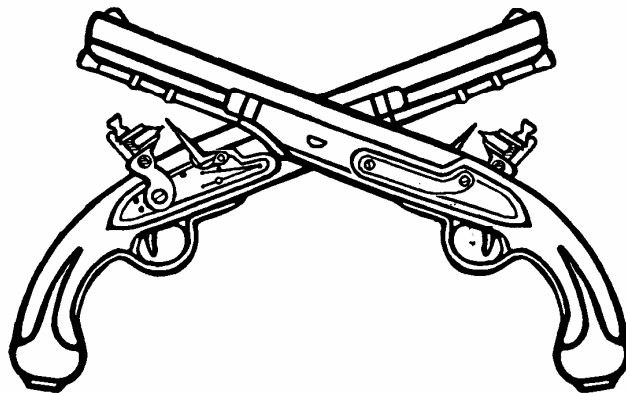


**SUBCOURSE
MP2004**

**EDITION
B**

**DIRECT PERSONNEL
CONDUCTING INVESTIGATIONS**

MP



SETS THE STANDARD FOR EXCELLENCE

**THE ARMY INSTITUTE FOR PROFESSIONAL DEVELOPMENT
ARMY CORRESPONDENCE COURSE PROGRAM**

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**THRU
GROWTH**

DIRECT PERSONNEL CONDUCTING INVESTIGATIONS

SUBCOURSE NO. MP2004

EDITION B

US Army Military Police School

4 Credit Hours

Edition Date: March 1995

SUBCOURSE OVERVIEW

The Direct Personnel Conducting Investigations Subcourse, is designed to present the knowledge required to direct personnel who are conducting the investigation of an offense. You will learn the proper and efficient procedures used--

- o To direct crime scene supervision.
- o To direct personnel conducting the investigation of an offense.
- o To direct, monitor, and review crime prevention surveys.

Unless otherwise stated, the masculine gender of singular pronouns is used to refer to both men and women.

TERMINAL LEARNING OBJECTIVE

ACTION: Direct personnel conducting investigations.

CONDITION: You will have this subcourse, paper and pencil.

STANDARD: To demonstrate competency of this task you must achieve a minimum score of 70 percent on the subcourse examination.

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LESSON 1

MONITOR CRIME SCENE AND EVIDENCE PROCESSING AND ACCOUNTABILITY PROCEDURES

Critical Tasks: 03-3756.00-6000

OVERVIEW

LESSON DESCRIPTION:

In this lesson you will learn how to monitor the crime scene and direct evidence processing

TERMINAL LEARNING OBJECTIVE:

- ACTION: Ensure that proper evidence procedures are used both at the crime scene and at the evidence depository.
- CONDITION: You will have this subcourse, paper and pencil.
- STANDARD: To demonstrate competency of this task you must achieve a minimum score of 70 percent on the subcourse examination.
- REFERENCES: The material contained in this lesson was derived from the following publications: AR 15-6, AR 190-30, AR 195-3, AR 195-5, AR 340-18-5, FM 19-10, FM 19-20.

INTRODUCTION

As a military police officer, you must be familiar with and be prepared to direct the actions of military police at a crime scene. Establishing procedures to ensure that evidence is properly identified, protected, collected, marked, secured, transferred, and disposed of while maintaining a chain of custody, is the key to a successful trial prosecution.

PART A - PROTECTING THE CRIME SCENE

You are an MP duty officer. You have received notification of a crime. Upon arrival at the crime scene, you must supervise and direct the actions of other MP. The persons at the scene must receive adequate instructions. A breakdown of the basic procedures to follow upon arrival at a crime scene are presented in this learning event. Note that the procedures may not always be performed in the order presented here. The order may vary depending on the crime committed. However, any evidence must be maintained in its original state and condition. General procedures for crime scene processing are as follows:

- o Direct MP to apprehend suspected violators if they are present on the scene.
- o Direct MP to administer first aid if there are injured persons at the scene.
- o Direct MP to temporarily collect identification of all persons on the scene, then separate witnesses, victims, and persons who notified the MP.
- o Protect the crime scene.
- o Search the crime scene.

Each is discussed in detail below.

Apprehend Suspected Violators

Upon arrival at the scene of a crime, you must first be aware of violators. Violators are the persons suspected of committing the crime. They must be apprehended. These persons may be referred to as the "primary participants" in a crime or the "principals." The person who commits an offense is a principal. A person who aids or assists in an offense is also a principal. The aider or assistant to the crime shares the same criminal intent of the person who committed the crime. An aider or assistant may counsel, command, or induce someone into committing a crime. An aider may or may not be present at the scene of the crime upon committal.

When apprehending suspected violators at the scene of the crime (if in fact suspects are present), you need to consider the possible actions of those persons. For example, if a weapon or assaulting force was used during the offense, you need to take the necessary precautions to avoid injury to yourself and others present at the scene.

You must also consider the attitude of the persons to be apprehended. Does the individual appear angry or nervous? Does he appear violent?

You, as a military police officer, must adjust your approach according to the suspected violator's attitude. Only then will you be able to deal with him in the most efficient manner.

Consider the possible actions of any individuals in the immediate area.

Is there more than one suspect? Was the offense a type that might generate a crowd uprising? All of these factors must be considered.

Finally, you must arrange to transport those persons apprehended as soon as possible. If necessary, request additional MP patrols.

Administer First Aid

If injured persons are discovered at the scene of the crime, giving them aid is a matter of first priority. Proper procedures must be followed. If there are trained medical personnel in the area, request their assistance. Call for proper medical personnel as the situation requires.

In extreme cases, it may be necessary to move objects or persons that may have evidence potential. However, movement of evidence prior to when it has been fully processed and examined should be avoided whenever possible. Otherwise, you run a great chance of losing evidence crucial to the case.

Collect Identification and Separate Victims, Witnesses

MP at the scene of a crime should temporarily collect some form of identification from all persons at the scene. Once names have been recorded, the identification should be returned. This is done to ensure that all persons are positively identified and interviewed.

MP must also separate witnesses, victims, and persons who notified the military police into groups. This is done so that questioning can be done individually. Be sure to separate the groups far enough apart to prevent the victim from talking to witnesses. Each group should be instructed to avoid discussing the incident. Individual questioning should be conducted far enough from the group that your conversation cannot be heard. Be sure to record the name, rank, social security number (SSN), and unit of bystanders and those questioned.

Protect the Crime Scene

Protecting the crime scene is vital. Basic procedures include the following:

- o Limit access to the crime scene.
- o Protect to prevent loss, theft, alteration, and destruction of evidence.

The immediate protection measures include roping off critical exits and posting guards to control spectators around areas expected to have high potential for physical evidence. Areas containing physical evidence should be covered when in jeopardy of being affected by smoke, rain, snow, wind, or direct sunlight. Evidence at the crime scene must be maintained in its original state and condition. Thus, MP are directed to keep unauthorized persons from entering the crime scene. Access to the crime scene must be limited. The area is protected to prevent loss, theft, alteration, and destruction of evidence.

Preserve Physical Aspects. The underlying intent of all actions taken to protect the crime scene is to preserve its physical aspects so that they may be reviewed in detail by the crime scene investigators assigned to the case. Thus, the major task of the MP representatives observing the scene is to prevent certain actions. Specifically, prevent--

- o Unnecessary walking about. Particular precautions must be taken to avoid walking in areas that are likely to bear the impressions of footprints or tire tracks.
- o Moving items or disturbing the bodies of deceased persons.
- o Touching items or surfaces that are likely to yield latent fingerprints.
- o Any items from being removed from the scene. This includes moving bodies of deceased persons after they have been pronounced dead by a medical doctor unless the crime scene investigator in charge of the search gives specific permission.

The scene of any crime is itself evidence. The testimony of a trained MP concerning observations and findings at an unchanged crime scene is vitally important to the successful clearance of the case. Improper protection of the crime scene will usually result in the contamination, loss, or unnecessary movement of physical evidence.

The actual scene of the crime is the place from which many investigative leads emanate. It provides the crime scene investigator with a starting point for the search for the offender. Plus, it yields important clues for crime laboratory examiners who may evaluate the evidence. Therefore, the first MP to arrive at the scene of the crime should automatically secure the crime scene from unauthorized intrusions.

MP Duties. The first responsibility of the MP must be to cooperate with investigators, laboratory examiners, and other specialists who may later search and process information. The military police who secured the scene should make all their information immediately available to any investigators who subsequently arrive to take charge of the investigation or to conduct a crime scene search. Details are important. For example, if an item was touched or moved by the MP who secured the scene, that fact should be made known to the investigators or laboratory examiners.

It is possible that the crime scene will undergo some physical change as the result of weather or some other action after the arrival of the MP who secured the scene. If so, the MP who arrived first should pass on their observations of such changes to arriving investigators.

Search the Crime Scene

A competent search of a crime scene demands specialized training and an understanding of basic procedures. It also demands an appreciation of the "why" of certain actions and close attention to detail when carrying them out. The investigator must deal with certain basic guidelines and procedures that help avoid oversight. He must also ensure thoroughness of the search. The investigator must also comply with both the legal and scientific requirements for the use of physical evidence.

First, you need to make a preliminary examination of the scene. You need to note items, locations, and conditions that seem to have the greatest importance to the case. At this point, you need to observe and record. Note where everything is located. It is useful to photograph the scene at this time.

There are four methods that can be used to search a crime scene. (See Figure 1-1.) The four methods are—

- o The zone or sector search.
- o The circle search.
- o The strip search.
- o The grid search.

The method used must always support what the search is intended to accomplish--a comprehensive and nondestructive accumulation of all available physical evidence. A systematic circle search is used in rooms, buildings, and small outdoor areas. In large outdoor areas, a strip search followed by a grid search is more useful. Zone or sector searches may be used for indoor and outdoor searches. This must be done within a reasonable period of time. The search should economize on movement and avoid unnecessary disturbance.

The search for evidence is initially completed when the investigator has returned to the point where the search began.

PART B - RECORDING THE CRIME SCENE

A detailed record of the crime scene and of the actions taken during the search of the crime scene help the investigator to accurately recall events and to identify evidence items later in court. The notes, photographs, and sketches made by the investigator also serve as a valuable reference concerning details uncovered during the search. There are three common means of recording the crime scene. They are--

- o Notes.
- o Photographs.
- o Sketches.

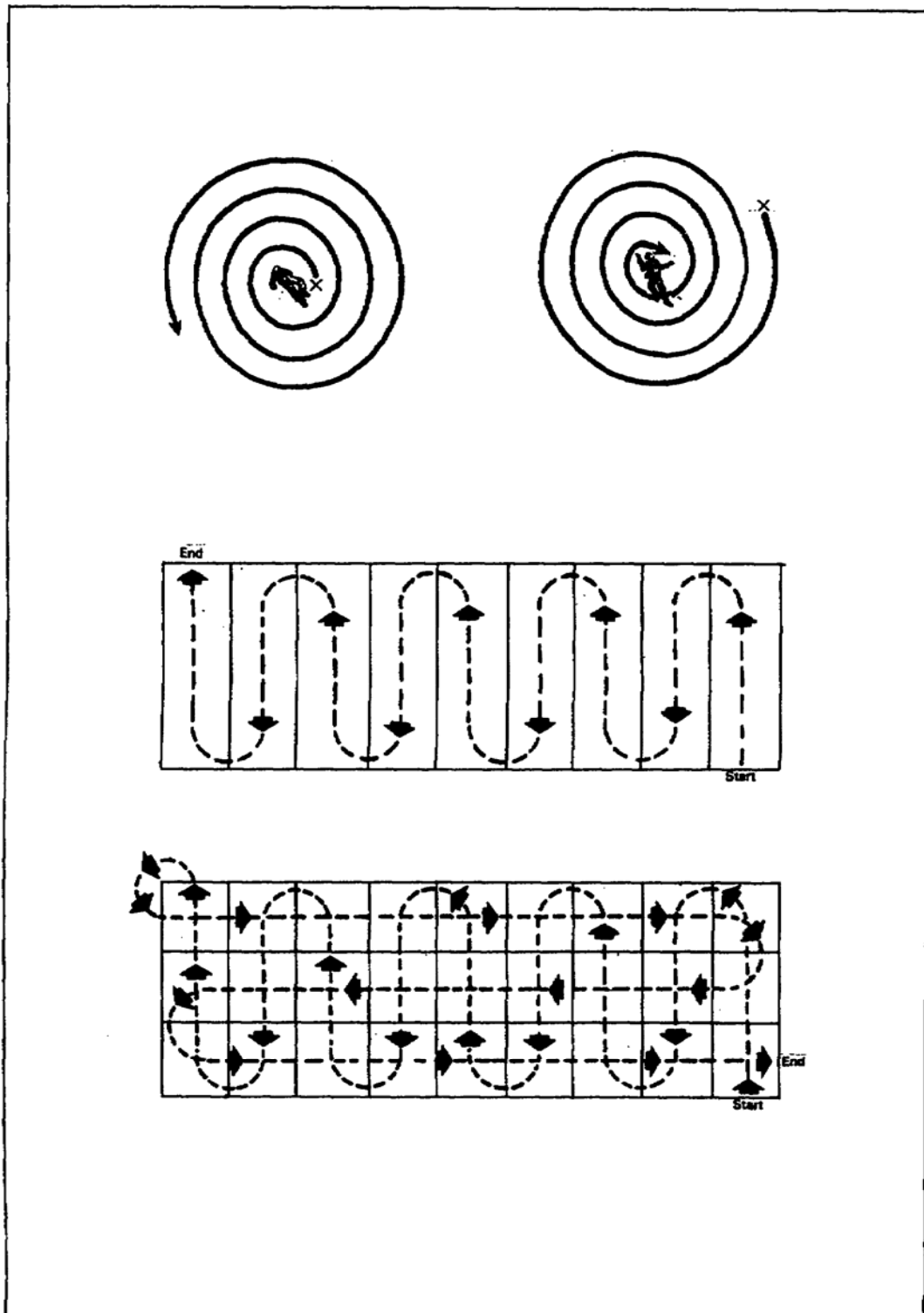


Figure 1-1. Types of Searches.

Each is discussed in detail below.

Notes

Taking notes serves as a means of recording the pertinent facts and details of a crime scene. Some of the basic facts that must be recorded are--

- o The time, date, and weather conditions upon arrival at the crime scene.
- o Identification of all personnel involved as well as identification of victims, witnesses, and suspects.
- o A description of the crime scene.
- o A description of the evidence.

The investigator's notes are his personal and most readily available record of the crime scene. While you may be inclined to jot abbreviated notes, it is important to make notes that will remain fully clear even months after the event.

The notes should begin with the investigator's assignment to the case and continue through the completion of the investigation. Notes should be supplemented with photographs, sketches, and scale drawings. Be sure to sequence your notes in a logical and systematic manner. Your notes serve to aid in the accurate recall of events for testimony in court. Plus, they furnish raw material for your written report on the case.

Use the following guidelines when taking notes:

- o Print your notes if your handwriting is not easy to read.
- o Use blue or black nonsmudge ink.
- o Number each page.
- o Identify each page with your name, your title or rank, the case number, and the date.
- o Record the times when an action is taken, when information is received, and when an event is observed.
- o Do not edit or erase your notes. If you make a mistake, line out the entry, initial it, and write the correct information.
- o Use a looseleaf notebook rather than a bound notebook.

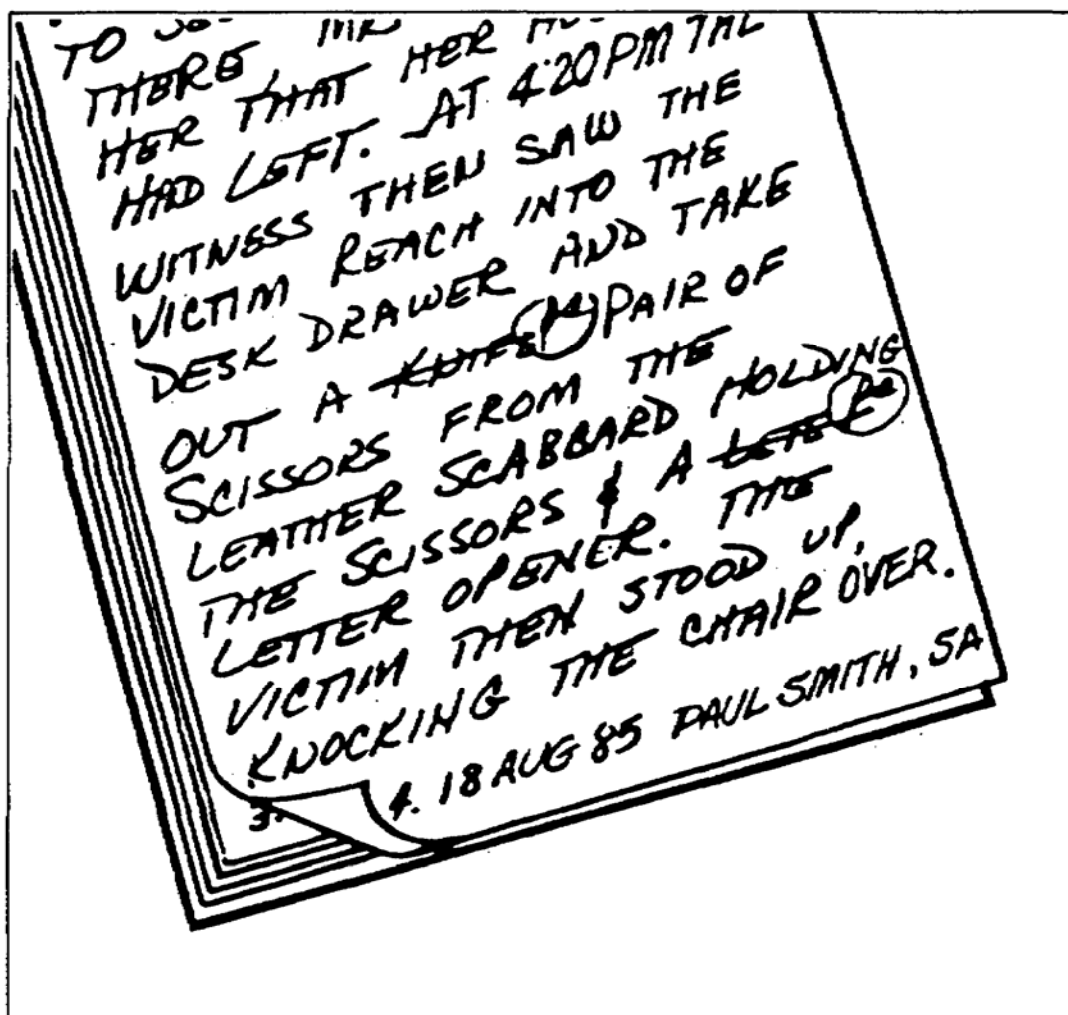


Figure 1-2. Handwritten Entry.

Use of a tape recorder may prove helpful in major cases where the amount of physical material is large and the search of the crime scene very lengthy and involved. By taping observations and findings, the investigator can include more details in his notes. One disadvantage of recording notes is the difficulty the investigator would have in consulting the recorded transcript. In all cases, the tapes should be transcribed into a written record so that the investigator may use it more easily in court.

The investigator's notes should be kept permanently in the local office case file. This will constitute a record that may later prove valuable. Even if the accused is convicted, there is always the possibility than an appeal or some other civil action will require the investigator's reappearance in court.

Photographs

Crime scene and evidence photographs are taken to supplement notes and sketches or to clarify a point relative to a case. Photographs are also used to identify personnel and to form a permanent record of fragile or perishable evidence. Objects must not be moved until they have been photographed from all angles.

Camera positions and distances to the focus point must be recorded. This can be done by measuring from a point on the ground directly below the camera lens to the stationary object used as the focus point for the photograph. It is best to keep the camera at eye level, unless a tripod is used.

NOTE: If an explosive was used at the crime scene and there is residue of the explosive present, do not use a flash attachment.

Photographs of interior scenes, intended to depict the area as a whole (360 degrees), should be taken as overlapping segments in one direction around the room or area. (See Figure 1-3.)

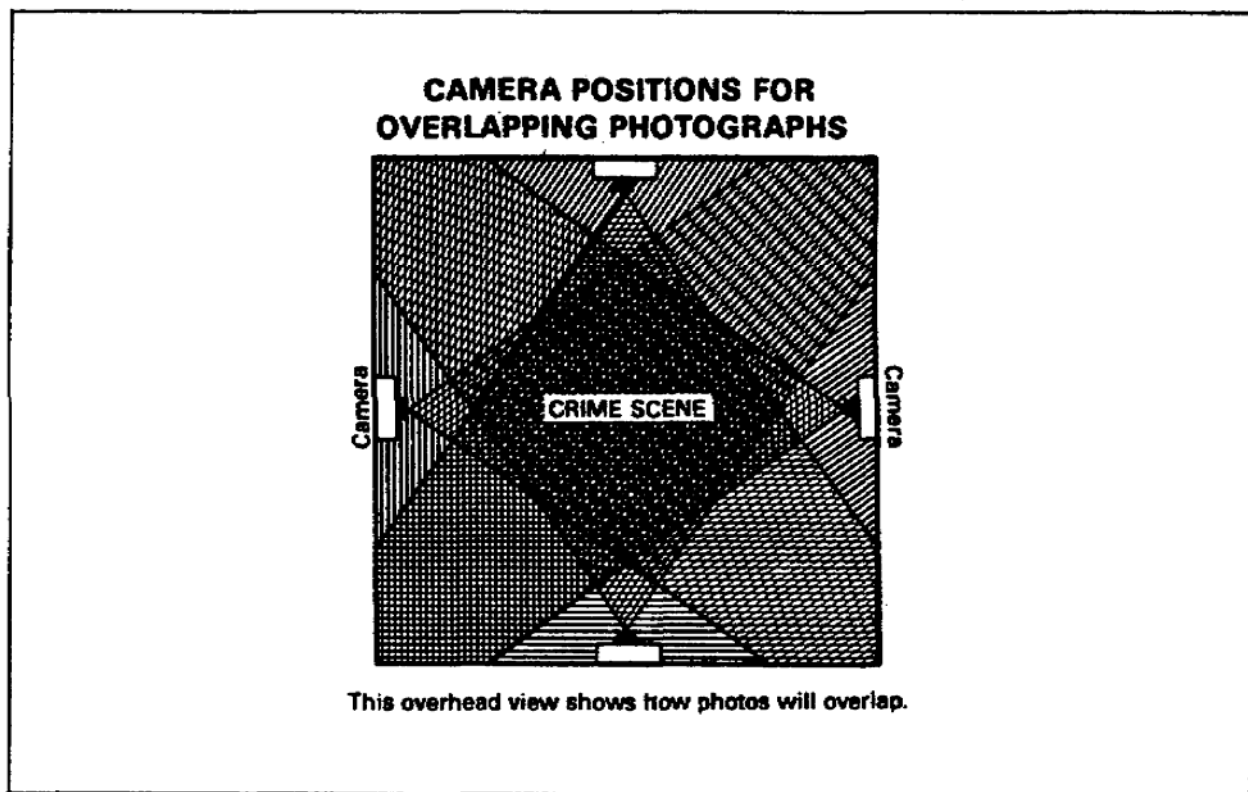


Figure 1-3. Camera Positions for Overlapping Photographs.

Identification of Photographs. The technical data pertaining to each photograph must be recorded so each can be precisely identified. This information, recorded in a photo log, becomes part of the permanent record of

each case. Figure 1-4 shows an example of a photo log. The information contained in each log is as follows:

- o Report number.
- o Date and time.
- o Photographer's name.
- o Camera, lens, and film type.
- o A description of each photograph. Include the time taken, the distance to the focal point, and any other remarks.

SA <u>TIM C. WINKLER</u>		Report Number <u>063-85-4807</u>		Date <u>25 NOVEMBER 1989</u>	
TIME <u>0904</u> Began taking crime scene photographs and drawing rough sketch to depict camera positions and distances. All photographs taken at eye level height (5' 6") unless otherwise indicated. All interior and exterior photographs are taken with the following equipment:					
TYPE CAMERA <u>CANON AE-1</u>		BODY NUMBER <u>603113</u>			
LENS FOCAL LENGTH AND LENS SERIAL NUMBER <u>50mm 1:1.4</u>		<u>10492</u>			
TYPE OF FILM <u>EKTACHROME</u>		NUMBER OF EXPOSURES <u>36</u>			
ASA <u>400</u>		FILTRATION <u>CANON HAZE</u>			
F/STOP <u>SEE REMARKS</u>		SHUTTER SPEED <u>SEE REMARKS</u>			
FLASH ATTACHMENT <u>NA</u>		FLASH SERIAL NUMBER <u>NA</u>			
EXPLANATION OF TERMS USED IN REMARKS COLUMN: Camera held in horizontal format, unless otherwise noted. DA-Photograph taken from directly above the object; V-Camera held in vertical format; N-Normal lens; M-Macro lens; WA-Wide angle lens.					
PHOTOGRAPH LOG					
TIME	PHOTO	TYPE PHOTO	DEPICTING	DISTANCE	REMARKS
0910	# 1	OUTSIDE ESTABLISHMENT	DISTANCE TO BUILDING # 3262-A FROM WALKWAY	14' 7"	N, 1/500 SEC, F/11
0913	# 2	OUTSIDE ENTRANCE	OPEN DOOR TO APARTMENT 126-A	6' 9"	V, N, 1/500 SEC, F/8
0918	# 3	EVIDENCE	PISTOL ON THE FLOOR IN THE DOORWAY	2' 6"	DA, N, 1/250 SEC, F/5.6

Figure 1-4. Sample Photo Log.

Admissibility of Photographs as Evidence. Photographs are admissible in court if the investigator can testify that they accurately depict the area he observed. The accuracy of the photograph always relates to the degree it represents the appearance of the subject as to form, color (if applicable), and scale. Thus, the use of a lens that will record with accuracy all objects and areas in focus may not portray correct distances between objects. Nor will it reproduce the objects with the proper perspective when they are out of focal range. In such situations, the investigator's notes and the crime scene sketch play strong supporting roles.

Because of the importance of scale, distance, and perspective, it is good procedure to include a ruler or other scale measurement in the photograph, when practical. However, because some courts have not allowed even this minor modification to the scene, an identical photograph without the scale indicator should also be taken.

If the photograph is to have the highest quality as evidence, it must depict the scene, persons, or objects precisely as they were found. Photography must therefore be an exclusive function of the crime scene. That is, people should not be working within the scene at the time it is photographed. Nor should extraneous objects such as MP or Criminal Investigation Division (CID) equipment be included in the pictures.

Sketches

Properly prepared sketches may be used during the questioning of persons, reconstruction of the crime scene, preparation of the report of investigation (ROI), and presentation of the information in court. They are also valuable sources of information for both the trial and defense counsels. Sketches are frequently introduced in court as evidence and used to acquaint the court with crime scenes. They also help witnesses orient themselves as they testify.

The sketch complements investigative notes and photographs made during the crime scene search. The sketch has the inherent advantage of any illustration with the additional advantage that unnecessary detail can be eliminated to portray the most essential elements of the crime scene and their relationships. There are several techniques that may be used to establish the location of evidence and other important items on the sketch. However, it is important to remember that the purpose of the sketch is to portray the information accurately, not necessarily artistically. Therefore, it is not required that the investigator have artistic ability to construct an adequate sketch of a crime scene.

Contents. Several items of information are considered essential in a crime scene sketch. These are listed below. However, as with note taking, such a list should not be taken as comprehensive. Nor should it restrict the crime scene investigator's judgement as to what he or she can include. The major constraint on detail in sketching is the result must be completely intelligible to the viewer without detailed study. If too much detail is included, the major advantage of the sketch over the photograph is lost. The sketch should include the following information:

- o Show critical features. The sketch must indicate the accurate measurements of the scene and the exact location of the evidence. This is done by the triangulation method.
- o Use a caption. The sketch caption is the heading (subject) of the illustration. Examples of a caption could be--"Rough Sketch Depicting Camera Positions and Distances" or "Rough Sketch Depicting Evidence, Measurements, and Triangulation."

- o Create a legend. The sketch legend explains all symbols, numbers, or letters used to identify objects on the sketch. Military symbols are used where practical.
- o Indicate compass direction. The compass direction of north should be indicated by an arrow and the letter "N."
- o Indicate the scale. The scale designation should show the scale of the drawing. For rough sketches, indicate "Not Drawn to Scale."
- o Create a title block. The name of the subject or suspect must not be included. The following information should be listed:
 - Case number.
 - Offense or incident.
 - Name and rank of victim.
 - Scene portrayed.
 - Location.
 - Time and date sketch began.
 - Name and rank of person who drew the sketch.
 - Name and rank of person who verified the sketch (witness).

See Figure 1-5 for an example.

It is important that measurements shown on the sketch be as accurate as possible. They should also be made and recorded uniformly. If one aspect of the sketch is accurate and another is not, the distortion renders the sketch relatively useless. It is important that the distances of an item in the sketch be measured in the same manner. For example, one coordinate leg to the victim should not be paced and the other measured with a tape measure. It is also a mistake to pace off a distance and then show it on the sketch in terms of feet and inches. Such an expression implies a far greater degree of accuracy than the measurement techniques could possibly produce. If the point arose in court, such imprecision could detract from the value of the sketch.

Types. The two basic kinds of sketches are the rough sketch and the finished sketch (scaled drawing). Both types of sketches contain the same general information, but differ according to the technique of presenting the information. They are presented below.

The rough sketch is the one drawn by the investigator at the scene of the crime. Changes should not be made in the sketch after the investigator has left the scene. The sketch will normally not be drawn to scale, but will indicate accurate distances, dimensions, and relative proportions. In order to eliminate excessive details in one sketch, it may be necessary to draw more than one sketch. For example, one sketch may be devoted to the position of the body and one or two of the more critical items of evidence. Additional sketches might depict the position of evidence with respect to the point of entry. Any paper may be used in constructing the rough sketch; however, plain, unlined paper or graph paper is best. It can be placed on a clipboard

Hand-drawn floor plan of a room with dimensions and furniture labels. The overall dimensions are 9'4" by 9'5".

Furniture and Labels:

- WITNESS 3'4" (top center)
- 1'6 1/2" x 2' WALL LOCKER (top left)
- 1'7" x 3 1/2" DRESSER (bottom left)
- CHAIR (top right, with dimensions 1'4" x 1'4", 11", 10")
- ENTER/EXIT (bottom left)
- 8'6" x 3' (bottom right)

Dimensions and Measurements:

- Overall width: 9'5"
- Overall height: 9'4"
- Top horizontal segment: 3'8"
- Top right diagonal segment: 2'5"
- Top right diagonal segment: 2'1/2"
- Top right diagonal segment: 3'2 1/2"
- Top right diagonal segment: 4'6 3/4"
- Top right diagonal segment: 3'7 1/2"
- Top right diagonal segment: 3'1"
- Top right diagonal segment: 3'10 1/4"
- Top right diagonal segment: 3'3"
- Top right diagonal segment: 2'5"
- Top right diagonal segment: 2'6"
- Top right diagonal segment: 8'6"

Other Features:

- Point (C) at top center
- Point (D) at top right
- Point (E) at top right
- Point (F) at top right
- Point (G) at top right
- Point (H) at top right
- Point (I) at top right
- Point (J) at top right
- Point (K) at top right
- Point (L) at top right
- Point (M) at top right
- Point (N) at top right
- Point (O) at top right
- Point (P) at top right
- Point (Q) at top right
- Point (R) at top right
- Point (S) at top right
- Point (T) at top right
- Point (U) at top right
- Point (V) at top right
- Point (W) at top right
- Point (X) at top right
- Point (Y) at top right
- Point (Z) at top right

TITLE BLOCK

CASE# 063-85-4809
OFFENSE: DEATH INVESTIGATION
SCENE PORTRAYED: ROOM #7
BLDG: S-3251-B, TROOP BILLET
LOCATION: FT McLELLAN, AL
VICTIM: SP4 FAYE M. MILLER
TIME & DATE BEGAN: 1000 12 JAN 85
SKETCHED BY: SA TIM C. WINKLER
VERIFIED BY: SGT BETTY C. GOODWIN



MP2004

large enough to form a smooth area for drawing. The investigator should have available the following items to prepare a rough sketch:

- o Soft lead pencil.
- o 50-foot steel tape measure.
- o Straightedge ruler.
- o Magnetic compass.
- o Several thumbtacks to hold one end of the steel tape when the investigator is working alone.

The finished sketch should be drawn to scale from the information in the rough sketch. By constructing a scaled drawing, the numbers concerning distances can be eliminated. The finished sketch need not be prepared by the investigator who drew the rough one. But, the investigator must verify the accuracy of the final product. It is recommended that a finished sketch be prepared by an experienced draftsman. The engineer officer of the command may be able to provide a qualified person for this task. The name of the person who prepared the finished sketch is indicated in the report and on the sketch. A copy of the finished sketch is attached to each copy of the report of investigation. See Figure 1-6 for an example.

Methods. There are various methods which can be used to establish the location of evidence and other important items at the crime scene. The simplest form of a sketch is a two dimensional presentation as viewed from directly above.

The triangulation method is used for indoor and inhabited outdoor scenes. (See Figure 1-7.) In this method, objects are located and fixed by creating a triangle of measurements from a single, specific, identifiable point on the object to two specific fixed points at the scene. Regularly shaped items are fixed by creating two separate triangles of measurements, each originating at opposite points on the object and terminating at specific points at the scene. Pliable objects are fixed by creating a single triangle of measurements from the center-of-mass of the object to fixed points at the scene plus measuring the longest or widest overall dimension (pattern size) of the object. All triangulation measurements must originate and terminate on the same plane (level). If movable items are to be used as fixed reference points, they must first be measured and fixed themselves. Crime scene measurements and the triangulation of evidence must be accurate and must be recorded in the investigative notes and on the appropriate sketches.

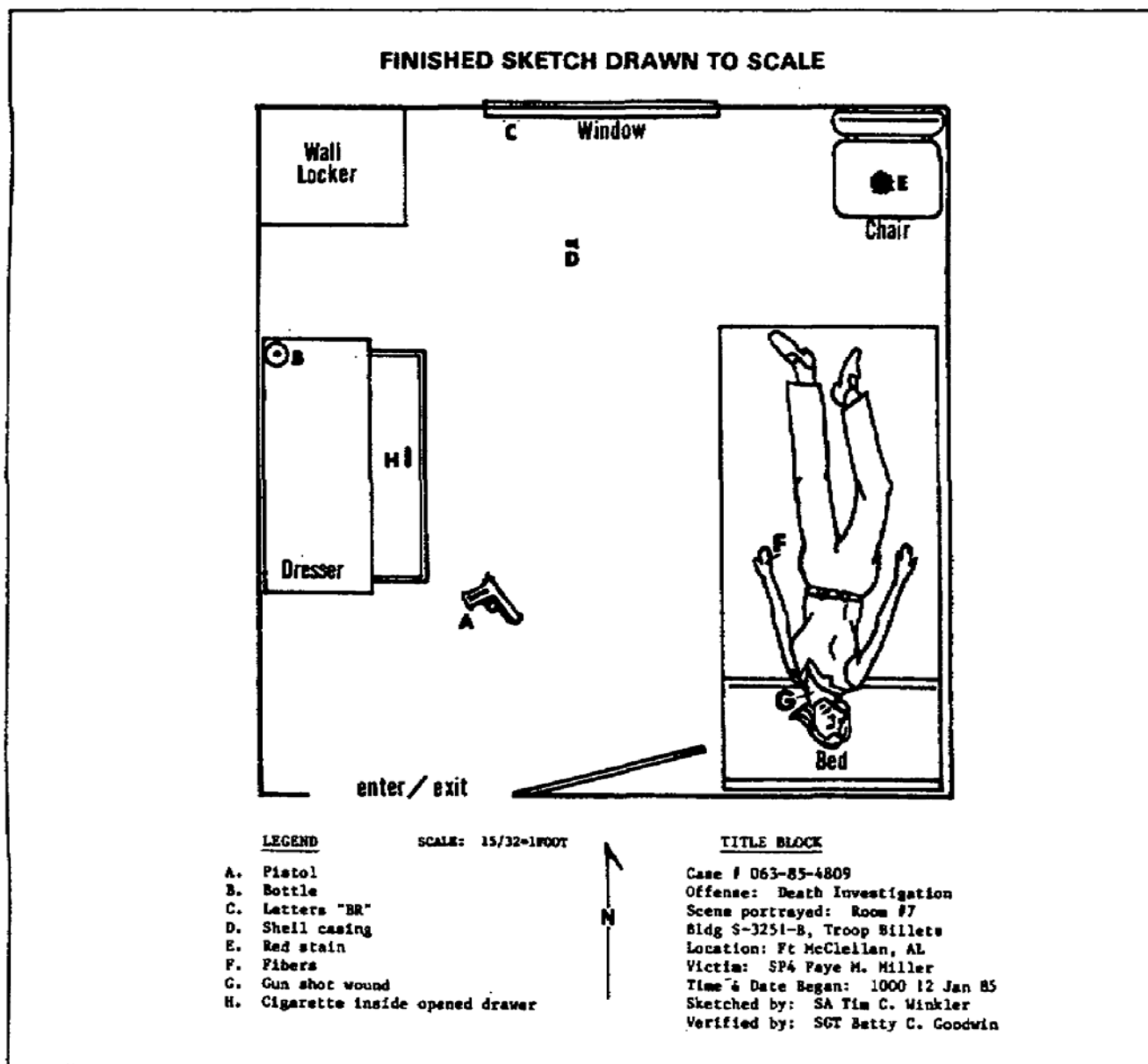
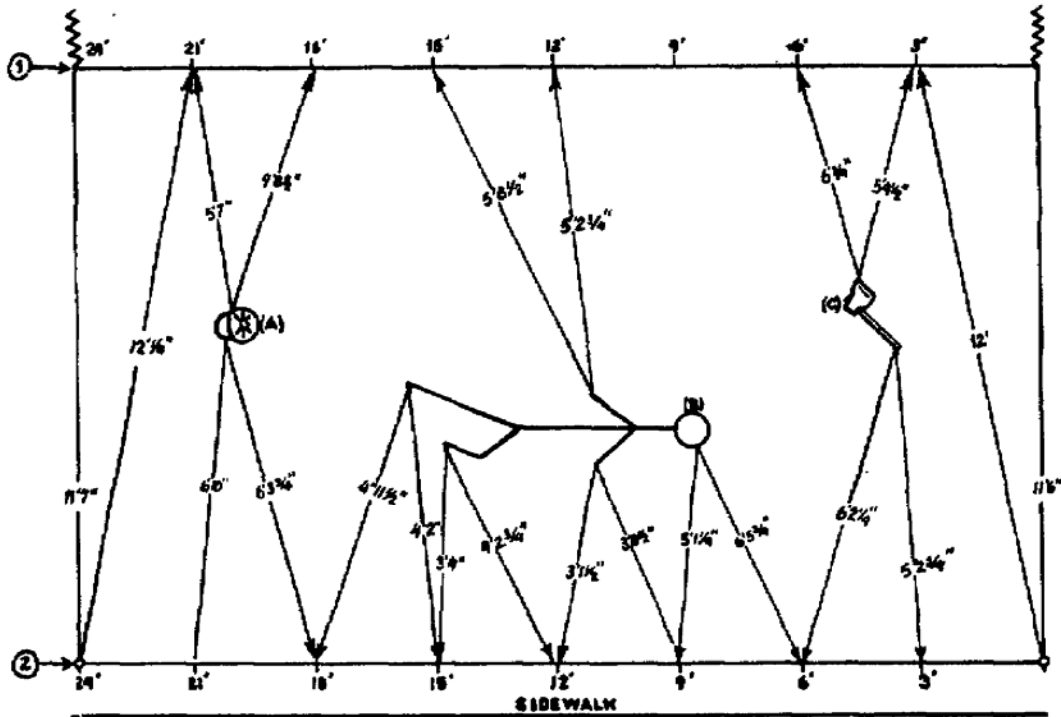


Figure 1-6. Finished Sketch Drawn to Scale.

Outdoor areas are considered in two categories--inhabited and uninhabited, or remote. The reason for this separation is that inhabited areas normally have easily defined fixed reference points and the triangulation method can be used. Uninhabited or remote areas may not have easily defined fixed points within a reasonable proximity. Objects or evidence will have to be located through the use of the intersection-resection method defined in FM 21-26.

Cross-projection in sketching adds another dimension. It is useful when the items or locations of interest are on or in the wall. The walls and ceiling, if appropriate, in a cross-projection sketch are drawn as though the walls had been folded out flat on the floor. (See Figure 1-8.) The required measurements and triangulation of evidence are then entered on the sketch. A cross-projection sketch may be used as the scaled drawing.

**ROUGH SKETCH SHOWING EVIDENCE MEASUREMENTS AND TRIANGULATION
OF AN OUTDOOR SCENE**



LEGEND

- ① - BASE SOUTHWALL
- ② - NORTH EDGE OF SIDEWALK
- A - FATIGUE CAP ON GROUND
- B - VICTIM ON GROUND
- C - HATCHET ON GROUND

NOT TO SCALE

TITLE BLOCK

CASE #: 0090-05-00043
 OFFENSE: DEATH INVESTIGATION
 SCENE PORTRAYED: GRASSY-GROUND AREA ADJACENT
 TO SOUTH SIDE OF BUILDING S-325-B
 LOCATION: FT McCLELLAN, AL
 VICTIM: 3GT ALAN MARION
 TIME AND DATE BEGAN: 0920, 24 MAR 85
 SKETCHED BY: SA B.J. OVERSTREET
 VERIFIED BY: RICHARD P. MCGRAW

Figure 1-7. Triangulation of an Outdoor Scene.

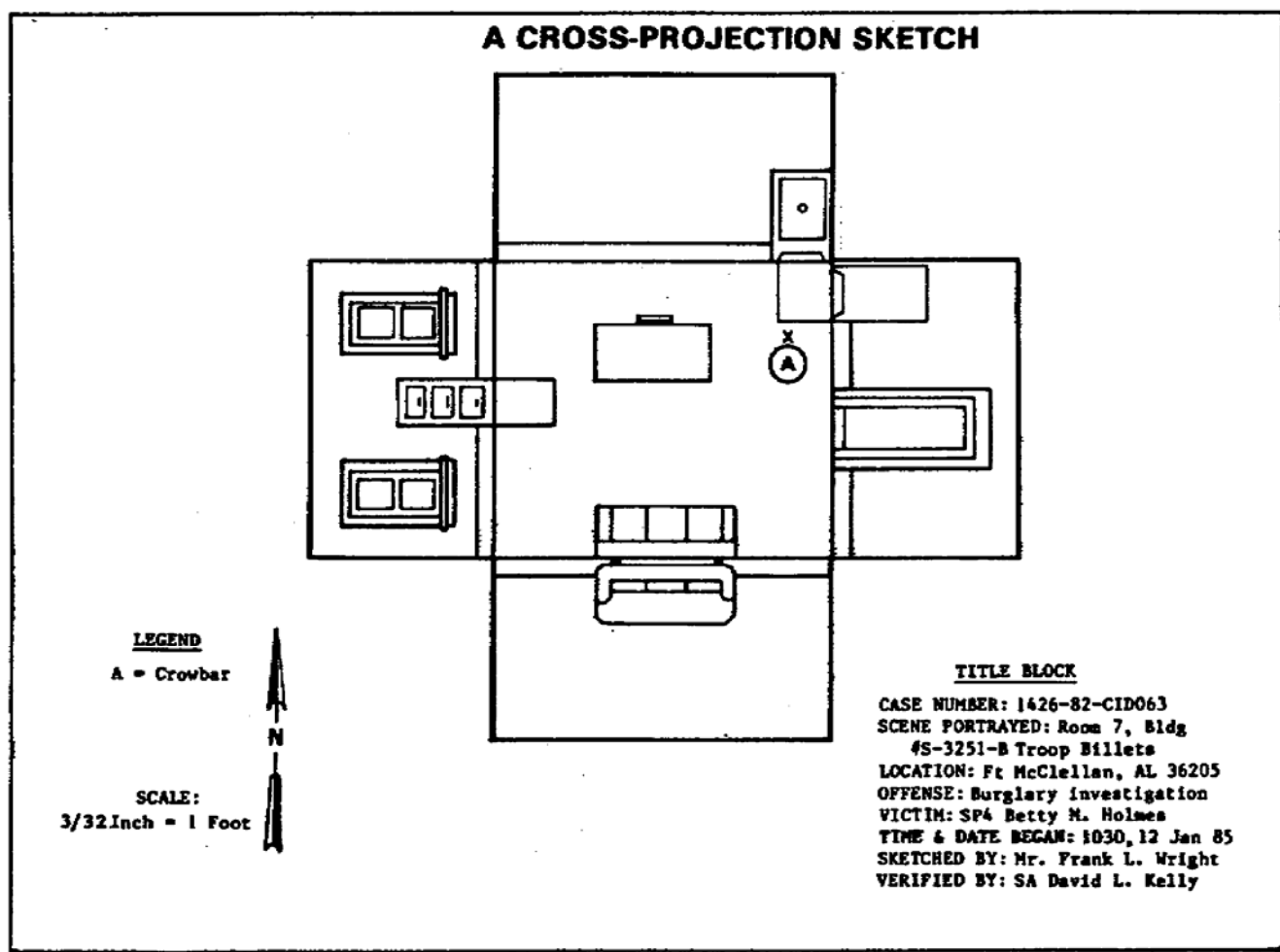


Figure 1-8. Cross-Projection Sketch.

PART C - COLLECTING, PROCESSING, MAINTAINING, AND RELEASING PHYSICAL EVIDENCE

Collecting Physical Evidence

Collecting evidence at a crime scene is usually accomplished after searches have been completed, photographs taken, and rough sketches completed. It may be advisable under certain circumstances to collect fragile evidence as it is found. Fragile evidence includes items that would be destroyed by the elements or become contaminated despite protective measures. Items that would impede further search should also be collected when they are located. The essential factor is that evidence be carefully and properly collected and preserved.

The investigator should handle the evidence as little as possible. Rubber gloves may be worn. While gloves will prevent the investigator from leaving his or her prints, they can destroy a print that would identify the perpetrator. Each item of evidence must be checked closely for trace evidence and any additional marks or features that were not previously visible.

If the investigator touches evidence in a manner that leaves his or her prints on the item, this fact must be noted and the laboratory personnel informed. Prints of the investigators and all other persons who may have had access to

the crime scene should be made. With elimination prints, it is possible for the laboratory examiners to exclude all authorized persons who had access to the crime scene from the prints lifted or developed.

It may be necessary to damage, partially destroy, or otherwise decrease the value or effectiveness of an article in order to collect important evidence. For example, it may be necessary to cut the upholstery on a piece of furniture to obtain an area stained with blood. Or it may be necessary to remove a section of a wall containing an embedded projectile. Such action is based on the merits of the individual case. If it is necessary to remove a door or window (evidence) from a room or building, the crime scene investigator must ensure that necessary measures are taken to protect the contents of the facility before releasing the scene to a responsible person.

When collecting the evidence for laboratory analysis, the amounts needed will depend upon the type of evidence and the test to be conducted. For proper evaluation of stains, control samples should be submitted in addition to the collected stain. For example, a stain on soil or porous surfaces is collected by dipping or gouging beneath a stain. In addition, unstained portions of the area should be collected and identified as control samples. The integrity of control samples must be preserved as carefully as that of evidence. Pools of liquid should also be treated as evidence. Hair, fibers, and particles of earth should be treated as items foreign to the scene also. A trained MP investigator should be required to handle fingerprints, hair or fibers, blood stains, glass, firearms, ammunition, casts, or mold markings.

There may be occasions when a crime is committed in a location where effective safeguarding of the scene is impossible; for example, on a street in heavy traffic. Or, it may not be possible to secure the scene early enough to prevent evidence from being destroyed by crowds or drastically affected by the elements. In extreme cases such as these, it may be necessary to process the scene prior to the arrival of the crime scene investigator. The first MP at the scene must assume custody of the evidence and mark the items for future identification as soon as possible.

Marking Evidence for Identification. The MP initially assuming custody of the evidence will immediately mark the evidence for future identification. The purpose is to make it possible for the military police to identify each piece of evidence, even months after it was collected. The identification markings will be permanent and must include the time and date of acquisition and the initials of the person who collected the evidence. The identification markings must be placed so as not to destroy possible trace evidence on the item or to destroy the intrinsic value of the object. When determining where to mark an item of evidence, the MP should consider how the item is normally used and how it may have been used to commit the crime. The MP should also consider if the markings would destroy the monetary value or functional use of the item, especially if the evidence may be returned to the rightful owner. Obviously, an item would not be marked for identification if it would destroy the evidentiary value of the object.

When it is determined that evidence should not, or cannot, be marked for identification, it will be placed in a clean, suitable container. Place evidence found in different locations, or different types of evidence, in separate containers. Seal the container to avoid spillage or contamination. The cover and container should be marked with the following information:

- o Time and date of sealing.
- o Initials or signature of the seizer.
- o MP report (MPR) number.

When heat seal bags are used, procedures provided with the equipment will be followed. This includes affixing a self-adhering evidence label to the outside of the bag. The label displays the following information:

- o Name of the person sealing the pouch.
- o Time and date of the sealing.
- o MPR number.

The label is then embossed with a raised seal unique to the submitting organization in the upper right corner of the bag over the heat sealed strip.

Items such as small amounts of powder, hairs, fibers, or small paint chips should not be placed in plastic bags. They will adhere to the inside because of static electricity. Instead, put them in paper wrappings, cardboard containers, plastic vials, or glass vials.

Fungible evidence submitted for serological tests will not be sealed in any type of plastic container.

Preparation of DA Form 4137 (Evidence/Property Custody Document). All physical evidence will be recorded on a DA Form 4137. (See Figures 1-9 and 1-10.) This is regardless of how it is obtained. The MP who first acquired the evidence must prepare the DA Form 4137 in an original and three copies.

Preparation of DA Form 4002 (Evidence/Property Tag). Each item of evidence must be properly tagged with DA Form 4002 to identify and control it. (See Figure 1-11.) When items are grouped together (such as a box containing tools) and listed as one item on DA Form 4137, only one DA Form 4002 is used. The MP who first acquired the evidence must complete the tags, type or print legibly in ink, and attach them to the evidence or its container.

"FOR TRAINING PURPOSES ONLY"			
EVIDENCE/PROPERTY CUSTODY DOCUMENT For use of this form see AR 190-45 and AR 195-5; the proponent agency is US Army Criminal Investigation Command		MPR CID SEQUENCE NUMBER 0005-87-CID063	
		CRD REPORT/CID RCI NUMBER 0005-87-CID063-46846	
RECEIVING ACTIVITY Fort McClellan FO, Third Region, USACIDC		LOCATION Fort McClellan, AL 36205-5000	
NAME, GRADE AND TITLE OF PERSON FROM WHOM RECEIVED ☐ OWNER ☒ OTHER Crime Scene		ADDRESS (Include Zip Code) N/A	
LOCATION FROM WHERE OBTAINED 3673-B Church Road (Living Room) Fort McClellan, AL 36205		REASON OBTAINED Evidence	TIME/DATE OBTAINED 0900 to 1130 2 Jan 87
ITEM NO.	QUANTITY	DESCRIPTION OF ARTICLES (include model, serial number, condition and unusual marks or scratches)	
1	1	Baseball, approximately 2½" in diameter, brand name Wilson, White and red in color, leather like construction, scuffed, marked under the brand name Wilson, PGP, 2 Jan 87, 0900. (Right top desk drawer)	
2	1	Drinking glass, about 4 inches in height, clear in color, glass construction; marked on bottom of glass PGP, 2 Jan 87, 0904. (Right middle desk drawer)	
3	1	Bottle labeled Jim Beam, quart size, about 10 inches in height, no visible contents, clear in color, glass construction, marked on bottom of bottle, PGP, 2 Jan 87, 0905. (On top of coffee table)	
4	1	Cigarette butt, about one inch long, white in color, partially burnt and flattened condition, labeled Kent, placed in vial, both vial and seal marked PGP, 2 Jan 87, 0915 0005-87-CID063. (In ash tray on coffee tabel)	
5	1	Bag, about four by five inches, brown paper construction, approximately half full, containing suspected marihuana, marked on bag and seal PGP, 2 Jan 87, 1130 0005-87-CID063. (Left top dresser drawer)	
XXLAST ITEMXX			
CHAIN OF CUSTODY			
ITEM NO.	DATE	RELEASED BY	PURPOSE OF CHANGE OF CUSTODY
1 thru 5	2 Jan 87	SIGNATURE NA NAME, GRADE OR TITLE NA	SIGNATURE <i>Peter G. Paul</i> NAME, GRADE OR TITLE Peter G. PAUL, SA Evaluation as Evidence
1 thru 5	2 Jan 87	SIGNATURE <i>Peter H. Paul</i> NAME, GRADE OR TITLE Peter G. PAUL, SA	SIGNATURE <i>Roger R. List</i> NAME, GRADE OR TITLE Roger R. LIST, SA Rel to Evidence Custodian "SCRCNI"
4 and 5	3 Jan 87	SIGNATURE <i>Roger R. List</i> NAME, GRADE OR TITLE Roger R. LIST, SA	SIGNATURE Reg Mail NAME, GRADE OR TITLE #1234 Fwd to USACIL-CONUS for exam
4 and 5	6 Jan 87	SIGNATURE Reg Mail NAME, GRADE OR TITLE #1234	SIGNATURE <i>Ralph E. Davis</i> NAME, GRADE OR TITLE Ralph E. DAVIS, CW3 Rec'd at lab for exam
4 and 5	20 Jan 87	SIGNATURE <i>Ralph E. Davis</i> NAME, GRADE OR TITLE Ralph E. DAVIS, CW3	SIGNATURE Reg Mail NAME, GRADE OR TITLE #5678 Ret to Submitter

DA FORM 4137
1 JUL 78

Replaces DA FORM 4137, 1 Aug 74 and DA FORM 4137-R Privacy Act Statement 26 Sep 75 Which are Obsolete.

LOCATION Bin 5

DOCUMENT NUMBER 7-87

MP2004

"FOR TRAINING PURPOSES ONLY"

CHAIN OF CUSTODY (Continued)				
ITEM NO.	DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE OF CUSTODY
4 and 5	24 Jan 87	SIGNATURE Reg Mail NAME, GRADE OR TITLE #5678	SIGNATURE <i>Roger R. List</i> NAME, GRADE OR TITLE Roger R. LIST, SA	Rec'd by Evidence Custodian
1 thru 5	14 Feb 87	SIGNATURE <i>Roger R. List</i> NAME, GRADE OR TITLE Roger R. LIST, SA	SIGNATURE <i>Peter J. Kane</i> NAME, GRADE OR TITLE Peter J. KANE, MAJ, JAGC	Rel to TC for Court
1 thru 5	15 Feb 87	SIGNATURE <i>Peter J. Kane</i> NAME, GRADE OR TITLE Peter J. KANE, JAGC	SIGNATURE <i>Roger R. List</i> NAME, GRADE OR TITLE Roger R. LIST, SA	Ret to Evidence Custodian
1 and 2	8 Mar 87	SIGNATURE <i>Roger R. List</i> NAME, GRADE OR TITLE Roger R. LIST, SA	SIGNATURE <i>Paul J. Kelley</i> NAME, GRADE OR TITLE Paul J. KELLEY, CW3, USA	Ret to owner Final Disposition
3, 4, 5	8 Mar 87	SIGNATURE <i>Roger R. List</i> NAME, GRADE OR TITLE Roger R. LIST, SA	SIGNATURE Item 4, 5 BURNED/Item 3 CRUSHED NAME, GRADE OR TITLE DESTROYED	Final Disposition
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
		SIGNATURE	SIGNATURE	
		NAME, GRADE OR TITLE	NAME, GRADE OR TITLE	
FINAL DISPOSAL ACTION				
RELEASE TO OWNER OR OTHER (Name/Unit) <u>Item 1 and 2, CW3 Paul J. KELLEY, Co B, HQ Comd, Ft McClellan</u>				
DESTROY <u>Item 3, 4, and 5</u>				
OTHER (Specify)				
FINAL DISPOSAL AUTHORITY				
ITEM(S) <u>1 thru 5</u>		ON THIS DOCUMENT, PERTAINING TO THE INVESTIGATION INVOLVING <u>PFC John S. DOE</u>		
		(Grade)		
Co A, 1st Bn, 5th Tng Bde, Ft McClellan, AL		(IS) (ARE) NO LONGER		
(Name)		(Organization)		
REQUIRED AS EVIDENCE AND MAY BE DISPOSED OF AS INDICATED ABOVE. (If article(s) must be retained, do not sign, but explain in separate correspondence.)				
Hugh H. JOYCE, CPT, JAGC		<i>Hugh H. Joyce</i>		7 Mar 87
(Typed Printed Name, Grade, Title)		(Signature)		(Date)
WITNESS TO DESTRUCTION OF EVIDENCE				
THE ARTICLE(S) LISTED AT ITEM NUMBER(S) <u>3, 4, and 5</u> (WAS) (WERE) DESTROYED BY THE EVIDENCE CUSTODIAN, IN MY PRESENCE, ON THE DATE INDICATED ABOVE.				
SA Hubert L. HARRISON, Ft McClellan Field Office				
(Typed Printed Name, Organization)				
(Signature)				

Figure 1-10. Continued (Back).

EVIDENCE/PROPERTY TAG For use of this form, see AR 195-5. the proponent agency is ODCSOPS		
DOCUMENT NUMBER		
MPR/CID CONTROL NUMBER		
ITEM NUMBER		
_____ OF _____ ITEM		
TIME	DATE	INITIALS
REMARKS		

DA FORM 4002, JUL 82
 Replaces DA Form 4002, 1 JUL 76 which is obsolete

Entries should be typed or printed legibly in blue or black ink. When evidence is received from a person, the last copy will be given to him or her as a receipt. When evidence is not received from a person (for example, from a crime scene) the last copy should be given to the evidence custodian or distributed according to a prescribed local policy.

There is no requirement to seal nonfungible evidence; however, it may be sealed if desired. When sealed, it will be handled the same as fungible evidence. When nonfungible evidence is sealed in a container, the "Purpose of Change of Custody" column of the DA Form 4137 will be notated as follows: "Sealed in plastic bag (or whichever container applies)."

When evidence is from a non-Army law enforcement agency, the person who first receives it will prepare a DA Form 4137. He or she will also prepare DA Form 4002 (or equivalent) and mark the evidence for identification if the other agency has not already done so. Receipts or chain of custody documents furnished by the other agency will be attached to the DA Form 4137.

Physical evidence, accompanied by the original DA Form 4137 and at least the first and second copies, should be released to the evidence custodian as soon as possible. Except in unusual cases, physical evidence will be released to the evidence custodian not later than the first working day after it is acquired. Evidence acquired during nonduty hours will be secured in a temporary container. It will be controlled by the MPI duty investigator or MP desk sergeant pending release to the evidence custodian.

Processing Physical Evidence

When the evidence custodian receives the evidence and DA Form 4137, he follows a procedure for processing. First, he checks the DA Form 4137 submitted with the evidence and ensures that errors are corrected, when possible. Next, he assigns a document number. This document number consists of two groups of digits, separated by a hyphen. The first group is the number of the document. Begin with the number "1" for the first DA Form 4137 received for the calendar year. The second group stands for the current calendar year. Thus, the document number supporting this example would be 1-87. The document number will be shown on all copies of DA Form 4137 and DA Form 4002.

After assigning a document number, the evidence custodian distributes DA Form 4137 (except the receipt copy). This is done after the chain of custody is complete and all copies of the form are assigned a document number. The evidence custodian keeps the original and first copy of DA Form 4137. The second copy will be given to the MP to be placed in the proper case file. The evidence custodian then writes with pencil the location of the evidence on the bottom margin of DA Form 4137. The evidence custodian will keep the location of evidence within the evidence room current by erasing the previous entry and noting the new location. Finally, he organizes DA Forms 4137 in number sequence. The forms will be kept in a folder no thicker than 3/4 inch or not more than 50 documents per folder. The number and year of the documents in the folder will be shown on the outside (such as 1-50 1987).

The evidence ledger provides accountability through cross-reference with the DA Form 4137. It accounts for document numbers assigned to the DA Forms 4137. Evidence ledgers must be bound record books and will follow the disposition schedule set by AR 340-18-5. The ledger will be destroyed three years after *final disposition is made of all items entered in it.

The cover of the ledger should identify the organization or activity responsible for the evidence room and the dates spanned by the entries. A ledger book will normally be completely filled before starting a new one. In larger offices, if the number of entries nearly fills a ledger, the remaining pages need not be used for the next year and a new ledger may be opened.

Conversely, a small office may use only a few pages per year; therefore, the same ledger should be used for several years.

The evidence ledger is prepared with six columns that span two facing pages when the book is opened. Each page need not show the column headings. As a minimum, though, the first page of the ledger and the first page beginning a new calendar year should show the headings. Both vertical and horizontal lines are used to separate the entries. Blue or black ink should be used to make the entries. The lines separating the entries may be in a different color ink. The columns and directions for completing them are detailed below:

- o Document Number and Date Received. This column contains the document number -assigned to the evidence custody document. The date the DA Form 4137 was received in the evidence room is entered below this number.
- o CID Control Number or MPR Number. The number assigned to the investigation which the evidence pertains to is entered in this column. CID units may use the MPR number as well as the CID sequence number when the military police prepare an MPR on the same investigation.
- o Brief Description of Evidence. A brief description of the evidence is entered in this column. The item number from the DA Form 4137 is entered here for added cross-reference purposes. Fungible evidence sealed in a container will be briefly described from the data on the DA Form 4137. This entry does not imply that the evidence custodian has inventoried the items.
- o Date of Final Disposition. The date the evidence was disposed of, as shown in the "Chain of Custody" section of the DA Form 4137, is entered in this column. When a DA Form 4137 contains several items and they are not disposed of on the same date, the date of disposition for each item should be shown opposite its description. When all the items in the entry are disposed of on the same date, only one date is entered followed by the words "all items" (for example, 25 Jan 86--all items).
- o Final Disposition. A brief note on the means of final disposition is entered in this column opposite the item's description. When all items in the entry have been disposed of in the same manner, the means of disposal may be listed once preceded by the words "all items" (for example, all items burned).
- o Remarks. This column may be used to record any information the evidence custodian thinks is necessary. This may include cross-reference to another DA Form 4137 that contains evidence from the same investigation; names of owners, subjects, and investigators; notations to show the presence of .0015 funds; or the results of laboratory examinations. When fungible evidence is received in a sealed container and is not inventoried, the notation "SRCNI" will be made.

Whenever entries with signatures are required in the evidence ledger, the entry will extend across both pages of the ledger. This will be accomplished

by making the entry below the last voucher recorded and drawing a straight line from the entry to the right and left margins of the ledger. (This includes entries such as temporary absence of custodian, change of custodian, or recording inspections, inventories, and inquiries.)

Maintaining Physical Evidence

First and foremost, evidence will be stored so that the integrity and physical characteristics are maintained. Items such as weapons will be kept in a clean, rust-free condition ensuring their value as evidence is not destroyed.

Fingerprint cards obtained for comparison need not be maintained in the evidence room. They will be kept in the proper case file. When such cards are sent to a laboratory for comparison with other evidence from the evidence room, the card need not be listed on a DA Form 4137. The description on the laboratory request is enough to connect the card with the evidence. When returned from the laboratory, the fingerprint card will be put back in the proper case file.

Documents that may prove or disprove a point in question will be kept in the evidence room. This might include insufficient fund checks, forged or altered documents, and other questioned documents. Statements, records, and other documents routinely associated with an investigation will not be kept in the evidence room.

When it is necessary to retain large items like vehicles, they may be kept in an impound lot, warehouse, or other reasonably secure place.

Releasing Physical Evidence

The original DA Form 4137 will go with the evidence when it is temporarily released from the evidence room. The first copy of DA Form 4137 will be detached from the original and put in suspense when the original--

- o Goes with evidence to a United States Army Criminal Investigation Laboratory (USACIL), Article 32 investigating officer, or courts-martial.
- o Is temporarily released from the evidence room for any official reason.

At least three suspense folders will be kept as follows:

- o One labeled "USACIL" for evidence sent to laboratories.
- o One labeled "Adjudication" for evidence on temporary release to Article 32 investigating officers, courts, staff judge advocate (SJA) officers, or other persons for legal proceedings.
- o One labeled "Pending Disposition Approval" for the first copy when the original form is sent to the SJA for approval of disposition.

- o Other folders, if needed, used as management tools. Evidence custodians should establish a suspense system to enable them to maintain the status of vouchers and evidence at all times. This is not meant to be an additional administrative burden. But rather, a tool to assist in the timely disposition of evidence and to prevent lost or misplaced evidence.

After all items of evidence listed on a DA Form 4137 have been properly disposed of, the original voucher will be placed in a separate evidence voucher file under file number 509-11. This file will be held in the office administrative files area and the vouchers will be disposed of.

Once the original voucher has been placed in the separate evidence voucher file, any remaining copies may be disposed of in accordance with AR 340-18-5.

When the voucher pertains to an ROI or MPR, a copy will be forwarded to the US Army Crime Records Center (USACRC) as an exhibit to the final report. If the evidence was collected after the final report was submitted, a copy of the voucher will be forwarded as an exhibit to the supplemental report. A copy of the voucher will also be attached to the office file copy of the report.

A copy will be made from the suspense copy of DA Form 4137 and placed in the evidence voucher file (noting the disposition of the original form) if the original DA Form 4137--

- o Is entered as a permanent part in the record of trial.
- o Accompanies evidence released to an external agency.
- o Is not available for any other reason.

When a controlled substance is returned to the evidence custodian, any apparent physical changes in the substance will be annotated in the "Purpose of Change of Custody" column on the DA Form 4137. Likewise, any deficiencies will be noted in a memorandum for record (MFR) and attached to DA Form 4137.

Temporary Release of Evidence. Evidence may be removed from the evidence room only for permanent disposal or for temporary release of specific reasons. The most common reasons for temporary removal are--

- o Transmittal to a crime laboratory for forensic examination.
- o Presentation at a court-martial or hearing conducted pursuant to Article 32, Uniform Code of Military Justice (UCMJ).

The person to whom evidence is released, either temporarily or for permanent disposal, will sign for it in the "Received By" column of the "Chain of Custody" section. This will be done on the original and first copy of the DA Form 4137.

The person receiving the evidence must safeguard it and maintain the chain of custody until it is returned to the evidence custodian. The evidence custodian will release the original DA Form 4137 along with the evidence to the person who assumes temporary custody, to first class registered mail, or to other transmittal channels. The evidence custodian will then put the first copy of the DA Form 4137 in the proper suspense file. The first (suspense) copy, with the "Chain of Custody" properly notated, will be refiled with the original DA Form 4137. When items on the same DA Form 4137 must be temporarily released to more than one agency or person at the same time, copies will be used and processed as above. A note will be made on the original and first copy that copies have been made. The "Chain of Custody" for all evidence will be recorded on the first copy of the DA Form 4137. Personnel receiving evidence, either on a temporary or a permanent basis, will be required to present identification to ensure that evidence is only handled by authorized persons.

Evidence that may be technically examined or analyzed in a crime laboratory will be processed as soon as possible. Physical evidence will be released to the evidence custodian before submission to a laboratory for analysis. At locations where there is no evidence room or if timeliness is a factor, evidence may be sent directly to the laboratory. In this case, DA Form 3655 (Crime Laboratory Examination Request) will have instructions for the laboratory. Instructions include how to transfer the evidence to the proper evidence room. A copy of the evidence voucher will be forwarded to the proper evidence room. Once received, the voucher should be logged in the evidence ledger with the remarks "not inventoried, evidence at lab." The voucher is then placed in the laboratory suspense file.

When evidence is mailed to a USACIL, it will be sent by first class registered mail. The registered mail number will be recorded in the "Received By" block on the first copy of the DA Form 4137. The form will be put in the laboratory suspense folder. The original document will be put inside the package. The recipient will note the proper "Item Number," "Received By," and "Released By" blocks with appropriate information. The recipient will sign for the evidence in the next "Received By" block. When the evidence custodian is assigned a group of registered mail numbers, he will note the next "Received By" and "Released By" blocks on the "Chain of Custody" sections. This is done on the original DA Form 4137 before packaging the original document. In this case, recipients need only complete the item number and date columns. They must sign the next "Received By" block on the "Chain of Custody." To ensure proper chain of custody, observe the following steps:

1. Follow technical guidance for packing and shipping evidence.
2. Packages will contain evidence from only one investigation to ensure a proper chain of custody.
3. A USACIL will not make final disposition of any item submitted for examination. A laboratory report will be prepared and returned to the requester with the evidence submitted. This is done unless cancelled by the contributor.

4. When fungible evidence is returned from the USACIL, the sealed container will not be opened. This only exception is for official purposes or when the evidence is disposed of. Whenever it is necessary to open a sealed container of fungible evidence for official purposes, the person who opens the container will sign the "Chain of Custody" document. He will note in the "Purpose of Change of Custody" column that the seals were intact. He will record the reason for opening the container. The container will be opened by cutting. This should be done without damaging the seals, if possible. When finished with the evidence it should be put in a new container. Previous containers or their sealed parts will also be put in the new container and the container sealed.

5. If the sealed container is breached, the person who does so will note in the "Purpose of Change of Custody" column. How or why it happened is noted. The container will then be sealed in a new container according to step 4 above.

6. If the space in the "Purpose of Change of Custody" block is too small, the remarks can be continued in the block immediately below the entry. In this case, a diagonal line is drawn from the left side of the "Item Number" block through the "Received By" block.

DA Form 3655 is completed in an original and two copies. The form should be typed or printed legibly in ink. The original and one copy of the DA Form 3655 accompany the evidence to the laboratory. The other copy is maintained in the investigative case file.

Final Disposition of Evidence. Evidence will be disposed of as soon as possible after you have determined that it is of no further evidentiary value. The following should be considered in making this determination:

- o The item has been made part of the trial record.
- o Final administrative or judicial action has been taken.
- o No suspect was identified in a case and the case was closed.
- o Laboratory analysis finds no evidentiary value.
- o Controlled substances were not linked to a suspect.
- o Items other than controlled substances contain no evidentiary value.
- o The items are not practical or desirable to retain.
- o The items were released to an outside law enforcement agency.
- o All evidence that is destroyed will be destroyed in the presence of a witness.

These considerations are discussed below.

Evidence released to trial counsel for judicial proceedings will be returned as soon as possible to the custodian. This is done as soon as possible for final disposition. If an item of evidence is made part of the record of trial, the trial counsel will immediately notify the custodian. Then the DA Form 4137 can be properly notated. This will be considered final disposition.

Final action, staff judge advocate. When final action has been taken in known subject cases, the original custody document will be sent to the SJA of the commander. He has general courts-martial jurisdiction over the subject. The SJA will complete the final disposal authority part of the DA Form 4137 when the evidence is no longer needed. When evidence must be retained, this part of the form will not be completed. A brief statement giving the reason for keeping the evidence will be furnished to the evidence custodian. This is done on separate correspondence. In cases where there is a risk of losing the original DA Form 4137, a letter may be substituted for disposition approval. DA Form 2496 (Disposition Form) may also be substituted. When this is used, enough information will be furnished to allow the SJA to make a decision. The return correspondence from the SJA giving disposition approval will be attached to the original DA Form 4137.

No subject identified. Evidence in an investigation for which no subject has been identified may be disposed of three months after completion of the investigation without SJA approval. It may be disposed of earlier with SJA approval. Care must be taken with serious crimes when it is possible that a subject may later be identified. In such cases, it may be advisable to keep the evidence longer than three months. When the subject is not known, evidence custodians will obtain the approval of the commander, Special Agent in Charge (SAC), or provost marshal. This approval will be given by completing the final disposal authority section of the original DA Form 4137.

Items of no evidentiary value. Items in the evidence room that have no evidentiary value may be disposed of. This is done only after laboratory analysis and consulting with the proper SJA, if the subject has been identified. Evidence from investigations with no subject identified may be disposed of upon approval of the commander, SAC, or provost marshal.

Items determined to have no value as evidence by the CID special agent or MP investigator are disposed of before they are sent to the evidence custodian. Items may be disposed of by the agent or MP investigator after consulting with and obtaining approval from their immediate supervisor.

Controlled substances. Controlled substances received by the evidence custodian that do not apply to an investigation may be immediately disposed of. Or, the items may be disposed of after approval has been received from the commander, SAC, or provost marshal. A copy of DA Form 4137 will be filed with the DA Form 3975 (Military Police Report). Disposition may be made immediately after determining that the substance cannot be linked to suspect. Controlled substances field tested may be disposed of 45 days after the date

of the final report. This is done only when appropriate approval has been received.

Items for immediate disposal. When it is not practical or desirable to keep items of evidence, disposal action may be taken immediately. Such items may include--

- o Automobiles.
- o Serial numbered items.
- o Items required for use by the owner.
- o Large amounts of money.
- o Perishable or unstable items.
- o Items misappropriated from postal channels.

If such items can be immediately disposed of, it will not be necessary to enter them into the evidence room. This will be coordinated with the SJA. If it is not possible to get written approval of the SJA before the disposal of the evidence, oral permission will be obtained. This is followed by written approval.

Permanent release to an external agency. When evidence is permanently released to an external agency, the final disposal authority part of the DA Form 4137 will be completed. This is done by the proper SJA, by the commander, SAC, or provost marshal. Evidence custodians should be alert to possible forfeiture actions. Liaison with appropriate agencies should be effected in a timely manner. The SJA will provide legal advice.

Disposal of specific items. The SJA will give legal advice on questions of methods of disposal. Disposal of specific items is as follows:

- o US government property will be released to the organization to which issued.
- o Personal property (that is legal to own) will be released to the rightful owner.
- o US government Treasury checks will be returned. Money orders from an Any money order facility will be returned to the issuing APO.
- o Negotiable instruments owned by a business firm will be released to the firm. This includes money orders, travelers checks, and checks. If the firm does not want them returned, they will be destroyed.
- o Negotiable instruments and other documents owned by an individual will be returned. They will be destroyed if the owner does not want them.

- o Counterfeit currency and coins will be released to the nearest office of the US Secret Service (USSS). Counterfeiting equipment will also be released to the USSS.
- o Controlled substances will be destroyed. This is done in the presence of a witness who is a CID special agent or who is an E6 or above. The witness must not be involved in the chain of custody. Destruction will be by burning or by a method that will make the substance permanently useless.
- o Items of evidence found at the crime scene that have no known owner and are of no obvious value will be destroyed. Such items include match books, beer cans, bottles, or glass fragments. Crushing, burning, or other methods will be used to destroy the items.

PART D - STORING EVIDENCE

Custodians

The duties of evidence custodians are strict. Evidence custodians must preserve evidence. They must maintain the chain of custody involved with evidence procedures. Their duties and responsibilities include the accountability, preservation, and safeguarding of evidence throughout judicial proceedings.

There are two types of evidence custodians, they are primary evidence custodian and the alternate evidence custodian. Prerequisites, appointment, and responsibilities of each will be discussed in detail below.

Primary Evidence Custodian. Army Regulation 195-5 defines the primary evidence custodian as "a special agent accredited by the commander, United States Army Criminal Investigation Division Command (USACIDC), or an MP assigned responsibility for operation of an evidence room as an additional duty."

The prerequisites for becoming a primary evidence custodian are as follows:

- o USACIDC activities. The custodian must be an accredited enlisted special agent (SA).
- o MP activities. The custodian must be a commissioned officer or a noncommissioned officer (NCO) holding military occupational specialty (MOS) 95B/C in the grade E5 or above. Department of the Army (DA) civilian employees may be used where military resources are limited. The Grade level will be assigned by local CPO.

Primary custodians are appointed in writing by--

- o The field office.
- o District.
- o Region.

- o Commanding general (CG).
- o USACIDC.

The provost marshal (PM) will appoint primary evidence custodians for MP activities. A copy of the appointment document will be kept in the evidence room. It is kept under file number 310-2c. The appointing document will be filed each year that the custodian retains the position.

Primary evidence custodians are responsible for the following:

- o Account for, preserve, safeguard, and dispose of all evidence received in the evidence room.
- o Maintain all evidence records per AR 195-5.
- o Protect evidence from loss, deterioration, and damage.

Alternate Evidence Custodian. Army Regulation 195-5 defines the alternate evidence custodian as "a special agent accredited by the" commander, USACIDC, or an MP assigned to act in the capacity of the primary custodian during temporary absences as an additional duty."

The prerequisites for becoming an alternate evidence custodian are the same as the primary evidence custodian. The prerequisites were previously listed.

The same authority that appoints the primary custodian will appoint the alternate evidence custodian. A copy of the appointment document will be kept in the evidence room. It is kept under file number 310-2c.

The alternate evidence custodians will assume all duties of the primary evidence custodian during his temporary absence.

NOTE: Temporary absence is an absence of more than one duty day and not more than 30 days.

Temporary custodianship also involves the following:

- o On assuming duties of the primary custodian, the alternate will enter and sign the required statement in the evidence ledger. This is done immediately below the last entry.
- o On return from temporary absence, the primary custodian will ensure that all entries on records made by the alternate custodian are correct. The primary custodian will ensure that the records are correct. He will ensure that the evidence is accounted for and properly documented. The primary custodian will enter and sign the required statement in the ledger, immediately below the last entry.
- o If the primary custodian finds that the alternate has made an incorrect entry, he will immediately inform the USACIDC district or field office commander, SAC, or PM, as applicable. The primary custodian will

prepare a memorandum of record outlining the error and what was done to correct it. The original will be filed with the proper DA Form 4137. It will be filed in a file folder under number 195-5a if the error was not on a DA Form 4137. A copy of the memorandum will be placed in the proper case file.

Inspections.

Monthly inspections must be conducted by the commander, SAC, or PM in charge of supervising the evidence custodian. This inspection consists of a check of orderliness and cleanliness of the depository. Structural and security requirements are also checked. It is the commander's job to ensure evidence is received, processed, safeguarded, and disposed of in accordance with existing regulations.

Upon completion of the monthly inspection, a confirming statement must be entered in the evidence ledger. This entry is made immediately below the last entry. The signature of the commander, special agent in charge, or provost marshal must accompany the entry. The statement reads as follows:

"I, _____ (name) _____, certify that on _____ (date) _____, per AR 195-5, I inspected the evidence room. Evidence is being processed per AR 195-5 (with no exceptions or the following exceptions)."

(signature)

Inventories

Inventories of the evidence depository are made according to the following requirements:

- o Once during each calendar quarter.
- o Upon change of the primary evidence custodian.
- o Upon loss of evidence while stored in the evidence room.
- o Upon breach of security of the evidence room.

Appointments of the Inventory Officer. A written request for the inventory must be made by the appropriate supervisor. The request is made to the appropriate commander to appoint a disinterested officer. He is to conduct quarterly inventories. A disinterested officer is an officer who is not a current member of USACIDC or assigned to military police activities. The evidence custodian and the disinterested officer appointed must conduct the quarterly inventory. Prior to the inventory, the disinterested officer must be thoroughly briefed in all custodial functions and depository procedures.

Quarterly Inventories. Quarterly inventories must account for all evidence on hand. This is done by comparing evidence with the custody document and with corresponding ledger entries. The evidence custodian and a disinterested officer will make a joint quarterly inventory of the evidence stored in the evidence room. A written request to appoint a disinterested commissioned or warrant officer will be sent by the commander, SAC, or PM to the proper

commander. The appointing authority will give the requesting activity a copy of the appointing document (letter or memorandum). This will be retained by the evidence custodian until the inventory is complete. Disinterested officers will use the following guidelines to conduct quarterly inventories:

- o Become familiar with provisions of AR 195-5.
- o Make a physical count of evidence. Verify that evidence in the evidence room corresponds with that shown on DA Forms 4137.
- o Cross-reference all DA Form 4137 (including those in suspense files). Forms are compared to entries in the evidence ledger to ensure accountability of all evidence.
- o Ensure that copies of DA Form 4137 in the suspense files are properly annotated. They should show the following information:
 - Registered mail number if sent to USACIL or other agency.
 - Proper signature if released for court-martial, investigation under Article 32, UCMJ, or other official purposes.
- o Do not ask the evidence custodian to verify the weight of drug evidence or of controlled substances for inspection.
- o Provide the evidence custodian a copy of the appointing document.

Recording Inventories. An inventory certificate must be written in the evidence ledger. Any deficiencies found during the inventory will be recorded on this certificate. Deficiencies must be immediately reported to the evidence custodian and the appropriate commander. The written record of inventory as entered in the evidence ledger reads as follows:

"We, the undersigned, certify that on (date) , per AR 195-5, a joint inventory was made of the evidence room. All evidence was properly accounted for (with no exceptions or the following exceptions)."

 (Signature of Officer)

 (Signature of Evidence Custodian)

 (Printed Name, Grade, Unit)

 (Letter or DF, Date, Issuing Headquarters (HQ))

Joint Inventories. When the evidence custodian is changed, a joint physical inventory of all evidence in the evidence room will be made. Inventories are conducted by the incoming and outgoing primary custodians. Joint inventories may be made along with quarterly inventories by disinterested officers. However, each type of inventory will be recorded separately. All evidence records will be carefully checked to ensure proper documentation and

accountability. All discrepancies will be resolved by the outgoing custodian. This is done before transfer of accountability.

A joint inventory need not be made when the alternate custodian replaces the primary custodian for 30 days or less. However, if it is known that the primary custodian will be gone for more than 30 days, a joint inventory will be made before he leaves. Another inventory will be made upon his return.

Inventories in cases of lost evidence or breaches of security will normally be made in the presence of the evidence custodian. Inquiries or investigations must be initiated by the appropriate provost marshal or USACIDC commander. The officer assigned to make the inquiry must certify his findings in the evidence ledger. This is done according to the format of the quarterly report.

Change of Custodian Inventories. Change of custodian inventories will be entered in the evidence ledger immediately below the last entry. They will be signed by both the incoming and outgoing primary custodian. The following condition will be met:

- o On satisfactory completion of the inventory, all DA Forms 4137 in the document file will be noted and signed to show the change of custody.
- o Copies of the DA Form 4137 in the sequence file will show the--
 - Registered mail receipt number if sent to a USACIDC or other agency.
 - Proper signature if released for court-martial, investigation under Article 32, UCMJ, or other official purposes.
- o The alternate will become the primary custodian according to the following circumstances:
 - Death.
 - Extension of absence beyond 30 days.
 - Sudden illness or emergency transfer of the primary custodian.
- o A joint inventory will be made. It will be done by the alternate custodian and a person appointed by the commander supervising the evidence room. In this case, the "Released By" block of each DA Form 4137 will be noted "not applicable" (NA) -Custodian Unable to Sign." The alternate custodian will complete the "Received By" block. He will accept custody for the evidence described on the DA Form 4137. The "Purpose of Change of Custody" block will tell why the primary was unable to sign.

Inquiries

If evidence is lost or security of the evidence room is breached, an inquiry or investigation will be made according to AR 15-6 or AR 195-3. Inquiries or investigations will be initiated by the proper region, separate district or field office, or USACIDC commander. Losses or breaches during evidence

handling and the initiation of inquiries will be reported to the Commander, USACIDC, ATTN: CIOP-ZA, 5611 Columbia Pike, Falls Church, Virginia 22041.

If the inquiry fails to account for or recover the evidence, relief from accountability will be granted. This is done by the installation or activity commander for MP activities and the deputy commander, USACIDC for CID activities. Relief from further accountability for lost evidence--

- o Permits the custody document to be closed.

Has no bearing on administrative or judicial action that may be taken against those responsible.

In the event of missing packaged evidence or if the parcel has been breached, the commander, SAC, or PM will be immediately notified by the custodian. A joint inventory of the parcel will be conducted. Upon verification of missing evidence from the parcel, the addresser will be immediately notified. He will be requested to search for the missing items.

Evidence Security

Evidence is normally stored in a room designated as an evidence room. Circumstances may necessitate use of some other structure, area, or container. A structure that exceeds or equals the specific requirement is acceptable. However, evidence will not be stored in containers with classified information and/or material.

Evidence storage facilities will not be used to store property that is not evidence. The exception is controlled substance training aids used for the narcotics detector dog program. These training aids may be stored in evidence storage facilities.

Evidence Depository Security

Location. The evidence room will be in the same building as the operational or administrative staffs of the USACIDC unit or provost marshal. One exception is the container express (CONEX) explained later on in this learning event.

Construction. Walls must extend from the floor to the true ceiling. Walls and ceilings may be of masonry or wood construction. Walls or ceilings that are of wooden stud construction will have a combined exterior and interior thickness of one inch or more.

If suitable walls and ceilings are not available, number six gage steel mesh with 2-inch diamond grid may be permanently affixed to the interior wall or ceiling. Walls or ceilings may also be lined with steel plates at least 1/8-inch thick.

A prefabricated steel mesh cage may be installed within a room for use as an evidence facility if the room's walls, flooring, or ceiling do not meet

structural standards. The cage must be of number six gage steel, conform to OCE drawing 40-21-01, and be permanently attached to the floor.

Doorways. There must be only one doorway that allows access to and from the evidence room. Entrance into the evidence room will require opening two successive doors. When an interior steel mesh cage is used, the cage door will suffice as the second door. In this case, the outer door must be a solid core wooden door. The door must be at least 1-inch thick or be a hollow core door reinforced with 1/8-inch steel plate. Number six gage steel mesh may also be welded onto a metal frame to meet specifications. If steel mesh cage is not used, adhere to either of the following:

- o The doorway of the evidence room must be covered by two doors hung one behind the other.
- o If a barred door is used, the vertical steel bars must be at least 3/8-inch thick. They must not be more than 4 inches apart. Horizontal bars are welded to the vertical bars. They are spaced so that opening do not exceed 32 square inches.

Door hinges should be installed on the inside. However, if exposed, the pins will be spot welded or bradded to prevent removal. Specifications for construction of new evidence rooms must include these standards.

Evidence rooms under 24-hour surveillance need only one door. In this case, the single door will be solid wood or covered with metal to prevent seeing into the evidence room. The doors will be secured with a high security padlock.

Locks. The outer door will be secured by one high security, key-opened padlock. These padlocks will conform to military specification MIL-P43607 (GL)(High Security Padlock) FSN 5340-00799-8016 or FSN 5340-00799-8248. The changeable combination padlock for the inner door will conform to federal specification FF-P-110 (Sergeant and Greenleaf 8077A and 8078A series). This changeable combination padlock is intended for use only as an indoor or protected area reuseable seal. It is not intended for service either outdoors or to protect against forced entry. Sergeant and Greenleaf padlock, FSN 5340-00285-6523, is the minimum acceptable changeable combination lock authorized.

Windows. The number of windows must be kept to an essential minimum. All windows will be covered with steel or iron bars or steel mesh. When bars are used, they will be at least 3/8-inch thick. Vertical bars must be welded to horizontal bars and spaced so that openings between bars do not exceed 32 square inches. Ends of the bars must be securely embedded in the wall or welded to a steel channel frame. This must be fastened securely to the window casing. Acceptable steel mesh can be locally fabricated from high carbon steel. It cannot be less than 15/100-inch thick with a grid of not more than 2 inches from center to center. Number six gage steel mesh with a 2-inch diamond grid may be used in areas where high carbon steel is not readily

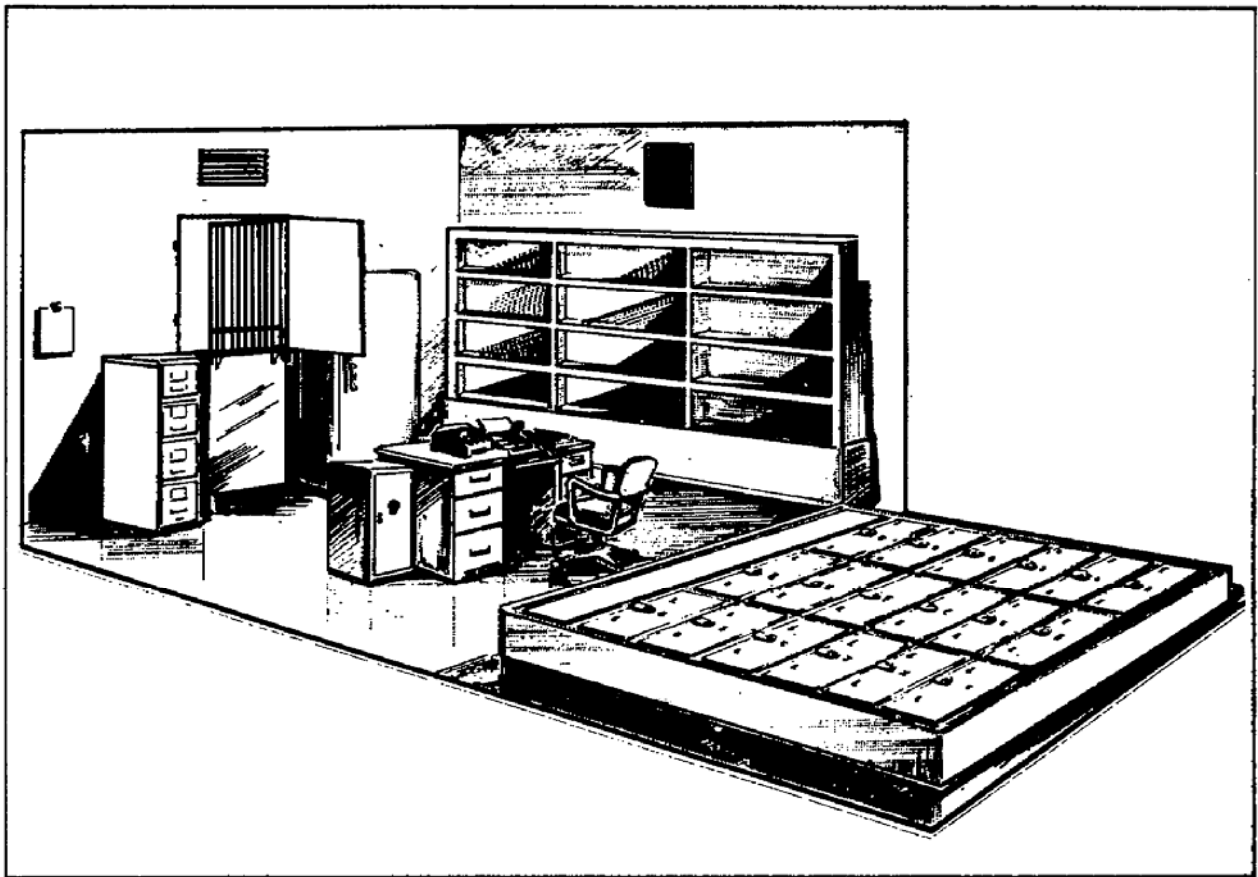


Figure 1-12. Evidence Depository Room.

available. The steel mesh must be welded or secured to a steel channel frame. It must be fastened to the building by smooth headed bolts extending through the entire window casing. The bolts must be spot welded or bradded on the interior or cemented into the structure itself. If central air conditioning is not available, local units may be installed in windows. Air conditioning units may also be installed outside walls provided the same security measures are taken.

Intrusion Detection Systems. Evidence rooms should be equipped with an approved intrusion detection system (IDS). The IDS is connected to a central monitoring station. There are personnel on duty who can provide armed response to the alarm signal. The decision whether to install an IDS is based on a thorough risk assessment which considers--

- o The location of the facility.
- o The quantity and types of evidence being stored.
- o The relative cost of compensatory measures necessary to provide security equivalent to an IDS. Field elements will coordinate with their supply support activity. They will also coordinate with the facilities engineer for acquisition and installation of an approved IDS.

Internal Fixtures. Evidence rooms will be equipped with the following fixtures:

- o Containers for high value items. These include narcotics and contraband, weapons, and ammunition.
 - At least one container will be used for added security of high value items. This includes currency, jewelry and watches, weapons, ammunition, and significant quantities of narcotics and contraband evidence. High value items will not be stored in the same drawer or section of a container as narcotic or contraband evidence.
 - Small amounts of narcotic or contraband evidence (such as marihuana residue, marihuana cigarettes, or a pillbox of capsules) may be stored in bins or on shelves with other evidence. Significant quantities of narcotic and contraband evidence and firearms and ammunition will always be stored in secure containers.
 - A separate container for each category of sensitive evidence is not required.
 - The containers may be field safes, filing cabinets, lockers, or locally made containers. They must be able to be secured with at least one approved locking device. All weapons and ammunition will be secured in an approved Class 5 container.
 - Containers that weigh less than 300 pounds will be secured to the structure to prevent unauthorized removal. This may be done with an approved chain secured to the container. The chain is then fastened to a radiator, water pipe, an eyelet installed for this purpose, or other similar object. When several containers are used, they may be fastened together. The containers and any chains attached to them will be secured with approved locking devices.
- o Shelves and bins. The evidence room will be equipped with bins, cabinets, or shelves as space permits. This will allow neat and orderly arrangement of evidence. The use of adjustable shelves is recommended whenever possible. Uniform sized envelopes are recommended when storing small items (controlled substances) on shelves. They are arranged numerically by document number.
- o Work table. Whenever possible, evidence rooms should be large enough to hold a table or desk. This is for the custodian to use while processing incoming and outgoing evidence.
- o Refrigerator. A refrigerator is not required to be a permanent fixture in the evidence room. However, one will be readily available to be used in the evidence room when perishable or unstable items must be stored.

When controlled substances used as training aids are stored in evidence storage facilities, they will be secured in a separate Class 5, GSA approved,

security container. Controlled substance training aids will not be secured in containers containing evidence. Evidence will not be stored in the Class 5 container used to secure controlled substance training aids. This provision is not subject to waiver.

Temporary Evidence Facility Security

A temporary evidence facility may be needed according to the sizes, amounts, and types of evidence collected. The physical location of the CID or MP element or the time when the evidence is acquired must also be considered.

Safe or Filing Cabinet. During nonduty hours, a safe or a secure filing cabinet will be used for temporary storage of evidence pending release to the evidence custodian. Access to the safe or filing cabinet will be restricted to the duty agent, MP duty investigator, or MP desk sergeant. A key-opened padlock should be used in lieu of a combination padlock. One key should be secured in a separate envelope. The envelope is put in the safe that contains the combinations and extra keys to padlocks to the evidence room. If available, each person may keep a container for this purpose. There should be at least three temporary containers depending on the volume of evidence handled. Then duty personnel have an individual container for use during weekends. This will limit the change in custody of evidence when duty personnel change during weekends and the evidence custodian is not available. Temporary containers will be secured to the structure or fastened together as previously described.

Containers Express. A salvaged CONEX can be made into an acceptable temporary evidence room. The CONEX must be weatherproofed. If openings are cut, steel mesh must be welded to the internal walls. Two steel straps, at least 2-inches wide and 1/4-inch thick, will be up on the front side of the CONEX. They should be mounted so that they completely span the width of the door. The straps will be hinged or hung from eye bolts welded to the internal walls. The upper strap will be mounted about 18 inches from the top of the door. The lower strap will be mounted the same distance from the bottom. The free end of the strap will be slotted to fit a staple of heavy patterned steel. The straps will be secured with padlocks of the type described previously. Whenever a CONEX is used as an evidence room, it will be put near a 24-hour operational activity. This is to assure routine observation by that activity's personnel.

Building or Enclosure. A separate building or fenced enclosure may be used when there are--

- o Unusually large items of physical evidence (such as motor vehicles).
- o Large amounts of recovered property that cannot be placed in the evidence room.

A fenced enclosure will be used only when there is no suitable building. Normally, evidence that requires a fenced enclosure may be processed, photographed, and after consulting with the SJA, released. If an enclosure or

separate building must be used for temporary storage, the responsible supervisor and the evidence custodian must take any action needed to protect the evidence.

Key and Combination Security

Only the primary and alternate custodians will know combinations of locks used in an evidence room. Copies of all combinations will be recorded on DA Form 727 (Classified Container Information). These will be kept in sealed envelopes in the safe of the CID commander, SAC, or provost marshal. The following guidelines will be met:

- o Each key operated lock will have two keys. One key to each lock will be in the constant possession of the primary custodian. The duplicate key will be put in a separate sealed envelope and secured in the safe of the CID commander, SAC, or provost marshal.
- o Lock combinations will be changed when the primary or alternate custodian is changed. All combinations and key locks will be changed upon possible compromise.
- o Keys will be transferred from the primary custodian to the alternate only if the primary custodian is to be absent for more than 8 duty hours or 72 nonduty hours.
- o Master key padlocks or set locks will never be used, in any capacity, in an evidence room.
- o When controlled substance training aids are stored in evidence rooms, only the primary and alternate controlled substance training aids custodians will know the combinations. The combinations will be recorded on DA Form 727. This form will be kept in a sealed envelope secured in a GSA-approved, Class 5 container in the office of the provost marshal.

The evidence room will be locked at all times when not occupied by the custodian. Only authorized personnel will be granted access to the evidence room. They are granted access only in the presence of the responsible custodian. Personnel will never be left in the evidence room when the custodian is absent. The primary and alternate controlled substance training aids custodian will be granted escorted access to the evidence room for the purpose of issuing and receiving training aids. Training aids custodians will not be permitted to have access to or handle evidence. Primary and alternate evidence custodians will not be permitted to have access to or handle controlled substance training aids. Evidence custodians will not be assigned or appointed as training aids custodians. This provision is not subject to waiver.

LESSON 1

PRACTICE EXERCISE

This practice exercise is designed to test your knowledge of crime scene and evidence processing procedures. To check your understanding of the lesson, answer the questions listed below. All of the questions are multiple-choice with one correct (or best) answer. Try to answer all the questions without referring to the lesson.

1. You are an MP duty officer reporting to a crime scene. Upon arrival at the crime scene, you must supervise and direct the actions of other MP. Some of the general procedures for crime scene processing are listed below. Which would you not do?

- A. Direct MP to apprehend suspected violators.
- B. Direct MP to administer first aid to injured persons on the scene.
- C. Immediately remove dead bodies from the scene.
- D. Protect the crime scene.

2. The underlying intent of all actions taken to protect the scene of a crime is to preserve its physical aspects. What actions would you allow to take place at the scene of a crime?

- A. Touching items or surfaces of physical evidence.
- B. Unnecessary walking about.
- C. Allowing items to be removed from the crime scene.
- D. Roping off the area to limit access to the crime scene.

3. There are four methods that can be used to search a crime scene. The four methods are--

- A. The zone or sector search, circle search, strip search, and grid search.
- B. The zone or sector search, measure search, strip search, and grid search.
- C. The zone or sector search, square search, strip search, and grid search.
- D. The zone or sector search, circle search, line search, and grid search.

4. There are three common means of recording the crime scene. Which of the following is not a method commonly used to record a crime scene?

- A. Notes.
- B. Recordings.
- C. Photographs.
- D. Sketches.

5. Taking notes serves as a means of recording facts and details from a crime scene. What are some of the guidelines that you should follow when taking notes?
- A. Identify each page with your name, title or rank, the case number, and the date.
 - B. Use only pencil so that you can easily edit and erase your notes.
 - C. Use shorthand or single words to speed up your note-taking.
 - D. A bound notebook is better than a looseleaf notebook.
6. Evidence must be marked for identification. There is a special tag that must be affixed to each piece of evidence. That tag is known as:
- A. DA Form 4002.
 - B. DA Form 4137.
 - C. DA Form 4200.
 - D. DA Form 8002.
7. All physical evidence is recorded in detail on a special form. The form contains such material as a description of the articles, chain of custody, final disposition action and authority, and witness to destruction of evidence. That form is known as--
- A. DA Form 3655.
 - B. DA Form 4002.
 - C. DA Form 4137.
 - D. DD Form 1131.
8. There are two people, specially appointed, who are responsible for operation of an evidence room. Those two people are--
- A. Primary evidence supervisor and secondary evidence supervisor.
 - B. There is only one person in charge, the evidence supervisor.
 - C. First evidence room operator and second evidence room operator.
 - D. Primary evidence custodian and alternate evidence custodian.
9. Inventories of the evidence depository are made--
- A. Weekly.
 - B. Upon loss of evidence while stored in the evidence room.
 - C. Monthly.
 - D. When new evidence comes into custody of the evidence room.

LESSON 1

PRACTICE EXERCISE

ANSWER KEY AND FEEDBACK

<u>Item</u>	<u>Correct Answer and Feedback</u>
1. C.	Immediately remove dead bodies from the scene. Moving items or disturbing the bodies of deceased persons. (page 1-4, para 2).
2. D.	Roping off the area to limit access to the crime scene. The immediate protection measures include...(page 1-3, para 5).
3. A.	The zone or sector search, circle search, strip search, and grid search. There are four methods that can be...(page 1-5, para 2).
4. B.	Recordings. There are three common means of recording...(page 1-5, para 4).
5. A.	Identify each page with your name, title or rank, the case number, and the date. Identify each page with your name...(page 1-7, para 4).
6. A.	DA Form 4002. Preparation of DA Form 4002 (Evidence/Property Tag)...(page 1-19, para 7).
7. C.	DA Form 4137, Evidence/Property Custody Document. Preparation of DA Form 4137 (Evidence/Property Custody Document... (page 1-19, para 6).
8. D.	Primary evidence custodian and alternate evidence custodian. There are two types of evidence custodians...(page 1-31, para 5).
9. B.	Upon loss of evidence while stored in the evidence room. Inventories of the evidence depository...(page 1-33, para 4).

LESSON 2

DIRECT INVESTIGATIONS

Critical Task: 031-3756.00-6004

OVERVIEW

LESSON DESCRIPTION:

In this lesson you will learn how to conduct a proper and effective investigation of an offense.

TERMINAL LEARNING OBJECTIVE:

- ACTION: Direct personnel conducting an investigation of an offense.
- CONDITION: You will have this subcourse, paper and pencil.
- STANDARD: To demonstrate competency of this task you must achieve a minimum score of 70 percent on the subcourse examination.
- REFERENCES: The material contained in this lesson was derived from the following publications: AR 190-30, AR 190-45, AR 195-4, AR 195-5, AR 195-6, CIDR 195-5, FM 19-10, FM 19-20.

INTRODUCTION

Military police investigators are responsible for those incidents, complaints, and matters which do not fall within CID jurisdiction and cannot be readily resolved by regular military police operations. Investigators and investigations must be properly managed in this capacity to ensure timely and accurate resolution of all incidents and complaints referred to the MPI section.

PART A - DETERMINE MILITARY POLICE JURISDICTION AND AUTHORITY

Jurisdiction

In the continental limits of the United States, incidents that happen off post are normally investigated by civil law enforcement agencies. These include state, county, municipal, and federal agencies.

When an incident occurs off a military reservation, contact is made with the appropriate court or law enforcement agency. Results are documented and reported on DA Form 3975. Copies of civil police reports are obtained and attached to the MP report whenever possible.

In overseas areas, off-post incidents are investigated in accordance with status of forces agreements (SOFAs) or US and host-nation agreements.

Authority

The authority of military police to enforce military law and order and regulations is derived primarily from the constitutional power of the president. He is the commander in chief of the armed forces. Military police must be familiar with the contents of the articles of the UCMJ and local law and polices in order to perform their duties effectively.

Authority Based on Location. There are marked differences between the authority of military police at home and in a foreign country. These differences arise because of the laws of the country concerned. Agreements have been made to resolve jurisdictional conflicts. An example of this is the SOFA. This agreement recognizes one government to take action in cases where both governments could take action.

Authority over Places and Persons. Military police have authority over all members of the Armed Forces on active duty, as well as over certain retired members and others defined in Article 2 of the UCMJ. Military police have no authority over members of the National Guard. MP have no authority over Army Reserve, or members of the Reserve Officers Training Corps not on active duty. This is true even when they are on a federal military installation.

In areas under military jurisdiction, MP may take persons into custody, regardless of whether or not they are members of the military service.

Authority over Persons Not Subject to the UCMJ. Civilians not subject to the UCMJ can be apprehended for violation of post regulations. They may be escorted to the post entrance and forbidden reentry. If found committing a felony or a misdemeanor, they may be held long enough to be turned over to civil authorities.

Offenses investigated by MP investigators were discussed in Lesson 1. Guidance of what offenses military police investigators normally investigate is contained in AR 190-30.

The following are types of offenses investigated by MP investigators:

- o Crimes against property valued at less than \$1,000 and in which the property is not of a sensitive nature.
- o Offenses involving use or possession of non-narcotic controlled substances such as those below, and the amount is sufficient for personal use only and not for resale to others:
 - Marijuana.
 - Derivatives of sativa.
 - Hallucinogens.
 - Amphetamines.

- Barbiturates.

- o Activities directed at the prevention of the offenses designated above.
- o Investigations of allegations against military personnel when not covered by the CID.
- o Juvenile offenses not within the investigative responsibility of the CID.

PART B - ASSURE USE OF PROPER CRIME SCENE PROCESSING PROCEDURES AND TECHNIQUES

As a military police investigator, the use of proper crime scene processing procedures and techniques is vital. Various procedures and supplementary techniques relating to crime scene evidence are outlined in this learning event. Investigations must be properly managed to ensure timely resolution of all incidents referred to the MPI section.

Crime scene processing procedures begin the moment the investigator arrives at the scene of the crime. Evidence connected with the investigation must be properly collected, documented, and controlled. For all physical evidence relating to the scene of a crime, MP investigators should be able to execute the following:

- o Search for evidence.
- o Record the evidence.
- o Collect the evidence.
- o Mark the evidence.

Recording Evidence

As an investigator at a crime scene, it is important to accurately record the situation. Recording evidence is a vital aid to remembering the details of the crime scene as well as providing concrete proof of a crime. Recording evidence can be done in a number of ways. These include--

- o Notes.
- o Sketches.
- o Photographs.
- o Measurements.

All of these procedures assist in recognizing, identifying, and preserving the evidence. The above methods of recording evidence at a crime scene will be discussed below.

Notes. While it is important that all evidence be recorded accurately, it is particularly important that notes be accurate. Notes should contain a concise account of what the investigator saw. Also included is an account of the investigative method used and its phases. Some of the basic principles of taking notes include the following:

- o Print or write legibly.
- o Use ink, if possible.
- o Identify each page with the following information:
 - Investigator's name.
 - Case number (when known).
 - Date.
- o Use short phrases.
- o Do not use single words or shorthand. The information may not be meaningful at a later date.
- o Notes should not be edited or erased. If a mistake is made, the entry should be lined out, initialed, and rewritten.

Notes should include a detailed description of any item considered to be pertinent to the investigation. The guidelines listed above should be followed as closely as possible to avoid unnecessary confusion when recording evidence.

Notes can be entered into the court proceedings as evidence. They are used to refresh the investigator's memory. They can become a guide to a new investigator assigned to the case.

Sketches. Another method of recording crime scene evidence is by making a sketch of the scene. Sketches of the scene are made to properly place all evidence. Methods include--

- o Accurate measurements.
- o Triangulation.
- o Photographic positions.

All items that will help the investigator reconstruct the scene should be included in the sketch. Rough sketches done at the scene of the crime are redrawn into a finished sketch suitable for presentation in court. The MP investigator should verify the sketch for accuracy. Sketches must be identified by--

- o Title block.

- o Legend.
- o Direction of north.
- o Measurement scale used.
- o Caption.

These are the minimum requirements.

More than one sketch may be made of a particular crime scene. For example, one sketch may reflect the measurements of the scene. Another sketch may depict camera positioning, and one sketch may show the location of items involved in the scene.

Separate sketches may be the best way to record multiple scenes in large areas of investigative interest.

Photographs. Photographs provide a permanent record and serve as a means to preserve all details of a crime scene. Photographs also supplement notes, sketches, and written reports.

Photographs provide a permanent record of fragile evidence and preserve details of the crime scene. Fingerprints are an example of fragile evidence. They are photographed prior to lifting to provide a record of the print.

Photographs should be taken as soon as possible after the incident, and should show the following:

- o The immediate scene.
- o Surrounding areas.
- o The location.
- o Areas in the immediate vicinity or in connection with the scene.
- o Points of entry and exit.
- o Areas containing evidence pertaining to the incident.
- o Any evidence of a struggle.
- o Lighting conditions.
- o Anything unusual or unnatural.

Color photographs are preferred in most situations. Photographs should be taken of all injuries sustained by victims or suspects for the purpose of documentation.

Measurements. Measurements of the scene must be made so that reconstruction of the scene can be performed if necessary. Measurements should include the following:

- o Openings.
- o Doorways.
- o Exits.
- o Furniture.
- o Pertinent items of interest.
- o Evidence and traces of evidence which might be present.

There are various methods of measuring. The triangulation method is used for all indoor sketches. Objects are located and depicted by creating a triangle of measurement from two or more fixed points to a single point on the object being fixed. Ideally, each object is fixed by two separate triangles related to two different points on the same object.

When movable items are to be used as reference points, they must first be fixed. Figure 2-1 shows how the position of a crowbar is depicted by using the triangulation method.

Other methods of measuring are cross-projection and intersection-resection. For a discussion of the cross-projection method, see Lesson 1, Part B and Figure 1-7. For a discussion of the intersection-resection method, see FM 21-26.

Searching for Evidence

A general survey of the crime scene is always made. The investigator looks for obvious traces of the action that occurred during the crime. Traces of evidence include the following:

- o Location and size of area.
- o Entry or exit points.
- o Stains or spots.
- o Pools of liquid.
- o Peculiar odors.

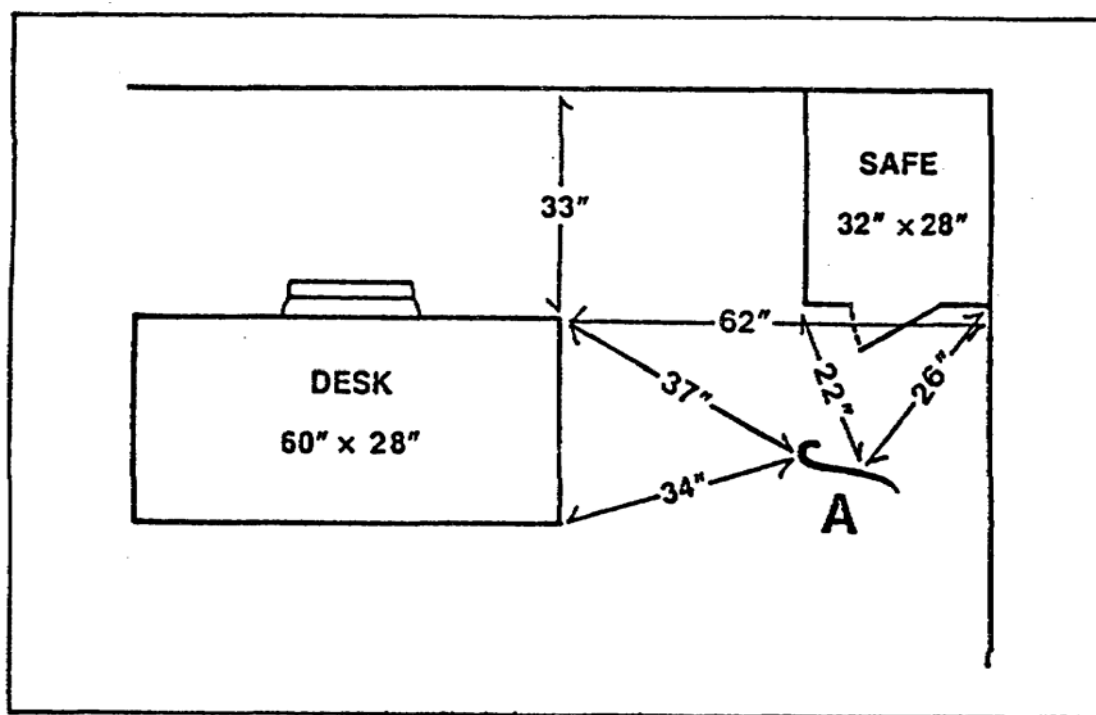


Figure 2-1. The Triangulation Method.

All of these should be treated as evidence. If any doubt exists as to the value of an item, it is treated as evidence until proven otherwise.

This same careful attention is required to protect items or areas where fingerprints may be present. Actions should be taken to have the prints lifted and developed.

Impressions in the surface (such as tire tracks or footprints) must be protected. Casts or molds should be made as soon as possible.

NOTE: Particular attention must be given to trace evidence. Trace evidence is evidence that may be destroyed or altered if it is not collected immediately. Trace evidence includes—

- o Hair (human, animal).
- o Fibers (carpets, clothing, furniture).
- o Earth particles (mud from shoes).

All of these types of trace evidence can be destroyed or easily overlooked.

Collecting Evidence

Physical evidence should be collected and described in detail. The evidence should be based on what the investigator observed and not on assumptions. Descriptions should include the following:

- o Items (identify by common name).
- o Quantity (number or amount).
- o Location (where found).
- o Color (description).
- o Size (small, large).
- o Construction (material made of).
- o Identifying marks or features.
- o Condition.

Special care should be given to examining the scene for additional evidence or trace evidence. Control and storage of physical evidence must be done in a manner that protects the evidence in its original condition as closely as possible. Excessive handling should be avoided.

If the investigator touches a piece of evidence and leaves his fingerprints on the article, he must indicate this fact in his notes. This will assist the laboratory if they make an examination of the evidence. Collection of the evidence is conducted in a manner to preserve the value of the item as evidence. The investigator must handle the evidence as little as possible. There are recommended methods for handling specific items of evidence. These methods are outlined in FM 19-20. (See Figure 2-2 for an excerpt.)

Marking Evidence

In addition to taking appropriate notes, the MP investigator must mark the evidence so that it can be identified at a later time.

The evidence should be marked as soon as possible. The mark should be made in a place least likely to affect the--

- o Appearance.
- o Monetary or intrinsic value.
- o Evidentiary value.

RECOMMENDED METHODS FOR HANDLING SPECIFIC ITEMS OF EVIDENCE	
ITEM	METHOD
Handguns.....	Use your fingers on knurled grips. Do not touch smooth grips or smooth metal parts. Use the tip of the grips. Do not touch the magazine base of pistols. Place in a box, bracing the weapon at front and rear.
Paper money, documents, paper.....	Use tweezers. Do not place tweezers over any obvious smudge. Place each item in a clean envelope or bag.
Broken glass.....	Use your fingers on the edges of larger pieces. Do not touch flat surfaces. Use tweezers on pieces too small for your fingers. Do not grasp at point of any obvious smudges. Wrap pieces individually in clean tissue, place in a box, and stabilize to prevent rubbing, shifting, or breakage.
Dried stains on smooth surfaces of furniture.....	Collect portion of furniture bearing surfaces of furniture stain in original pattern, if possible; otherwise, scrape with pocket knife or putty knife, removing as little of the finished surface as possible.
Bottles, jars, drinking glasses.....	Insert two or more fingers into large mouth vessels. Place the index fingers on the top and bottom of small mouth vessels. Do not contaminate or spill any substances in the vessel that may have evidence value.
Bullets.....	Use your fingers or use tweezers with taped ends. Avoid damage to rifling marks on the circumference. Place in a pillbox.
Cartridge cases.....	Pick up at the open end with tweezers. Avoid scratching. Place in a pillbox.
Dried stains on a floor.....	Collect portion of floor bearing stain in original pattern, if possible; otherwise, remove by gouging deeper than the stain with putty knife, wood chisel, or other necessary tool. Place in pillbox or larger similar container.

Figure 2-2. Excerpt from FM 19-20.

The marking consists of the--

- o Investigator's initials.
- o Date of discovery.
- o Time.

Each item of evidence is marked in this way so it can be positively identified at a later date.

A military police property identification tag is attached to each separate piece of evidence as a means of identification. This tag facilitates processing and handling of the evidence by the evidence custodian and the laboratory technicians. DA Form 4002 was shown in Figure 1-11.

DA Form 4137 is used by MP and SAs to record acquisition, chain of custody, and disposition of evidence. It is a multiple purpose form designed to be used as a receipt. It records the following:

- o The chain of custody.
- o Authority for final disposition.
- o Final disposition and witnessing of evidence destruction.

An original and three copies should be made of DA Form 4137. The entries should be typed or printed legibly in ink. See Figures 1-9 and 1-10.

The original and two copies are given to the evidence custodian. The evidence custodian maintains the original and one copy for his records. The second copy is given to the SA or MP for inclusion in the case file. The third copy is used as a receipt when evidence is received from an individual.

PART C - ASSURE THE PROPER CONDUCT OF INTERVIEWS AND INTERROGATIONS

Military police investigators must know how to effectively conduct interviews and interrogations. This learning event focuses on the procedures and techniques involved in interviewing and interrogating a victim, suspect, or witness. The following areas will be explored:

- o The preparation necessary for interviews and interrogations.
- o Interview procedures and techniques.
- o Interrogation procedures and techniques.
- o Documentation of an interview or interrogation.

Definitions

Interviews and interrogations are separate events. They are based on an incident or offense and involve victims, suspects, and witnesses. They are defined below to clarify the difference.

Interview. An interview involves the questioning of a person who is ready, willing, and able to provide information. The witness is encouraged to tell the truth about what occurred.

Interrogation. An interrogation involves questioning a person who is either intentionally or unintentionally reluctant to fully disclose information relevant to the investigation.

The primary purpose of any interview or interrogation is to bring out the truth. The investigator conducts the interview or interrogation in order to do the following:

- o Gain information.
- o Corroborate or disprove statements.
- o Verify inferences derived from physical evidence.
- o Link physical evidence or a suspect with a particular case.
- o Eliminate a suspect.
- o Identify perpetrators, accomplices, or additional witnesses.

While the primary goal of your interviews and interrogations is to get the truth, you also need to establish facts. These facts are reported in a person's statement. You might get an admission or a confession in a suspect's or an accused person's statement. To help distinguish one from the other, all are defined below:

Statement. A statement is an assertion (written or oral) of facts that are pertinent to an investigation. Statements are secured from anyone having knowledge of an offense.

Admission. An admission is a self-incriminating statement that falls short of an acknowledgement of guilt.

Confession. A confession is a complete acknowledgement of guilt.

For example, suppose A says B robbed him. Also, C saw B rob A, and saw B at a later time spending a lot of money. Each person, A through C, made a statement concerning the offense. If B said that he was at the scene, but did not commit a robbery, then he made an admission. If B said that he did rob A, then he made a confession.

Self-incrimination. Self-incrimination is the giving of evidence or answering of questions during an interview or interrogation in a way that would suggest guilt. Such revealing of information could lead to criminal prosecution. However, if a suspect or accused has made incriminating statements concerning the crime before being advised of his rights, you must tell him that the statements cannot be used against him. You must also say that the statements do not obligate him to answer further questions. The procedure for advising a suspect or accused of his rights is discussed later on in this lesson.

Throughout questioning, the investigator must refrain from making or implying promises of benefits or rewards, or threats of punishment. As an investigator, you must avoid coercing, unlawfully influencing, or inducing a person to make a statement.

Preparation

You already know that interviews and interrogations are separate events. The preparation for both, however, is very similar. There are basic elements of information that are necessary to conduct either interviews or interrogations.

You need background knowledge about the incident (and the person interviewed) for two reasons:

- o You need to know what questions you will ask.
- o You need to know if someone is telling the truth, lying, or just has the facts confused.

Review the Circumstances of the Incident. Before you start an interview, discover the circumstances surrounding the incident. This can be from the investigation files, physical evidence, the crime scene, and from talking to the initial responding patrols. The circumstances of the incident involve two areas of concern. These areas are the descriptions of the incident and the laws applying to the offense under investigation. You must commit to memory all facts known about an incident, especially details that are not public knowledge. These facts or elements of information include the who, what, when, where, why, and how of the crime. The facts may be drawn from physical evidence or from statements of witnesses. The goal is to create as thorough a mental picture of the incident as possible. In addition, you must know about the laws that apply to the offense. The laws influence the type of information and testimony you need from your interviews and interrogations.

Acquire Background Knowledge of the Interviewee. There are many reasons for learning the background of the interviewee. You might want to have some facts in order to check the truthfulness of the interviewee. You might want to impress the interviewee with how much you know about the case already. The background knowledge you have about an interviewee should include age, place of birth, nationality, race, present or former rank, present duty and former occupations, habits and associates, records of convictions and detentions, and records in the local provost marshal's office and Crime Record Center (CRC).

The CRC will conduct a search of files to see if there is any information available. Prior convictions may or may not be relevant to the incident you are investigating. (Convictions themselves do not point to guilt.)

You can make a name check through coordination with the Military Police Investigation Section or the local Criminal Investigation Command, both have access to CRC.

Other facts, such as a witness's, victim's, or suspect's social, financial, and medical status all may be relevant to a case. You will not know what facts may be important until you talk with the person. Therefore, you need to get as much information as possible in your background check.

Your check of background information may also reveal potential personality conflicts. Although you are a professional, there may be a time when, due to personal deep-seated emotions, you will not be able to objectively participate in an interview or interrogation. In this case, you should arrange for another officer to: take your place.

Prepare Outline. Assuming you know about the incident and about the person you will talk with, you are ready to prepare questions. Construct a general outline of the areas you want to cover and the facts you need to ascertain. Your goal is to obtain a true statement.

A carefully planned outline or set of questions will get you there. Structure the outline so that you will obtain, verify, and clarify missing or confusing information. The outline should be able to obtain facts that you expect the interviewee to know. For example, you would expect the victim to know the time frame of a robbery and the items missing. You would also expect the suspect to know what items were taken and who else was involved. You need to identify what information someone is expected to know so that you can tell if they are lying or do not have the information.

The questions that come from the outline should be in a logical sequence. One question should naturally follow the response to the previous one. Of course, you cannot anticipate all responses. Your inquiry may lead into a different area than you anticipated. The expected elements of information should, however, be the minimum information gained in the interview or interrogation.

One key to a successful interview is asking appropriate questions. This means the questions must get to the point. They must stimulate recall and allow a person to describe environments, conditions, and events. Photographs and sketches can be used as prompts. Questions that yield "yes" or "no" answers should be avoided. The goal is to have the interviewee tell his story or describe the incident under investigation, not just nod in agreement or disagreement.

Schedule Time and Location. An interview or interrogation should be scheduled at the earliest possible time. You would want to talk to a witness and get a statement while his memory is still fresh. You want to talk to a suspect before he has had time to think of alibis or talk with 'accomplices. There are times, however, when you have to delay an interrogation. You might need to collect evidence or research the suspect's background.

The length of time devoted to an interview or interrogation varies. When scheduling a talk with a victim or witness, you should be at their convenience. The interview should not be rushed or hurried. Likewise, an interrogation must not have a predetermined time limit, or continue for so long as to suggest duress.

The location of an interview or interrogation also varies. It may occur at the scene of an offense. However, during a formal interview, a victim or willing witness may be interviewed where they would feel comfortable. This could be at their home or place of employment as well as at your

office. You should talk with suspects or unwilling witnesses (unwilling to cooperate for any number of reasons) in an interrogation room. You can control distractions there and have a certain amount of psychological advantage.

The interrogation room should be private and free of outside distractions. It should be furnished with only as many straightback chairs as required and a table for writing, as shown in Figure 2-3. The temperature should be regulated to a comfortable level to prevent later accusations that a statement was made under duress. Items that could cause distractions should be removed. Telephones are permissible providing you have the bell disconnected, long lengths of cord hidden from view, and any lights facing away from the suspect.

Arrange for Witness and Interpreter. You need a witness at an interview or interrogation for many reasons. At an interview, you need a witness for executing the affidavit on DA Form 2823 (Sworn Statement). In an interrogation, you need to have a witness for the rights warning and waiver, and for the execution of the DA Form 2823 affidavit. The witness to these events is ideally the same person. This is just in case both you and the witness need to appear in court. At no time should you have more investigators than necessary. Too many witnesses could be used by a defense counsel to indicate a statement was made under duress.

If the interviewee is female, a female witness should be made available. The female witness can either be in the room or observing through a two-way mirror.

Under certain circumstances, an interpreter may be required for an interviewee. You should be able to determine that you need an interpreter based on your background knowledge of the individual. Language barriers should be the key factor in a decision to use an interpreter. When preparing an interview or interrogation, provide your questions to the interpreter before the interview begins. These written questions should be clear and concise and be able to yield brief, factual answers. You do not want to get a long-winded story from someone that takes hours to translate.

You must keep in mind that the interpreter is nothing more than a "talking machine." You are in control of the interview. An interpreter must never ask his own questions. He must never paraphrase questions or answers and must never hold back information. You must ask questions to the interviewee directly. The interviewee will respond directly, with the interpreter repeating the translation word-for-word.

Determine Means to Record the Interview or Interrogation. Two methods are used to record an interview or interrogation: notes or electronic recordings. Either you, another investigator, or a stenographer can take the notes. If you are taking the notes, you should do so only after the interviewee has told his story at least once. Take notes only after you are sure that you are getting truthful information. You may need to write bits of information (such as phone numbers and addresses) immediately. You first want to devote all of your attention to the story. If an interviewee is bothered by your taking

notes, you might delay making the notes until later. If you are using an interrogation room, use secretarial assistance. Remember, the goal of recording the interview or interrogation is to construct a written statement. Your notes should be as complete as possible to help you to accomplish this.

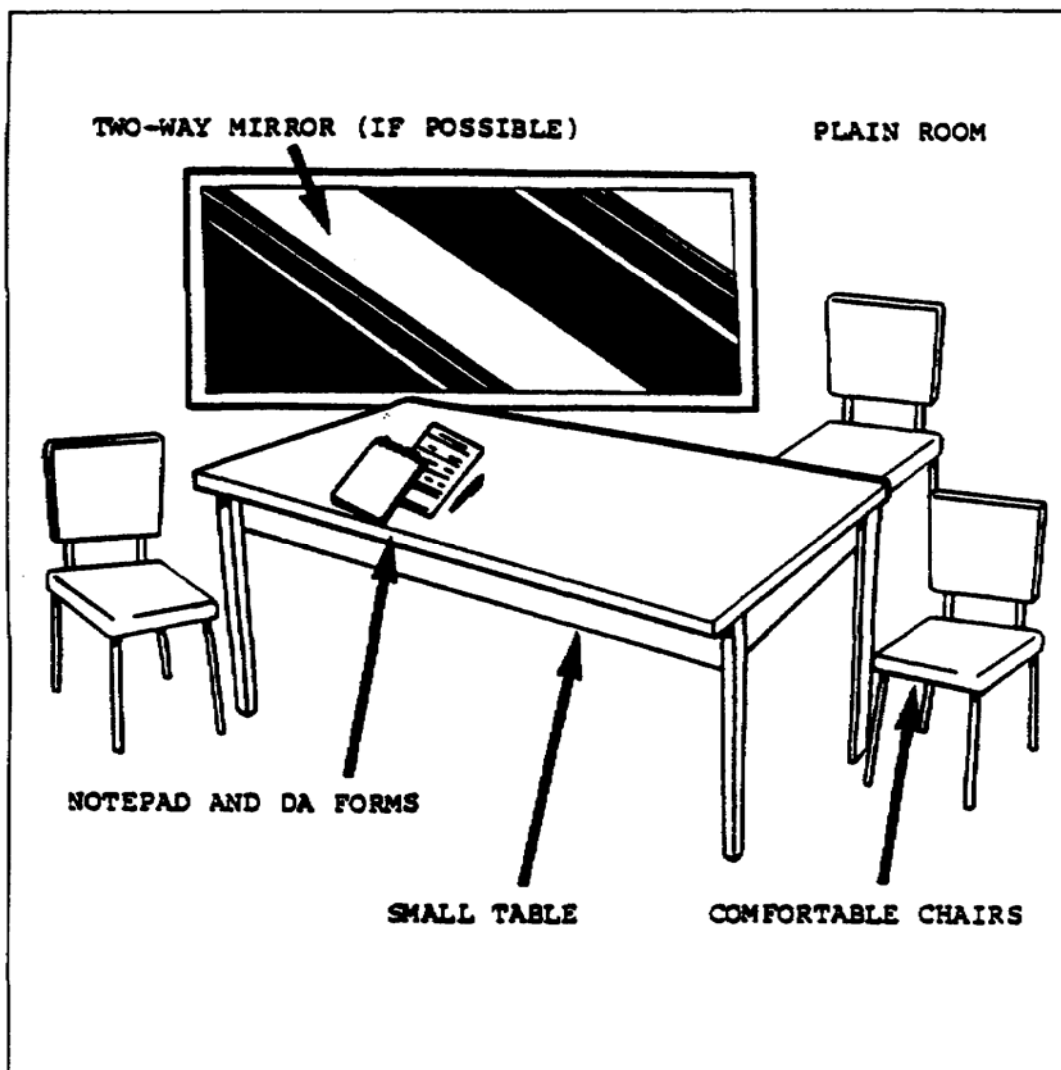


Figure 2-3. Requirement for Interrogation Room.

An electronic recording device may make your job easier. It limits your note-taking time. It also ensures that an interviewee's entire statement is recorded. However, there are some limits. You must warn the interviewee that you plan to use a recording device. Also, you must obtain the consent of the interviewee, preferably in writing. In most cases, therefore, you will be taking notes.

Interview Procedures and Techniques

You have prepared for your interview by learning about the incident under investigation and the person to be interviewed. You have prepared an outline or questions, scheduled a time and place, and arranged for witnesses and interpreters as needed. Now you are ready to go. An interview may follow the sequence of questions you have prepared, or it may take off in another direction. In either event, there are some basic elements common to all interviews:

Provide an Introduction. The beginning of an interview is the only time when you do all the talking. You need to relate information to the interviewee, including your name, position, and credentials. You also need to state the nature of and the reason for the interview. You should not treat this lightly by rushing through a quick explanation. Take your time and express concern for the individual. Relate the importance of the case, especially with victims. The introduction sets the tone for the entire interview. By showing concern, you are certain to receive more cooperation than if you just started asking questions.

Next, give a general statement of the status of the case. Do not disclose any specific facts or details. For example, to the larceny victim you would say, "I understand your house has been burglarized; I would like to talk with you about it."

Determine Appropriate Actions and Attitudes. Once you have begun the interview, your actions and attitudes must be appropriate to the situation. You are a professional, and your attitude should be professional and sincere. Remember, by showing concern and not haste, you will get more cooperation and a more detailed and useful account.

You need to keep in mind the emotional state or attitudes of the victim or witness, especially if the incident is recent. The interviewee may be reluctant to talk. He may be influenced by some prejudice. His perception or memory of the incident may be exaggerated. A calm, steady, concerned approach will help lessen emotional swings. Digressions may occur, you must continually make an effort to "stick to the facts." The concern and consideration you give to a victim's injuries or losses will provide the incentive to a truthful victim to recall details. At the same time, a lying victim may be thrown off-guard they will be more likely to tell discrepancies and contradictions. Note the interviewee's emotional state. A later interview may be required to verify the information given to you.

Determine Appropriate Questions and Prompts. You already have an idea of the information that you need. The outline you have prepared should ensure that you get that information. When the interviewee is ready, willing, and able to discuss the incident, you can forgo the questions and use an indirect approach. The indirect approach is simply having the interviewee tell his version of the story in his own words. You should ask questions at the end of the story only to clarify information or to fill in gaps.

If a victim or witness is not or is unwilling to talk, use the direct approach. The direct approach involves specific questions that are to the point and aimed at getting facts. This is where your preparation will be useful.

Remember, in either approach, always use questions that avoid "yes" or "no" responses. Never use leading questions that suggest an expected answer and do not interrupt an interviewee while he is talking.

For example, instead of asking, "Was your house burglarized?", you might say, "Tell me about the burglary of your home." In a leading question, you might say, "Tell me about the man driving the car" when, in fact, the interviewee never said whether the person driving was male or female. It is important that you recognize interview interference.

Recognize Interview Interference. When you are given a statement by a witness or victim, you will likely hear a story that is different from what others have told you. A willing witness or victim may not be trying to lie. There may be some "unintentional deception" on his part. Be aware that unintentional deception does occur often. It happens for a number of reasons. You would recognize a discrepancy between what a witness says and the known facts. Any discrepancy must be cleared up. Differences must be accounted for so that the credibility of the witness in court is not affected. If there are only a few discrepancies, allow the witness to finish the story before challenging him with the discrepancy. If the witness seems to be continually lying, chances are the deception is intentional. In this case, you would probably want to challenge him as the discrepancies come up in the story.

There are two types of unintentional deceptions: observation and reporting. Deception due to observation includes anything that affects someone's ability to perceive or recall a truth. This could be due to the distance or angle from which they witnessed, the weather, light, or other distractions in the environment, and the lapse of time since the observation was made. Likewise, a person's life experience or training may either increase or detract from an observation.

Impairments to sight or hearing must be considered. A person's psychological and emotional state (such as fear, anger, prejudice, or mental instability) also contribute to deception.

Unintentional deception in reporting may be due to many factors. These include a witness or victim's inability to express himself, fear of police or police methods, and incorrect assumptions as to what details are important. Intentional deception may occur if a person does not want to get involved or wants to avoid inconvenience.

You, as an investigator, must find out why statements conflict with known truths. People are not always lying when they say something that does not agree with what you know to be true. Careful questioning will show if unintentional deception is interfering with your interview results.

Prompts such as photographs, sketches, or evidence from your background research are useful tools. They help orient the interviewees and serve as a basis for questions. This approach helps to motivate the interviewee and serves to "break the ice."

Verify Information. When you are satisfied that your interviewee has given you all the facts he is able to provide, you need to review these facts with him. To review the facts means that you verify the information given to you. The facts must be accurate, complete, and based on the personal knowledge of the interviewee. Remember that this interview should lead to a sworn written statement. The interviewee must be confident that you did not misinterpret the facts.

Likewise, you want to ensure that there is no misunderstanding before you prepare the statement. You might want to have the witness repeat the description. If there was a misunderstanding or an error in your conception of the story, resolve the issue at this time.

Prepare DA Form 2823. If you are reasonably sure that the interviewee has told you as much about the incident as possible, and you have verified that information, prepare and fill out a DA Form 2823.

Terminate the Interview. Terminate the interview when it is apparent that no more relevant information can be obtained. All information should be verified and a sworn statement, if made, should be completed and signed. When you terminate the interview, show appreciation for their cooperation. By emphasizing the importance of the information, you may cause the interviewee who had been lying or concealing facts "lighten up." Be attentive for additional statements of facts when you end an interview. Often the interviewee will loosen up and let some information slip. Finally, do not make any promises or give any hint that the interview will be kept confidential.

Evaluate the Information. After you have completed your interview and have obtained a sworn statement, you need to determine the consistency and reliability of the information. Information is consistent if it compares favorably with other statements, physical evidence, and your own observations. Suppose you were told, for example, that one car struck another on the right fender. The car does have a dent in the right fender. Therefore, the information is consistent.

Information is reliable if the interviewee is truthful. This is more difficult. The mannerisms and emotional state of the interviewee may indicate that he was concealing or withholding information or exaggerating facts. However, this is hard to determine and even harder to prove. If the information seems to be inconsistent or unreliable, you may need to reinterview the victim or witness. You do not need discrepancies to further obscure the truth of the incident or cast doubt on the reliability of a witness or victim.

You can confront the interviewee later with the inconsistencies. Time can calm an emotional witness and cause an interviewee who concealed information

to forget what he told you the first time. In either situation, your evaluation will allow you to gather more facts and evidence to support your investigation.

Interrogation Procedures and Techniques

Interrogations are a little different than interviews, but generally the same principles apply. An interview is accomplished with someone who is ready, willing, and able to talk. An interrogation is conducted with someone who is not ready or willing to talk. For this reason, interrogations involve direct questioning. Although each interrogation is unique, they basically follow the steps and techniques that are discussed below.

Provide an Introduction. The introduction to an interrogation is similar to that for an interview. You give your name, position, and credentials. When interrogating a suspect or accused person, you next--

- o State the nature of the offense under investigation.
- o Tell the interviewee that he is a suspect or has been accused of that offense.
- o Advise the suspect of his rights (under the provisions of Article 31 or the UCMJ).

The rights warning is printed on DA Form 3881 (Rights Warning Procedure/Waiver Certificate). The DA Form 3881 contains a section of rights for the interviewee to read. It also has a section for him to waive (or not waive) his rights. The procedures and special instructions you need to warn the suspect of his rights are on the back. If the suspect or accused has made incriminating statements or was questioned concerning the crime before being advised of his rights, you must tell him that the statements cannot be used against him. You must also say that the statements do not obligate him to answer further questions. A sample form is shown in Figure 2-4.

Suppose a suspect begins to talk before you have advised him of his rights, but after he knows who you are. Stop him, read him his rights, and inform him that his previous statements cannot be used against him. (If the suspect makes a spontaneous exclamation, the statement may be used as evidence in court.)

Prepare a DA Form 3881. The DA Form 3881 contains the procedure to warn a suspect of his rights. You need to read the rights warning word-for-word from the back of the DA Form 3881 while the suspect reads the front. Ensure that the suspect acknowledges that he understands his rights. You are then ready to fill out the waiver certificate. Once a waiver certificate has been completed, you then have proof that the suspect either waived (gave up) his rights to a lawyer or to keep silent, did not waive his rights and wants a lawyer, or does not want to talk.

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE For use of this form, see AR 180-30; the proponent agency is DCSBOPS			
DATA REQUIRED BY THE PRIVACY ACT			
AUTHORITY: Title 10, United States Code, Section 3012(g)		PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.	
ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.		DISCLOSURE: Disclosure of your Social Security Number is voluntary.	
1. LOCATION Ft. McClellan, AL	2. DATE 10 APR XX	3. TIME 1345 SRH	4. FILE NO. 00139-XX
5. NAME (Last, First, MI) HILL, Steven R.		6. ORGANIZATION OR ADDRESS D Co 1/39th INF Ft. McClellan, AL 36205-5000	
8. SSN 216-98-7756	7. GRADE/STATUS E-6		
PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE			
Section A. Rights			
The investigator whose name appears below told me that he/she is with the United States Army Provost Marshal Office as a <u>Military Police Investigator</u> and wanted to question me about the following offense(s) of which I am suspected/accused: <u>Assault///</u> Below he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights: 1. I do not have to answer any questions or say anything. 2. Anything I say or do can be used as evidence against me in a criminal trial. 3. If I am a personnel subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both. - or - If I am a civilian not subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins. 4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.			
5. COMMENTS (Continue on reverse side)			
Section B. Waiver			
I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.			
WITNESSES (If available)		3. SIGNATURE OF INTERVIEWEE	
1a. NAME (Type or Print) DEBORAH L. HUNTLEY <i>Deborah L. Huntley</i>			
b. ORGANIZATION OR ADDRESS AND PHONE Ft. McClellan MP Co. Ft. McClellan, AL 36205-5000 (848-5583)		4. SIGNATURE OF INVESTIGATOR <i>Daniel C. Cline</i>	
2a. NAME (Type or Print)		5. TYPED NAME OF INVESTIGATOR DANIEL C. CLINE	
b. ORGANIZATION OR ADDRESS AND PHONE		6. ORGANIZATION OF INVESTIGATOR Ft. McClellan MP Co. Ft. McClellan, AL 36205-5000	
Section C. Non-waiver			
1. I do not want to give up my rights: ☐ I want a lawyer. ☐ I do not want to be questioned or say anything.			
2. SIGNATURE OF INTERVIEWEE			
ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2623) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED			
DA FORM 3881, NOV 89		EDITION OF NOV 84 IS OBSOLETE	

Figure 2-4. Rights Warning Procedure/Waiver Certificate.

In order to complete the waiver certificate, you first need to fill out the heading section. This section includes your location, the date, and file number. The name, social security number, grade or status, and organization or address of the suspect are also part of the heading. Next, fill in your identification (who you are with and in what capacity). This is done on the first two lines under the Rights Section. Also, write the offense under investigation. A sample of the top half (Heading and Rights Section) of a completed DA Form 3881 is shown in Figure 2-5. Note that the offense line must contain the most serious offense that logically follows from the incident under investigation.

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE			
For use of this form, see AR 190-30; the proponent agency is DCSPER.			
AUTHORITY: PRINCIPAL PURPOSE: ROUTINE USES: DISCLOSURE:		DATA REQUIRED BY THE PRIVACY ACT Title 10, United States Code, Section 3012(g). To provide commanders and law enforcement officials with means by which information may be accurately identified. Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval. Disclosure of your Social Security Number is voluntary.	
LOCATION	DATE	TIME	FILE NO.
Ft McClellan, AL	XX0818	1345 SRH	00139-XX
NAME (Last - First - MI)	ORGANIZATION OR ADDRESS		
HILL, Steven R.	D Co 1/39th INF		
SOCIAL SECURITY NO.	GRADE/STATUS	Ft McClellan, AL 36205-5000	
216-98-7756	E-6		
SECTION A - RIGHTS WAIVER/NON-WAIVER CERTIFICATE			
RIGHTS The investigator whose name appears below told me that he/she is with the United States Army <u>Provost Marshal's Office</u> <u>as a Military Police Investigator</u> and wanted to question me about the following offense(s) of <u>which I am suspected/accused: Assault!!!</u> Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights: 1. I do not have to answer any questions or say anything. 2. Anything I say or do can be used as evidence against me in a criminal trial. 3. (For personnel subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be provided by the military or I can arrange to have a civilian lawyer.			

Figure 2-5. Heading and Rights Section.

Many offenses can occur in one incident. For example, an aggravated assault may occur in an attempted murder. You must enter the most serious offense (attempted murder) on the offense line with aggravated assault understood to be the "lesser included offense." (Note that the term "lesser included offense" refers to any offense not listed on the offense line.) Consult with the local staff judge advocate if there is any question as to the offense.

The Waiver/Nonwaiver Section makes up the rest of the waiver certificate. There are three ways to complete the section based on the three choices that a suspect has. These are illustrated in Figure 2-6.

Example 1. The suspect consents to the interrogation without a lawyer. The suspect signs the waiver section first, followed by your signature, and finally a witness signs the section.

Example 2. The suspect does not wish to be questioned, or wants a lawyer. The suspect checks which reasons applies in the nonwaiver section, and signs the nonwaiver.

Example 3. The suspect refuses to sign the certificate, but does agree to waive his rights. You must note that the suspect understands his rights, and does not want a lawyer. Also note that he wants to discuss the offenses or make an oral statement and refuses to sign the waiver certificate.

Whether or not the interrogation can continue depends on how the waiver certificate was completed. An interrogation may continue if the suspect or accused person signs the waiver, or if he orally waives his rights but refuses to sign the waiver. If the suspect or accused is not willing to talk and signs the nonwaiver section, stop the interview or wait for a lawyer, depending on circumstances. Remember that a suspect not in custody can leave at any time and will probably do so if he does not want to cooperate.

Consider and Provide for a Suspect's Physical Needs. Consideration for the suspect's physical needs means that you must ensure that needs for food, water, rest, and personal hygiene are met. You must be able to show the court that you provided for these needs. Any sign of ignoring or withholding a suspect's request can suggest that a statement was made under duress. However, providing for the suspect's physical needs does not intend that an interrogation should be controlled by a suspect. You should respond to requests that you feel are appropriate and reasonable so that you preserve the continuity and control of the interrogation. Thus, an occasional request should be met; continual interruptions by requests should be avoided.

Determine Appropriate Interrogation Approach. There are two primary approaches you can employ in an interrogation (just as you would in an interview): the direct and indirect approaches.

If the guilt of the suspect is reasonably certain, based on overwhelming evidence and/or previous testimony, then the direct approach is more appropriate. Here you attempt to determine why the suspect committed the offense rather than if he did. Do this by stressing the evidence and testimony against the suspect.

Use the indirect approach when guilt is doubtful or uncertain. Have the suspect give a detailed account. You can compare known facts to his account. You can then successfully confront the suspect with his own discrepancies and distortions. Consistently and persistently presenting a suspect with evidence and testimony can cause him or her to correct the discrepancies. The suspect will thereby make a statement that is in accordance with previously known facts. You must refrain from coercion or leading questions that suggest an expected answer.

Here is an example that shows when to use the two approaches. Suppose tools were stolen out of a tool room. Only one person had access to the room at that time. The guilt of that person is therefore reasonably certain. You would use a direct approach to determine why the suspect did it. Stress the overwhelming evidence against him. Suppose, however, three people had access to the tool room. All three people are suspects. You would use an indirect approach by having each person tell his story. Refer to the reasons why they are suspect. Evaluate their story while they are talking in order to detect discrepancies with known facts (location, amount of tools, or time period). Any hint of inconsistency or discrepancy is your key to further questioning.

Section B. Waiver	
I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.	
WITNESSES (if available)	
1a. NAME (Type or Print) DEBORAH L. HUNTLEY <i>Deborah L. Huntley</i>	3. SIGNATURE OF INTERVIEWEE
1b. ORGANIZATION OR ADDRESS AND PHONE Ft. McClellan MP Co. Ft. McClellan, AL 36205-5000 (848-5583)	4. SIGNATURE OF INVESTIGATOR <i>Daniel C. Cline</i>
2a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR DANIEL C. CLINE
2b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR Ft. McClellan MP Co. Ft. McClellan, AL 36205-5000
Section C. Non-waiver	
1. I do not want to give up my rights. ☐ I want a lawyer. ☐ I do not want to be questioned or say anything.	
2. SIGNATURE OF INTERVIEWEE	
ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.	
DA FORM 3881, NOV 88 EDITION OF NOV 84 IS OBSOLETE	

Section B. Waiver	
I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.	
WITNESSES (if available)	
1a. NAME (Type or Print)	3. SIGNATURE OF INTERVIEWEE
1b. ORGANIZATION OR ADDRESS AND PHONE	4. SIGNATURE OF INVESTIGATOR
2a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR
2b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR
Section C. Non-waiver	
1. I do not want to give up my rights. ☒ I want a lawyer. ☒ I do not want to be questioned or say anything.	
2. SIGNATURE OF INTERVIEWEE <i>Steven R. Hill</i>	
ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.	
DA FORM 3881, NOV 88 EDITION OF NOV 84 IS OBSOLETE	

Section B. Waiver	
I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.	
WITNESSES (if available)	
1a. NAME (Type or Print) DEBORAH L. HUNTLEY <i>Deborah L. Huntley</i>	3. SIGNATURE OF INTERVIEWEE <i>Steven R. Hill</i>
1b. ORGANIZATION OR ADDRESS AND PHONE Ft. McClellan MP Co. Ft. McClellan, AL 36205-5000 (848-5583)	4. SIGNATURE OF INVESTIGATOR <i>Daniel C. Cline</i>
2a. NAME (Type or Print)	5. TYPED NAME OF INVESTIGATOR DANIEL C. CLINE
2b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR Ft. McClellan MP Co. Ft. McClellan, AL 36205-5000
Section C. Non-waiver	
1. I do not want to give up my rights. ☐ I want a lawyer. ☐ I do not want to be questioned or say anything.	
2. SIGNATURE OF INTERVIEWEE	
ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED.	
DA FORM 3881, NOV 88 EDITION OF NOV 84 IS OBSOLETE	

Figure 2-6. Waiver Section.

Determine Appropriate Interrogation Techniques. Interrogation methods are based on the certainty of guilt of a suspect. Interrogation techniques are the way in which the questions are phrased. For example, suppose a suspect is a first offender or has committed the offense out of emotion (such as anger, passion, or jealousy). A sympathetic technique is useful. On the other hand, suppose the suspect appears confident in his alibi, seems to feel no remorse, or has committed an unemotional crime. A technique oriented to logic and reasoning is useful.

When you use the sympathetic technique you employ several rules. Gain the confidence of the suspect and assist the suspect in "saving face." This is in order to get a description of the crime from its conception to commitment. The questions that you ask should be worded so that they minimize moral implications and avoid discussions of the punitive outcomes of the crime. If the interrogation seems to bog down, point out that the suspect shows signs of stress that indicate his guilt. Such subtle suggestions, while not influencing the contents of the suspect's statement, will help to encourage a suspect to give an accurate statement. An example might be, "I can understand why you hit that guy." (which helps the accused to save face), as opposed to "You can get into a lot of trouble for hitting that guy." (which points out the punitive outcome).

Logic and reasoning seem to help with a suspect who shows no remorse or arrogance about the charges against him. Your attitude in confronting this type is to convince the suspect that guilt can be or has been established. Point out the futility of denying guilt. Show the facts that establish his guilt. Refute his alibis and contradictions with established evidence and testimony. Eventually, you should be able to get to the root of the story. Remember--

- o Do not use leading questions that suggest an expected answer.
- o Do not promise anything.

There are other techniques to get a suspect or accused person to make a truthful statement. It is your choice which techniques to apply in a given situation. Some examples are--

- o Claim the victim exaggerated the incident.
- o Present a hypothetical story.
- o Play one suspect against another.
- o Offer excuses for the suspect.
- o "Condemn the victim" (assert that the victim probably contributed to the crime).

These are only a sample of techniques that you will see or could use. They depend on your personality and the known circumstances of the incident. You

may use any technique that is legal and will not induce an innocent person to confess.

You are encouraged to try the different techniques in order to find some that you are comfortable with. You should also be familiar with them so that if you witness an investigator employing a technique, you will recognize which technique he or she is using:

- o Sympathy.
- o Logic and reasoning.
- o Playing down the offense.

If you have read the information on interviews, you already know how to terminate the interrogation and how to evaluate the information obtained. The procedures and requirements are the same. You need to compose a statement, clarify any misunderstandings, and verify confessions.

Document an Interview or Interrogation

It is extremely important to correctly document statements obtained during an interview or interrogation.

Documentation that is incorrect is useless. Documentation that is legally and accurately completed can be vital evidence. The official documentation of an interview or interrogation is DA Form 2823. It is completed at the end of the interview or interrogation. A sample is shown in Figure 2-7.

Prepare the Heading of DA Form 2823. The heading of the DA Form 2823 identifies the statement. You must include the following information in the heading (Figure 2-8):

- o Location where statement is made.
- o Date statement is made.
- o File number of the case.
- o Name, SSN, grade or status, and organization or address of the person making the statement.
- o The time the statement is made is filled in and initialed, when the statement is signed.

SWORN STATEMENT			
For use of this form, see AR 150-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.			
LOCATION Fort McClellan, AL	DATE 19 Nov XX	TIME 0100	FILE NUMBER MTRF 03142-XX
TOLTON, Sharon (NREI)	SOCIAL SECURITY NUMBER 430-20-3472	GRADE/STATUS SSG	
ORGANIZATION OR ADDRESS Co D, 8th Engr Bn, 3d Inf Div, Fort McClellan, AL 36205			
I, Sharon TOLTON, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On 6 August 19XX, I purchased a "JOHNSON" citizen's band (CB) radio from Lenlock Radio Sales, located in Lenlock Shopping Center, Anniston, AL, and had it mounted underneath the dash in my privately owned 1984 Ford. At the same time, I purchased a "clip-on" type antenna for the radio and had Lenlock Radio Sales connect the radio and antenna with a cable which they ran underneath the metal strip on the floorboard just inside the left front door of my car. This way I could disconnect my antenna whenever I wanted, and place it inside the car until I was ready to use it again. I knew a lot of CBs were being stolen and I thought maybe if an antenna wasn't visible when I left the car parked somewhere, no one would know I had a CB radio. About 1700, 18 November 19XX, I got off duty and after changing into civilian clothing, I drove over to the main NCO Club here at Ft McClellan. I pulled my car into the parking slot just to the left of the slot reserved for the Club Manager. This would be on the west side of the Club; however, I'm not sure of the building number. I got out of the car, disconnected the "clip-on" CB antenna, and placed it on the front seat of the car. I know my CB radio was in the car at that time, because I had just turned it off a few minutes before. I'm positive I secured all the doors of my vehicle. I had three or four beers in the Club, and after watching some TV decided to return to my BEQ. It was about 2200, 18 November 19XX, when I departed the Club alone and walked directly to my car. Upon approaching the car, I noticed the left front window had been broken. There was glass lying on the ground and some on the front seat and floorboard of the car. I noticed the left front door was also slightly ajar. At that time I opened the left front door and looked inside. I saw that my CB radio and antenna were missing. It looked as if someone had cut the cable which connected the antenna to the radio, because a piece of the cable was still in the car. I went back inside the NCO Club and telephoned SGT WALKER, the Military Police Desk Sergeant. About 10 minutes later, approximately 2220, the MPs got there. Shortly after that an Investigator arrived, and after processing the scene, transported me here to make a statement. Q: Were you alone when you went to the NCO Club on 18 Nov XX? A: Yes, I was alone all evening with the exception of talking to a few casual acquaintances at the Club. Q: Did you touch or disturb anything outside or inside your car when you arrived at the scene and discovered the incident? A: The only thing I touched was the door when I opened it and looked inside. I may have stepped on some of the broken glass, but I didn't touch anything else. Q: Describe the radio that was stolen from your vehicle on 18 Nov XX. A: It's a "JOHNSON" citizen's band (CB), 40-channel selector, combination on-off and volume knob on the left front, channel selector knob to the right front, black in color with chrome trim, model #AS354IK, serial #17189, approximately 12" x 4" x 12" deep, and weighs about 5 or 6 pounds. The name "JOHNSON" is scrip-written across the front of the radio. The radio is in perfect condition and is not marked in any way			
EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES	
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF _____ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.			

DA FORM 2823

SUPERSEDES DA FORM 2823, 1 JAN 86, WHICH WILL BE USED.

Figure 2-7. Sworn Statement.

SWORN STATEMENT			
For use of this form, see AR 150-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.			
LOCATION Fort McClellan, AL	DATE 19 Nov XX	TIME 0100	FILE NUMBER MTRF 03142-XX
TOLTON, Sharon (NREI)	SOCIAL SECURITY NUMBER 430-20-3472	GRADE/STATUS SSG	
ORGANIZATION OR ADDRESS Co D, 8th Engr Bn, 3d Inf Div, Fort McClellan, AL 36205			
I, Sharon TOLTON, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On 6 August 19XX, I purchased a "JOHNSON" citizen's band (CB) radio from Lenlock Radio Sales, located in Lenlock Shopping Center, Anniston, AL, and had it mounted underneath the dash in my privately owned 1984 Ford. At the same time, I purchased a "clip-on" type antenna for the radio and had Lenlock Radio Sales connect the radio and antenna with a cable which they ran underneath the metal strip on the floorboard just inside the left front door of my car. This way I could disconnect my antenna whenever I wanted, and place it inside the car until I was ready to use it again. I knew a lot of CBs were being stolen and I thought maybe if an antenna wasn't visible when I left the car parked somewhere, no one would know I had a CB radio. About 1700, 18 November 19XX, I got off duty and after changing into civilian clothing, I drove over to the main NCO Club here at Ft McClellan. I pulled my car into the parking slot just to the left of the slot reserved for the Club Manager. This would be on the west side of the Club; however, I'm not sure of the building number. I got out of the car, disconnected the "clip-on" CB antenna, and placed it on the front seat of the car. I know my CB radio was in the car at that time, because I had just turned it off a few minutes before. I'm positive I secured all the doors of my vehicle. I had three or four beers in the Club, and after watching some TV decided to return to my BEQ. It was about 2200, 18 November 19XX, when I departed the Club alone and walked directly to my car. Upon approaching the car, I noticed the left front window had been broken. There was glass lying on the ground and some on the front seat and floorboard of the car. I noticed the left front door was also slightly ajar. At that time I opened the left front door and looked inside. I saw that my CB radio and antenna were missing. It looked as if someone had cut the cable which connected the antenna to the radio, because a piece of the cable was still in the car. I went back inside the NCO Club and telephoned SGT WALKER, the Military Police Desk Sergeant. About 10 minutes later, approximately 2220, the MPs got there. Shortly after that an Investigator arrived, and after processing the scene, transported me here to make a statement. Q: Were you alone when you went to the NCO Club on 18 Nov XX? A: Yes, I was alone all evening with the exception of talking to a few casual acquaintances at the Club. Q: Did you touch or disturb anything outside or inside your car when you arrived at the scene and discovered the incident? A: The only thing I touched was the door when I opened it and looked inside. I may have stepped on some of the broken glass, but I didn't touch anything else. Q: Describe the radio that was stolen from your vehicle on 18 Nov XX. A: It's a "JOHNSON" citizen's band (CB), 40-channel selector, combination on-off and volume knob on the left front, channel selector knob to the right front, black in color with chrome trim, model #AS354IK, serial #17189, approximately 12" x 4" x 12" deep, and weighs about 5 or 6 pounds. The name "JOHNSON" is scrip-written across the front of the radio. The radio is in perfect condition and is not marked in any way			

Figure 2-8. Correctly Completed Heading.

Prepare the Statement. After the interview or interrogation has been completed, summarize the results. This summary is the statement and is recorded on DA Form 2823. Use your notes or an electronic recording of the interview to provide the facts. All statements are made in the first person, since it is a record of the interviewee's statement. The last statement of a sworn statement and interrogations should read--

Q: Do you have anything you wish to add concerning the matter under investigation?

A: No. ///END OF STATEMENT///

You may change the verbiage and grammar to make it readable. Quotations that are material to the case must be kept verbatim.

There are several ways to present the information on DA Form 2823. In the narrative method, the statement is written in the interviewee's own words. This method is usually used with cooperative victims and witnesses.

In the question and answer method, specific questions and the interviewee's responses are recorded. This limits the information in the statement to relevant information only. Its main disadvantages, however, are that it is time consuming and may suppress valuable information.

The combination method involves both the narrative and the question and answer methods. In this instance, the narrative would be a recap of the interviewee's story in his or her own words. The questions and answers would fill in any gaps with pertinent information not covered by the interviewee's narrative.

When you (or an assistant) are typing the statement, mistakes are bound to occur. Mistakes must be handled in one of two ways:

- o If you catch the mistake right after you type it, type slash marks over the mistake, leave a few spaces for initials, retype the correct word, and continue.
- o If you catch the mistake after you are done typing, line through the mistake, print the correct word above the mistake, and have the interviewee initial the mistake.

Do not erase or cover up a mistake. You are not supposed to be a typist, so you are bound to make mistakes. Line through the mistake only once so that it is still readable. Otherwise, it looks like you are trying to conceal something.

Have the interviewee initial all corrections. After all, this is supposed to be the interviewee's statement. The interviewee must acknowledge that whatever changes were made to his statement are correct. Failure to have an interviewee initial a correction or change may cause problems when it is introduced in court.

Complete an Affidavit. The affidavit is the last section of DA Form 2823. (See Figure 2-9.) This is the section in which the interviewee acknowledges that the statement was given voluntarily, that any mistakes have been corrected, and that the number of pages are correct (no pages left out).

To complete an affidavit, you must--

- o Administer an oath.
- o Have the interviewee fill in the time and initials when the statement is to be signed.

have taken
there anything you wish to add concerning
No.///END OF STATEMENT///

AFFIDAVIT

I, Sharon TOLTON HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:
JOHN R. RODGERS John R. Rodgers
11th MP Co, Ft McClellan, AL 36205

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT ST

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19th day of November, 19 KX at Fort McClellan, Alabama

Clifford W. Ball
(Signature of Person Administering Oath)

CLIFFORD W. BALL
(Typed Name of Person Administering Oath)

Article 136(b)(4), UCMJ
(Authority To Administer Oaths)

PAGE 2 OF 2 PAGES

Figure 2-9. Affidavit.

- o Sign it yourself.
- Have a witness sign it.

The oath you must administer is--

"Do you swear or affirm that the information given by you in this statement is true and correct to the best of your knowledge, so help you God?"

The interviewee must answer in the affirmative and complete the signature. If he objects to the use of the word "God," you may leave out that word from the oath. Note that the authority for you to administer the oath is Article 136(b)(4), UCMJ. This must be entered on the affidavit. Remember to have the interviewee enter the time in the heading when he signs the affidavit.

PART D - ASSURE COMPLIANCE WITH LAWS AND PROCEDURES FOR APPREHENSION, SEARCH, AND SEIZURE

The following topics will be covered in this lesson:

- o Laws regarding jurisdiction.
- o Laws regarding apprehension.
- o Laws regarding searches.
- o Laws regarding seizures.

Laws Regarding Jurisdiction

Military Jurisdiction. Military jurisdiction is the extent of, and limitations on, the right of every armed force to exercise authority and control. Authority and jurisdiction were covered in Part A. They are presented here as a review and to embellish some of the points.

Military jurisdiction is exercised through the application of--

- o Military law.
- o Law of war.
- o Military government.
- o Martial law.
- o Military orders and regulations.

The military has exclusive jurisdiction to try persons subject to the UCMJ for offenses purely military in nature such as unauthorized absence. Offenses occurring off post, like driving under the influence, may be handled in the civilian courts. In the United States, the military has the right to exercise jurisdiction over military members in cases involving a civilian offense if the military can prove "service-connection." Service members will not ordinarily be prosecuted under civil jurisdiction and again under military jurisdiction for the same offense. Under international law, friendly foreign powers have primary jurisdiction over nonmilitary offenses committed by a visiting force. This power may be surrendered to military authorities. This is done through status of forces agreements or treaties. When doubt exists on who has jurisdiction over an offense, consult the SJA for guidance.

Civil Jurisdiction. Under the Constitution, the states retain the right of regulating the conduct of persons within their boundaries. This right is effected by penal laws declaring certain acts to be unlawful. These laws are further defined and enforced by the state, country, and local governments and their regulatory agencies. These laws include--

- o Closing hours.
- o Traffic regulations.
- o Liquor laws.

The federal government also has penal laws pertaining to specific matters and areas within its civil jurisdiction. These include--

- o Customs regulations.
- o International boundary agreements.
- o Counterfeiting laws.

These laws are enforced by a variety of federal agencies such as the--

- o Customs service.
- o Border patrol.
- o Federal Bureau of Investigation.

Territorial Jurisdiction. Exclusive jurisdiction refers to the power granted to Congress by the US Constitution to exercise legislation. When exercising this power, the federal government assumes the sole jurisdiction of designated areas within a state.

Some military installations have exclusive federal jurisdiction. The federal government exercises its executive, legislative, and judicial authority, over that area and the personnel within it.

Persons Not Subject to UCMJ. Military police normally have no authority over members of the National Guard, Army Reserve, or Reserve Offices Training Corps. The military acquires authority once a member of any of the above enumerated groups comes on active duty in federal service.

Civilians are not subject to the UCMJ. If civilians are found committing a felony or a misdemeanor amounting to a breach of peace on a military reservation, they may be apprehended and detained long enough to be turned over to civil authorities.

Civilians may also be apprehended for violations of post regulations. These persons may be escorted to the entrance of the post and forbidden reentry.

Outside the military reservation and in the continental limits of the United States, military police authority applies to persons subject to the UCMJ. The only exception is in a situation involving martial law or hostilities.

Laws Regarding Apprehension

Reasonable Belief. The person making an apprehension must have a reasonable belief that--

- o An offense under the UCM has been committed.
- o The person to be apprehended committed it.

"Reasonable belief" is defined as the evidence necessary to convince an average person that an offense has been committed by the person alleged to have committed it. This belief must be more than mere "suspicion." However, it need not be as much as would be required for conviction. Any verification of information given by others strengthens the basis for apprehension and reasonable belief.

Use of Detention. Detention for questioning, although not provided for in the UCMJ, is a proper and legal procedure which has been upheld by both military and civilian courts. Detention for limited questioning is also not provided for in the UCMJ. It is, however, a proper and legal procedure if based on a reasonable suspicion that criminal activity is about to take place.

Use of Force. The general rule for using force is that only reasonable and necessary force may be used. During the apprehension of a suspected violator, the use of force may be required to maintain control. However, use only the minimum force necessary to maintain control and prevent escape or injury of the suspect. The degrees of force are presented as a hierarchy in Figure 2-10.

As an MP officer, the types of force that you need to be most familiar with are--

- o The use of the MP club.
- o The use of hand irons.
- o The use of deadly force.

Laws Regarding Searches

Authority for Searches. Commanders may authorize searches of all persons and places under their control. The commander must have probable cause to believe that the items subject to seizure are on the person or in the place to be searched.

Written records pertaining to search and seizure should be maintained by military police. The probable cause to search a person or place and the items to be seized should be documented.

Military judges were granted the power to authorize searches on 15 December 1971. Federal magistrates have powers similar to military judges, but are limited in area and authority by their respective district court.

Searches with a Warrant. A search warrant is a written order issued by legal authority. It is directed to an authorized person, commanding him to search the person or place described in the warrant.

In the United States, the person issuing a search warrant must be a duly authorized federal, state, or municipal civil officer.

On a military installation, military judges, military magistrates, and commanders may issue warrants within the limits of their jurisdiction. This authority to authorize a search does not extend beyond the military installation. Warrants for searches outside a military installation are issued by civilian judges. Military police do not execute such a warrant, but when directed, may accompany civil police executing such a warrant.

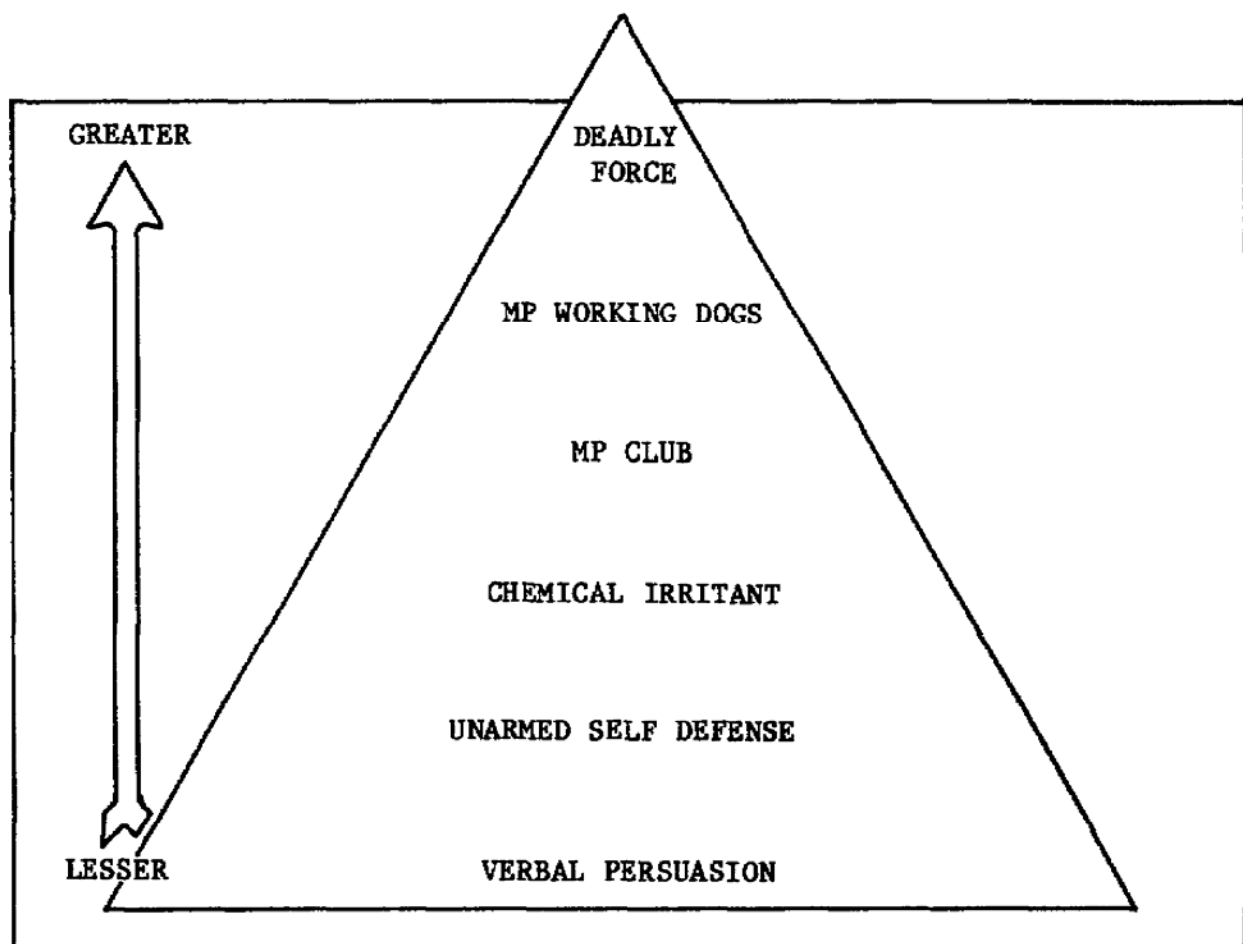


Figure 2-10. Degrees of Force.

To obtain a search warrant, the authorized person must present to the legal authority an affidavit to support his request. It must contain the following:

- o A factual statement of the offense committed or the probable cause to believe an offense has been committed.
- o The facts establishing probable cause for believing that the person, place, or item to be searched and the property to be seized are connected with the offense stated.
- o Probable cause to believe that the property is presently located on the person, place, or item to be searched.
- o Also specific details describing the person, place, or item to be searched. The specific items to be seized must be listed to obtain the search warrant.

The search warrant and affidavit are then signed and sworn to before the legal authority. Factual data must be based on personal knowledge of the affiant or hearsay information which will be evaluated on the basis of the reliability of the informant, his personal knowledge of the event and the credibility of the furnished information. DA Form 3745-R (Search Warrant) is contained in AR 27-10.

Searches Without a Warrant. A search may be made immediately after the commission of a crime to prevent the removal or disposal of property in illegal possession. Once again, probable cause must exist to believe that the property will be removed or destroyed if an immediate search is not conducted.

An emergency search of a vehicle can be made if there is probable cause to believe the vehicle contains criminal evidence. The search must be made as soon as possible after the apprehension, otherwise a search warrant must be obtained to search the vehicle once a reasonable amount of time has elapsed.

Searches may also be made of persons who are incapable of providing information. This includes persons who may be injured or unconscious.

The search is conducted to secure data which may be lifesaving in nature.

Stop and Frisk Searches. Military police have the authority to stop and question anyone they have reasonable cause to believe may be involved in a criminal act. They also have the authority to frisk search to ensure their own safety. If a possible weapon is discovered, the searcher may reach into the suspect's clothing to remove it. The frisk is limited to weapons only. However, when a search is conducted incidentally to a lawful apprehension or is otherwise legal, all illegal items found on the subject may be seized as evidence.

Mail Searches. Authority to search mail is only granted by a US court or a US magistrate within the district where the property is located. A search warrant is required since federal law states that no person other than a duly

authorized employee of the dead letter office may open any letter not addressed to himself without a search warrant.

The authority of military commanders does not apply to mail that is still in the postal channels. Once the mail has been delivered, it becomes personal property. If it is located in an area of military jurisdiction, it is subject to seizure in any legal manner. On the other hand, mail that has not yet entered the postal channels remains the personal property of the sender and is subject to search even if sealed. In dealing with mail, coordination with the US postal inspectors who have authority over US mail is advised.

Illegal Searches. Any person who conducts an unreasonable or illegal search is subject to criminal prosecution and civil action for damages. The penalty under the US Code is a fine of not more than \$1,000 for a first offense. Normally, a person is criminally liable only for intentional violations. A person who commits a subsequent offense can be fined \$1,000, imprisoned for not more than one year, or both.

Laws Regarding

Seizures Seizure denotes the taking of property by an authorized person. The property should be submitted to the appropriate authority for legal use and disposition. The property might include the following:

- o Contraband.
- o Concealed weapons.
- o Stolen property.

Warrant for Making Seizures. A warrant for the seizure of property outside a military installation is issued to civil law enforcement officers or agencies by the civil authority having jurisdiction. Once again, as in searches, MP do not execute such a warrant. But when directed, they will accompany civil police executing the warrant. This is done to identify the property to be seized.

The authority of the military commander to conduct a seizure is relative to a person who is subject to the UCMJ. In the US, its territories and possessions, this authority does not extend beyond the military installation.

Mail Seizures. When mail is in postal channels, its seizure is beyond the authority of any commander officer; however, a warrant to seize such mail may be issued. The warrant must be issued by a judge, the US court, or a US magistrate within the district where the property is located. The orders of commanding officer may not be substituted for a search warrant while the mail is in postal channels. This includes Army postal channels.

When the mail is delivered to the addressee it becomes personal property. If it is located in an area under the jurisdiction of a commanding officer, it is subject to seizure.

The Exclusionary Rule. The Fourth Amendment guarantees the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizure. It denounces unreasonable searches and seizure but does not define what is unreasonable. Federal law provides penalties including imprisonment up to one year for persons who violate the law. Criminal prosecution or civil suits for damages may result from illegal searches or seizures.

Federal courts have defined reasonable searches. They have drawn the line between reasonable and unreasonable and have formulated a rule of constitutional force. This rule excludes from trial all materials obtained by government agents in illegal searches.

The rule is called "The Exclusionary Rule." It is enforced by military courts. It not only applies to the original evidence, but may apply to derivative evidence.

PART E - MANAGE SURVEILLANCE AND UNDERCOVER OPERATIONS

As a military police investigator, you may have to place an agent undercover or go undercover to gather more information. The following areas will be covered in this part covering the management of surveillance and undercover operations:

- o Preparing for surveillance operations.
- o Surveillance precautions.
- o Types of surveillance and surveillance techniques.
- o Selecting undercover investigators.
- o Planning an undercover operation.

Preparing for Surveillance Operations.

Before surveillance can take place, it must be prepared for. Preparation includes--

- o Planning for surveillance.
- o Identifying the subject of surveillance.
- o Preparing the surveillant for operation.

Each is discussed in detail below.

Planning for Surveillance. When it is decided that a surveillance is required, all information on the subject should be compiled for the surveillant. Before the surveillance takes place, a reconnaissance of the area is-made to determine the--

- o Location of entrances and exits.
- o Vantage points to observe.
- o Character of the neighborhood. (The activity in the area must be considered as it may endanger the investigation.)

All of this information helps determine how the surveillance will be conducted and how many surveillants will be required.

Select qualified personnel for their expertise and patience. They should look no different from the man on the street in the area or neighborhood they are working. In particular, their appearance must not reflect that they are law enforcement officers.

The surveillance might require a certain ethnic background or language.

Patience is of the utmost importance. Long periods of time with no activity must be endured without becoming discouraged.

Identifying the Subject. The best method of identifying the subject is to point him out to the surveillant. This allows the surveillant to make his own observations. Any information about the subject's known habits or contacts should be turned over to the surveillant. He should always be given photographs and detailed, accurate descriptions of the subject. Information about a subject's car, including a photograph, should be obtained if possible.

Preparing the Surveillant. The surveillant should know as much as possible about the investigation so he may accurately interpret the actions of the subject. A surveillance plan is necessary to ensure that all contingencies are prepared for. The plan should include--

- o The general concepts of operations and duties.
- o Cover stories for each surveillant.
- o Alternate courses of action and communications.
- o Equipment to be used.

The surveillant should be ready to use a cover story if confronted by the subject. Individual resourcefulness is irreplaceable in a situation where a cover story has to be related.

Alternate courses of action are also planned to allow the surveillant to anticipate and react smoothly to any change that might occur. Communication is coordinated in an effort to ensure the success of the operation. Bad communication will spell failure.

The surveillant should be supplied with the equipment required for the operation. The list can include items such as radios, weapons, and vehicles.

Notes are recorded by all parties of the surveillance. Notes should concern the actions they witnessed the subject perform.

Surveillance Precautions

At one time or another even the most experienced investigator can be uncovered. However, adequate preparation and planning can assure continued surveillance of the subject. Precautions to take during surveillance are as follows:

- o Avoid direct eye contact.
- o Avoid abrupt or unnatural movements.
- o Consider problems peculiar to the operation.

Each is discussed below.

Avoid Direct Eye Contact. The surveillant should always try to avoid direct eye contact with the subject. This will limit the subject's ability to recall the surveillant's face should eye-to-eye contact become necessary later. To avoid arousing suspicion, he should focus on a point beyond the subject and give the impression of eye contact without actually establishing it.

Avoid Abrupt and Unnatural Movements. These kinds of movements can attract attention to the surveillant. There are times when it might be better to lose sight of the subject than arouse his suspicion that he is being watched. If a subject suspects that he is being watched, he might test his suspicion by changing his course or by entering a public conveyance. On the other hand, the surveillant must react quickly but naturally to all movements made by the subject.

Once again, detailed preparation will assist the surveillant in reacting to the subject's moves. Carrying a sufficient amount of money, including change, to cover bus and cab fare, meals, and telephone calls will eliminate panic responses.

Consider Problems. Any time a surveillant is required to follow a subject into a hotel, movie house, restaurant, elevator, or other public conveyance, special problems arise. The first problem is that you must move closer to him. This precludes his leaving through one of the various exits. In an effort to prevent the subject from exiting, the surveillant must enter behind the subject and locate himself to ensure observation of the subject.

If the subject enters an elevator, the surveillant should enter the same elevator. Once on the elevator the surveillant should not announce a floor, but should exit behind the subject. If the surveillant must choose a floor, he should select the top floor.

Some surveillants have a tendency to believe they have been discovered simply because the subject glances their way several times. This tendency must be

overcome. When a subject knows he is being observed, he will normally make it obvious by trying to lose or harass the surveillant.

Types of Surveillance

There are two general types of surveillance. They are mobile and fixed.

Mobile surveillance is commonly called tailing or shadowing. It can be conducted by foot or vehicle or a combination of the two. This depends on the subject's movements.

Fixed surveillance is used when the subject is stationary and all desired information can be gathered in the same location. Even during fixed surveillance, the surveillant may be mobile, moving from one vantage point to another.

Mobile Surveillance Techniques

One-man Foot Surveillance. This technique lends a degree of risk to the surveillant. The subject or his associates may try to eliminate the surveillant. It is always wise to have a second surveillant ready to protect and to aid the main surveillant.

Certain techniques can be applied when on foot. They are--

- o Be cautious when on the same side of the street as the subject.
- o Stay to the rear and vary your distance from the subject.
- o Decide which position will give the best view.
- o When the subject turns a corner, be abreast of him to see if he makes a contact or enters a building.

Two-man Foot Surveillance. For this surveillance, use the "AB" technique. The person right behind the subject has the A position. The other surveillant has the B position. When using the AB technique, A follows the subject and B follows A. B may be on the same side of the street as A. Or, he may be on the opposite side of the street.

When both A and B are on the same side of the street and the subject turns a corner to the right, A continues across the street. He then signals B of what action to take. The subject's actions may require B to take the A position and A to take the B position. Signals between A and B should attract as little attention as possible.

When B is across the street and the subject turns the corner to the right (away from B), B crosses and takes the A position. This step should be prearranged so no signals will be needed. If the subject turns the corner to the left and crosses toward B, B drops back to avoid contact. B then waits for the signal from A before making the next move. See Figure 2-11.

Three-man Foot Surveillance. This is the technique for close foot surveillance. The main advantage of this technique is that it lets you observe the subject from two sides. It allows certain several choices when the subject turns a corner. See Figure 2-12.

As in the AB technique, A follows the subject and B follows A. C normally stays across the street and just to the rear of the subject.

The ABC technique allows several choices when the subject turns the corner. Assume A and B are behind the subject and C is across the street when the subject turns the corner away from C. A could keep going straight and B would take the A position. C would move across to the B position. A would stay across the street, moving as C had done before.

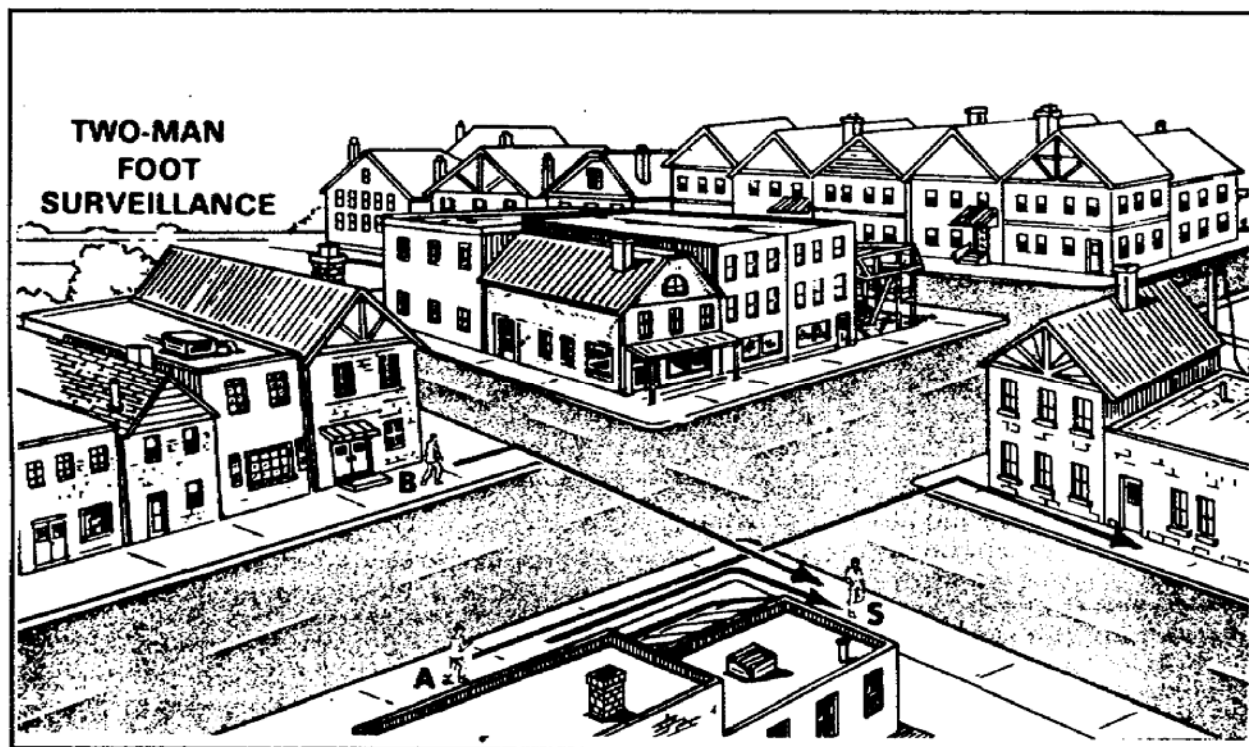


Figure 2-11. Two-man Foot Surveillance.

Another approach would be for C to move into the A position. A would go across and take up the C position, while B keeps his own. What if the subject turns left and crosses the street toward C? C drops back and A continues in the original direction and becomes C. B moves into the A position, and C becomes B.

Vehicle Surveillance. The basic procedures used for foot surveillance are also observed when a vehicle is used. However, using a vehicle requires that more care be exercised. Traffic congestion and traffic laws make pursuit more difficult. The risk of being discovered may be greater.

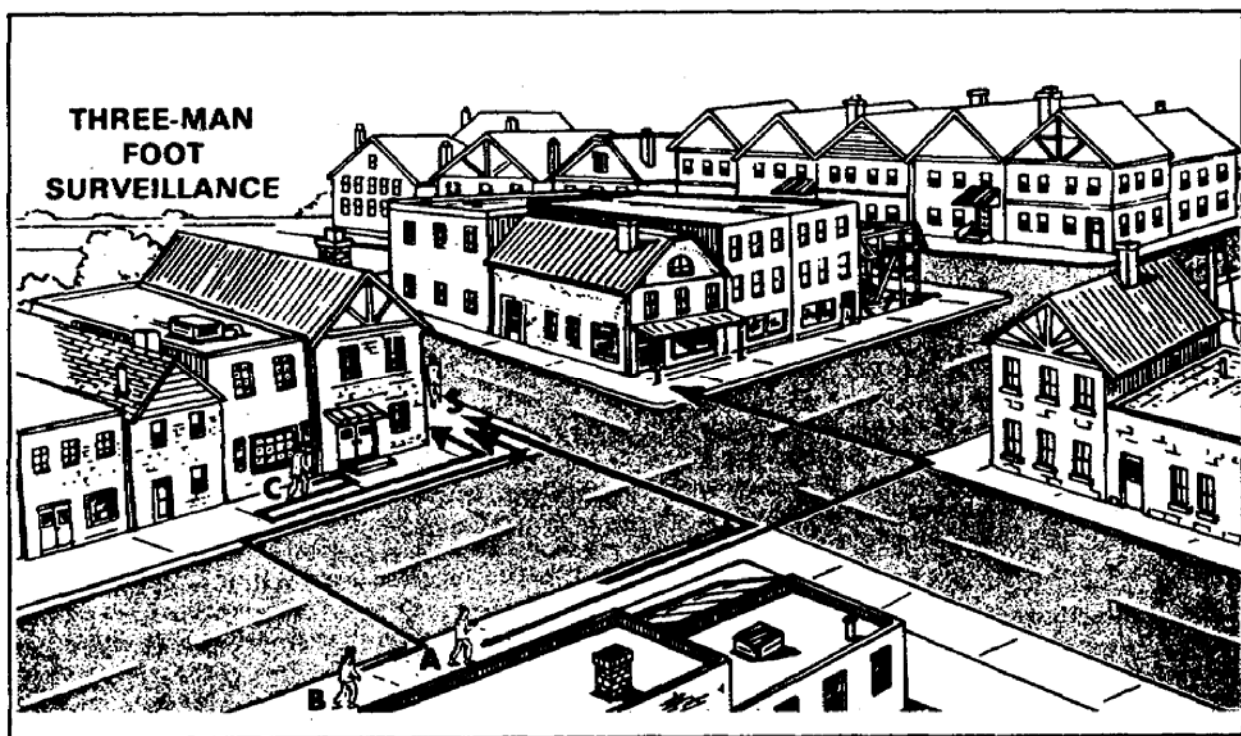


Figure 2-12. Three-man Foot Surveillance.

If possible, use two or more vehicles. This increases the odds for success. Teams of two or more in vehicles also increase coverage and allows more flexibility.

Preparation is a high priority in vehicle surveillance. You must be familiar with the locale where you will operate. Studying maps and making a ground reconnaissance will assist the driver. The person in the passenger seat can navigate for the driver and assist in any way possible. Having change for toll roads and bridges will also ensure continuity of the operation.

A vehicle chosen for surveillance should meet the following requirements:

- o Be mechanically sound.
- o Suit the locale where used.
- o Have a police radio.
- o Have no official markings.
- o Have a license plate registered in the state where the surveillance is taking place.

The vehicle should be changed if the surveillance is of long duration. Rental cars may be used and can be requested in accordance with AR 195-4.

The following are some steps you can take to decrease the risk of detection:

- o The dome light can be disconnected. This will keep the light from showing when the door is opened.
- o Wire the head lights and license plate lights so they can be turned on and off separately. This presents a different traffic pattern to the subject.
- o Operate the radio microphone as discretely as possible.
- o Clear violations of traffic laws with local law enforcement agencies.

When conducting night surveillance, sometimes it is hard to follow the right vehicle. A well-placed piece of reflectorized tape on the rear of the subject's vehicle will assist in making it more distinctive.

For one-vehicle surveillance, you must remain close enough to the subject to see his actions, but far enough away to avoid detection.

When the subject stops his car, one team member should follow on foot while the other parks and observes the subject's car. While waiting in the parked car, he can sit on the passenger side and appear to be waiting for the driver. He could shift to the back seat or use any other actions that might project disinterest in the general surroundings.

When a subject turns a corner, you have two choices. You may keep going straight, cross the intersecting street, and make a U-shaped turn (see Figure 2-13). The subject will not be alarmed by a car turning into the street behind him from a direction opposite to the way he was going before he made his turn. Or, you may go straight, cross the intersecting street, and then go around the block. The subject will not be wary of a car coming from the front.

For a two-vehicle surveillance, the technique is similar to the AB foot surveillance. Two cars can tail the subject on the same street. Or, one car can be on the same street and the other car travel abreast on a parallel street (see Figure 2-14). The surveillant vehicles can also alternate the A position. This lessens the chance of raising the subject's suspicions.

To do any of these maneuvers, keep radio contact between the surveillant vehicles. The team in the car right behind the subject's vehicle is always in control, giving instructions to the other cars.

Fixed Surveillance Techniques

In a fixed surveillance or stakeout, it is the subject that remains stationary. The surveillant must be mobile and be able to move about considerably, especially if the area has more than one exit.

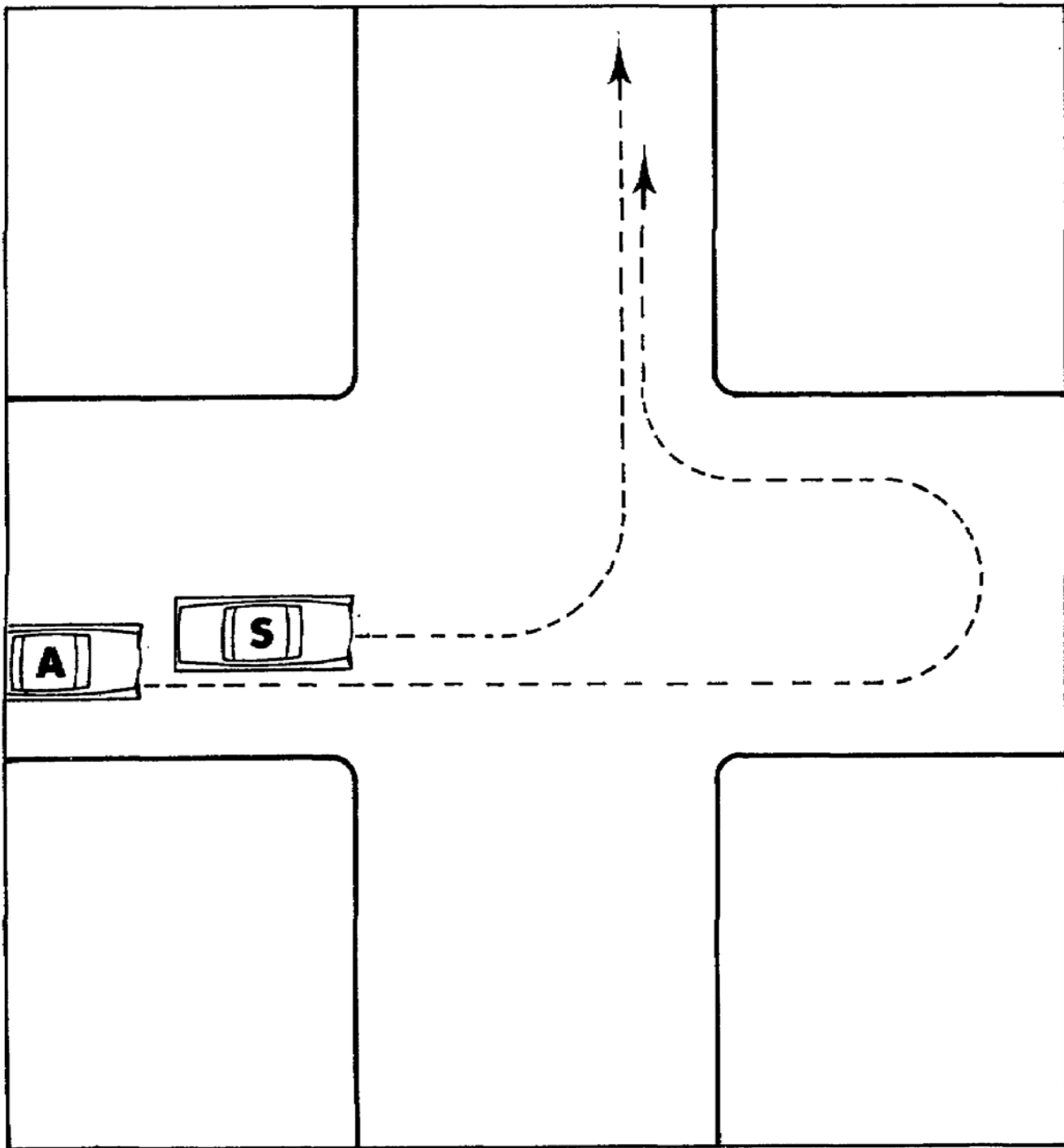


Figure 2-13. One-Vehicle Surveillance.

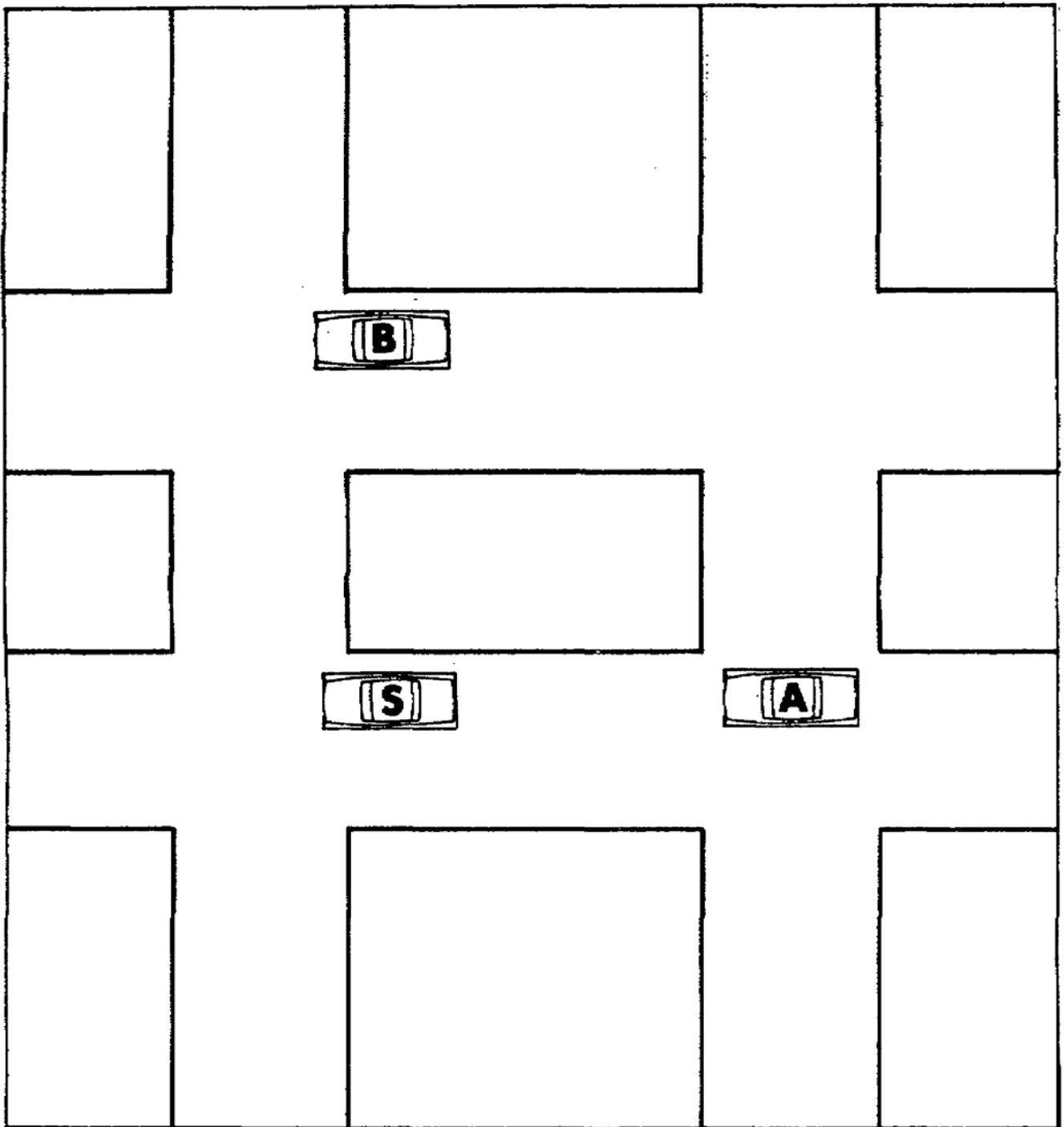


Figure 2-14. Two-Vehicle Surveillance.

A fixed surveillance or stakeout must be well planned. It can be conducted from a store, apartment, house, or automobile. A thorough check of the area from which the surveillance is to be made must be conducted. All available equipment must be provided. Equipment includes--

- o Binoculars.
- o Electronic investigative aids.
- o Cameras.
- o Sound recording devices.

Special arrangements may be required to provide relief for the surveillant or for communications between the surveillant and his superiors. At certain times it may be advantageous for the surveillant to assume a role. He could become a repairman, a salesman, or some other occupation that will not draw attention. Disguised vans or trucks used as observation posts are also a good idea.

Selecting Undercover Investigators

Undercover investigators are selected because of the training and experience they possess. The assignment requires self-confidence and an ability to adjust to the roles they play.

It is often too risky to take notes, so a good memory and recall ability are essential. Facts are committed to memory and recorded at a later date.

A knowledge of the elements of proof and the ability to make quick, sound decisions in uncertain situations is a must. Undercover personnel are sometimes required to operate on their own for long periods of time.

When required to masquerade as a particular profession, it is desirable that the MP investigator be skilled in that profession. His appearance must also be compatible with the environment. Some assignments require a certain ethnic background and language skills.

Anything you can learn about the subject will be of great help. The nature, habits, interests, and routines of a subject must be studied. If an organization is involved, you must learn about its purpose and, if possible, the names of its members. Any data you have about the subject will be of great value. If you must gain the subject's confidence and develop a friendship through mutual interest, it is essential that the investigator be well versed in any area he claims to be an expert in.

Undercover operations are dangerous. They should be used only when absolutely necessary. All intended activities must be coordinated with the proper authorities, such as area headquarters. Investigators cannot go underground in a command without permission of the provost marshal or USACIDC commander.

Planning an Undercover Operation

Certain coordination requirements are desired before an undercover operation can begin. If the operation is to take place in a civil area, coordination with civil authorities is necessary. Coordination with local police is routine in all cases involving the civilian community.

Although coordination is desired, only those people with the need to know and who can distinctly add to the investigation should know about it.

Collecting Information. The following three categories of information apply to undercover operations.

- o Information that establishes the need for the undercover operations. It is possible that a great deal of this information is already assembled.
- o Information sought through the undercover operation. This would be information that identifies the individual or organization. This includes members, charter, and anything else of interest to the investigation.
- o Information continuously sought by other investigators to assist the undercover man. This takes a constant effort. The information is turned over as soon as it becomes available.

Developing a Background Story. This technique is used to conceal the identity of the investigator. The goal is to help the investigator gain the confidence of the subject.

Arrangements can be made to have key principals in the fictitious history of the investigator. They can back up any assertions made by him in the event the subject decides to check him out. Every effort should be made to keep the story believable and simple. If possible, it should conform to the actual history of the investigator. Background stories are seldom, if ever, wholly fictitious.

Clothing and personal items must fit the role. This includes quality, price, age, fit, and even the degree of cleanliness. Documents should show degrees of wear. The lab can assist you in this area. It can, for instance, prematurely age documents. You should be able to explain how each item came into your possession; No weapon is carried unless it fits your background story.

Pretending to be handicapped can be dangerous. Pretended handicaps are hard to keep up for any length of time. If you forget or make a wrong move, you expose your true identity.

Determining Communication Requirements. Some simple and practical method of communication should be devised so the investigator can communicate with headquarters. Prearranged signals with other investigators can be arranged. Public telephone calls are normally a safe means of contact.

On the other hand, written messages should be used only if absolutely necessary. Intermediaries can also be used between investigators and their superiors.

Setting Contingency Plans. Any undercover operation requires a certain amount of planning. The following questions must be considered:

- o Who should take part?
- o How many people are needed?
- o What special skills are required?
- o Who has primary jurisdiction?
- o Who will head the team?
- o What criteria will be used to select team members?
- o What coordination must be made?
- o What reporting means will be used?
- o Who will provide legal guidance?
- o What are the logistical requirements?
- o What is the spokesperson for any disclosures or briefings?
- o Who is to provide administrative support?
- o How long should the effort continue, if this is possible to know?

The plan must be flexible and give directions to the effort from the start. It must state who and what the target of the investigation are, and what element of proof is desired. Plans undertaken with minimal coordination will lose sight of the original goals and have a less than satisfactory conclusion.

PART F - ASSURE PROPER CHAIN OF CUSTODY OF PHYSICAL EVIDENCE

Physical evidence is divided into two general categories--movable evidence and fixed or immovable evidence.

Movable evidence can be gathered at the scene of the crime or any other location and transported. This type of evidence would include--

- o Tools.
- o Weapons.

- o Clothing.
- o Glass.
- o Documents.

Fixed or immovable evidence cannot be removed from the scene because of its size, shape, and makeup. This type of evidence would include stationary or fixed objects, or objects too large to be moved.

The chain for custody begins the moment the evidence is collected, and continues until the evidence is disposed of. This procedure assures continuous accountability. It is a chronological record of individuals who have had custody of the evidence.

Identifying and Marking Requirements

The investigator must carefully evaluate objects, circumstances, and conditions at the scene of the crime to determine whether or not they serve as evidence. The investigator relies on good judgement, common sense, and past experience to support his decisions.

If doubt exists as to the value of any piece of evidence, the evidence is secured and processed until further evaluation can determine its value.

A good investigator develops the habit of marking and tagging evidence promptly. This is done to identify the evidence at a later date.

The person who first assumes custody of the evidence marks it by inscribing his initials and the military date and time directly on each item. Good judgement should be exercised when deciding where to mark the items. Consideration as to how an item may have been handled during the crime should be given while handling it.

Sometimes the markings should be inconspicuously placed. This is true when the evidence recovered is stolen property and will eventually be returned to its owner.

Items that cannot be marked without marring are placed in suitable containers and sealed. Both the container and the cover are marked for identification. Evidence such as hair, soil, and fluids are also handled in this manner.

Corundum or diamond point pencils are the recommended marking tools for hard surfaces and ink for other items.

Tagging further helps the investigator to identify the evidence. A special tag, DA Form 4002, is used. The tag contains the document number, sequence number, and item number, along With an area for remarks. The tag is attached to the item or container.

This procedure facilitates processing and handling of the evidence by the evidence custodian and the laboratory examiner. The evidence tag should be filled out using ink.

Record and Form Requirements

DA Form 4137 is referred to as the custody document. It is designed to be used as a receipt and to record the following:

- o Chain of custody.
- o Authority for final disposition.
- o Final disposition.
- o Witnessing of evidence destruction.

Entries on the form are typed or printed legibly in ink. The requirement is for an original and three copies. Distribution of the copies is as follows:

- o The original and one copy to the evidence custodian.
- o The second copy is returned to the investigator for inclusion in the case file.
- o The third copy is used as a receipt when evidence is received from an individual.

A sample DA Form 4137 was depicted previously. See Figures 1-9 and 1-10.

Evidence Custodian Requirements

The primary evidence custodian is appointed in writing. There are certain requirements of rank or grade that must be met. Commissioned officers or noncommissioned officers (MOS 95B, grade E6 or above) may be designated. Department of the Army civilian employees, GS-9 or above, may be assigned when military resources are limited. Installation commanders may appoint NCOs in grade E5 and DA civilians in grade GS-7 or the equivalent as primary or alternate custodians. But only if qualified military or civilian personnel are limited.

Evidence Depository Requirements

Evidence is stored in a specially designated area called the evidence room. The evidence room is located in the same building as operational or administrative staffs of the USACIDC unit or provost marshal.

The construction of the evidence room must meet specific standards. The standards for construction of an evidence room are outlined in AR 195-5. This reference will be available at your station.

Evidence rooms are equipped with internal fixtures. These internal fixtures include the following:

- o Containers for high value items, narcotics, and weapons.
- o A work table or desk for the custodian to use while processing incoming and outgoing evidence.
- o A refrigerator should be available to be used when perishable or unstable items must be stored.

The evidence room must be kept locked at all times when not occupied by the evidence custodian. Only authorized personnel are admitted into the evidence room. Authorized personnel must be accompanied by the evidence custodian at all times.

Keys and combinations must be controlled. A copy of all combinations of locks used in the evidence room are recorded on DA Form 727 (Classified Container Information). The form is retained in a sealed envelope in the safe of the provost marshal, security officer, or the field office commander. Combinations should be known only to the primary and alternate custodian. Combinations will be changed upon change of the primary or alternate custodian or upon possible compromise.

Locks are required to have two keys. One key to each lock will be in the constant possession of the primary custodian. The second key is placed in a sealed envelope and kept in the safe of the provost marshal, security officer, or the field office commander.

The keys are transferred from the primary custodian to the alternate custodian if the primary custodian is absent in excess of 8 duty hours or 72 nonduty hours.

Inventory and Inspection Requirements

Inventories and inspections are conducted on a regular basis. Written records are kept of all inventories and inspections. This is done in accordance with AR 195-5.

Inventories and inspections are used to discover errors in procedure or losses before they become grave. The performance of the custodian in relation to the execution of his duties has direct bearing on the admissibility of evidence in court.

Inventories are conducted--

- o Quarterly.
- o Upon change of custodian.
- o For an inquiry (breach of security).

Quarterly inventories are held by the custodian and a disinterested officer appointed for that purpose. The disinterested officer must not be a current member of USACIDC or assigned to military police activities on the installations.

Change of custodian inventories are conducted by the incoming and outgoing primary custodian. This is a joint physical inventory of all the evidence in the depository. All evidence records are examined to ensure proper documentation and accountability. All discrepancies will be resolved prior to the transfer of accountabilities.

Inquiry inventories are held in cases of lost evidence or break-ins at the depository. This requires an inventory be conducted by an assigned individual in the presence of the evidence custodian.

Inspections are conducted on a monthly basis by the commander, provost marshal, security officer, or SAC who exercises direct supervision over the evidence custodian.

Disposition Requirements

All evidence is stored so that integrity and physical characteristics are maintained. Large items such as vehicles may be kept in an impoundment lot or another reasonably secure place.

Evidence may be removed from the evidence room only for permanent disposal or temporary release for specific reasons. Some of the most common reasons include--

- o Transmittal to the crime lab.
- o Presentation in court.

Any person receiving evidence must safeguard it and maintain the chain of custody until it is returned to the evidence custodian. Personnel who take custody of evidence are required to present identification. This is necessary to ensure that evidence is only handled by authorized persons.

AR 195-5 provides detailed guidance on the handling of evidence. It will be available at your station for reference.

Submission Requirements

Preparing Forms. The proper preparation of forms is an important part of preparing evidence for submission to the crime investigation laboratory. There are nine steps to follow:

Step 1. DA Form 3655 (Crime Lab Examination Request) is completed in an original and two copies.

Step 2. The original and one copy of the DA Form 3655 accompany the evidence to the laboratory. The other copy is maintained in the investigative case file.

Step 3. Each item of evidence should be wrapped separately.

Step 4. Each item should be labeled to correspond with entries on DA Form 3655 and packed securely in a box. Documentary evidence may be placed in an envelope (or a series of envelopes which are in turn placed in another envelope).

Step 5. The box or envelope containing the evidence is sealed with tape or glue.

Step 6. The two copies of DA Form 3655 and the original evidence custody document are placed in an envelope, sealed and addressed to the laboratory with an attention line to the specific division (like document, fingerprint, or firearm division).

Step 7. The sealed envelope is securely taped to the box or envelope containing the evidence.

Step 8. The box containing the evidence is wrapped in heavy paper. Or, the envelope containing the evidence is sealed inside another envelope. The evidence container is sent via first class, registered mail, express channels, or is hand carried to the laboratory. If postal or express channels are used, the evidence is accompanied by a request for a return receipt from the laboratory (Postal Form 3811).

Step 9. The sender should place his initials or signature across the sealed flap of the inner envelope or across the paper tape used to seal the inner box. Then he should cover his initials or signature with transparent tape.

See Figure 2-15 for a copy of DA Form 3655.

Wrapping and Packaging Evidence. All evidence to be shipped to the crime laboratory must be packaged with care. In packaging, you want to avoid any shifting or friction which would lead to leaking or breaking of the contents.

Items particularly susceptible to breaking, marring, or to other destructive changes should be packed in cotton or soft paper. Fragile items include--

- o Glass fragments.
- o Evidence in glass containers.
- o Impressions or casts.
- o Ammunition.
- o Bullets or cartridge cases.

"FOR TRAINING PURPOSES ONLY"

CRIME LAB EXAMINATION REQUEST For use of this form, see AR 195-5; the proponent agency is the United States Army Criminal Investigation Command.		LAB USE ONLY			
TO: (Include Zip Code) Commander US Army Criminal Investigation Laboratory Ft Gordon, GA 30905 ATTN: Chemistry Division		FROM: (Include Zip Code) Commander Ft Benning District Third Region, USACIDC Ft Benning, GA 31905			
				REFERRAL NUMBER	
				RECEIVED	RETURNED
				REGIS MAIL	REGIS MAIL
				RY EXP	RY EXP
				HAND	HAND
		DATE	DATE		
		RECEIVED BY			
		EVIDENCE RECEIPT			
		RECEIVED	INITIATED		
1. CONTRIBUTOR CASE NUMBER 1730-87-CID013-49589		2. INVESTIGATOR'S NAME Harvey S. James			
		3. AUTOVON AND PHONE NUMBER 835-1632			
4. SUSPECT(S) (Last, first and middle name(s)) DOE, John J., PFC					
5. VICTIM(S) (Last, first and middle name(s)) US Government					
6. TYPE OF OFFENSE Wrongful possession and sale of marihuana and LSD.		7. ONE COPY OF EVIDENCE RECEIPT INCLOSED WITH EVIDENCE ☒ YES ☐ NO			
		8. OTHER EVIDENCE PREVIOUSLY SUBMITTED ON THIS CASE ☐ YES ☒ NO			
9. IF "YES" IN ITEM 8, LIST OTHER SUSPECT(S), DATE SUBMITTED, UNIT CASE AND LABORATORY REFERRAL NUMBER(S) 					
10. EVIDENCE SUBMITTED					
a. EXHIBIT	b. DESCRIPTION OF EXHIBIT				
1	One brown colored paper bag containing green vegetable substance.				
2	Approx 50 white tablets, several of which are broken and crushed.				

DA FORM 3655
1 AUG 74

REPLACES DA FORM 3655-R, 1 NOV 70, WHICH IS OBSOLETE.

Figure 2-15. Crime Lab Examination Request.

- o Tablets or capsules.

Packages wrapped for shipment should contain no more than the evidence for one investigation. Each item of evidence within the shipping container should be in its own separate package. This precludes cross contamination of certain types of evidence and conflicts in the chain of custody.

Packages that contain items of evidence that require careful or selective handling during transit should be labeled appropriately. The nature of the evidence will govern the warning notices affixed to the wrapped box; for example, "Fragile," "Keep Away from Fire," or "Keep Cool."

Transmitting Evidence. There are three methods that can be used to send the evidence to the lab. They are--

- o First-class registered mail.
- o Freight (government bill of lading).
- o Hand carry.

Chemicals and explosives cannot be transmitted through the mail. Before these items can be forwarded, the lab must be notified that the shipment is planned and they must acknowledge receipt of notification. The notification should include the method of packaging. This minimizes the danger of unpacking at the lab.

Figure 2-16 provides guidelines for wrapping, packaging, and transmitting evidence. If you are unsure of how to properly wrap a specific item, contact the lab for instructions.

PART G - ASSURE PROPER USE OF INVESTIGATIVE AIDS

As a military police investigator, your investigation may extend beyond your personal abilities. Your investigation could require investigative aids. These aids could include--

- o Special equipment.
- o Additional information.
- o Investigative assistance.

Each will be discussed in detail.

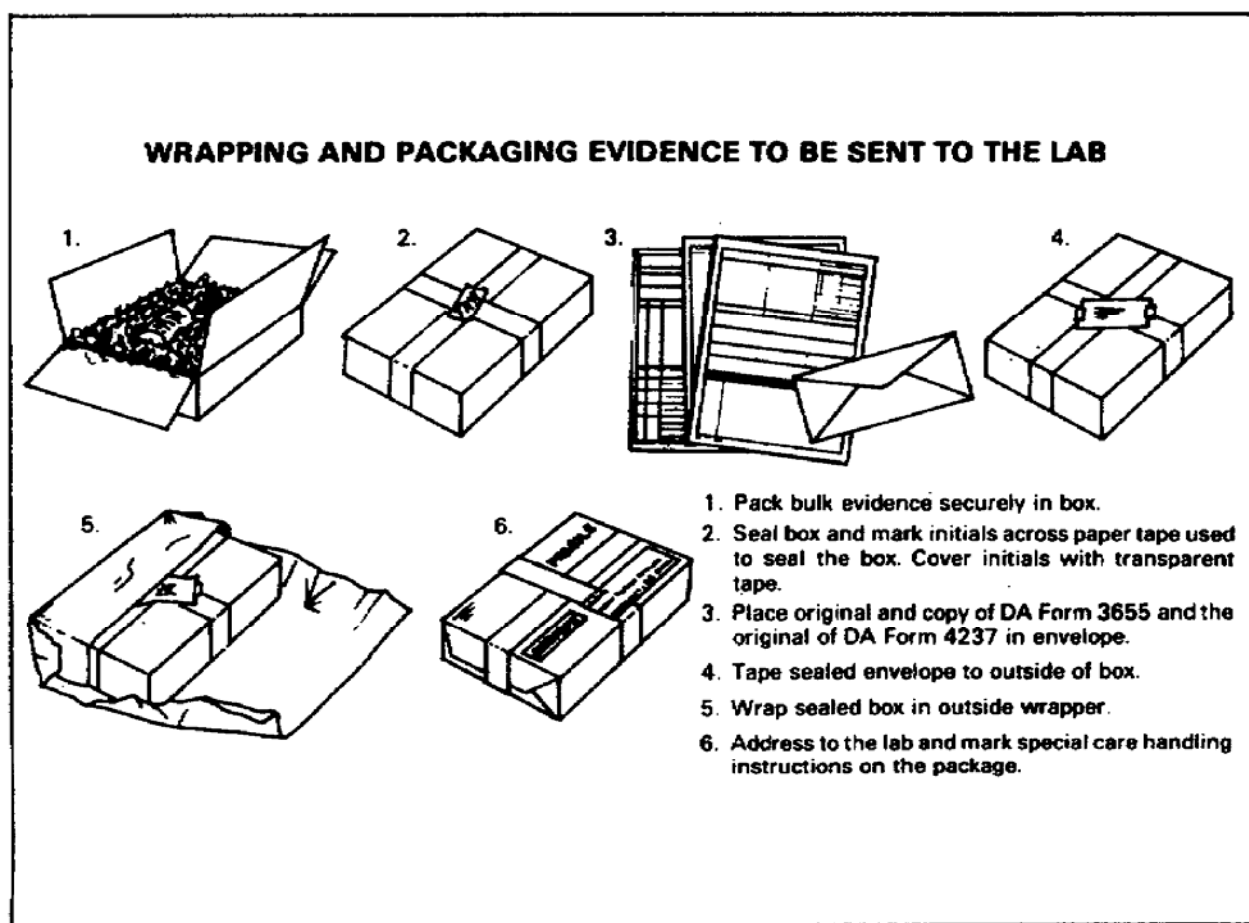


Figure 2-16. Wrapping and Packaging Evidence.

Special Equipment

Special equipment is available, when needed, to aid in investigations. Some of the equipment available includes--

- o Electronic surveillance equipment.
- o The polygraph.
- o Communications equipment.

Each is discussed in detail below.

Electronic Surveillance Equipment. There are a variety of devices available to aid the investigator. These devices help the surveillant watch his subject. Among the most common are night observation devices and microphones that magnify voices.

Polygraph. The polygraph is designed to continuously record the occurrence of physiological phenomena of the human body on a moving chart.

Army polygraph instruments, as a minimum, record the following:

- o Pulse rate.
- o Blood pressure variation.
- o Respiration rate and relative volume.
- o Changes in skin resistance.

The examination is conducted by asking the subject a series of prepared questions appropriate to the matter under investigation.

The polygraph examination is an aid to investigation. When a person agrees to the examination, he is advised of his rights. Thus, rights are not violated. If the examiner receives an oral confession he may testify to the matter in court. Written statements should be taken by the investigator assigned to the investigation. This provides additional witness to verify the voluntary nature of the statement.

Polygraph examiners and their equipment must not be used in violation of the Posse Comitatus Act which prohibits the armed forces from executing civil law in the United States, its territories, and possessions. The act (law) has been interpreted as follows for military polygraph examiners:

- o They will not examine a person who is not subject to the UCMJ for the purpose of assisting civil police in enforcing civil laws.
- o They may examine a soldier accused of an offense against both the civil law and the UCMJ at the request of civil police. But only if, at the same time, a military investigation is being conducted of the offense and the requirements of AR 195-6 have been met.
- o They may examine a person not subject to the UCMJ in connection with the military investigation providing the person committed an offense against the code on a military reservation. The investigation must be for a military purpose and not for the purpose of imposing criminal liability by a civil court for the offense. The requirements of AR 195-6 must be met.

The qualification and procedures for certification of polygraph examiners are set forth in AR 195-6. Only certified examiners or intern examiners under direct supervision of a certified examiner may conduct polygraph examinations.

Communication Equipment. Because of certain surveillance techniques, communication equipment may be needed. When this is the case, a separate radio frequency should be used. There are specific policies to follow when using—

- o Wire taps.

- o Security surveillance systems.
- o Recording devices.

Wire taps are investigative monitoring and eavesdrop activities. The recording of telephone communications at MP operations desks is considered to be a form of command center communications monitoring. This monitoring is done to provide a record of proof for emergency communications. This type of monitoring is not restricted in the same way that wiretapping and other forms of eavesdropping are.

- o DA Message 021847Z, provides the policy for wiretap, investigative monitoring, and eavesdrop activities. DA Message 222145Z, Feb 77, amended that policy by making the restrictions apply to all departments of Army personnel worldwide. This applies to all personnel. These restrictions are not limited to MP investigative personnel.
- o AR 105-43 provides policy for office telephone monitoring and communications management monitoring.
- o AR 380-53 also provides policy for office telephone monitoring and communications management monitoring.
- o AR 525-1 provides policy for monitoring telephone communications in DA command and control operations centers.

Security surveillance systems are closed circuit videotape systems with audio capability. This equipment be used for security purposes. When this equipment is used, there must be notices posted in plain view at all entrances to the facility. This will give all people entering the facility clear warning that this type of monitoring is going on.

The recording of interviews and interrogations is authorized. The person being interviewed must be aware that what he is saying and that any testimony or statement he makes is being recorded.

Additional Information

There are numerous sources of information to draw from. Some of the most common are--

- o Criminal information records.
- o Name checks.
- o National crime information center (NCIC).

Each of these common sources is discussed in detail below:

Criminal Information Records. Records and files kept at the provost marshal's office can be of help to an investigator. They contain information collected by that office. The purpose of information records and files is to provide--

- o A source of ready reference.
- o Continuity of action in the MPI section.
- o MP investigators not familiar with the investigation a means to acquaint themselves with previous data.
- o A record of incidents and offenses investigated by MPI section.
- o A means for the supervisor to ensure there is an equal distribution of work.

There are a number of reports and logs contained in the records that may aid the investigator. Some of these are--

- o Complaint or case log. Each MPI section must maintain a consolidated complaint or case log (Figure 2-17). It should reflect all of the following:

1. MPI SEQUENCE NUMBER	2. DATE ASSIGN -ED	3. MPR NUMBER	4. DATE OF INCIDENT	5. OFFENSE (S)	6. SUBJECT (S)	7. VICTIM (S)	8. MPI ASSIGN -ED	9. STATUS	10. REMARKS
1	1 Mar	00123-87	28 Feb 1500hrs	Larceny (\$50.00)	JONES, Jim R. SSG	MILLER Cathy E.	ROGERS	F-6 Mar (Unfound -ed)	MILLER reported that JONES stole \$50.00 from her room.
2	2 Mar	00127-87	1 Mar 1800hrs	Larceny (2 Coats)	Unknown	US Govt (Post PX)	SCHULTZ		PX Manager (Mr. SMITH) reported that someone stole 2 coats from the PX (Main Shop).
3	2 Mar	00136-87		Surveil- lance of parking lots	Unknown		ROGERS SCHULTZ ROBBINS CLAYTON		Post PM directed that a survey be conducted of all lots assigned to the 20th Field, & to apprehend persons respon. for vandalism concerning MPRs 00128-87, 00129- 87, and 00130-87.

Figure 2-17. MPI Complaint/Case Log.

- MPI sequence number.
- Date assigned.

- Military police report number.
- Offenses.
- Subjects.
- Victims.
- MP investigator assigned.
- Status.
- Remarks.

- o Interview worksheet. An interview worksheet is completed to the extent that information on the informant has been developed. Figure 2-18 shows an example of the interview worksheet.

INTERVIEW WORKSHEET (AR 190-45)						NUMBER MPR-00139-XX	
DATE/TIME/PLACE INTERVIEW BEGAN XX0818/1340/MP1 OFFICE						INTERVIEW CONDUCTED BY INV. D. KLINE	
PERSONAL DATA ON PERSON INTERVIEWED							
NAME HILL, STEVEN ROWLAND						GRADE E-6	SSAN 216-98-7756
ALIAS/KNICKNAMES NONE						IDENTIFYING MARKS	
RACE C	SEX M	HEIGHT 72"	WEIGHT 196	EYES BROWN	HAIR BROWN	CITIZENSHIP U.S.	MARITAL STATUS SINGLE
POB LEOMINSTER, MA						DOB 560531	
ORGANIZATION D Co 1/39th INF, FT MC CLELLAN, AL 36205						SECURITY CLEARANCE SECRET	
DUTY ASSIGNMENT/TELEPHONE SQUAD LEADER 848-8845						MOS 11B	
PERMANENT HOME ADDRESS/TELEPHONE (613) 543-6129 1269 MAIN STREET LEOMINSTER, MA 01453						ETS 31 MAR 91	PCS UNK
VEHICLE DATA NONE						PASSPORT NUMBER NONE	
OFFENSE(S) UNDER INVESTIGATION ASSAULT						EDUCATIONAL LEVEL 14 YRS	
INTERVIEWEE RELATIONSHIP TO CASE ☒ SUBJECT () SUSPECT () VICT () WITNESS					RIGHTS READ AND EXPLAINED BY INV. D. KLINE		
COUNSEL REQUESTED / PRESENT ☒ NO () YES:					WRITTEN STATEMENT () NO ☒ YES	LINEUP ☒ NO () YES	
DATE/TIME INTERVIEW TERMINATED & DISPOSITION XX0818 1425, RELEASED TO UNIT					FINGERPRINTED ☒ NO () YES	POLYGRAPH ☒ NO () YES	
REMARKS NONE							RACE R- RED H- YELLOW N- BLACK C- WHITE X- OTHER Z- UNKNOWN

Figure 2-18. Interview Worksheet.

MPI ledger of confidential funds expenditures. Any expenditures made concerning an informant must be kept and filed in the informants folder. An example of the MPI ledger of confidential funds expenditures is shown in Figure 2-19.

MPI Ledger Confidential Funds Expenditures				
MPI: Richard J. Jones, SSG				
INFORMANT CODE NUMBER: 043-001				
DATE	MPR#	DETAILS	AMOUNT	TOTAL
15 Mar 87	00123-87	Gave informant 043-001 \$2.35 in order to cover expenses incurred by him during drug surveillance of the Paradise Club, Augusta, GA (receipt attached)	2.35	2.35
17 Mar 87	00123-87	Expenditures incurred by MPI JONES to purchase a dinner for informant 043-001 while discussing the present surveillance of the Paradise Club, Augusta, GA (receipt attached)	1.80	1.80
		TOTAL		4.15

Figure 2-19. MPI Ledger.

- o MPI case status board. The case status board is used to account for MP investigations and to show information on their current status. The size and construction of the board is decided locally. An example is shown below in Figure 2-20.

MPI Case Status Board										
MPI SEQUENCE NUMBER	MPR NUMBER	OFFENSE(S)	SUBJECT(S)	VICTIM(S)	MPI ASSIGNED	DATE ASSIGNED	REVIEW	TYPING	PROGRESS	COMPLETED
DATE RECEIVED	DATE ASSIGNED									
1 1 Mar	123 1 Mar	Lar	Jones	MILLER	ROGERS	1 Mar	5 Mar	5 Mar		6 Mar 87 (Unfounded)
2 2 Mar	127 2 Mar	Lar	Unk	US Govt (PX)	SCHULTZ	2 Mar				
3 2 Mar	136 2 Mar	Surv1	Unk	Various	ROGERS SCHULTZ	2 Mar				

Figure 2-20. MPI Case Status Board.

- o MPI case folder. Every MP investigation is assigned an MPI sequence number. All of the records pertaining to an investigation are contained in this folder. The forms should be placed in the folder in the order shown in Figure 2-21 below.

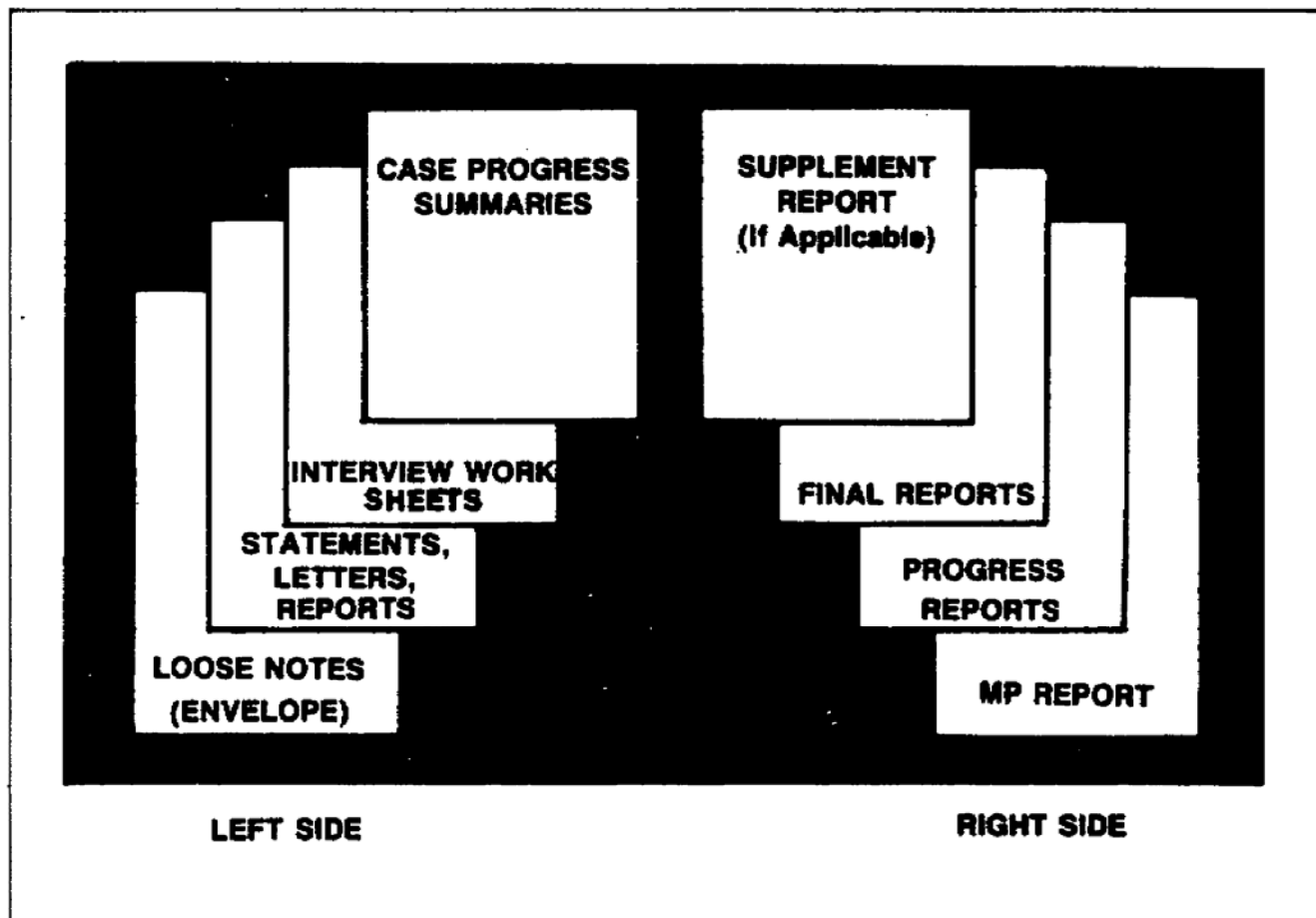


Figure 2-21. MPI Case Folder.

Name Checks. Name checks are conducted to determine if information on a particular individual is on file. Routine name checks with low priority are submitted by letter or message. Immediate name checks may be requested by telephone or teletypewriter. Army Regulation 190-30 provides guidance on format for requesting name checks. Immediate name checks are pursued while the requester waits or are done as quickly as possible.

Name checks should be conducted upon initiation of the following:

- o Reports of investigations.
- o Criminal information reports.
- o Crime surveys.
- o Military police reports.

Name checks should be also conducted as a matter of routine procedure for the following:

- o Subjects.
- o Suspects.
- o Victims.
- o Key witnesses.
- o Key employees of surveyed activities.
- o Informants.

The guidelines to follow for an immediate action request are listed below:

- o Immediate action requests transmitted by facsimile will not exceed 20 names or a total number that can be listed double spaced on a single 8" by 10 1/2" sheet of paper. Immediate action requests transmitted by telephone will not exceed five names.
- o The search may be requested of the Criminal Records files, or Defense Central Index for Investigation files, or both. Files available in the Crime Records Center will be checked while the requester waits. File checks of the Defense Central Index of Investigation require a minimum of 30 minutes and the requester will have to call back.
- o Calls should be placed to the Crime Records Center, USACIDC, AUTOVON 283-9222/3/4. The center operates on a 24-hour basis.

The following format will be used in requesting telephonic checks:

- o State your name, organization, duty position, need, and authorization for the receipt of the requested information.
- o State that a records check is desired either of the Crime Records Center files or of all files.
- o Give last name, first name, middle name or initial; date of birth; place of birth; social security number; and service number of individual on whom the check is being requested. Omit any elements not available.

National Crime Information Center. The NCIC maintains a stolen property file.

The requirements are that the items have a value of \$500 or more. They must also have a unique manufacturer's number and/or an owner applied number. All stolen personal property meeting this criteria is entered into the NCIC information system.

Investigative Assistance

Aside from special equipment and additional information, assistance is available to MP investigators to aid in their investigations. Investigative assistance is available from:

- o US Army Criminal Investigation Division Command.
- o Crime investigation laboratories.
- o Judge advocate office.
- o .0015 contingency fund.

Each of these sources is discussed below.

US Army Criminal Investigation Command. The Operations Directorate, USACIDC, operates a criminal intelligence program. It--

- o Supervises of the US Army criminal intelligence effort.
- o Establishes worldwide priorities for the collection of criminal intelligence.
- o Performs criminal intelligence functions with worldwide application.
- o Provides information that was obtained on a local level to investigators.

CID operational units supervise subordinate units in the criminal intelligence effort. They perform criminal intelligence functions within command boundaries. This fulfills the need expressed by USACIDC and establishes local priorities within the program.

CID operational units maintain liaison with appropriate information and law enforcement agencies.

Crime Investigation Laboratories. The criminal investigation laboratories provide specific, forensic, and investigative assistance and support to USACIDC elements, provost marshals, security officers, and federal law enforcement agencies. They also conduct training for special agents, laboratory technicians, and examiners. Each laboratory strives to provide expeditious and sustained investigative support. This is done by maintaining a high state of readiness in each facility.

All requests for lab examinations are made on DA Form 3655. This form is prepared in accordance with AR 195-5.

Laboratory examiners normally do not assist in processing crime scenes. However, if circumstances require, requests for such assistance can be made.

The request is sent through the field office to the USACIL commander for approval.

Judge Advocate Office. The judge advocate provides legal assistance to MP investigators in the conduct of investigations. Supervisors are responsible to ensure coordination is maintained with staff judge advocate personnel by their investigators. This will help facilitate successful investigations.

.0015 Contingency Fund. This is a fund of the Secretary of the Army that is made available to USACIDC for emergency and unusual expenditures incurred during investigations and crime prevention. The use of .0015 funds are restricted to the support of criminal investigation and crime prevention for which the Army has jurisdiction.

The substitution of .0015 funds for other appropriated funds to compensate for a lack of anticipated requirements is prohibited. Under no circumstances are .0015 funds used to pay settlement claims for injury or damage.

AR 195-4 provides guidance for the distribution, handling, and administration of .0015 contingency funds. It will be available at your station for reference.

PART H - ASSURE PROPER USE AND MAINTENANCE OF MPI RECORDS AND FORMS

Records

Military police investigators are required to keep various files for specific investigations. The records that will be discussed in this section include the following:

- o Informant files.
- o Liaison files.
- o Modus operandi files.
- o Missing or recovered property files.

Informant File. Each informant is assigned a code number by the supervisor of the MPI section. The informant's name should never appear outside of the master file. Identities must be kept confidential.

Informant files are maintained by the MPI supervisor in the MPI section. Access to the files is limited. Complete security of the files must be maintained.

Informant files contain the following information on each informant:

- o Occupation.
- o Associates.

- o Income.
- o Criminal records (if any).
- o Time and place of contact.
- o Known idiosyncrasies.

The record should include all transactions with the informant.

Liaison File. This file is maintained by the MPI section on each individual who has official business with the section.

The file is used to facilitate the relationship between members of the section and other agencies.

The file contains the following information:

- o Names.
- o Addresses.
- o Telephone numbers.
- o Important contacts.

This file serves to eliminate the need to contact the individual when the above information is required in a report. The file should also record the Individual's personal traits and hobbies. Any and all knowledge about the individual will be kept in confidence for good public relations. An example of the liaison file card is shown in Figure 2-22.

FIGURE 7. LIAISON FILE CARD			
1. NAME OF AGENCY OR FIRM <i>CID, Special Agent</i>			
2. LAST NAME <i>Standby, George</i>		3. SPECIALTY <i>Arson</i>	
4. BUSINESS TELEPHONE NO. <i>4435/4436</i>		5. BUSINESS ADDRESS <i>CID Office (Rm 45) 7th. Gordon, Co</i>	
6. HOME TELEPHONE <i>563-5645</i>		7. HOME ADDRESS <i>Requested that be given to for report</i>	
8. DESCRIPTION OF ASSIGNED VEHICLE TO INCLUDE STATE LICENSE NO. <i>1975, Chevrolet, Sedan, Blue in color, CA-85-346 (Civilian Post Decal #C456)</i>			
9. PERSONAL TRAITS <i>Very friendly, neat person.</i>		10. HOBBIES <i>Golf + hunting (owns a large collection of weapons)</i>	

Figure 2-22. Liaison File Card.

Modus Operandi File. The modus operandi file is used to record each instance or investigation that involves a known or unknown subject who has left a distinctive or peculiar method of committing the offense. The information is recorded on 5" x 8" file card (see Figure 2-23) and is kept in the modus operandi file. This type of file will help identify crime patterns and possible suspects.

Modus operandi searches are useful when checking unresolved crimes of the following types:

- o Housebreaking.
- o Burglaries.
- o Robberies.
- o Bad check writing.
- o Certain sex offenses.

Investigators should inform CRC of cases of this type. Investigators will conduct a search to determine if crimes of a similar modus operandi have occurred in the past year or two. It is possible that CRC may provide an investigative lead on an individual.

The modus operandi file will be maintained by the local USACIDC office.

MODUS OPERANDI(MO) FILE CARD(5x8)

1. MO MAIN POINT OF INTEREST					
2. MPI SEQ NO.	3. MPR NO.	4. DATE OF INCIDENT	5. PLACE OF INCIDENT	6. NAME OF INVESTIGATING OFF	
7. DETAILS:					

Figure 2-23. Modus Operandi File Cards.

Missing or Recovered Property File. A missing or recovered property file card is made for each item of property that has been reported stolen or missing (see Figure 2-24). This file is used to facilitate identification on any item that has been recovered.

MISSING AND RECOVERED PROPERTY FORM			
1. Classification		2. MPI #	3. MPR #
4. MPI Assigned	5. Date Assigned	6. Serial #	7. Date lost or stolen
Private Property Govt. Property 8. Other	9. Owner		10. Address
11. Description and/or circumstances			
12. Date Recovered	13. How Recovered	14. By Whom	

Figure 2-24. Property File Card.

Forms

The forms that will be considered in this section are DA Form 3881, DA Form 2823, DA Form 4137, DA Form 4002, DA Form 3975, DA Form 2804, and the MPI case progress summary.

DA Form 3881. The DA Form 3881 contains the procedure to advise a suspect of his rights. You need to read the rights warning word-for-word to the suspect from the back of the form. The suspect is to read the front of the form. Be certain that the suspect understands his rights. Once he understands his rights, you are ready to fill out the waiver certificate. Once the waiver certificate has been filled out and signed by the suspect, you have proof that the suspect either waived his rights to a lawyer or did not waive his rights.

Refer to Figure 2-4, Lesson 2, Part C, for a copy of DA Form 3881.

DA Form 2823. The DA Form 2823 is used during the interview or interrogation process. It is executed after the interview when you are reasonably sure that the interviewee has given you as much information about the interview as possible.

This form was covered in detail in Lesson 2, Part C. Refer to this lesson for a complete description of this form.

DA Form 4137. This form is executed when evidence is seized. It is designed to be used as a receipt and to record the history of the evidence. The history includes-

- o Chain of custody.
- o Authority for final disposition.
- o Final disposition.
- o Witnessing of destruction.

Refer back to Lesson 2, Part C, Figures 1-9 and 1-10 for a complete description and illustration of this form.

DA Form 4002. This form is a tag that is attached to all forms of evidence. The tag identifies the evidence and assures proper processing and handling of the evidence by the evidence custodian and laboratory technicians.

The information included on the tag for identification purposes includes the document number, MPR or CID sequence number, item number, and any remarks. Refer back to Figure 1-11, Lesson 1.

DA Form 3975. The MP report form is used to inform the provost marshal or security officer of the action taken in dealing with an investigation or offense. DA Form 3975 is also used to report action taken to the CRC against subjects of the special category offenses. See Figure 2-25 for a picture of DA Form 3975. When used to report an offense pertaining to the CRC, the form is completed in triplicate.

DA Form 4833 (Commander's Report of Disciplinary or Administrative Action). The top portion, completed by the provost marshal office, will show FROM: (Unit Cdr of Subject); THRU: (Subject's Cdr's next higher HQ); and TO: (Provost Marshal). The Bottom portion of DA Form 4833 is completed by the subject's commander. (See Figure 2-26.) When reporting the offense to CRC, the following copies of DA Form 4833 are issued:

- o The first copy if filed with the first copy of DA Form 3975.
- o The original is attached to the original of DA Form 3975.
- o The originals (from above) along with DA Form 2804. (Criminal Data Reference Card) are forwarded to the Criminal Records Center.

"FOR TRAINING PURPOSES ONLY"

MILITARY POLICE REPORT For use of this form, see AR 190-45, the proponent agency is ODCSOPS		MILITARY POLICE REPORT NUMBER MPR-00139-XX-063		DATE XX0818		USACRG CONTROL NUMBER	
THRU: Commander D Co 1/39th INF Ft McClellan, AL 36205		TO: Commander HHC 1/39th INF Ft McClellan, AL 36205		FROM: Provost Marshal Ft McClellan, AL 36205			
1. REPORT TYPE/STATUS ☐ Information ☒ Commander's Action (DA Form 4832) ☐ Supplemental ☒ Complaint							
2. EVALUATION ☒ Criminal Offense ☐ Military Offense ☐ Traffic Offense ☒ Founded ☐ Unfounded ☐ Information							
3. COMPLAINT/OFFENSE/INCIDENT (See Reverse/Attached for Summary) ASSAULT, ART 128 UCMJ				4. LOCATION (Address) ☒ On Post ☐ Off Post Outside of building #3169 Ft McClellan, AL 36205 (848-5538)		5. TIME OF OFFENSE 1325	
7. OFFENSE CODES 5C2				8. COMPLAINT RECEIVED BY DICKSON, D. L., E-6, D/SGT		9. TIME RECEIVED 1330	
11. MP ACTION REFERRED TO: ☒ MPI ☐ CID ☐ Civil Authorities ☐ Traffic ☐ Other (Specify)						10. DATE REFERRED XX0818	
12. NAME OF SUBJECT HILL, Steven Rowland				a. GRADE E-6		b. ORGANIZATION (Include address and telephone number) D Co 1/39th INF Ft McClellan, AL 36205-5000 (205) 848-8845	
c. SSN 216-98-7756		d. PLACE OF BIRTH Leominster, MA		a. DATE OF BIRTH 560531			
1. CAT (1) A	g. COLOR HAIR Brown	h. COLOR EYES Brown	i. WEIGHT 196	j. HEIGHT 72"	k. AGE 33	l. JUVENILE ☐ Yes ☒ No	m. SEX ☒ Male ☐ Female
n. COMPLEXION Light	o. RACE (2) C	13. INVOLVEMENT ☐ Alcohol ☐ Drugs		14. DRESS ☒ Uniform ☐ Civilian		15. COOPERATIVE ☒ Yes ☐ No	
16. IDENTIFYING MARKS None							
17. PERSONS RELATED TO REPORT (Place Additional Entries on Reverse/Attached)							
a. NAME		b. GRADE	c. SSN	d. ORGANIZATION/ADDRESS/TELEPHONE NUMBER		e. (1)	f. (2)
HIGGINS, Danny R.		E-5	543-16-7563	D Co 701st MP Bn, FMA (848-7786)		A	B
EVERLY, Charles B.		E-8	323-99-4536	D Co 701st MP Bn, FMA (848-7786)		A	C
KLINE, Daniel C.		E-6	545-95-8857	Ft McClellan MP Co, FMA (848-8675)		A	E
MOORE, Joseph D. Jr		E-4	434-97-8867	Ft McClellan MP Co, FMA (848-8675)		A	E
18. PROPERTY DATA				18. DISPOSITION OF			
a. DATE	b. (4)	c. (5)	d. AMOUNT	a. OFFENDER Released to unit on DD Form 629		b. EVIDENCE None retained	
ENCLOSURES 1- DA Fm 2823 (EVERLY) 2- DA Fm 2823 (HIGGINS) 3- DA Fm 3881 (HILL) 4- DA Fm 2823 (HILL)				DISTRIBUTION 1-CDR (Unit) 1-PM File		FOR THE COMMANDER (Strike out if not applicable) TYPED NAME, RANK AND TITLE OF REPORTING OFFICER NEIL F. FLATT, MAJ, MPC, ASST ADJ <i>[Signature]</i>	
(1) CATEGORY		(2) RACE	(3) STATUS		(4) PROPERTY TYPE		(5) PROP ACTION
A-Army B-Other Service C-Family Member D-DA Civilian E-Civilian	F-Contractor G-Other Govt Empl H-FGN Natl Empl I-Other FGN Natl J-Other	R-Red M-Yellow N-Black C-White H-Hispanic K-Other	A-Not Used B-Witness C-Victim D-Complainant		A-Govt Prop/Funds B-Govt Vehicle C-NAF Prop/Funds D-NAF Vehicle E-Private Property		F-Private Vehicle G-Host Govt Prop/Funds H-Host Govt Vehicle
							A-Lost B-Stolen C-Recovered D-Damaged

DA FORM 3975, MAY 1988

EDITION OF JAN 74 IS OBSOLETE

Figure 2-25. MP Report.

COMMANDER'S REPORT OF DISCIPLINARY OR ADMINISTRATIVE ACTION For use of this form, see AR 190-45 and AR 195-2; the proponent agency is DCSPER.			SUSPENSE DATE
THRU:	TO:	FROM:	
USACRC CONTROL NUMBER	MP REPORT NUMBER	SUB-INSTALLATION IDENTIFIER	
<i>To be completed by the commander or supervisor of the subject identified below and in corresponding MP/CID report. Check all applicable blocks. Briefly explain circumstances not covered by blocks. For multiple offenses resulting in more than one type of action taken or action taken for offenses not listed in the report, explain in REMARKS which offenses apply to blocks checked and action taken for other offenses. Retain last copy and return all others to addresses indicated in "TO" block on completion of final action.</i>			
NAME OF SUBJECT (Last, first, MI)	GRADE	SOCIAL SECURITY NUMBER	DATE OF BIRTH
OFFENSE(S)		DATE OF OFFENSE(S)	
ACTION TAKEN			
A ☐ *NONE 1 ☐ INSUFFICIENT EVIDENCE (Explain in remarks) 2 ☐ OTHER (Explain in remarks) *Subject was advised that although no action was taken, the report will be retained in Army records and that requests for amendment, correction, or expungement may be submitted IAW AR 190-45 (MP Reports) or AR 195-2 (CID Reports). B ☐ ADMINISTRATIVE C ☐ NONJUDICIAL (Article 15, UCMJ) D ☐ JUDICIAL (If subject was tried by court-martial attach a copy of the court-martial order giving findings and sentences) 1 ☐ SUMMARY COURT-MARTIAL 2 ☐ SPECIAL COURT-MARTIAL 3 ☐ GENERAL COURT-MARTIAL 4 ☐ CIVIL COURT			
JUDICIAL FINDINGS			
A ☐ GUILTY B ☐ NOT GUILTY C ☐ DISMISSED D ☐ OTHER (For example, guilty of a lesser included offense) (Explain below)			
RESULTANT SENTENCES, PUNISHMENTS, OR ADMINISTRATIVE ACTION			
A ☐ REPRIMAND/ADMONITION (Strike inappropriate word) 1 ☐ ORAL 2 ☐ IN WRITING			
B ☐ DETENTION/FORFEITURE/FINED (Strike inappropriate words) \$ _____ / _____ MONTHS			
C ☐ REDUCED FROM _____ TO _____ D ☐ EXTRA DUTY FOR _____ DAYS E ☐ RESTRICTED FOR _____ DAYS			
F ☐ CORRECTIONAL CUSTODY FOR _____ DAYS G ☐ CONFINED _____ YEARS _____ MONTHS			
H ☐ PUNITIVE DISCHARGE ADJUDGED (type) _____			
I ☐ ADMINISTRATIVE DISCHARGE UP PARA _____, AR _____ - _____, EFFECTIVE _____			
J ☐ OTHER, FOR EXAMPLE, SUSPENSION OF DRIVING PRIVILEGES (Explain below)			
REMARKS			
TYPED NAME & GRADE OF COMMANDING OFFICER		SIGNATURE	DATE OF REPORT

DA FORM 4833
1 JAN 90

REPLACES DA FORM 3978-1, 1 JAN 74, WHICH IS OBSOLETE.

Figure 2-26. Commander's Report of Disciplinary or Administrative Action.

DA Form 2804. This form is used to forward identifying information on personnel appointed as MP investigators (Figure 2-27). The Criminal Records Center uses it for identification of MP investigators. The following information is provided:

- o Name.
- o Grade.
- o Social security number.
- o Date of birth.
- o Former service number.
- o Any aliases used.
- o Issued MPI credential number.

The form is also used to forward information on subjects of certain investigations. These include--

- o All violations of Articles 77-84, 87-110, and Article 134, UCMJ, for which maximum punishment is confinement for six months or more.
- o All offenses, except minor traffic violations, reported by civil authorities.

MPI Case Progress Summary. The MPI case progress summary provides a chronological record of investigation activity for every MP investigation. This in turn supports the collection of criminal information. The case progress summary also provides a summary of all activity accomplished. The MPI supervisor can then determine the current status and progress of an investigation. In an emergency, it can be turned over to another investigator with little loss of continuity. Figure 2-28 depicts the military police case progress summary form.

"FOR TRAINING PURPOSES ONLY"
 * U.S. GOVERNMENT PRINTING OFFICE: 1983-383-827

SMITH, John Peter		CPT		TC		631-90-3348	
1. NAME (Last, First, Middle)		2. SUBJ STATUS CODE		3. GRADE		4. MCAC	
6. ALIASES/NICKNAMES		7. SEX		8. RACE		9. ETHNIC	
Moose		M		C		X	
12. POB (City, State)		13. ROI/MPR (Include Primary Offense Code)		14. SURVEY CODE		15. OTHER OFFENSE CODES	
Mountain View, KY		87-CID063-13421				501118	
16. ORGANIZATION AND STATION		17. STA-TION CODE		DATE		19. CLOSED	
Co A, 701st MP Bn							
Ft McClellan, AL 36205-5030							
21. OTHER INVOLVEMENT		20. DRUGS INVOLVEMENT		22. FILE LOCATION			
23. (Check appropriate box)		24. DISPOSITION		25. DATE REPORTED		26. ACTION TAKEN	
☐ SUSPECT ☒ SUBJECT ☐ VICTIM		27 Mar 87				☒ YES ☐ NO	
REMARKS		RACE		9 CUBAN		5 FILIPINO	
		R RED		S LATINAMER		V VIETNAMESE	
		M YELLOW		1 OTHHISPANIC		3 OTHASIAN	
		N BLACK		8 ALEUT		E MELANESIAN	
		C WHITE		7 ESKIMO		W MICRONESIAN	
		X OTHER		2 USCANINDIAN		L POLYNESIAN	
		Z UNKNOWN		G CHINESE		Q OTHPACISLAND	
		ETHNIC		J JAPANESE		X OTHER	
		6 MEXICAN		K KOREAN		Y NONE	
		4 PUERTO RICAN		D INDIAN		Z UNKNOWN	

DA FORM 2804 1 JAN 80 EDITION OF 1 APR 77 IS OBSOLETE. **CRIME RECORDS DATA REFERENCE**
 FOR USE OF THIS FORM, SEE AR 195-2, THE PROPONENT
 AGENCY IS USACIDC

Figure 2-27. Criminal Data Reference Card.

"FOR TRAINING PURPOSES ONLY"		
MILITARY POLICE INVESTIGATION CASE PROGRESS SUMMARY		
1. MPI#	2. MPR#	3. OFFENSE
4. TIME & DATE INVESTIGATOR		5. SUMMARY OF INVESTIGATIVE ACTIVITY
1600 hrs 28 Feb 87 ROGERS	Interviewed MILLER, Cathy Ella, PFC, 320-65-5646, Co B, 18th Infantry, Fort Gordon, GA (Tel # 4567). She stated that some time around 1300 hours, 28 Feb 75, she invited SSG Jim R. JONES to her room. According to MILLER she wanted to show a bare Album to JONES. After looking at the Album, JONES left the room at about 1500 hours. After JONES left MILLER noticed that the \$50.00 that she had lying on top of a night table had been stolen. She remembers seeing the money upon entering the room. (See written statement for further details).	
1655 hrs ROGERS SCHULTZ	Interviewed JONES. After advising him of his legal rights declined to make any statement whatsoever and requested a lawyer. JONES identified as: SSG Jim Ball JONES, 333-89-8765, 46th Ordnance Co, Fort Gordon, GA DOB: 3 May 38, POS: Miami, FL.	
1730 hrs 28 Feb 87 ROGERS	Interviewed SSG MARTIN and SP4 JOHNSON, Military Police, Fort Gordon, GA (was not able to interview them prior to this time because they had been called to a traffic fatality immediately after apprehending JONES and bringing him to the MP station). MARTIN and JOHNSON both stated that subsequent to receiving the complaint from the Desk Sergeant (SSG SMITH) they drove to the 46th Ordnance Co and apprehended JONES. Subsequent to the apprehension they searched JONES and failed to find anything of any evidentiary value. According to them they interviewed JONES after advising him (JONES) of his legal rights and JONES denied the allegation made against him. MARTIN and SMITH then conducted a preliminary search of MILLER's room and found the \$50.00 lying on the floor, behind the night table, between the table and the wall. During the search MILLER had departed her room and they had not been able to notify her of finding the missing money as shortly after finding the money they were called to a traffic accident involving a fatality. Later they found out that MILLER had gone to the MPI Section. Received the \$50.00 from MARTIN on MP Receipt for property.	
1800 hrs 28 Feb 87 ROGERS	Notified MILLER. Also notified JONES' CO. MILLER will be at the MPI office at about 2000 hours, today.	
(PAGE #2)		

Figure 2-28. Case Progress Summary.

PART I - ASSURE PROPER USE OF .0015 CONTINGENCY FUNDS

As a military police investigator, you need funds for information, special equipment, and other unique goods. The .0015 contingency fund is used to provide these funds. To assure that the .0015 contingency fund is properly used, we will discuss the following topics in this lesson: responsibilities, restrictions, expenditures, and administration.

Responsibilities

The approving officer (AO) must certify that expenses claimed on DA Form 5070-R (Justification Statement for .0015 Contingency Funds) and reimbursement subvouchers from SAs, MP investigators, and MP are correct, proper, and authorized. Other (AO) responsibilities include the following:

- o Ensuring Special Installation Property Book Officers (SIPBOs) get copies of all receipts for all .0015 funds used to buy special investigative equipment.
- o Ensuring normal DA operating funds, when applicable, are used to finance costs related to criminal investigations and crime prevention.
- o Giving detailed instructions on the administration and control of .0015 funds to all USACIDC fund custodians, SAs, MP investigators, or MP who are authorized to spend funds.
- o Ensuring that supporting documentation is attached to each subvoucher submitted to support claims for reimbursement from .0015 funds.
- o Reviewing and approving requests for cash advances submitted by SAs and USACIDC fund custodians.
- o Appointing an officer or SA to conduct quarterly unannounced verification of--
 - Currency held by fund custodians.
 - Any .0015 funds held as evidence.
 - Expenditure reports of source payments to make sure they are supported by source receipts.
- o Approving MP written requests for funds that do not exceed planned expenditures.

USACIDC Fund Custodian. The primary and alternate fund custodians are appointed in writing. They are tasked to supervise and document expenditures of .0015 funds. Only one primary and one alternate fund custodian may be appointed at each operating level.

The fund custodian may be a commissioned officer, warrant officer, enlisted member, or a civilian employee. Appointments of a civilian in CONUS regions is not permitted. It is also not permissible to be both an approving officer and fund custodian at the same time.

On appointment, both primary and alternate fund custodians will prepare a DD Form 577 (Signature Card). This is used to verify signatures on vouchers. Copies of the form are submitted to the certifying and approving officer (CAO) and the A0.

Special Agents. Special agents ensure that all claims for reimbursement are proper and that all expenditures are authorized. They prepare and submit vouchers and subvouchers to confirm reimbursement and requests for cash advances of .0015 funds. Special agents are also responsible for safeguarding cash advances of .0015 funds.

Reserve special agents who are on active duty are also eligible to use .0015 funds. They may use the funds in the same manner as a regular Army special

agent would use them. The prerequisites for an active duty SA must be met by the reservists.

Restrictions

There are several restrictions that govern the use of .0015 funds. Restrictions include the following:

- o .0015 funds are restricted to criminal investigation and prevention programs for which the Army has jurisdiction.
- o Expenditures normally supported by regular DA operating funds will not be financed with .0015 funds unless the use of other funds would comprise the investigation, jeopardize the personnel, or delay the time sensitive investigations.
- o .0015 funds cannot be used instead of other appropriated funds. They are not to compensate for lack of programming or planning for anticipated requirements.
- o MP certified to use and expend .0015 funds may not receive a cash advance from USACIDC fund custodians.
- o Certified MP also may not receive funds from SAs or MP investigators for controlled expenditures while working with USACIDC, MP investigators, or MP drug suppression teams performing investigative activities.
- o Under no circumstances may .0015 funds be used to settle claims for injury or damages caused.

Authorized Expenditures

The CG, USACIDC is responsible for reviewing and examining all vouchers and subvouchers of .0015 fund expenditures. This is done to ensure that expenditures are properly administered and authorized. The authority to obligate and expend .0015 funds is delegated in writing to subordinate commanders. Requests for reimbursement of expenses exceeding the approval authority of the CAO are also reviewed as needed.

Travel Expenditures. While investigating, investigators with travel expenditures that exceed the established allowances may be reimbursed from the .0015 fund. The expense must be fully documented and have been required for a successful mission. The amount of funds used is calculated by subtracting the amount paid by the finance and accounting office (FAO) from the total travel expense. The remainder will be the amount reimbursed from .0015 funds.

Travel orders are not needed if their use would compromise the security of an investigation. In this situation, expenses may be reimbursed from .0015 funds on approval of the CG, USACIDC.

Special Clothing. Special operational clothing may be bought or rented for with .0015 funds. This includes formal wear, indigenous attire, and occupational uniforms.

Supplies and Equipment. Supplies and equipment should be secured through normal supply channels. However, special items required for a specific investigation may be bought or rented with .0015 funds provided a certificate of nonavailability is prepared by the supply activity and the items purchased are authorized .0015 fund expenditures.

The fund can also be used to pay for emergency repair of investigative equipment. This can be done only when the equipment is urgently needed and normal facilities cannot be used. These provisions will not be used to circumvent planning and programming for normal logistics support.

Undercover Vehicles. Commanders may approve .0015 funds for the operation and maintenance of vehicles used in undercover investigations, providing the vehicles are--

- o Not table of distribution and allowance (TDA) vehicles.
- o Registered.
- o Not costing more than \$400 at any one time. (Costs include fuel, routine maintenance, and minor repairs.)

Approved .0015 funds should be spent at local businesses. All requests for funds exceeding the \$400 limit must be made prior to any repair. Requests are sent to HQ, USACIDC, along with a cost estimate.

Rental vehicles are authorized. Vehicles should be rented for the shortest period of time possible. It cannot exceed 30 days.

Food and Lodging. Food and lodging may be reimbursed from .0015 funds when such expenses are incurred due to the missions requirements. Per diem or other allowances are not paid. All requests for .0015 funds excess food and lodging must be supported by receipts or statements.

Undercover Expenses. Under certain conditions, .0015 funds may be used to rent, alter, maintain, or repair real property. Expenditures must be approved by CG, USACIDC.

When investigations require .0015 funds for the rent of facilities for more than 90 days, the AO must prepare a memorandum detailing the reasons funding through normal appropriations could not be used. Investigators should submit a monthly evaluation of the need, effectiveness, and value of the undercover facility to the investigation.

Communications (Under Normal Operating Conditions). All calls are charged to US government circuits or official numbers of the command when security

conditions make it impractical to claim these expenses. They may be reimbursed from .0015 funds.

Other authorized expenses include--

- o Charges for telephones used in undercover facilities.
- o Security deposits.
- o Installation fees.
- o Monthly bills.
- o Toll charges.

Telegrams or wires are reimbursed with normal appropriations.

Source(s) and Registered Source Payments. These payments are considered proper claims for reimbursement from .0015 funds. These payments include--

- o Interview amenities.
- o Individual payments.
- o Reimbursement for expenses incurred by sources assisting in the investigation.

No source may be paid by two or more federal law enforcement agencies for the same information. All costs and expenses must be properly documented.

Military and federal employees who are paid for criminal information must be documented as registered or confidential sources. Payments are made only to personnel who perform their duties beyond what is required during normal duty assignment.

Unauthorized Expenditures

There are certain restrictions that apply to the use of .0015 funds. All .0015 funds are reserved for criminal investigation and crime prevention where the US Army has jurisdiction. No expenditures supported by DA operating funds are financed with .0015 funds. Exceptions fall under the following conditions:

- o When normal administrative procedures would compromise the security of the investigation or jeopardize the safety or cover of personnel.
- o If there is a delay in completing a time sensitive investigation.

The substitution of .0015 funds for other appropriated funds because of a lack of planning for anticipated funds is prohibited. The actions of investigators

which provoke claims against the US government by third parties for injuries or damages are under no circumstances settled through the use of .0015 funds.

Voucher Preparation

DD Form 281 (Voucher for Emergency or Extraordinary Expenses) is used by investigators and fund custodians--

- o To request cash advances.
- o To record advances from FAO.
- o To record claims of reimbursement or settlement from .0015 funds.

The names of personnel or organization under investigation will not be shown on the voucher. The CAO will assign a bureau voucher number (BVN) to each voucher approved for payment. A sample voucher DD Form 281 is shown in Figure 2-29.

Claim Settlements

Unless authorized by the CAO, all investigators must submit claims for reimbursement within 30 days of the date expenses were incurred. Fund custodians and AOs must submit claims for advances or personal reimbursement within ten days of receipt. Investigators must settle cash advances before relief of duty. All unused .0015 funds must also be turned in to the fund custodian before temporary duty (TDY), or leave.

Fund custodians planning leave or TDY for more than one day will transfer unused advances to their alternate. Funds should never be given to anyone other than the alternate custodian.

Expenses Less Than or Equal to the Amount Advanced. Settlement for these claims should be noted on DA Form 3697 (Subvoucher for Distribution from Confidential Funds). Total expenses are shown and sent with supporting documentation through the AO to the CAO. Any unused funds to be returned to the CAO will be by cash, US Treasury check, postal money order, cashier's check, or certified check. All must be made payable to the FAO.

Expenses over Amounts Advanced. When a mission requires the SA to incur expenses over the amount advanced, he must go through procedures for reimbursement. First, he prepares a DA Form 3697 showing the total amount spent. An extra DD Form 281 is prepared to show the amount over original advance. Then he sends all forms to the CAO, who in turn sends them to the FAO for payment.

This action obligates the .0015 funds spent over the amount advanced. The SA is reimbursed for personal funds spent over the original amount.

VOUCHER FOR EMERGENCY OR EXTRAORDINARY EXPENSE EXPENDITURES		D.O. VOUCHER NO. 607421	
BUREAU VOUCHER NO. CIRX-015-87			
VOUCHER PREPARED AT Italy Field Office, USACIDC, APO NY 7777		DATE 1 Nov 87	
UNITED STATES, DR., TO (Payee) C.I. Agent			
ADDRESS (Include ZIP Code) Italy Field Office, USACIDC APO NY 7777		(For Use of Paying Office)	
FOR EMERGENCY OR EXTRAORDINARY EXPENSE EXPENDITURES UNDER APPROPRIATIONS LISTED BELOW		AMOUNT	
FOR EXPENSES INCURRED DURING THE PERIOD: 15 Oct 87 TO 25 Oct 87		\$180.00	
APPROPRIATION CHARGEABLE 2112020.0015 21-5175 P951520.21000 2572 S19980 its authority for expenditures of funds under operations and maintenance Army, for FY 88. filed with DO Voucher No. 606895, dated 4 Oct 87, accounts of LTC U.S. Wright, FI, DSSN 9090. I certify that the expenditures shown on this voucher were necessary for emergency expenses that the funds charged are proper and that funds are available to cover expenditures. <u>Certifying and Approving Officer</u>			
One hundred eighty and no/100 dollars		TOTAL \$180.00	
I CERTIFY THAT THE ABOVE ACCOUNT IS TRUE AND CORRECT; THAT PAYMENT THEREFOR HAS NOT BEEN RECEIVED; AND THAT THE AMOUNT HAS BEEN OR WILL BE EXPENDED FOR EMERGENCY OR EXTRAORDINARY EXPENSE PURPOSES.			
DATE 1 Nov 87	TYPED NAME, GRADE, AND ORGANIZATION C.I. Agent, SA Italy Field Office, USACIDC	SIGNATURE OF PAYEE (Sign original only) 	
I CERTIFY THAT THE ABOVE LISTED EXPENDITURES ARE PROPERLY CHARGEABLE TO THE APPROPRIATIONS INDICATED.			
DATE 6 Nov 87	TYPED NAME, GRADE, ORGANIZATION AND TITLE R.M. Reed, COL, MPC Certifying and Approving Officer	SIGNATURE OF CERTIFYING AND APPROVING OFFICER (Sign original only) 	
APPROVAL BY HEAD OF DEPARTMENT (Typed name)		SIGNATURE	
PAID BY	CHECK NO.	DATED FOR \$ ON TREASURER OF THE	
	UNITED STATES IN FAVOR OF THE PAYEE NAMED ABOVE.		
	CASH \$	SIGNATURE OF PAYEE FOR CASH PAYMENT	
	ON	18	
¹ Fill in only if voucher covers reimbursement of funds actually expended. ² Certifying and approving officer will not be the payee.			
INSTRUCTIONS			
Supporting receipts, if available, or certificates in lieu thereof, should be attached to duplicate copy, except where security may thereby be violated. No details will be shown on the face of voucher.			
DD FORM 1 FEB 77 281		PREVIOUS EDITION IS OBSOLETE.	
		Form Prescribed By Comptroller General, U.S., 13 March 1977	

MP2004

Cash Advances at the End of the Fiscal Year. All settlements for cash advances of .0015 funds are settled before the end of the fiscal year. This takes place on the last day of the fiscal year. All outstanding amounts are returned to the FAO on a cash collection voucher (see Figure 2-30) as an appropriated refund.

The CAO under certain circumstances may authorize SAs to maintain cash advances into a second fiscal year. Agreements must be made with the FAO to ensure proper recording of all obligations. The return of prior year funds must be made within ten days after receiving authority to expend funds of the current year.

Files and Records

A voucher register is maintained for each fiscal year. The voucher register will contain the following information:

- o Bureau voucher numbers.
- o Payee's name.
- o Amount paid.
- o Obligations data.
- o Any other related information.

Voucher files are kept for each SA and fund custodian who is authorized access to .0015 funds.

Other files and records include--

- o A transaction file to record purchases of special investigative property.
- o Suspense file to record outstanding cash advances of .0015 funds.
- o A separate suspense file for outstanding security deposits.
- o A separate register of .0015 funds held as evidence.

All fund custodians are required to keep records of .0015 funds drawn on DD Form 281. These transactions are also entered on DA Form 5071-R (Fund Custodian Receipt Control and Cash Accountability Journal). (See Figure 2-31.)

In addition to the requirements, fund custodians must keep copies in unit files of all supporting documents sent to CAOs.

"FOR TRAINING PURPOSES ONLY"

CASH COLLECTION VOUCHER		DISBURSING OFFICE COLLECTION VOUCHER NO. 8641		
		RECEIVING OFFICE COLLECTION VOUCHER NO.		
RECEIVING OFFICE	ACTIVITY (Name and location) (Include ZIP Code)			
	RECEIVED AND FORWARDED BY (Printed name, title and signature) U.S. Army Finance and Accounting Office, APO NY 7777		DATE	
DISBURSING OFFICE	ACTIVITY (Name and location) (Include ZIP Code)			
	DISBURSING OFFICER (Printed name, title and signature) U.B. Wright, LTC FC Finance and Accounting Officer	DISBURSING STATION SYMBOL NO. 9090	DATE RECEIVED SUBJECT TO COLLECTION 21 Dec 87	
	PERIOD: FROM TO			
DATE REC'D	NAME OF REMITTER DESCRIPTION OF REMITTANCE	DETAILED DESCRIPTION OF PURPOSE FOR WHICH COLLECTIONS WERE RECEIVED	AMOUNT	ACCOUNTING CLASSIFICATION
21 Dec	CW2 Warren G. Officer	Return of unexpended cash advance disbursed on DD voucher 607420, dated 10 Nov 87, accounts of U.B. Wright LTC, FI, DSSN 9090	\$122.50	2112020,0015 21-5175 P951520,21000 2572 S19988 M4*** IT EVN: CIRX-015-81
TOTAL			\$122.50	

DD FORM 1131

REPLACES EDITION OF 1 APR 66 WHICH IS OBSOLETE.

Form approved by Comptroller General, U.S.
24 January 1968

Figure 2-30. Cash Collection Vouchers.

FUND CUSTODIAN RECEIPT CONTROL AND CASH ACCOUNTABILITY JOURNAL									
1. BUREAU VOUCHER NUMBER CIBX-015-81									
2. CASH COLLECTION VOUCHER NO. 8661									
3. DATE 21 Dec 81									
TRANSACTION NUMBER	DATE	SIGNATURE AND NAME OF SPECIAL AGENT/NPS	INITIALS OF CIB FUND CUSTODIAN	AMOUNT DISBURSED		AMOUNT RETURNED	AMOUNT EXPENDED	UNEXPENDED BALANCE	CROSS REFERENCE
				REIMBURSED	ADVANCED				
01	10 Nov 81							1000.00	
02	15 Nov 81	<i>John A. Jones</i> SA John A. Jones		25.00			25.00	975.00	
03	24 Nov 81	<i>Ned A. Neely</i> SA Ned A. Neely			10.00		35.00	965.00	
04	27 Nov 81	<i>John A. Jones</i> SA John A. Jones			750.00		785.00	215.00	
05	29 Nov 81	<i>Ned A. Neely</i> SA Ned A. Neely				8.00	777.00	223.00	03
06	29 Nov 81	<i>Jim L. Catchum</i> SA Jim L. Catchum		6.75			783.75	216.25	
07	13 Dec 81	<i>Fred Necessary</i> SA Fred Necessary			75.00		858.75	141.25	
08	17 Dec 81	<i>Jim L. Catchum</i> SA Jim L. Catchum			25.00		883.75	116.25	
09	20 Dec 81	<i>Jim L. Catchum</i> SA Jim L. Catchum				6.25	877.50	122.50	08
				ADVANCE SETTLEMENT TOTALS		31.75	+860.00	-14.25	-877.50
TYPED OR PRINTED NAME OF FUND CUSTODIAN		SIGNATURE OF FUND CUSTODIAN		8. AMOUNT RETURNED TO FINANCE OFFICE \$122.50					
Harry S. Potter		<i>Harry S. Potter</i>							

DA FORM 5071-R, MAR 82

Figure 2-31. Control and Accountability Journal.

LESSON 2

PRACTICE EXERCISE

This practice exercise is designed to test the points you must know for successful supervision of the MPI section. To test your understanding of the previous lesson, answer the questions below. All of the questions are multiple-choice with one correct (or best) answer. Try to answer all the questions without referring to the lesson. When you have completed the practice exercise, refer to the feedback section.

1. Which of the following offenses falls within military police jurisdiction?
 - A. A robbery involving a soldier in a downtown YMCA.
 - B. An altercation across the street from the main entrance to the post.
 - C. A fight in the post exchange.
 - D. A larceny off the base, involving a civil service employee.

2. When marking evidence, the date of discovery and the investigators initials are two of the requirements. What is the third requirement?
 - A. Monetary value.
 - B. The evidentiary value.
 - C. The time.
 - D. The items appearance.

3. Which of the following is trace evidence?
 - A. Pools of blood.
 - B. Footprints.
 - C. Car tracks.
 - D. Fibers from clothing.

4. When you are conducting an interview and you are satisfied that your interviewee has given you all the information he is able to provide, what should be your next step?
 - A. Prepare the written statement.
 - B. Terminate the interview.
 - C. Review the facts with him.
 - D. Show appreciation for the information.

5. When conducting an interview, what type of questions should you avoid asking?
- A. Direct specific questions.
 - B. Any questions that require a "yes" or "no" answer.
 - C. Questions that require the interviewee to tell his version of the story.
 - D. Questions that upset the interviewee.
6. Which amendment to the Constitution guarantees the right of the people, against unreasonable search and seizure?
- A. Third.
 - B. Fourth.
 - C. Fifth.
 - D. Sixth.
7. When a civilian is found committing a misdemeanor on post, what action should be taken by the military police?
- A. Escort him to the entrance of the post and forbid his reentry.
 - B. Apprehend and detain him for turnover to civil authorities.
 - C. Arrest and incarcerate him.
 - D. Arrest him, fingerprint him, and detain him for trial.
8. What method of communication between agents is the least desirable in an undercover operation?
- A. Prearranged signals.
 - B. Written messages.
 - C. Public telephone calls.
 - D. Intermediaries or go-betweens.
9. Which of the following should you avoid when conducting a surveillance operation?
- A. Following the subject too closely.
 - B. Being on the same side of the street as the subject.
 - C. Direct eye contact.
 - D. Being abreast of the subject when he turns a corner.
10. What should you do if the subject you are following gets into an elevator?
- A. Wait for the next elevator and get off on the same floor.
 - B. Observe the floor selected and run up the stairs.
 - C. Enter the same elevator, select the top floor, but get off behind the subject.
 - D. Stay on the ground floor until he comes back out.

11. When does the "Chain of Custody" begin for physical evidence?
- A. The moment the evidence is collected.
 - B. The moment the primary custodian receives it.
 - C. When it is accepted by the laboratory.
 - D. When it is presented as evidence in court.
12. Which Department of the Army form is used to record combinations of locks used in the evidence room?
- A. DA Form 727.
 - B. DA Form 3655.
 - C. DA Form 3811.
 - D. DA Form 4137.
13. What is the main purpose of the .0015 contingency fund?
- A. To provide for emergency and unusual expenditures incurred during investigations and crime prevention.
 - B. The settlement of injury claims.
 - C. To substitute for the lack of appropriated funds.
 - D. To support programming and planning for anticipated requirements.
14. What file would you check when investigating a crime involving a subject who has a distinctive or peculiar method of committing an offense?
- A. Source file.
 - B. Liaison file.
 - C. Modus operandi file.
 - D. Missing or recovered property file.
15. You have a piece of evidence from the scene of a crime. Before you send it to the laboratory, what form must be attached and completed?
- A. DA Form 2804.
 - B. DA Form 3881.
 - C. DA Form 4002.
 - D. DA Form 4137.
16. Who has the responsibility for reviewing and certifying that expenses claimed for .0015 funds are correct?
- A. The US Army Audit Agency.
 - B. The approving officer.
 - C. The .0015 fund custodian.
 - D. The Deputy Chief of Staff for Personnel.

17. What form is used to verify signatures on vouchers?

- A. DD Form 281.
- B. DD Form 577.
- C. DD Form 1137.
- D. DD Form 5070-R.

18. What time limit is imposed on fund custodians and AOs to submit claims for advances or personnel reimbursement?

- A. Ten days.
- B. Fifteen days.
- C. Thirty days.
- D. None of the above.

LESSON 2

PRACTICE EXERCISE

ANSWER KEY AND FEEDBACK

<u>Item</u>	<u>Correct Answer and Feedback</u>
1. C.	A fight in the post exchange. In the continental limits of the United States...(page 2-1, para 2).
2. C.	The time. o Time (page 2-9, para 1).
3. D.	Fibers from clothing. Trace evidence includes--...(page 2-7, para 4).
4. C.	Review the facts with him. When you are satisfied that your interviewee...(page 2-18, para 2).
5. B.	Any questions that require a "yes" or "no" answer. Remember, in either approach, always use...(page 2-17, para 2).
6. B.	Fourth. The Fourth Amendment guarantees the right...(page 2-35, para 1).
7. B.	Apprehend and detain him for turnover to civil authorities. If civilians are found committing a felony...(page 2-30, para 6).
8. B.	Written messages. On the other hand written messages should...(page 2-46, para 1).
9. C.	Direct eye contact. Avoid direct eye contact. (page 2-37, para 4).
10. C.	Enter the same elevator, select the top floor, but get off behind the subject. If the subject enters an elevator...(page 2-37, para 8).
11. A.	The moment the evidence is collected. The chain of custody begins the moment... (page 2-47, para 2).
12. A.	DA Form 727. A copy of all combinations of locks...(page 2-49, para 3).
13. A.	To provide for emergency and unusual expenditures incurred during investigations and crime prevention. This is a fund of the Secretary of the Army...(page 2-63, para 2).

- 14. C. Modus operandi file.
The modus operandi file is used...(page 2-65, para 1).
- 15. C. DA Form 4002.
Tagging further helps the investigator...(page 2-47, para 10).
- 16. B. The approving officer.
The approving officer (AO) must certify...(page 2-72, para 2).
- 17. B. DD Form 577.
This is used to verify...(page 2-73, para 4).
- 18. A. Ten days.
Fund custodians and AOs must submit...(page 2-77, para 4).

LESSON 3

DIRECT CRIME PREVENTION SURVEYS

Critical Tasks: None

OVERVIEW

LESSON DESCRIPTION:

In this lesson you will learn to administer a crime prevention survey program.

TERMINAL LEARNING OBJECTIVE:

- ACTION: Direct, monitor, and review a crime prevention survey.
- CONDITION: You will have this subcourse, paper and pencil.
- STANDARD: To demonstrate competency of this task you must achieve a minimum score of 70 percent on the subcourse examination.
- REFERENCES: The material contained in this lesson was derived from the following publications: CIDR 195-1.

INTRODUCTION

CIDR 195-1 establishes policy for conducting crime prevention surveys (CPSs) and for developing CID command CPS programs. It prescribes policies, responsibilities, and procedures for scheduling, conducting, reporting, and processing crime prevention surveys by investigative and staff elements of the command. It describes the processes for establishing basic programs at all levels and details the different types of surveys. It explains the content of the individual reports and formats including the use of applicable forms. This regulation is applicable to HQ, USACIDC, all elements subordinate thereto, and all other CID elements of the Department of the Army.

PART A - DEFINITIONS

Crime Prevention Survey. A crime prevention survey is a formally recorded review and analysis of existing conditions within a specified facility, activity, or area. It is used for the purpose of identifying conditions or procedures conducive to criminal activity. It is also used for minimizing or eliminating the opportunity to commit a criminal offense or to engage in criminal activity. It seeks to determine the nature, extent, and underlying causes of crime. It provides the commander with information for use in a crime prevention program.

Logistics Survey. A logistics survey is an analysis of the systems and procedures of high or intermediate level logistical activities. It includes, but is not limited to, survey of depots, acquisition processes, property disposal operations, and port or terminal operations.

Installation Activity Survey. An installation activity survey is a survey of installation activities by any USACIDC special agent. It includes, but is not limited to, survey of activities such as Army and Air-Force Exchange Services, club management, transportation motor pool operations, theaters, central issue facilities, installation or unit supply systems, medical and finance activities.

Crime Analysis Survey. A crime analysis survey is a trend analysis of specific types of crimes occurring on installations. Data on past criminal activity are compiled and analyzed and an on-site study of the situation is conducted for the purpose of preventing crimes in the future. Included are surveys of crimes against persons, crimes against property, and annual drug assessments.

Personal Security Vulnerability Assessment. A personal security vulnerability assessment (PSVA) is an assessment designed to enhance the overall security posture of selected individuals.

Responsibilities

Commanders of USACIDC field elements will accomplish the following:

- o Develop and implement CPS programs within their areas of operation in conformance with policies and guidance prescribed by HQ, USACIDC, or major subordinate commands.
- o Coordinate CPS efforts with appropriate supported commanders, inspectors general (IG), Army Audit Agency (AAA) personnel, provost marshals, security officers, military intelligence (MI) personnel, and internal review personnel.
- o Establish procedures to ensure the timely and thorough completion of CPS reports. Ensure the assignment of qualified agents to conduct the CPSs and Review reports of corrective action responding to CPSs from activity commanders or supervisors to evaluate the adequacy and probable effectiveness of the corrective action taken.

PART B - PREPARATION

Scheduling Surveys

The annual Economic Crime Threat Assessment (ECTA) assists in identifying activities to be surveyed by USACIDC by selecting those activities that are most susceptible to crime due to the operation of the activity. This includes procurement activities dealing in high dollar values and supply activities handling enormous amounts of property. CID offices then identify (at their

discretion) the activities within their area of operation to be surveyed. Commanders and supervisors should be responsive to local and changing needs to support the local community.

Analyzing Need

Commanders and supervisors at all levels of CID should be aware of circumstances which indicate the need for a CPS. Circumstances which indicate the need for a crime prevention survey are as follows:

- o An increase in business at a retail outlet may indicate that criminal activity has been going on and has now halted. It may also indicate that property diversion or blackmarketing has begun. Additional property or assets are ordered and subsequently diverted. In the case of blackmarketing, money may be placed in the cash register to cover the retail cost of the item then the property is sold on the blackmarket for enormous profits.
- o It is obvious how a decrease in business may be crime conducive. An activity which has been doing \$100,000 per month in receipts that suddenly drops to \$50.00 a month probably has problems with internal controls. This leads to the loss of accountability of property which can be easily diverted or stolen by dishonest employees or customers without detection.
- o Personnel from other agencies such as the inspector general office, US Army Audit Agency, physical security office, or other military and civilian law enforcement agencies may provide information about ongoing criminal activity within a facility.
- o The nonavailability of products or services may indicate supply diversion through theft or loss of accountability.
- o Products of inferior quality may indicate that the government awarded a contract with poorly written specifications or that a government quality assurance inspector is receiving bribes for accepting inferior products.
- o Many activities are authorized tolerances for losses which are written off with an inventory adjustment report and do not require a report of survey with a normal inquiry. This circumstance might indicate a clever criminal stealing only the amount that will not exceed the allowable tolerance.
- o Employees living beyond their means may indicate they are stealing from their place of duty. Consider employee's duty responsibilities and their opportunities to steal.

Preparing Agents

Determine the Scope of the Survey. Depending on the situation, it may prove advantageous to survey specific functions of an activity in turn, making each

function the subject of a separate report. Limited scope surveys are often more appropriate for large scale activities. A decision should be made by supervisors, during the initial planning stages, concerning the intended scope of the survey. This decision should be coordinated with the supported commander. Remember that effective communication skills can impact drastically on the ability to get the job done.

Determine Research Requirements. Ensure that agents collect and review previous CPSS and actions taken by commanders in response to the deficiencies and observations in surveys, AAA reports, extracts of inspector general reports, physical security inspections, and any other reports of investigation which may be available. Obtain and review all applicable regulations and references on the activity. This will provide much of the necessary information needed to formulate the specific plans for the survey which is to be conducted.

Evaluate the complexity of the facility to be surveyed. The agents should consider their present knowledge of facility operations and their need for research. The agents should gather reference material and take other measures necessary to ensure technical proficiency prior to beginning the survey. As the supervisor, you are responsible for the actions of your agents and must ensure they are prepared for the job.

Consider the special requirements of activities or facilities which are subordinate to the Army and Air Force Exchange Service (AAFES)(AR 195-7) and the Defense Logistic Agency (DLA)(AR 195-8). These activities operate under separate regulations which must be consulted during both the planning stage and conduct of the survey to ensure that all required procedures are followed.

You must anticipate the need for outside technical assistance. There may be problems which will require skills, such as accounting and engineering, which are not normally available within USACIDC. Personnel obtained from agencies outside USACIDC should be thoroughly briefed and supervised by the agent who is in charge of the survey mission. Liaison with activities providing such support should be planned well in advance of the actual survey.

Determine Covert Requirements. Commitment of an agent to full time covert status requires written approval from the appropriate major subordinate commander. As the CID office commander, you will determine, on a case-by-case basis, if notification of a covert effort will be made to the commander of the facility surveyed. In some cases, the commander's assistance may be needed to introduce an agent, in a covert status, into the activity or facility being surveyed.

PART C - PROCEDURES

Entrance Briefing

At the beginning of every CPS, an entrance briefing must be conducted with the commander or activity chief and any other officials as appropriate, such as the security officer. This briefing should address the following:

- o The basis for conducting the CPS.
- o An explanation of the purpose of a CPS and its application to the facility being surveyed.
- o The intended scope and approximate duration of the survey.
- o The personnel who will conduct the survey.
- o Other agencies (IG, AAA, PM) who may have an interest in the survey effort.
- o Requests for administrative assistance or support required such as office space, telephones, typing assistance.
- o That commander will be informed immediately if any evidence of criminality is discovered during the survey and subsequent actions required to ensure prompt reporting and investigation of serious irregularities. If this notification will compromise an ongoing investigation, the provisions of AR 195-2 will be followed.
- o That an exit interview be conducted at the conclusion of the survey.
- o That the survey is designed to assist the commander in fulfilling his responsibilities and is intended to support him as a portion of the Army Crime Prevention Program under provisions AR 190-31.

Investigative Activities

Normal investigative techniques should generally be applied during the conduct of CPSSs. Specific criminal acts detected during the survey will be investigated in accordance with CIDR 195-1. The survey should not be delayed for this to be accomplished. Development of criminal information, not appropriate for inclusion in the survey report, should be documented and reported as prescribed in CIDR 195-1, Chapter 18.

Crime prevention surveys will be conducted in a professional and timely manner. They will be thoroughly coordinated with other inspection, audit, and law enforcement agencies as appropriate. Surveys should be focused toward providing crime prevention support to installation, community, and subordinate commanders. Timely completion of CPSSs is of utmost importance. Accordingly, the CPS will not be initiated unless the case agent is available to perform the survey. All survey activity should be completed within 90 days of initiation.

Records Check

An essential element of a CPS is the records check on key employees of the surveyed facility. A records check alerts commanders to potential personnel weaknesses which could result in vulnerability to their organizations to criminal activity.

During the initial stages of the survey, appropriate data on key personnel who have a direct relationship to the survey effort should be collected and forwarded to the Crime Records Center, USACIDC, for a records check. Local records check should also be made with the military police, local police, and other agencies as appropriate. In addition, the personnel files of these employees should be reviewed. Such files will often reveal relevant information, of which the commander or activity chief may not be aware, indicating personality or character traits that could indicate unreliability or a vulnerability toward criminal activity. Monitor the actions of agents to ensure that the survey is accomplished in a professional manner and within the prescribed limits of the law.

Limited investigations of other personnel, such as lower level employees of the facility being surveyed and those acting as agents for key personnel, may be necessary to determine their reliability. These records checks will be limited to those performing duties in which their compromise could result in losses to the government.

Information obtained from records check will be carefully evaluated prior to any dissemination.

In cases involving DA personnel (civilian or military), information of arrests or allegations resulting in formal adjudication of guilt (including nonjudicial punishment) will be provided to the commander or his security officer. This information is subject to the guidance below:

- o A commander or his security officer may be informed of derogatory information when the individual is listed as a subject of a USACIDC ROI.
- o Any derogatory information released must be directly related to the performance of duties or position of trust granted to the individual by virtue of his employment. The information should not include adjudications of guilt or subject listings in USACIDCs ROI accomplished in the distant past, provided the individual has maintained an unblemished record since that time. In questionable situations, the supervisor ensures that surveying agents seek the advice of their supporting judge advocate.
- o Results of records check will be provided only to the commander or his security officer who receives the action copy of the CPS or to responsible commanders at higher levels of command. This information normally will be furnished only by oral means. If this is impractical, brief memorandums are authorized.

As you spot check reports, note that the results of record check will be referenced in the report in general terms only. For example, "crime records check local agency checks revealed derogatory information concerning employees of...." Specific numbers of employees and offenses should not be used as this would tend to identify individuals employed in small facilities or activities subject to the survey. The report should also make reference to whom the specific information was provided.

Be sure that information developed on firms during a records check and background investigation is being handled in the same manner as the information concerning individuals.

The use of checklists is encouraged only to the extent that they serve as a reminder to the special agent to inspect, observe, or comment upon specific aspects of a facility operation. Copies of checklists, if used, will be retained in the case folder. No copies of the CPS checklist will either be attached to or referenced in the CPS report. While some special agents and supervisors find the use of a checklist beneficial in the conduct and review of survey activity, exercise caution to ensure that USACIDC personnel do not become "checklist oriented" to the extent that surveys become stereotyped. Checklists will not be used as a substitute for training or planning.

The expenditure of .0015 contingency funds is authorized in the conduct of a CPS in the same manner as with a criminal investigation. The expenditure of and the accountability for .0015 funds will be in conformance with AR 195-4.

Coordination and Integration

Other Agencies. All CPS efforts will be coordinated and integrated with other Department of the Army commands and agencies charged with similar inspection responsibilities. This primarily concerns the Department of the Army and local IG, the AAA, and military police. The purpose of coordinating such efforts is to reduce the total number of inspections or surveys commanders receive during any one year. Commanders who are repeatedly subject to inspections or surveys from various agencies may view such actions as harassment rather than assistance. Proper integration of these efforts, to include coordination during the scheduling stage and the conduct of joint activities, will result in reports that are more thorough and meaningful to commanders. CID commanders will also maintain coordination with the headquarters responsible for the installation, community activity, or area supported.

Coordination and exchange of information is essential during the planning phases of surveys. Although all facilities USACIDC might survey could also be subject to an inspection by an IG team, commissaries and club systems are common types of facilities which AAA audits and USACIDC surveys. Planning for these type surveys includes contacting AAA representatives to determine results of their previous inspections, problem areas discovered, degree of cooperation of facility supervisors, and any additional information which would aid the special agent during the conduct of the survey.

Following field submission of a six month CPS schedule, USACIDC will determine if the AAA has scheduled similar facilities for an audit. If both USACIDC and AAA have scheduled surveys or audits of similar facilities during the same six month time period, field elements will be so informed. If mutually agreeable, a joint effort will be conducted.

The recommendation to AAA to initiate a joint effort will be delegated to the USACIDC field office commander who scheduled the survey. Their decision will

be based upon the extent of potential criminal activity which warranted scheduling of the survey and the scope of the AAA audit. If the decision is to refrain from conducting a joint effort, either the audit or CPS may be cancelled. In this situation, the CPS should not be rescheduled within the same six month timeframe unless clear indication of crime conducive conditions are developed.

When simultaneous surveys or audits are to be conducted, the following procedures will be followed:

- o Conduct one entrance briefing attended by both AAA and USACIDC personnel.
- o When preliminary audit activity is conducted by AAA only, USACIDC will not normally participate in this initial phase until the audit team has examined the facility in sufficient detail to surface any weaknesses indicating the possibility of criminal activity or crime conducive conditions. Records check, research, and other such activities will be conducted in preparation for the USACIDC portion of the joint effort.
- o USACIDC will participate in the effort at a mutually agreed time. The CPS would be separate and distinct from the audit.
- o Limited scope surveys should be conducted of any areas revealed by the audit team or determined by USACIDC to be susceptible to criminal activity.
- o Conduct one exit briefing attended by both AAA and USACIDC representatives.

When joint AAA and USACIDC efforts are not conducted, there may be a need for AAA assistance. Request for special audit assistance estimated to require ten work days or less will normally be submitted in writing by the applicable USACIDC major subordinate command to the appropriate AAA district manager. The request will include all pertinent information such as the type of facility being surveyed and the anticipated scope of the audit effort. If time is of particular concern, these requests may be made telephonically. Requests for AAA assistance estimated to require in excess of ten work days must be submitted to HQUSACIDC, ATTN: CIOP-CO.

Provost Marshal. Physical security inspections and crime prevention surveys will be conducted jointly wherever possible. This will be based upon mutual resource availability, scheduling adjustments, the criticality and vulnerability of the facility, and previous inspection and survey reports. Generally, physical security officers should make physical security specialists available to conduct inspections concurrently with CPSSs. Although many inspections will be conducted jointly, each team will accomplish its portion of the effort in accordance with its own procedures and neither will direct the activity of the other. Joint conduct of physical security inspections (PSIs) and CPSSs will consist of the following:

- o Close coordination during preinspection or survey planning to ensure that the efforts of each team are mutually supporting.
- o Conduct of one entrance briefing by representatives from both the PSI and CPS teams.
- o Continuous coordination during the inspections or surveys to ensure information that all findings are properly recorded, redundant information, and duplication of efforts are avoided, and that the efforts of each team support and complement the other.
- o As PSIs will normally be completed prior to CPS, exit briefings need not be conducted concurrently. The agent who conducted the CPS should be present during the exit briefing conducted by the physical security specialist.

Commanders and their security officers will be kept informed on the status of crime prevention surveys in which they have an interest.

As previously stated, commanders will be informed immediately upon the discovery of criminality unless this would compromise the investigation. During the conduct of a survey, information concerning crime conducive conditions will be provided to the commander or security officials. This may be accomplished by update briefings or progress memorandums. The forwarding of information in this manner ensures that supported commanders are afforded the maximum opportunity to initiate timely corrective actions.

Exit Briefing

At the conclusion of a CPS, after the findings have been thoroughly reviewed and coordinated with other agencies assisting in the survey, an exit briefing must be conducted with the commander, activity chief, or other officials as appropriate. Following surveys of commissaries, the appropriate Defense Commissary Agency (DCA) field office should be invited to send a representative. Exit briefings should include--

- o Information as to the scope of the survey, personnel who conducted the survey, and other agencies involved in the effort.
- o The findings and recommendations that will be listed in the final report must be presented in sufficient detail to provide the commander with an accurate appraisal of the conditions within the facility.
- o That a report of corrective action taken is required and a copy should be provided to the originating CID element within 90 days following receipt of the final report, with the exception of agencies subordinate to DLA (AR 195-8).

PART D - REVIEW

Crime prevention survey reports are often reviewed by key Department of the Army and Department of Defense officials. CPS reports must be written in a manner understandable to persons not familiar with the surveyed activity to achieve the desired results. You must review CPS reports written by your agents to ensure the reports are concise and communicate effectively.

Crime prevention surveys will be prepared in accordance with CIDR 195-1. See Figure 3-1.

CRIME PREVENTION SURVEY REPORT		
CID REGULATION 195-G		
PREPARING AGENCY Fort Crisis Field Office First Region, USACIDC Fort Crisis, VA 22004	TYPE OF REPORT Crime Prevention Survey DATE OF REPORT 17 March 86	REPORT NUMBER 0130-86-CID422-67733-9A
ACTIVITY SURVEYED Main Annex, Officer's Open Mess, Club ID No. 1 001 1110 01, Fort Crisis, VA 22004		
SCOPE OF SURVEY Bar Operations		
SURVEY REQUESTED BY Commanding General Fort Crisis, VA 22004		SURVEY CONDUCTED BY SA Dudely L. DORIGHT
DISTRIBUTION		SIGNATURE OF APPROVING AUTHORITY Alvin G. GOODFELLOW Maj, MPC, CDR Fort Crisis Field Office NAME/TITLE/ORGANIZATION OF APPROVING AUTHORITY
ACTION COMMANDER	OTHER (Specify)	
CRIME RECORDS		
REGION		
FIELD OFFICE		
FILE		
DETAILS Criminal activity was/was not discovered as a result of this CPS.		
1. Entrance Briefing: On 29 Jan 86, an entrance briefing was conducted for COL John P. LITTLE, Installation Club Manager.		
2. Crime Conducive Conditions:		
a. The night bartender, who was working alone at the time, was observed working out of an open cash drawer, (cash drawer not being closed between each sale) and ringing multiple sales in a single cash register entry. This action is in violation of AR 230-60 and could allow unscrupulous bartenders to divert funds by not ringing the full amount.		
Recommend that management personnel ensure regulatory compliance through employee counseling and operational supervision.		
b. During covert surveillance of the bar operations it was noted that the night bartender left the bar area unattended for approximately 15 minutes. During this period two patrons who became impatient for service, went behind the bar and poured two pitchers of draft beer for themselves. They paid for the beer when the bartender returned. By leaving the bar unattended, patrons could "steal" bar items and the theft would go virtually undetected.		
Recommend that only authorized personnel be allowed behind the bar and when employees are required to leave their areas for any period of time they request proper relief before departing.		
CID Form 3 1 Jan 78 FOR OFFICIAL USE ONLY (When Data is Entered)		

Figure 3-1. Crime Prevention Survey (Front).

3. Summary of Related Activity:

a. On 28 Jan 86, SA DORIGHT and SA Everett S. WHODUNIT, this office, covertly observed the operations of the main bar, Main Annex, OOM. In addition to the crime survey, as a result of the surveillance, an investigation (0131-86-CID422-67734) was initiated when a club employee was observed substituting a poor grade whiskey for name brand whiskey ordered by customers. The employee in a subsequent interview stated he was able to divert club funds in this manner primarily because he had been allowed to take unsupervised daily inventories and no one in club management had questioned his operating out of an "open" cash register. Reference crime conducive condition a.

b. On 29 Jan 86, the US Army Audit Agency (USAAA) was contacted and a written request was made for USAAA assistance in auditing and reconstructing records pertaining to the OOM's bar operations. USAAA agreed to provide audit assistance as requested. Results of this audit will be incorporated into investigation report number 0131-86-CID422-67734.

c. On 29 Feb 86, the Chief Accountant, Installation Area Club System, Ft Crisis, VA, Mrs Mabel B. JONES, 398-63-9385, 11 Pickett Court, Fairfield, VA, was interviewed relative to her office's review of the records concerning bar operations at the OOM Main Annex, Ft Crisis, VA. JONES related that the records in question were not closely scrutinized at her office due to her lack of having qualified accounting personnel available and indicated that the OOM daily bar inventories were accepted at "face value" without any cross comparisons of receipt, issue, or transfer documents relating to the bar operations. JONES further related she was presently training a new employee to accomplish these and other accounting and internal control tasks.

d. Between 28 Jan - 2 Mar 86 covert and overt observations of the OOM bar operations were accomplished.

e. On 3 Mar 86, additional information was developed which indicated that one of the club management personnel accepted a \$300.00 bribe from the sales representative of an entertainment agency for influencing the contract award of the Dec 86 band of the month performing at the OOM. A separate investigation of this allegation was initiated (ROI 0136-86-CID422-67741).

f. During the period 30 Jan - 7 Mar 86, various investigative activities were conducted in conjunction with investigations generated as the result of this CPS. Statements and pertinent evidence are appended or fully explained in the above cited ROI's.

4. Exit Briefing: On 8 Mar 86, an exit briefing was conducted for COL John P. LITTLE, Installation Club Manager, at which time all crime conducive conditions were discussed.

5. Exhibits:

a. Attached.

(1) 1-1 thru 1-3. Photographs of Main Bar, Main Annex, OOM, Ft Crisis, VA to include two partially filled bottles of "J&S" bourbon whiskey, exposed 29 Jan 86.

(2) 2-1 thru 2-3. Photographs of Ratskeller Bar, Main Annex, OOM exposed 29 Jan 86.

b. Not Attached.

None.

Negative of Exhibits 1 and 2 have been transferred to the files of ROI 0131-86-CID422-67734.

Figure 3-1. Continued.

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LESSON 3

PRACTICE EXERCISE

This practice exercise is designed to test your knowledge of crime prevention surveys. To test your understanding of the previous lesson, answer the questions below. All of the questions are multiple-choice with one correct (or best) answer. Try to answer all the questions without referring to the lesson. When you have completed the practice exercise, refer to the feedback section.

1. One of the CID special agents assigned to your office is conducting a crime prevention survey. What items should be covered during the entrance briefing?
 - A. Scope of the survey.
 - B. Basis for conducting the CPS.
 - C. Duration of the survey.
 - D. All of the above.

2. What type of survey would be used to survey specific types of crimes occurring on an installation?
 - A. Logistics survey.
 - B. Crime analysis survey.
 - C. Personal security assessment.
 - D. None of the above.

3. While conducting a crime prevention survey you should be aware that all survey activity should be completed in--
 - A. 30 days.
 - B. 60 days.
 - C. 90 days.
 - D. 120 days.

4. Your CID agent is conducting a crime prevention survey of the Morale Support Fund. He reviews the previous survey and discovers a very good checklist which he would like to use in this survey. However, you recall that--
 - A. The use of checklist is currently prohibited.
 - B. If a checklist is used, it must be included as an attachment to the report.
 - C. Any checklist used must be retained in the case folder.
 - D. Any checklist used must be referenced in the crime prevention survey.

LESSON 3

PRACTICE EXERCISE

ANSWER KEY AND FEEDBACK

<u>Item</u>	<u>Correct Answer and Feedback</u>
1. D.	All of the above. This briefing should address the...(page 3-5, para 1).
2. B.	Crime analysis survey. A crime analysis survey is a...(page 3-2, para 3).
3. C.	90 days. All survey activity should be...(page 3-5, para 3).
4. C.	Any checklist used must be retained in the case folder. Copies of checklists if used...(page 3-7, para 2).