

## SNOHOMISH COUNTY PROSECUTOR'S OFFICE INVESTIGATIVE CHECKLIST

### UNLAWFUL IMPRISONMENT

RCW 9A.40.040

The suspect committed unlawful imprisonment when he/she knowingly “restrained” another person. “Restrain” means to restrict that person’s movements without consent and without legal authority in a manner which interferes substantially with the person’s liberty. “Without consent” means a) obtaining the victim’s acquiescence by physical force, intimidation or deception, or b) obtaining the victim’s acquiescence when the victim is under 16 years old or is an incompetent person, and the parent, guardian or other person or institution having lawful control or custody of the person has not acquiesced.

### SPECIFIC CONSIDERATIONS

- [ ] 1. Identify how the victim’s freedom of movement was restricted.
- [ ] 2. Identify what physical force, intimidation or deception was used to accomplish the restraint.
- [ ] 3. If the victim is under 16 years old, or is an incompetent person, obtain a statement from the victim’s parent, guardian or custodian regarding the lack of consent by the parent/guardian/custodian.
- [ ] 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. Determine and detail what evidence exists to prove/disprove the prior relationship between the suspect and the victim.
- [ ] 6. Identify the precise nature of any threat used and what effect such threat had on the victim.