

**SNOHOMISH COUNTY PROSECUTOR'S OFFICE
INVESTIGATIVE CHECKLIST**

ASSAULT IN THE FIRST DEGREE

RCW 9A.36.011(1)(a)(b)(c)

ELEMENTS

Suspect

1. With intent to inflict "great bodily harm":
- bodily injury which creates a probability of death, AND/OR
 - bodily injury which causes a significant serious permanent disfigurement, AND/OR
 - bodily injury which causes a significant permanent loss or impairment of the function of any bodily part or organ
- 2(a). Assaults another person with:
- a firearm
 - any deadly weapon as defined in RCW 9A.04.110(6)
 - any force or means likely to produce great bodily harm or death

OR

- 2(b) Administers, exposes, transmits to, or causes to be taken by another:
- poison
 - the HIV virus
 - any other destructive or noxious substance

OR

- 2(c) Assaults another and inflicts great bodily harm.

SPECIFIC REQUIREMENTS

- [] 1. Victim's medical reports and statements from all medical personnel treating victim regarding:
- cause of injuries
 - nature and extent of injuries
 - to what extent the injuries meet the above definition(s) of "great bodily harm".
- [] 2. If alleging 2(b), testing and scientific analysis of any destructive or toxic substances and of blood sample from victim.
- [] 3. Determine and detail what evidence exists to disprove/prove that the assault was in self-defense/defense of others.
- [] 4. Determine and detail what evidence exists to disprove/prove that the assault was accidental.
- [] 5. Determine and detail what evidence exists to prove/disprove the suspect's motive.

- [] 6. Determine and detail what evidence exists to prove/disprove the prior relationship between the suspect and victim.
- [] 7. Determine and detail what evidence exists to disprove/prove the suspect's alibi -- and specifically interview possible alibi witnesses.
- [] 8. Determine and detail what evidence exists to disprove/prove victim's planned activities that day.
- [] 9. Determine and detail what evidence exists to prove/disprove suspect's use of drugs/alcohol.
- [] 10. Determine and detail what evidence exists to prove/disprove victim's use of drugs/alcohol.
- [] 11. Consider the need for forensic laboratory examination and testing, including DNA testing, blood pattern analysis, fingerprint comparison, tool mark comparison, gunshot distance and trajectory path determinations, gun operability tests, serial number restoration, etc.
- [] 12. In addition to the usual photographs (with a detailed photo log), consider such special techniques as videotaping the scene, aerial photography, etc.
- [] 13. Prepare detailed diagrams of the crime scene, with accurate measurements.
- [] 14. If suspect may be suffering from a mental disease or defect, determine and detail what evidence exists to prove/disprove that at the time the assault was committed, either the suspect's mind was affected by the mental disease or defect such that the suspect was unable to perceive the nature and quality of his/her actions, or that the mental disease or defect prevented the suspect from being able to appreciate that his/her actions were wrong.