification of state SIDS program
  - d. Generation of death certificate
- 3. Local health department responsibilities under California law
  - a. To contact family within three days
  - b. Provide information counseling
  - c. Provide referral information for peer support
  - d. Provide information to state SIDS program
- G. Recommended actions for the responding officer
  - 1. The officer should follow department protocol and personal judgement, based upon the circumstances, in acquiring photographs, removing articles from the home, and in pursuing other actions necessary to complete the preliminary investigation
  - 2. The following steps are helpful when contacting the family/caregiver and conducting the preliminary investigation
    - a. Express your sympathy; use the baby's name
    - b. Assure SIDS survivors that your activities are the standard procedures for the investigation of all death incidents and that there is no suspicion of wrongdoing.
    - c. Explain what you are doing, the procedures you will follow, and the reasons for them.
    - d. If the death appears to be a SIDS incident, tell the SIDS survivors that the death could not have been predicted or prevented.
    - e. Ask open ended questions (examples are provided below)
    - f. If appropriate, assist the SIDS survivors for their trip to the hospital by doing the following:
      - (1) Arranging for the immediate care of any children who may be present.
      - (2) Securing the location before leaving.
      - (3) Assisting in notifications
    - g. Provide the parents/caregivers with the name location, and phone numbers of local SIDS support services.

- (1) SIDS peer group
- (2) County public health nurse
- (3) County coroner/medical examiner's office
- (4) California statewide SIDS telephone number: 1-800-369-SIDS

#### H. Typical findings at the scene of a SIDS incident

NOTE: These finding may vary depending on the length of time since death occurred, room temperature, and other factors.

1. Skin tone may be blue, mottled, or gray
2. Livor mortis (lividity) which results from the pooling of blood after death, may be mistaken for bruising.
3. There is often frothy white or blood tinged discharge draining from the infant's mouth or nose; it may also be on the baby's clothing and bedding.
4. Rigor mortis progresses more quickly in infants than in older children or adults.
5. Pressure marks may appear on the baby's face or body, caused by lying against objects such as a crib, blanket, or toys.

#### I. Techniques for supporting parents and caregivers

1. Use a calm and directive voice
2. Give clear instructions to those present
3. Provide explanations about emergency treatment and transport
4. Reassure parents or caregivers that if the cause of death was SIDS there was nothing they could have done to prevent the baby's death.
5. Allow parents or caregivers to accompany the baby, if the situation permits.

#### J. Reactions to a SIDS event

1. Since the SIDS scene is one heavily laden with emotion, the demeanor of the officer will have significant impact on those present, including parents/caregivers and other first responders. Actions taken and behaviors exhibited by responding officers will have everlasting emotional impact on those involved.

2. Parents and caregivers will experience a wide range of emotional responses to the loss of an infant.
3. Reactions will be individual and varied.
  - a. A father's and mother's reactions may be different (e.g. one may be calm while the other is violent, etc.)
  - b. One or more parent/caregivers may say "I killed my baby" - "Why did you kill my baby", or make a similar statement.
4. Grief responses exhibited by parents and caregivers may vary widely to include:
  - a. Denial
  - b. Anger
  - c. Hysteria
  - d. Withdrawal
  - e. Intense Guilt
  - f. No visible response (shock)

NOTE: Those present may not accept the fact that the baby is dead

5. Responding officer's may have there own psychological reaction to the event including:
  - a. Identification with the parent (e.g. the urge to call home and check on the welfare of your own baby)
  - b. Withdrawal and avoidance of the parent/caregiver
  - c. Self-doubt and self-blame (Did I do something wrong?)
  - d. Sadness and depression
6. Police personnel may find parents/caregivers difficult to handle
  - a. Parents/caregivers may be tearful and hysterical
  - b. May be difficult for the officer to accept that some parents do not initiate CPR
  - c. May be difficult to accept that some parents believe their infant is dead and do not want CPR started

- d. Police personnel may be unfamiliar with the mourning and grief behaviors of cultures and religions different from their own

J. Interviewing parents and caregivers

1. Open-ended questions should be directed to parents and caregivers. Examples include:
  - a. What happened?
  - b. Who found the baby? Where?
  - c. What did he or she do?
  - d. Has the baby been moved?
  - e. What time was the baby last seen alive?
  - f. How was the baby that day?
  - g. How would you describe your baby's health?
2. Avoid accusatory questions. Examples include:
  - a. Have you ever hurt your baby?
  - b. Have you ever hit your baby?
  - c. Have you ever allowed your other children to sleep with your baby?

K. On-scene actions

1. Ensure the safety of everyone at the SIDS scene by using interpersonal skills to calm the individuals
2. Assess the condition of the infant and begin CPR, if appropriate (if fire or EMS personnel are on the scene, defer to them for assessment and treatment)
3. Contain the location where the infant was discovered and any area which may be relevant to the incident until properly relieved by a senior officer.
4. Obtain initial information and make initial observations to include:
  - a. Location where the infant was discovered, including the position in which the infant was found
  - b. Name of the person who found the infant and the relationship of that person to the infant



- c. Appearance of the infant, including clothing and bedding
- d. Description/condition of the immediate area where the infant was found
- e. Description/condition of the overall residence or other location where the infant was residing
- f. Behavior of individuals who are present
- g. Identities of individuals who have knowledge of the incident, but were not at the location when the infant was first discovered (names of anyone who had access to the infant prior to discovery)
- h. Circumstances which led to the discovery of the infant
- i. The time the infant was put down to rest and the time the apparent SIDS incident was discovered
- j. Any illness the infant may have had at the time of the SIDS incident, as well as the name of the doctor treating the infant.
- k. Description of any resuscitation attempts (e.g. by whom, how long, medical equipment used etc.)
- l. The approximate temperature of the room in which the infant was found

L. Sample investigative checklist

NOTE: The following checklist may be helpful when completing an investigation of an infant death.

- 1. Identification of all parties
  - a. Victim's name, DOB, time found dead?
  - b. Who found the infant in distress or deceased
  - c. Who was last with the infant? What time was it?
  - d. Who was the infant with for the 24 hours preceding the event?
  - e. Who normally takes care of the infant?
  - f. Are there other children in the home? What are their names and birthdates?
  - g. Was there anyone present in the same room with the infant just prior to the discovery?

h. Was the victim sleeping alone?

i. Who else resides in the home?

2. Documentation of the physical scene

a. Where was the infant found? (Describe in detail in the room, type of bed on which the infant was found such as crib, bassinet, etc.)

b. What was the infant's position when found?

c. What was the position of the bedcovers?

d. Was there anything near the infant when found, such as blankets, toys, bottles, plastic of any type, etc.?)

e. If bottles are at the scene, describe the condition of the contents (milk curdled, fresh, full, empty, etc)

f. Was there anything caught in the infant's mouth or nose?

g. Describe any secretions present (mucous, milk, food, foam, blood, etc.)

h. Describe whether rigor mortis or lividity was present

i. Describe the condition of the physical location (clean, dirty, wet, etc.)

j. Describe anything unusual not covered above

3. Victim history

a. What was the infant's apparent condition when last observed alive?

b. Had the infant eaten and slept normally during the prior 24 hours?

c. Was there anything unusual about the infant's behavior during the prior 24 hours?

d. Had the infant suffered any injury during the three days prior to the death?

e. Did the infant have any illness in the previous two weeks? (cold, feeding problems, allergies, etc.?)

f. Did the infant have any on-going medical problems?

g. Was the infant taking any medication ?

- h. How, where, and with whom had the infant spent the last 24 hours?
- i. Was there any difficulty at childbirth?
- j. Was the child considered to be developing normally?
- k. Is this the first child death the family has endured?

4. Collection of physical evidence

- a. Photograph (if possible) the specific place where the baby was found before moving anything that is present
- b. If there is any indication that the baby had suffered a recent injury, photograph the scene where the injury is reported to have occurred.
- c. Collect any items that were present in the immediate area where the baby was found, including bedding, infant's last bottle, and objects around the victim when found.
- d. Collect the clothing the infant was wearing when found
- e. Collect any prescribed medicine if the infant had been ill.

M. In any death into which the coroner/medical examiner is to inquire:

- 1. The coroner/medical examiner may take charge of any and all personal effects, valuables, and property of the deceased at the scene of death and hold or safeguard them until lawful disposition thereof can be made.
- 2. The coroner/medical examiner may use discretion in locking the premises and applying a seal to the door or doors prohibiting entrance to the premises, pending arrival, of a legally authorized representative of the deceased: providing that this is done in such a manner as not to interfere with the investigation being conducted by other law enforcement agencies.
- 3. Any costs arising from the premises being locked or sealed while occupied by property of the deceased may be a proper and legal charge against the estate of the deceased.
- 4. Any such property or evidence related to the investigation or prosecution of any known or suspected criminal death may, with knowledge of the coroner/medical examiner, be delivered to a law enforcement agency or district attorney, receipt for which shall be acknowledged.

5. It shall be unlawful for any person to search for or remove any papers, moneys, valuable property or weapons constituting the estate of the deceased from the person of the deceased or from the premises, prior to arrival of the coroner/medical examiner or without his permission. At the scene of any death, when it is immediately apparent or when it has not been previously recognized and the coroner/medical examiner's examination reveals that police investigation or criminal prosecution may ensue, the coroner/medical examiner shall not further willfully disturb the body or any related evidence until the law enforcement agency has had reasonable opportunity to respond to the scene, if their purposes so require and they so request.

## KIDNAPPING

Given a re-enactment, simulation, role play, word picture, verbal description, set of facts or other depiction of a possible kidnapping, students will engage in an instructor-led discussion relating to actions which should be taken during a preliminary investigation. The discussion should address:

- A. Initial actions
- B. Sources of information
- C. Establishing the elements of the crime
- D. Physical evidence considerations

Performance Objective 13.30.02

## CURRICULUM

### A. Investigative procedures

1. Employ all basic preliminary investigation techniques to develop the "who, what, when, where, how and why" in order to satisfy the specific intent necessary to constitute the crime of kidnap. (Penal Code Section 207)
  - a. When interviewing the victim ascertain the motive:
    - (1) Sexual assault
    - (2) Robbery
    - (3) Intimidation/extortion
    - (4) Disputes (domestic, etc.)
    - (5) Terrorist Act
  - b. Identify and secure crime scene(s)
  - c. Locate, identify, document, photograph, sketch and collect physical evidence
  - d. If victim is **not** present, it may be difficult to establish all the elements and the motive. In cases which involve children, eliminate the possibility of custodial child stealing vs. kidnap. Areas of investigative concern are:

### B. Suspect profiling

1. Obtain detailed suspect behavior data, to be used by suspect profiles for analysis i.e. specific m.o., physical evidence or lack of, environmental factors, unique characteristics and oddities

C. Interaction with outside agency assistance

1. DOJ
2. FBI
3. Task force
4. Local agencies

D. Crime scene tasks

1. Victimology, background, etc.
2. Establish search parameters
3. Secure victim's residence, treat it as a crime scene in the event that victim identifiers are needed
4. Search techniques and knowledge of specialized equipment, i.e. K-9, bloodhounds, helicopter, etc.

E. Missing person report must be filed.

## ROBBERY

Given a re-enactment, simulation, role play, word picture, verbal description, set of facts or other depiction of a possible robbery, students will engage in an instructor-led discussion relating to actions which should be taken during a preliminary investigation. The discussion should address:

- A. Initial actions
- B. Sources of information
- C. Establishing the elements of the crime
- D. Physical evidence considerations

Performance Objective 13.30.03

## CURRICULUM

- A. Initial actions
  - 1. Consider the eight components of a preliminary investigation.
  - 2. Special considerations during response:
    - a. The chance that an officer might become involved in a life threatening situation while handling a robbery call is greater than in most crimes.
    - b. Use extreme caution when approaching the scene even when advised that the suspect has fled. The location or route of flight may still involve a hazard to the responding unit.
    - c. When proceeding to the scene, be alert for:
      - (1) Speeding vehicles
      - (2) People running or walking unusually fast
      - (3) Nervous-appearing pedestrians
      - (4) Vehicles or pedestrians resembling descriptions provided by initial broadcast
- B. Sources of information
  - 1. Interview:
    - a. Witnesses
    - b. Victims
    - c. Suspects

C. Establish elements which include:

1. Taking of property from person
2. Force or fear:  
Type of weapon
3. Statements by victims
4. Statements by witnesses

D. Evidence considerations:

1. Identification
2. Preservation
3. Collection
4. Methodology (M.O.)
5. Crime scene sketch if required

E. Preparing the robbery report

1. A good robbery report is one that enables any person, whether he is a law enforcement officer or not, to understand clearly the known facts regarding what has occurred and the steps that have been taken in handling the case. After examining the report, the reader should be as well informed concerning the essential facts in the case as the person who was actually at the scene of the incident and wrote the report.



### UNATTENDED DEATH

Given a re-enactment, simulation, role play, word picture, verbal description, set of facts or other depiction of an unattended death, students will engage in an instructor-led discussion relating to actions which should be taken during a preliminary investigation. The discussion should address:

- A. Initial actions
- B. Sources of information
- C. Establishing whether or not a crime has occurred
- D. Physical evidence considerations

Performance Objective 13.30.04

### CURRICULUM

- A. Secure scene/initial actions
  - 1. Safely proceed to the scene. Search scene for additional parties (suspects, victims, witnesses, other). This is not a search for evidence.
- B. Determine if emergency medical assistance is needed



### **AUTO THEFT/RECOVERY**

Given a re-enactment, simulation, role play, word picture, verbal description, set of facts or other depiction of an auto theft/recovery, students will engage in an instructor-led discussion relating to actions which should be taken during a preliminary investigation. The discussion should address:

- A. Initial actions
- B. Sources of information
- C. Establishing whether or not a crime has occurred
- D. Physical evidence considerations
- E. Vehicle identification numbers (VIN) locations

Performance Objective 13.30.05

### **CURRICULUM**

- A. Initial actions
  - 1. Consider the eight components of a preliminary investigation.
- B. Sources of information
  - 1. Victim/Last driver
  - 2. Witnesses
  - 3. Financial institutions
  - 4. CLETS/Dispatch
- C. Establish whether crime has been committed
  - 1. Are payments current?
  - 2. Does anyone else have keys or permission to use them? (including family members, roommates, etc.)
  - 3. Could it be misplaced?
  - 4. Check for repossession
- D. Physical evidence consideration
  - 1. Preserve and collect if applicable
  - 2. Typical types of physical evidence include:
    - a. Latent prints
    - b. Method of activating the vehicle
    - c. Documents/property belonging to the suspect
- E. Vehicle identification numbers (VIN)
  - 1. Locate VIN

- a. Common locations
- b. NICB handbook
- 2. Obtain/verify VIN through CLETS
- 3. Check license plate

## **POISONING**

Given a re-enactment, simulation, role play, word picture, verbal description, set of facts or other depiction of a poisoning, students will engage in an instructor-led discussion relating to actions which should be taken during a preliminary investigation. The discussion should address the following:

- A. Initial actions
- B. Sources of information
- C. Establishing whether or not a crime has occurred
- D. Evidence considerations

Performance Objective 13.30.06

## **CURRICULUM**

- A. Preliminary investigative techniques upon arrival at the scene
  - 1. Summon medical aid if necessary (i.e. paramedics, ambulance, etc.)
  - 2. Locate, separate, and interview the witnesses
  - 3. Identify, control, and separate the suspect(s) if present
  - 4. Follow the procedures for handling the source of poisoning, when located, and other evidence
  - 5. Try to ascertain the amount of poison ingested by the victim(s)
    - a. If and when this information is determined, notify involved medical personnel immediately.
  - 6. Determine the actions taken by the victim prior to becoming comatose or dead.
  - 7. If the poison is present in the atmosphere and is posing a danger to others, immediately evacuate the area.
    - a. Notify the fire department for a washdown and chemical neutralization, if necessary.
  - 8. If the poisoning is criminally connected or there is suspicion of foul play:
    - a. Use the basic preliminary investigative techniques.
    - b. Do not overlook the possibility of latent prints.

- c. If the victim is in critical condition, accompany him/her to the medical facility in case a dying declaration is made.

**B. Sources of Information**

1. Local hospitals
2. Poison control
3. Fire department
4. Health department

**C. Importance of the preliminary investigation**

1. The preliminary investigation of a poisoning occurrence can be of critical importance in saving the victim's life.
  - a. Trained investigators can easily detect some poisons.
  - b. Medical practitioners, in order to administer appropriate treatment, will depend on the officer's ability to locate quickly and possibly to identify the poison.
2. The preliminary investigation is critical when proving a poisoning to be accidental or intentional.
  - a. The available physical evidence, carefully collected and identified, can indicate whether the poisoning is:
    - (1) Suicide
    - (2) Homicide
    - (3) Child endangering
    - (4) Accidental
3. The preliminary investigator should handle all suicides and unnatural deaths as potential homicides.
  - a. Once it has been revealed that a murder has been committed, careful consideration must be given to the case because:
    - (1) Establishing a suspect and proving guilt may be particularly difficult as circumstantial evidence may provide the only clue(s) to the murder.
    - (2) There is rarely a witness to a poisoning.

**D. Preliminary investigative handling of poison evidence**

1. In every suspected poisoning case the officer should make an immediate search for:
  - a. The possible source(s) of the poison agent
  - b. The container(s) for such
2. When the source of the poison agent is located, it should be isolated.
  - a. If the source is identified, notify concerned medical personnel immediately.
  - b. If the source is not identified, immediately have the suspected substance transported as quickly as possible to one of the following:
    - (1) Police crime laboratory
    - (2) Medical laboratory
    - (3) Emergency facility where victim is treated
3. Materials suspected as evidence should also be collected. These could include:
  - a. All the contents of a medicine chest
  - b. Freshly used drinking glasses
  - c. Partially empty or empty beverage bottles
  - d. Used spoons
  - e. Foods or beverages
4. All evidence should be photographed before being collected and identified.
5. All evidence to be analyzed at the laboratory should be:
  - a. Sealed in a clean glass container.
  - b. Labeled to identify the evidence.
  - c. Packaged in a suitable container to avoid breakage during transit to the laboratory.
    - (1) If the evidence is not in a suitable container for shipment, it should be placed in a container provided by the investigator or evidence technician.

## INTERVIEWS AND INTERROGATIONS

Given one or more video re-enactments, simulations, scenarios, roleplays or other depictions of interviews or interrogations, students will participate in an instructor-led discussion/critique which minimally addresses the following issues:

- A. Legality of the interview or interrogation
- B. Mechanics of the interview process
- C. Location and physical environment
- D. Interviewer's actions and style
- E. Types and substance of questions

Performance Objective 13.30.07

## CURRICULUM

### A. Initial actions

#### 1. Pre-interview preparation

- a. Be mentally prepared
- b. Know the type of person to be interviewed (i.e., victim, witness, informant and if suspect)
- c. Know when the interview becomes an interrogation
  - 1. Discuss Miranda issues
- d. Select the proper time and place to conduct the interview
- e. Develop a list of questions which must be answered including:
  - (1) Questions that establish the facts of the incident
  - (2) Questions to establish rapport
  - (3) Questions that a defense attorney may ask

### B. Sources of information

- 1. Case report
- 2. Persons previously interviewed including victims, witnesses, and informants

### C. Conducting the interview/interrogation

- 1. Allow the person being interviewed to tell their own story in their own words



2. Control the interview
3. Determine if there is a violation of law
4. Have patience with those being interviewed
  - a. Some people have difficulty expressing themselves.
  - b. Mentally deficient, developmentally disabled or mentally ill persons may not understand.
  - c. Alcoholics or drunks can provide valid information.
  - d. Eyewitness reports may be unreliable—proper interview techniques can control some of the inconsistencies found in statements
  - e. Children and/or handicapped persons can provide valid information.

D. Interviewer's actions and style

1. When interviewing a person, keep in mind:
  - a. Physical, emotional, mental and educational factors
  - b. That tact may be necessary — witness cannot be required to talk to police
  - c. The probable reliability of witness
  - d. The possible need to use the report of the interview as hearsay at a preliminary hearing
  - e. That the officer should not indicate or assure the witness that they will not have to go to court
  - f. Determine when and where to take notes and/or use of recording devices.

### COURTROOM TESTIMONY

Given a simulation of a criminal trial, the student will participate in the event by either providing testimony or critiquing testimony provided by another person. The simulation should incorporate a variety of questioning styles that officers are likely to encounter on the witness stand, including:

- A. Badgering/belligerent
- B. Offensive
- C. Friendly
- D. Condescending

Performance Objective 13.30.08

### CURRICULUM

#### A. Introduction to courtroom demeanor

1. By the very nature of work, an officer should be accustomed to performing duties in an ever critical eye. Of the many assignments, probably none will be scrutinized more closely than an officer's ability, appearance, and conduct as a witness in court.
2. Officers must be prepared to relate to the court all the facts of which they are aware.
  - a. Generally, their testimony will be carefully brought out by the prosecuting attorney who will establish the facts in the proper manner and sequence.
3. The primary task of the jury is to determine the facts by evaluating and giving weight to the testimony of each witness. Their verdict represents what they believe the actual facts to be.
  - a. The credibility of each witness is always an issue. Credibility is the degree to which the witness is believed. The jury is the exclusive judge of the credibility of the witness.
  - b. In determining the credibility of a witness, the jury may consider any matter that has a tendency to prove or disprove the truthfulness of a witness's testimony, including, but not limited to the following:
    - (1) The witness's demeanor while testifying
    - (2) The character of the witness's testimony
    - (3) The extent of the witness's capacity to perceive, to recollect, or to communicate any matter about which they testify

- (4) The witness's character for honesty or veracity or their opposites
  - (5) The existence or nonexistence of a bias, interest, or other motive
  - (6) Inconsistent statement with any part of testimony
  - (7) The existence or nonexistence of any fact to which they testify
  - (8) Their attitude toward the action in which they testify or toward the giving of testimony
  - (9) The admission of falsehood
  - (10) The prior conviction of a felony
- c. The credibility of an officer - witness can be influenced by many things, such as appearance, manner, directness, reasonableness, and decorum.
  - d. Therefore, the officer should not only possess, but should outwardly reflect, a fair and impartial attitude. The officer should not:
    - (1) "Stretch" the facts to make the case look good. (This has probably lost more cases than any single factor.)
    - (2) Appear to be suppressing facts favorable to the defendant by attempting to evade questions. It is far better to state a fact favorable to the defendant.
  - c. A clear, concise, fair, and factual recital by an officer cannot help but favorably impress a jury.

#### B. Witness examination procedure

1. Prosecution's Case-in-Chief - the initial phase of the trial during which the prosecution presents evidence which demonstrates defendant's guilt.

This is normally when the officer is first called to testify.

##### a. Direct examination

The prosecutor elicits facts from the officer during the direct examination.

- (1) When answering the prosecutor's questions during the direct examination, the officer should direct testimony to the jury.

- (2) In the event defense counsel objects to the prosecutor's question posed to the officer, the officer should remain silent and not answer until the court has ruled on the objection. The judge will rule on the objection in one of two ways: either "sustain" the objection or "overrule" it. If "sustains", the officer cannot answer the question objected to. If the judge "overrules" the objection, the officer may answer the question.

b. Cross-examination

The defense counsel will question a witness under cross-examination following the witness's direct examination by the prosecution.

c. Redirect examination

Following cross-examination by the defense attorney, the prosecutor may question the witness to clarify statements or answers given during cross-examination. This second questioning by the prosecutor is called redirect examination.

d. Re-cross examination

A witness testifying under redirect examination by the prosecution may then be further questioned by defense counsel under re-cross examination.

C. Value Of Professional Courtroom Demeanor And Appearance

1. The precautions taken at a crime scene, the meticulous handling of evidence, painstaking interviews, and detailed case preparation culminate in the trial.
  - a. The value of evidence is dependent upon the manner of its presentation to a jury.
  - b. The reputation of an individual and the department may be enhanced or diminished by the demeanor and appearance of the officer in court.
  - c. The officer is subjected to the objective and critical eyes of the court and, at times, to the added outright animosity of defense counsel.

- d. The officer who has not prepared for court appearance and/or communicates poorly while testifying runs a high risk of personal humiliation.
  - e. Any public appearance has the potential for a public relations impact. Many of our "public appearances" are not preplanned and some of those place us in a less than favorable position.
  - f. An officer's appearance in court does not normally come as a surprise.
  - g. The officer can preplan a court appearance to insure a "positive" outcome. A positive outcome is achieved when the appearance meets the trial objectives, public relations are improved, and the officer is self-satisfied.
2. The manner in which a witness testifies is one of the criteria used to evaluate the weight as evidence to be given that witness's testimony.
- a. A witness whose appearance is neat, whose demeanor is calm, and whose testimony is direct and clear is likely to leave a favorable impression.
  - b. Such testimony usually receives due consideration by a jury.
  - c. Conversely, less credence is given testimony from a witness whose attitude in dress and conduct is casual, and who appears ill-at-ease on the witness stand.
3. It is vital to every criminal prosecution that the officers involved in the case be prepared to present their testimony in an advantageous manner. With that in mind, the following suggestions are offered to peace officers desiring to improve themselves as witnesses.
- a. Individual agency policy will generally dictate the mode of dress to be worn by its officers while testifying in court.
  - b. Generally speaking, on-duty officers testify in uniform and off-duty officers testify in civilian attire.
  - c. In the absence of a judge's prohibition, officers in uniform or civilian attire are normally armed. However, officers in civilian attire should take great pains to insure their firearms are at all times concealed from view.
  - d. Experience has shown that jurors are often offended and unfavorably impressed by the exposure of a witness's gun, bullets, handcuffs, and the like.
  - e. Most of us judge people by their appearance; jurors are no different.

- f. An officer should plan a personal appearance in court in the same manner and with the same attention to detail exercised if planning an appearance before a promotional oral board.
- g. Officers must strive to avoid creation of animosity between the judge, jury, and themselves. We have all experienced immediate disrespect and animosity created when we are disgusted with the personal hygiene and appearance of another.

D. Preparing for courtroom testimony

- 1. Discuss the testimony with the prosecutor.
  - a. This is a must and should be done several days before the trial appearance. The officer should bring a copy of the arrest report and any other notes or memoranda. The prosecutor and officer should not only review the basic facts of the case but the officer should determine exactly what the officer's testimony will be. The officer should never be reluctant to admit that such discussions have taken place. Avoid last minute interviews at all costs.
  - b. If physical evidence is involved in the officer's testimony, then the officer should make certain that the evidence is available and ensure its presence in court.
  - c. Above all, the officer should be completely familiar with the facts of the case.
- 2. Be present for court on time.
  - a. During the pretrial briefing, find out when the prosecutor wishes you to be present in court.
  - b. Typically, a judge will not be as lenient with a tardy officer as with some other witness who is late.
  - c. Tardiness might result in dismissal of charges.
- 3. Aids to the prosecutor
  - a. If the officer receives a subpoena to testify for the defense, it should be reported to the office of the prosecution without delay.
  - b. When writing arrest reports, note in the report as clearly as possible which officers found each item of evidence, where it was found, and who booked it.

NOTE: This reinforces notetaking and report writing.

This will enable the prosecutor to organize his case as to the necessity and sequence of testimony. It will also help to refresh an officer's recollection.

E. How To testify

1. There is nothing more impressive to a jury than a police officer whose testimony is presented in a candid and sincere manner.
2. If you are awkward, uncertain, or amateurish on the witness stand, the defense attorney can make you look like a fool, and probably will. But if you can testify in a professional manner, the defense attorney can't ruffle you. The public, represented by citizens in the courtroom, will have the feeling that their property, possessions and lives are being expertly protected by capable professionals. When you are on the witness stand, your department is on public display.
3. Officer's impressions on others
  - a. **How to dress.** The most obvious way to make a good courtroom impression on others is by the way you dress. Your clothes are clearly visible; they make the first impression.
    - (1) **Dress conservatively.** As a representative of the department, in court on department business, dress accordingly.
    - (2) **Be neat and clean.** Appear well scrubbed and exceptionally clean, hands and fingernails clean, hair trimmed. Have your clothes cleaned and well pressed. Have your shoes shined.
    - (3) **Subdue your clothing accessories.** Keep nothing but the essentials in your coat. Do not have pencils protruding from outside pockets. Wear no emblems or pins. Do not wear loud, fancy, or distracting jewelry.
  - b. **How to present yourself in good courtroom demeanor.** Your conduct and attitude go a long way in creating a favorable reception to the testimony you give in court. These ideas will show you how.
    - (1) **Take the oath in a dignified manner.** While you are taking the oath, look at the person who is administering it. Keep your right hand at shoulder level with fingers extended until the oath is completed. Then seat yourself comfortably in the witness chair. Spell your name for the court reporter.

- (2) **Be yourself.** Be natural on the witness stand. Speak as though you were talking to friends, as if you were simply describing an incident. Don't worry about the effect your testimony will have on the audience. Don't wonder what the judge, jury, attorneys, and others are thinking about you. Relax and answer the questions in your own way.
- (3) **Remain calm.** Keep your temper. Do not become angry or impatient because of interruptions by counsel. Never become arrogant or try to impress the court or jury with your importance. Don't permit anything to confuse you or make you nervous, irritable, or excited. Don't be so fearful or timid that you are not sure of your facts.
- (4) **Refrain from making signs.** Do not make signs. Do not nod or shake your head or make signals for "yes" or "no". Such signs can't be properly recorded by the stenographer.

4. Officer's speech

a. **How to talk when you are on the witness stand.**

It is important that your speech conveys your competence as well as the full facts resulting from your investigation. The fruit of much tedious work must not be lost at the point of delivery on the witness stand due to ineffective speech or improper choice of words or manner.

b. **How to be properly heard.** The effectiveness of your testimony depends upon your words being clearly understood in the entire courtroom and on the fact that your voice creates a favorable impression. Here are some suggestions regarding your courtroom voice.

- (1) **Make your words heard clearly in the courtroom.** Speak loudly and enunciate distinctly. Do not run your sentences together. Do not hurry. Respond to questions as promptly as possible, but do not rush. Keep in mind that all of the jurors must hear you, and that the Court Reporter must take your testimony for the record, without the need for repetition. If a public address system is available, use it.
- (2) **Achieve a pleasing effect by means of your voice.** Use a natural speaking voice, in conversational, steady tones. Do not yell or change your tone of voice except for inflections for emphasis. Speak in a calm and pleasant tone.



- c. **How to achieve a good effect by your language** To place your thoughts clearly and correctly on the record, your words and language must be well chosen.
  - (1) **Make the meaning clear.** Select your words carefully according to their proper meanings. Use layman's language and explain, if asked, any technical terms not understandable to the public. Avoid vague language.
  - (2) **Avoid language faults and imperfections** Be grammatically correct. Do not use profanity and avoid "oh" and "ah" and "you know" to fill in the pauses.
- d. **Achieve a good effect on the courtroom personnel by means of your attitude and audience contacts.**
  - (1) The proper attitude and behavior on your part, as explained below, will give weight to your testimony.
    - (a) **Be respectful.** Be polite and show proper respect to the court. Be confident and at ease and yet speak with authority. However, avoid acting and being dramatic. Speak with simple sincerity; refrain from sarcasm and clever remarks. When cross-examined, use the same tone and attitude as on direct examination. Answer questions with simplicity and firmness, without antagonism or resentment.
    - (b) **Address the judge or jury.** If it is a trial by the court, speak to the judge. If it is a trial by the jury, turn toward the jury. When talking at length, look at the judge, or the jury and the counsel table. Remember that the court reporter has to take down your words.

F. Courtroom testimony

1. Officer's responses

- a. When asked a question by the defense attorney, before answering, pause long enough to allow for objection by prosecutor.
- b. How to answer the questions of the judge and attorneys: Your answers comprise testimony upon which the judge or jury base the verdict. The aim of the direct examination is to bring out clear-cut evidence from your presentation. Your answers must be comprehensive but must consist of specific, objective facts within your own direct observation. Therefore, your responses must follow closely the questions of your attorney and be free

of extraneous material not directly bearing on the case. With a calm and courteous delivery of the facts you possess, the cross questioning of the opposing attorney will not weaken or upset your testimony but rather it will strengthen it through the opportunity to restate parts of it. Here are a few tips on how to answer effectively.

- c. **How to receive the questions.** Be attentive at all times while on the witness stand. You must focus on the words as well as the meaning of the question and establish its clarity in your mind. If a question is obscure, it should not be answered until clarified. The record of your testimony should reflect concise statements clearly related to each question bearing on the case. Your ability to understand the questions will promote such results.
  - (1) **Listen.** To be sure you understand the question, listen carefully. Be sure you know what the questioner is asking. Listen to the question in its entirety, and understand it
  - (2) **Don't answer until the meaning of the question is clear.** Before giving your answer, be sure you have the question clearly in your mind. If it is poorly phrased, be certain you know what is being sought. Don't answer any questions you don't understand.
  - (3) **Ask to repeat or clarify.** If you do not understand the meaning of a question, say so. Ask to have it repeated or read from the record of the court reporter. If in doubt about the meaning of the question, ask for a clarification. Do not try to outguess the defense attorney; if his question carries a double meaning, ask specifically what he wants.
  - (4) **Double questions.** Don't confuse your testimony by phrasing a single compound answer to both parts of a double question. If you get a double question, answer both parts separately.
  - (5) **Hypothetical questions.** Beware of hypothetical questions. Do not testify to such questions, nor be drawn into theoretical discussions beyond your facts and observations.
- d. **How to give the right kind of answers.** It is important that your testimony be free of vagueness and be built from direct and objective statements.
  - (1) **Be direct.** State your answer as simply as possible to get the desired meaning across. Be responsive to the

question. If you know the answer, give it directly and clearly. Talk to the point, and don't digress. Don't beat around the bush or hedge with your answers. If you do, later cross-examination may attack and weaken your testimony.

- (2) **Be brief.** Make your answer brief, but complete.
- (3) **Be objective.** Testify to facts and physical evidence derived from your personal observation. State only what you saw, said, heard, and did. In a case involving a contract, do not testify to conclusions, such as "he agreed", or "it was understood." Be accurate as to what you perceived through your own senses beyond any doubt. Do not report on what probably happened.
- (4) **Don't report hearsay.** State only facts that you personally know to be true. Don't quote others as having the same opinion. Relate conversations exactly as you remember them, using the exact words and phrases spoken. Avoid hearsay, since it is not admissible as evidence.
- (5) **Be cautious about "yes" or "no" questions**  
  
If you can answer a question by "yes" or "no", do so. However, if a "yes" or "no" answer needs qualifying, say so. If an attorney insists on a "yes" or "no" answer, either tell the attorney you cannot answer in this manner or answer the attorney and then ask the judge if you can qualify the "yes" or "no."
- (6) **Don't say "he" did.** Say Mr. Jones did. Use the names of the persons to whom you refer rather than the personal pronouns, "he", "she", or "they".
- (7) **Answer completely.** Be as explicit as time and conditions allow. Be precise and complete with your answers.

e. **How to keep within the limits of what you really know.**

Answer only the questions you are qualified to answer. Give only facts you possess. Don't be afraid to divulge the limits of your knowledge or your mistakes. Here are a few specific points along this line.

- (1) **Don't be afraid to say "I don't know".** When you are sure you don't know the correct answer, say: "I don't know". Do not be afraid to say this in a clear and confident manner. "I don't know" does not mean

ignorance, only that you did not observe the facts directly.

- (2) **Say "I don't remember" when you are not positive that you don't know.** Keep in mind that your saying: "I don't know" closes examination on a point. Do not hesitate to say: "I don't remember" if such is actually the case. The attorney may need to ask about things you have forgotten. Don't say "that is all", rather say, "That is all I can recollect". This will not close further inquiry into the subject.
  - (3) **Qualify or limit your answers.** If the positive and accurate answer is not known or cannot be substantiated, you must qualify your responses. Avoid positive answers when unsubstantiated detail is involved. Don't bluff an answer.
  - (4) **Admit your mistakes** If you make a mistake and it is called to your attention, admit it.
- f. **How to cooperate with your attorney.** Concentrate on the attorney's trend of thought and reasoning in posing questions. Wait for the complete question before you formulate your answer. A simple mistake in your testimony can lose the case. The pause necessary for framing your answer will also serve to allow time for raising objections according to court procedure. You must follow the line of questioning and avoid causing digressions.
- (1) **Address your responses correctly.** In a court trial, direct your answers to the judge. In a trial by jury, direct your answers to the attorney and to the jury.
  - (2) **Take all the time you need to assimilate the question and to give the proper response.** Think before answering and do not speak hastily. Organize your thoughts. Know exactly what you want to say, and how to say it. There is no great rush. Give your answer without hesitancy as soon as you reasonably can.
  - (3) **Allow time for objections.** Objections are to keep improper evidence out of the case. Attorneys object when rules are violated, or when they think so. Before answering questions, allow time for objections. When the opposing lawyer is examining you, pause long enough to give the deputy district attorney time to interpose an objection. If an objection is made, withhold further testimony until the judge sustains or overrules the objection.

- (4) **Don't volunteer information.** Answer the question. If you don't know the answer, say so, but don't go off on tangents. Under cross-examination the questions will only relate to statements given under direct examination. Don't be talkative and open up other areas for cross-examination.

g. **How to deal with the opposing attorney.** Remember that defense attorneys, as part of their jobs, must look for loopholes and contradictions in your testimony, and for opportunities to embarrass you. Therefore, you must be courteous and exercise self-control during cross-questioning to avoid all emotional pitfalls. With a calm mind you are best able to remember facts to which you testified earlier. The following points will help you deal with the opposing attorney.

- (1) **Treat both attorneys alike.** Answer the defense attorney in the same courteous tone used to answer the prosecutor. Show the same respectful and unbiased attitude.
- (2) **Don't allow yourself to be irritated or angered.** Be as unemotional as possible. Stay with the facts which you know and don't become confused if the opposition tries unfairly to accuse you and upset you. Beware of becoming angry or losing your temper.
- (3) **Don't be led into an argument.** Remain calm and do not become argumentative.
- (4) **Don't be misled or trapped.** Be prepared for attempts by the defense attorney to distort your statements or lead you into giving conflicting testimony.
- (5) **Don't be clever.** Be sincere and maintain a businesslike attitude at all times. Refrain from flippant, clever or sarcastic answers.
- (6) **Don't be timid.** Speak with a calm air of confidence and don't be timid as if you were not sure of your testimony.

2. Officer's precision and accuracy

a. How to be exact and factual when you take the stand:

- (1) **Know your facts.** Before the trial you should be familiar with all phases of the case. Know all the facts you may be called upon to give. Be sure of all proper dates, addresses, times of day and night, etc., relating to the crime, your investigation, and your conversations.

Knowing the details of the case will help to insure accuracy in your answers.

- (2) Review your testimony. Study your case thoroughly before court by reviewing all your notes and facts. Make a list of the questions you may be asked, and the correct answers. Over-learn important facts by reviewing your reports so that you will be able to testify without hesitation. Review any conversations you have had prior to taking the stand.
  - (3) Get help from the district attorney and your partner in the preparation of the case. Go over the case thoroughly with your partner in every detail several times. Especially do this the night before the case comes to trial. Prepare your testimony with the help of the district attorney.
  - (4) Don't discuss the case with a witness who has preceded you on the stand. Don't discuss the case with anyone who has testified until you yourself have testified, to prevent coloring your testimony.
- b. How to improve the accuracy of your answers while on the stand. Your choice of words is a very important part of your giving your testimony properly. Here are some ideas from those who have had experience in testifying.
- (1) Don't lie. If you stick to the truth and testify only to what you know to be true, you have nothing to fear. Cross-examination can't cross you up, and you won't be caught on a limb. A witness caught in a lie at any stage of the proceedings will be condemned as unworthy of belief by the judge and jury, and most if not all of that witness's testimony will be discredited.
  - (2) Don't exaggerate. State the facts only as you know them. Don't attempt to color or exaggerate their significance.
  - (3) Don't guess. Never guess at any of your answers nor at what an attorney wants for an answer. Tell only what you know.
  - (4) Qualify "yes" or "no" answers. Ask permission of the court to qualify a "yes" or "no" answer and thoroughly explain it, if the answer warrants it.
  - (5) Select descriptive terms. When giving your opinion or testimony, try to select words that are descriptive. For example, if a man was nervous, say "His hands shook", "His speech was stumbling", "His forehead was covered with perspiration.", etc.

- (6) Give testimony of the substance of a conversation. You are not expected to remember the exact words that were said, but you are expected to remember the substance of a conversation. You may be able to memorize conversations of this sort, but you are not expected to do so.
- c. How to substantiate the accuracy of your verbal testimony. Here are some ideas that will help you to refresh your memory on the witness stand, and enable you to check on details that you might otherwise forget.
  - (1) Refer to your notes. If it is necessary to refer to your notes that you prepared beforehand to help you to substantiate the facts of the case, do so only after you have asked the judge's permission. Be prepared to answer all of the questions of distance, depth, width, etc. with actual measurements you yourself took. When you refer to your notes, make certain beforehand that there are no embarrassing comments in your notebook, since the defense has a right to examine it and may possibly read some excerpts aloud.
  - (2) Exhibit other evidence. Do not testify to what you think without evidence to back it up. Use photographs whenever it is possible to describe subject matter. Mark all your exhibits and evidence so that when you are asked to acknowledge them, you will be able to do so.

## 7. Fairness and justice

How to achieve and display fairness. To be and to seem fair are both very important. Having made your investigation, and having been convinced of guilt, you enter the trial prejudiced. But you can still be fair.

- (a) How to be fair. Here are some ideas on how to do your duty without being an enemy of the defendant.
  - (1) Don't be dogmatic. A man is considered innocent until he is proven guilty beyond a reasonable doubt in criminal cases. Do not make false accusations. Give your testimony just as it was seen or presented to you. Never let your personal feelings enter into your testimony.
  - (2) Don't be influenced by other witnesses. Don't be influenced by the testimony given on the stand by another witness. Stick to what you know.
  - (3) Don't let attorneys put words into your mouth. Allow enough time to think over the question before you answer it. Don't allow either attorney to put into your mouth words you don't intend to say.

- (4) Avoid terms that are derogatory. Do not refer to the defendant in a derogatory manner. Avoid references to race, color, etc. Try not to color your report; avoid using loaded words and phrases. Word your answers so as not to offend anyone whenever possible. Show courtesy to the defense counsel, by addressing counsel by name, preceded by "Mister", Mrs., or "Miss", as appropriate.
- (5) Don't omit the whole truth. Even though some of the facts may put the defendant in a favorable light, give your testimony in its entirety. The facts will speak for themselves. Include all the points, both major and minor, that will indicate that you conducted a thorough investigation.

b. How to SEEM fair. Here are some ideas on how to handle yourself so that you will appear completely honest in your testimony.

- (1) Don't SEEM prejudiced. You are relating the facts. You are not the judge or the jury. By your answers, you can convince the court that you have treated and are treating the defendant fairly. Let the facts speak for themselves. Let them lead the judge or jury to their own conclusions as to guilt or innocence.
- (2) Admit that you talked about the case to others. "Did you talk to anyone else?" is used in cross-examination to frighten you, when your credibility cannot be attacked any other way. Don't be afraid to admit that you have discussed the case with friends, or relatives, or attorneys, since this is normal and usual behavior.
- (3) Treat the defense and prosecution attorney alike. Be careful not to let your manner or tone change in your response to the questions of the defense counsel from your manner in answering the district attorney. Don't show antagonism or resentment. Give no more weight to the prosecution than to the defense.
- (4) Don't defend yourself against personal attacks. Cross-examination is to see if you are honestly mistaken in your testimony. Try to understand that both sides are trying to win the case. Personal attacks are a tool used for this purpose. If you are absolutely fair and unprejudiced, you need not worry about the opposing counsel trying to discredit your testimony. Don't argue with him. The judge and your attorney will protect you from insult.

## 8. Opinion evidence



- a. An officer may be asked to give an opinion about some fact such as speed, distance, size, etc. The general rule is that a lay or nonexpert witness may testify in the form of an opinion only if the opinion is based on the witness's own observation of the facts and is helpful to a clear understanding of the witness's testimony (when the witness cannot adequately describe observations without using opinion wording.)
- b. Less frequently, an officer may qualify as an expert witness and be asked to give an opinion as an expert on a particular subject. An officer will be qualified to give an expert opinion if the subject to which the officer's testimony relates is sufficiently beyond common experience, an expert opinion would be helpful in determining the facts, and the officer has special knowledge on that subject.

The judge decides who is qualified as an expert witness. Unless the attorneys agree to the qualifications of the officer as an expert, the prosecution may question the officer regarding the training and experience which qualifies the officer as an expert. The officer is subject to cross-examination by defense counsel and judge. This is known as "voir dire."

- c. Whenever an officer is called to give an opinion, the following rules should be observed:
  - (1) Base each opinion on facts. Tell the court the facts that cause you to form a certain opinion. Use the facts presented in court to reinforce your testimony. An opinion, if absolutely necessary, can be submitted indirectly by describing every factual thing in connection with it.
  - (2) Clarify in your own mind the point at which the facts end and your opinion begins. Do not add short opinions or explanations to the facts. If you are giving your opinion, say so. Be careful to keep opinion separate from fact. Give only facts as fact.
- d. How to qualify yourself as an expert, so that your opinion will carry weight. A few ideas will assist you to substantiate your testimony by qualifying yourself as an expert in court.
  - (1) State that you are an expert. Your opinion should only be given in court when you are called upon and qualified as an expert witness. With the aid of the trial deputy's questions, classify yourself as an expert in bookmaking, narcotics, etc.
  - (2) Give your experience, qualifications, or proofs. When classifying yourself as an expert, give accurate statements as to your background, experience, and

preparation justifying the value of your opinion. Your opinion as an expert witness must be entered into the records of the preliminary hearing. If there is an expert witness who is more qualified than you to answer a certain question, make this fact known.

- e. How to defend your expert opinion on grounds other than your recognized expertise. Don't worry about defending your opinions if they are based on sound facts, rather than on hypothetical ideas. Here are some ways to help substantiate them.
  - (1) Give your opinion only when asked. The proper time to testify to your opinion is when you are specifically asked for it on the points pertaining to the offense.
  - (2) Stand by your opinion. Don't be afraid or ashamed of your considered opinion. Stick with it. Speak confidently and with assurance. Your opinion is based on the know-how of experience and is not a figment of your imagination.
  - (3) Give the facts on which your opinion is based.
  - (4) Give the reasoning by which you arrived at the opinion in working from the facts.
- 9. Confessions. How to testify regarding confessions made by the defendant. When the defendant signs a paper to the effect that the defendant actually committed a crime, a powerful weapon is placed at the disposal of the court. You must know how to handle this weapon in order to bring about a conviction.
  - a. To substantiate the writing and the signing of the confession. A few rules are listed here that will help you prove that a confession was actually made.
    - (1) Testify to the writing of the confession. If the actual writing of the confession was not done by the suspect, testify to the circumstances under which he read, corrected, and signed the finished statement after it had been written by others.
    - (2) Testify to the signing of the confession.
    - (3) Report the witnesses who were present at the time the confession was signed.
    - (4) Testify that the confession was made in your presence.
    - (5) Show the signature of the witness.

- (6) Testify to the time and place of the confession.
  - b. How to prove the confession to have been a free and independent act. The confession is valid only if it was voluntarily given. The strategy of proving that the defendant made the confession voluntarily is reported in the rules that follow.
    - (1) Repeat the statements you made at the time of the confession. Quote fully the question you asked the defendant in order to bring out the confession.
    - (2) Testify to the fact that the confession was made of the defendant's own free will. Establish that Miranda rights were properly given before confession was made.
    - (3) Testify that you made no promises.
  - c. How to handle the confession document. Since both the confession instrument itself and the notes are important items of physical evidence, these documents must be handled in accordance with established procedures.
10. Testimony regarding profanity. When the officer is on the stand testifying as to matters that involved profane language, that officer should tell the judge that indecent words were used, and ask if the court wishes to have them repeated exactly.
- a. This is most important in a jury trial involving jurors, and other proceedings where there are women or children present in the courtroom.
  - b. When the officer asks the judge if the profanity should be repeated verbatim, it has the effect of emphasizing the indecency of the defendant's language.
  - c. It should be remembered that whenever questions are asked of the judge, the judge should be addressed as "Your Honor".
11. Terminology. The following distinctions in terminology are not vital to proper testimony, but do help in maintaining accuracy and clarity.
- a. In police reports the defendant is referred to as the "suspect" when a criminal complaint is filed. During all subsequent proceedings the officer should refer to the accused as the "defendant", and no longer as the "suspect".
  - b. It is preferable for the officer to frequently mention the defendant(s) by name.
  - c. In cases where the defendant was arrested along with one or more other person(s), and the other(s) are not a party to the

immediate proceedings, all other(s) should be referred to by name.

- d. Officers should avoid using specialized police terminology, or underworld jargon.

## 12. Exclusion of witnesses

- a. If the court orders witnesses excluded from the courtroom, all officers who were subpoenaed to testify in the case should leave the courtroom and remain available when called.
- b. One officer may be designated by the prosecutor as his/her investigator. That officer may be allowed to remain in the courtroom.
- c. Noncompliance with the exclusion order of the court may be grounds for the officer being held in contempt of court.

## G. Refreshing your memory and use of notes

- 1. The usual purpose of notes is to prepare reports. However, an officer should not lose sight of the fact that notes can be used in court on occasion as an aid in testifying.

## H. Attorney personalities

- 1. Common tactics used in cross examination.

Many times the defense counsel realizes the prosecution has an extensive case against a client and the only logical defense for the client must be based on challenging the credibility of the prosecution's witnesses. What, then, are some of the tactics defense counsel may use in order to diminish your credibility in the eyes of the jury?

- a. Offensive - rapid fire questions. Defense counsel will ask one question after another with little time to answer, in an attempt to confuse the witness and to procure inconsistent answers. When faced with such a situation, take time to consider the question, be deliberate in answering, ask to have the question repeated, and above all, remain calm.
- b. Condescending counsel - Defense counsel's approach will be ultra-benevolent to the point of ridicule in an effort to give the impression that the witness is inept. When faced with such a situation, ask for the question to be repeated if it was improperly phrased and the answer in a firm and decisive manner.
- c. Friendly counsel. Defense counsel may be overly courteous in an effort to lull the witness into a false sense of security.

Where answers may be given in favor of the defense. When faced with this situation, stay alert and bear in mind that defense counsel is attempting to diminish the effect of your testimony.

- d. Badgering/belligerent. Defense counsel may do almost anything in order to provoke the witness to that point where the witness, through loss of emotional control, loses credibility with the jury. When faced with such a situation, ignore defense counsel's actions, stay calm, speak in a deliberate voice and give the prosecutor time to make the appropriate objections.

2. How to react to the personalities

- a. Do not argue. Depend on the prosecutor to protect you from cross-examination badgering.
- b. Avoid displays of bias. Treat the facts and defense counsel as if the case at bar was only one of hundreds you have worked on and display an interest in justice only.
- c. Do not joke or laugh. Avoid all temptations to be a courtroom comedian.
- d. Be responsive. Answer the question asked.
- e. The real test of our competence is in the courts. An officer is expected to perform like a professional witness.

I. Review

- 1. Dress appropriately. Remember that you are testifying in a court of law in which the dress should be suitable for the occasion. Gaudy or unusual clothing should not be worn.
- 2. Do not engage in any discussion with jurors or prospective jurors. If you cannot avoid a chance contact with a juror, do not discuss the case or anything connected with it. Further, do not discuss the case with anyone while at the courthouse, especially when your conversation might be overheard by the jurors, the defendant or the defense attorney.
- 3. Try to keep calm. While this is easier said than done, make a conscious effort to avoid the appearance of undue anxiety and tension. Be polite and courteous regardless of how much you may be provoked by the question asked of you. Don't get mad.
- 4. Speak so as to be heard by everyone in the courtroom. Sit up in the witness chair and do not cover your mouth with your hand or engage in other nervous movements. These are distractive to the judge and jurors and detract from the effectiveness of your testimony.

5. Listen to the questions asked of you. Make sure that you understand what is asked. Pause before answering and think about the question. This is especially important if a considerable length of time has elapsed since the events about which you are to testify occurred. In such a case, if you answer too quickly, it may suggest that your answers have been memorized or perhaps are even contrived.
6. Only answer the question asked. Keep your answers short. Do not give a long, narrative statement unless specifically called for. Don't volunteer information. Remember also that you need not answer every question on cross-examination with a "yes" or "no". You may explain any answer, particularly if the answer you have given may be misleading because of the way the question was asked.
7. Testify from memory. Don't attempt to memorize earlier statements. If you made a mistake in an earlier statement, you have the right to change it. It is not perjury for you to change an earlier statement which was inadvertently inaccurate or mistaken (whether it was made under oath or not).

## **SUPPORTING MATERIAL**

**AND**

## **REFERENCES**

This section is set up as reference information for use by training institutions. These materials can be used for instruction, remediation, additional reading, viewing, or for planning local blocks of instruction. This list is not an endorsement of any author, publisher, producer, or presentation. Each training institution should establish its own list of reference materials.

**TOPICAL LIST OF SUPPORTING MATERIALS AND  
REFERENCES INCLUDED IN THIS SECTION**

**Information Sources**

**Eight Components of a Preliminary Investigation**



## INFORMATION SOURCES

### A. Introduction to information sources

#### 1. Importance to the field officer

- a. In the investigation of any crime, an officer must use all possible sources of information available.
- b. To use information resources, an officer must first be aware of the kinds of sources available.

#### 2. Sources of information fall into three groups, information obtained from:

- a. Persons
- b. Physical objects
- c. Records, documents and other written sources. (private and public).

### B. Identifying and developing the informant

#### 1. Police officers contact numerous persons who can furnish information to them:

- a. Victims
- b. Suspects
- c. Witnesses
- d. Juveniles
- e. People from all areas of the community who represent diverse backgrounds, occupations, and motives.

#### 2. General informant

- a. One who furnishes information openly and without concern for confidentiality.
- b. Often, the "good citizen" who recognizes a duty to assist law enforcement efforts.

#### 3. Confidential informant

- a. Some informants wish to remain anonymous or, if known to the officer, do not want their identity known to others.
- b. When dealing with a confidential informant, the officer must take care not to reveal the subject's identity.

- c. Once a confidential informant's identity is revealed, that informant's value as an information source is seriously weakened or lost.
- 4. Most informants have a reason or motive as to why they are willing to furnish information.
  - a. General motives of informants.
    - (1) Civic responsibility or feeling of duty.
    - (2) Monetary compensation for furnishing information.
    - (3) Desire to gain present or future police favor.
    - (4) Fear of impending arrest or perhaps personal harm by criminal element.
    - (5) Jealousy of one who will be affected by the information.
    - (6) Elimination of criminal competition.
    - (7) Revenge against another informant or one who may have taken advantage of the subject now willing to offer information.
  - b. Be aware of why an informant is willing to offer information.
- 5. Identifying the informant
  - a. An effective field officer usually has numerous sources of information developed within the scope of routine contacts.
  - b. Potential informants come from all walks of life, but there are those who are typically mentioned as sources.
  - c. The persons an officer may attempt to develop as sources might be:
    - (1) Barbers
    - (2) Bartenders
    - (3) Beauty shop operators
    - (4) Bank and lending agency employees
    - (5) Service delivery men
    - (6) Cab drivers
    - (7) Store clerks
    - (8) Hotel and motel employees
    - (9) Insurance and private investigators

- (10) Newspaper deliverers
- (11) Prostitutes
- (12) Public utility employees
- (13) Restaurant employees
- (14) Ex-convicts
- (15) Those who associate with criminal element
- (16) Fellow officers who have developed other sources of information.

6. Developing the informant

- a. Be aware that an informant must be treated properly to be most effective.
- b. Guides to proper treatment of informants would minimally include the following considerations:
  - (1) Fair treatment  
Irrespective of the informant's character, background or status, the subject should be treated fairly.
  - (2) Reliability
    - (a) Officer should be truthful and fulfill all ethical promises made to the informant.
    - (b) Distrust will negatively affect an informant.
  - (3) Control
    - (a) Informant should not be permitted to take charge of any phase of the investigation.
    - (b) Do not permit the informants to break the law--make sure they are not using you.
- c. If dealing with criminals and other less respectable people:
  - (1) Follow your agency policy.
  - (2) Obtain permission (or advise your supervisor) before you use the person.
    - (a) A safeguard against allegations of misconduct or inappropriate action on the officer's part.

C. Physical objects as information sources

1. Resources from things as well as people
2. Physical evidence may help to identify or link those in the crime or incident
3. Such sources as:

- a. Clothing
- b. Body fluids
- c. Hair
- d. Tissue
- e. Glass
- f. Paint chips
- g. Soil
- h. Tools
- i. Weapons
- j. Other physical objects

4. Physical objects must be identified, collected and preserved properly.

D. Information obtained from private records and documents

1. There are a number of private organizations from which information can be obtained.
2. The manner in which this information is obtained is, in large measure, determined by the investigator.
  - a. Most organizations will cooperate if tactfully approached.
  - b. Should be assured that your sources of information will be kept confidential.
  - c. In the event the information is needed for court, rather than compromise any private source, seek a subpoena for the records.
3. The number of private organizations and business records capable of providing information are as numerous as the officer will permit them to be.
4. The following sources are examples of private records which may be useful:
  - a. Military registers (Army, Air Force, Navy and Marine)
    - (1) Name, serial number, date of birth, date of rank
    - (2) Commissioned and warrant officers only

- b. Auto rental or leasing companies
  - (1) Identity of persons leasing cars
  - (2) Driver's license information
  - (3) Make, model or car used
  - (4) Mileage travelled
- c. Better Business Bureaus
  - (1) Identity of local businesses
  - (2) Reputation of businesses and firms
  - (3) Rackets and confidence games
- d. Banks and loan companies
  - (1) Records on bank accounts and deposits
  - (2) Loan information
  - (3) Credit record
  - (4) In order to obtain this information, it may be necessary to get a search warrant (privacy interests seem to be increasing)
- e. City directories and telephone directories
  - (1) List names, addresses, telephone numbers.
  - (2) City directories generally list occupation.
  - (3) May list all streets in city alphabetically with all street numbers and with the identity of each building occupant.
  - (4) Usually list telephone numbers in sequence and the subject's identity.
- f. School and college records
  - (1) Biographical data
  - (2) Sample handwriting and student signature
  - (3) Educational achievements
  - (4) School yearbooks
    - (a) Names

- (b) Activities
  - (c) Pictures
- g. Poor's Register of Corporations, Directors and Executives
  - (1) Available in public libraries
  - (2) Gives listing of executives, corporations, firms products
  - (3) Approximately 30,000 listings
- h. Commercial credit agencies
  - (1) Files on those who have applied for credit
  - (2) Residence history of applicant
  - (3) Employment history of applicant
  - (4) References for applicant
  - (5) Other charge accounts
  - (6) Debts
  - (7) Personal history
- i. Dun and Bradstreet Ratings (99 Church St., New York, N.Y. 10007)
  - (1) Record on businesses including financial data, credit, and organizational data
  - (2) Stock brokers, wholesale and retail dealers
- j. Express and transportation companies
  - (1) Records of shipment of goods and amount shipped
  - (2) Value
  - (3) Destination and consignee
- k. National Board of Fire Underwriters

General information on persons who have or have had a fire insurance policy
- l. Hospitals
  - (1) Patient illness or injury
  - (2) Dates of entry and release

- m. Hotel Association
  - (1) Maintain file on bad checks, gamblers, and those who work in hotels and motels.
  - (2) Security personnel may be able to furnish this information.
- n. Apartment housing and other housing projects.
  - (1) Records of present and former tenants
  - (2) Possible forwarding addresses
- o. National Association of Life Underwriters (11 West 42nd ST., New York, N.Y.)
  - (1) Insurance company clearing house
  - (2) General biographical data on all persons who have had life insurance policies
- p. Laundry and dry cleaning businesses
  - (1) Many have their own markings.
  - (2) Records on when services were rendered
    - (a) Names
    - (b) Addresses
- q. Lawyers' Directory
  - (1) Arranged by city and state
  - (2) Lawyers in United States by name and background data
- r. MacRae's Blue Book
  - (1) A source for all manufacturers of industrial equipment, products, and materials
  - (2) Lists manufacturers alphabetically by company name, product classification and trade name.
- s. Moving companies
  - (1) Person moving or storing furniture
  - (2) Destinations, dates, and addresses
- t. Newspapers
  - (1) Maintain back issues
  - (2) Lists of subscribers

- u. Public utilities
  - (1) Maintain application for service
  - (2) Often, records are kept by address rather than by name.
  - (3) Usually have record of person who had service previously at the same address
  - (4) Companies may have a special agent's office which can assist in this.
- v. Real estate companies
  - (1) Records of residents and former tenants of rental property
  - (2) Records of buyers and sellers of property
- w. Taxicab companies
  - (1) Records of trips kept by drivers on each customer
  - (2) List time, date, location from and destination
- x. Travel agency and other transportation companies
  - (1) Names, addresses of passengers
  - (2) Dates of ticket purchase
  - (3) Dates of travel
  - (4) Points of disembarkment
  - (5) Hotel accommodations
  - (6) Itineraries



EIGHT COMPONENTS OF A  
PRELIMINARY INVESTIGATION

- o PROCEED SAFELY TO THE SCENE
- o DETERMINE NEED FOR EMERGENCY MEDICAL SERVICES AND AID ANY INJURED PERSONS
- o VERIFY THAT A CRIME, IF ANY, HAS OCCURRED
- o IDENTIFY AND ARREST THE PERPETRATOR(S), IF APPROPRIATE
- o AS SOON AS POSSIBLE, PROVIDE DISPATCH WITH ANY SUSPECT INFORMATION INCLUDING PHYSICAL DESCRIPTIONS, DIRECTION OF FLIGHT, MODE OF TRAVEL AND OTHER PERTINENT INFORMATION
- o CONTAIN AND PROTECT THE CRIME SCENE AND CAUSE THE PROPER COLLECTION OF EVIDENCE
- o LOCATE AND INTERVIEW WITNESSES AND IDENTIFY OTHER SOURCES OF INFORMATION
- o COLLECT ALL AVAILABLE INFORMATION NECESSARY TO WRITE A CLEAR AND ACCURATE REPORT (WHO, WHAT, WHEN, WHERE, WHY AND HOW)