



Interviewing and Report Writing

Mastering the essential skills of interviewing witnesses, victims, and suspects while documenting accurate, comprehensive reports that stand up in court.



Course Overview

Unit 1: Basics of Interviewing

- Lesson 1: Taking Good Notes
- Lesson 2: Preparing for the Interview
- Lesson 3: Conducting the Interview
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Unit 1

Basics of Interviewing





Lesson 1: Taking Good Notes

Lesson Goal

At the end of this lesson, you will understand the importance of taking good notes, what to include in your notes, and strategies for taking notes.

- Think About This:** You respond to a robbery of a local department store and interview multiple employees. When reviewing your notes later, you realize that you forgot to record some people's names and misspelled the department store's name. What issues will you have writing an accurate report?

Why Take Notes

LE411.1. Explain the purpose of note-taking when investigating an incident

Note-taking is the process of writing down information concerning an incident, event, activity, or statement. Accurate note-taking helps you remember facts, complete a report, and prepare for a deposition or trial.

Good notes also provide documentation so that other officers who become involved in the incident can quickly learn the facts and important information about the case.





What to Record in Notes

When responding to a call, you will need to gather preliminary information from a complainant, witness, victim, or other person of interest. Notes are the details you record about the event, interview, or persons involved. The information you gather in notes may aid in identifying evidence and in conducting future investigations.

- Your notes should provide answers to establish a complete picture of the incident
- Documentation must be thorough enough to write an accurate report

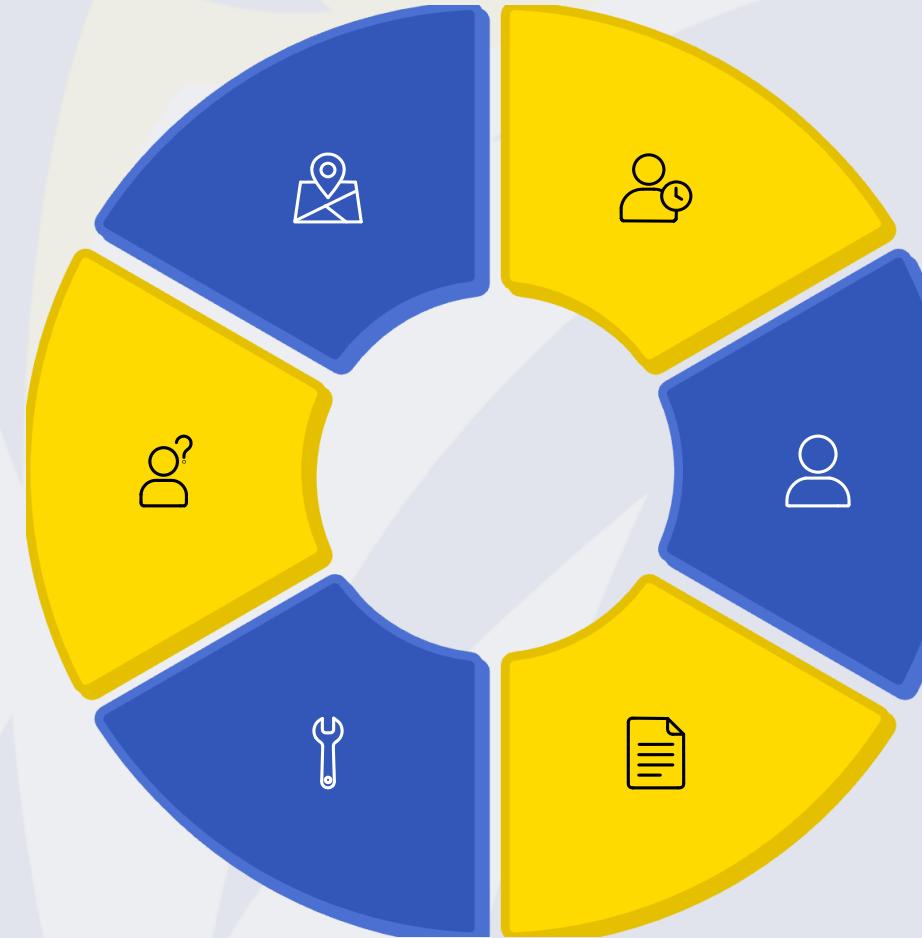
LE411.2. Identify the details of an incident and the basic questions that your notes should address

The Six Essential Questions

Where
Location of incident and evidence

Why
Motive or reason

How
Method of occurrence



When
Date and time of occurrence

Who
All persons involved

What
Nature of the incident



Where: Documenting Location

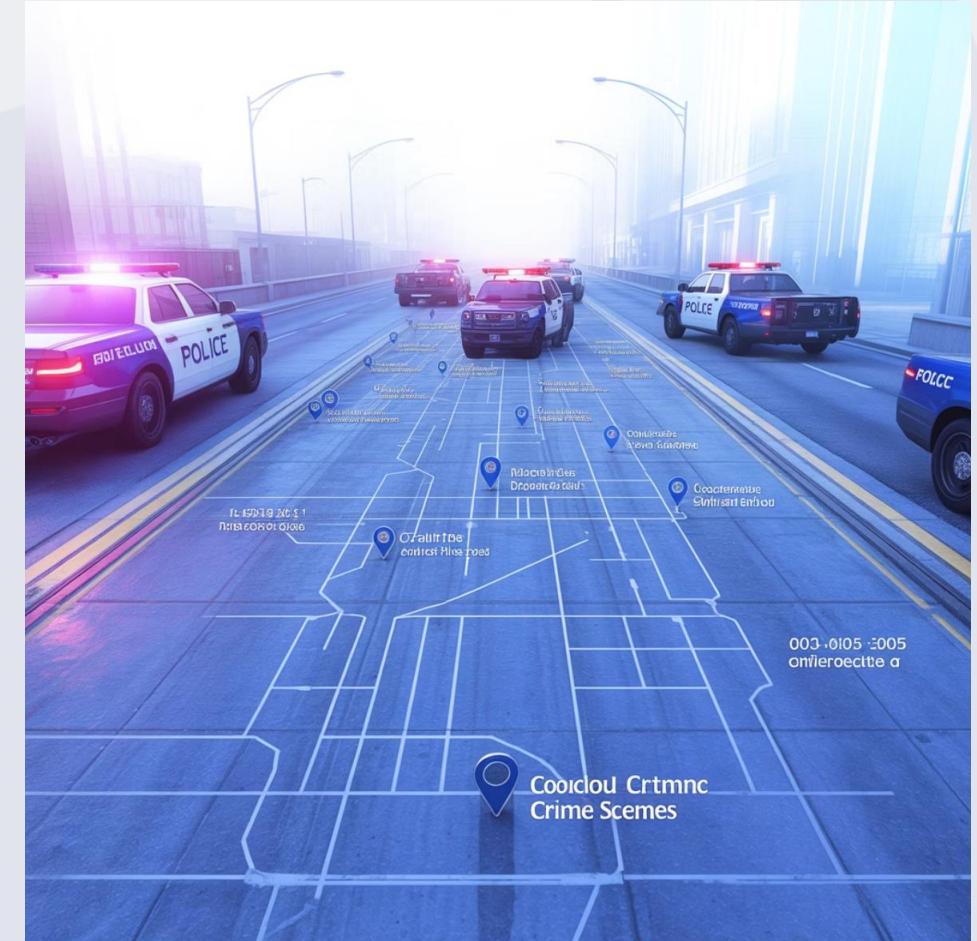
"Where" documents the location of an incident, as well as the location of people and items involved. The "where" is a **legal requirement** that **verifies the jurisdiction**. This is generally one of the first pieces of information you will obtain.

Note whether you were dispatched to a location or if the call was self-initiated, and document the incident location using as much detail as possible.

Example: "The incident occurred on State Road 33, about 3 miles east of Highway 99."

Describing "where" also includes documenting the location of evidence.

Example: "I saw the knife lying on the kitchen floor, under a chair."





When: Documenting Time



"When" documents the date and time an incident occurred. The "when" of an incident is a **legal requirement regarding the statute of limitation and the right to a speedy trial**. If you cannot establish an exact date, determine a range of dates as closely as possible. For example, write "between Saturday, June 8, and Tuesday, June 11, 2024," instead of "unknown."



Who: Identifying All Persons

Describing "who" requires documenting more than a person's name. Capture comprehensive information for each person involved:

Basic Information

- Full name (from photo ID)
- Address and phone number(s)
- Age or date of birth
- Employment information
- Race and sex

Physical Descriptors

- Height and weight
- Hair color and length
- Unique attributes (scars, tattoos, piercings)
- Type of clothing
- Mannerisms or speech patterns

Role Identification

- Victim (circled "v")
- Witness (circled "w")
- Suspect (circled "s")
- Other involved parties

Always request some form of photo identification such as a government-issued ID. Document information seen, heard, and obtained from any person involved in an incident.

What: Describing the Incident

"What" describes information regarding the nature of an incident. As you describe the "what" element of an incident, consider questions such as "what happened (to what or whom)?"

Example: "The suspect struck the victim's windshield" describes what occurred to prompt a response from law enforcement.

Property Description

Type, characteristics, serial number, model number, age, marks or inscriptions, estimated value

Vehicle Description

Type, make, model, year, style, colors, license plate, VIN, identifying marks

Injury Description

Location, type, extent of injury, weapons or items used



How: Specifying the Method

"How" specifies how an incident occurred and is often closely related to the "what" element. Include what object was used to commit the offense. The "how" should explain the action of an event as well as how different objects were used.

- Important:** Since your notes may be presented in court, it is crucial to document your actual observations and not merely your conclusions.

Poor Documentation

"The door was pried open."

This is a conclusion without supporting observation.

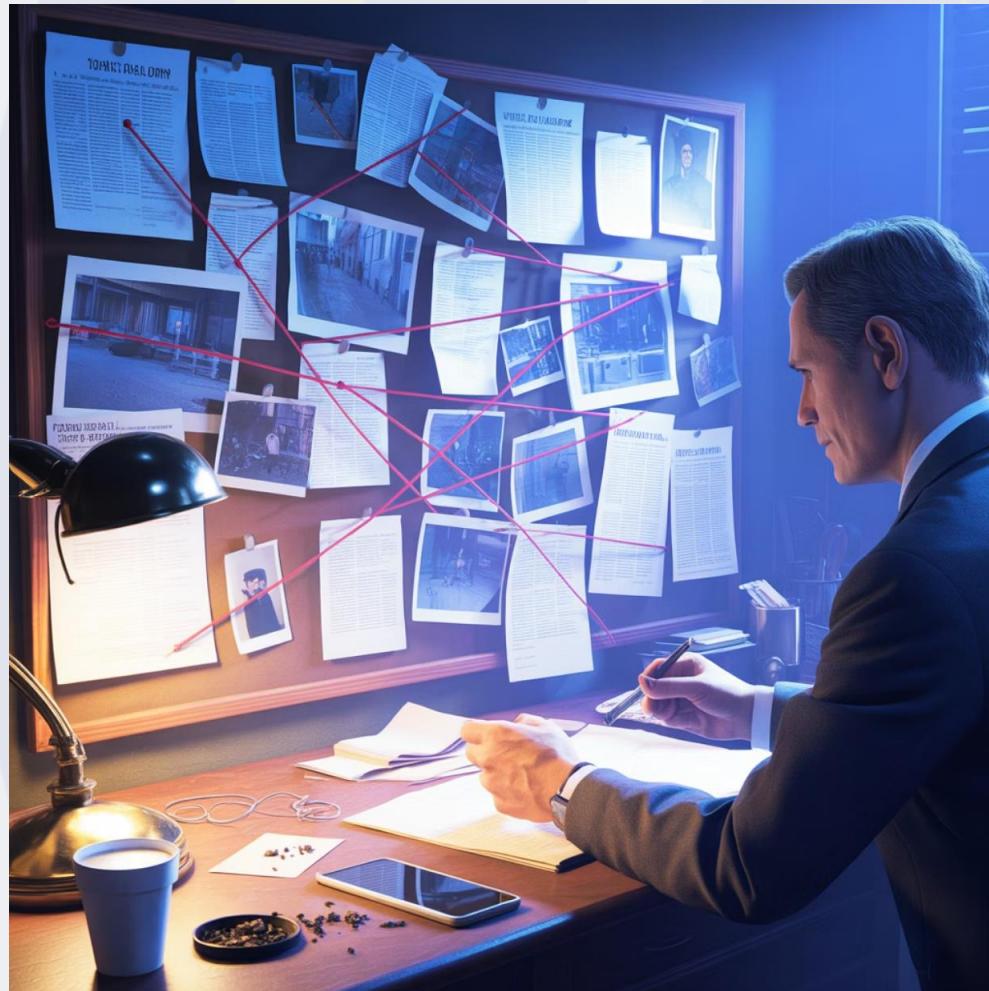
Good Documentation

"The doorjamb had fresh pry marks, indicating that the door was pried open."

This documents the observation that led to the conclusion.



Why: Understanding Motive



"Why" describes the reason for an incident and is sometimes called the motive. It is possible that you will not discover the motive during the initial investigation.

Each witness will give you information that is based on their own perspective of the event. **Do not jump to conclusions based on the first or most vocal or talkative witness.**

Instead, gather and include in your notes information about possible motives and evidence of intent. Often, the motive forms part of the criminal intent for an offense.



Actions Taken

You will need to describe the actions that you have taken during the investigation. Remember to include the case number in your notes.

1

Document case number and initial response

2

Record evidence collection methods

3

Note suspect location and arrest details

4

Document victim assistance provided

5

Record Miranda warning administration time

Examples of actions to document: "lifted fingerprints from the scene," "located and arrested the suspect," "provided the victim with victims' rights brochures," and "documented the time you gave the Miranda warning."



Strategies for Taking Notes

LE411.3. Describe strategies for taking effective notes

Take notes throughout the process of collecting information. Sometimes, circumstances delay immediate note-taking, but the longer you wait to write down what you see or hear, the greater the chances are that you will forget some of the information.



Listen First

While capturing information in a timely manner is important, taking notes while a person is speaking may keep you from hearing some statements. Listen closely and pause the conversation to ask for clarification and write down details.



Stay Aware

As you are taking notes, stay aware of your surroundings and officer safety. Balance documentation needs with situational awareness.



Capture Key Points

Notes taken in the field are intended to help refresh your memory as you complete reports. You do not need to write everything word for word, but you should capture key points, facts, and details.

Spelling Accuracy

Best Practices

- Use spelling on legal identification when available
- Ask person to spell or write their name if no ID
- Compare information to criminal justice databases
- Sound out unfamiliar names and verify later
- Double-check addresses and locations



Critical: Correctly spell and accurately record all names, addresses, and other relevant information. Inaccurate information may hinder or delay the investigative process.



Using Abbreviations

Using abbreviations can increase your note-taking speed, but you should adopt a consistent system for using abbreviations.

Role Abbreviations

When you abbreviate the first letters of the words "victim," "suspect," or "witness," circle them to avoid confusion.

Examples: \circled{V} \circled{W} \circled{S}

Demographic Abbreviations

Abbreviations for race, ethnicity, and gender are usually uppercase and separated by a slash.

Examples:

- W/H/F (White/Hispanic/female)
- B/M (Black/male)

Reviewing Your Notes

Reviewing your notes before leaving the scene is imperative. Make sure you have obtained all relevant information from involved parties, since you may not get another chance to speak with them. The accuracy of your report will depend on having good foundational notes.

Verify Completeness

Ensure all six questions (who, what, when, where, why, how) are answered

Check Contact Information

Confirm you have accurate contact details for all parties

Follow Agency Policy

Be familiar with your agency's policies for retaining notes

Other note-taking strategies include using sketches and organizing notes with enough space to add new details during follow-up.





Lesson 2: Preparing for the Interview

Lesson Goal

At the end of this lesson, you will know how to thoroughly prepare for an interview, including the order of interviews and interviewee considerations.

- ❑ **Think About This:** You arrive as backup for a noise complaint situation. The primary officer tells you to interview a group of young men who are standing in front of their residence. What are your next steps?

What Is an Interview?

LE412.1. Describe the purpose of an interview

Officers regularly gather information from victims, witnesses, and suspects during investigations. They interview victims and witnesses, sources, or complainants to find out what occurred, who was involved, and other important facts.

An **interview** is a conversation with a person who has knowledge of an event or individual; it is not an arrest situation, and the person is free to leave.

Many interviews result in obtaining **statements**, which is a person's permanent oral or written record that explains an incident. You will be required to take statements from witnesses, suspects, victims, or anyone who has information about a crime or incident.



- **Important:** It is important to secure the scene before conducting interviews. Always remember that your safety is important. There is the possibility that an interviewee has a weapon.



Oaths and Affirmations

Oath

A solemn and formal promise to tell the truth regarding what one says or intends to do, often invoking God as a witness.

You will administer an oath or affirmation when a person provides a statement. You will learn more about sworn statements later in this chapter.

Affirmation

A solemn and formal declaration in place of an oath, usually taken to avoid the religious implications of an oath.



Preparation Techniques

LE412.2. Describe how to prepare for an interview

Know Agency Policies

Understand your agency's interview policies, procedures, and required paperwork

Gather Background

Review any available background information on the interviewee

Check Databases

Use criminal justice databases to check if the interviewee is a wanted person

Review Documentation

Examine initial reports, dispatch documents, crime scene notes, sketches, evidence, and supplemental reports

The pre-interview process involves planning who to interview and for what purpose. You will also determine where you will conduct the interview and in which order to interview multiple people. Consider what information you need to get and how you will record the interview.



Interviewee Considerations

LE412.3. Determine if any accommodations should be made to the interview process

An important part of planning the interview is determining an interviewee's ability to understand the nature of the interview. Take into consideration the interviewee's level of education, intellect, experience, culture, language, background, and whether they are an adult or a child.

Remember to treat the interviewee with respect and dignity. This is a unique and stressful situation for the interviewee, and your demeanor and treatment of them will influence their view of law enforcement.



Accommodations for Unique Circumstances



Language Services

Provide interpreters or translation services for non-English speakers



Hearing Assistance

Arrange for hearing assistance devices or sign language interpreters



Support Presence

Allow caregivers and service animals when appropriate



Physical Access

Ensure interview location is accessible for mobility devices



Developmental Conditions

Provide appropriate environment and professional support when needed

- Florida Statute Requirement:** An interviewee on the autistic spectrum has the right to request that a mental health or other related professional be present at all interviews. The interviewee's parent or guardian also has the right to make this request. You must make every effort to ensure this professional is present if requested.

Order of Interviews

LE412.4. Determine the order of people to interview based on the incident



Complainant/Victim

Interview first to establish basic facts

Witnesses

Interview cooperative witnesses next

Suspect

Typically interview last

An interviewee will fall into one or more of six categories: complainant, victim, witness, source, suspect, or other person who may have knowledge about the incident or people involved.

Another way you can determine the order in which to conduct the interviews is by observing the attitudes of potential witnesses. You may want to interview witnesses who are more likely to cooperate first. If an interviewee is experiencing trauma from the incident, wait until they are stable before you conduct the interview. Empathize with the interviewee and make them feel as comfortable as possible.



Preparing Questions

LE412.5. Develop specific interview questions to establish elements of the crime



Open-Ended Questions

Encourage conversation and require the interviewee to think, reflect, and provide their opinions and feelings. These questions require more than "yes" or "no" answers.

Examples:

- Who were you with?
- What happened?
- When did you realize something was happening?
- Where did he throw the knife?
- Why did you call for help?
- How can I help you?

Closed-Ended Questions

Require a specific response, usually a "yes" or "no." Use these questions to get specific information or as follow-up questions to clarify details.

Examples:

- What is your full name?
- Did you see the knife?
- Were you injured?



Avoid Leading Questions

Poor Question

"Your husband hit you, didn't he?"

This assigns blame to a specific person and prevents discovering details from the interviewee's perspective.

Leading questions steer a person's responses to a specific conclusion. The interviewee may interpret these questions as having a "correct" answer. Instead, acquire information by asking questions that are objective and do not pre-judge the situation.

Better Questions

"How did you get injured?"

"Who hurt you?"

These are objective and do not pre-judge the situation.



Timing and Location of the Interview

LE412.6. Choose an appropriate and safe environment that is suitable for an interview

Timing Considerations

- Conduct interviews immediately or soon after incident when possible
- Interview at the scene for most accurate information
- Delay if scene is too hectic or interviewee is injured
- Schedule post-scene interviews when necessary

Location Requirements

- Safe and out of the weather
- Free from distractions
- Away from other witnesses, victims, and suspects
- Creates sense of privacy
- Accessible and comfortable

As the interviewer, you are responsible for creating an atmosphere that will encourage the interviewee to be honest and straightforward. Holding the interview in a place where the interviewee feels comfortable and safe—both physically and emotionally—improves the chances for an effective interview.



Lesson 3: Conducting the Interview

Lesson Goal

At the end of this lesson, you will know how to properly conduct an interview, document information from an interview, and obtain sworn statements.

- Think About This:** While interviewing a witness, you notice that they are fidgeting and tapping their foot. What might their behavior indicate?



Three Stages of an Interview

LE413.1. Describe the three stages of an interview

1

Warm-Up Stage

Establish rapport and build understanding. Introduce yourself, ensure comfort, explain purpose, and use procedural justice.

2

Primary Stage

Collect information about the incident. Begin with open-ended questions, then use closed-ended questions for clarification.

3

Closing Stage

Conclude the interview. Summarize information, ask follow-up questions, verify contact information, and thank the interviewee.

A planned interview has three stages. During each stage, you must remain professional and impartial while building trust with the interviewee. Tell the interviewee that you appreciate their time and cooperation.

Interview Limitations

LE413.2. Identify inappropriate tactics to avoid when conducting an interview

As you recall from Chapter 1, there is often a power imbalance between law enforcement officers and the general public. You must be aware of the power that you hold when you are in uniform and how it can affect your interactions with people.

Do Not Make Threats

Do Not Promise Leniency

Do Not Create Physical Evidence

When you interview someone, document how the process is conducted and how the person consents to the interview. Using inappropriate tactics during an interview may cause admissions, confessions, and evidence to be suppressed. It may also result in disciplinary action and civil liability for you and your agency.



Basic Interview Techniques



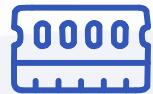
Mirroring

Appropriately matching another person's speech patterns, gestures, body language, mannerisms, or posture. Position yourself to show active listening. Turn your head and torso toward the interviewee and focus on them. Repeat and rephrase their responses as questions and statements to clarify information.



Minimal Encouragers

Brief statements that indicate you heard what the interviewee said and want to hear more. Can include non-verbal encouragers like nodding. Examples: "okay," "go on," "then what?" and "tell me more about that." Be patient and don't fill in gaps that might suggest a conclusion.



Cognitive Interviewing

Tries to recreate the event, either physically or psychologically, to enhance memory recall. Helps develop more accurate account of eyewitness events. Ask interviewee to think back to original event, recall physical surroundings, and describe how they felt. Use questions related to the five senses to prompt memories.

Handling Difficult Interviewees

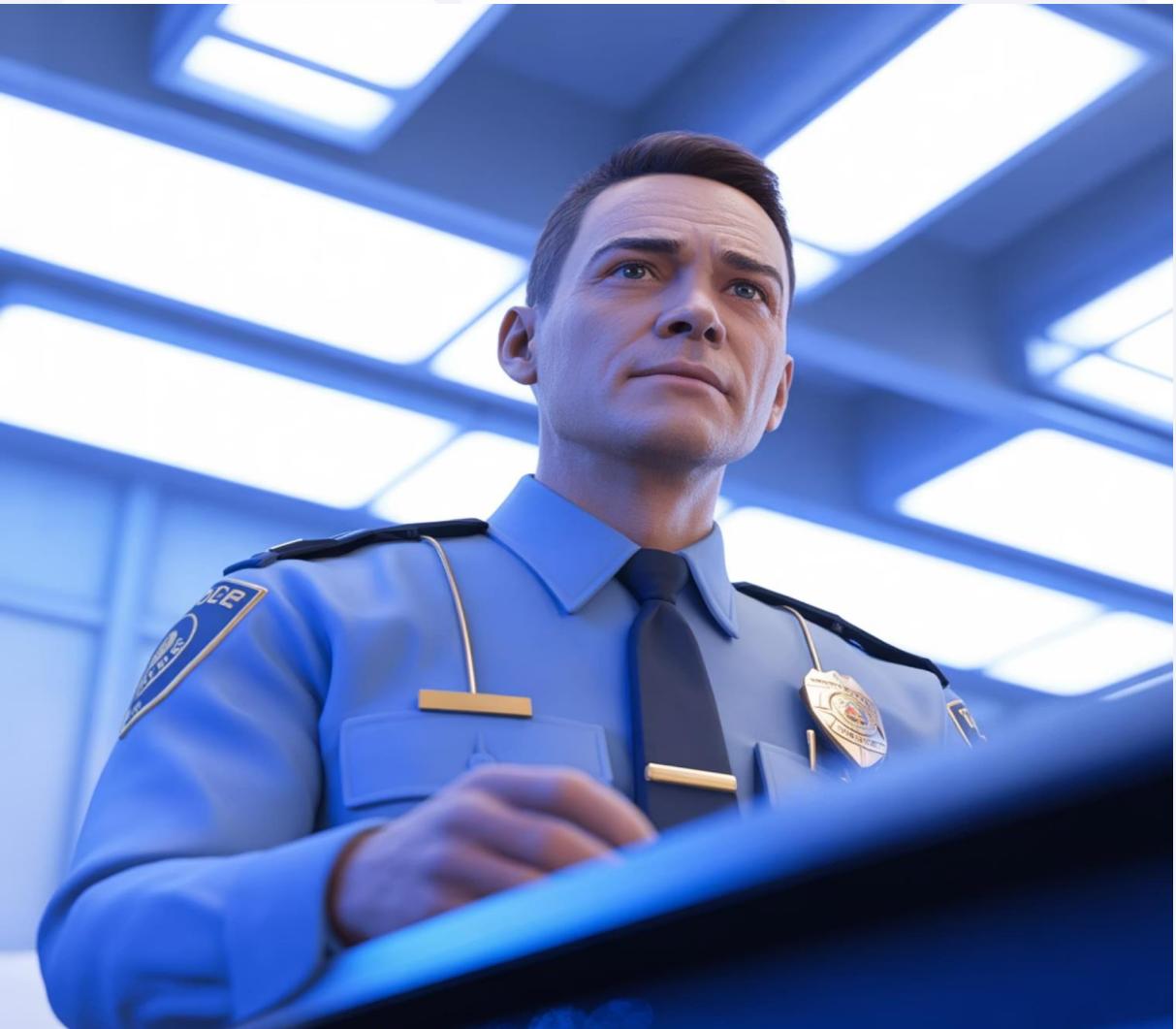
Strategies

- Keep your composure
- Ask direct questions
- Try to reduce stress and anxiety
- Use closed-ended questions to refocus
- Be sensitive to language barriers
- Allow enough time to answer
- Repeat and explain questions as needed

LE413.3. Describe basic interview strategies and evaluating outcomes

If the interviewee answered all of the questions pertaining to who, what, when, where, why, and how, you should have valuable results. If you did not receive answers to these questions, ask follow-up questions.

If you realize information is missing after the interview has concluded, plan a follow-up interview to obtain more information.





Interviewing Victims

LE413.4. Describe how to interview a victim of sexual battery using a trauma-informed approach

A **trauma-informed approach** is a method of interviewing that acknowledges an interviewee's trauma; it includes maintaining a demeanor that is reassuring, empathetic, and non-judgmental. This approach can be helpful with any victim, but it is highly recommended for victims of sexual offenses and should be used in conjunction with a culturally sensitive response.

Understanding Trauma

All victims may experience some degree of trauma after a crime has been committed against them. A traumatic event can distort the victim's perception of time and distance. Initially, the victim may not be able to answer certain questions accurately or in great detail.

Best Practices

Offer compassion and be patient with the victim. This may not be the first time that the victim has experienced trauma. Focus on the victim, talk to them directly, and ask them questions to establish rapport. Reassure the victim that you are there to help and to collect facts for an investigation.



Interviewee Behavior and Response

LE413.5. Describe how to respond to interviewee behaviors

Gathering information about an incident or a call to service is not just about recording the facts. You should also observe the behavior of the people you interview. People have unique verbal and non-verbal behaviors. The use of body language, personal space, and eye contact will vary from person to person.

- ❑ **Important:** Do not stereotype or judge the interviewee's behavior based on your preconceptions. Be open-minded and relate to the interviewee as an individual.

At the outset of an interview ask biographical questions that will not produce stress or a deceptive response, such as the interviewee's name, date of birth, address, place of employment, and recent activities. Pay attention to verbal and non-verbal responses, including the interviewee's body language, tone of voice, and demeanor because it will help you establish how they usually behave and physiologically function.



Establishing Baseline Behavior

Remember that an interviewee may have had previous interactions with law enforcement that affect how they respond to you. Do not take this personally. Once you understand the interviewee's behavioral patterns, start asking questions about the incident.

Sometimes a person that self-identifies as a witness becomes a suspect. For this reason, be aware of behavior that might indicate that a person is not being truthful. Recognizing deception is a valuable skill, and you will develop this skill over time with practice and experience.

Observe the interviewee's physiological and behavioral changes as they respond to specific questions. The interviewee's physiological and behavioral changes are possible indicators that they are hiding information or being deceptive.



Signs of Nervousness, Stress, and Possible Deception

LE413.6. Recognize common signs of deception by an interviewee

Physiological Signs

- Increased perspiration
- Changes in skin color
- Dry mouth
- Observable increase in pulse rate
- Observable change in breathing rate

Behavioral Signs

- Pausing or silence; speaking rapidly
- Changing tone of voice or volume
- Foot tapping; leg shaking
- Finger tapping; pacing
- Not sitting still
- Refusing to look at interviewer

Communication Patterns

- Answers that appear rehearsed
- Verbal responses inconsistent with non-verbal responses
- Attempting to change line of questioning
- Being overly eager to help

Avoidance Behaviors

- Giving too much or too little clarification
- Responding to questions with questions
- Looking for an escape route
- Asking for simple questions to be repeated

Important Note: These reactions may be due to stress, nervousness, previous experiences, or medical conditions. You will most likely see these changes when the interviewee responds to specific questions or statements.



Oaths and Sworn Statements

LE413.7. Describe how to legally administer an oath and obtain a sworn statement

When an interviewee makes a **sworn statement**, they provide written or oral facts under oath or with a penalty of perjury. Most jurisdictions require interviewees to make sworn statements. In these instances, you must administer an oath or affirmation.



Know Your Agency's Policies

When and how to administer an oath will depend on the circumstance and the policies of your agency and local state attorney's office.



Your Authority

Florida Statutes give you the authority to administer oaths while performing your official duties. However, it does not certify you as a notary.



Religious Considerations

A person may object to taking an oath because of a religious or philosophical belief. Florida law allows a person to make an affirmation instead of an oath.

Administering an Oath or Affirmation

1

Explain Perjury

Before administering an oath or affirmation, explain that it is perjury to give false information in a sworn statement.

2

Instruct to Raise Right Hand

Instruct the interviewee to raise their right hand while you administer the oath or affirmation. (Note: The law does not require this, but it is a well-known practice.)

3

Ask the Question

"Do you swear or affirm that the statement you are about to give is true and accurate to the best of your knowledge?"

4

Preserve the Statement

Written statements and audio or video recorded statements should be made under oath or affirmation. Preserve these statements in accordance with your agency's policies.





Written Statements

LE413.8. Describe how to obtain a written sworn statement

Use the information you have developed during your initial contacts to identify everyone who can provide a written statement. Be sure to follow your agency's policies regarding when and how to obtain written statements.

Requesting the Statement

When you ask an interviewee to provide a written statement, explain the reason for the request, and be clear about what information should be included.

Content Requirements

They should describe all property as well as every event, person, weapon, and vehicle involved in the incident to the best of their recollection.

Review Process

Read the statement and compare its content with your notes from the interview. Ask them to include any missing important information. Clarify anything you cannot read or understand.



Special Considerations for Written Statements

Non-English Speakers

An interviewee who is non-English speaking may write a statement in their preferred language. One option is to have an officer who is fluent in that language review the statement. Always refer to your agency's policies regarding the use of translators.

Unable to Provide Statement

Under certain circumstances, it may be impossible to take a statement. Always document why a person did not provide a statement. For example, a person who is injured and requires immediate medical attention.

Limitations

If the interviewee does not read or write or has any other limitation, follow your agency's policies on how to prepare written statements. You may ask questions or have the interviewee relay the information in their own words while you write the statement, but do not paraphrase or summarize.

Refusal to Provide Statement

If someone refuses to give a statement, indicate this information in your notes and written report. You cannot force someone to provide a statement; however, they can be subpoenaed and required to appear in court.



Signing Statements

LE413.9. Describe how to obtain a signature on a written statement

Verify Completeness

When an interviewee submits a written statement, you must read it to verify that it is complete and legible before they sign the document.

1

Obtain Signature

Ask the interviewee to sign and date the statement or make a thumb mark. Interviewees sign statements to prove the words are theirs.

2

Read Back

If you prepare the statement on the interviewee's behalf, read the statement back to the interviewee and make any necessary corrections.

3

4

Witness Signature

A witnessing officer should sign the statement. At the end add: "Dictated by _____ and written by Officer _____."

- Special Circumstances:** If an interviewee is injured, sick, or incapacitated and unable to sign, write the reason why. If an interviewee refuses to sign their statement, note "refused to sign" at the bottom.

Electronic Statements

LE413.10. Describe how to obtain an electronic statement



Advantages and Disadvantages

There are advantages and disadvantages to obtaining an electronic statement by recording an audio or video interview. An electronic recording can be beneficial because you can hear the entire interview, but one disadvantage is that some words or descriptions may not be clear, which can lead to misunderstanding the information.

To prevent this, test the equipment before the interview to make sure that the recording device is working properly. As technology evolves, the use of in-car and body cameras have become prevalent in law enforcement. These devices are often used when responding to a call for service and will record initial interviews.

- Important:** Always be aware that audio and video recordings may be used in court, and in-car and body cameras are no exception. Keep all interview recordings as evidence. Be familiar with your agency's and state attorney's office policies when using audio or video recordings during an interview.



Recording an Interview

When recording an interview, explain to the interviewee that you are recording and clearly state the following:

- 1 Your name
- 2 The names of other people present
- 3 Your location
- 4 The day and date of the interview
- 5 The incident to be discussed
- 6 The case number
- 7 The type of incident

Record the administration of the oath or affirmation. Ask the interviewee to raise their right hand and indicate whether the interviewee has done so, and then administer the oath or affirmation.



Pausing and Concluding Recordings

If You Must Pause

If you have to suspend or pause the interview at any time, document the following information before resuming the recording:

- The reason for the suspension or pause
- That you are continuing the statement recording and include the date and time
- That you did not ask the interviewee any questions while the recording was suspended or paused

Pay attention to what the interviewee says during the statement. If you notice any discrepancies or if you need clarification, ask them to elaborate. After completing an interview, document the information collected and include all evidentiary forms or log entries.

Concluding the Recording

At the end of the recording, state the following:

"This now concludes the statement of [name], regarding incident [description], case number [number]. The time is now [time]."



Lesson 4: Miranda and Laws of Interrogation

Lesson Goal

At the end of this lesson, you will understand how an interrogation is different from an interview. You will also understand when to conduct an interrogation versus an interview, when and how to give Miranda warnings, how to respond to an invocation of rights, and the standards for questioning juveniles.

- ❑ **Think About This:** Your fellow officer is reading a suspect their Miranda rights. However, the suspect does not speak English. How do you ensure that the suspect understands their Miranda rights?



Fundamentals of Interrogation



LE414.1. Identify the difference between an interrogation and an interview

Interview

A conversation with a person who has knowledge of an event or individual. The person is **free to leave**.

Interrogation

Questioning initiated by law enforcement intended to elicit an incriminating response. The person has been **detained and is no longer free to leave**.

When suspects are identified through initial interviews, officers may detain and interrogate them. Conducting interrogations may depend on the officer's employing agency, so keep in mind that interrogations may be reserved for detectives at your agency.

In an interrogation, officers must follow certain legal rules to protect the detained suspect's rights and ensure that their statements are admissible in court.



Miranda Decision

LE414.2. Explain the importance of the Miranda decision for conducting a legal interrogation

In 1966, the U.S. Supreme Court decided the landmark case of *Miranda v. Arizona*. The decision in this case had a profound impact on law enforcement throughout the United States. Until the *Miranda* case, the law presumed that people knew their constitutional rights. The *Miranda* decision put the burden of explaining Fifth and Sixth Amendment rights on the law enforcement officer.

Right to Remain Silent

Fifth Amendment protection against self-incrimination

Right to Attorney

Sixth Amendment right to have an attorney present when being questioned

- ❑ **Critical:** If you fail to follow the rules set forth in *Miranda*, any statement or admission obtained from the interrogation cannot be used in court.



Four Elements of Miranda

1

Custody

The suspect has been deprived of freedom in a significant way

2

Interrogation

Questioning initiated by law enforcement

3

Understanding

The suspect understands their rights

4

Waiver

Free and voluntary waiving of rights

The Miranda requirements are necessary whenever a law enforcement officer conducts an interrogation. All four elements must be present for Miranda warnings to be required.



Custody

LE414.3. Describe the concept of custody in relation to the Miranda decision

When a person is taken into **custody**, they have been deprived of freedom in a significant way. Generally, interviews at the scene—such as Terry stops, traffic stops, and roadside driving-under-the-influence tests—are not considered custody, because they are typically brief in nature.

Handcuffing a person or otherwise restricting their movement so that they are not free to leave is considered custody.

1

What were the facts and circumstances surrounding the interrogation?

2

Given those circumstances, would a reasonable person have felt they were not at liberty to end the interrogation and leave?

If, from all of the circumstances, it appears that the person is not free to end questioning and leave and a reasonable person in that person's place would believe that they are not free to leave, then the person is in custody, and Miranda warnings are required.



Ramirez v. State

LE414.4. Explain the significant case law rulings on the Miranda decision

The determination of whether a reasonable person in the suspect's position would consider himself in custody for purposes of Miranda requires consideration of the manner in which the police summoned the suspect for questioning; the purpose, place, and manner of custodial interrogation; the extent to which the suspect is confronted with evidence of his guilt; whether the suspect is informed that he is free to leave the place of questioning.

- Important Note:** When there are multiple officers present or emergency lights activated, it can create an environment in which a reasonable person might believe that they are not free to leave.





Interrogation and Spontaneous Statements

Many agencies in Florida refer to the process of interrogating or questioning a suspect as a "custodial interview"; however, Florida courts routinely use the term "interrogation." During an interrogation, officers may use direct or indirect questioning. See *Rhode Island v. Innis* and *Brewer v. Williams*.

Spontaneous Statements

Often, a suspect who is in custody will voluntarily give information even when not solicited through questioning. These are known as spontaneous statements and are admissible even if an officer does not advise the suspect of their Miranda rights.

What You Can Do

You may allow the suspect to continue talking, but you may not ask the suspect any questions without giving Miranda warnings. Basic questions posed to a suspect such as biographical data are not subject to Miranda rules.

Understanding

LE414.5. Explain the importance of a suspect understanding their rights

You must ensure that the suspect understands their rights, taking into account their age, national origin, education, circumstances of the advising of rights, mental or physical disability, and whether or not they are under the influence of an intoxicating substance.



Age

Consider developmental maturity and life experience



National Origin

Language barriers and cultural differences



Education

Reading level and comprehension ability



Mental/Physical Disability

Cognitive or physical limitations



Intoxication

Whether or not they are under the influence of drugs or alcohol

Document any measures taken to address these issues for any future court proceedings.



Waiver of Rights

Once you have advised the suspect of their Miranda rights, you are required to provide a waiver before questioning may begin. The waiver ensures that the suspect understands their rights and will speak with you.

Types of Waiver

- Written waiver (preferred)
- Verbal waiver
- Implied waiver

Requirements

- Must be freely given
- Must be voluntarily given
- No promises allowed
- No coercion allowed

Critical: You may not make any promises or coerce the individual to get a confession.



Giving Miranda Warnings

LE414.6. Describe when and how to administer a Miranda warning to a suspect

You are only required to provide a suspect with Miranda warnings when the elements of custody and interrogation are present. Once the Miranda warnings are required, you should read the rights one at a time from an agency-provided Miranda card or form.

Not only will this guarantee that you do not forget or mix up any of the rights, it can also enhance your courtroom testimony. Defense attorneys can do little with an officer who testifies that they always read Miranda rights from the card or form. It may also help you avoid liability for failure to follow policy.





Miranda Card

- 1 You have the right to remain silent.
- 2 Anything you say can and will be used against you in court.
- 3 You have the right to call or obtain an attorney at this time and have one present now or at any time during questioning.
- 4 If you cannot afford an attorney and you want one before or at any time during questioning, one will be provided for you.
- 5 If you decide to answer questions now, you have the right to stop answering at any time during questioning.



Miranda Warning Acknowledgment

After the warning and in order to secure a waiver, the following questions should be asked and an affirmative reply secured to questions (1) and (3). If the individual has previously asked for an attorney, no valid waiver may be obtained, unless they initiated the conversation.

1 Do you understand each of these rights I have explained to you?

2 Have you previously requested any law enforcement officer to allow you to speak to an attorney?

3 Having these rights in mind, do you wish to talk to us now?



Invocation of Rights

LE414.7. Describe how to respond when a suspect invokes their Miranda rights

Remember that the Miranda warnings include several rights. If the suspect makes a clear and unmistakable request to invoke any of their rights under Miranda, **all questioning must cease immediately**.

Right to Remain Silent

If the suspect invokes only their right to remain silent, you may reinitiate the interrogation after "a significant lapse of time" as stated by the U.S. Supreme Court.

Right to Attorney

If the suspect requests an attorney, you are not allowed to continue questioning unless the suspect's attorney is present or the suspect reinitiates communications.

- Important:** If a suspect reinitiates contact or conversation with you after having previously invoked their Fifth Amendment right, an entirely new Miranda rights advisement and waiver must be conducted and documented. Simply reminding the suspect of their previous Miranda advisement is insufficient as defined by *Quarles v. State*.

Additional Miranda Considerations

Break in Custody

If in response to Miranda warnings an in-custody suspect invokes their right to counsel, you may reinitiate contact with the suspect if they experience a break in police custody of at least 14 days. Still, you should provide Miranda warnings to the suspect depending on the conditions of the interrogation. See *Maryland v. Shatzer*.

Crime Specific

The right to have an attorney present contained in the Miranda warnings is crime specific. Therefore, you may not question the suspect about a burglary when the suspect was arrested on completely unrelated charges.





Juvenile Interrogations

LE414.8. Describe the standards for interrogating a juvenile

The Miranda warning also applies to juveniles. A waiver of a juvenile's Miranda rights will be closely scrutinized by the court. See *B.M.B. v. State*, *Lee v. State*, and *State v. Roman*.

Factors Courts Consider

- Juvenile's age
- Marital status
- Education level
- Intellectual level
- Experience in criminal justice system

See *J.D.B. v. North Carolina*

Standards and Requirements

- Same standards as for adults
- No statutory requirement for parent/guardian consent
- Must make reasonable effort to contact parents/guardians when juvenile taken into custody
- Document what you say to indicate if they are free to leave

Time Considerations

- Interrogations may only last for reasonable length of time
- Document length of any delay before interrogation and reasons
- Document number of breaks and rest periods given
- Limit to number of times you can interview a child
- Know your agency and local court requirements

Unit 2, Lesson 1: Reports

Lesson Goal

- At the end of this lesson, you will understand the importance of a well-written report, the potential uses and audience of a report, and what type of incidents require a report.





Course Overview

1

Lesson 1: Reports

Understanding the importance, uses, and audience of law enforcement reports

2

Lesson 2: Mechanics

Mastering vocabulary, grammar, and proper writing techniques

3

Lesson 3: Elements and Principles

Learning the core components of effective report writing

4

Lesson 4: Review Process

Evaluating reports for accuracy, clarity, and completeness

What Is a Report?

A **report** is a written document that gives information about an event, situation, occurrence, or incident. Your agency may refer to this type of report as an offense or offense-incident report.

After you respond to an incident, you will prepare a written report. Writing reports is one of your critical job functions, so you should write clear, concise, and effective reports.



A report reflects competence and professionalism

A well-written report reflects competence and professionalism, not only in writing skills, but in all aspects of law enforcement work.





LE421.1: Importance of Well-Written Reports



Aid Prosecutions

Well-written reports help the state attorney's office successfully prosecute cases



Reduce Liability

Protect yourself and your agency from legal liability through accurate documentation



Save Resources

Save your agency time and expense by providing complete, accurate information

Critical Principle

"If it isn't in the report, it didn't happen."

This statement reinforces the point that it is your responsibility to include all important details in your reports. A poorly written report could result in a criminal going free or an innocent person going to jail.





Report Longevity and Requirements

Write your report so that it can withstand the test of time because someone may need to refer to it years after the incident. For this reason, you are required to keep reports long after the case is closed.

Statutes and agency policies dictate how long reports should be saved. Once submitted, your report becomes a public record and may be used in proceedings as an official representation of the facts surrounding the incident.





LE421.2: Common Uses of Law Enforcement Reports

Legal Proceedings

- Criminal and civil appeals
- Criminal case filings
- Criminal trials
- Civil proceedings
- Depositions

Court Documents

- Drafts of probable cause affidavits
- Pretrial proceedings
- Probation and parole hearings
- Victim restitution hearings

Investigations

- Internal affairs investigations
- Research/examination of past events
- Workers' compensation cases



Additional Report Uses



Continuing Investigations

Reports provide essential information for ongoing criminal investigations and case development



Coordinating Activities

Enable coordination of law enforcement activities across departments and jurisdictions



Performance Evaluation

Used for evaluating law enforcement officers' performance and professional development



Information Sharing

Keep other law enforcement officers informed about incidents and ongoing situations



Future Planning

Support planning for future law enforcement services and resource allocation



LE421.3: Reader Considerations

Before you write a report, consider the potential readers and the purpose of each report. The majority of people who will read your reports are not law enforcement officers.

Readers will have varying life experiences, education levels, cultural backgrounds, and reasons for reading the report.





Potential Report Readers

- **Law Enforcement Personnel**

Other officers, supervisors, and command staff who need case information

- **Legal Professionals**

Defense and prosecuting attorneys, judges who make critical case decisions

- **Government Officials**

City, county, or state officials who oversee law enforcement operations

- **Media Representatives**

Media reporters seeking information for public reporting

- **Case Participants**

Victims or their families, suspects, defendants, or people convicted of crimes

- **General Public**

Members of the public, insurance companies, and other interested parties

Impact on Reader Perception

Each reader will develop an opinion about the writer based solely on the content or makeup of the report.

Prosecuting attorneys will make crucial decisions about a case based on what they read in the report.

Defense attorneys will seek to exploit any weaknesses they see in the same report.

Both will make assumptions about your competence.





Professional Tone and Objectivity

- ❑ A report is a professional document and should be businesslike and objective. Report only the facts of the event and not your opinions. Use plain English.

Professional

Maintain a businesslike tone throughout the document

Objective

Report facts, not personal opinions or judgments

Clear

Use plain English that all readers can understand

LE421.4: Incidents Requiring Reports

You will not write every report the same way, so think about the situation and the circumstances before you begin writing. For example, a burglary report will require different information and may be in a different format than a report of found property.





Common Incidents Requiring Reports

All crimes

Any criminal activity must be documented with a complete report

Officer use of force

Any instance where force is used must be thoroughly documented

Suicides and deaths

All deaths require comprehensive documentation and investigation

Missing or endangered persons

Reports for missing persons, runaway juveniles, and endangered individuals

Found property

Documentation of property found

Traffic crashes

Under certain circumstances as required by law

Miscellaneous incidents

Noncriminal or suspicious incidents, additional or supplemental information

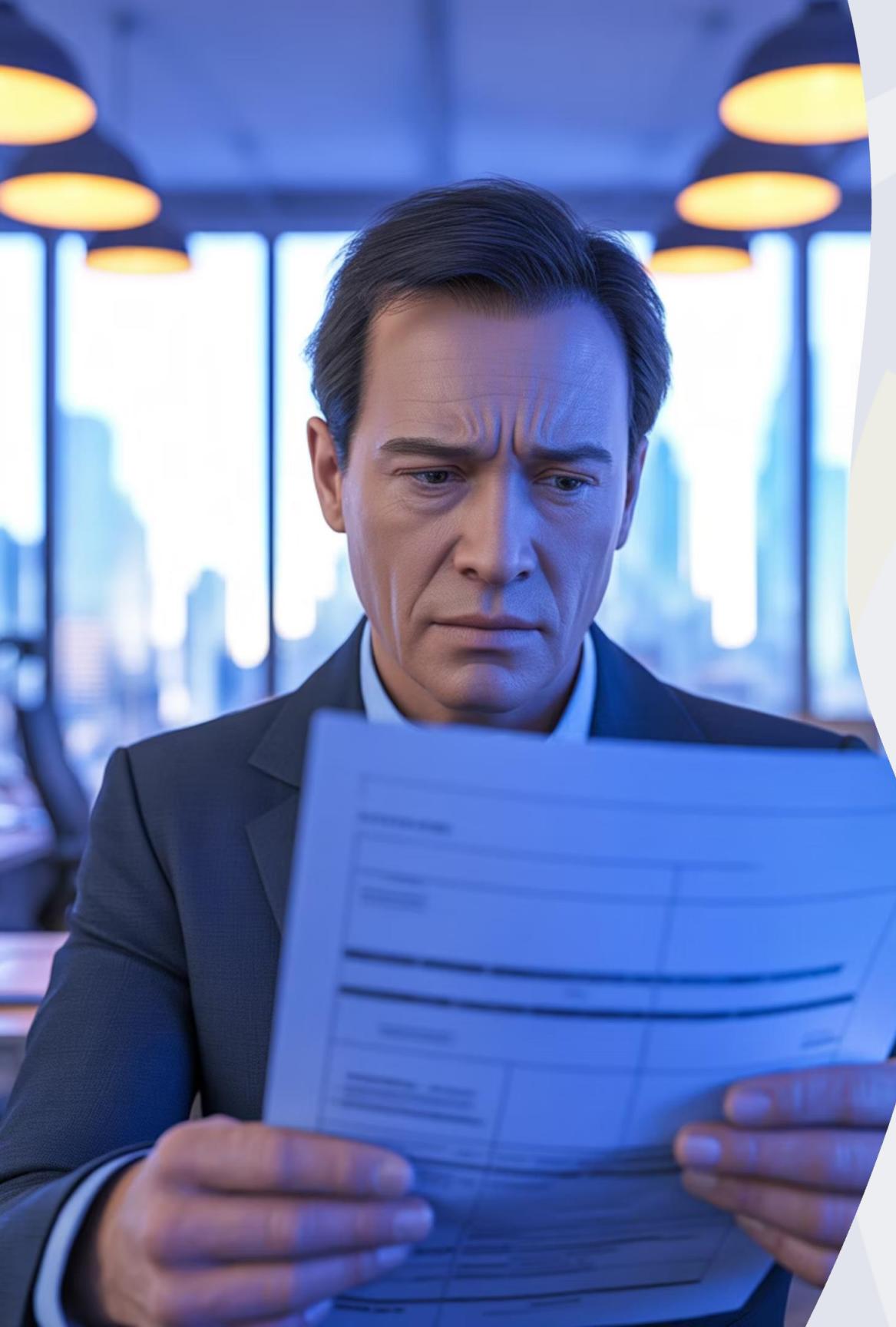
Unit 2, Lesson 2:

Mechanics

Lesson Goal

- ☐ At the end of this lesson, you will be able to apply good vocabulary, appropriate parts of speech, and proper grammar when writing reports.





Think About This

Your supervising officer returns a recent report to you and says there are numerous grammatical errors. If no one had reviewed the report and it was later used in court, how might the report reflect on your abilities as an officer and your agency? Would it affect the outcome of the case?



The Importance of Mechanics

It is easy to believe that the content is the most important part of a report. However, grammar, punctuation, and spelling are equally as important as the report's content.

If the content reflects a good investigation but the report contains too many mechanical errors, the reader will be distracted from the message, and the reader may think you are incompetent and unprofessional.

An effective report should be well-written and demonstrate a good command of language. It should be free of errors in sentence structure, grammar, and other writing mechanics.



LE422.1: Effective Vocabulary Strategies

Expand Your Vocabulary

When you encounter unfamiliar words and phrases, take the time to find their meanings and proper usage

Increase Skills

When you expand your vocabulary, you increase your report writing skills

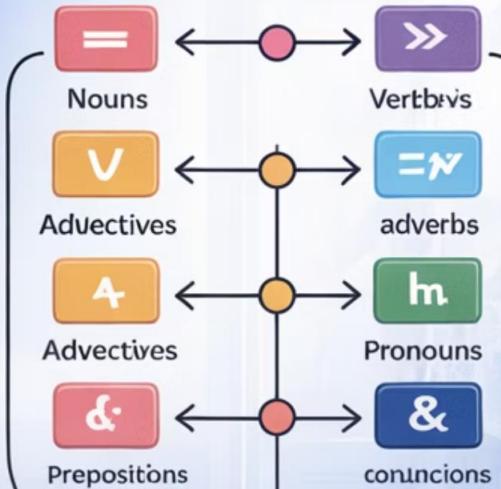
Precise Description

Become more effective at precisely describing things that you are required to document

Having a good and professional vocabulary is important when writing a report.



GRAMMAR



LE422.2: Parts of Speech

You must recognize the parts of speech and use them properly to write a clear report. Proper grammar is defined by the guidelines and rules that govern a language's usage.

It is important to be conscious of grammatical rules because, when you use correct grammar, your reader is more likely to understand your report.



Parts of Speech Reference Table

Part of Speech	Description	Examples
Noun	People, places, things, actions, qualities, beliefs	The officer stopped the car. The subject fled from the officers.
Pronoun	Acts as a substitute for a noun	They stopped the car. He ran from them.
Verb	Expresses an action or state of being	The officer ran after the subject. The subject was fast.
Adverb	Describes, identifies, or quantifies a verb, adjective, or other adverb	The subject ran quickly. He became extremely exhausted.
Adjective	Describes a noun or a pronoun	The heavyset man was the subject. The short woman was also running.
Preposition	Links words and phrases and provides temporal, spatial, and logical relationships	The subject jumped out of the car, went over the retaining wall, and ran into the store.
Conjunction	Connects words with other words, clauses with other clauses	Officer Russ and I approached the car. I covered the car while he contacted the subject.



LE422.3: Proper Sentence Structure

A sentence is a group of words that contains a subject, a verb, and usually an object, and every sentence should express a complete thought.

1

2

Subject-Verb Agreement

A singular subject should have a singular verb, and a plural subject should have a plural verb

Complete Thoughts

Every sentence must express a complete thought with all necessary components



Sentence Structure Examples

Incorrect

Jim and Bob is brothers.

The verb "is" takes the singular form while the subject "Jim and Bob" is plural.

Correct

Jim and Bob **are** brothers.

The correct verb form for the plural subject is "are."

Understanding the parts that make up a simple sentence will help you write clear sentences. The subject tells you what or who performs an action. A verb states the subject's action, existence, or state of being. The object identifies the person or thing that is affected by or that receives the action of the verb.



Sentence Components

Subject

John

Verb

hit

Object

Monica

Not all sentences have objects, but many do. This basic structure forms the foundation of clear, effective writing.



Avoiding Sentence Fragments

A **sentence fragment** is a group of words that lacks a subject, verb, or object (when one is needed) or fails to express a complete thought.

1

Missing Subject

Witnessed a bank robbery in progress while on patrol.

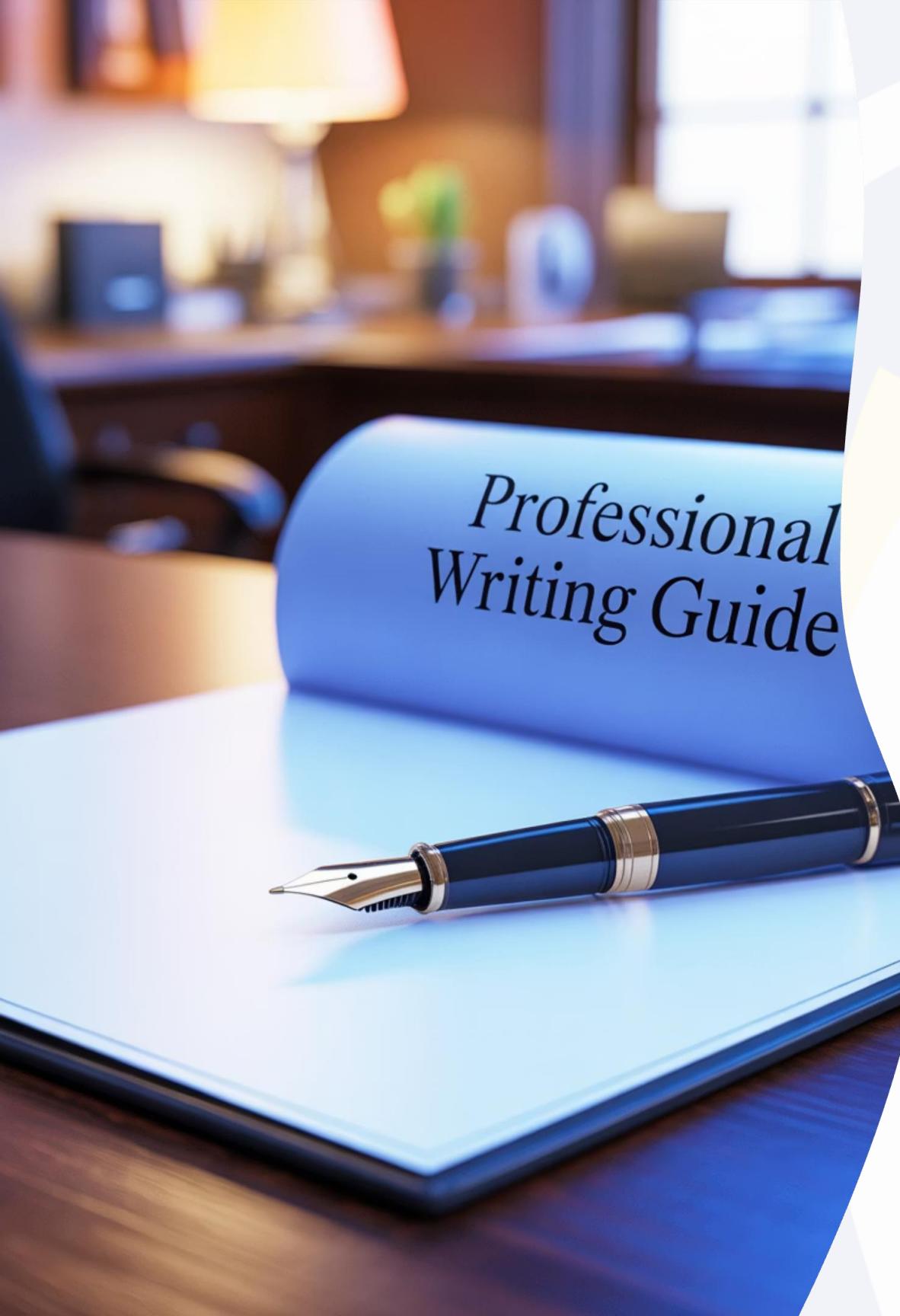
✓ **Correct:** I witnessed a bank robbery in progress while on patrol.

2

Missing Verb

The gun on the floor next to the body.

✓ **Correct:** The gun was lying on the floor next to the body.



Point of View, Voice, and Tense

Understanding these three elements is essential for writing clear, professional reports that follow agency standards and legal requirements.





Point of View

First Person

Written from the author's perspective using "I," "me," or "my"

- "I saw"
- "I spoke"
- "I arrived"

Most reports are written in first person.

Write reports in the first or third person depending on your agency's policies.

Third Person

Written from an outside perspective without personal pronouns

- "The witness saw"
- "The victim spoke"
- "The officer arrived"

Do not use "I," "me," or "my" in third person.



Active vs. Passive Voice

Active Voice (Preferred)

"Ann struck John with a frying pan."

The subject comes before the verb and is clearly stated. You tell the reader who is performing the action, what that action is, and who is receiving that action.

Passive Voice (Avoid)

"John was struck with a frying pan by Ann."

The object and subject are reversed. The reader does not find out who struck him until the end of the sentence, so the reader has to backtrack in thought.

- When writing your reports, use active voice, not passive voice. You can identify and correct passive voice by asking yourself whether a sentence starts with the subject performing the action.

Verb Tense

Most law enforcement reports are written in **past tense** because the events have already occurred.

Make sure you use proper verb tenses and that the tense is consistent throughout the report.

Example: "Ann struck John with a frying pan" uses active voice, past tense, and proper language.



- Writing in active voice does not mean that you must write in the present tense. When you use incorrect grammar and sentence structure, you damage your credibility.



LE422.4: Correct Spelling and Capitalization

Spelling is an important part of writing a report, so make sure to spell words correctly.

1

Use Spellcheck

If you are using a computer to write your report, use the spellcheck feature

2

Verify Word Choice

Remember that spellcheck does not always know whether you used the correct word

3

Get Proofreading

Have another person proofread your report to make sure that you have used the correct words

4

Use Alternatives

If you are unsure of the spelling of a word, consider using a different word



Spelling Examples and Alternatives

Complex Word

Instead of "penitentiary," you can use "prison"

Medical Term

Instead of "contusion," you can use "bruise"

You can also use a dictionary to check your spelling when writing a report by hand. Whichever method you choose to check your spelling, use it consistently throughout the entire evaluation of the report.



Capitalization Rules

1 Names and Places

Capitalize the names of people, streets, cities, and states

"I spoke with the victim, Greg Alexander, at his house on 999 Monroe Street in Tallahassee, Florida."

2 Organizations and Buildings

Capitalize the names of organizations and buildings only when they are specific

"The Oakbrook Neighborhood Association meeting will be held at the LeRoy Collins Leon County Public Library."

3 Dates and Holidays

Capitalize holidays, days, and months

"Independence Day is on Saturday, July 4."



More Capitalization Rules



Geographic Locations vs. Directions

Capitalize geographic locations but not directional words

"She is from the South."
(specific region)

"I drove south on the road."
(direction)

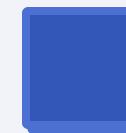


Professional Titles

Capitalize the titles of professionals only when names are used

"I stopped the chief's daughter for speeding." (chief not named)

"I stopped Chief Smith's daughter for speeding." (chief named)



Brand Names

Capitalize brand names

"Mr. Jones reported that someone stole his Smith & Wesson revolver."

LE422.5: Proper Punctuation

It's important to understand when to use punctuation such as commas, apostrophes, and quotation marks. Using improper punctuation can result in confusing or even misleading reports, so be sure to proofread your reports before submitting them.



Comma Rules: Part 1

- **Coordinating Conjunctions**

Use a comma to separate two complete sentences joined by a coordinating conjunction (for, and, nor, but, or, yet, so)

"I met with the victim, and she gave me a statement." ✓

- **Introductory Clauses**

Use a comma after an introductory clause

"When the alarm sounded, the burglar ran from the store." ✓

- **Series of Items**

Use a comma to separate items in a series of three or more items

"The victim said someone stole his digital camera, television, DVD player, radio, and computer." ✓



Comma Rules: Part 2

- **Nonessential Phrases**

Use a comma to separate nonessential phrases in a sentence

"The fingerprints, which I found on the window, belong to the victim." ✓

- **Introducing Quotes**

Use a comma to introduce a quote

The suspect yelled, "I'm going to burn his house down when I get out." ✓

- **Multiple Adjectives**

Use a comma between two or more adjectives when they separately describe the same noun

"Officers often work long, exhausting hours during an emergency." ✓

- **Dates and Addresses**

Use commas when writing dates and addresses

"The robbery occurred on January 12, 2018, at 345 Monroe Street, Tallahassee, Florida." ✓



Apostrophes and Quotation Marks

Apostrophes for Possession

Use an apostrophe to show possession

"An officer's size and skill are factors to consider when deciding use of force." ✓

Contractions in Quotes

Use contractions only when documenting a direct quote

The suspect said, "I don't want any trouble." ✓

Direct Quotes

Place quotation marks around a person's exact words

Keith Roberts said, "Go ahead and search." ✓

Paraphrasing

Do not use quotation marks when paraphrasing

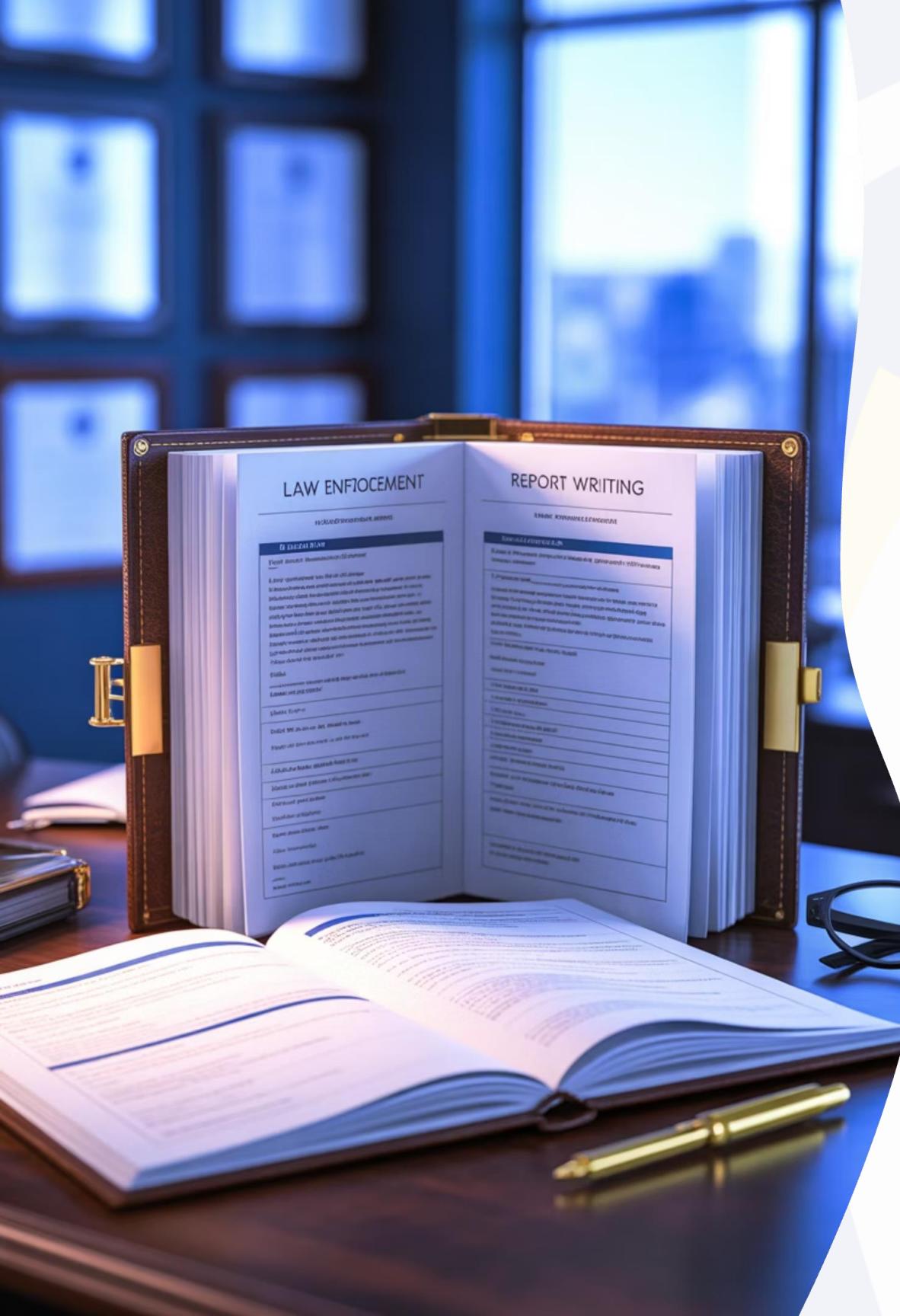
Keith Roberts gave me permission to search his car. ✓



Unit 2, Lesson 3: Elements and Principles

Lesson Goal

- At the end of this lesson, you will know the elements and principles of writing effective reports and probable cause affidavits.



Think About This

Officer Frey's report says, "I arrived at the smash and grab and had my fellow officer's six." How might this wording affect the use of this report in the future?

This example demonstrates why using jargon and slang in official reports can create confusion and undermine professionalism.



LE423.1: Review Notes Before Writing

Review your notes and any statements before you write a report to make sure that you have all of the facts. If you are missing certain facts, get them as soon as possible.

For example, if a victim's date of birth is missing, contact the victim as soon as possible to get it.



- ❑ Keep in mind that if you are wearing a body camera, the Florida Statutes allow you to request to review the recorded footage from the body camera before writing a report or providing a statement regarding any event pertaining to your duties.



LE423.2: Organize Information

When you organize or group information, it is easier to efficiently write a report. You can organize information in one of the following two ways:

By Order of Events

Organize chronologically, sorting the information by the date and time from the first event to the last. By organizing notes chronologically, you can easily write a narrative and explain what happened, when, and in what order.

By Category

Divide things into groups with things in each group sharing similar characteristics. Examples include witnesses, victims, suspects, weapons used, and crime elements. This helps minimize the risk of forgetting information.



Elements of an Effective Report

Report writing requires much more than filling in the blanks on a preprinted form. The largest and most important part of a report is the **narrative**, a detailed account of an incident and events related to the incident.

Normally, narratives are written in complete sentences and detail a sequence of events. An effective report will not only have good content but also proper formatting.



LE423.3: Factuality in Reports

A report must be factual

Include only the facts of the incident represented by the who, what, when, where, why, and how the action was taken.

No Personal Opinions

Do not include your personal opinions, judgments, hunches, or guesses in a report

No Alterations

Do not alter any information you obtained about an incident

Criminal Offense

Falsifying a report is a criminal offense



Factual vs. Opinionated Writing

Problematic Statement

"The victim appears upset and fears for her safety."

A defense attorney might ask you why the victim was afraid. You may not remember and cannot accurately testify because you did not document the victim's statement or action.

Better Statement

"Sandra's hands were shaking, and she was wiping tears from her face."

This description helps the reader visualize Sandra's emotional state with specific, observable facts.



Documenting Specific Actions

Vague and Interpretive

"Jim became uncooperative and belligerent."

People could interpret this statement in different ways. Instead, document Jim's specific actions and words without adding personal interpretations.

Specific and Factual

"Jim stood in front of me in a fighting stance. When I attempted to handcuff him, he pulled his right arm away and yelled, 'I'm not going anywhere!'"

This provides clear, observable facts.



Complete and Balanced Reporting

→ Include All Observations

Include your observations of all witnesses, suspects, victims, and other officers involved in an incident

→ Report All Sides

Include an explanation given by each witness, even if the explanation contradicts information given by another witness

→ Preserve Original Words

Do not alter or paraphrase witnesses' words

→ Omit Unnecessary Content

Do not include unnecessary or vague information, and do not include emotional, sarcastic, humorous, or opinionated content



LE423.4: Clarity and Plain Language

A report should be clear and allow only one interpretation of each sentence's meaning. Use plain and straightforward language to ensure that the report is clear.

1

First Reference

When you refer to a person for the first time, give their full name

2

Later References

Make sure that you properly identify the individual; this is especially important when there are multiple people with the same or similar name

3

Be Consistent

Be consistent when you identify a person to prevent confusion



Identifying People in Reports

Single Victim

First reference: "Jane Doe, victim"

Later references: "the victim"

Multiple Victims

Refer to them by their last names or victim numbers

"Jane Doe, Victim 1" and "Samuel Smith, Victim 2"

Follow your agency's policies for using abbreviations when you refer to victims, witnesses, or suspects in a report. If your agency's policies do not address these issues, comply with the requirements of the state attorney's office.

Conciseness, Completeness, and Accuracy

When you write a report, be concise and to the point. However, do not be so brief that the report is inaccurate, not detailed, or incomplete.

To ensure accuracy, include all relevant facts and specific details from your notes and any statements in the report.





Concise vs. Wordy Writing

Wordy Example

"I observed the suspect fleeing the scene in a northerly direction away from me."

Concise Example

"I saw Charles Baker running north on First Street."

Remember that you have obtained facts through interviews and investigations. Document all statements made by the victim, suspect, and witnesses. Document their exact words in quotation marks, the emotional state of the people involved according to what they say they feel or think, and indicate the approximate time of the incident in the report.



LE423.5: Standard English Usage

Standard English refers to the form of language used when speaking and writing wherever English is spoken and understood. Non-standard English is casual or regional, may involve slang, and sometimes does not follow recognized grammatical rules or spelling.

Always prepare reports using Standard English and avoid using jargon, slang, and textspeak in official reports.



What to Avoid in Reports

Jargon

Vocabulary used in a profession that has meaning only to people who work in that field

Examples: "Signal Zero," "I got your Six," "smash and grab"

Use only acronyms that people can recognize and spell them out the first time

Slang

Informal, non-standard words often used by regional or specific groups

Do not use slang in a report except when you are quoting someone

Examples: lol (laughing out loud), l8r (later), ttyl (talk to you later)

Textspeak

Abbreviations, acronyms, or initials from text messages and digital communications

Does not follow standard grammar, spelling, or punctuation rules

Never use textspeak in an official report



When to Use Non-Standard Language

- ❑ If a witness, victim, or suspect uses jargon, slang, racial slurs, or offensive language, report their exact words using quotation marks. These statements can be valuable to the investigation and point out a person's frame of mind.

You can use jargon, slang, and abbreviations when taking notes so long as you know their meanings, but do not include jargon, slang, textspeak, and abbreviations (except for abbreviations allowed by your agency) in your final report.

Always remember that the reports you prepare will become public record and may be used in court.



LE423.6: USING LEGIBLE HANDWRITING

A perfectly written report is useless if no one can read it

If you handwrite a report

Write Clearly and legibly

Use ballpoint pen (black or dark blue) for clear legibility- Unless your agency specifies otherwise

Writing in all capitals could be a good solution to poor penmanship, as long as doing so follows agency policy



LE423.7: Timeliness and

LE423.8: Report Structure

Complete Immediately

Complete your report as soon as possible after the incident to avoid forgetting important details

1

Avoid Delays

Late submission may hinder other operations, impact the investigation, and delay prosecution

2

Submit Promptly

Turn it in by the end of your shift unless your agency's policies state otherwise

3



Report Structure: Three Main Parts

Introduction

- Date and time of the incident
- Location of the incident
- Identity of victim, suspect, or complainant
- Your assignment and arrival time
- Your name
- Your initial actions

Body

Contains the narrative and a detailed chronological account of the incident. Includes investigative actions you took and addresses the elements of the crime. May contain one, two, or more paragraphs depending on complexity.

Conclusion

Explains how you resolved the situation and describes how you handled the information obtained. Includes any citations issued or arrests made, and documents appropriate criminal charges.



Four Essential Questions

1

Why were you there?

Were you dispatched to a call? Were you flagged down while on patrol? Did you see or think something occurred while on patrol?

2

What did you observe?

What did you see, hear, smell, or feel? What were the crime scene conditions? What did people at the scene tell you? Who else responded?

3

What did you do?

What investigative steps did you take? What other actions did you perform? Who did you interview? Who did you notify? Did you collect evidence?

4

What were the outcomes?

What crimes were committed? Did you make arrests? What related documents were collected? Were further actions or referrals required?

LE423.9: Writing a Probable Cause Affidavit

A probable cause affidavit must be presented in court to justify an arrest. Depending on your agency's policies and procedures, you may be required to write probable cause affidavits.

Use your agency's approved form for your jurisdiction, and record the suspect's personal identifying information in the affidavit.





1. Before writing the affidavit narrative, review the evidence, witness statements and incident or supplemental reports
2. The narrative should set out for the judge the facts and circumstances that justify the arrest

A probable cause affidavit must contain a description of the offense with sufficient facts to show the probable cause of each element of the charged offense.

For example, to arrest someone for battery, you must articulate that the suspect intentionally touched or struck the victim against the victim's will.



LE423.9: Writing a Probable Cause Affidavit

Some of the facts in the affidavit may include the:

- Date and time
- Location
- City or County where the offense occurred
- Offense Charged and the correct Florida Statutes section number or county or municipal ordinance
- Reason for the contact, seizure, or both
- Any other information necessary to establish probable cause

Swear to the truthfulness of the affidavit and sign it

Another officer, notary, deputy clerk or clerk of court who administered the oath to the arresting officer must also sign as required by law.





Unit 2, Lesson 4: Reviewing a Report

Lesson Goal

- At the end of this lesson, you will be able to evaluate a report for factuality, clarity, correctness, and completeness.

You should always evaluate a report after you finish writing it. Take your time and carefully examine it. Make sure that you have included all of the relevant facts from your notes and any statements in an organized and accurate manner.



LE424.1: Evaluation Checklist



Spelling

Ensure that all words are spelled correctly



Grammar

Make sure verb tense is consistent and sentence structures are correct. All sentences must use active voice



Punctuation

Check for correct use and placement of punctuation, including commas, apostrophes, and quotation marks



Capitalization

Verify that appropriate words are capitalized



Vocabulary

Select appropriate words and use them correctly



Typographical Errors

Assess for keystroke errors, especially words that spellcheck might miss

Make sure the information is clear. The report narrative should flow properly, make sense, and contain complete sentences. If audio or video recording is available, review it before finalizing the report to avoid contradictions. When possible, have another officer read the report to catch mistakes and verify that it makes sense before you submit it.



Exercise: Correct the following exercise using Standard English grammar rules and make sure the narrative is free of jargon and slang

On 16 Feb 08 at 1220 hours this officer responded to 2615 Airport Av Apt 65, Ponte Vedra Beach, reference a disturbance. Upon arrival, this officer scoped out what sounded like a loud verbal dispute emanating from within the home. Subsequently, this officer made contact with the owner of the dwelling, Doris Wardley, to assure the safety of anyone inside the apt. The defendant advised that her TV was on and that what this officer heard was a movie on TV. The defendant appeared confrontational and hostile to this officer's presence. The defendant told this officer to get outta my face and attempted to shut the door with great force. this officer detected a strong odor that this officer recognized as marijuana coming from within the apt. this officer asked s1 if she had any illegal narcotics on her person. At stated time def provided a pack of rolling papers and a small baggie containing a green leafy substance from her right pant pocket. Such substance was tested using a dept issued kit. The examination results were presumptive positive for cannabis. Subj was placed under arrest and advised on her Mirandi Right. Def was transported to the slammer by this officer.