

SNOHOMISH COUNTY PROSECUTOR'S OFFICE INVESTIGATIVE CHECKLIST

TAMPERING WITH A WITNESS

RCW 9A.72.120

ELEMENTS

1. The suspect attempted to induce
 - a. a witness in an official proceeding; OR
 - b. a person the suspect has reason to believe is about to be called as a witness in an official proceeding; OR
 - c. a person whom the suspect has reason to believe may have information relevant to a criminal investigation, or the abuse or neglect of a minor child; AND

2.
 - a. to testify falsely; OR
 - b. to withhold testimony without a right or privilege to do so, OR
 - c. to be absent from such proceedings; OR
 - d. to withhold information relevant to a criminal investigation or the abuse or neglect of a minor child from a law enforcement agency.

SPECIFIC REQUIREMENTS

- [] 1. Identify the precise nature of the inducement, whether direct or indirect, and how communicated.

- [] 2. Obtain police report or court record to show the victim is or was an actual or potential witness, and identify the custodian of that record.

- [] 3. Seize, if available, any means by which the inducement was communicated, such as voice mail recording, e-mail, text message, written materials.

- [] 4. Determine what the suspect wants the victim to do as a result of the inducement.

- [] 5. Determine and detail what evidence exists to prove/disprove the suspect's motive.

- [] 6. Determine and detail what evidence exists to disprove/prove it was the suspect who attempted the inducement and to disprove/prove the suspect's alibi. Interview possible alibi witnesses.