









“It's not a question of telling something that's not true.
It's telling something that makes it true.
That's what makes a great trial lawyer.”
-Stephen Wizner



Our Life is NOT Our Own...
They Belongs to those Who NEEDS Us...
- Congressman John Lewis
Gideon's Army

“Be different and I'll feel better!”





INVESTIGATION BASICS

- CRIME SCENCE
- PHOTOGRAPH SCENE
- EVIDENCE VIEWS
- RECORDS GATERING
- INTERNET RESEARCH
- MITIGATION PACKAGES
- INTERVIEWING WITNESS



MAKING PROSECUTORS SQUIRM

Know MORE FACTS Than
District Attorney
and
Detective



INVESTIGATION *BUILDS A* THEORY

- DO NOT RELY ON THE POLICE REPORTS
- They don't ask the question we do
- They LIE
- They OMIT
- They make MISTAKES



PICK YOUR BATTLES

- PRIORITIZE
- APPROACH INVESTIGATIVE GOALS
- ALLOCATE RESOURCES
- TRIAL CASE
- PLEA DEAL
- VIDEO / PHOTOGRAPHS
- CONFESSION



TIMING

- INVESTIGATE EARLY
- DON'T WAIT FOR CASE GET STALE
- WITNESS MOVE AWAY AND DISAPPEAR
- GO TO SCENE



MITIGATION

- NOT JUST FOR THE JUDGE
- HELP WITH PLEA OFFER
- NOT JUST FOR THE CLIENT





INTERVIEWING TIP

- IN PERSON
- DRESS FOR THE ENVIRONMENT
- BE PREPARED
- PLAN AHEAD
- SAFETY
- NO ONE @ HOME
- GET ALL INFORMATION
- ANTICIPATE
- PRESERVE THE GOOD



WITNESS

- TAKE SOMEONE WITH YOU IF POSSIBLE
- TAKE NOTES
- OBSERVE THE AREA OF THE WITNESSES



Strategies for Fact Investigators

Introduction to New Cases

- Reviewing the Discovery
- Working with Attorneys
- Chasing Leads
- Uncovering Physical Evidence
- Chase GHOSTS
- Creating a Theme



Reviewing the Discovery

- Know what is being investigated?
- Anticipate problems before & as they arise.
- Consider sources of evidence.
- What's Missing?
- Develop an investigative time line.



- Witnesses (Include the Street Committee ALWAYS!)
- Relationships
- Inconsistent & Consistent Statements
- Places
- Evidence (Seen & Unseen, Tangible & Intangible).



Working with Attorneys

Collaborative Effort

- Expectations
- Communication
- Planning
- Trust
- Meeting of the Minds
- End Game



Meeting the Client

Establishing the Relationship

- Building a Rapport. (Stop, Look, & Listen).
- Client's Discovery vs. State's Discovery.
- Telling the Client's Story.



Chasing Leads

- Establishing the List.
- Meet the Family. (Even if you have to find them).
- The Ninth Hour.



Uncovering Evidence: Evaluating People & Circumstances

- Training, Training, Training!
- Instinct.
- The Pursuit of Witness



Working with Attorneys Collaborative Effort

- Expectations
- Communication
- Planning
- Trust
- Meeting of the Minds
- Combining the Investigative and Attorney Strategy
- End Game



Speaker icon
