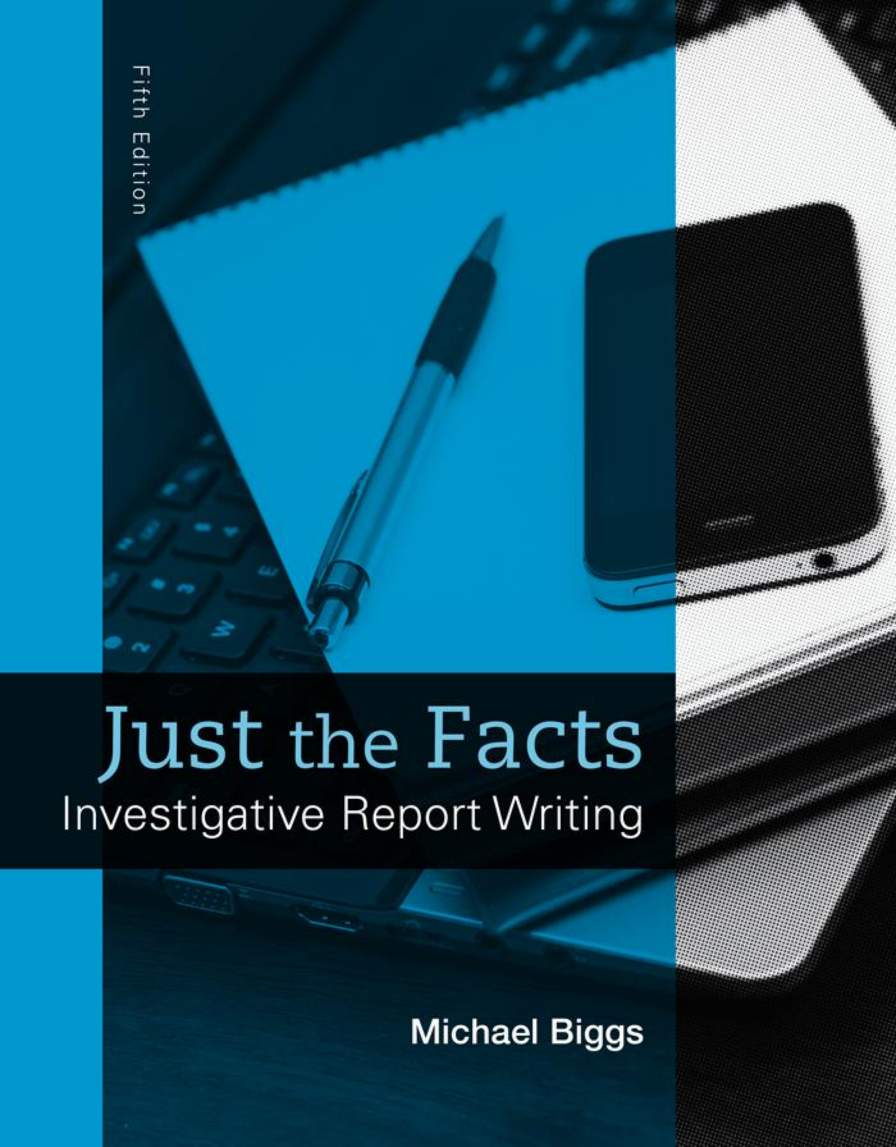
Fifth Edition

Just the Facts

Investigative Report Writing



Michael Biggs

FIFTH EDITION

JUST THE FACTS

INVESTIGATIVE REPORT WRITING

Michael Biggs

Long Beach City College

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Text and Cover Printer/Bindery: Edwards Brothers Malloy, Jackson Road
Text Font: 10/12, Times LT Std

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Library of Congress Cataloging-in-Publication Data
Biggs, Michael
Just the facts: investigative report writing/Michael Biggs.—Fifth Edition.
pages cm
Includes bibliographical references and index.
ISBN 978-0-13-359130-9—ISBN 0-13-359130-1
1. Police reports—Handbooks, manuals, etc. 2. Report writing—Handbooks, manuals, etc. 3. Criminal investigation—Handbooks, manuals, etc. I. Title.
HV7936.R53B54 2016
808.06'6363—dc23

2015014648

PEARSON

ISBN 10: 0-13-359130-1
ISBN 13: 978-0-13-359130-9

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Contents

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Preface

► New to This Edition

- Chapter 1, "Investigation Basics," has been revised and includes an expanded section on Administrative Investigations.
- Chapter 3, "Note Taking," has been updated to include a discussion about and examples of field interview cards along with photos of field notebooks showing how to organize them and what information to include.
- Chapter 5, "Crime Reports," has an expanded section on modus operandi and includes a guide to various methods of operation.
- Chapter 6, "Arrest Reports," has been revised and now includes an expanded discussion of the importance of probable cause and examples of how it can be documented.
- Chapter 8, "Writing Search Warrants," has been revised and includes updated examples of affiant introductions and a completed search warrant as an example.
- Chapter 9, "Issues in Writing," has been updated and includes an expanded section on field show ups, live line ups and photo identifications. The chapter also discusses the importance of ethics in the report writing process.
- The book has been updated to include student writing exercises in Chapter 1, allowing students to begin writing sooner.
- Student Learning Objectives have been added to each chapter, providing the instructor with a focused framework to work within.
- End of chapter quizzes have been expanded. There are now 135 questions with which to test student knowledge and check for concept understanding.
- Writing exercises have been updated.

A little more than 40 years ago I started learning how to investigate and document the findings. The basic human skills needed to find the truth have not changed much. What has changed substantially is the availability and influence of technology. There is rarely a nightly news program that does not include a visual recording of a police officer doing something that has been deemed newsworthy. This constant monitoring of law enforcement has driven home the point that investigators need to be good because there are many critics who believe themselves to be fully informed by a 30-second sound bite. The reports these investigators produce are subject to more scrutiny than ever before, which reinforces my belief that there is still a need for a quality set of writing guidelines that combine the basics of investigation with some rules to follow in writing about what has been done. Investigators of every ilk need to make this aspect of their training a lifelong learning objective.

Even with the growing presence of technology in almost every part of the criminal justice system, I remain convinced that a basic set of rules for investigators to follow when writing their reports is the best approach. Consistency, simplicity, and thoroughness is a hard combination to beat when it comes to documenting the results of an investigation.

Each chapter is devoted to a major component of the report writing process and builds on the previous learnings. Each chapter provides an overview of what will be discussed and then offers a list of key terms that will be covered in it. Each chapter concludes with a summary, followed by a short review, a set of exercises to build on the material that the chapter covered, and a 15-question quiz. The exercises are designed to build confidence and reinforce the topics just covered.

Chapter 1 covers the basics of investigation, the goal of an investigation, and what steps to take in initiating an investigation. The chapter also lists the qualities that superior investigators demonstrate and provides the reader with the opportunity to compare his or her traits to those qualities.

Chapter 2 provides the framework for writing good investigative narratives and guides on how to overcome spelling problems. This chapter will give any investigator the skills to write effective reports.

Chapter 3 is all about note taking, field notebooks, and the desired outcome of note taking opportunities. The discussion of notebook types and which one is right for each investigator should prove helpful to those new to the business.

Chapter 4 clearly defines the players in a report, including the reporting party, victim, suspect, and witnesses. The chapter not only identifies the people in a report, but also provides some basic guidelines for describing suspects and property.

Chapter 5 covers the purposes and uses of crime reports and explains how to effectively complete a face sheet and a complete narrative. It also provides examples of methods of operation that can be used to help identify suspect's tactics.

Chapter 6 addresses when an arrest report is needed and how to complete one. It offers suggestions for completing a report when no set format is available.

Chapter 7 deals with the relationship between the interview process and the role it plays in report writing. The chapter looks at verbal and nonverbal clues for the interviewer, describes how these clues can be used to establish a behavior baseline, discusses the need for preparation and how and when to conduct the interview, reviews the Miranda admonishment, and explains how to write the results of the interview.

Chapter 8 provides the fundamentals of writing search warrants and begins by explaining the parts of a search warrant and the process to be followed in obtaining one. The chapter also includes an example of a search warrant.

Chapter 9 acts as a summary and brings to the forefront several report writing problems and ways to solve them.

► Instructor Supplements

Instructor's Manual. Includes content outlines for classroom discussion, teaching suggestions, and answers to selected end-of-chapter questions from the text.

PowerPoint Presentations. Our presentations offer clear, straightforward outlines and notes to use for class lectures or study materials. Photos, illustrations, charts, and tables from the book are included in the presentations when applicable.

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► Alternate Versions

eBooks. This text is also available in multiple eBook formats including Adobe Reader and CourseSmart. *CourseSmart* is an exciting new choice for students looking to save money. As an alternative to purchasing the printed textbook, students can purchase an electronic version of the same content. With a *CourseSmart* eTextbook, students can search the text, make notes online, print out reading assignments that incorporate lecture notes, and bookmark important passages for later review. For more information, or to purchase access to the *CourseSmart* eTextbook, visit **www.coursesmart.com**.

► Acknowledgments

No workbook like this comes from a single source, and I want to thank those who gave their time reviewing the manuscript and providing feedback on the text. This includes Martha Karin Dudash, Cameron University; LeGrand Guerry IV, York Technical College; and Brent Railey, Columbus State University. The reviewers are: James Cunningham, State Fair Community College; and Diane Sjuts, Metro Community College. I also want to thank Police Chief Mitch Tavera, El Segundo Police Department, Chief Jerry Price, La Habra Police Department, and Chief Michael Langston, Signal Hill Police Department for their assistance in providing the report forms used as examples in the text. Last but not least, I would like to acknowledge and thank the hundreds of others whose comments during classes and breaks helped me focus on some of the finer points of writing. I hope this kind of feedback continues.

Mike Biggs

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1 Investigation Basics

KEY POINTS

Investigating crimes and report writing go hand in hand, and a solid understanding of what an investigation is and how one is conducted provides a good foundation to learn about report writing. This chapter provides this foundation by looking at who investigators are, what an investigation is and is not, the goal of an investigation, how to conduct one and what qualities set a person apart as a superior investigator. The chapter concludes with a discussion about two standards used to measure the quality of written descriptions of things common to the investigative process. The first, used to describe real property and vehicles, is known as the "Reasonable Particularity Standard" and the second, used to describe evidence and property, is known as the "Average Person Test." Both are common in the world of investigative report writing and understanding the difference between them, how and when to apply them, and what is needed to successfully implement them is a base skill for any investigator. Learning about these standards and how to apply them will give the students the opportunity to begin developing their writing skills.

LEARNING OUTCOMES

Upon completion of this chapter, the student will be able to:

1. *Define an investigation.*
2. *Understand the goal of an investigation.*
3. *Understand why an investigation should be unbiased and impartial.*
4. *Understand how and why an investigation should begin.*
5. *Compare and contrast criminal and administrative investigations.*
6. *Describe the steps in initiating an investigation.*
7. *Understand what Reasonable Particularity is and be able to write a description of a location that meets this standard.*
8. *Understand the importance of good property descriptions and be able to identify the characteristics that meet the Average Person Test.*
9. *Identify the characteristics of a superior investigator.*
10. *Articulate the importance of a quality investigation.*

► Establishing a Baseline

Two definitions need to be put in place to begin this book. First, an **investigation** is a lawful search for things or people, and second, the goal of an investigation is to find the truth. These two baseline definitions will guide you through every aspect of investigative report writing.

It is common knowledge that most crimes are not reported to law enforcement and therefore are not documented, investigated, or prosecuted. Of those crimes reported, it is generally accepted that 90 percent of all criminal cases filed by prosecuting authorities result in a plea bargain. Given that only a small number of crimes are documented and result in a trial, the importance that investigators be well trained, capable, and able to accurately document their actions is even more important. With this as a foundation, I suggest that the starting point of any investigative report writing effort begins when the incident comes to the attention of those with jurisdiction to resolve it. The end of the investigation is the point that there is general or specific agreement that a lawful, thorough, and well-executed inquiry has taken place and the truth is known.

The test of a quality investigation is not whether someone is convicted or held accountable but rather if what is documented in the investigative report is what actually happened. There is nothing more important for an investigator than getting it right and history and statistics inform us that all too often this is not the case. The National Registry of Exonerations reported that in the year 2013, 87 people who had been falsely convicted were exonerated. On a broader scale, they also report that more than 1,400 people have been exonerated since 1989. The Innocence Project reports that 254 exonerations have taken place based on DNA evidence. All of these exonerations are not the result of poor investigative efforts but clearly, there is a need for investigators to be diligent. While investigative report writing applies to a wide range of topics, this book will narrow its focus to local criminal and administrative investigations. Doing so will help us learn the skills and techniques of good investigative report writing and give the student a solid foundation to work from.

► Role of an Investigative Report

In today's world the need for people who can conduct legal, thorough, unbiased, and timely investigations has never been greater. Reports of global, regional, and local news show that events occur on an almost daily basis that require analysis and review. The results of these investigations must be memorialized in some manner and how they are documented is critical because a poorly written report can create as many questions about what happened as it answers and contribute to a wrongful conviction. With this as a backdrop, we begin with a working definition of an **investigative report**. It is a permanent written record that communicates information about an incident to authorized readers.

Applying this definition to real-life situations requires an initial determination to be made about the report itself. If the report qualifies as a public record then the information contained therein is available to all. If the report is not a public record, a two part test needs to be used to identify who qualifies as an authorized reader. This test, commonly used by governmental agencies of every tier, consists of two questions. First, does the person need to know the information in the report and second, does the person have a right to know the information. The determination to these two questions will be affected by many variables and decisions will be made on a case by case basis. With this definition as a starting point, let's look at who will fulfill the role of an investigator.

► Who Is an Investigator?

Investigators are people who look into events or situations to find the facts about what happened. They ask questions and interview people, look at crime scenes, examine documents, collect evidence, develop informants, find stolen or missing property, and develop an understanding of what occurred after reviewing all the available information. Investigators are police officers, deputy sheriffs, security guards, firefighters, claims adjusters, private investigators, security professionals, personnel specialists, and many other categories of people who are required to possess certain investigative skills and knowledge in order to perform their duties. There is no single set of life experiences or level of education that qualifies someone to be an investigator, but as we will see, there does seem to be some common ground for those who are successful.

► What Is an Investigation?

An investigation means different things to different people; however, for the purpose of investigative report writing, we have defined it as a lawful search for things or people. In every case, the goal is to find the truth. This definition applies to both criminal and administrative investigations at any level.

► When Does an Investigation Occur?

The media and the war stories of hundreds of investigators have created a commonly held belief that law enforcement representatives are able to investigate anyone at any time for any reason. Few things could be further from the truth because a **criminal investigation** cannot begin until one of three things is present:

1. A crime must have occurred.
2. There must be a reasonable certainty that a crime has occurred.
3. The investigator must be reasonably sure a crime is going to occur.

This means that the investigation and report writing process could occur in one of two ways. The first would begin with the occurrence of a crime, followed by an investigation, and ending with the solution being discovered and proved. In the other sequence, the investigation begins, then the crime occurs, and ultimately the solution is discovered and proved.

After the Crime Has Occurred

An example of the first instance would have a patrol officer who is driving down the street see a suspect run out of a bank with a gun in one hand and a bag of money in the other. Just as this takes place, the officer receives a radio call describing a bank robbery at that location. Another example would be when an officer arrives at the scene of a call and sees a dead body with two gunshot wounds to the back of the head. A second person at the site shows the officer a gun and says that he saw someone shoot the person lying on the ground and then run away.

Before the Crime Has Occurred

In the second instance, an investigator may have an informant who has reported that a burglary is going to occur. The informant tells the officer the names of some of the suspects but does not know the location or exact time the burglary is going to take place. The officer would very likely begin the investigation with an attempt to identify the suspected parties and to figure out where the crime is going to take place. These beginning steps are the start of an investigation. Another example of the second instance might occur if a department had several reports of stolen cars from a shopping mall and set up a surveillance to catch those responsible. One day an officer on a stakeout sees a person walk up to a parked car, break the window, and after modifying the ignition, drive away in the car.

► Administrative Investigations

The parameters of an **administrative** or noncriminal **investigation** are broader than those of a criminal matter and usually involve the actions or alleged actions of an employee. If the purpose of the investigation is not illegal and the civil rights of those involved are not infringed on, an administrative or civil investigation may proceed. Administrative investigations are used in both the public and private sectors and most commonly occur when the intent is to resolve a matter without a criminal prosecution. In the public sector, many agencies have department policies, general orders, or even written management practices that cover all aspects of the types of conduct that should result in an administrative investigation, how a complaint should be received and documented, who should conduct an investigation, how the report should be formatted, and what should be the basis of the final disposition. These guidelines may be supported by a legislatively enacted "Bill of Rights" that can add clarity and process requirements to an agency or organization's internal policies, which agency or corporate investigators must heed during their work. Some behaviors that might cause a public or private sector organization to initiate an administrative investigation include rudeness, threats against a coworker, insubordination, neglect of duty, and the all-inclusive allegation of a policy violation. Regardless of the reason for beginning an investigation, there must be a **nexus** between the behavior and the workplace rules. Examples of administrative investigations might include a review of public and proprietary records, such as property tax records, to find out who owns a particular piece of land or how many square feet a building contains. The information contained in public records needed to complete any of these investigations is not only open to review but is also available for use. The use of proprietary information such as time cards or access control records to check attendance or compliance with hours of work requirements might also come into play.

In the private sector, the proprietary rights of an employer are often the basis for an administrative inquiry. Employers have an obligation to provide a safe and secure workplace for their employees. One of the ways they accomplish this is through work rules that clearly set standards of behavior and control access to the workplace. Generally, an employer in the private sector has the right to use physical and electronic measures to monitor and control who and what comes into the work site. When information is discovered through the use of these security tools and it appears that an employee has violated local work rules, there is often justification for the employer to initiate an administrative investigation. Administrative investigations also might begin because an employee is found to possess some kind of contraband or if there is an indication that an employee is falsely claiming entitlement to benefits. They might also include a look into whether or not there has been a misappropriation of company products or supplies or if someone is creating a hostile environment in the workplace.

How and why administrative investigations begin often mirrors the way criminal matters are undertaken. In an effort to strengthen workplace safety, many companies conduct safety and security training for all of their employees. This training usually includes information about how employees can report suspicious or improper behavior. In addition, many locations conduct random inspections of employees as they arrive at work or leave for the day to ensure that contraband is not being brought into a facility and that company property is not being removed. A third way that administrative investigations may be initiated is through information discovered during routine audits of financial records or electronic files.

Regardless of which occurs first—the administrative investigation or the reason for it—investigators must constantly be aware of all aspects of the environment. Are the actions they are taking going to impede the ongoing purpose of the company the investigators are working for? Are the interviews they are planning to do going to disrupt the workforce or cause production to stop? If so, it may be appropriate for the investigators to meet with the business managers responsible for the employer's operations and resolve the possible negative outcomes before proceeding.

Just as public sector administrative investigations have guidelines and process requirements, so do private sector inquiries. Whether a company uses a proprietary or outside investigator to conduct the investigation, that person must be aware of the environment the investigation will be conducted in. The investigator must know whether or not there is an agreed to and in place Memorandum of Understanding or labor union agreement that outlines workplace protections and rights of employees. This means they have to monitor and adjust their methods to all conditions, circumstances, and influences in the investigation. Considerations can include whether it is necessary and appropriate to admonish workers before they are interviewed? Are employees entitled to have a representation during an interview and if so, will a representative be available? How will the employee be made aware of this entitlement and who will be responsible for making any required notifications? Is it the role of the investigator or Human Resources? Does the organization have a specific process for delivering a "Weingarten Rights" admonishment and how the investigator should proceed based on the interviewee's response?

Some additional considerations for the investigator include the status of the employees involved and the time frame attached to the completion of the investigation. Will employees be suspended with or without pay or will they be allowed to remain in the workplace during the investigation? Being able to justify a no violation finding to management or administration can be a difficult task and the investigator must be thorough and correct in their work. Another critical part of an administrative investigation is the need to clearly identify the work rule, policy, or procedure that management feels has been violated. Finally, will the investigator be able to tie workplace behaviors to a specific policy violation or do the facts show the behavior of the employee to be within policy? Are the policies and procedures current and have they been consistently enforced or have they been selectively applied? You will need to be able to connect the employee's behavior to the policy and clearly establish a nexus. This is the reason the investigator needs to be ethical, unbiased, and free to document and report the truth. Without this ability the investigation will be without merit and your effort will likely be unable to bring closure for those involved. Conducting the investigation appropriately and handling problems or issues at this point make the report writing part of the job a lot easier.

Investigators must also recognize that persons who appear to be uninvolved may in reality be suspects or witnesses. They may have something to gain or lose from disclosing or withholding their involvement in the matter. The people you are talking to may not honor your request to keep the matter confidential. It is human nature to talk to friends and coworkers about the events in our lives. Investigators should expect some of the people they talk with to tell others about the investigation and even about their conversations.

The investigator must also be aware that evidence may be difficult to locate, incomplete, or latent at first glance. In order to make the most of every opportunity to preserve evidence and to ensure a complete investigation, the investigator should always strive to involve evidence specialists at the earliest time. Advances in technology are happening all the time, and some of them make it possible to get useful information from evidence that was previously worked and found to be of no value.

► The Steps in Initiating an Investigation

Depending on the circumstances and regardless of whether an inquiry is a criminal or administrative one, there are some basic steps that all investigators can take to initiate an investigation. As each opportunity to investigate begins, the good investigator considers the following guidelines.

1. Arrive at the place you are needed to begin the investigation. More than one serious crime has gone without an investigation beginning promptly because someone crucial to the case became sidetracked or unavailable while getting to the scene. Crashing on the way or stopping to write a minor traffic citation is generally considered bad form.
2. There may be people at the scene who are in need of help or assistance. Remember that in emergency responses, the first order of business is life safety, and a big part of any investigator's job is to help those in need. Helping someone in need can go a long way toward developing a spirit of cooperation between the people with the information and the person who needs it—YOU.
3. If the circumstances dictate, you may face a suspect who must be detained or arrested even though minimal evidence is available. If this is the case, and the law allows the suspect's arrest, it should be done to prevent an escape and eventual hunt to locate him or her, which would threaten the case. This is not to say that you should arrest someone without cause; that is something that should never be done. But you should be prepared to move forward quickly if circumstances so dictate.
4. Find people with information about the case as soon as possible and talk to them right away. This may prove challenging if there are a number of persons who witnessed the event and have information to share with you. Remember that people who witness a crime may not want to share their information with you. They may not be in a position

to talk to the police in front of their friends or associates for fear of retribution. They may have alternate plans that require them to leave the area right away, which makes your time frame for interviewing them unsuitable to their situation. Establishing a way to get in touch with them at a later time with more suitable circumstances is a good thing to do.

5. Protect any physical evidence by setting up some kind of control or security around the crime scene. Although it may not look like there is any evidence of value during your preliminary check, there may be important clues that a trained evidence technician will be able to locate, process, and testify about in a trial or administrative hearing. It is also important to realize that even though you do not think there is evidence at the scene, every step you take as you walk through the location may be the one that destroys what evidence there was. Remember that once evidence is gone, it can rarely be replaced. Having solid and consistent habits in dealing with evidence will benefit you throughout your career. Whether you are outside at an industrial site or inside a bank, taking care of the evidence starts the moment you arrive. Take a good look around and start right off by doing the right thing. This will allow you to establish and maintain a solid chain of custody of the evidence in your cases.
6. Interviewing a suspect is a good way to get information about what happened, but this is an area greatly determined by the circumstances of the situation, not the least of which is the suspect's attitude and his or her level of cooperation. It may be advisable to wait until a full assessment of the case at hand can be made before doing any suspect interviews. A good rule of thumb is that if you are in doubt, always get a second opinion from an experienced investigator or a representative from the district attorney's office before proceeding. Knowing all you can about the situation and person you are going to talk to can only help you. There is no substitute for good preparation.
7. No one can remember everything, and now is the time to help your memory by starting to write your investigative notes. Good notes will be invaluable to you when you begin writing the report. Knowing how to take quality notes is a practiced art. Having the right notebook for the job is the first step, but using it successfully is a key to being a good investigator.
8. Crime scene investigators do not just appear out of thin air. Someone must notify them that they are needed at the crime scene. If you are in charge of the investigation, the responsibility to make the notification is yours. Evidence specialists are good at their jobs, so let them help you do yours. This can take some time. The size and complexity of a crime scene dictates how much time will be needed to process a scene. Evidence specialists will document their actions and give you a report. This part of the investigation should not be rushed. If you are in charge, let them have all the time they need. It will pay big dividends for you in the end.
9. Get some help. If you need someone with expertise in a certain area, do not hesitate—make the call. You can expect to run into crimes and crime scenes that are new and complex. Get an expert to help you.
10. Write the report.

How It Happens

In the ideal investigation, information comes to the investigator in a logical and understandable manner. In the real world, few if any investigations take place under ideal circumstances. You will probably agree that major investigations around the world take place in less than ideal circumstances. They can involve hundreds of investigators and very large crime scenes. This creates the need to develop information and store it in a systematic way that is accessible by those who need it. It is important for an investigator to recognize that information gathering is the key to solving cases.

Average or Superior

The **average investigator** looks at a group of people near a crime scene and says, "There is a group of people standing around my crime scene." The **superior investigator** looks at the same group and says, "There is a group of people standing around my crime scene and each of them knows something about this case. It's my job to get them to tell me what they know and then figure out how to get the ones who don't want to talk to me to do so anyway."

► The Who, What, Where, When, Why, and How of Investigations

Some of the things you may be able to find out about the case include who is involved and what his or her background is, where he or she is and where he or she should be, who his or her associates are, and a lot of information about the crime, especially the WHO, WHAT, WHERE, WHEN, WHY, and HOW. Many people use these six words, also referred to as the five Ws and the H of investigation, to describe what they are looking for. However, without some explanation or example, they might remain just words. When good investigators use these words, some of the things they think of are:

Who

Who is the reporting party?

Who is involved as the victim?

Who is the suspect?

Who are the suspect's friends and associates?

Who knows what happened?

Whom do I need to talk to?

Who is a witness?

Who was with the victim?

What

What happened?

What was the victim doing?

What was used to commit the crime?

What has happened since I was called?

What do we know so far?

What are the next five things that need to be done?

What time did it happen?

What time was it discovered?

What time was I called?

What was the relationship between the suspect and victim?

Where

Where did it happen?

Where is the victim?

Where is the informant?

Where is the evidence?

Where were the witnesses?

When

When did it happen?

When was it reported?

When was the victim last seen?

When was the suspect last seen?

Why

Why did it happen?

Why was it reported?

Why did witnesses not tell you something?

Why did witnesses tell you certain things?

Why did the crime happen the way it did?

How

How did the event happen?

How did the suspect get there?

How did the victim get there?

How did the suspect get away?

How did the suspect know the victim?

How was the event reported?

How old is the crime?

How much more needs to be done?

There is a lot to be said for the experienced investigator who has seen or done it all a hundred times over, knows all the tricks in the book, and knows when to use the magic that accompanies this knowledge. But much success has also come to those who, although not as experienced, are willing to work hard and learn from the actions of others. One should never rule out luck, or a hunch, as a way to turn a dead-end inquiry into a viable and active investigation. This is not downplaying the abilities of the thousands of superior investigators who are very successful at their jobs, but it is to make a point that the uncontrollable facts of daily life may turn out to be a blessing in disguise.

If there were a way to list the characteristics and traits that superior investigators possess and have passed on to one another, it would surely require more than a few pages to do so. There does, however, appear to be some common thread woven through the cloth of the superior investigator that holds together these qualities, which indicate a greater chance for success.

► The Qualities of a Superior Investigator

1. **Superior investigators are ethical.** They inherently know the difference between right and wrong behavior as well as what is necessary for them to be considered a professional. They play by the rules and do not get involved in the manufacture of false evidence or testimony.
2. **Superior investigators are aware.** They are aware of their surroundings and are able to quickly evaluate situations and circumstances, as well as people, and are accurate in their assessments. They have a broad knowledge of local and world events, which gives them the ability to place occurrences in perspective and forecast strategies and alternate courses of action with a high probability of success.
3. **Superior investigators are energized.** The long and tedious hours of fact gathering and analysis do not overwhelm them. The day is never too long to finish some aspect of the case. Even when all seems lost and there are no prospects for success within grasp, the

superior investigator can reach within and find the energy and endurance to take the next step, to do one more interview, to read one more supplemental report, or to make one more phone call on the chance it might turn into a workable lead. They give 100 percent all of the time and expect everyone else to do the same.

4. **Superior investigators think outside the box.** They have the ability to see beyond the next two or three steps in the investigative process and, thus, are able to visualize new or unusual ideas or techniques that may prove to be helpful in solving the case. They are not afraid to try something new or unusual for the sake of achieving success in the case. They constantly evaluate the successful ideas and tasks, which they and others routinely perform in a process of continuous improvement.
5. **Superior investigators are determined.** They have the ability to move forward, even in the face of the seemingly unachievable. When others might hang it up and say, "Enough is enough," superior investigators are saying, "Well, so far I haven't been successful, but I've tried only a few ideas." Superior investigators never give up. They may prioritize and reprioritize their cases, and put the ones with few or no workable leads on the back burner, but they are always thinking about what they need to do to find the truth.

Just as the job of a good investigator has been described, it is equally important to describe what an investigator's job is not. It is not the investigator's job to prove someone is guilty or that a particular person did not commit the crime. The investigator's job is to report all information, regardless of the impact the fact pattern may have on the case. An investigation must be unbiased and impartial to be valid. An investigator gains **credibility** by doing a thorough and professional job on all inquiries undertaken. It is not necessary or realistic for an investigator to find a solution for every investigation he or she starts, nor is such success necessary to be considered a superior investigator or to have credibility. Superior investigators do all of the little things right the first time, allowing them to start the big things on a positive and timely note. This creates the opportunity for success and allows for the best possible outcome. This in turn allows them to establish credibility, something that is hard to come by yet easy to lose.

Becoming a successful investigative report writer involves many things—knowledge of the law, knowing the difference between a fact and an opinion, having a system of writing rules to follow, and an understanding of different terms and phrases.

A first step in beginning to grow your knowledge of terms, definitions, and phrases is to be able to distinguish and understand the application of how and when to describe certain things. There are two general descriptive standards used in investigative report writing. They are the Average Person Test standard and the Reasonable Particularity Standard.

► The Average Person Test

Describing property is probably the easier of the two standards to meet. There is a simple way to get a quality description of any piece of property, whether it is something that has been reported as stolen by a victim, booked as a piece of evidence, turned in as found property, or suspected of being contraband but its status cannot be determined on the spot.

The **Average Person Test** and is easy for the investigator to apply. Whenever you are describing any piece of property or evidence, do so with the objective of writing a description that is so complete and so thorough that the average person could look at five or six similar items and, based on the description you wrote, pick out the item you have described. If the average person can do this, then the description is good enough. If the average person cannot, the description is not good enough. Factors that might be included in a description that meets the Average Person Test would include the make, manufacturer, model, serial number, color, and identifying marks, for example:

> Craftsman ¾" drive ratchet, model 44975, chrome with the name Jones and serial number T6312 engraved near the quick release button.

Men's, 26" Schwinn bicycle, blue with black seat. Serial number 2G31846 stamped into the frame under the bottom bracket.

Canon Powershot A520 digital camera, silver with a silver strap. Serial number 0822167 visible on the bottom of the camera body.

► Reasonable Particularity

Reasonable particularity is a standard that varies based on the circumstances of the situation it is being applied to. For our purposes, it will be used as the standard in describing property such as residences, businesses, real property, or vehicles. It is typically the standard used in a search warrant to describe the premises or vehicles to be searched. These descriptions must be so good that any police officer is able to read the description of the residence or business and find the location. When applied to vehicles, the standard is met when an officer is able to identify the vehicle based on the description.

When using this standard for buildings or real property, the description would include the street address, city, county, and state. If the location is a business, the name would be included along with the location name shown on the building. This would be followed by a physical description of the location including the type of materials the location is made of, the type and style of construction, color, location of entrances, where the address is affixed to the building, and the geographic location such as,

...the third house south of Orange on the west side of Main.

When describing vehicles, the description should include the year, make, model, and color of the vehicle; the license number and/or identifying characteristics that set it apart from other similar characteristics. Last, the description should include where the vehicle might be found during specific hours. For example:

2010 Ford Explorer four door, white, no license plate attached. The vehicle identification number is 3GA2FZZ638167, which can be seen through the lower left corner of the windshield. The vehicle is usually parked between 0800 and 1600 hours at Acme Insurance, 14382 Elm, El Fuego, CA.

If only part of a vehicle description is known to the investigator, the description might look like:

A late model, two-door Honda Accord, silver, with a partial Arizona license plate ending in 146, no known vehicle identification number. The vehicle has a red and blue "No on Prop 26" sticker attached to the driver side rear bumper. The vehicle is normally parked in front of the Fresh Food grocery store at Spring and River streets in El Fuego, CA between 1200 and 1800 hours Saturday and Sunday.

There are hundreds of variables that can affect the written description of a vehicle. What is important is to include as much information as possible so the correct vehicle is identified.

Summary

Whether an investigation is a criminal inquiry or an administrative matter, an investigator needs to have a lawful reason to conduct one. Investigators should not try to prove anything; rather, they should try to find the truth and let the facts prove or disprove any allegations. Investigators should always strive to work in an orderly manner and try to logically follow a game plan that covers everything from getting to the crime scene to writing the report. One of the things that can help an investigator write a good report is knowing the who, what, where, when, why, and how of what happened.

It is not an easy task to solve the complex investigations that confront investigators today. The dynamics of today's world with near-instant communication, 24-hour news cycles, and the world wide web can turn a local or regional investigation into a world event. The scrutiny this level of attention can direct at an investigator magnifies the need for everyone to have a clear understanding of what an investigation is and is not, and what the goal of an investigation is. Qualities that can help investigators achieve success include being ethical and always doing the right thing, being aware of their surroundings and having the ability to size things up, being able to work long and hard when necessary, being willing to try new approaches or techniques when necessary, and being able to prioritize their cases so they can devote their energy and talent to those cases with the best chance of being solved. With these qualities at work and always remembering that doing a thorough and professional job on every case shapes their credibility, investigators will enjoy success.

Key Terms

Administrative investigations *3*
Average investigator *7*
Average Person Test *9*
Credibility *9*
Criminal investigation *3*
Investigation *1*
Investigative report *2*
Investigators *2*
Nexus *4*
Reasonable Particularity *10*
Superior investigator *7*

Review

1. An investigation is a lawful search for things or people.
2. The goal of an investigation is to find the truth.
3. Investigations can start before or after the crime.
4. Protect the crime scene.
5. Establish a chain of custody for evidence.
6. Locate witnesses as soon as possible.
7. Involve experts in evidence handling.
8. Report all information.
9. Use the who, what, where, when, why, and how to get started.
10. Good investigators are aware, energized, determined, and think outside the box.
11. Use the Reasonable Particularity Standard to describe buildings and vehicles.
12. Use the Average Person Test to describe property.
13. Subjects of administrative investigations may have the right to a representative during an interview.
14. Establish a nexus between alleged wrongful behavior and work rules in an administrative investigation.

Exercises

1. Match the example of superior traits with the quality
   a. Perceptive
   b. Tireless
   c. Ethical
   d. Creative
   e. Persistent
   ____ Reviews old cases, looking for something new to try.
   ____ Interviews a witness three or four times.
   ____ Tries a new undercover operation.
   ____ Connects names and events in the news to an old case.
   ____ Reprioritizes what needs to be done on a case.
   ____ Is willing to work long hours to get the job done.
   ____ Always does the legally and morally correct thing.
   ____ Never fabricates evidence.
   ____ Uses a sting operation to catch a crook.
   ____ Uses events to forecast likely outcomes and scenarios.

2. Match the WHO, WHAT, WHERE, WHEN, WHY, and HOW with the example. Answers may vary.
   a. Who
   b. What
   c. Where
   d. When
   e. Why
   f. How
   ____ The television was worth $700.
   ____ Dave was stabbed at 1200 hours.
   ____ The door was kicked in.
   ____ Ron Ho called at 1845 hours, reporting gunshots in the area.
   ____ Joe Smith was arrested at 6th and Main.
   ____ Footprints were found outside the broken window.
   ____ The silent alarm was received at 2100 hours.
   ____ Pete Brown was shot in the back of the neck.
   ____ Fava saw a red car drive away.
   ____ The suspects took the necklace from the display case.
   ____ The knife was marked KCB and booked at central property.
   ____ Najjar opened the store and saw the broken window.
   ____ Just before the shooting, Brown was drinking at the bar.
   ____ Bill Smith was lying on the bathroom floor.
   ____ Dispatch received the first call at 0630 hours.
   ____ The coroner identified the victim as Ron Lincoln.
   ____ Detective Colin just left the crime scene.
   ____ The body was found under the bridge.
   ____ The victim's wife purchased a $300,000 insurance policy last week.
   ____ I found a stolen bicycle in the bushes.

3. Visit a library or bookstore and review several books about real-life investigations. Select two books of interest to you and while reading them, try to determine:
   a. What was the reason for the investigation?
   b. Are there examples of the investigator following or not following the guidelines discussed in Chapter 2?
   c. What traits of the superior investigator are evident?
   d. In your opinion, which trait was most important to the successful completion of the investigation?

4. Identify a criminal investigation in which the lead detective did not exhibit ethical behavior. What are the consequences for the involved investigator, his or her agency, and the profession?

5. Read about reported investigations in the newspaper for one week. Brainstorm the investigative techniques used in the cases. Can you suggest others that might be successful?

6. Working with three or four classmates, construct a bibliography of investigative books. Use this bibliography to develop your knowledge of investigative techniques.

7. Describe your residence using the Reasonable Particularity Standard.

8. Visit the administrative office of your school and describe the location using the Reasonable Particularity Standard.

9. Describe your cell phone and computer using the Average Person Test.

10. Describe your backpack or briefcase using the Average Person Test.

Quiz

1. The definition of an investigation is:
   a. An inquiry by a professional
   b. A search for a stolen television
   c. A lawful search for a thing or person
   d. An undercover search of a campaign office

2. The goal of an investigation is to:
   a. Find out what happened
   b. Find out what was taken
   c. Get to the bottom of the matter
   d. Find the truth

3. Generally speaking, the less evidence you have, the better your case will be.
   a. True
   b. False

4. When you begin an investigation, your first consideration should be:
   a. Catching the suspect
   b. Getting there
   c. Protecting the evidence
   d. Locating the best witness
   e. Making an arrest

5. The best person to call to take care of the evidence at a crime scene is:
   a. A sergeant with 20 years of experience
   b. Your partner
   c. A crime scene investigator
   d. A volunteer who has completed an evidence class

6. Good investigators should report:
   a. All information
   b. Only the information that helps show guilt
   c. About 75 percent of the information they discovered
   d. Only the information that shows innocence

7. Which of the following is *not* a public record?
   a. The number of arrests a person has
   b. How much taxes a property owner pays
   c. The number of civil actions a person has been a plaintiff in
   d. The number of convictions a person has

8. To what do the five Ws and the H of investigation refer?

9. What are the two main ways an investigation can begin?

10. Name the qualities of superior investigators.

11. What is the definition of an investigative report?

12. What is Average Person Test?

13. What is Reasonable Particularity and what does it apply to?

14. A successful investigative report writer should
    a. Be able to distinguish a fact from an opinion
    b. Have a knowledge of the law
    c. Have a set of writing rules to follow
    d. All of the above

15. A successful investigation
    a. Uncovers evidence of a person's guilt
    b. Uncovers evidence of a person's innocence
    c. Results in a conviction
    d. Finds out what actually happened

2 The Rules of Narrative Writing

KEY POINTS

Knowing how to do something and being able to do it are often two separate things. This chapter will not only provide you with a simple and virtually foolproof report writing skill set but also help you understand why these techniques will work. This chapter discusses things such as how to begin the narrative of a report, how to choose simple and meaningful words, how to get the most out of the words you choose, the difference between facts and opinions and why police reports should contain facts instead of opinions, and how to refer to people in a report and demonstrates them with relevant examples. This chapter is the main entrée in the meal of report writing.

LEARNING OUTCOMES

Upon completion of this chapter, the student will be able to:

1. *Compare and contrast facts and opinions and their role in the report writing process.*
2. *Analyze and evaluate the importance of a factual investigative report.*
3. *Compare and contrast the first person vs. third person style of writing investigative reports.*
4. *Assess the benefits of writing in the past tense.*
5. *Compare and contrast the active vs. passive voice in report writing.*
6. *Analyze and evaluate the benefits of writing in chronological order.*
7. *Identify and articulate the benefit of starting the narrative with the date, time, and how you got involved.*
8. *Distinguish and assess the use of concrete vs. abstract words in report writing.*
9. *Compare and contrast using or not using jargon.*
10. *Identify when to use direct vs. indirect quotes.*

Most of the time when someone shares a story about what happened, she or he includes what the person knows happened, what she or he thinks happened, and even what she or he wished would have happened. Included in this perception of what happened will be both **FACTS** and **OPINIONS**—and there is a big difference. **Facts** are things based on an actual occurrence, something that has an actual existence—in short, facts are things that can be proven. **Opinions** are beliefs, someone's view, and a person's best guess based on what he or she knows, and they may not always be accurate. In most cases when writing police reports, investigators should include the facts and leave the opinions out. We will address the occasions when opinions are properly included in police reports in a later chapter, but for now, stick to the facts and keep your opinions to yourself.

If you had the ability to place the rules and regulations of all the investigative agencies in this country side by side, you would undoubtedly see that there are thousands of differences in the way they do things. But just as there are differences, there are many similarities as well. It is a safe bet that each of these agencies wants its investigators to be courteous, fair, and professional, as well as to do a good job. It is also a good bet that each of these agencies wants and expects its investigators to document their investigative efforts by writing reports. One of the differences in the way these agencies do business is in how reports are completed. It is not uncommon to find different report forms and formats from agency to agency, nor is it uncommon to find different forms and formats within a single agency. One reason for this difference is that when investigative reporting is controlled by automation, such as word processing or computer-aided record keeping, these systems sometimes require reports to be in specific formats in order for an interface between the investigator's work and the automated system to occur.

Fortunately, this usually pertains to the face sheet, heading, and fill-in-the-blanks type of information. Normally, there are no hard and fast rules about how the narrative portion or body of the report should be written and because of this, some investigators are challenged when it is time to write a report. One method that works in all investigative writings—including crime, arrest, supplemental, incident, evidence, and information reports—is to use a continuous, free-flowing, narrative style of writing. With this style, no subheadings, sidebars, labels, or other text dividers are used.

Ideally, the investigator follows what I call the **rules of narrative writing** and writes in the first person; past tense; active voice; in chronological order beginning with the date, time, and how he or she got involved; and using short, clear, concise, and concrete words.

► The First Rule of Narrative Writing—First Person

When writing a report, you should write in the **first person** and refer to yourself as "I" or "me." This clearly identifies you as being the person doing the investigation, and it is a clean and simple way of describing who you are. "I" is one of the shortest words in our language, looks good to those who read your work, and sounds good to those who hear your testimony. Never use the term "the undersigned" or "U/S" to refer to yourself. As the writer of an investigative report, you are always correct in using the personal pronouns "I" and "me" when referring to yourself. For example:

I saw the pry marks on the windowsill.

I interviewed Rand.

Colin gave me the pistol.

Jensen found the marijuana.

Najjar and I booked Edwards.

Ho told me he searched Lewis.

Inspector Miller told Smith and me to search the building.

Sergeant Moore stopped the car.

► The Second Rule of Narrative Writing—Past Tense

The events you are writing about have already happened and as such are part of history. Inasmuch as they have already taken place, it is quite proper to write about them as past events. The verb tense is the part of grammar that tells the time of action, and in Standard English there are 12 tenses. The **past tense** is the tense most commonly used to describe events or actions that have already occurred. Therefore, when writing an investigative report, you should use the past tense. For example:

If the Verb Is	***The Past Tense Would Be***
To see	I saw Colin.
To tell	Fava told me.
To say	Ho said he hit Cleworth.
To go	We went to 4th and Orange.
To find	Grzecka found Tucker inside.
To hear	I heard Sproul talking.
To smell	We smelled the burning paper.
To write	I wrote the citation.

When quoting someone who is telling you what a suspect said, you should still use the past tense for the speaker. For example:

Smith told me the suspect said, "Give me your money."

Boyer told me that all Smith said was "Do it."

Sergeant Braband told Jensen that Brown said he, "Shot Rogers."

Captain Steed said the Chief told him, "I want all units held over until 2200 hours."

By writing in the past tense, you will develop consistency and, as a result, create a report that is professional and easy to read.

► The Third Rule of Narrative Writing—Active Voice

The **active voice** is the way of writing that shows who is doing an action, as opposed to the passive voice, which shows who is having something done to them. The writer using the active voice tells who is doing a particular action or thing before telling you who is doing the action or thing. For example:

Active	***Passive***
I wrote the report.	The report was written by me.
I arrested Brown.	Brown was arrested by me.
Smith searched the car.	The car was searched by Smith.
I found the gun in the trunk.	The gun was found in the trunk by me.

One consideration for choosing the active voice over the passive voice is that it is almost always possible to write something in the active voice in fewer words than it would take to write the same thing in the passive voice. A fairly common problem that occurs when investigators use the passive voice is that they forget to include who is doing the action, especially with regard to the chain of custody. It is not uncommon to see sentences such as:

passive: A bag of marijuana was found in the trunk.

active: Dutton found a bag of marijuana in the trunk.

passive: Simmons was arrested.

active: Czaban arrested Simmons.

passive: Buford was read his Miranda rights.

active: I read Buford his Miranda Rights.

passive: The evidence was booked at the central property room.

active: Snyder booked the evidence at the central property room.

► The Fourth Rule of Narrative Writing—Chronological Order

One of the most difficult parts of any writing project is getting started, and this is certainly true when it comes to investigative report writing. One popular school of thought says to begin writing at the point of some action being taken, such as what a witness or a victim tells you about the case you are investigating. By doing so, you will avoid having to repeat any information that is contained on the face sheet, such as the date of occurrence or the location. Although this may save some time and paper in the short run, it fails to account for the benefits of starting the report in a way that has long-term and important benefits. One of the keys to successful investigative report writing is to develop consistency, and nowhere is consistency more important from the perspectives of both the reader and the content than at the beginning of the narrative. Here are several benefits to writing a report in **chronological order**.

First, starting a report with the date, time, and how you got involved removes the problem of how to start writing. Second, it clearly establishes the reason an investigation was initiated. Granted there may be incidents where information on the face sheet is repeated in the narrative, but these occurrences will be minimal. Although it will be redundant, the benefits of beginning the report in this manner outweigh the costs of doing so.

A third reason for beginning the narrative of all reports in this manner is that not all investigative reports have face sheets. If one were to follow the suggestion and reasoning that no information should be repeated, there would be two rules to follow—one for reports with face sheets and one for reports without. Having one rule to follow and one way to start the narrative section of a report simplifies the investigator's job, and chances are that the investigator will produce a better work product.

A fourth reason is that the big picture must be considered. In some instances, several investigators will write reports about a single investigation. Homicides or robberies might involve many investigators, all of whom may be trying to gather information about the same case but doing so at different locations and times. At some point, it may become necessary to incorporate all of the individual reports into an overview for a court presentation or a search warrant affidavit. The task of doing either of these is made much easier when the initial sentences of the reports contain all of the needed information to place them in the proper order. Timelines or flowcharts of the investigation are also easily constructed when the date and time are readily accessible. No one likes having to comb through lengthy written passages to find one or two important facts. Starting all reports in this manner eliminates the problem of how to find the beginning of the investigation.

Although those who argue that it is redundant to begin the narrative portion of a report with the date, time, and how you got involved are sometimes correct in their belief, it is still beneficial to start a report this way. The positive aspects of doing so clearly outweigh the negatives. Some examples of the proper way to begin a narrative section are:

> On 12-14-2015 at 0805 hours, I was driving west on 3rd Street when I saw Jones throw a brick through the front window of the house at 4587 3rd Street.
>
> On 7-7-2015 about 1910 hours, I received a radio call to investigate a robbery at the Big Burger Drive-In, 123 Main Street.
>
> On 3-6-2015 at 1245 hours, Sergeant Thompson told me to investigate a reported child endangerment at 6703 Ocean, Apartment 3.
>
> On 12-22-2015 at 1500 hours, I was driving through the south parking lot of the Applewood Shopping Center and saw Brennon run out of Play the Records.

Using specifics to begin the narrative is preferable to the method of using overworked phrases, such as:

> On the above date and time…
>
> Witness Wilson arrived home and…
>
> Victim states that…

It is important to remember that consistency is a key to success and beginning all reports in a consistent manner provides this important feature.

► The Fifth Rule of Narrative Writing—Short, Clear, Concise, and Concrete Words

All writers have the option to choose which word to use to describe what they want their readers to understand. As an investigative report writer, you should always strive to get the most out of the words you choose as you write reports. If the ends of the word spectrum are concrete at one end and abstract at the other, the abstract words have no specific meaning and are open to interpretation. **Concrete words** are those that have a clear meaning and little or no misinterpretation of their use.

Abstract words are those that could have multiple meanings depending on the context of a sentence or the reader's viewpoint. For example, the word CONTACTED is widely used in investigative reports and has several potential meanings when used in the sentence:

I contacted Smith.

Does the word "contacted" mean that the investigator touched Smith physically, as in the sense that professional football is a contact sport? Does the word imply that the investigator knows Smith is there in the sense that a radar operator has contact with an airplane as it enters his or her control zone? Does it mean the investigator spoke to Smith?

Concrete words are the opposite of abstract words and are generally better suited for investigative report writing. Words such as "talked," "saw," "found," "searched," and "drove" are examples of concrete words that investigators should use whenever possible. When you use concrete words, you will be able to more clearly describe what you have done or discovered in your investigation. For investigative report writing purposes, writers should always strive to write at the lowest level of abstraction, which means they should use concrete words whenever possible. Other examples of commonly used abstract words and their concrete counterparts are:

abstract: I detected the odor of burning marijuana.

concrete: I smelled burning marijuana.

abstract: We proceeded to the jail.

concrete: We drove to the jail.

abstract: I observed Murphy driving north on Main.

concrete: I saw Murphy driving north on Main.

abstract: Rogers indicated he stole the money.

concrete: Rogers said he stole the money.

abstract: I found the weapon under the couch.

concrete: I found the revolver under the couch.

abstract: I checked the vehicle.

concrete: I searched the vehicle.

abstract: Jones indicated he was going to become violent.

concrete: Jones said, "I'm going to punch you in the mouth."

The five basic rules of narrative writing can be applied to any report writing situation and will allow for the successful completion of any investigative report. They were developed to help investigators achieve consistency in their writing and allow them to complete the writing task as quickly as possible.

When considering all of the things that can be done to improve writing style, it becomes apparent that many areas provide an opportunity for improvement. In addition to the five basic rules of narrative writing, the investigator can do other things to enhance the report and improve its professional quality.

► Other Writing Considerations

In addition to the five rules of narrative writing, writers can use five other general guidelines to keep their writing crisp, clean, and to the point. These guidelines include spelling correctly, minimizing the use of abbreviations, properly using names and titles in the narrative, avoiding the use of radio code and jargon, and correctly using direct and indirect quotes.

Spell Correctly

The answer to the question of how to fix an investigator's **spelling** problem is not to merely give him or her a dictionary. The solution lies in doing some basic things and doing them well. In addition to providing the reader a clear description of what the investigator is trying to describe, the use of concrete words will provide another benefit to the writer. Generally, the shorter the word, the easier it will be to spell correctly and the less likely it will be for the writer to make a mistake. The issue of misspelled words in a report is always present, but fortunately, there is an easy way to overcome the problem.

The first step is to use the shortest word possible to say what you mean. The fewer letters the word has, the less chance you will have of making a mistake. The second step is for the investigator to develop a list of words that she or he personally has trouble spelling. The list should be clear, neat, and usable and show the correct spelling of the 100 most problematic words the investigator normally uses in his or her reports. This list can be modified and updated as needed and should always be available. Even though many people would argue that all an investigator needs is a good dictionary to solve a spelling problem, I disagree. Dictionaries usually tell you how to use a word or what the word means. The key to finding out either of these pieces of information is knowing how to spell the word in the first place, to be able to look it up. The third step is to build a bigger vocabulary of short, clear, concise, and concrete words that you can spell.

Minimize the Use of Abbreviations

Another area that report writers need to be aware of is the use of **abbreviations**—or more appropriately, not using abbreviations. Many investigators believe they can save time by using abbreviations because doing so reduces the number and length of words in their report, and accordingly, the report will be shorter. The end result of such thinking is that the report does end up shorter than had the words been spelled out in full; however, along with a shorter report, there is the fact that many people who read the report will find it confusing. Although it is not realistic to avoid using abbreviations in all situations, they should be avoided in favor of a complete spelling whenever possible. Instead of using an abbreviation, find a complete word that means the same thing. An example of this is the standard law enforcement and investigative word "approximately." Many investigators would not hesitate to use this word in a variety of situations, nor would they hesitate to abbreviate it as "approx." To abbreviate it in this manner requires making seven characters, including the period at the end. If the same investigator used the word "about" in place of "approximately," he or she would use fewer characters and have the same meaning. As we know, abbreviations are appropriate in some situations, and it makes sense to use them. In these cases, use a standard abbreviation that is approved by your agency or company. Use the complete word if there is no commonly used abbreviation. Do not create an abbreviation, but if you must use one, be careful. No one will disagree that a short report takes less time to complete than a long one, but this does not mean that you should sacrifice clear meaning for the sake of brevity.

Use Last Names Without Titles

Another problem for investigative report writers is how to refer to the people they write about. When and how to use **names and titles** can be a dilemma. One of the oldest traditions in investigative report writing is to refer to the people involved in the investigation by titles such as "the victim," "the reporting party," or "witness Fava." Instead of using these titles, use the person's last name. For example, "Brown said," or "I was talking to Kelly," or "I saw Snyder using the shredder." There is nothing wrong with calling people by their names. In fact, it will make the report easier to understand and be more readable. You should also avoid using the titles of Mr., Mrs., and Ms. Just use the person's last name and let it go at that. By eliminating titles before a person's surname, you will save a lot of writing and keep the report looking a lot neater. Remember, if the report is neat and easy to read, it is more useful than one that is cluttered and sloppy.

You can also avoid using the titles of law enforcement officers after the first time the person is mentioned in the report. If a person is listed on the face sheet or some other type of cover page, it is proper to refer to him or her by last name only. There is no need to use the person's title.

There may be instances when you talk to a person who has such minimal, or even no, involvement in a case that he or she should not be listed on a face sheet, or the report you are preparing has no face sheet. The names of these persons should be included in the narrative and as completely identified as possible the first time they are mentioned. From that point on, it is proper to refer to him or her by last name only. For example:

> I spoke to Krysia Brown, 1631 Ninth St., Los Angeles, CA 90085, (213) 555-1212, and she told me she did not know Johnson.

Should it be necessary to refer to this person at a later time in the report, it is appropriate to use the last name only. For example:

> After speaking to Colin, I called Brown at her home and she told me she had not been at the hospital the night of the theft.

Sometimes more than one person with the same last name will be involved in the investigation. In these cases, use both the full first and last names, not the first initial and last name. You are trying to create a document that can be read in the same way a conversation is heard. Not many people will tell you that they saw K. Brown at the market yesterday; they are much more likely to tell you they saw Krysia Brown at the market. Although you should not write the way people speak, you should try to write in a conversational style. Do not use first names only. This is not professional.

When you have a suspect and do not know his or her name until you are well into the investigation, there is always the question of how to refer to the person in the report. A good example of this situation is a driving under the influence arrest. Normally, these cases begin when an officer stops a car being driven erratically and has a conversation with the driver. In this example, the driver, David Thomas, was arrested by Officer Joe Fava for the crime of driving while under the influence of alcohol. After booking Thomas, Fava begins writing a report. Fava would be correct in beginning the report with the date, time, and how he got involved and in so writing, using Thomas's name. For example:

> On 6-13-2015 at 2145 hours, I saw Thomas driving a red Pinto, license 123 ASD, north on Main Street from 5th.

In most cases, going into great detail about how you identified a person is not necessary. If the suspect's identity is crucial to the commission of the crime, a corresponding level of information is needed to establish his or her identity. This, however, is the exception rather than the rule in most cases. Such phrases as "I saw the suspect, later identified as Beer, driving in an erratic manner" are not needed. It is proper to begin by writing, "I saw Beer driving in an erratic manner." Another example of this is the case in which police officer George Najjar gets anonymous information that a person is going to rob the Brand X liquor store sometime after 1:00 P.M. the following day. Najjar begins a surveillance of the store and, several hours after the investigation begins, sees a person, whose name he later learns is James Dalton, enter the store and rob it. The information was received at 7:00 P.M. on July 3, 2015. Following the rules of narrative writing, the report would begin:

> On 7-3-2015 at 1900 hours, I received an anonymous telephone call in which the caller told me that the Brand X liquor store would be robbed sometime after 1300 hours the next day. On 7-4-2015 about 1100 hours, I began watching the store, and at 1400 hours I saw Dalton walk into the store and....

In this example, the officer did not know Dalton's name when he first saw Dalton go into the store, but it is acceptable to use his name in the report. The rule of thumb is that if you know the person's name before you start writing the report, use it from the beginning. It makes for a more readable report.

Avoid Radio Code and Investigative Jargon

Nearly every occupation or profession has words, expressions, and phrases particular to it that are clear to those in that field but have no meaning to those outside the occupation. The investigative field is no exception. **Jargon** is used daily to give meaning and direction to the activities of investigative personnel, but they do not clearly convey the same message to those outside the field. This unfamiliar ground and the multiple meanings of the words and phrases make their use in investigative reports undesirable and improper. Remember that you are writing for a wide audience and that most people in the audience probably do not understand the vernacular of your specific field. As such, do not use these expressions and phrases.

The use of radio code is another area full of opportunities for confusion and miscommunication. **Radio code** is used to communicate over public airwaves in a shortened way that reduces the airtime needed to transmit a certain message. Radio code is appropriate when a person is talking on the radio or involved in a conversation when others present should not hear what is being said and there is no other way to safeguard the privacy of the conversation. An example of this would be when an overheard remark would jeopardize an investigation or reveal and compromise what was about to happen in an investigation when timing was crucial to its success. In theory, all investigative agencies that adopt certain radio codes also adopt the same translations. It is important to realize that all investigative agencies do not use the same radio code. In reality, law enforcement agencies within 25 miles of each other using the same radio codes many times have different interpretations of those codes. Officers and investigators from these agencies might both hear a familiar code but each would interpret the message differently. If this is the case with professional police officers and investigators, one can only imagine what effect the use of radio code in an investigative report might have on those who are unfamiliar with that specific radio code, or radio code in general, and who read the report. Investigative reports can be confusing enough without the added burden of having to decipher unnecessary radio codes. Remember that your job is to report what happened and what you did so that everyone will understand what is going on.

Use Direct and Indirect Quotes

Quotations are also a concern for the investigative report writer. When to quote and how to write it in the report are substantial issues to resolve. The majority of investigative report writing involves reporting information gained through one of the senses. Few people have the ability to listen to someone and re-create the entire conversation at a later time. More likely, a witness will remember the important things, from his or her perspective, that someone said or told him or her. The witness will tell these important details to the investigator whose job it is to write about them.

The two types of quotes used in investigative report writing are direct and indirect. **Direct quotes** should be used when it is important to know exactly what was said. Many suspects use the same words or phrases when they commit crimes. This then becomes part of their modus operandi, and as such, quoting what was said is important. It is also important to quote what a suspect says when admitting guilt during an interview. There is no better way to describe what a suspect said or did in the commission of a crime than by using his or her own words. Accordingly, there are two times when it is very important to quote directly:

1. When a witness tells you what a suspect said during the commission of a crime.
2. When a suspect admits guilt.

Otherwise, using an **indirect quote** or a paraphrase of what someone says is appropriate. The reason it is not crucial to quote everyone all of the time is that if it becomes necessary for the witness to testify in court or at an administrative hearing about what he or she saw or heard, the witness will be the one to do it. As an investigator, your role will be to act as an assistant to the prosecutor or person presenting the case. Generally, you will not be allowed to testify about what someone told you, so quoting verbatim is not needed. Quoting someone indirectly is giving the essence of what she or he told you. The general idea of what someone said is what you are after, not the exact words. You should remember, however, that if you have the opportunity to quote what a suspect is telling you and you do not, you are giving the advantage to the suspect.

► Agency Protocols

The rules of narrative writing can be applied to any report writing situation. Conducting a proper investigation and accurately documenting the work is the responsibility of every investigator an agency or department has. Whether an investigator works for a small agency or a large one, the work of conducting an investigation is similar. What may change is how much of the investigation is done by patrol officers and how long the first responder stays involved with the case. A large agency might have specialized units that respond to investigative situations early in the case while smaller agencies might keep the first officer on the scene involved with the case until an arrest is made or the case is filed with the prosecutor's office.

The work to be completed and the extent to which an officer or investigator is involved will usually be defined by department policy, procedure, or practice. But, regardless of who does the investigative work or how long a person remains involved with a case, an account of what each person did and the investigative steps they took can be documented using the rules of narrative writing. It is not so much about the size of a department as it is about the quality of the investigation and the manner in which it is documented that makes the difference.

Summary

Writing the narrative portion of a report is often the most challenging part of the investigative report writing process. The task can be made simpler if the investigator uses facts instead of opinions and follows the rules of narrative writing, which guide him or her from the starting point to the conclusion of the report. Writing in the first person and the past tense; using the active voice; keeping things in chronological order starting with the date, time, and how they got involved; and always using short, simple, and concise words is a formula for success in any investigative report. The rules of narrative writing will work in any investigative setting and will be enhanced if the writer also uses correct spelling, avoids abbreviations, correctly and consistently uses names and titles in the narrative, avoids the use of confusing radio code and jargon, and uses direct quotes only when necessary.

Key Terms

Abbreviations *21*
Abstract words *20*
Active voice *18*
Chronological order *19*
Concrete words *20*
Direct quotes *23*
Facts *16*
First person *17*
Indirect quotes *23*
Jargon *23*
Names and titles *21*
Opinions *16*
Past tense *17*
Radio code *23*
Rules of narrative writing *17*
Spelling *21*

Review

1. Use facts, not opinions.

2. Start the narrative of all reports the same way.

3. The five rules of narrative writing are:
   Write in the first person.
   Use the past tense.

Use the active voice.
Start with the date, time, and how you got involved.
Use short, simple, concise, and concrete words.

4. Avoid using abbreviations.

5. Refer to people by their last names.

6. Avoid using titles such as Mr., Mrs., and Ms.

7. Keep radio code and jargon out of the report.

8. Use direct quotes only when needed.

Exercises

1. Visit a library and review several publications dealing with trends in writing. Is the continuous, free-flowing, narrative style of writing as described in this chapter discussed in any of your readings? Are there any differences between the rules discussed in your outside readings and those in this chapter? If so, list and discuss them.

2. Check a local newspaper and review the letters to the editor section. Are the writers making their points with facts or opinions?

3. Locate an investigative report that is not written according to the rules of narrative writing. What differences do you see? How can these differences be corrected?

4. What is the difference between the first- and third-person styles of writing? What are the advantages of using the first-person style in investigative reports?

5. Why should the use of jargon be avoided in investigative reports? Give some examples.

6. First-person exercise. Rewrite these sentences in the first-person style. For the purposes of the exercise, you are Officer Fava and your partner is Officer Ho.
   a. U/S officer found the pistol in the street.
   b. Sergeant Najjar gave the evidence to this officer.
   c. Undersigned officer Fava interviewed Brown.
   d. Officer Fava and Officer Ho searched the car.
   e. U/S officers were assigned to guard the scene.
   f. Cleworth gave the video to Officer Fava.
   g. Officer Donald and Officer Tatum showed this officer where they found the stolen diamond.
   h. It was Investigating Officer Fava's intent to question Jackson as soon as possible.
   i. Officer Fava's and Officer Ho's report is in the watch commander's office.
   j. Officer Ho and I investigated the theft.

7. Past-tense exercise. Rewrite the following examples in the past tense.
   a. I am going to the hospital.
   b. We are finding the evidence.
   c. Booth analyzes the evidence.
   d. Last Tuesday, I was watching the intersection.
   e. After briefing, we proceed to the central jail.

8. Past-tense exercise. Choose the correct word to make the sentence read in the past tense.
   a. At 1130 hours we (eat, ate) lunch.
   b. You (see, saw) the marijuana plants.

c. We (arrest, arrested) Roberts at 123 Main.
d. I (book, booked) the knife at central property.
e. We (drive, drove) to the hospital.

9. Active-voice exercise. Rewrite the following sentences in the active voice.
   a. The call was answered by Rogers.
   b. Smith was read his Miranda rights by me.
   c. The car was searched by Stone.
   d. Ten area cars were wanted by the chief.
   e. The gun was found by Thompson.
   f. The report was written by the lieutenant.
   g. Cleveland was booked by Winters.
   h. The longest speech was given by the mayor.
   i. The window was broken by Watson.
   j. The evidence was examined by Wilson.

10. Chronological order exercise. If not shown, use today's date and military time to establish the proper starting sentence for a narrative report.
    a. It was 3:00 P.M. when I was dispatched to the Mercy Hospital emergency room.
    b. On Sunday, the 17th of January, approximately 2:00 A.M., I found a person, later identified as Sproul, sitting on the steps of the East Branch Library.
    c. Roberts hailed me on March 15, 2015, at about 8:15 A.M., while I was driving by the gas station.
    d. Unit 12, which I was driving, was radioed to go to Main and Temple at 6:30 P.M. to see a man about a theft.
    e. At 1605 hours on April 6, 2015, I was dispatched to the Big Burger Drive-In regarding a disturbance.
    f. On 7-4-2015 at about 2215 hours, we saw Potts throw a lighted flare into a dumpster at the cardboard recycling plant, 1641 West Street.
    g. On 24 March 2015 at 2:05 A.M., I heard a traffic collision at Washington and Dysart.
    h. On 12-24-2015 at 2100 hours, I was dispatched to Highway and Noble Drive regarding a theft of Christmas trees in progress.
    i. On Tuesday, February 16, I saw Donaldson driving west on Elm approaching Pacific.
    j. On 5-26-2015 at approximately 1305 hours, Smith assigned me to investigate a theft at the County Credit Union.

11. Short, clear, concise, and concrete word exercise. Suggest a better word to be used in place of each abstract word shown.
    a. proceeded
    b. contacted
    c. detected
    d. advised
    e. indicated
    f. weapon
    g. gun
    h. demonstrated
    i. stated
    j. observed

12. Rewrite the following report using the rules of narrative writing.

Additional Information

Your back-up officer is Jeff Guidry. You recovered the rifle and booked it for safekeeping. Use your area code for all phone number needs.

Details

On 6-2-15, at approx. 2245 hrs. I discovered a subject, (Bayes, Harold Lee, 3-3-69, Driver Lic. B0527346, 590 Gilmar, Duncanville, 735-2848) asleep in a vehicle parked in the parking lot W/of Palo Verde and S/of Spring. The vehicle was a Toyota, 2002, Tan 4 × 4 pick-up w/camper shell, lic# 33R162L. I also could see the wooden stock and blue receiver of a rifle lying next to him.

After getting follow-up officer at the scene I was able to get the subject Bayes out of the vehicle. He said that he had recently been kicked out of his residence and had come to the park to jog but fell asleep afterwards inside his vehicle. He said that the rifle was just part of his property which he'd taken with him and had no other reason for placing the rifle next to him. The weapon, (Remington, M-740, 30.6, SER # 3822162) was seized from the vehicle and found to have (1) expended cartridge in the chamber. No other ammunition was found.

An attempt was made to have Duncanville PD check his residence however they were too busy at the time. They did go by the residence later and were unable to contact anyone. (They also advised that they'd been out to Subject Bayes residence last night on a call of an attempted suicide where Bayes was the victim/suspect. It is unknown if my contact was related.)

Bayes was F.I.'d and released at the scene. His rifle was seized and booked at El Fuego PD Property Room for safekeeping.

13. Rewrite the following report using the rules of narrative writing.

Additional Information

You received a radio call to meet the reporting party, Katherine Tunney, at 1230 hours on 7-25-15. Katherine Tunney lives at home with her parents, Carol and Gary Tunney. The term 28 is jargon for radio code 10-28, which is a request to check the registration of a license plate.

Information Report

Location: 1647 Rancho, El Fuego
Occurrence Date: 7-25-15
Other Person: Tunney, Carol P. DOB 1-21-66
Other Person: Tunney, Katherine L. DOB 9-16-89

Details

I made contact with Katherine Tunney who stated that at approximately 1215 hours this date, she was getting ready to leave her residence to do errands in the area when she observed a white Toyota van wagon to be stopped in front of her residence on the opposite side of the street facing westbound. What brought her attention to the vehicle was the fact that the driver, who appeared to be the sole occupant of the vehicle, was turned in the front driver's seat with a camera up to his face taking pictures of her specific residence. Miss Tunney indicated that the vehicle, although parked facing westbound, was stopped in the middle of the street and not on the complete opposite side.

Miss Tunney indicated that she thought this was rather suspicious, remembering her mother had been contacted by a suspicious subject back in April of this year.

She responded out to make contact with the subject who, upon seeing her exit the residence, immediately rolled up his driver's window and sped away at a high speed to apparently vacate the area. Miss Tunney indicated she was able to obtain the license number of the van when it slowed for a speed bump which was located close to the residence. I asked Miss Tunney for that license number and she indicated it was 836L92F.

A 28 was run on this license plate and it came back to a 2004 Toyota Wagon, registered to Bond, Stephen D., 3381 El Balazo, El Fuego. Miss Tunney describes the male subject to be a male white, with graying hair, NFD.

In speaking with Mrs. Tunney (Carol), she had indicated she filed a report with the police department back in April of this year. She was out in the front of her garage, in the driveway repotting a plant when she was approached by a suspicious subject who asked what her name was. Mrs. Tunney (Carol) had indicated that she told the subject she wasn't going to tell him her name and asked what his name was. Apparently she did not get any information from that.

The subject left in a vehicle which Mrs. Tunney stated had a personalized plate of ISPYONU. A 28 information was run on that vehicle. It comes back to a 2008 SAAB registered to Toomey, Richard, 36 Paseo De Bonito, El Rancho.

I advised Miss Tunney and Mrs. Tunney that at this time we did not have a crime that had occurred. However, this information report would be filed. At this time, no contact has been made with the driver of the Toyota or the Saab and information has been passed on to the investigation division.

Quiz

1. What are the two types of quotes used in investigative reports?
   a. Accurate and exact
   b. Exact and indirect
   c. Gist and accurate
   d. Direct and accurate
   e. Direct and indirect

2. With regard to investigative report writing, what does narrative writing mean?

3. When should abbreviations be used in investigative report writing?

4. List the five rules of narrative writing.

5. How should the narrative section of a report begin?

6. What are three reasons for beginning a narrative in this manner?

7. Describe the first-person style of writing.

8. Why should reports be written in the past tense?

9. Describe the active voice.

10. What is the rule of thumb regarding the use of radio code in the narrative of an investigative report?

11. When a person is introduced for the first time in the narrative and he or she is not listed on a face page, how should it be written?

12. When should you use direct quotes in your report?

13. Using indirect quotes means?

14. What is a suggested method of writing with regard to radio code?

15. True or False. If you see someone you do not know commit a violation of some sort and learn his or her name before you begin writing the report, it is acceptable to use the person's name right from the beginning of the report?

3 Note Taking

KEY POINTS

"Notes," "field notes," "investigative notes"—regardless of which term you use to describe the initial information gathering that good investigators do, you will need to have good notes in order to write a good report. This chapter will combine theory with practicality by discussing not only the importance and basic uses of field notes but also the mechanics of note taking, types of field notebooks, and how to organize a field notebook. We will also look at the pros and cons of using a tape recorder to accomplish the same task that you could using paper and pencil.

LEARNING OUTCOMES

Upon completion of this chapter, the student will be able to:

1. *Compare and contrast the types of field notebooks.*
2. *Assess the importance of field notes in the investigative report writing process.*
3. *Compare and contrast the basic uses of field notes.*
4. *Distinguish and assess the mechanics of note taking.*
5. *Analyze and evaluate the factors in organizing a field notebook.*
6. *Compare and contrast personal and investigative information in a notebook.*
7. *Differentiate and assess the types of information that should be included in a field notebook.*
8. *Assess the significance of accuracy in field notes.*
9. *Compare and contrast open-ended questions vs. "the-thirty word" version of questioning.*
10. *Analyze and evaluate the importance of "listen first, then write" as it applies to field note taking.*

► The Importance of Field Notes

Few people have the ability to remember everything they do, see, or hear. The short-term recall most people have is poor at best and virtually nonexistent at worst. In most cases, the longer the time span between the occurrence of an event and the reporting of it, the greater the chance that an incomplete version of the story will be told. Further, as time passes, it is more likely that inaccurate facts or mistakes will be presented and that something important will be left out of the story. Think back for a few minutes and try to remember what you had for breakfast today, what color shirt you wore yesterday, or who were the first three people you talked to two days ago. You were probably able to remember because they are recent events to which you are personally connected. But try to recall the same information from three weeks ago and you will see that it is much more difficult. I think you will agree that the longer it is between something happening and trying to recall it, the more unlikely the latter becomes. Also, consider the example presented by a college class. We all know that there will be a final exam at the end of the semester and quite possibly a midterm exam partway through the course. We also know and recognize the value of having complete and accurate notes in order to study for the exam. Even with this knowledge and the opportunity to take notes and compare them with our classmates, we find ourselves at the end of the semester looking at an exam that contains questions we knew would be on it and having no idea how to answer them.

With regard to investigative report writing, we know that the events we are investigating are going to result in questions at a later time. It may be a few hours, days, or weeks—or in some cases several months or years in coming—but nonetheless the questions will come. Fortunately, we have the opportunity to do something about this during the investigation that will help us when the exam—usually in the form of a trial—may require our testimony. This something is note taking, and it is an essential part of the investigative report writing process. It would be a wonderful world if our memories were so good we never had to refresh them, but that is not the case. You will need notes, and you will need to refresh your memory. Fortunately, there are a few basic rules and guidelines that will make the note taking function of report writing much easier to understand and accomplish. Inasmuch as we have discussed why we need to take notes, it may also be helpful to understand some of the basic uses for them.

► Basic Uses of Field Notes

Storage

The old adage "A place for everything and everything in its place" applies here. Both public and private record keeping systems, as efficient as they are, are not perfect enterprises. Over the course of many months and years, documents are misplaced, lost, or destroyed. Whether these events occur by accident or with deliberateness, the end result is that an official document is no longer available. The responsibility for replacing the lost or unavailable documents rests with the person who originally completed the report. Although this may seem unfair to some, it really is the best method to replace whatever is missing. No one else has the knowledge of what the report may contain. In addition, no one else has the original notes that would allow the investigator to talk to the involved parties and once again find pertinent information. In their most basic form, an investigator's notes are the first and last level of record **storage**.

Building Blocks

A report just does not appear from thin air. Much work and thought goes into writing a thorough and complete investigative report. It is of paramount importance that an investigator has written notes to refer to as he or she completes the report. An analogy can be drawn between the investigative process and report writing tasks to certain parts of a construction project. Investigative note taking and report writing are much like preparing a building site for new construction. A foundation must be completed before the walls can be built. Notes are the foundation and the **building blocks**, and the report that follows is like the building that rises from this first important step. Your notes are the most complete supply of raw material for a report. If you have done your job, you should have information from several people involved in the case—descriptions of suspects, property, and evidence—as well as where it was found. In short, you should have what is needed to construct a report and continue working the case.

Aid to Memory

Investigators with photographic memories may never need to take notes as an **aid to their memory** during their investigations because they will be able to remember all of the details. Most investigators do not have photographic memories, however, and do require good notes to remember not only the things to include in the report but also the unreportable facts. What seems trivial at the earliest stages of an investigation may be very important several months later when an unknown witness or recently discovered evidence surfaces. A fairly common occurrence in recent years is for convicted criminals to confess to serial crimes that they committed years ago. In order to prove that they did the crimes, they offer small details of the crime scenes or victim descriptions that could be known only by someone at the scene. Where is the best place to look for this information? The answer is in the notes taken by the investigating officers. These notes can help officers remember details that no one else would and also help in formulating questions that could eliminate a publicity seeker who is making a false confession. Complete notes are invaluable in these circumstances.

► The Mechanics of Note Taking

The **mechanics of note taking** refers to the practical application of writing down the initial findings of an investigation in a notebook. It includes the selection of a specific type of notebook and an appropriate writing instrument. The mechanics of note taking are simple to master with practice. It is desirable to take notes in a way that allows anyone who reads them to understand and interpret what they mean. For example, some individuals have handwriting that is difficult to read. This presents a problem if a case is going to involve more than one investigator or requires several people to review and share recorded field notes.

Readable

There are few rules on the type of handwriting that should be used to record field notes. Whether you print or write in cursive, the end result is what is important. The end result is that your notes need to be **readable** and understandable when they are needed down the road. Good penmanship is a learnable skill and the adage "practice makes perfect" certainly applies here.

Accurate

It is absolutely critical that you take **accurate** notes in the field. This means that the statements you write are correct, measurements are precise, names are spelled correctly, and phone numbers and addresses are without error.

Factual

Notes not only need to be accurate but also to be factual. Facts are things that can be proven. It is important to keep personal opinions out of a notebook. Experience will help you learn what to write in a notebook and what to leave out, but try to write only facts and keep your ideas about how something happened out of the notebook.

Concise

Whenever you are asked to write a lot of information in a small space, the tendency is to use symbols, codes, or abbreviations to get the job done. Although the use of this type of writing is permissible, it should be avoided as much as possible because different marks and symbols can mean different things to different people. You must also remember that the secret codes or abbreviations you are using today may not mean the same thing to you several months from now. Instead, be **concise** and get the most out of as few words as possible.

Few things will prove as embarrassing as not being able to read and understand your own notes. Avoid this problem by using clear, complete words whenever possible. The goal of note taking is to record as much information as possible about an investigation in a concise, readable, and understandable manner. Develop good habits and improve on them as you gain experience. It will pay big dividends for you over the length of your career.

Complete

A key part of field notes is that the notes must be **complete**. You should not remove pages for any reason, rather leave all pages intact. This is important because missing pages might cause people to question the integrity of the notes and the person who wrote them. There are no good reasons for removing pages from a field notebook. Some might argue that correcting a mistake in the original notes might be such a reason but it is much better to note the mistake and correct it with the accurate information than it is to remove the original material.

► Types of Notebooks

There are many types of notebooks that may be used to record field notes. The key here is that the investigator should feel comfortable with the notebook he or she is using, and that it allows for easy writing in a variety of situations. There will be many instances, such as during a surveillance, where the investigator will have to take notes while standing, sitting, walking, or even lying down. It may be necessary to record notes during the day or night and whether it is sunny outside or raining. As you can see, the notebook must be a versatile tool. (See Figure 3-1.)

In all probability there is no single notebook that meets everyone's needs. Smaller sizes such as a 3" by 5" pocket notebook allow for easy storage because they will fit into a shirt or pants pocket. The drawback is that with such small pages it is difficult to record much information. Something like a 6" by 9" spiral-bound steno notebook has the advantage of being big enough to write necessary information in it, yet is still manageable enough to easily hold and be stored in a pants pocket or inside the belt line at the small of the back. A full-size pad of paper gives the note taker ample room to write but may be awkward to hold and store. Another disadvantage is the ease with which pages may become detached from a large tablet of paper.

An investigator should try several sizes and styles of notebooks until he or she finds the one that best meets his or her needs. A suggestion is to hold each type of notebook under

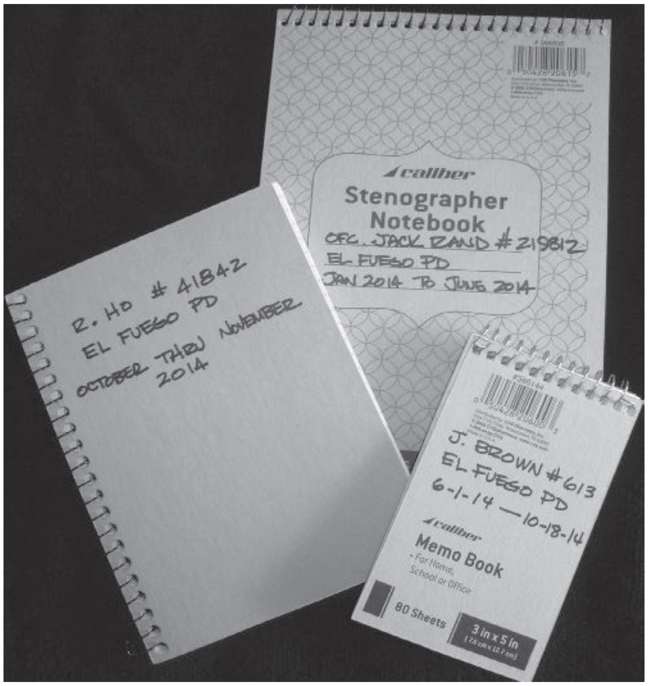

FIGURE 3-1 Styles and Sizes of Notebooks

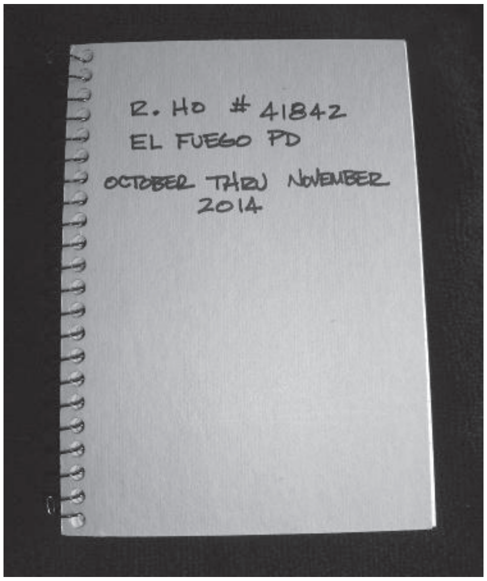

FIGURE 3-2 Notebook Cover

consideration and, while standing in an area dark enough to require the use of a flashlight, write enough information to fill five pages. This should give you an idea of the versatility of the notebook and whether or not it will meet your needs. If the notebook passes this test, it will likely allow for easy use in any situation or environment an investigator may be involved in, such as in a car, in a house, or in inclement weather. How you organize your field notebook can have an impact on how successful you are in using it. Filling a notebook with information is only part of the battle. You must be able to access the information and retrieve what you need when you need it. (See Figure 3-2.)

► Accessing the Information

Taking complete notes is certainly a goal in the report writing process, but it is not the only thing that you should be thinking about. Just as important as having complete information is being able to go back to it a few hours later—or, for that matter, days, weeks, or months later—when you are writing the report. This is why the habits you use in setting up your notebook are important.

It is generally recommended that you write on only one side of the page. When you use both the front and back sides, the notebook can become difficult to handle and manipulate while turning pages and adding information. Use a writing instrument that will not bleed through the page or smear if touched. A good mechanical pencil or ballpoint pen might be a good choice for field officers. Both will give a quality impression on the page and will work in most circumstances. Whatever writing instrument you select, make sure it will stand the test of time and not bleed through the page. A neat, clean, and well-organized notebook is a great tool for the investigator to have.

Organizing the layout of a notebook page is another detail that can have a big impact on how useful this tool is for you. One method is to establish a clean break between dates by consistently closing out the bottom of the page by placing some type of ending graphic drawn across the page right after the last entry. Start the next date at the top of a page and begin by writing the date, shift, area, car assigned, and partner's name and serial number if applicable. Create a margin along the left side of the page that can serve as an index to the material. Entries in the margin such as ROBBERY would be followed on the page with the details of the crime or suspect description. Most officers start the day in roll call and receive information about crimes that have happened during the past 24 hours. Indexing these crimes in the left margin will allow you to refer to them quickly when needed. Once you go into the field, add information to your notebook in the chronological order you receive it. (See Figure 3-3.)

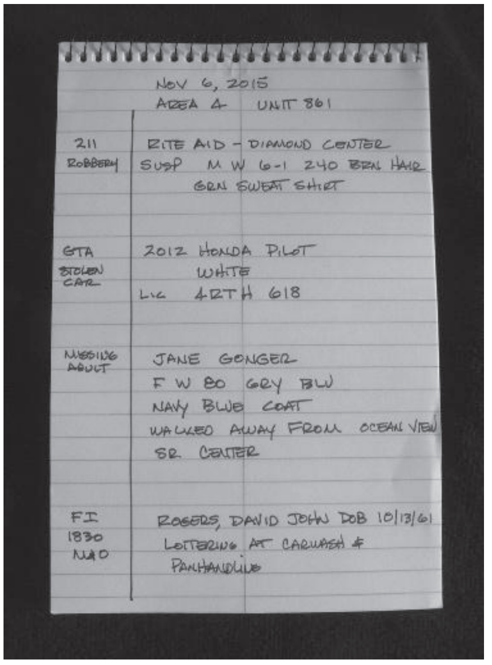

FIGURE 3-3 Notebook Page with Information

Leave Some Room

One tendency many new officers have is to write too much on each page. Get in the habit of not crowding too much information together. Leave some space on each line and skip a line or two between different incidents or entries. When the page is set up properly, it will be pleasing to the eye and allow you to glance at it and quickly find what you are looking for. A notebook is one of the least expensive items you will need in your career. Most agencies supply notebooks to field personnel, but even if you have to buy your own, remember that no cop ever went broke buying a notebook. Leave some room, keep your entries neat, and let the notebook work for you.

► What Should be Included

Experience is a great teacher in determining what should be included in the note taking process, but there are several items of information that are important to include in every case. Accurate names, addresses, and phone numbers top the list of important information. The importance of recording this type of information accurately cannot be overly stressed. Incorrectly identifying information results in wasted time and an incomplete and sloppy investigation.

Weather

There may be occasions when the weather conditions will have an impact on a case you are investigating. If necessary, write the important items such as temperature, whether or not it is raining or has recently rained, and wind conditions in your field notes. Other important information include measurements, sketches, drawings, and key words or phrases used by suspects or witnesses.

Measurements

As simple as it may seem, making and including accurate **measurements** in your field notes can sometimes be a challenge. Fortunately, a little preparation and a plan are usually all that is needed. Many investigators carry a tape measure with them for just such occasions and are able to record very accurate information for shorter distances. Experienced investigators have also learned how to step off longer distances and record an accurate measurement; they have measured their stride and know what a three-foot step is.

The second half of the preparation is to know how to measure. You should always find two permanent, fixed objects to measure from in order to have an accurate set of measurements. Using objects such as painted lines, automobiles, or temporary signs can result in inaccurate or questionable measurements. Instead, try finding telephone poles, concrete curb lines, building foundations, or surveyor's marks. Then measure from two of these, in different directions, to come up with the location you are describing. Always include a note that your measurements are approximate and whether you used a tape or the step method.

Sketches

Including a crime scene **sketch** in your field notes may be appropriate in a number of cases. If you do choose to draw one, take your time and make it as complete as possible. Use fixed objects as points of reference for your measurements and try to keep the drawing proportional. Today, a video or digital camera may be available, but there is nothing wrong with supplementing the images made by these cameras. If your notebook is not big enough to draw an accurate or complete picture, use a full-size sheet of paper, include the case number and the date and time you made the drawing, and be sure your name is on it. The fact that you completed a crime scene sketch should be included in your field notes.

Drawings

Sometimes it may be necessary to draw a picture of an object or a special mark on an item for identification. Descriptions of jewelry seem to provide opportunities to use this skill. Allowing a victim or witness the opportunity to make a **drawing** of a ring or pendant can go a long way toward identifying it later.

Some people also take great pride in putting their initials or personal mark on their belongings. Tools, toys, fishing equipment, and bicycles are some of the things that people identify with a unique mark. Having a drawing of this mark not only will help establish ownership but also can become probable cause when a cop on the beat finds a car full of tools with a unique mark that was discussed and shown in roll call that day. The adage "a picture is worth a thousand words" is proved true time and time again by this technique.

Key Words and Phrases

There are only a couple of times you will need to show the **key words and phrases** someone used. One is when you are writing the words the suspect used during the commission of a crime, and the other is when a suspect is confessing to a crime.

In the first instance, a witness is usually going to tell you the exact words he or she heard the suspect say. It is important to accurately record these because this might be part of the suspects M.O., or method of operation. The second instance in which the exact words are extremely important is when the suspect is confessing to a crime. It is good to have the exact words he or she said during the admission. During these two occasions, take your time and get it right.

Investigative notes need to be complete enough to help you write an accurate report but not so in-depth that they are as long as the finished product you ultimately produce.

Personal Information

Last but not least, the notebook should contain the name, business address, and phone number of the investigator along with the inclusive dates the information in the notebook covers. This identifying information should be clearly printed on the front cover.

Remember that this is a business notebook and you are a professional; therefore, the notebook should contain only business-related information. Always take care to leave personal information out of the notebook because it has no place in a professional working document and may be subject to the power of subpoena.

How an investigator takes field notes will depend a great deal on the situation and how comfortable the person being interviewed is about sharing the information she or he knows. Some ability to write quickly and accurately is needed, and these skills can be improved with practice.

As the investigator begins the interview, his or her manner and demeanor are just as important as the authority or credentials he or she carries, if not more so. The professional investigator will seek the help of a witness rather than expect it and will convey that attitude in all dealings with those whom he or she encounters. A proven method for gaining information in any interview is to start by identifying and introducing yourself to the person you are about to interview and then ask him or her to tell you a little bit about what happened. If the person agrees to talk with you and expresses any cooperation, you should let him or her talk without interruption and without writing anything down. This will give you the opportunity to evaluate the person's story without being distracted by writing while he or she is talking. To expedite the interview process, ask the person to tell you what happened in 30–40 words. This is sometimes referred to as the **"thirty-word version" of the story**. While they are talking, you may be able to formulate specific questions based on the information the person does and does not tell you. Hearing this short version may also help you identify the type of crime or incident involved. Many people will come home, find that someone has broken into their house and stolen something, and report the event to the police by saying, "I've been robbed." It is easily understood why the victim of such a crime would report it as a robbery when it is really a burglary. However, giving the victim the chance to tell you about the crime in her or his own words gives you the opportunity to formulate questions based on the overview you hear. Also, it gives you the opportunity to determine what happened. Understanding the type of crime is important to the investigator, who may need to locate specific evidence or information to establish the corpus, or elements, of the crime.

Once the witness has given you the "thirty-word version," you should ask specific questions that require specific answers. This will provide you the basic information needed in order to complete the crime or incident report. You should have a thorough knowledge of the format of the crime report forms you are using and should use this format as a guide to formulate and sequence your questions. By doing so, you will be able to write the information into your notebook in the same order it will be needed to complete the report. Putting this information into chronological order will save you time and effort in preparing the finished product. This is only a suggestion and should never be used as a rigid rule that would limit the amount or quality of information you could gain from someone. Common sense is a great asset for the professional investigator and will almost always allow for a successful investigation.

Once you have completed the task of writing down the identifying information, ask the witness to tell you what happened and try to write down ideas or major thoughts as they are presented to you. After you have completed the question and answer session with the witness, it is usually a good idea to review the information with him or her and give the person the opportunity to add and change anything that he or she has misstated to you. Remember that it is your obligation to write an accurate and unbiased report. Giving the victim or witness the chance to alter or correct his or her story at this time helps to ensure that you do your job. It never hurts to conclude the interview by asking if there is anything else the person wants to add and by giving him or her a phone number at which to call you if he or she needs to speak to you again.

► Field Interview Cards

Using a field interview or FI card to collect information is a common practice in law enforcement. A field interview card is a fill in the blanks type of report that prompts an investigator to document identifying information about the person being interviewed. The size, color, and format of these FI cards will vary as will the protocols officers must follow in completing them. Typically, an officer will submit completed FI cards at the end of a shift and the information will be entered into an automated records system. The original card might then be stored or circulated throughout an agency or bureau so that other officers may become apprised of the field contact. (See Figures 3-4 and 3-5.)

SIGNAL HILL POLICE DEPARTMENT						RECORDS USE ONLY			
DRIVER'S LIC # / ID #					STATE	NAME (Last, First, Middle)			
SEX	RACE	HAIR	EYES	HGT	WGT	DOB	AGE	BUILD	AKA
RESIDENCE ADDRESS			CITY			STATE	PHONE#		
SOCIAL SECURITY #			DID #1		OFFICER'S NAME		DID #2	OFFICER'S NAME	
LOCATION OF CONTACT			CITY		STATE		DATE	TIME	
EMPLOYER / SCHOOL			ADDRESS			CITY		STATE	
HAIR STYLE / PHYSICAL ODDITIES / FACIAL FEATURES					CLOTHING				
			TATTOO (Type and Location)						
								HAS RECORD YES ☐ NO ☐	

FIGURE 3-4 Field Interview Card (Front).

(Courtesy of the Signal Hill Police Department)

VEH YEAR	VEH MAKE	VEH MODEL	VEH STYLE	VEH COLOR	VEH LIC	LIC STATE	LIC YEAR
VEH GENERAL CONDITION GOOD ☐ FAIR ☐ POOR ☐		DAMAGE TO VEH FRONT ☐ REAR ☐ ROOF ☐ LEFT SIDE ☐ RIGHT SIDE ☐ WINDOWS ☐			VEH UNUSUAL FEATURES		
PERSON WITH SUBJECT: NAME				DOB	ADDRESS / CITY / STATE		
PERSON WITH SUBJECT: NAME				DOB	ADDRESS / CITY / STATE		
ADDITIONAL INFO (NARRATIVE)							
		PAROLEE INFO ONLY	CLETS #	RECORDS TYPE	CDC / ID #		
GANG - AFFILIATION	MONIKER	ADMITS	AFFIL Y ☐ N ☐	MEMB Y ☐ N ☐	DID #	CALL #	

FIGURE 3-5 Field Interview Card (Back).

(Courtesy of the Signal Hill Police Department)

Typically, officers would not enter all of the information on an FI card into their field notebook but they should write the person's name and date of birth as an entry in their notes. This will serve as an aid to memory if they ever need to access the original card. (See Figures 3-6 and 3-7.)

► Recording Notes

Using handwritten notes is a solid basic step many investigators use to collect information about their cases, but it is not the only method available. Some investigators use handheld tape recorders as an additional source, and in some cases, as a primary source. The handwritten style might be best for beginning investigators because all of the information collected can be reviewed at a glance. A tape recorder gives more seasoned investigators the opportunity to collect a lot of information in a short time. Although this can be a huge asset if the crime scene is larger and involved, it can also have drawbacks.

The tapes must be transcribed and the transcriptions certified as accurate, and then they must be preserved just as handwritten notes would be. Discrepancies between the recorded notes and the final transcribed version will always be an issue in a trial. Other potential problems with using a tape recorder can include loss of power, mechanical problems, poor tape quality, and loud background noise. The opportunity to use a tape recorder to gather field notes may prove to be a timesaver and an aid to many officers. However, even with departmental policy allowing the use of a recorder, the individual investigator must make sure it is right for himself or herself.

Regardless of whether you are handwriting notes or using a handheld tape recorder to capture the information, the two most important things to remember and practice with regard to note taking for investigative report writing purposes are to **listen first, then write**, and to make sure you can understand your notes.

LA HABRA POLICE DEPARTMENT
DATE *TIME* *FI NUMBER*
LOCATION
LAST NAME
FIRST NAME / MIDDLE NAME
D.O.B *AGE* *PLACE OF BIRTH (CITY AND STATE)*
RES ADDRESS *CITY* *PHONE*
WK ADDRESS / SCHOOL *CITY* *PHONE*
SEX M F RACE WHITE HISPANIC BLACK SAMOAN VIETNAMESE OTHER ______
HEIGHT *WEIGHT* *CDL OR OTHER ID #*
HAIR BLOND RED BROWN BLACK GRAY BLEACHED SALT/PEPPER WHITE NONE OTHER ______
HAIR STYLE COMBED BACK STRAIGHT WAVY/CURLY BUSHY BRAIDED GREASY MILITARY PONYTAIL SHAVED OTHER ______
HAIR LENGTH BALD RECEDING THINNING SHORT COLLAR SHOULDER LONG
EYES BROWN BLUE BLACK GREEN HAZEL GRAY
BUILD SMALL THIN MEDIUM MUSCULAR LARGE FAT POT BELLY
CONSENT CONTACT [ ] YES [ ] NO *CONSENT PHOTO* [ ] YES [ ] NO *PROBABLE CAUSE PHOTO* [ ] YES [ ] NO *PROBABLE CAUSE FOR PHOTO - enter DR # or PC in remarks on back*

CLOTHING	
CAP / HAT	
JACKET	
SHIRT	
PANTS / DRESS / SKIRT	
SHOES	
JEWELRY / GLASSES	
OCCUPATION / GRADE	
UNION AFFILIATION SOCIAL SECURITY NUMBER	
OTHER PEOPLE FRED UNDER SAME FI NUMBER? [ ] YES [ ] NO	VEHICLE [ ] Damage Front [ ] Damage Rear [ ] Damage Right [ ] Damage Left [ ] Front Lower [ ] Front Raised [ ] Rear Lower [ ] Rear Raise [ ] Rust / Primer [ ] Chrome Wheels [ ] Vinyl Top [ ] Decal / Emblam [ ] Unique Exterior [ ] Color Variation [ ] Interior Color [ ] Tinted Windows ______ [ ] Other ______
[ ] DRIVER [ ] VICTIM [ ] PASSENGER [ ] WITNESS [ ] PEDESTRIAN [ ] OTHER	
YEAR MAKE MODEL	
BODY STYLE COLOR / COLOR	
LICENSE # STATE	
AFFILIATE INFORMATION [ ] YES [ ] NO	
OFFICER ID ENTERED BY:	

FIGURE 3-6 Field Interview Card (Front).

(Courtesy of the La Habra Police Department)

GANG [ ] NON-GANG [ ]	D.O.J. GANG CRITERIA
SCARS / TATTOOS	[ ] Gang Dress [ ] Gang Tattoo [ ] Prior Gang Crime
[ ] None - Unknown	[ ] Gang Writing [ ] Claims Monitor [ ] Name in Graffiti
[ ] Head	[ ] Gang Area [ ] Associating with Gang Members [ ] Claims Gang Membership
[ ] Face	[ ] Derives Gang Affiliation
[ ] Neck	GANG CLIQUE CLAIMED
[ ] Right Arm	AFFILIATED GANGS
[ ] Left Arm	MONIKER(S)
[ ] Hands	SERVED WITH S.T.E.P ACT NOTICE [ ] YES [ ] NO
[ ] Torso	
[ ] Back	
[ ] Legs	
ADDITIONAL INFORMATION:	
REASON FOR CONTACT:	
RELATED -AR-DR-etc	

ACTION TAKEN	OFFICE USE ONLY:
[ ] WARRANT CHECK	CAL GANGS: ☐
[ ] ACTIVE PAROLE	RECORDED:
CDC#	DATE:
P.O. ________________	DETAILS:
[ ] PROBATION	RIGHT THUMBPRINT
CASE#	
P.O. ________________	
[ ] SEARCH & SEIZURE	
[ ] GANG TERMS	
[ ] ARRESTED	
DR# ______________	

FIGURE 3-7 Field Interview Card (Back).

Courtesy of the La Habra Police Department

► Notes as Evidence

How field or investigative notes are handled once a report is completed varies from agency to agency and company to company. Some entities have written policies that require investigators to destroy their notes once a report is written while others require investigators to give the notes to the prosecutor. The important thing to remember is that you need to know what the policy is in your specific case and to follow it.

Summary

Just as the beginning of an investigation is defined by when and how the investigator gets involved, the roots of a report are the field or investigative notes the investigator compiles. Notes are so important because humans are usually ill equipped to accurately remember details over extended periods of time. Good notes are a great aid to the investigator and serve as a place to store information, as building blocks for reports and as an aid to the investigator's memory.

To be of the most value, notes should be readable, accurate, and concise, and the investigator must always be able to understand what has been written. Investigators should give careful thought to the type and size of field notebook they use because a good fit will only make the job easier. Once the investigator has chosen the best style and size of notebook, a plan should be used in setting up how the information will be recorded and then accessed. Investigators cannot go wrong by leaving some room between their writings, which will make reading and locating information easier. Critical items such as weather conditions, measurements, sketches, drawings, and key words and phrases used by the suspect should be carefully added. Just as important as it is to include this type of information, it is equally important to leave personal information out.

Knowing how to gather information is another skill that marks the superior investigator. Asking a person to give a short overview of what he or she knows before you start writing can be of great assistance in getting complete and accurate data, because it can help you formulate the right questions to ask as you get more in-depth. Last, even though handwritten notes are more commonly taken, some investigators will use a handheld tape recorder to capture their notes. Although this can be a quality tool for some investigators, it is not without problems for others. Loss of power, mechanical problems, bad tape quality, and background noise are some of the problems investigators may face. Whichever method is used, notes must be cared for and retained according to departmental policy and case law.

Key Terms

Accurate *32*
Aid to their memory *32*
Building blocks *31*
Concise *32*
Complete *33*
Drawing *36*
Field interview cards *37*
Key words and phrases *36*
Listen first, then write *39*
Measurements *35*
Mechanics of note taking *32*
Readable *32*
Sketch *36*
Storage *31*
"Thirty-word version" of a story *37*

Review

1. Basic uses of notes are:
   Storage of information
   Building blocks for reports
   An aid to your memory
2. Notes must be legible and understandable.
3. Information must be accurate.
4. The type and style of notebook is an individual matter.
5. Keep personal and nonbusiness information out of your notes.
6. Remember to ask for the "thirty-word version."
7. Listen first, then write.
8. Make sure you can understand your notes.
9. Write on only one side of the page.
10. Keep notes whole.

Exercises

1. Review your class notes from any college course or training session you have completed and consider whether or not:
   a. Your notes are an aid to your memory about what took place in the class.
   b. Your notes successfully serve as a storage place for the information you need.
   c. You are able to prepare a one-page report about the class using the notes as a building block for the report.
   d. There is any personal information in the notes.

2. Record a 30-minute news broadcast, and watch it while recording it. Watch it a second time while taking notes, and use these notes to prepare a report about the stories that were broadcast. Which principle of note taking will this help you practice?

3. Repeat exercise 2 with a different tape, but do so while standing in a dark room, using only a flashlight and the light from a television screen to illuminate your notebook. Is there any difference in the mechanics of note taking?

4. Visit a stationery store and look at several types of notebooks. Make a list of the pros and cons of each notebook you examined. Which type and size do you prefer?

5. Interview a classmate and record enough information so that you can introduce the person to the class. Pay particular attention to the correct spelling of names.

6. Watch a television program with a "cops-and-robbers" theme. Record the information you think is important, and then prepare a one-page report from your notes.

7. Review a classmate's notebook. How is it organized? Are the notes legible and understandable?

8. Use a field notebook to sketch a diagram of your classroom and include any audiovisual equipment in the room. Be sure to include measurements of the room and the placement of the equipment.

9. Visit the campus library and sketch the first floor, including the measurements of all important equipment and tables.