

# SNOHOMISH COUNTY PROSECUTOR'S OFFICE INVESTIGATIVE CHECKLIST

## FIRST DEGREE BURGLARY

RCW 9A.52.020

### SPECIFIC CONSIDERATIONS

- [ ] 1. Determine and detail what evidence exists to prove/disprove that the suspect unlawfully entered or remained in a building, to include statements re lack of permission and physical evidence of forced entry.
- [ ] 2. Determine and detail what evidence exists to prove/disprove that the suspect entered or remained in the building with the intent to commit a crime inside (specify the crime).
- [ ] 3. Determine and detail what evidence there is to prove/disprove that while entering, remaining, or fleeing, the suspect either was armed with a deadly weapon or assaulted a person.
- [ ] 4. If the suspect is an accomplice, determine and detail what evidence exists to prove/disprove that the suspect knew his/her aid would facilitate the crime.
- [ ] 5. Document and photograph evidence of forced entry, damage, or injury.
- [ ] 6. Document efforts to obtain physical evidence to prove identify of intruders, such as fingerprints, footprints, tire tracks, even if unsuccessful.
- [ ] 7. 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.
- [ ] 8. Consider the need for detailed diagrams of the crime scene, with accurate measurements.
- [ ] 9. The victim's written statement is to include, not only a detailed description of the incident itself, but also whether there is a prior relationship between the suspect and victim, and whether the suspect had permission to enter or remain, this time or ever.
- [ ] 10. Determine and detail what evidence exists to prove/disprove the suspect's motive, for example, sexual motivation, domestic violence, etc.
- [ ] 11. Statement from suspect(s), if possible. Get details of how/when/where suspect obtained any items from burglary. Get details of how/when/where suspect knows victim. If suspect admits entering/remaining without permission but denies intent to commit a crime inside, pin down suspect as to what was his/her intent. If no statement obtained, explain why.
- [ ] 12. Determine and detail what evidence exists to disprove/prove the suspect's alibi -- and specifically interview possible alibi witnesses.

13. If this is a "theft-type" case, do what one does with other felony theft crimes.
- a. Determine and detail what evidence exists to disprove/prove that the suspect wrongfully obtained or exerted unauthorized control over the victim's property, with intent to deprive the rightful owner of the property.
- b. Provide fair market values of the stolen items with supporting documentation, if aggregate fair market value is greater than \$750.00
- c. If property recovered, provide reports detailing how items recovered, even if from another agency.
- d. If property recovered, explain how property was identified as being property stolen in the burglary.
14. If this is an "assault-type" case, do what one does with other felony assault crimes.
- a. Victim's medical reports and statements from all medical personnel treating victim regarding cause of injuries, and nature and extent of injuries.
- b. Determine and detail what evidence exists to disprove/prove that the assault was in self-defense/defense of others.
- c. Determine and detail what evidence exists to disprove/prove that the assault was accidental.
15. 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.