

*[Revised; 3/01)*

**Homicide Investigation  
Standard Operating Procedures**

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The primary responsibility of everyone involved in a homicide investigation—from the first officer on the scene, to the lead investigator, to the evidence technician and others—is to **DOCUMENT**. All persons involved must document what they saw, what they heard, what they did, and when they did it. Accurate note-taking and proper documentation will close more cases than the most insightful detective ever will.

## I. First Officer at Scene—Duties and Responsibilities

The actions taken by the initial responding officer will greatly affect the success or failure of the homicide investigation. The officer must arrive at the scene safely, defuse any dangerous situations, provide medical assistance, apprehend any suspects, secure the scene, identify witnesses, and call for appropriate assistance.

### A. Arrive Safely

**Principle:** The initial duty of the responding officer is to arrive at the scene safely and observe all activity taking place there. Crashing a police cruiser on the way to the scene draws resources away from the investigation and delays the response to the scene. Delays may cause some crucial observations, evidence, or witnesses to go undiscovered.

**Policy:** The initial responding officer should proceed to the scene quickly but cautiously, park in a way that does not disturb the scene, take time to absorb all details of the scene, and document all observations (what the officer sees, hears, smells, etc.). The officer should proceed cautiously so as not to contaminate or destroy possible evidence.

**Procedure:** First, get to the scene safely. Next, document everything you observe upon arrival. Check on the location and condition of the victim. Observe whether any persons or vehicles are leaving the area, and determine the identity of all persons present. Take note of the weather conditions, the lighting conditions, the time you arrived, etc. Use all your powers of observation, and document everything. Note also what is present at the scene that should not be there, and also what should be at the scene but is absent.

### B. Ensure Safety at the Scene

**Principle:** The safety of others at the scene and those responding is of paramount importance.

**Policy:** The initial responding officer must identify and defuse any potentially dangerous situations. The scene may contain suspects, unattended weapons, or an unruly crowd, and assaults or fights may still be in progress.

**Procedure:** Scan the area for potential hazards, such as weapons, fire, chemicals, electrical lines, gas lines, individuals, explosives, or animals. Call for assistance to neutralize any hazards discovered.

### ***C. Arrange for Medical Assistance***

**Principle:** The primary responsibility of every law enforcement officer is to preserve life.

**Policy:** The initial responding officer must ensure that medical assistance is provided to any injured victim or suspect.

**Procedure:** Although saving lives is always the number one priority, you still have other responsibilities that must not be neglected. Record the identity of the medical personnel who arrive on the scene, record the time they arrive, and direct them to the persons who require assistance, using just one way in and one way out to minimize crime scene contamination.

If rescue personnel arrive before you do, ask what time they arrived and document that information as well as their identity. Establish what has been moved at the scene (victim, weapon, etc.), what has been removed from the scene, what may have been altered, and how the rescue personnel entered the scene. If any victim or suspect has been transported for medical treatment, call for patrol units to be dispatched to the medical facility and remain with the victim or suspect until relieved by investigative personnel. If possible, patrol units should accompany anyone transported from the scene. All this information must be meticulously documented.

Accept the fact that rescue personnel will disturb the crime scene. Your responsibility is to minimize the amount of disturbance without unnecessarily hindering their life-saving efforts.

If there is a possibility that the victim may die, attempt to obtain a dying declaration. For the declaration to be of use, the victim must be aware that he or she has sustained life-threatening injuries and may be about to die. Whether the victim does, in fact, die is immaterial, as long as the victim believed he or she was about to expire.

### ***D. Apprehend Any Suspects***

**Principle:** The responding officer must effect the arrest of those persons involved in the crime if it is safe to do so.

**Policy:** A law enforcement officer will take into custody any person who has committed a crime against the laws of the jurisdiction. The officer will ensure that the suspect is af-

forded all rights accorded to him or her by the applicable laws of the jurisdiction and the Constitution of the United States.

**Procedure:** If the suspect is still at the scene when you arrive, and you can safely make an arrest, do so. If you believe backup might be required, wait for assistance. You have just responded to one homicide; there is no need for you to become the victim of another.

If the suspect is arrested at the scene, wait for the homicide detective to conduct the interrogation. If the suspect has to be transported from the scene, make sure the transporting officer does not question the suspect. If the suspect volunteers any statements, document what he or she says and note the date, time, location, and circumstances of the statement.

If it is necessary to question the suspect immediately, you must read the Miranda rights to the suspect first. Depending on state law, any waiver of those rights must be intelligently given—in writing, if at all possible. See Appendix A for an example of a written waiver.

The suspect may begin to give a statement and then decide to stop. If so, advise the detective assigned to the case so he or she may attempt to obtain another waiver. In any case, once the suspect invokes his or her Miranda rights, the questioning must cease.

## ***E. Secure the Crime Scene***

**Principle:** Controlling the crime scene, a task that includes securing the area and identifying those present, is an extremely important function of the first officer on the scene. The degree to which these tasks are accomplished will have a great effect on the investigation.

**Policy:** The initial responding officer must secure the crime scene, identify those persons present, and limit access to the scene to authorized personnel only.

**Procedure:** If you have established that the victim is deceased and the suspect is not at the scene, securing the crime scene is your most important responsibility. Cordon off the area and prohibit entry to anyone. Use crime scene tape, rope, vehicles, or barricades, or simply lock a door and station an officer at the entrance. Record the identity of anyone entering the scene (such as rescue personnel, other law enforcement officers, the medical examiner, or the prosecuting attorney), the time in and out, and the reason for entry. Take steps to protect evidence that may be lost or contaminated by the elements, foot-steps, vehicle tracks, etc. A few key points to note:

- Protection of the crime scene is paramount. Nothing at the scene should be moved or touched unless absolutely necessary. Within the boundaries of the crime scene, neither the telephone nor the bathroom should be used under any circumstances.

- Persons to be excluded from the scene include law enforcement officers not assigned to the case, politicians, members of the media, family, and friends.
- Members of the media may demand access to the scene, insisting upon the public's "right to know." This "right" does not exist if it would hamper the homicide investigation. Cooperation with members of the media is desirable, but not if it interferes with the investigation.
- Family members and friends of the victim may also be present. These people must be treated compassionately but still be kept away from the crime scene.

After securing the crime scene, you must identify witnesses and gather related information. Note the following:

- Most people will cooperate with your efforts to obtain their identities, but some will not.
- A few discreetly taken photographs of the crowd of onlookers may assist in identifying witnesses and, possibly, suspects.
- Keep witnesses separated from one another in order to prevent them from influencing each other's description of the suspect and version of what transpired. Keep witnesses separated even when they are being transported to another location for interviews.
- Take witnesses' preliminary statements, which will be turned over to investigative personnel when they arrive. Even though detectives will take subsequent statements from witnesses, you must accurately and completely document any initial statements.
- You may encounter reluctant witnesses. Attempt to gain their cooperation by appealing to their sense of civic responsibility. At a minimum, obtain accurate identification so that investigative personnel may conduct follow-up interviews. At this stage of the investigation, you cannot be certain of anyone's degree of involvement or knowledge of the crime. Obtaining accurate identification from all persons is an extremely important responsibility.
- If several suspects are located, they must be kept separate from one another so they do not have the opportunity to compare notes and concoct a plausible explanation for their activities.

## ***F. Call for Assistance***

Although this step is done concurrently with other duties, it is listed separately to show the basic notifications that must be made.

**Principle:** The presence of appropriate, specially trained personnel on the crime scene is essential in furthering the investigative process.

**Policy:** The initial responding officer shall request additional personnel to assist in crowd control, maintaining the perimeter, gathering witness information, transporting witnesses or suspects, processing the scene, searching the scene, canvassing the area, and other tasks.

**Procedure:** Notify your communications unit of exactly where you are, what you have, and what you need. Resources to consider requesting include these:

- Additional patrol units
- Immediate supervisor
- Rescue personnel
- Homicide detective
- Evidence technician
- Public information officer
- Notification of chain of command

You may not receive all the assistance you request. Technicians or detectives may not be readily available, the public information officer may be at another scene, or your immediate supervisor may be temporarily unavailable. Focus your efforts on the listed duties in the order in which they are presented in this document. If all you can do is to secure the crime scene, make sure to do so. Although it is not the best scenario, witnesses can be located later, the crime scene can be processed later, and the suspect can be apprehended later. By contrast, a dying victim cannot be saved later and a crime scene cannot be secured later. Using your available resources to perform tasks in the right priority will minimize any negative impact on the homicide investigation.

As the first responding officer, you must document the “who, what, where, and when” for all items in this section, and you must keep that information as a permanent record. Accurate note-taking goes a long way in securing a successful prosecution! When the assigned investigator arrives, you should provide a briefing on which actions have been taken and which actions remain to be done, and then turn the scene over to the investigator, providing also the entry/exit log. The investigator may then assign you to other duties.

## II. Investigator—Duties and Responsibilities

An investigator's equipment list can be found in Appendix C.

### A. Assess the Scene

**Principle:** The investigator's scene assessment determines the nature of the incident and the level of investigative response necessary. Search warrant requirements need to be established when necessary.

**Policy:** The investigator will document preliminary information, evaluate the complexity and scope of the scene, and plan the course of the investigation.

**Procedure:** As the investigator, you must pay attention to details and document everything you observe and do. At a minimum, you must do the following:

- Record the time of your arrival at the scene and the exact location of the scene.
- Record the existing weather and lighting conditions.
- Record information about the first officer on the scene—for example, the time the call was received, the time the officer arrived, and the officer's name, ID number, and unit number.
- Interview the first officer on the scene. Make sure his or her duties have been carried out and documented.
- Record the notification information—in other words, who was notified by the first officer and when. If the first officer on the scene has not documented the notifications, contact your communications unit, which should have some or all of that information.
- Interview any other police officers or rescue personnel on the scene. Ascertain what actions they may have taken, and document that information.
- Arrange for witness interviews and transportation. Keep all witnesses separated from each other so their perception of what occurred is not influenced by anyone else. A brief interview may be done at the scene to establish whether a potential witness has information about the incident. The more formal and detailed interview should be conducted at your office. The witness's statement should be written, audiotaped, or both.

- Examine the victim. Take the same route in and out of the scene as others have taken.
- Note the condition of the body and take preliminary photographs before you verify death.
- Take control of the crime scene. Check the perimeter and expand it if necessary. Call for assistance if you need help maintaining the perimeter, controlling the crowd, canvassing the area, transporting witnesses, collecting evidence, or searching and processing the scene.
- Make sure that, if two witnesses have to ride in the same vehicle, the transporting officer does not allow them to discuss what they observed.
- Establish the extent of the scene. Ask yourself where the victim and suspect met, where the victim was killed, where the victim was found, and how the victim got to the scene. Establish what happened before the crime, during the crime, and after the crime.
- Bear in mind that you may have more than one scene to secure, canvass, and process. Identify the victim promptly so that you can backtrack his or her movements and locate possible witnesses and suspects.
- Safeguard all evidence and arrange for evidence collection and crime scene processing.
- If crime scene technicians are not readily available, photograph the scene, videotape it, or do both. If the scene is indoors, seal the building until the technicians arrive. If the scene is outside, protect it from the elements as much as possible without contaminating the evidence. A contaminated piece of evidence may be virtually useless; a degraded piece of evidence will still retain some value. If you have to process the scene and collect the evidence yourself, do not hesitate to ask for assistance from your department or from county, state, or other agencies. Be especially careful of fragile evidence such as hairs, fibers, and shoe or tire impressions, which may require immediate attention.

## ***B. Manage the Scene***

**Principle:** Basic principles apply to all homicide investigations. The nature of the incident and the extent of the scene will determine the scope of the actions taken.

**Policy:** The investigator will make preliminary assignments, document observations, and work with patrol to establish a command post outside the crime scene.

**Procedure:** Assign a recording officer to document all persons present, noting when they arrived, when they left, and what they did. The recording officer should also grant entry only to those with a need to enter and direct them to use a single path in and out. Think of how the perpetrator may have entered and exited the scene, and see that everyone avoids those routes.

In addition you must document conditions at the scene: whether windows and doors are open or closed, whether electrical equipment is on or off, what vehicles are present, and what their condition is (for example, engine on or off, keys present, radio station selected, tape or CD player running)

With assistance from patrol, establish a command post outside the crime scene. Ideally, you should have two telephone lines (one for incoming calls, another for outgoing calls). If only one telephone line is available, use it for incoming calls. Outgoing notifications can be handled by the communications unit via police radio. Bear in mind, however, that many people (members of the media, criminals, and police buffs) have scanners that can pick up police radio transmissions. If no telephones are available, all communications must take place via police radio.

Take care to note any observations not already recorded by the first officer on the scene. You will know what he or she recorded because you will have interviewed that officer as soon as you arrived.

### ***C. Initial Documentation of the Scene***

**Principle:** The investigator's initial observations about the scene establish the scope of the investigation and identify possible sources of scene contamination, as well as the location of evidentiary items that may later be lost, contaminated, or degraded. Photographs, sketches, notes, and videotape provide a permanent historical record of the crime scene and must be completed in a professional manner.

**Policy:** The investigator will conduct a walk-through of the scene, being careful not to disturb items of evidentiary value. A permanent record of the scene, as found, will be made.

**Procedure:** Record all evidence before moving or altering anything at the scene. Take special note of fragile evidentiary items so they may be collected expeditiously. Document the type of evidence, exactly where it was located, what time it was discovered, and who discovered it.

Photograph or videotape the scene (or do both), including each item of evidence. This process will be discussed in detail later.

Produce a rough crime scene sketch, remembering that it is subject to discovery by the defense attorney. Record exact measurements and precise locations of all items in the

sketch. This procedure requires taking measurements and locating evidentiary items while accurately depicting the physical environment of the crime scene. A finished sketch, to scale, should be completed later.

Take steps to protect evidence from the elements and from those present at the scene until the evidence is collected by crime scene technicians.

Ensure that no one smokes, uses the bathroom, uses the telephone, turns water or lights on or off, or does anything else that may compromise the scene. Make sure the scene is not altered in any way.

#### ***D. Canvass the Area***

**Principle:** Locating and identifying witnesses helps in both developing and eliminating possible suspects. More homicides have been solved by canvassing and re-canvassing the area than by any other method.

**Policy:** The investigator in charge will arrange for the canvassing of the area, using all available resources. Canvassers must cover not only the area where the victim was discovered but also any other scenes that have been or may be established (such as where the victim and suspect first met, where the crime occurred, and the location of any vehicle involved).

**Procedure:** Have personnel go door-to-door in the area of the scene to locate and identify all witnesses. You may photograph bystanders in order to identify and interview them later. Instruct the canvassers to record the location of negative contacts to allow for follow-up at a later time.

Require the canvassers to take statements from all persons contacted, clarify that complete and accurate statements are critical, and emphasize that canvassers should note whether any witnesses must remain anonymous.

During late-night canvasses, only the significant witnesses and actual eyewitnesses should be interviewed in detail immediately. The others need only be identified for further interview later.

As the investigator, you must give the canvassers enough information that they can intelligently conduct interviews and ask pertinent follow-up questions. Stress that **ALL** statements must be accurately documented.

Ensure that the canvassers properly identify all witnesses so they can be located and interviewed again. Re-canvassing the area helps ensure that all persons with knowledge of the crime have been located, identified, and interviewed.

See Appendix D for an example of a canvass questionnaire.

## ***E. Suspect***

**Principle:** Proper handling of a potential suspect minimizes legal roadblocks to a successful prosecution.

**Policy:** The investigator will ensure that all suspects are afforded the rights to which they are entitled.

**Procedure:** Do the following with respect to the suspect:

- If a suspect is located, do not return him or her to the scene, as doing so may contaminate the scene.
- Advise the suspect of his or her rights before conducting questioning. Use a rights card (see Appendix E for an example), and include that card with your other evidence.
- Try to obtain an intelligently given written waiver (see Appendix A). If the suspect waives his or her rights but will not sign the waiver, make an audiotape or videotape (or both) of the waiver and have a third party witness the waiver.
- If you yourself do not transport the suspect, advise the transporting officer not to question the suspect but to document any statement the suspect makes.
- Do not allow the suspect to wash hands or change clothes, as doing so may destroy trace evidence.
- If it seems necessary, seize the suspect's clothing and shoes and provide the suspect with other clothing to wear (a sweat suit and slippers would be acceptable).
- Record or otherwise document all statements made by suspect. Videotaping is best.
- If the prosecuting attorney is available, have him or her witness the interrogation and help formulate the scope of the interrogation.
- Stop questioning the suspect if he or she requests an attorney.

## ***F. Scene Processing***

**Principle:** Thorough searching and documentation of a crime scene reflects the investigator's professionalism and is a major factor in closing the case and gaining a successful prosecution.

**Policy:** The investigator will arrange for a complete crime scene search and make a permanent historical record of the scene and all actions taken.

**Procedure:** The steps for crime scene processing involve photographing or videotaping the overall scene; conducting a thorough crime scene search; producing a rough sketch; processing the scene for latent fingerprints; identifying, documenting, and collecting trace evidence; and controlling evidence.

## 1. Photographs and Videotape

The first shot should be of a 3 x 5 index card that gives the following information: department name and telephone number (crucial if film is sent out for developing); case number, type of case, and location; date, time, and weather; lighting conditions; camera type; film type; and photographer. Instant photos (Polaroids) may be taken for immediate viewing by commanders if needed.

### First-Shot Photo Card

<u>Department Name and Telephone Number</u>	
Case Number:	_____
Type of Case:	_____
Location:	_____
Date and Time:	_____
Weather:	_____
Lighting Conditions:	_____
Camera Type:	_____
Film Type:	_____
Photographer:	_____

Take overall shots of the crime scene and then proceed to take closeups. Subjects for closeups include the victim, wounds, and all items of evidentiary value (including latent prints). Place a ruler in the photograph to show the scale of the item photographed.

Use a photo information sheet to record specifically what is being photographed and what the camera settings are.

## Photo Information Sheet

<b>Your Department Name</b>				
<b>Photo Information Sheet</b>				
<b>Case #:</b>		<b>Date and Time:</b>		
<b>Camera Type:</b>		<b>Film Type:</b>		
Photo #	Description	Distance	Flash	F-stop
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
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21				
22				
23				
24				

When videotaping, either dub the information at the beginning of the tape or use the same type of 3 x 5 index card as used with photographs. Document the same information for items recorded as with items photographed. Because the videotape is also discoverable by the defense, you must be careful about the audio that is recorded. In a crowded crime scene, an off-camera comment may adversely affect the prosecution of the case. Unless you are

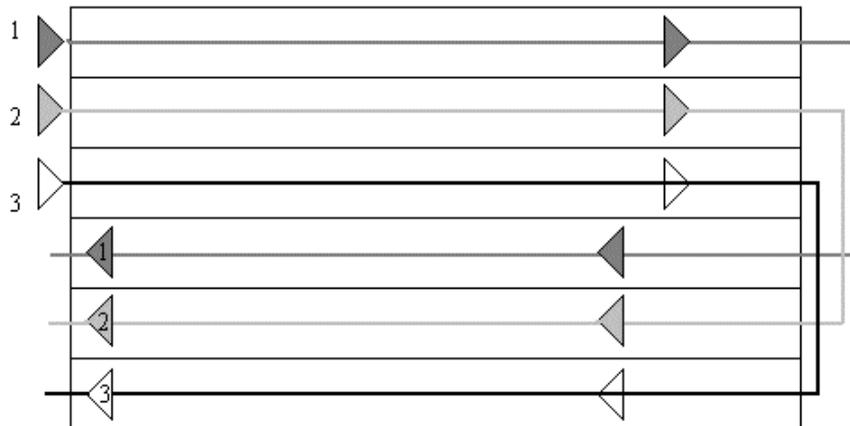
absolutely sure that unintended comments will not be recorded, leave the audio off and document in writing what is being recorded. You may still need a ruler for scale in some shots.

## 2. Crime Scene Search

The size, location, and complexity of the scene usually determine the search method used. The three commonly used methods for searching a crime area are the strip method, the zone method, and the grid method.

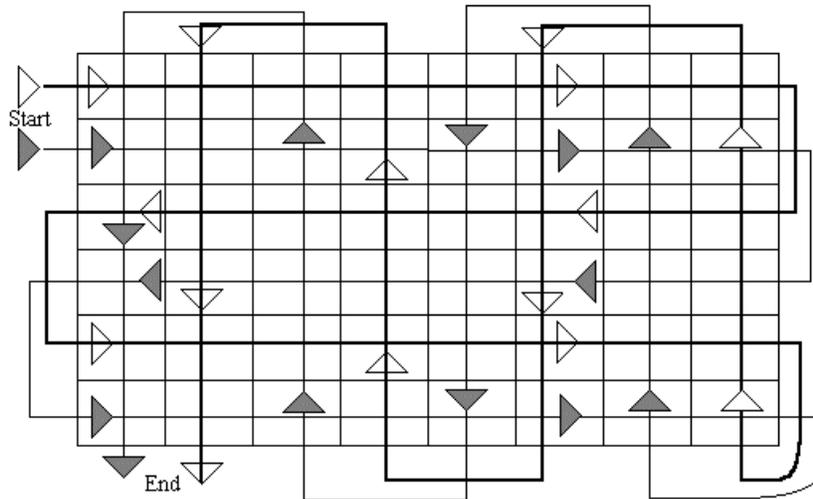
The *strip method* is effective in a large, open area and is easily implemented using any number of searchers. Also, a single searcher may use this method when searching a single room. Essentially, the searcher travels in a straight line from one end of the search area to another, and then proceeds in the opposite direction. See the diagram below:

### Strip Method of Searching Crime Scene



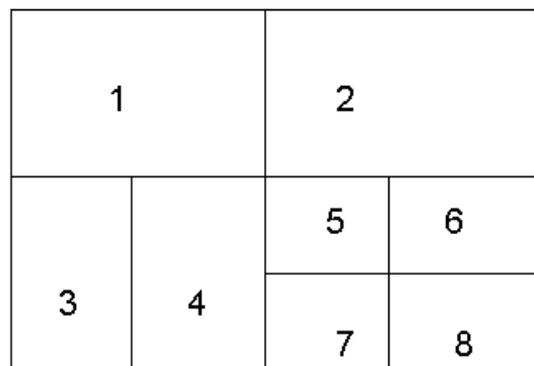
The *grid method* is basically the strip method performed in two directions. After searching in one direction, the searcher proceeds in a perpendicular direction. This technique allows for the same area to be searched twice. The method is efficient and thorough for large areas using any number of searchers. It is the most effective search method for almost every situation.

## Grid Method of Searching Crime Scene



The *zone method* compartmentalizes the search area into blocks. Searchers are assigned to individual blocks (zones), for which they are responsible. It is also useful to alternate the searchers after they have completed their assigned areas; their different perspectives may uncover evidence missed by earlier searchers.

## Zone Method of Searching Crime Scene



Two additional methods, wheel and spiral, are rarely used. In the *wheel method*, searchers start in the center of the scene and search in a straight line outward, forming the spokes of a wheel. Unfortunately, evidence may be destroyed as the searchers assemble in the middle of the scene or may be missed as the distance between the searchers increases as they near the perimeter. In the *spiral method*, a single searcher starts at either the center of the scene or the periphery and then spirals in or out. As the spiral widens, evidence may be overlooked.

An example of a search consent form can be found in Appendix G.

### **3. Crime Scene Sketch**

Only one person will sketch the crime scene, either you (the investigator) or the crime scene technician, depending on departmental policy. First, take exact measurements at the scene. Located evidentiary items on the sketch by triangulation (using measurements from two fixed objects) or by using baseline measurements. Note the dimensions of the area sketched and the positioning of items in the sketch as they relate to one another.

Make the final sketch to scale. Include a legend box that indicates who completed the sketch, the date the sketch was completed, the case number, the exact location of the crime scene, the scale used in the sketch, an item key to identify all objects in the sketch, and the direction of true magnetic north.

A properly done crime scene sketch is free from distortion and does not contain extraneous items, such as may be found in photographs and videotape. It is an unsurpassed tool for locating items within a crime scene and their exact position relative to one another. It is an essential visual aid to the investigator, potential witnesses, and the judge and jury.

Both the rough sketch and the finished sketch are discoverable items. As such, they both must be preserved in their original states.

### **4. Latent Fingerprints**

The process for obtaining fingerprints at a crime scene follows three steps: locate (usually by dusting), photograph, and then lift. The print card must contain the following information: case number, description of print (thumb, palm, etc.), where the print was located on the scene, who located it, who lifted it, evidence number for the print, and photograph number of the print.

Try to raise prints from anything that the suspect may have touched, such as doors, windows, switch plates, telephones, tables, glasses, or weapons. Remember that there are many ways to raise prints other than powder, such as alternate light sources and fuming processes.

A list of essential equipment for an investigator is included in Appendix F.

### **5. Trace Evidence, Fluids, and Fibers**

Many types of trace evidence may be found at the crime scene. The proper packaging of each type of evidence is essential for conducting the necessary analysis. Fluid collection kits, HEPA vacuums with special filters, combs, brushes, vials, envelopes, and bundle paper are some of the specialized items needed to retrieve, package, and store such evidence.

Handling firearms recovered from a crime scene is an extremely delicate process. The possibility of an accidental discharge is high. Do not attempt to unload the recovered weapon; instead, transport it to a firearms expert for unloading.

For all firearms seized, record the make, model, caliber, and serial number of the weapon. For revolvers, identify the location and number of spent and unspent rounds in the cylinder. For automatics, document the number of rounds remaining in the magazine.

Examine all weapons for trace evidence (such as fibers and blood). The rounds in the cylinder, spent casings, rounds in the magazine, and the magazine itself should all be processed for fingerprints. Afterwards, package the weapon properly and submit it for ballistic analysis.

## **6. Evidence Control**

One person should be responsible for collecting and packaging all evidentiary items seized at the scene. If the crime scene is too large for that to be practical, assign areas of responsibility.

The chain of custody must be maintained for all items of evidence recovered. Whenever an item of evidence is transferred from one person's control to another person's control, that transfer must be documented. The chain of custody begins at the crime scene.

For each piece of evidence, document the following:

- Who found it
- What was found
- When and where it was found
- Who collected the evidence
- When the evidence was collected
- Where it was collected
- What was collected
- How the item was packaged
- Evidence number
- Photograph number

Photograph all pieces of evidence before collecting them. Document the location of each piece of evidence on the crime scene sketch. Record the identity of all personnel participating in the case, and note their assigned duties.

## ***G. Notification***

**Principle:** The prompt notification of the next of kin not only is a humanitarian gesture but also may further the investigative process.

**Policy:** The investigator shall identify the victim as soon as possible and then locate and arrange for notification of next of kin.

**Procedure:** Identifying the victim promptly helps you notify next of kin and develop leads and suspect information by backtracking the victim's activities.

The obvious first step is to check the victim for any form of identification. You should also take "clean" photographs of the victim to provide to the canvassers while they are carrying out their assignment.

Remember to check the missing persons cases on file with your own agency as well as surrounding jurisdictions. It has happened that a homicide detective and a missing persons detective from the same department were working separate cases involving the same person. Avoid that embarrassment.

After processing for possible trace evidence under the fingernails, take the victim's fingerprints and submit them to the FBI. Also, conduct local, state, and national computer checks.

After identifying the victim, arrange for the next of kin to be notified (in person, if possible). Document who made the notification, who was notified, and the date and time of notification. Make sure to notify the victim's family rather than his or her friends, neighbors, or associates.

### **III. Summary**

Many topics in this paper could be a course of study all to themselves. This document intends only to provide a background in the basics of homicide investigation. Subjects such as interviewing and interrogation techniques, crime scene sketching and photography, collection and packaging of evidence, and processing for fingerprints and trace evidence should all be studied in depth. A good investigator must keep abreast of new technologies and improved techniques throughout his or her law enforcement career.

# Appendix A: Advice of Rights and Waiver Form

\_\_\_\_\_ **Case Number**

## **ADVICE OF RIGHTS AND WAIVER FORM**

I am Officer \_\_\_\_\_ of the \_\_\_\_\_  
Police Department. Today's date is \_\_\_\_\_, and the time is \_\_\_\_\_.

I am now going to read to you your rights under the law. If you do not understand something that I say to you, please stop me, and I will explain it to you.

You have the right to remain silent. If you choose to give up this right, anything that you say can be used against you in court.

You have the right to talk to a lawyer before you are asked any questions and to have a lawyer with you while you are being questioned.

If you want a lawyer, but cannot afford one, a lawyer will be provided to you at no cost.

If you want to answer questions now without a lawyer present, you still have the right to stop answering questions at any time.

	<b>Yes</b>	<b>No</b>	<b>Initials</b>
Do you understand these rights?	_____	_____	_____
Do you want to make a statement at this time without a lawyer?	_____	_____	_____
Have you been promised anything, have you been offered any kind of reward or benefit, or have you been threatened in any way in order to get you to make a statement?	_____	_____	_____
Are you under the influence of drugs or alcohol at this time?	_____	_____	_____

\_\_\_\_\_  
Officer's Signature

\_\_\_\_\_  
Signature of Person Making Statement

\_\_\_\_\_  
Date and Time Form Completed

\_\_\_\_\_  
Education Level of Person Making Statement