

Observations, Statement and Reports: A Law Enforcement Checklist

From the New York State Office for the Prevention of Domestic Violence *Fall 2003 Bulletin*, available at http://www.opdv.state.ny.us/public_awareness/bulletins/fall2003/checklist.html.

The purpose of this checklist is to aid in evidence gathering and to ensure that essential information is obtained at the time of a preliminary investigation. Domestic incident reports must accurately describe the scene and provide a basis of follow-up.

This includes noting whether the suspect was under the influence of alcohol or a controlled substance; the number of times, if any, that a law enforcement agency has responded to calls at the same address or involving the same address or involving the same suspect, and verbatim spontaneous statements made by all parties involved.

Reports should also include observations made upon arrival: what you heard or were able to see; what you had to do to stabilize the situation; signs of a forced entry, property crime, or physical disruption.

Victim

- Administer first aid to the victim and note if medical treatment will be sought.
- Describe the victim's location upon arrival.
- Note time dispatched, arrived, and when victim initially spoke.
- Record any spontaneous statements made by the victim.
- Describe the victim's emotional condition.
- Describe the victim's physical condition, including size in relation to the suspect.
- Note victim's relationship with suspect.
- Note if victim is pregnant.
- Describe any visible injuries in detail (size, location, and coloration.)
- Describe other suspected injuries.
- Record history of abuse and history of court orders.
- Record contact number/address for victim where she/he can be safely contacted.
- Provide copy of incident report and Victim's Rights notice.

Suspect

- Administer first aid to the suspect and note if medical treatment will be sought.
- Describe suspect's location upon arrival.
- Record any spontaneous statements made by the suspect.
- Describe the suspect's emotional condition.
- Describe the suspect's physical condition.
- Describe visible or suspected injuries.
- Document evidence of the use of drugs or alcohol by the suspect.
- Ask the suspect if he/she is aware of the terms of applicable court orders.

Ask the suspect if he/she wants to make a statement.
Assess whether the suspect is on probation/parole.

Note: Remember Miranda Requirements re: Custodial Interrogation!

Witnesses

Interview the reporting party.
Identify all witnesses/potential witnesses (e.g.; neighbors.) Interview them separately.
Record all witnesses' addresses and phone numbers.
List names and ages of all children present.
Separately interview the children.
Record names of emergency personnel who assisted.
Identify treating emergency room staff and physician.

Evidence

Photograph the crime scene; inventory property destruction.
Take "full body" photograph of the victim.
Photograph any and all injuries: to the victim, suspect, or witnesses. Photograph children present at the scene
Impound or take into evident all weapons/dangerous instruments used or items thrown.
Assess for animal abuse.
Assess if there are any threats made on answering machine tapes, cards or letters.
As legally allowable, seize weapons for safekeeping.
If possible, tape record statements.
Attach related reports, supplemental statements, photos and evidence tags

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