



Chapter 9: Crime Scene Follow-Up Investigations

A comprehensive guide to evidence handling, crime scene management, and investigative procedures for law enforcement professionals.





Course Overview

1

Unit 1: The Crime Scene

Evidence rules and concepts, securing and protecting crime scenes, managing victims and witnesses, documenting scenes, and evidence-handling procedures.

2

Unit 2: Follow-Up Investigation

Reviewing initial information, pursuing leads, gathering information on unknown and known suspects, and conducting identification procedures.

3

Unit 3: Preparing for Court

Final preparation and presentation of evidence for successful prosecution.

UNIT 1

The Crime Scene



Unit 1 - Lesson 1: Evidence Rules and Concepts

Lesson Goal

At the end of this lesson, you will know how to apply the rules and concepts of evidence to a crime scene and follow-up investigation to support a successful prosecution.

Scenario

Dispatch sends you to an in-progress burglary crime scene. When you arrive, the investigator asks you to collect evidence. What type of evidence might you look for?





Understanding Crime Scenes

A **crime scene** is the site or sites where a crime has occurred, including an area or areas that contain evidence from the crime committed. A crime scene can be a location, a person, a place, or an object associated with criminal behaviors.

Physical Evidence

Fingerprints, DNA, trace materials, and physical objects that connect suspects to crimes.

Photographic Evidence

Visual documentation of the scene, injuries, and evidence placement.

Eyewitness Testimony

Statements from individuals who observed the crime or related events.

Making sure that evidence is collected in a correct and timely way helps officers understand what happened at the crime scene. The rules and concepts of evidence guide officers toward completing the investigation successfully.



Function of Evidence

The Florida Evidence Code, found in chapter 90 of the Florida Statutes, provides the basic concepts and rules of evidence that may be used in a criminal or civil proceeding. **Evidence** is anything that tends to prove or disprove the existence of a fact. There is a legal distinction between evidence and proof. Evidence is information that is allowed in court while proof is the effect produced by that information.



Prove or Disprove a Crime

Establish whether criminal activity occurred and identify the perpetrator.

Support or Undermine Evidence

Corroborate or contradict other evidence presented in the case.

Determine Sentencing

Help establish appropriate punishment based on the severity of the crime.



Types of Evidence: Direct vs. Indirect

Direct Evidence

Direct evidence proves a fact without an inference or presumption, which, if true in itself, conclusively establishes that fact.

Examples:

- Driver's admission of speeding
- Speed measurement device results
- Eyewitness testimony of speeding

Indirect or Circumstantial Evidence

Indirect or circumstantial evidence requires an inference or presumption to establish a fact rather than personal knowledge or observation.

Examples:

- Eyewitness testimony that defendant entered victim's home around the time of the crime
- Requires judge or jury to infer defendant committed the crime

Three Categories of Evidence



Testimonial Evidence

A witness statement that tends to prove or disprove facts about the case. Includes testimonies of law enforcement officers, experts, and other witnesses.

Generally less reliable than physical evidence because people perceive events differently, do not remember accurately, or lie completely.



Physical or Real Evidence

Actual objects offered to prove or disprove facts about a case. This evidence plays a direct part in the crime in question.

Examples: trace evidence, biological and touch DNA evidence, impression evidence, firearms evidence, electronic evidence, chemical or toxicological evidence, and questioned documents evidence.

When correctly identified, protected, collected, preserved, transported, and analyzed, physical evidence is less likely to deliver false results.



Documentary Evidence

Anything written or printed that is offered to prove or disprove facts pertaining to the case.

Examples: bank records, medical records, or a certified copy of a driving history.



Physical Evidence Categories

1

Fruits of a Crime

Fruits of a crime are the objects obtained by the defendant because of committing the crime. An example is money stolen by a bank robber.

2

Instrumentalities

Instrumentalities are the items used by the defendant to commit the crime. The crowbar used by a burglar to gain entry into the building is an instrumentality of the crime.

3

Contraband

Contraband is any property that is illegal for a person to possess based on statute, ordinance, or rule. For example, child pornography found on a computer is both contraband and evidence.



Admissibility of Evidence

Admissibility of evidence refers to the legal requirements that must be met before a jury can see or hear about the evidence; the evidence must be deemed relevant and real so that the court may receive it.



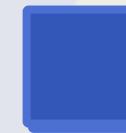
Protects Constitutional Rights

Ensures the defendant's constitutional rights are not violated during evidence collection and presentation.



Guards Against Confusion

Prevents jurors from being misled or confused by improper or irrelevant evidence.



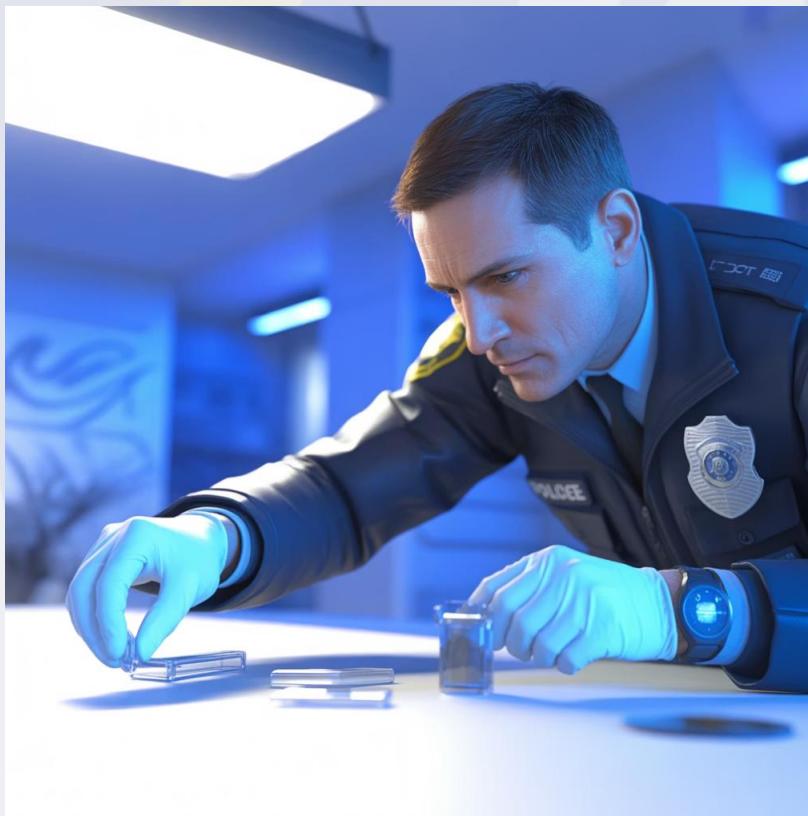
Expedites Trials

Streamlines the judicial process by establishing clear standards for evidence presentation.

Factors Affecting Admissibility

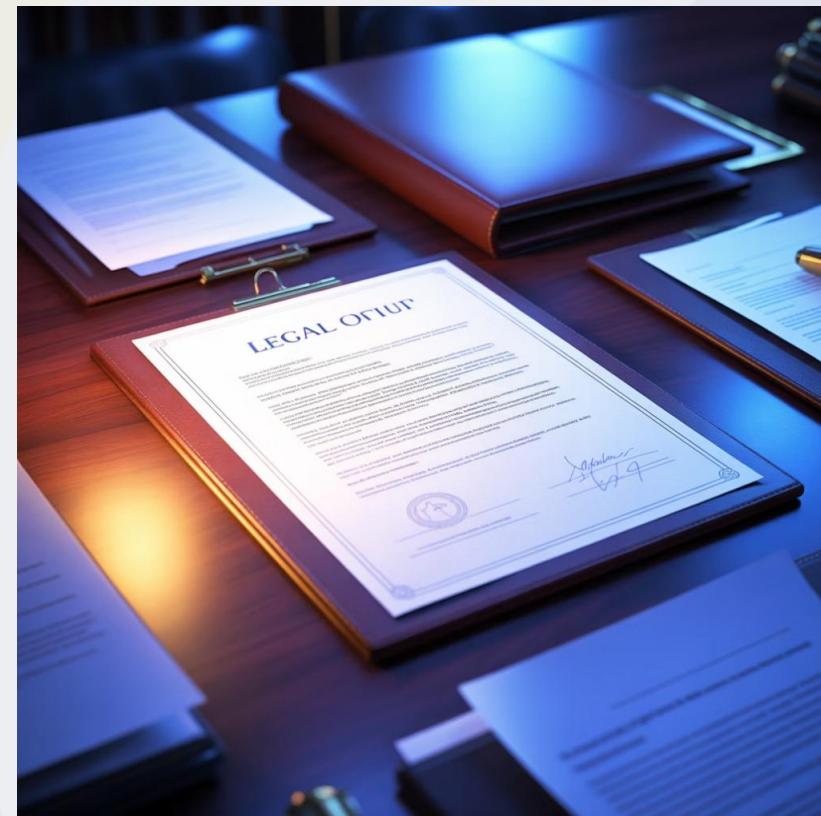
Legal Obtainment

The officer must obtain the evidence legally and preserve it properly.



Relevance

The evidence must be relevant to the case.



Fair Presentation

The evidence cannot be unfairly prejudicial, confusing, or based on hearsay.





Important Legal Doctrines



Fruit of the Poisonous Tree Doctrine

The fruit of the poisonous tree doctrine holds that the court may exclude evidence from trial if the officer obtained it illegally.

Example: If an illegal interrogation leads to the discovery of a murder weapon, the court may exclude both the information obtained from the interrogation and the weapon.

Good-Faith Exception Doctrine

The good-faith exception doctrine holds that if you execute a search warrant that you believe is valid, but a court later determines that the warrant has a legal error, the court may still admit any seized evidence.



Privileged Communication

The Florida Evidence Code recognizes that the need to protect communications within certain relationships is more important than the admissibility of evidence obtained from those communications.



Sexual Assault Counselor-Victim

Communication between a sexual assault counselor and a sexual assault victim is protected and confidential.



Domestic Violence Advocate-Victim

Communication between a domestic violence advocate and a domestic violence victim is protected and confidential.

These types of interactions between two parties are private, protected, and confidential, and their disclosure cannot be forced.



Unit 1 - Lesson 2: Secure and Protect the Crime Scene



Lesson Goal

At the end of this lesson, you will know how to secure, protect, and manage a crime scene independently or as part of a team to support successful prosecution of a crime.

Scenario

You are driving to an incident that quickly becomes a robbery crime scene. There are several persons involved, most of them spectators, and you already know that one of them is injured. What actions will you take before and after you arrive?



Investigation Priorities

The purpose of an investigation is to determine what happened during an incident, identify and locate the suspect, and develop enough evidence to establish probable cause to make an arrest. The preliminary investigation focuses on establishing whether a criminal act has been committed and, if so, what type, when, and where it was committed.

01

First Priority: Secure and Protect

Your first priority is to secure, protect, and preserve the scene to avoid contaminating any evidence. Protecting and securing the scene begins when you arrive and ends when you release the scene to an investigator or from law enforcement custody.

02

Second Priority: Evidence Collection

Your second priority must be to search for, identify, document, collect, and maintain the physical evidence. The successful prosecution of a case will depend on the actions of the first responding officer and the state of the physical evidence at the time it is collected.

- Officers remain an integral part of the prosecution process until the case is resolved—the arrest is not the end of participation.

Responding to a Crime Scene

When dispatch sends you to a potential crime scene, the operator will identify the nature and location of the alleged crime, as well as the complainant's name and relationship to the scene location. Dispatch may also inform you if someone is injured.

Key Questions to Consider En Route:

- What is the location?
- Are any weapons involved?
- Has the complainant indicated the suspect's location?
- How many individuals are involved?
- How many officers are necessary to safely contain or control the situation?
- Do you need additional services?
- Do you need special equipment?
- Are any special concerns or dangers associated with the call?





Securing a Crime Scene

After finding the incident's location, identify officer safety concerns, any victim or witness injuries, and the need for backup. Secure the potential crime scene(s). Before conducting your investigation, make sure the crime occurred within your jurisdiction. Look for sources of information about, and evidence of, the crime when securing the scene.

Determine Scene Size

The size of the crime scene depends on the type of crime, the type of evidence, and the location of the evidence. For example, a burglary may involve an entire apartment complex or just one apartment.

Use Observations

Use personal observations and statements from victims and witnesses to assist in determining the extent of the scene.

Establish Larger Perimeters

Crime scene perimeters should be larger rather than smaller. It is easier to reduce the size of a perimeter than to enlarge it.

Identifying Entry and Exit Points



Visual Inspection

Attempt to locate and identify the point of the suspect's entry to and exit from the crime scene by visually inspecting the scene.

Look for Evidence

Evidence of entry or exit might include broken glass or pry marks around doorways.

Identify Farthest Evidence

Identify the pieces of evidence farthest from the center of the crime scene.

Establish Boundaries

Establish boundaries for the crime scene and guard against unnecessary entrance by blocking off the area with crime scene tape.

A supervisor or investigator assigned to the case may later decide to adjust the original boundaries or perimeter of the scene, based on the size and the type of crime scene.



Protecting a Crime Scene

Once you establish the crime scene perimeter, do not allow any unauthorized removal or alteration of any evidence. Curious, unauthorized people can damage, contaminate, or destroy evidence at a scene. Do not allow them to enter the secured crime scene area. Officer safety is also at risk when unauthorized people enter a scene.

Document and Photograph

Protect the scene until you or someone with your agency can photograph and document it.

Recognize Threats

Different crime scenes may require different methods of protecting the evidence. Recognizing threats to the evidence will help determine the appropriate method of protection.

Weather Protection

In outdoor crime scenes involving degradable, easily destroyed, biological, or trace evidence, protect the evidence from weather elements such as rain, hail, lightning, or wind.

Crowd Control and Legal Authority

Managing Crowds

Instruct people to move behind the crime scene tape, advising that refusal may result in arrest. You have the authority to arrest any person who, after receiving a warning, crosses an area marked by crime scene tape.



Public vs. Private Property

Before you enter the scene to process evidence, determine if the location is public or private property.

- **Public property** is for the use and enjoyment of the public and is open to the public.
- **Private property** belongs to an individual and is not open to the public. A person occupying private property has an expectation of privacy that no one can violate without a search warrant or a valid exception to the warrant requirement.

An officer has permission to enter private property based on exigent circumstances to conduct a sweep for potential suspects, to provide first aid, or if there is an indication that evidence will be lost, destroyed or removed prior to obtaining a search warrant or consent to search.



Crime Scene Log

The primary officer or investigator will designate a point of entry and exit and will assign an officer to maintain a crime scene log at that location.



What is a Crime Scene Log?

A ***crime scene log*** is a document that details the name, rank, and agency of each person entering or leaving the scene, the date and time of the person's entry or exit, and the reason the person was at the scene.



Purpose

The log provides proof of crime scene security and validates the evidence collected at a crime scene.



Access Control

Officers not assigned to the crime scene do not have access just because they are law enforcement officers.

If the investigator designates more than one point of entry or exit, they will assign an officer to each location and notify all officers to use the access point(s). The officer posted at the access point must document these details in the crime scene log.



Documentation and Scene Management

If the evidence becomes contaminated or altered in any way, document the incident in your report. Include information about the original condition of the evidence and the events leading to its damage or destruction.

Supervisor Arrival

Upon arrival, the supervisor or investigator will usually coordinate duties such as evidence collection, securing the scene perimeter, and other assignments.

1

2

3

4

Resource Determination

The size and type of crime scene search will determine the number and type of personnel or resources needed for processing the scene.

Shift Assignment

They will also assign shifts for officers, taking weather and staffing limitations into consideration.

Agency Coordination

Agency policies, procedures, jurisdiction, and available resources will also factor into how to proceed.

Larger agencies have specialized crime scene units that can process the scene and collect evidence. Other agencies require responding officers to process scenes. In some cases, agencies may call for outside assistance, such as FDLE's crime scene personnel. Ultimately, the responding officer's supervisor will decide whether to request crime scene or investigative assistance and determine crime scene jurisdiction for crime scene service.



Unit 1 - Lesson 3: Manage Victims, Witnesses, and Suspects



Lesson Goal

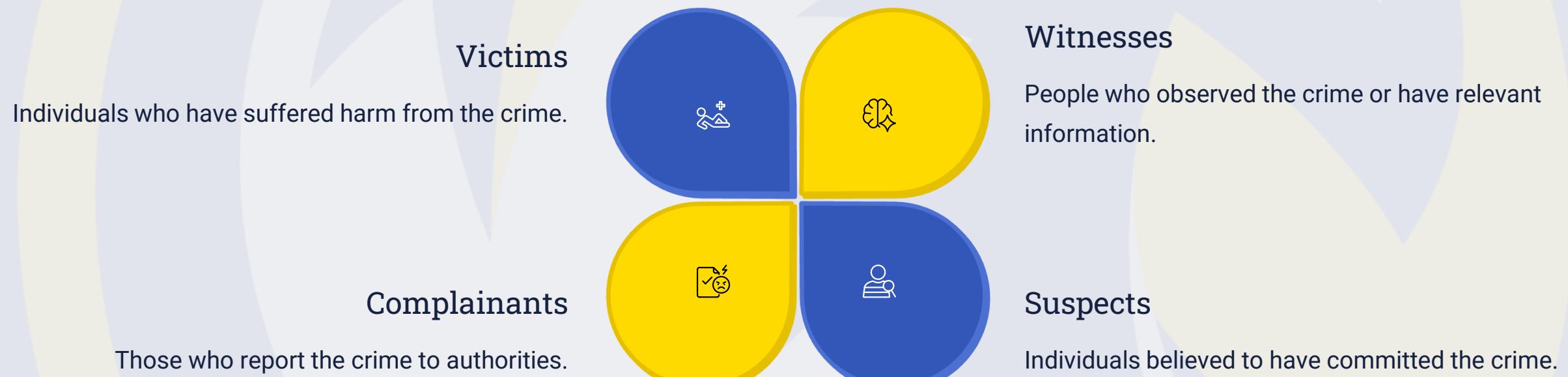
At the end of this lesson, you will know how to manage victims, witnesses, and suspects at a crime scene and gather and share information with a supervisor or investigator.

Scenario

Dispatch sends you to help another officer with an incident involving a disturbance. When you arrive, there is one person sitting on the curb with an icepack on their face and several others standing around them. One person is yelling, and the first responding officer is trying to calm them down. What are some of the first tasks you need to perform?

Reality of Crime Scenes

Crimes scenes are rarely the orderly, calm, and perfectly secured areas that are portrayed on television or in the movies. In reality, crime scenes can be emotionally charged and chaotic because of the persons involved. There may be victims, witnesses, and sometimes suspects present. You will need to constantly shift between the three officer roles described in Chapter 1.



- ❑ A person can belong to more than one of these categories. For example, the victim may also be the complainant, or a person first identified as a witness may become a suspect as the investigation progresses.



Identifying People on the Scene

At the scene of an incident, identify all the people involved, including complainants, victims, witnesses, and suspects.

Ask Key Questions

When establishing which people may have information, ask those present where they were and how they were involved in the incident.

Determine their degrees of involvement and roles in the incident.

Prioritize Interviews

You may not have the time or the resources to question all of the people at the scene, so determine who has the most information and knowledge of the incident.

Identify Additional Witnesses

Ask the victim or the complainant who was present during the crime or event to name any potential witnesses of the incident. In addition, ask witnesses if anyone else was involved and, if so, what their roles were. This will help verify individual statements.

Documenting Information



Required Documentation

In your notes, document the following for all people involved:

- Names
- Dates of birth
- Genders
- Races
- Addresses
- Telephone numbers

Managing Witnesses

Ask vital witnesses to stay at the scene for interviewing. Witnesses may try to leave or remain in the background when you attempt to ask them questions. People who do not want to be involved may say little or nothing so that they can leave the scene quickly.





Separating Involved People

In a criminal investigation, you must keep victims, complainants, and witnesses separated. Tell them not to talk to each other or discuss the incident with anyone until after you complete their interview. This keeps them from coordinating their accounts of what happened.

Separate Locations

Place people in separate locations, near the crime scene area, but in a place that poses no risk of contaminating evidence. Ideally, they should be far enough apart so that they cannot hear or see each other.

Single Room Options

If separate rooms are not available, isolate people within one large room by placing them on opposite sides of the room with their backs to each other. Make sure that there is enough distance between them so that they cannot have physical contact.

Patrol Car Placement

Another possible controlled area is inside of a patrol car. However, due to space limitations, place only one person in each car. If necessary, another officer can stay with each person to ensure control and safety.



Why Separation is Critical

1 Maintains Statement Integrity

Separating involved people will help each one focus on what they saw or heard and maintain the integrity of their statements. Multiple witnesses who have experienced the same event never recall the same details.

2 Prevents Contamination

A witness overhearing another person describe the same event may be tempted, even unconsciously, to repeat the other witness's version of the crime. Working together, they may come up with accounts that differ from the facts.

3 Stops Intimidation

Some of the people involved may try to intimidate others into giving false information. Make sure that, while victims or witnesses are giving statements, no one can intimidate them visually or verbally. If a suspect or another witness attempts to influence witnesses' statement, you may need to remove them from the scene.

4 Prevents Evidence Tampering

An interviewee may want to help the suspect by diverting evidence of involvement away from them. People involved may also try to pass evidence, such as a weapon or contraband, to each other to hide it.

Special Considerations



Family Members

Separating family members during a crisis might make a difficult situation worse. Use your best judgment and react with empathy when assessing whether separating family members is necessary. In a child abuse incident, for example, separation of certain family members may not be appropriate.

Trauma Victims

If an interviewee is suffering from physical or mental trauma, make a note to interview this person later when they have recovered.

- ❑ For safety reasons, always maintain visual contact with victims, witnesses, complainants, and suspects.

Managing Injured People

When injured people are at the scene, responding officers may have to provide first aid. If you are providing emergency first aid and the victim does not have life-threatening injuries, consider asking the victim direct, fundamental questions about how they sustained the injury.



Who hit you?



What did the suspect use to hit you?



Where were you hit?



Where were you standing when you were hit?



When were you hit?



How were you hit?



Why were you hit?



Documenting Injuries

Look at the victim's injuries and record detailed observations in your notes, keeping in mind that you will use them to create reports and refresh your memory when testifying. Florida law allows officers to review footage from their body-worn camera which will assist in this process.

Check Consistency

Note whether the information the victim provides appears to be consistent with the injuries and evidence at the scene.

Checking for consistency requires noting specific information regarding the location, size, and type of injury.

Follow-Up Documentation

Tell the victim to notify law enforcement if bruising intensifies so that the injuries can be photographed as documentation as bruises tend to change color with time.

Medical Personnel Records

Record the names of medical personnel who provide services to the victim because the court may call any of them as a witness.



Sharing Information with a Supervisor

Share information with your supervisor or the investigator, including:

- When the incident occurred
- How it occurred
- Where it occurred
- All evidence gathered or specific items that are still the focus of a search
- Descriptions of all property involved in the incident (obtained from complainants, victims, or witnesses who can identify the property)
- The names and descriptions of victims, witnesses, and possible suspects
- A description of the suspect's vehicle, if applicable and if known
- Any special concerns on the scene such as biohazards, a hostile crowd, at-large suspects, and severe injuries
- How the scene is being handled and protected
- The scene's boundaries and protection measures
- A plan for the continued investigation of the incident and the search for evidence
- The identity of the public information officer who is communicating with the media

When dealing with the media or designating an assigned authorized spokesperson on the scene, refer to your agency's policies and procedures.

Crime Scene Documentation

Unit 1: The Crime Scene - Lessons 4 & 5

This comprehensive training covers essential protocols for documenting crime scenes through photography and sketching, as well as proper evidence handling procedures. Officers will learn systematic approaches to preserve the integrity of evidence while maintaining privacy and dignity for all individuals involved.





Lesson 4: Document the Crime Scene

Lesson Goal

At the end of this lesson, you will know how to photograph and sketch the crime scene and associated evidence, including evidence on a person, while ensuring privacy and dignity.

Think About This

You respond to an incident that results in a dead homeowner. You and a fellow officer have secured the crime scene and interviewed the witnesses. What steps should you take to document the crime scene before you begin to collect the evidence?

Why Photography Comes First

Photographing the scene is the first event that should take place when documenting a crime scene. Photographing allows people who were not present at the original scene, including the court and the jury, to gather information and "visualize" how the crime scene looked on the day you responded. Photos or sketches also help victims and witnesses refresh their memory as time goes by.

This documentation creates a permanent record that can be reviewed and analyzed long after the physical scene has been altered or released. The photographs serve as the foundation for all subsequent investigation and prosecution efforts.



The Three-Level Photography Approach

01

Overall Photographs

Begin at the perimeter of the crime scene and take a series of shots by framing an all-inclusive or four-corner view of the scene. These establish the context and layout of the entire area.

02

Midrange Photographs

The midrange view shots show the relationship between the evidence items within the scene. These connect individual pieces of evidence to their surroundings.

03

Close-Up Photographs

Close-up shots show the details of a specific item of evidence and must include a scale or identifier. These capture fine details that may be critical to the investigation.

Crime scene photography moves from general to specific. For example, if your crime scene is a room, the overall would be photographs of the room from all four corners. The midrange would be photographs of the sofa, and the close-up would be the blood on the sofa.



Essential Photography Equipment



Required Equipment

- Agency-issued digital camera with flash
- Extra batteries for camera
- Flashlight for enhanced lighting
- Extra batteries for flashlight
- Scales or identifiers (rulers, cards)
- Whiteboard or paper for documentation

Important Restrictions

- **Do not use** personal cell phone cameras
- **Avoid using** agency-issued cell phone cameras - the court may subpoena the information on your phone
- Follow agency policies regarding body camera use for crime scene photography



Proper Lighting Techniques

Use proper lighting so that the photographs are neither too dark nor too light to see detail. Proper lighting also avoids glare and flashback from a mirror or glass. Standard camera flashes will project only 9-12 feet.

Standard Flash

Effective for 9-12 feet. Use for most indoor close-up and midrange shots.

Flood Lighting

Use flashlight for enhanced lighting when photographing from distances greater than 12 feet.

Vehicle Lighting

Consider using your vehicle spotlight or headlights for overall outdoor photographs requiring greater distance.

Oblique Lighting

Use side lighting at a low angle when photographing shoe/tire impressions or tool marks to create shadows that show details.



Photographic Framing Best Practices

Photographic framing is composing the photograph so that it depicts what you are trying to document. For example, in overall or midrange photography, overlap the photos to show the relationships of items in the crime scene.

What to Include

- All objects photographed must be important or relevant to the scene
- Overlap photos to show relationships between items
- Ensure proper focus by reviewing all photographs after taking them

What to Avoid

- Bystanders in photographs
- Other officers (unless documenting their actions)
- Your equipment
- Pets or animals not relevant to the scene

Priority Evidence Photography

Perishable, Transitory, and Fragile Evidence

Photographing perishable, transitory, or fragile evidence ensures its documentation and preservation. Based on the circumstances at the scene, you need to photograph these types of evidence first.

Perishable Evidence

Blood, footprints, tire impressions, or trace evidence such as hair or fibers that may degrade over time.

Transitory Evidence

Evidence that can blow or wash away, such as dust patterns, loose fibers, or outdoor impressions.

Fragile Evidence

A bullet hole in glass held in place by thin window tint, or other delicate items that may be easily damaged.



Using Scales and Identifiers

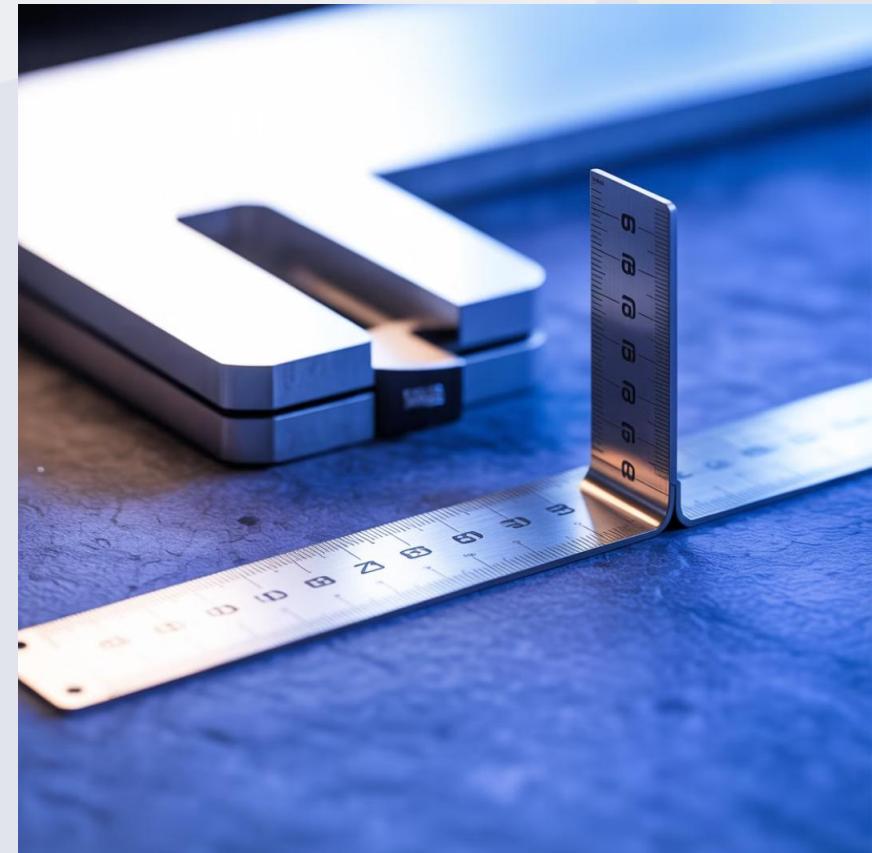
When photographing specific items, such as blood drops, weapons, or tire marks, place a scale or identifier in the photograph with the evidence to establish the original positions and draw attention to relevant objects or evidence.

Proper Placement

The **scale or identifier** should be as close as possible to the item you are photographing to avoid creating optical illusions that misrepresent the actual size of the item (items looking larger or smaller based on placement of the scale or identifier).

Acceptable Scales

- Agency-provided rulers or cards with rulers
- Miranda cards
- Dollar bills
- Coins





Photographing People as Evidence

A person can be a crime scene or part of a crime scene. Visible evidence that can be present on the victim or witness includes bruises, lacerations, broken bones, gunshot wounds, blood, and trace or transfer evidence.

Important Legal Considerations

A suspect does not have the right to refuse photographing injuries, such as scratches from the victim or blood evidence.

Apply the same photographic perspectives—overall, midrange, and close-up—when documenting injuries and evidence on people. Use a scale or identifier to document the extent of the injury.



Privacy and Dignity in Personal Photography

Private Location

Photographs of individuals should be taken in an area that affords privacy for the person being photographed.

Approval Process

Be sure that the individual approves the officer taking the photographs and the officer who is acting as the witness in the space.

Sensitive Areas

If you need to take photographs of an injury to any external genital organs, provide the victim options regarding which officer will observe and which officer will photograph the injuries.

These protocols ensure that evidence collection respects the dignity and privacy rights of victims and witnesses while maintaining the integrity of the investigation.



Crime Scene Sketching

Purpose and Timing

A crime scene sketch supplements your field notes and photographs and helps with report writing. Sketches aid in the reconstruction, explanation, and permanent recording of an incident. They can show positions of objects in relation to one another that are not easily visible in photographs.

If you are going to sketch the crime scene, do this after photographing the scene and before you begin any detailed work. Use sketches to document where you recovered evidence in the scene.



Using Sketches in Investigations

During Interviews

You may use the sketches during interviews with witnesses, victims, and suspects to correlate testimony. This helps clarify positions, movements, and spatial relationships that may be difficult to describe verbally.

Court Admissibility

If you use these sketches during an interview, include them in the report, as they are admissible in court. They become part of the official record of the investigation.

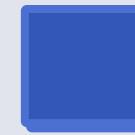
- Sketches provide a unique perspective that complements photographs by showing spatial relationships, measurements, and the overall layout in a clear, simplified format that juries can easily understand.



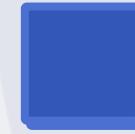
Documentation Requirements

Before You Begin

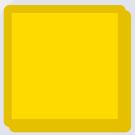
Before you begin to photograph or sketch a crime scene or a person, write the following information on a piece of paper or whiteboard and take a photograph, or type this information into the electronic device that you will use to sketch or take the photograph:



Case number



Date and time



Location



Officer's name

Indicate in your report that you photographed or sketched the crime scene or person. You will need to be able to testify that the photographs or sketch are true and accurate representations of the crime scene or person as they appeared when you sketched or took the pictures.



Lesson 5: Evidence-Handling Procedures

Lesson Goal

At the end of this lesson, you will know how to search for and recognize several types of evidence; collect, package, and preserve evidence; and initiate a chain of custody.

Think About This

Dispatch sends you to a residence after receiving a call from someone who stated that their partner attacked them. You arrive at the apartment complex and find someone with cuts and bruises on their face and arms, and wearing torn clothing. Your fellow officer notices drug paraphernalia on the dining room table next to a bag of white powder. The victim tells you that the drugs belong to their partner and that they keep guns in the apartment. How are you going to proceed with processing the evidence?

Safety First

Cautionary Note: Always use the appropriate standard precautions and apply PPE when searching and handling evidence. Keep in mind that exposure to certain substances can be harmful or fatal.



Systematic Search Patterns

The type of crime committed determines the types of evidence to search for at a scene. For example, at a burglary scene, search for evidence of illegal entry, such as pry marks on a doorframe or broken windows. When searching, use a systematic approach or pattern. The type of crime scene will help dictate the pattern. Study the whole scene first and keep in mind that the relationships of the items' positions may be important.



Four Search Pattern Methods



Grid Pattern

Often used indoors, this is a variation of the strip/line search pattern. Searchers overlap a series of lanes in a cross pattern, making the search more methodical and thorough.



Strip/Line Pattern

Usually used outdoors by several people. Divide the search area into lanes. Have one or more people search each lane by moving in both directions, examining all areas.



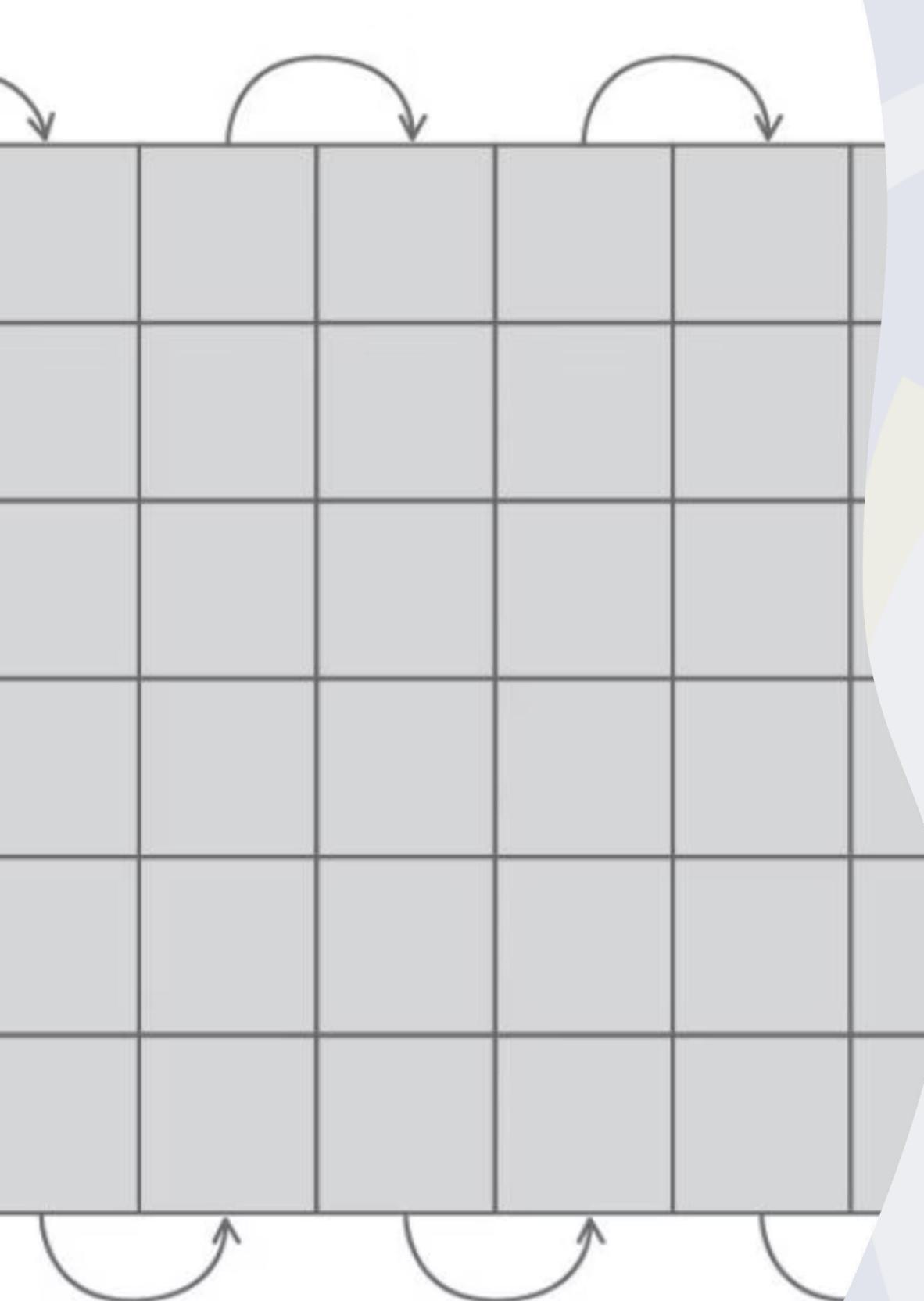
Spiral Pattern

Usually used outdoors by one person. The searcher begins at a certain point and walks in increasingly larger circles to the outermost boundary of the search area.



Zone/Quadrant Pattern

Used for vehicle searches, both indoors and outdoors, or a large area. Divide the area into four different sections and search each area using one of the patterns above.



Grid Search Pattern

The ***grid*** pattern creates a thorough, overlapping search by combining two strip searches at right angles to each other. This method is particularly effective for indoor scenes where thoroughness is critical and helps ensure no evidence is overlooked.

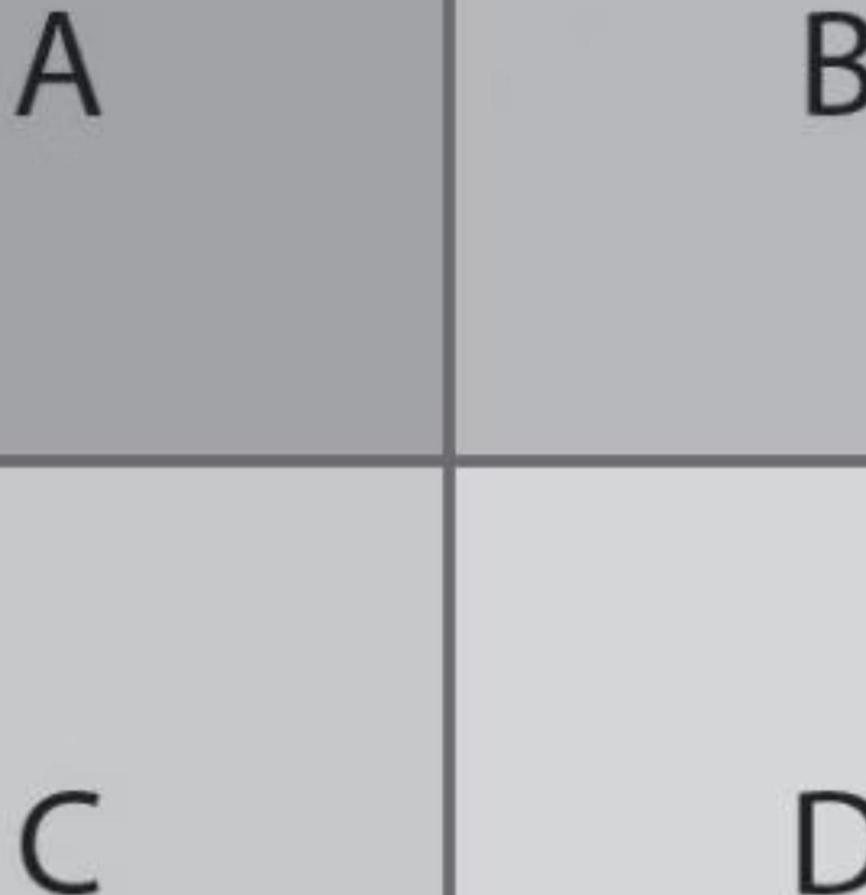


Spiral Search Pattern

The ***spiral*** pattern works well for outdoor scenes with a single searcher. Beginning at a central point, the officer moves outward in increasingly larger circles until reaching the perimeter. This method provides good coverage while maintaining orientation to a central reference point.

Strip/Line Search Pattern

The ***strip or line pattern*** divides the area into parallel lanes, with searchers moving systematically through each lane. This method is ideal for large outdoor areas and works well with multiple searchers working in coordination.



Zone/Quadrant Search Pattern

The **zone or quadrant** pattern divides the scene into four sections, with each section searched using another pattern method. This approach is particularly useful for vehicle searches and large complex scenes, allowing multiple officers to work simultaneously in different areas.

Categories of Physical Evidence

At any crime scene, the victim, witness, and suspect usually leave or take away some sort of evidence. Understanding the different categories helps officers recognize and properly collect all potential evidence.



Trace Evidence

Hair, fibers, clothing, paint chips, transfer evidence, glass, wood, soil, dirt



Biological Evidence

Blood, semen, saliva, bones, teeth, body tissues, hair, touch DNA



Impression Evidence

Fingerprints, tire, shoe, footprints, bite marks, tool marks

Additional Evidence Categories



Firearms Evidence

Weapons, projectiles, gunshot residue, cartridge cases, tool marks, database information



Electronic Evidence

Cell phones, thumb drives, laptops, notebooks, tablets, computers, smart home and security devices, external hard drives, digital cameras, CDs, DVDs, VHS tapes, answering machines, digital recording devices



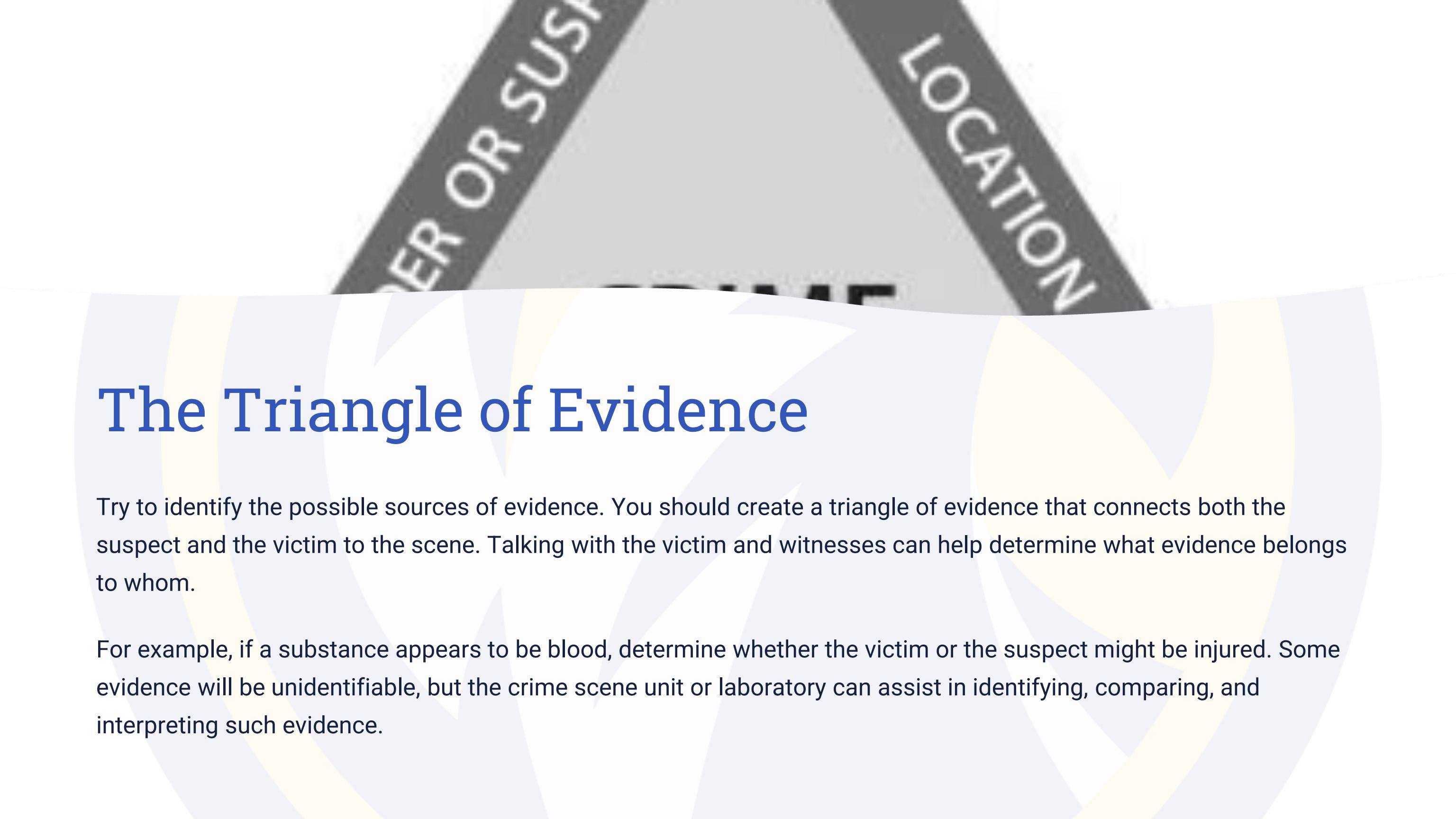
Chemistry or Toxicological Evidence

Blood alcohol levels, drugs, poisons



Questioned Documents Evidence

Checks, bank statements, address books, wire transfers, credit cards, phone bills, photographs or cameras, photocopies



The Triangle of Evidence

Try to identify the possible sources of evidence. You should create a triangle of evidence that connects both the suspect and the victim to the scene. Talking with the victim and witnesses can help determine what evidence belongs to whom.

For example, if a substance appears to be blood, determine whether the victim or the suspect might be injured. Some evidence will be unidentifiable, but the crime scene unit or laboratory can assist in identifying, comparing, and interpreting such evidence.



Personal Protective Equipment (PPE)

Never handle evidence with your bare hands. Practice standard precautions and apply PPE whenever you handle or collect evidence. PPE will protect the evidence from contamination and you from exposure to dangerous substances.

Essential PPE Items

- Gloves (change between each piece of evidence needing DNA analysis)
- Booties
- Facemasks
- Goggles
- Aprons
- Other protective clothing or gear as needed

Critical: Change PPE as often as necessary. Do not become a source of cross-contamination. If you touch the victim, witness, or suspect and then touch the crime scene wearing the same gloves, touch DNA may cross-contaminate the scene.





Proper Evidence Packaging

Wet Evidence

Wet evidence, such as items soaked with body fluids or living plant material, must be air-dried, packaged in breathable containers such as paper bags, or both. If packaged improperly, wet items will deteriorate to a point where they have no value as evidence.

Your agency's policies and procedures will identify specific evidence-handling procedures. There are special considerations for handling specific types of evidence. Proper tools, equipment, containers, and packaging help prevent contamination and degradation of evidence.

DNA Evidence

Place each piece of evidence collected for DNA analysis in its own, separate container. This prevents cross-contamination and preserves the integrity of each sample.



Trace Evidence

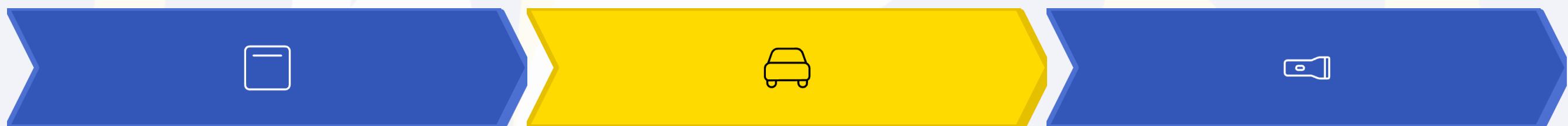
Small But Significant

Trace evidence is small quantities of material transferred from a victim or suspect to each other or to a crime scene. Trace evidence can include human hair, animal hair, textile fibers and fabric, rope, feathers, soil, glass, and building materials.

Microanalysis is the process of analyzing trace evidence with a microscope to determine a possible source or origin. Sometimes fibers transfer between the clothes of the victim and the suspect.

Fiber Evidence

Fibers can come from clothing, carpet, rope, vehicle carpeting, upholstery, or other common articles. Fiber analysis can reveal the manufacturer and other information about the source item. The relationship that fiber evidence has to the victim, the suspect, or the crime scene is crucial in many cases.



Entry/Exit Points

Broken windows, torn screens, or other sharp edges may snag fibers during a suspect's entry into or exit from a building.

Vehicle Interiors

When the inside of a vehicle is part of a crime scene, examine the seat belts, airbag, steering wheel, and other places for fibers.

Detection Methods

Holding a flashlight to create sidelight and using a magnifying glass may help you spot fiber evidence.

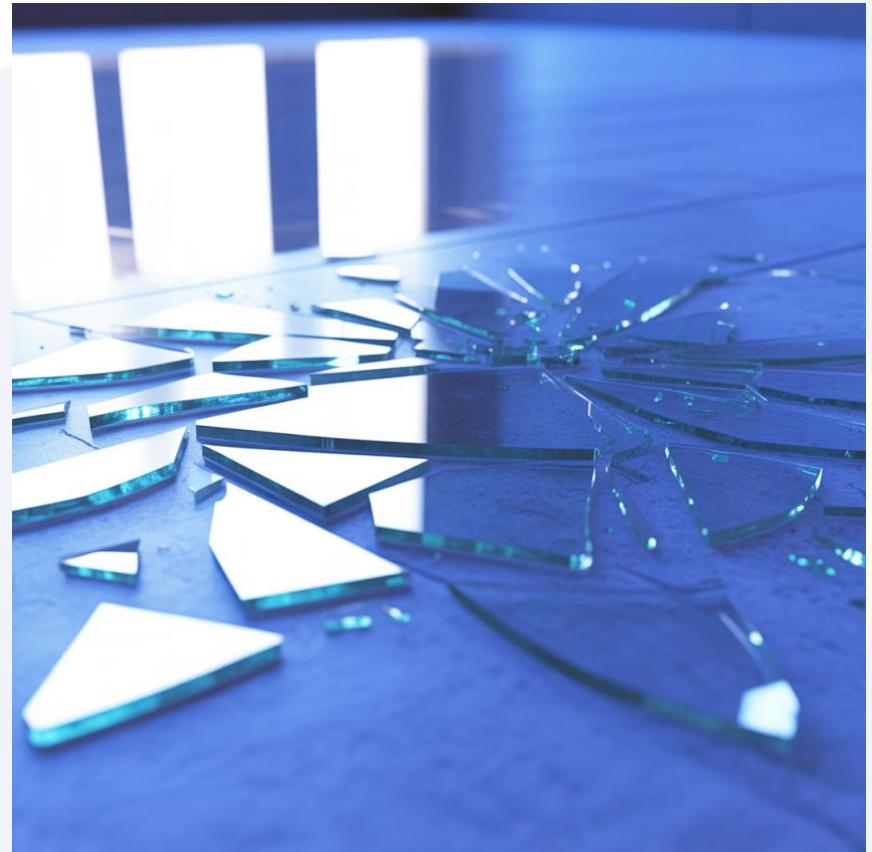
Glass Evidence Analysis

Comparing and matching fragments from a broken piece of glass can indicate a relationship between the victim, the suspect, and the crime scene. The crime laboratory can analyze the glass pieces and compare characteristics to match and identify their origin.

Analyzable Characteristics

- Color
- Density
- Thickness
- Type of glass (tempered window, non-tempered, headlight, bottle)

In addition, if a suspect or victim is near a piece of glass when it breaks, glass fragments may contaminate the person's body, shoes, and clothing. The direction of force or the order in which glass is broken can determine on which side of the glass the suspect stood, thus establishing the suspect's entry or exit path.





Paint and Soil Evidence

Paint Transfer

Paint transfer can provide useful evidence in solving crimes such as a hit-and-run crash. Samples may show that paint at the scene and on the suspect's vehicle came from a common source. Tools used to gain illegal entry into buildings and safes can leave paint residue.

Soil Evidence

Sometimes, soil from a crime scene attaches to a suspect or victim's clothing, shoes, tires, or other objects, and the person transports it to another location. This can link a suspect to a specific geographic area.



Biological Evidence

DNA Sources at Crime Scenes

Biological evidence left at crime scenes may contain DNA. Consider all objects at a crime scene as possible sources of DNA evidence. The most common biological specimens include blood, semen, or saliva. Crime laboratory experts can identify these body fluids and, if needed, conduct DNA analysis.

Sexual assault cases may require an examination of semen evidence. Pieces of evidence that may contain saliva and require examination include cigarette butts, drinking straws, soda and beer cans, masks, bottles, and bite marks.



Blood Evidence Analysis

Laboratory Testing

The crime laboratory can test for the presence of blood and if it is of human origin. Blood type and DNA identification are also possible with a blood sample.

Forms of Blood Evidence

- Blood pooled on the floor
- Wet or dried stain on upholstery or carpet
- Sample collected from the victim or suspect after the incident

Spatter Analysis

Experts can analyze the direction of blood spatter to determine:

- The type of weapon used
- The direction of the attack
- The relative size of the attacker

Advancements in DNA analysis allow for the detection of identifiable evidence in objects that made contact with a victim or suspect for a short time.

Skeletal Remains and Teeth

In some cases, teeth can serve as identification and evidence. If you discover human skeletal remains, contact your supervisor. Because of the nature of the evidence, a medical examiner or a trained forensic specialist should see the bones at the site as discovered.

- ❑ Certain types of biological evidence require a specific technique or expertise to collect. Follow your agency's policies and procedures when dealing with these types of evidence.





Impression Evidence

Tool Marks and Fracture Matching

Working edges of tools leave distinct marks on surfaces. Never try to fit a suspect's tool into a mark. You may need to collect the entire damaged surface and submit it to the lab to compare with the suspect's tool.



Tool Marks

Comparing the fracture sites of two or more parts of a broken, torn, or cut object and determining whether they were once whole can provide strong evidence in court.



Important Warning

Do not attempt to reconstruct the items or process fingerprints from the pieces before submitting them.

If it is not possible to submit the entire damaged surface as evidence, follow your agency's policies and procedures for proper processing.

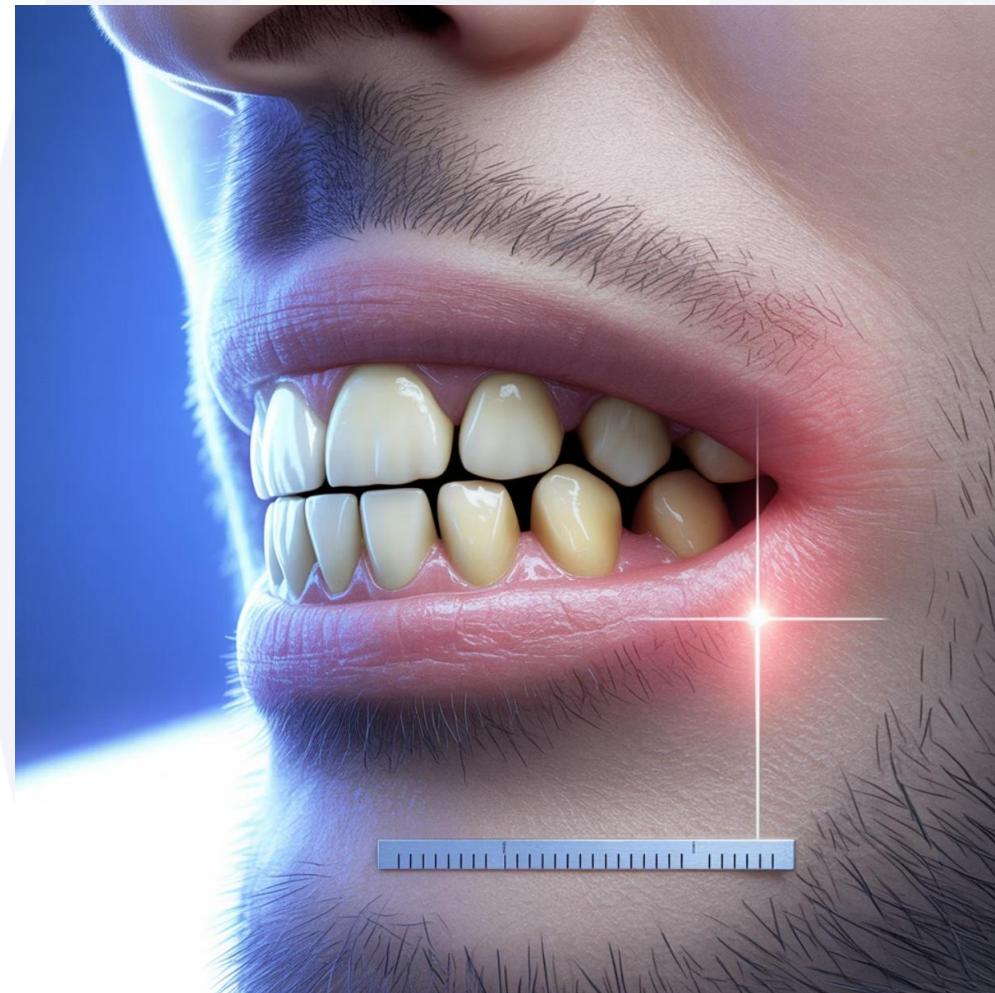


Footprints and Tire Impressions

Footprints, shoe impressions, and tire impressions at the scene can link a suspect to a crime when they match an object in the suspect's possession. You can find these types of impressions in mud, soil, or another pliable material. Shoe or tire prints can remain on wood, tile, paper, or paint, or in dust, blood, or grease.

Crime scene technicians can cast certain impressions, such as shoe or tire impressions. Photograph these items as well to preserve them as evidence.

Bite Mark Evidence



Dental Evidence

Teeth can provide dental evidence in the form of bite mark impressions that can lead to the identity of the suspect.

Documentation Protocol

- Photograph bite marks as soon as possible with a scale or identifier
- There is a high likelihood of saliva being present in bite marks as well
- Collect DNA evidence from the bite mark area
- Follow agency procedures for preserving this evidence



Types of Fingerprints

Consider all objects at a crime scene as possible sources of fingerprints. Understanding the three types of fingerprints helps officers recognize and properly collect this crucial evidence.

Patent Prints

A foreign substance, like wet paint, blood, grease, ink, or dirt, transfers and makes readily visible patent prints, which form from the friction ridges or corrugated lines on fingers. These are easily visible to the naked eye.

Plastic Prints

A plastic print is a molded or embedded fingerprint that you can easily see, created by touching an impressionable surface, such as fresh paint, wax, bar of soap, or mud.

Latent Prints

Although generally invisible to the naked eye, latent prints result from body residues left behind when the friction ridges of the hands or feet make contact with a surface. These require special processing to visualize.



Locating Latent Fingerprints

Latent prints are among the most valuable and common types of physical evidence at a crime scene. By examining the submitted evidence, the crime lab may be able to determine the presence of latent prints and determine if they are identifiable.

Strategic Approach

When looking over a crime scene for places to locate latent fingerprints, consider:

- How the suspect may have approached the scene
- What they may have touched
- How they moved inside the scene
- How they left the scene

Consider the types of surfaces that may be involved. To have the possibility of latent prints, you must have a surface that is conducive to having latent prints on it, for example, a rough concrete surface versus a smooth glass surface.



Value of Latent Print Databases

01

Current Case Resolution

Capturing latent prints can help identify the suspect(s) in the crime you are currently investigating.

02

Cold Case Solutions

Once latent prints enter the print database, the database may be able to solve unsolved past crimes.

03

Pattern Recognition

Crime analysts may be able to identify suspect(s) in other crimes by recognizing patterns and connections through the fingerprint database.



Protecting Latent Print Locations

Make sure to preserve the latent prints you find. If you think an environmental issue, such as rain, may damage a latent print, collect the print before it becomes damaged or protect the item from the environmental factor.

Cover the Evidence

Protect prints from environmental damage by covering them with appropriate materials.

Move the Item

After documentation, carefully move the item to a protected location to prevent damage.

Collect as Evidence

Collect the item for later processing by the crime lab if immediate processing is not possible.

Before moving the item and to prevent destruction of the latent print, photograph the print with a scale or identifier in a RAW+JPEG setting on a point and shoot camera. This setting allows the raw image to remain unaltered. You cannot alter a raw image using image altering software.

When to Call for Assistance

If the object the prints are on makes it difficult to collect the prints or photographing them is beyond your skill level, collect the surface object for the crime lab to process or, if possible, have a crime scene technician respond to the scene.

- Recognizing the limits of your expertise and calling for specialized assistance ensures that valuable evidence is not lost or compromised. It's always better to wait for expert help than to risk destroying evidence.





Latent Fingerprint Kit Contents

Standard Equipment

- Gloves
- Black powder
- Light gray powder
- Brush
- Lifting tape
- Fingerprint cards

Important Notes

Most agencies provide officers with a basic latent fingerprint kit. If your agency authorizes you to lift prints, have an adequate supply of materials on hand and get training in how to use them.

Lifting latent prints is a basic skill of law enforcement. The ability to lift a latent print directly relates to your attention to detail.

Critical: Lifting a print is often a "one shot" opportunity and should be treated as such. Take care to avoid smudging or smearing existing latent prints when handling and packaging evidence.

Dusting and Lifting Procedure: Steps 1-5

01

Step 1: Wear Gloves

Wear gloves to avoid contaminating the area with your own fingerprints and DNA. Be careful not to wipe possible prints off the surface.

02

Step 2: Locate Prints

Hold a flashlight at an angle, and look for obvious signs of a latent print.

03

Step 3: Apply Powder

Take your brush and lightly dab into the powder once you find a target area.

04

Step 4: Remove Excess

Tap and twirl the excess powder off the brush in the jar of powder. Use it sparingly, because it tends to get on everything. It is better to use too little than too much.

05

Step 5: Brush the Area

Lightly brush from side to side, or swirl the brush, on the target area. If the powder adhered to the print is too thick, brush off the excess powder with a clean brush and adjust the amount of powder.



Lifting Procedure: Step 6

Applying the Lifting Tape

When you find a print, apply the lifting tape in the following manner:

- a. Prepare the Card

Place a suitable fingerprint card on a flat surface nearby so that it is ready for the print you lift.

- b. Create a Tab

Turn under the end of the lifting tape to form a tab.

- c. Extend the Tape

Extend the lifting tape to a distance long enough to cover the print.

- d. Position Above Print

Place the rolled end of the lifting tape just above the latent print, but keep it off the print.

- e. Avoid Contamination

Make sure that you do not trap foreign matter or air bubbles under the lifting tape.

- f. Smooth the Tape

Smooth from the tabbed end of the lifting tape back toward the rolled end or vice versa. Use your finger, pen, or another object to smooth out the lifting tape and release any trapped air.

It is the same basic process as putting a decal on a window.



Lifting Procedure: Steps 7-10

- 1 Step 7: Remove the Tape
- 2 Step 8: Transfer to Card
- 3 Step 9: Document
- 4 Step 10: Submit Evidence

Step 7: Remove the Tape

Slowly lift the lifting tape containing the developed prints from the same end that you started rolling the lifting tape over the print. Be careful not to touch the tape to another surface, such as your gloves.

Step 8: Transfer to Card

Carefully place the lifting tape on the fingerprint card in the same way that you placed the lifting tape over the print. Place the print in the designated place on the correct side of the card.

Step 9: Document

On the back of the fingerprint print card, record the date, case number, the location within the crime scene where you retrieved the fingerprint, and any other information your agency's policies and procedures require. Be careful not to damage the print.

Step 10: Submit Evidence

Follow your agency's policies and procedures to submit latent print cards as evidence.

With time and practice, you will develop your own technique for applying the lifting tape.

Elimination Prints

Elimination prints allow fingerprint analysts to distinguish between prints belonging to victims, witnesses, or possible suspects. To make this distinction, take fingerprints from anyone who may have been at the crime scene to eliminate their prints from the pool of suspects.

This process is crucial for narrowing down which prints actually belong to the perpetrator versus those of innocent parties who had legitimate access to the scene.



Firearms Evidence

Safety First Approach

When recovering a firearm or ammunition at a crime scene, follow agency policies and procedures for handling such evidence and apply PPE to avoid contaminating the firearm or ammunition with your fingerprints and DNA. This may be properly securing the firearm and making it safe or leaving it in place for further investigation.

- Critical Safety Note:** Always properly secure the weapon before any examination or documentation takes place.





Firearm Collection Procedure

If you are responsible for collecting a firearm as evidence:

01

Secure the Weapon

Always properly secure the weapon first to ensure officer safety.

02

Remove Magazine

Remove the magazine from the firearm.

03

Clear Ammunition

Clear all ammunition from the chamber or cylinder.

04

Examine and Document

Carefully examine the weapon to identify the manufacturer, country of origin, serial number, model number, and caliber. Document this information in your field notes.

05

Package Separately

Place the weapon in a firearm or evidence box; put the magazine and the ammunition in a separate container.

06

Database Check

Use the serial number to conduct an FCIC/NCIC database check on the firearm to determine if it is lost, stolen, or found.



Firearm Evidence Preservation

Critical Warning

Under no circumstances should you insert any object into the barrel of the firearm, as it may damage the rifling in the barrel of the firearm. Rifling is the grooves inside the barrel of a firearm that provide unique characteristics of that specific firearm.

Analysts can also identify tool marks, after-market modifications, and serial number restoration as well as examine bullets recovered from a crime scene.

Embedded Bullets

If an object contains an embedded bullet, do not attempt to remove it. A laboratory can examine firearms for fired bullets, cartridge cases, and shotgun shells to determine if the suspect's weapon fired them.

Electronic Evidence

Electronic devices are commonly found at crime scenes and can often store vital evidence. Types of devices can include cell phones, tablets, laptops, and desktops. Media storage can include thumb drives, external drives, removable disks, tapes, digital cameras, and other data storage equipment.

Do not manipulate or attempt to operate any part of the equipment to avoid possible damage to it. Computer evidence recovery is a complex task that requires highly specialized training.





Cell Phone Evidence and Riley v. California

Constitutional Protection

When you find a cell phone at a crime scene, you may not access the information contained in the cell phone unless you have consent from the owner or a search warrant.

Supreme Court Ruling

The U.S. Supreme Court, in *Riley v. California*, ruled that it is unconstitutional to search a cell phone without a search warrant unless there are officer safety concerns or exigent circumstances.

Consent Option

This should not stop you from asking for consent to search a cell phone.

Consider placing a mobile electronic device in "airplane mode" to keep the owner from accessing it remotely or in an antistatic Faraday bag that will prevent any communication with the seized device.

Staying Current with Technology

Follow your agency's policies and procedures for computer evidence recovery. Keep in mind that technology is constantly changing. Stay current with your agency's policies and procedures regarding collection, processing, and storing of electronic evidence.

- Technology evolves rapidly, and new devices and storage methods emerge regularly. Continuous training and awareness of current best practices are essential for proper electronic evidence handling.





Chemical and Toxicological Evidence

The crime laboratory's chemistry section analyzes substances to determine the presence or absence of any controlled substance listed under chapter 893, F.S. Analysts prepare reports of their findings and often testify in court on the results of their analyses.

Laboratory Analysis

In certain criminal investigations where you believe the suspect or victim is using alcohol or drugs, you may submit an FDLE public records request and obtain an analysis from the toxicology section of a crime laboratory.

Common Cases

These cases usually result from investigations of DUI, sexual assault, and death.

You should be able to identify a variety of controlled substances and drug paraphernalia by sight or odor. In some cases, you will use a field test kit to test a substance before collecting and packaging it as evidence.

Handling Drug Paraphernalia



Sharp Objects Protocol

When collecting drug paraphernalia, package sharp objects, such as needles or syringes, in puncture-proof packages clearly labeled with the words "**WARNING: SHARPS.**"

Essential Protection

PPE is essential when encountering any chemical or biological substances. Never handle these materials without proper protection.

FENTANYL WARNING



Fentanyl and Carfentanil Hazards

EXTREME DANGER

A particularly hazardous substance you may encounter is fentanyl or carfentanil (a more potent version of fentanyl), which you can absorb through mucous membranes in the mouth, nose, or eyes.

Forms of Fentanyl

- Powder form
- Mixed with heroin or cocaine
- Pills or capsules
- Eye drops
- Blotter paper
- Disguised as other drugs such as hydrocodone or oxycodone



Fentanyl Safety Protocols

When you encounter any substance that you suspect to be fentanyl or carfentanil, follow your agency's policies and procedures for field-testing, collecting, packaging, and transporting.

Required PPE

Gloves, long sleeves, a surgical or dust mask, and eye protection

Backup Officer

Have another officer nearby, preferably one with naloxone (the antidote for opioid overdose)

Transport Safety

Use caution when transporting, and place it in the trunk of your vehicle

Testing Environment

Conduct field-testing in an open environment with no wind

Package Marking

Mark the package as "suspected fentanyl"

Large Quantities

If you encounter large amounts of powder, evacuate the area immediately and call a hazmat team



Fentanyl Exposure Signs and Response

Signs of Exposure

- Disorientation
- Difficulty speaking or walking
- Slowed pulse
- Nausea
- Slow, shallow breathing
- Respiratory arrest

You may notice signs of exposure within minutes, hours, or days.

Immediate Response

When exposed to even a small amount, follow your agency's policies and procedures for decontamination.

Immediately notify:

- Other officers on the scene
- Your supervisor
- Dispatch
- Emergency medical assistance

Follow the protocols described in the First Aid chapter when responding to fentanyl exposure, and refer to your agency's policies and procedures for administering naloxone.



Questioned Document Evidence

A photograph showing a person's hands and face in profile, wearing dark-rimmed glasses and a light-colored suit jacket. The person is holding a magnifying glass over a white document with printed text, examining it closely. The background is a dark, out-of-focus surface.

A document is anything containing a mark to convey a message. Questioned documents need examination to verify that they could be evidence. Questioned documents may also contain latent fingerprints and DNA. Carefully handle all documents found in a crime scene to preserve their conditions.

Analysis Capabilities

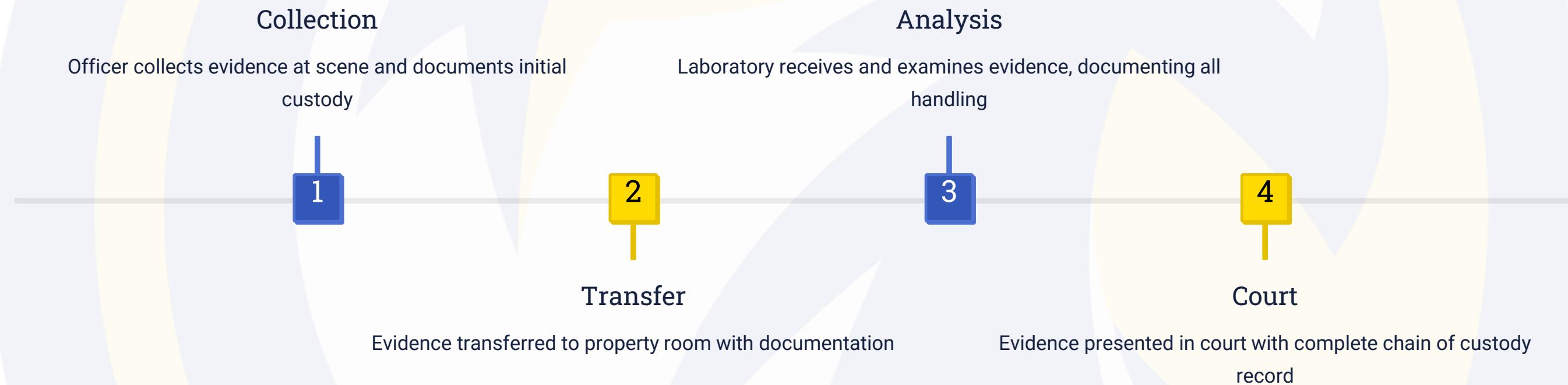
Document analysts use a variety of scientific methods to examine documents for alterations, erasures, handwriting analysis, indentations, ink comparisons, and machine impressions. Analysis may answer questions about the document's authorship and authenticity.



Chain of Custody

Maintaining Evidence Integrity

When you recover evidence of any kind, begin a **chain of custody** to document everyone who handled the evidence as well as when, why, and what changes, if any, were made to it. A chain of custody document proves that the evidence submitted in court is the same evidence collected at the crime scene.



Follow your agency's policies and procedures for documenting chain of custody to help eliminate ethical and legal concerns about handling and preserving evidence. A property receipt, written or electronic, typically records the chain of custody. Florida law states that it is a felony to alter, destroy, conceal, or remove any record, document, or thing with the purpose of impairing its truth or availability in a criminal trial or investigation. The chain of custody for any item of evidentiary value will potentially encounter challenges in future court proceedings. For this reason, it is critical that the information on the chain of custody form is accurate and completed by every person who handled the evidence.

Follow-Up Investigation

Unit 2: Comprehensive guide to conducting effective follow-up investigations in law enforcement



Lesson 1: Review Initial Information and Pursue Leads



Lesson Goal

Know how to initiate a follow-up investigation through incident report analysis, by following leads, and by working with field contacts and confidential sources of information.





Think About This

After returning to the station from an animal cruelty call, your supervisor states that you need to conduct the follow-up investigation on the call. What steps will you take, and what resources will you need to complete this process?



Initiate a Follow-Up Investigation

A follow-up investigation is a continuation of the initial investigation to determine if a crime occurred; however, it can also complete the investigation by identifying a suspect. Agency policies and procedures determine to what extent you will pursue a follow-up investigation. In some agencies, this responsibility lies with the investigations section. In other agencies, responsibility for follow-up investigations may fall to the primary officer dispatched to the call. Regardless of who completes the follow-up investigation, the tools and skills required to complete the investigation are the same.

When initiating a follow-up investigation, review the preliminary report to identify the investigative leads to pursue. A follow-up investigation can include contacting witnesses, victims, and potential suspects; reviewing evidence; locating additional evidence; and writing a writ of habeas corpus, probable cause affidavit, or arrest warrant. The prosecutor may need more information to make a filing decision and may request a follow-up investigation.

- LE921.1. Describe how to initiate a follow-up investigation

Key Components of Follow-Up Investigation

01

Review Preliminary Report

Identify investigative leads to pursue

02

Contact Key Individuals

Reach out to witnesses, victims, and potential suspects

03

Review Evidence

Examine existing evidence and locate additional evidence

04

Prepare Documentation

Write capias request, probable cause affidavit, or arrest warrant





Analyze Incident Reports



Initial Steps

To begin a follow-up investigation, locate and review the records of the initial or preliminary investigation, and establish a case file as required by your agency. Compare the list of victims, witnesses, and suspects with the case information to ensure its accuracy; review listed evidence; and determine if there is evidence that has not yet been located or analyzed.

Key Actions

- Identify witnesses not available during initial investigation
- Identify collected evidence needing further processing
- Connect suspect to victim and crime scene
- Conduct criminal history check for fingerprint comparison



Follow Leads

LE921.2. Explain how to identify leads

A lead provides more information on a case that requires further investigation. Leads create avenues for follow-up and can come from many sources, such as anonymous tips, confidential sources, social media, forensic analysis, surveillance footage, and victim and witness statements.



Anonymous Tips

Information from unknown sources



Forensic Analysis

Scientific examination of evidence



Social Media

Digital evidence and communications



Surveillance Footage

Video evidence from cameras



Determine Value and Validity of Leads

- LE921.3. Explain how to determine the value and validity of leads

Low Priority



Anonymous tips with little detail

Medium Priority



Witness statements requiring verification

High Priority



Latent fingerprint identification and DNA evidence

Evaluate and document all leads to determine their value and prioritize them for follow-up based on content. Determine whether officers conducted a canvass of the area near the crime scene. You may need to conduct a secondary canvass of the area surrounding the incident or crime scene to make contact with people at homes or businesses where there was no response during the initial canvass.

Additional Investigation Techniques

Secondary Canvass

Re-canvass homes or businesses where there was no response during initial canvass. Consider re-canvassing the same locations for any additional information.

Medical Personnel Interviews

Interviewing medical personnel and analyzing victim injuries can provide information related to a crime. Remember to follow HIPAA regulations.



Field Contacts and Confidential Sources

- LE921.4. Recognize the importance of building relationships for sources of information

Field contacts are common sources of information that are developed through community policing and can assist you in completing an investigation. A ***field contact*** is any person you have contact with while on patrol—such as a concerned resident or an anonymous complainant—who does not necessarily generate an incident report.

Field contacts are often key to solving a case. Follow the guidelines outlined in community policing when maintaining relationships with members of the community and establishing a network of sources of information.





Evaluating Field Contact Information

Evaluation Guidelines

Field contact information can be helpful; however, evaluate this information carefully. Consider who the contact is and what their relationship to the victim or suspect may be. Even though a person with an agenda may not always be a good source of accurate information, they may provide names or other leads worth following.

Verify a field contact's information using known case facts or information from public records or following other leads. For example, if a field contact provides a suspect's vehicle description and location, you can use this information to check if it matches the information from the facts of the case.

Documentation

If information from the field contact is substantial, document the information in your field notes, as required by chapter 119, F.S. Information from a field contact may be exempt from use if it relates to an active investigation or intelligence.



Field Contacts vs. Confidential Sources

- LE921.5. Differentiate between the roles of field contacts and confidential sources

Field Contact

Any person you have contact with while on patrol who does not necessarily generate an incident report. Developed through community policing.

Confidential Source

People who furnish police with information about crimes, primarily for personal benefit or advantage and rarely out of a sense of civic duty. May or may not receive compensation.

Documented Confidential Informant

A type of confidential source that an officer recruits and manages based on agency guidelines. Requires special training for officers who work with them.

- Important:** Never promise a field contact or a confidential source any type of reward, favor, or reduced sentence.



Confidential Informant Safety



Confidential Informant Safety

Preserving the safety of the confidential informant



Law Enforcement Officers

Protecting officers working with informants



Suspect Safety

Ensuring suspect rights and safety



Public Safety

Maintaining overall public safety

Your agency will provide special training for officers who work with confidential informants, which includes preserving the safety of all parties involved.

Lesson 2: Gather Information on an Unknown Suspect



Lesson Goal

Know how to gather information on an unknown suspect through crime patterns and a suspect's modus operandi.

Developing an unknown suspect takes a team approach, often with the help of an outside agency or an analyst.





Modus Operandi (MO)

- LE922.1. Describe how to find an unknown suspect based on modus operandi

In criminal investigations, ***modus operandi (MO)***, a Latin phrase meaning mode of operating, refers to a distinct pattern of criminal behavior or procedure that is used to identify someone. People are creatures of habit. If something works one time, they tend to think it should work the next time.

This pattern often shows up in criminal activity. The same person or group may have committed similar crimes that follow a pattern or the same or similar MO. These similarities are important information.

Method of Entry

Repeatedly using the same method when committing burglaries

Stolen Items

Stealing similar types of items

Victim Characteristics

Choosing victims who share similar characteristics such as age, gender, and ethnicity

Location and Timing

Committing crimes with similar locations, days, and times



Crime Patterns

LE922.2. Identify criminal suspects based on crime patterns

Develop potential suspects by locating reports of crimes similar to the crime you are investigating. Review reports for similarities such as type of crime scene, time, and day of occurrences, methods and points of entry and exit, and evidence found at the scenes. Review reports in which suspects were arrested and look at similarities in MO.

If you find two or more crimes that appear to have been committed by the same suspect, an MO can help you narrow the field of suspects. It can also help you determine the suspect's motivation, skill, experience, transportation, age, and size.

Example: A burglary suspect, who commonly enters through small bathroom windows more than 5 feet high with no evidence of using a ladder, is likely tall and thin or very agile. A suspect who steals property that is large and heavy, such as a large screen television, will likely have a medium- to large-sized vehicle.



Analyzing Modus Operandi: Key Questions (Part 1)



Planning and Execution

Was the crime well-planned or committed impulsively?



Tools Used

Did the suspect use other tools? If so, what kind of tools?



Entry Method

If there was entry into a building or vehicle, was it forcible, or was a key or lockpick used?



Theft Details

If theft was involved, what was stolen, and how much did the suspect take?



Analyzing Modus Operandi: Key Questions (Part 2)



Damage Assessment

What damage was done, and why? Did the suspect vandalize items that they could not take? Did the suspect do careless damage to things that got in the way in order to access a door or fence?



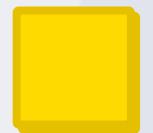
Crime Against Person

If this was a crime against a person, what weapon, if any, did the suspect use? What verbal commands did the suspect give? What was the physical description of the suspect?



Motivation

What was the motivation for the crime? Was it profit, revenge, fun, opportunity, hate?



Additional Resources

Did the suspect use any other resources in the crime? Were any unexplained items left at the scene?

Using Department of Corrections Database

Database Search Strategy

Consider searching the Department of Correction's list of released inmates or the supervision status of former inmates. It may provide web-based information on all incarcerated and supervised offenders.

Use this database to compare release dates of certain types of offenders with currently developing crime trends.



Search Database

Locate released inmates



Compare Dates

Match release dates with crime trends



Identify Suspects

Develop potential suspects





UNIT 2

FOLLOW-UP

INVESTIGATION

Lesson 3: Gather Information on
a Known Suspect



Lesson Goal

Primary Objective

At the end of this lesson, you will know how to gather information from additional sources when searching for a known suspect or wanted person.





Gathering Information: The Foundation

Having a known suspect might appear easier than having an unknown suspect; however, this is just the beginning of the follow-up investigation. Officers must find the suspect and then connect the suspect to the crime and the crime scene for a successful prosecution.

01

Locate the Suspect

Use all available resources to determine current whereabouts

02

Connect to Crime

Establish links between suspect and criminal activity

03

Connect to Scene

Gather evidence tying suspect to crime scene

04

Build Prosecution

Compile comprehensive case for successful prosecution



LE923.1: Sources of Information for a Known Suspect

When you have a possible known suspect, learn as much as you can about the suspect. A check of public records, criminal history, law enforcement reports, interview reports, driving records, and traffic citations can provide valuable information about your suspect.



Public Records

Current and prior addresses help locate suspects, recover stolen property, and identify other crimes with the suspect's MO and any criminal associates.



Incident Reports & Citations

Provide information about the suspect's whereabouts at the times of reported crimes.



Criminal History

Law enforcement reports provide information regarding modus operandi (MO).



Types of Records: Private vs. Public

Private Records

Records of privately-owned businesses or organizations, including privately owned utilities, are **not open to the public or law enforcement** and require court orders to access them.

- Privately owned businesses
- Private organizations
- Privately owned utilities
- Require court orders for access

Public Records

Records of government entities and publicly owned utilities are records that, with few exceptions, you may access on demand.

- Federal databases
- State databases
- County databases
- City databases
- Publicly owned utilities

Public Records: What They Provide

Public records from federal, state, county, and city databases can provide additional information regarding the suspect's address, employment information, and other essential facts. Agency policies and procedures dictate which databases are available to you and how you can access them.

Address Information

Current and historical residence data

Employment Data

Work history and current employer details

Essential Facts

Demographics, vehicle registration, and other key details





Social Media as an Information Source



Valuable Intelligence

Social media can provide considerable information regarding a suspect, including locations, associates, activities, and behavioral patterns.



Juvenile Records: Special Restrictions

Records pertaining to juvenile arrests and incidents with law enforcement are restricted from the public by Florida law. Florida Statutes do not restrict law enforcement's access to juvenile information through criminal justice agencies; however, there may be limits on how you may use that information.

Public Access

Restricted by Florida law -
juvenile records are not available to the public

Law Enforcement Access

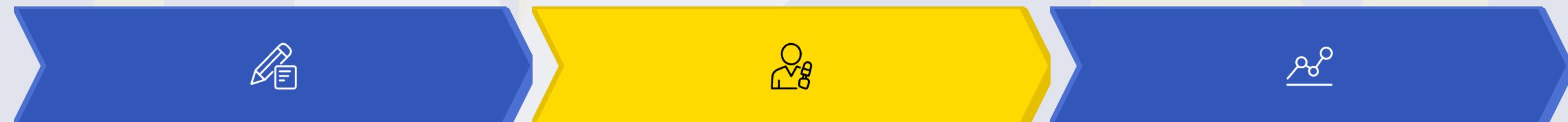
Available through criminal justice agencies, but with usage limitations

School Resource Officers

Excellent source of information regarding juvenile offenders

Searching for a Known Suspect or Wanted Person

Review information from the initial incident report, and victim and witness statements, to get a physical description of the suspect. Should the initial report lack adequate information, re-interview the victim and any witnesses, and follow any leads of known associates or family members.



Review Reports

Initial incident report and statements

Re-Interview

Victims and witnesses if needed

Follow Leads

Known associates and family members



Database Searches: DAVID and FCIC/NCIC

After obtaining the suspect's full name and demographics, conduct criminal justice database searches on DAVID and FCIC/NCIC to compile an accurate physical description of the suspect, address, or vehicle.

Physical Description

Height, weight, identifying marks, hair and eye color

Address Information

Current and prior known residences

Vehicle Data

Registered vehicles and descriptions

This combined information can provide a likely location of the wanted person, including their residence, place of employment, or public or private locations that they regularly visit. Remember that you may need a warrant.

LE923.2: Determining the Location of a Suspect

Residence

Primary and secondary addresses

Associates

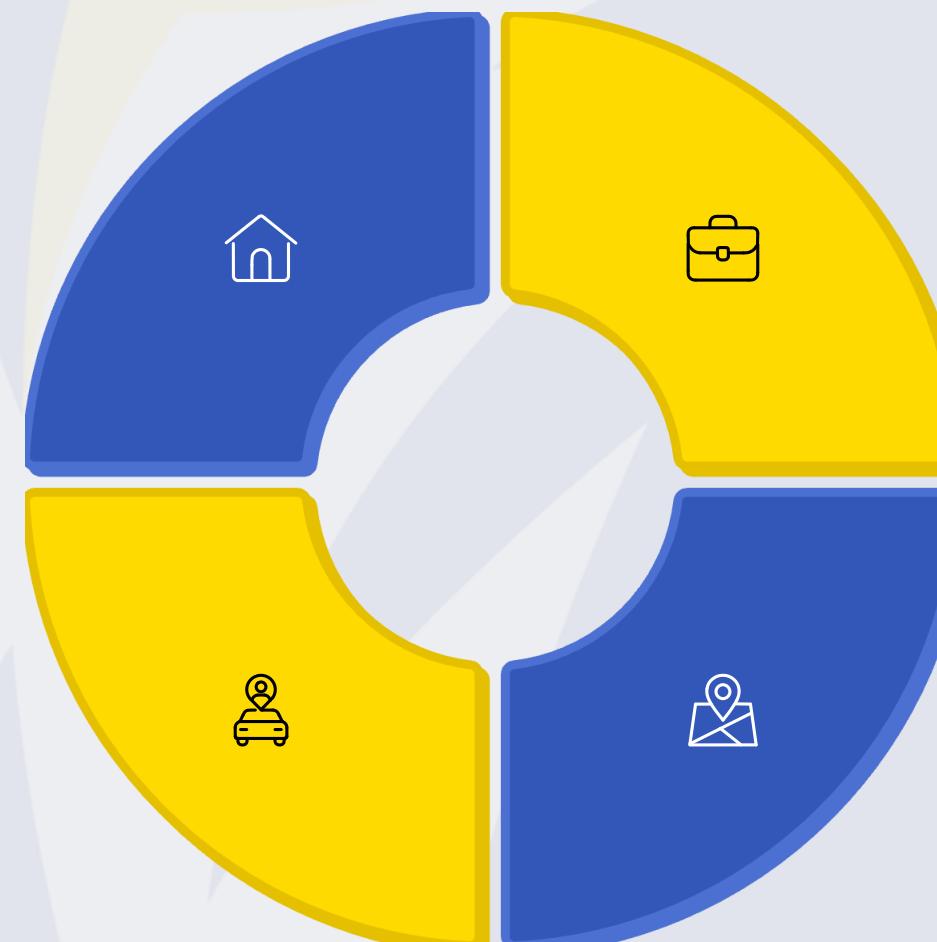
Known friends and family locations

Employment

Place of work and work schedule

Regular Locations

Public or private places frequently visited





LE923.3: Maintaining Contact with Dispatch

Maintain constant contact with dispatch when physically searching for a wanted person, and update your location and status to maintain a high level of officer safety. This information is critical when searching for an armed suspect.

01

Constant Communication

Maintain ongoing contact with dispatch throughout the search

02

Location Updates

Regularly report your current position

03

Status Reports

Keep dispatch informed of your situation and any developments

04

Officer Safety

Critical for armed suspect situations



When Unable to Arrest: BOLO Procedures



If you are unable to arrest the wanted person, initiate a BOLO for the suspect, and pass any suspect information to the next shift and the appropriate department within your agency.

Initiate BOLO

Be On the Lookout alert with suspect details

Next Shift Briefing

Pass all information to incoming officers

Department Notification

Alert appropriate agency departments



LE923.4: Additional Resources for Arrest

Depending on agency resources, the threat level of the suspect, and the location of the suspect, you may need additional officers to make an arrest. Take immediate action when arresting a wanted person who is suspected of committing a violent crime and who presents an immediate danger to the public.



Canine Units

K-9 teams for tracking and apprehension



Aerial Support

Helicopter surveillance and pursuit assistance



SWAT Teams

Special weapons and tactics for high-risk situations



Fugitive Taskforce

Specialized units for wanted person apprehension



UNIT 2 FOLLOW-UP INVESTIGATION

Lesson 4

Showup, Photographic Array, and Photo Lineup



Lesson Goal

Primary Objective

At the end of this lesson, you will be able to conduct a showup and a live or photo lineup that is legally defensible in court.

Think About This

Dispatch sends you to a bank reporting a robbery in progress. When you arrive, the clerk tells you that the robber has already left the bank and run down the street. What actions can you take to identify the suspect?



What is a Showup?

A **showup** is the presentation of a possible suspect to a witness for identification, and it occurs at the same time or soon after the incident occurred and near the incident or crime scene.

1

Timing

Same time or soon after incident

2

Location

Near the incident or crime scene

3

Purpose

Immediate suspect identification



LE924.1: When to Use a Showup

Use a showup in an immediate situation, such as battery or robbery by sudden snatching, as it can result in an immediate arrest. Typically, the officer who identifies the potential suspect will detain the suspect.

Immediate Situations

Battery, robbery by sudden snatching, or other crimes requiring quick identification

Witness Transport

Do not move the potential suspect to bring them to the victim or witness

Detention Protocol

Officer who identifies potential suspect detains them at their location

Separate Viewing

Primary or backup officer takes victims and witnesses separately to officer's location



Showup Logistics: Vehicle Considerations

The primary responding or backup officer will take the victims and witnesses separately to that officer's location to identify the potential suspect; for example, in separate patrol vehicles. To avoid the potential suspect from being able to see the victim or witness, use vehicles with a dark window tint.

Separate Transport

Each victim or witness transported individually

Dark Tint

Prevents suspect from seeing victim or witness

Officer Safety

Maintains security and integrity of identification



Before Conducting a Showup: Preparation Steps

1 Interview All Victims or Witnesses Separately

Obtain a description of the suspect from each person individually

2 Determine Personal Knowledge

Verify the victim or witness saw the suspect clearly enough to identify the suspect's features

3 Assess Communication Ability

Determine if the victim or witness has the ability to accurately discuss the matter, directly or through an interpreter, and clearly understands their duty to tell the truth

4 Evaluate Competence

Determine if the victim or witness demonstrates competence, attentiveness, a sound state of mind, and a lack of prejudice



Before Conducting a Showup: Final Checks

1 Verify Suspect Match

Determine if a suspect matching the victim's or witness's description has been located near the incident

2 Multiple Witnesses

If there are multiple victims or witnesses, determine if circumstances will allow the prompt display of a single suspect to each victim or witness

Important: Showups are suggestive by nature. You can minimize this by using proper procedure.



LE924.2: Conducting a Legally Defensible Showup

01

Coordinate Quickly

Conduct the showup as quickly as possible, without compromising the investigation, to limit the legal impact of the suspect's detention

02

Caution the Witness

Caution the victim or witness that the person they will be looking at may or may not be the suspect

03

Avoid Feedback

Avoid providing any verbal or non-verbal feedback to the victim or witness during the identification process

04

Transport Witness

Take the victim or witness to the location of the suspect, not the suspect to the victim or witness



Conducting a Showup: Key Procedures

1

Ask for Recognition

Ask the victim or witness if they recognize the suspect; do so in a way that avoids influencing the identification

2

Ensure Adequate Lighting

Make sure that there is adequate lighting for the victim or witness to have a clear view of the potential suspect

3

Visual Concealment

Visually conceal the victim or witness from the suspect

4

Consider Recording

Consider recording the showup with your body camera or other recording device



Showup Documentation Requirements

All Statements

Document all statements of identification and non-identification

Verbatim Comments

Document any comment made by the victim or witness during the entire process, word for word

Non-Verbal Communication

Document any non-verbal communication or action that the victim or witness makes

Non-Identification

If a victim or witness cannot identify the suspect, document why



Lineups: When Showups Aren't Appropriate

When a showup is not a consideration or is unsuccessful in identifying a suspect, a lineup should become a part of your follow-up investigation. A lineup can be a live lineup or a photo lineup.

Florida law provides requirements that all law enforcement officers must follow when conducting a lineup, whether a live lineup or a photo lineup.



Live Lineup Definition

A **live lineup** is a procedure that displays a group of people to a victim or eyewitness, so they can identify the perpetrator of a crime and eliminate any suspects.

An **eyewitness** is a person who can identify another person by sight as someone involved in a criminal proceeding.

Resource Intensive

Agency must schedule additional people who look similar to the suspect to appear with the suspect in the lineup

Photo Lineup: An Alternative Approach

A photo lineup is an alternative to a live lineup. A ***photo lineup*** is a procedure that displays a photo array to a victim or eyewitness, so they can identify the perpetrator of a crime and eliminate any suspects.





LE924.3: Live Lineup vs. Photo Lineup Procedures

Live Lineup

- Displays group of people in person
- Requires scheduling multiple similar-looking individuals
- Resource-intensive process
- Conducted in controlled environment
- Subject to Florida law requirements

Photo Lineup

- Displays photo array to witness
- Easier to compile adequate photographs
- More efficient than live lineup
- Can be conducted in various locations
- Subject to Florida law requirements



LE924.4: Photo Array Function and Development

A **photo array** is a selection of photographs compiled to show to a victim or eyewitness, in a non-suggestive manner, in order to identify a suspect.

Minimum 6 Photos

At least six photographs total

5 Filler Photos

Minimum of five filler photographs

1 Suspect Photo

Only one photograph of the suspect

Filler photographs are photographs of people other than the suspect that complete the array. Each photograph should be of a different person with physical characteristics similar to those of the suspect, all formatted alike.

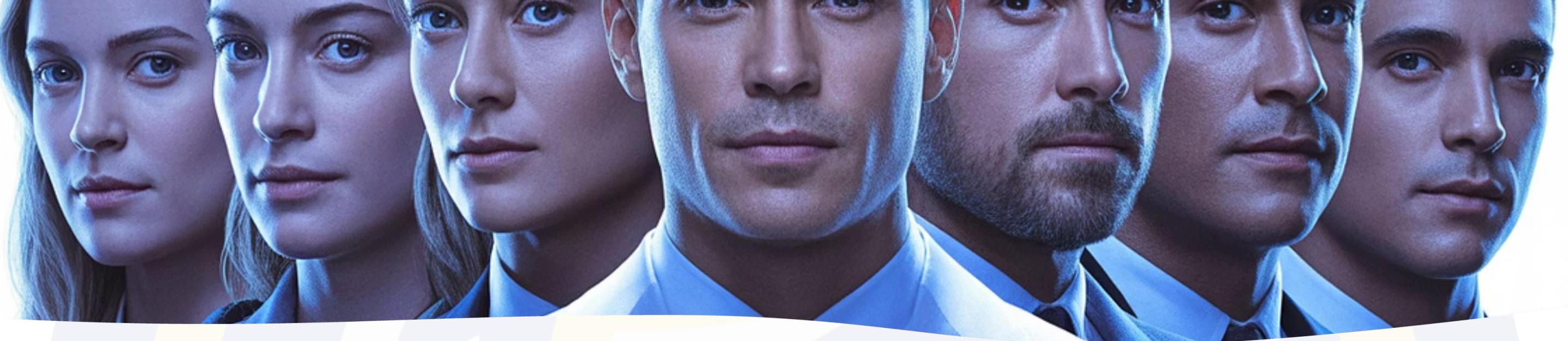


Photo Array Requirements

Similar Characteristics

Each photograph should be of a different person with physical characteristics similar to those of the suspect

Consistent Formatting

All photographs formatted alike to avoid suggestiveness

Non-Suggestive Manner

Array compiled and presented to avoid influencing witness identification

LE924.5: Administrators in Lineup Procedures

A lineup administrator is the person who conducts the lineup. Ideally, the lineup administrator should be independent of the investigation.

Independent Administrator

A person who is **not** participating in the investigation of the criminal offense and is **unaware** of which person in the lineup is the suspect.

The independent administrator should conduct the lineup and provide instructions to the victim or witness.





When Independent Administrator Not Available

When an independent administrator is not available, you will assume the role of the lineup administrator, and you must use one of these accepted procedures for conducting a photo lineup:

1

Automated Computer Program

An automated computer program that can automatically administer the photo lineup directly and prevents the lineup administrator from seeing the lineup until after the procedure is complete

2

Randomly Numbered Folders

Randomly numbered, shuffled folders containing photographs that are presented to the eyewitness in such a way that the lineup administrator cannot see which photos correspond to specific folders until after the procedure is complete



Neutral Administration: The Goal

The intent is that the structure of the lineup achieves neutral administration and prevents the lineup administrator from knowing which photograph is being presented to the victim or witness.

Regardless of what method you use, do not allow the lineup administrator to see or track which photograph the victim or eyewitness is viewing until after the procedure is completed.



LE924.6: Photo Array Presentations

Number all photographs and filler photographs used in the array before presenting the array to the victim or eyewitness. The photo lineup can occur simultaneously or sequentially.

Simultaneous Presentation

The independent administrator presents a group of photographs to the victim or eyewitness all at once and at the same time.

The independent administrator will instruct the victim or eyewitness to mark which photograph is the suspect and have the victim or eyewitness sign and date the array.

Sequential Presentation

An independent administrator presents individual photographs to the victim or eyewitness one at a time.



Agency Authorization for Presentation Methods

Agency policies and procedures will specifically indicate whether simultaneous, sequential, or both methods of conducting the photo array are authorized. Consult your agency's legal adviser or the state attorney's office that is handling investigations for help selecting the authorized method.

You will obtain a sworn statement from the victim or eyewitness regarding the lineup results.





Acknowledgement: Standardized Instructions

No matter the method used, the independent administrator will read standardized instructions to the victim or eyewitness to ensure consistent administration of the photo lineup.

Before Reviewing

The victim or eyewitness must acknowledge receiving the instructions before reviewing the photo array

Refusal to Sign

If they refuse to sign the acknowledgment, document the refusal and sign the acknowledgment yourself

The Florida Statutes mandate using these instructions; however, your agency's policies and procedures may add additional instructions.



LE924.7: Eyewitness Instructions

1 Perpetrator Might Not Be Present

The perpetrator might or might not be in the lineup

2 Administrator Doesn't Know

The lineup administrator does not know the suspect's identity (except that this instruction need not be given when a specified and approved alternative method of neutral administration is used)

3 No Compulsion

You should not feel compelled to make an identification

4 Equally Important

It is as important to exclude innocent persons as it is to identify the perpetrator

5 Investigation Continues

The investigation will continue with or without your identification



LE924.8: Documenting a Lineup

Carefully document or record, word for word, any comment that the victim or eyewitness makes during the entire lineup process. Note any non-verbal communication or action of the victim or eyewitness in the investigative file.

01

Document Comments

Record all verbal statements word for word

02

Note Non-Verbal Actions

Document gestures, expressions, and behaviors

03

Record Identification

Document the precise photograph selected if identification made

04

Document Non-Identification

If unable to identify, document why



Preserving Evidence and Documentation



Preserve Photo Array

Preserve the entire photo array as evidence



Document Process

Document the process and the forms used in the lineup in the investigative file



UNIT 3 PREPARING FOR COURT

Lesson 1

Testimony





Lesson Goal

Primary Objective

At the end of this lesson, you will know how to prepare for and give courtroom testimony as well as respond appropriately to cross-examination tactics.

Think About This

You are scheduled to testify in court on a case that happened over six months ago. How will you prepare?





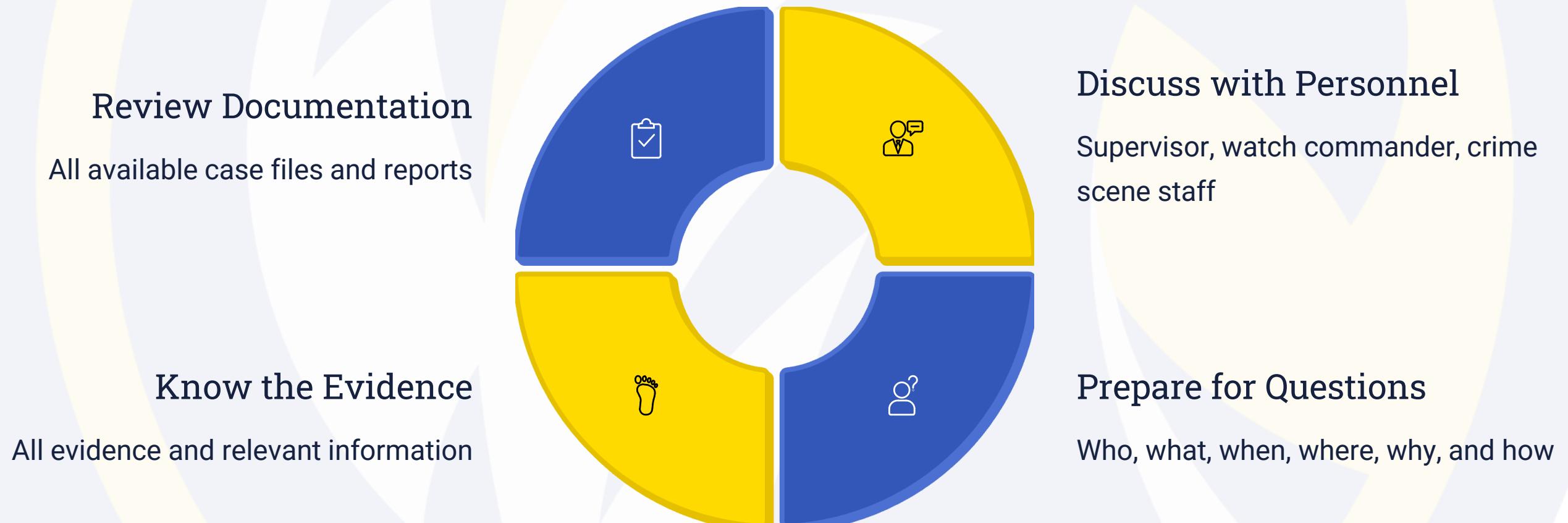
The Challenge of Courtroom Testimony

Testifying in court can be a stressful experience. When it is your turn to speak, everyone in the courtroom is looking at you and listening to what you have to say. The defense attorney or judge may challenge your answers and cross-examine you, presenting a situation where you may become flustered and make mistakes.

Begin to prepare for this event now and make sure that you participate in the mock trial that accompanies this lesson.

LE931.1: Preparing for a Pretrial Meeting

Before a pretrial meeting, thoroughly review all the available case documentation. Discuss the case with the appropriate agency personnel, such as your supervisor, watch commander, or crime scene and evidence personnel.





What the Prosecutor Needs from You

The prosecutor will ask you to provide details on the case, so you must know or have access to everything about the case. Be familiar with all of the issues that could affect a successful prosecution.

Evidence Admissibility

The prosecutor may discuss the admissibility of evidence and may ask you to bring evidence to the trial

Evidence Obtained

Be prepared to discuss any evidence that was obtained and how it was collected

Supporting Facts

Identify whether evidence supports or does not support the facts presented in the probable cause affidavit



Critical Principles: Truth and Accuracy

Never enhance facts or manufacture evidence to fill in for any missing elements of the crime.

Remain truthful, honest, and accurate when discussing the case with the prosecutor.





Identifying Weaknesses and Problems

Try to identify potential weaknesses in the case. Help the prosecutor effectively deal with known problems by pointing out any conflicting statements or problems in the documentation of evidence and the errors you or another officer may have made.

Conflicting Statements

Identify any inconsistencies in witness or victim statements

Documentation Problems

Point out issues in evidence documentation

Officer Errors

Acknowledge mistakes made by you or other officers

You have a continuing obligation to keep the prosecutor informed of any developments in the case.



Special Arrangements and Accommodations

You must know the case well enough to identify any special issues or situations that may require special arrangements, such as:



Interpreter Services

For witnesses or victims who speak other languages



Child Witness Supervision

Appropriate supervisor for child witnesses



Disability Accommodations

Necessary accommodations for people with disabilities



LE931.2: Preparing for Testimony

To prepare for a court proceeding, such as a deposition, hearing, or trial, review the reports that you created as well as the complete case file, including all other reports, photos, videos, evidence, and the chain of custody.



Review Complete File

Your reports plus all other reports, photos, videos, evidence, and chain of custody



Discuss with State Attorney

Identify areas of weakness and clarify concerns



Identify Witnesses

Provide witness information to state attorney's office



Testify from Memory

Be prepared to answer questions on all relevant facts from memory

Using Reports During Testimony

You will refer to reports only for specific details and only after requesting permission to refer to them. The court can use case documentation to identify correct and credible answers.

Assume that the defense attorney knows everything you know.

With full preparation, you can meet your legal and ethical obligations to give the important facts when the state attorney or defense attorney begins the line of questioning.





Final Preparation Checklist

1

Check In with Prosecutor

Follow their instructions and address last-minute concerns

2

Review Major Facts

Go over relevant details one more time with prosecutor

3

Never Take Cases Lightly

Recognize prosecutors handle large dockets and need your thorough preparation

Always prepare for testimony the same way. Review all case documentation. Discuss the case with the prosecutor. Follow the guidelines for giving an effective testimony.



LE931.3: Providing Testimony

Giving testimony may take place in an attorney's office, in the judge's chambers, or on the witness stand. In the courtroom or the judge's chambers, the involved parties will usually refer to the attorneys as "counsel."

Attorney's Office

Depositions and informal proceedings

Judge's Chambers

Private hearings and conferences

Witness Stand

Formal courtroom testimony



Professional Demeanor in Court

If you are to appear at a trial or hearing before or after a shift, look professional and dress in uniform unless your agency has differing policies. Remove objects, such as keys and loose change, from your pockets, and turn off radios and cell phones as these may cause distractions.



Dress Professionally

Uniform unless agency
policy differs



Good Posture

Be attentive, hands on knees
or chair arms



Convey Confidence

Not arrogance or evasion,
avoid fidgeting

How you prepare and present yourself can affect the success of your testimony.



Rule of Sequestration

Sometimes a judge invokes the **rule of sequestration**, which forbids anyone who will testify from discussing any aspect of a case with anyone but the involved attorneys.

Courtroom Restrictions

You are not permitted inside the courtroom or within hearing distance when other witnesses are giving testimony

Follow Judge's Orders

Florida law states you must follow the judge's orders completely when they invoke or impose the rule

Penalties for Violation

Judge may disregard testimony, strike it from record, or declare a mistrial

Whether or not the judge invokes the rule, you must never communicate with a juror or known potential juror, except as directed by the court. If you observe a possible violation, report it immediately to the courtroom bailiff or the judge.



Taking the Oath

A 3D rendering of a man in a dark pinstripe suit and tie, standing in a courtroom. He is looking upwards and to the right, with his right hand raised in a swearing-in gesture. The background shows a large arched window and the interior of a courtroom with wooden paneling.

Before testifying, you will take an oath or make an affirmation that your testimony is the truth. Typically, the clerk of the court, a court reporter, the judge, or another designated court personnel will ask you to raise your right hand and then ask, "Do you swear or affirm to tell the truth and nothing but the truth?"



Proper Response

In a firm way, answer, "I do." Do this while standing or sitting up straight, and looking at and listening attentively to the person administering the oath.

You are now required to testify truthfully.



Answering Questions Effectively

Look directly at the attorney or judge and listen carefully to the questions they ask. When an attorney or judge asks questions, pause before answering to collect your thoughts. Make sure that you understand the questions and that you answer them accurately, clearly, and completely.

01

Listen Carefully

Look directly at attorney or judge, focus on the question

02

Pause Before Answering

Collect your thoughts and give prosecutor time to object if needed

03

Ensure Understanding

Ask for clarification or repetition if necessary

04

Answer Completely

Accurately, clearly, and completely - but only what is asked



What to Do and Not Do When Answering

Do

- Answer only the question asked
- Provide detailed explanation if needed for closed-ended questions
- Say "I don't know" when necessary
- Explain why you don't know if judge permits
- Resist urge to fill silence

Don't

- Volunteer additional information
- Answer with a guess
- Enhance testimony or strengthen case
- Alter answer to match someone else's
- Show biases or prejudices

Never volunteer additional information; only answer the question that is asked.



Things to Avoid During Testimony

Avoid Slang and Jargon

Use plain, professional language. Say "revealing the identity of my confidential informant" not "burning my CI"

Avoid Unprofessional Language

No derogatory statements, sarcasm, witty comments, or ridicule

Avoid Monotone

Speak naturally but professionally

Avoid "Public Defender"

Never address or refer to defense attorney as public defender - can cause mistrial

The appearance of prejudice destroys credibility. Always use proper titles such as "your Honor," "ma'am," and "sir." Face the judge while responding to the judge's questions, and face the jury when responding to the prosecutor or the defense attorney.



LE931.4 & LE931.5: Objectionable Questions and Cross-Examination Tactics

Objectionable Questions

Just as with a deposition, attorneys may occasionally ask improper questions. Maintain the same demeanor for the defense attorney and the prosecutor; do not change your attitude when responding to the opposing counsel's questions.

1

When Objection Made

Stop speaking until the judge rules

2

If Sustained

Do not answer the question

3

If Overruled

You must answer the question

Types of Objectionable Questions

- **Calls for Conclusion:** "Based on your knowledge, would you say Mr. and Mrs. Smith have a violent relationship?"
- **Irrelevant:** "Officer, are you married?"
- **Beyond Proper Scope:** "Do you arrest more men than women?"

Remember that you can always pause to give the state attorney time to object when the question is objectionable.