

SNOHOMISH COUNTY PROSECUTOR'S OFFICE INVESTIGATIVE CHECKLIST

DRIVE-BY SHOOTING

RCW 9A.36.045

ELEMENTS

The suspect

1. Recklessly discharges a firearm (from which a projectile is fired by an explosive such as gunpowder)
2. from
 - a motor vehicle, OR
 - the immediate vicinity of a motor vehicle that was used to transport the shooter and/or the firearm to the scene of the discharge
3. in a manner which creates a substantial risk of:
 - death, OR
 - serious physical injury
4. to another person.

SPECIFIC REQUIREMENTS

1. Seize any shell casings and/or projectiles from the vehicle and scene. Submit to crime lab for comparison with any weapons obtained.
2. Determine actual ownership of the vehicle involved and obtain statement from owner if possible as to how shooter and/or firearm came to be in the vehicle.
3. If firearm involved is stolen, obtain statement from actual owner and theft report, if filed.
4. Identify actual persons endangered and their location relative to the scene and obtain statements.
5. Consider preparing detailed diagrams of the crime scene, with accurate measurements, if it will help demonstrate bullet trajectory, location of suspect in relation to evidence, distances from shooter to endangered persons, location of casings, etc.
6. Photograph any physical damage, weapons and casings where found.
7. Document trajectory paths of bullets when possible.
8. Identify relationships between suspect and victim, if any, and gang affiliation of suspect and victim, if any.
9. Determine and detail what evidence exists to prove/disprove the suspect's motive.
10. Determine and detail what evidence exists to disprove/prove the suspect's alibi -- and specifically interview possible alibi witnesses.

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, forensic entomology, forensic anthropology, etc.