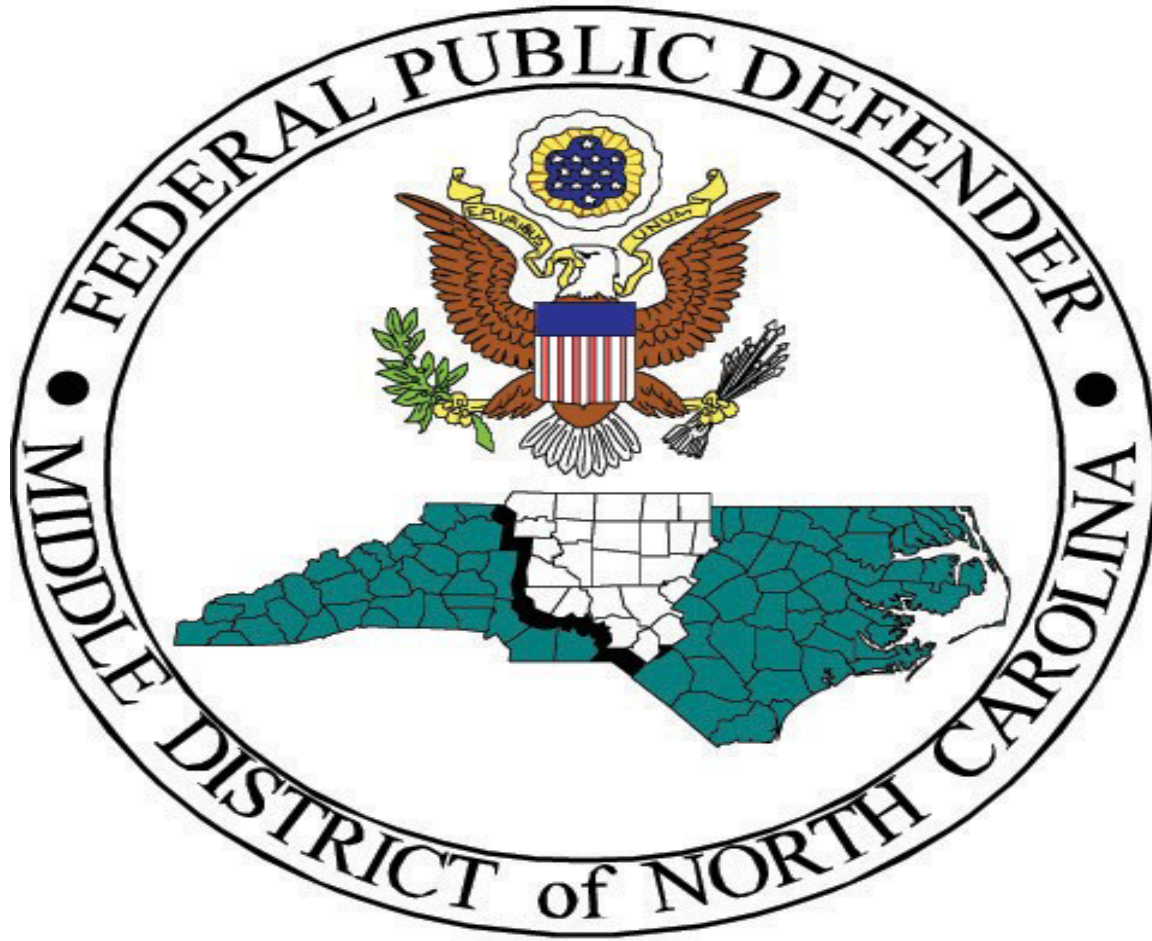




Conducting Legal Investigations

Mireille P. Clough, Robin Jackson,
Liz Reed & Josh Shoemaker
Continuing Legal Education (CLE)
October 14, 2022



Today's Presenters

HERE TO ANSWER ANY QUESTIONS



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AGENDA – CLE on Conducting Investigations

We Need Investigators

Pre-Trial Preparations

Conducting Our Own Investigation

Evidentiary Assistance

Giving Judges Options

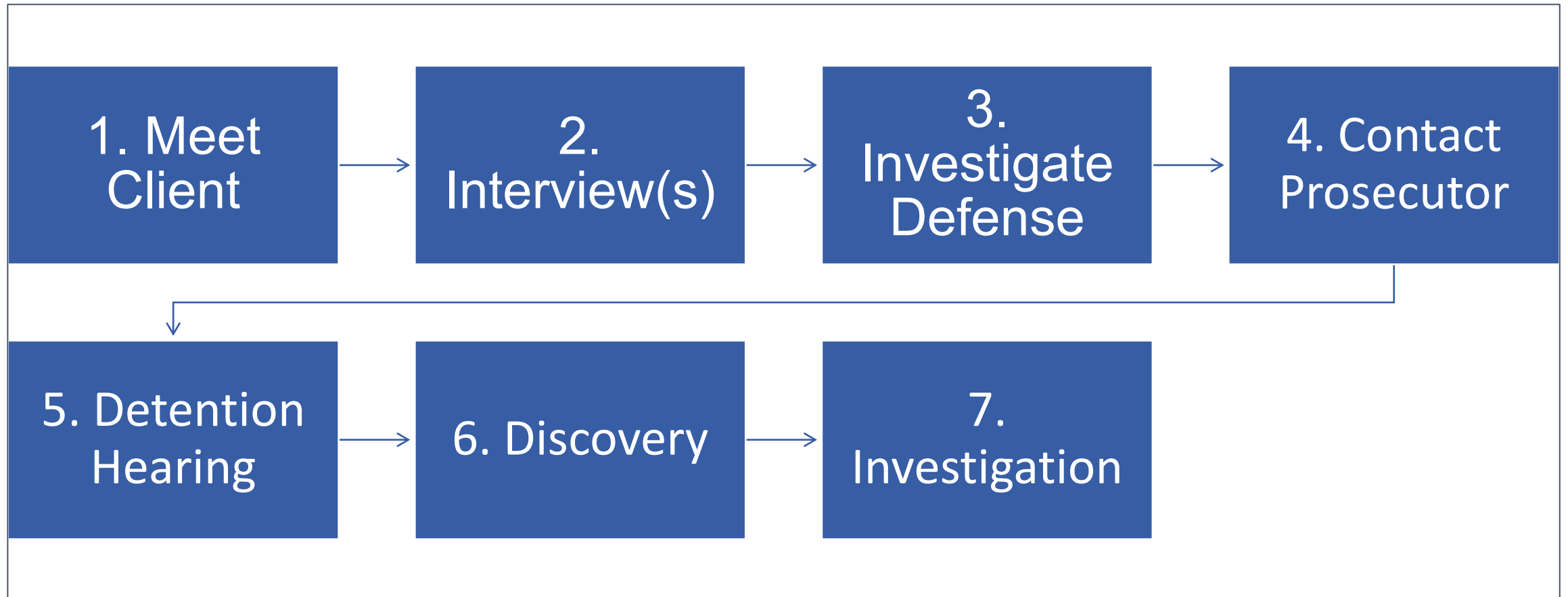
Additional Tips

Question & Answer

We Need
Investigators



Pre-Trial Preparations



Meet Your Client



- Considerations
- Use forms at AFRPD

Interview(s)

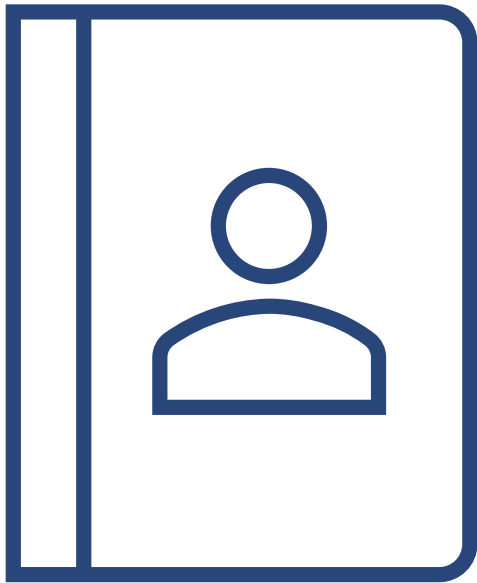


Craft a Defense



Contact Prosecutor

*"It's not my job.
You do your own investigating."*



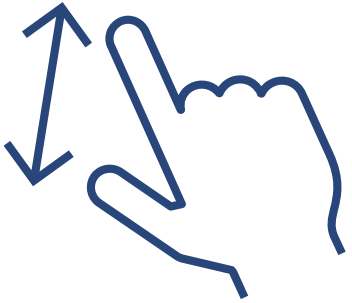
<https://getyarn.io/yarn-clip/728bc9a2-313a-4dd5-a448-8dba142565e9>

Preliminary Hearing / Detention Hearing



Discovery





Investigating

- ✓ Question Witnesses
- ✓ Visit crime scenes
- ✓ Be Curious
- ✓ Use Video

Conducting Our Own Investigation





Locating Witnesses

Social Networking
sites

Google

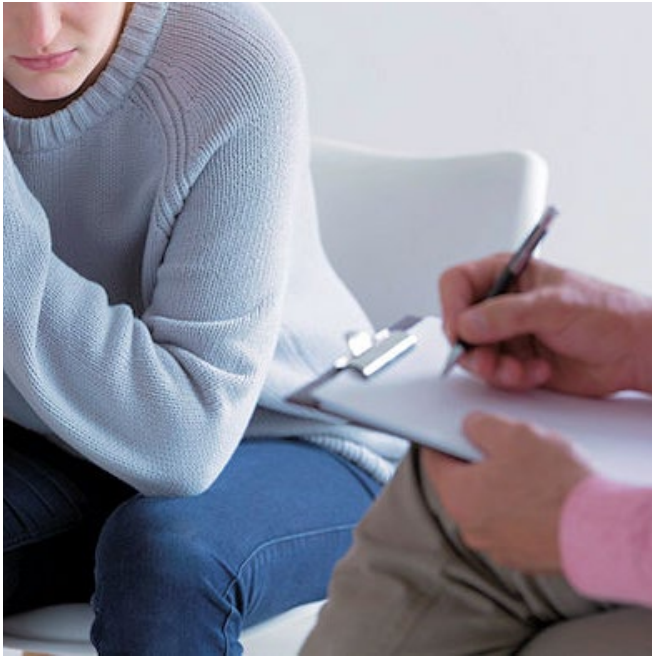
Local government
(property records)

State government
(voter
registration)

NC DPS (criminal
record search)

Accurint

Client and their
family are good
resources



Interviewing Witnesses

Stay friendly

Establish trust

Show empathy (be genuine)

Obtain the facts as they know them

Take your time and listen and try not to interrupt

Always separate witnesses

Let them know you will be taking notes

Always ask if they are available for follow-up interviews

Visit the Crime Scene

- Take photos/video of the entire crime scene
- Take measurements of the crime scene and relative locations of evidence
- Sketch of scene



Reporting Investigative Findings to Attorney

- A report is written in own words
- Note-taking must be thorough
- A report must be clear, concise, and complete
- There is also the possibility that reports may become discoverable. Always consult with the attorney
- Oral communication/reporting can be effective to convey our impressions or concerns about a witness.



Video of Witnesses

- Courtroom Persuasion
- Control
- A solid story is moving (evokes emotion)
- Images



Result of Effective Investigation



Evidentiary Assistance





Verifying Records

- ☐ Obtain and Verify Records
- ☐ Assist attorney with communicating with experts
- ☐ Provide List of Contacts at Various Agencies
- ☐ Investigate client background (medical, psychological, criminal) for sentencing phase that may justify departure from guidelines.
- ☐ Photo lineup

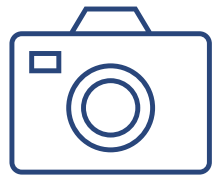


Photo Lineup

- Useful tool that can be used during trial prep as well as sentencing phase
- Help up verify that witness can clearly identify client prior to being in court room
- Also, can be used to assist client in their understanding
- Verify client alibi
- Our lineups are mainly an internal document, but we want to create and administer in a way that compiles with North Carolina G. S 15A- 284.52.







Juvenile Records

- ☐ Court Order
- ☐ Client Release
- ☐ Contacting Local Agency
- ☐ Importance for ACCA



Clerk of Court Contact List



North Carolina Middle District Counties Clerk of Court Contact List

Alamance	336 570 5202	alamance.criminalsuperior@nccourts.org
Cabarrus	704 262 5500	
Caswell	336 459 4000	
Chatham	336 545 3500	
Davidson	336 242 6701	Davidson.Criminal@nccourts.org
Davie	336 936 3000	Davie.Clerk@nccourts.org
Durham	919 808 3000	
Forsyth	336 779 6300	Forsyth.CriminalSuperior@nccourts.org Forsyth.CriminalDistrict@nccourts.org
Guilford	336 412 7300 336 822 6700 (HP)	
Hoke	910 878 4100	evelyn.m.mcleod@nccourts.org
Orange	919 644 4500	Orange.Criminal@nccourts.org
Person	336 503 5200	Person.Criminal@nccourts.org
Randolph	336 328 3100	
Richmond	910 419 7400	
Rowan	704 797 3001	
Scotland	910 266 4400	Scotland.Clerk@nccourts.org
Stanley	704 986 7000	
Stokes	336 593 4400	
Surry	336 386 3700	Surry.CriminalSuperior@nccourts.org Surry.CriminalDistrict@nccourts.org
Yadkin	336 679 3600	



Giving Judges Options

Rehab Options

TROSA	https://trosainc.org/
Daymark Recovery Services	https://www.daymarkrecovery.org/
Bethel Colony of Mercy	https://bethelcolony.org/
Love & Respect Recovery House	https://www.luvrespect.org/
Homeboy Industries	https://homeboyindustries.org/
Freedom House	https://freedomhouserecovery.org/

WFMY NEWS 2

News Weather Near Me VERIFY

Watch Live

2 WANTS TO KNOW ADVERTISE WITH US VERIFY WHAT 2 SEE AT THE GSC GOOD

'We offer a path to Freedom' | Sometimes all a person needs is a path to guide them towards a better life

The Freedom House is a twelve-month residential program where women overcome their addictions and reunite with their children.

wfmynews2.com

10/20/21



Author: Keyera Jackson

Rehab



Subpoena





Additional Tips



Private Investigators

- <https://blackbookpi.com/>
- <https://lighthouseinvestigations.com/>
- <https://jppiservices.com/>
- Jaclyn Gonzalez



Additional Tips

- Can spend up to \$900 per case on investigators without seeking prior authorization

https://www.uscourts.gov/rules-policies/judiciary-policies/cja-guidelines/chapter-3-ss-310-general#a310_20 (310.20.30)





Question & Answer



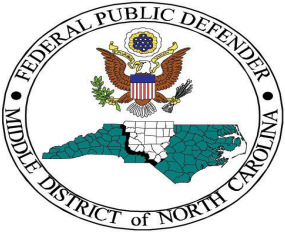
The End

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Pre-Trial Preparations

1. Meet Client

2. Interview(s)

3. Craft Defense

4. Contact Prosecutor

5. Detention Hearing

6. Discovery

7. Investigation

Sentences

List of
Contacts

- Alternative sentencing TROSA - Rehab and other programs (gang rehab)
- Assist attorney in hearings/trials (coordinating witnesses/Subpoenas serving them)

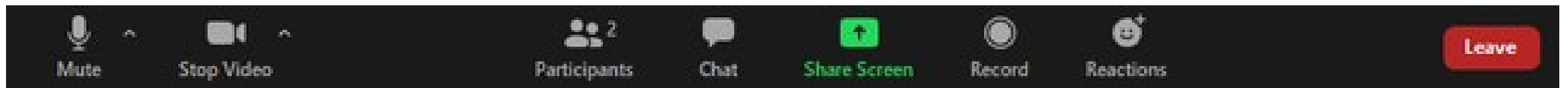




CLE Event



- We will start the presentation shortly.
- Please make sure you have your microphone “muted” for the presentation.
- We will have a Q&A at the end of the session where you can unmute your microphone or type your questions in the chat box.
- This session will be recorded for those unable to attend today’s session.



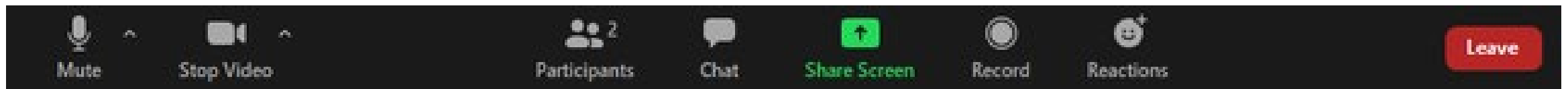
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Open Chat Window

Question & Answer



Please feel free to type any questions in the chat box or unmute your microphone to speak



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↑
Open Chat Window

Poll

- Do you think it is important for Defense Attorneys to conduct their own investigations?
- www.menti.com
- Code - 84029395

