

DOCUMENTATION PACKAGE
for Observers and Investigators

June 2020 (v.3)

The first job of a *Legal Observer* is to see and record what's going on... it extends to *Investigation* in finding witnesses to get what they see, and pursuing related research. The inglorious grunt-work is collecting and preserving facts; "documentation" is the work product – the body of substantive reports, statements & audio-visual records on events of concern, along with the descriptive information that identifies these facts and makes them usable for public information or legal purposes.

INSTRUCTIONS:

The appended forms were designed make this work manageable in the field, and in follow-up.

This package is provided in both PDF and DOCX format; download both to use in distinct ways:

~ Print the PDFs for handwritten work on the ground, enough copies of each page to get through the job until you need more. The two affidavits are most important, allowing definitive facts to be finalized on the spot... the Witness & Evidence lists aid in recording needed data & notes conveniently, in a consistent layout that is flexible enough to cover different situations and mark-up as needed.

~ Dupe and adapt the DOCX pages to create digital documents on a computer – sometimes needed in completing investigations later on, and usually helpful in compiling the work. The list templates are easily replicated and modified to transcribe and transmit this info coherently. The 'Acceptance & Affirmation' is useful at this later stage, as a means of pooling facts securely within the team.

CONTENTS:

•• AFFIDAVIT on an "OFFICIAL CONTACT"

Affidavit form for written statements on contacts and incidents involving public officials, with brief instructions. This is not a questionnaire, but requires a simple personal account of the full facts... properly done, it is immediately usable for legal purposes.

•• AFFIDAVIT TO AUTHENTICATE A RECORD

Form for 'authenticating' photos, videos, and audio records of incidents — to identify such items and affirm their authenticity — completed by the maker so such items can be used as evidence.

•• INVESTIGATOR ACCEPTANCE & AFFIRMATION

Use this to transfer documentation between cooperating observers & paralegals, as a means of working together as a team and pooling evidence safely. The items are identified and the recipient "Investigator" acknowledges receipt with the "Provider's" consent, to protect confidentiality in a proper chain of possession.

•• I. WITNESS LIST

Identify each person who provides an affidavit, recorded interview, or supporting photos/videos. It helps attorneys to be able to review and extract this information in a concise form.

•• II. EVIDENCE LIST

Give each media file or series a distinct item name, for precise reference later on... a video clip may include one or several 'Incidents', time-indexed to readily locate each segment.

AFFIDAVIT on an "OFFICIAL CONTACT" (v.2)

Give a simple written account of the law enforcement incident(s) in which you were involved as a party or witness. State the location, date, and time of the "Official Contact", and what you were doing when it occurred. Describe the full course of the incident, with careful details of the actions & statements made. Provide names, agencies, & badge numbers of the Officials involved, and identify other parties & witnesses to the incident, with addresses & contact info at the bottom.

State what YOU know or observed... reports from known sources can be noted, but unconfirmed hearsay is not useful. If you need more space, use the backside or additional pages.

I, the undersigned _____, attest:

I declare under the penalties of perjury pursuant to 28 U.S.C. 1746 that the above statements are true.

Signed: _____

Name...

Date

*Address,
Contact #...*

Witnessed:

AFFIDAVIT TO AUTHENTICATE A RECORD (v2)

I, the undersigned _____, attest:

1. On _____, I obtained a _____
(dates) (video, audio, photo, etc.)
record of incidents and/or testimony concerning the following events:

(Identify Event, location, etc.)

2. The record was made using the following device:

(Camera/recorder -- make and model)

3. The record was obtained _____ *with/* _____ *without* the knowledge and consent of the parties involved or depicted. *(Check one.)*
4. The following record(s) are hereby presented:
(Identify tapes, photo sets as labeled; summarize contents, times, & places.)

Affirmation:

I certify that _____ (a) the records hereby presented are true & unedited original records as they were obtained, *and/or* _____ (b) that the copies provided are accurate reproductions of the originals.
(Check one or both as appropriate.)

It is intended that the evidence provided be available to support any legal defenses and claims to which they may be pertinent, and I will testify to its authenticity in any case, as needed.

I declare under the penalties of perjury pursuant to 28 U.S.C. 1746 that the above statements are true.

Signed: _____
Name: _____ Date: _____
Address: _____
City, State, Zip: _____

Witnessed:

INVESTIGATOR ACCEPTANCE & AFFIRMATION (v.3)

RECEIVED from...(Name) _____

(Address) _____

(Phone, eM) _____

...the "**Provider**", the following items of Documentation (*Identify & Describe*):

-
-
-
-
-

I, the undersigned _____, attest that I serve as an **Investigator** in accepting the items of Documentation listed above, with the intent of securing these materials in confidence for research or legal purposes as appropriate – and may forward them to parties & attorneys in pertinent legal defenses and claims.

By Approval below, the *Provider* conveys the listed items as ___ copies/ ___ originals (*check one*), with authentication as required, and acknowledges that he/she may be called upon to testify in support of this evidence, as needed in live cases that may arise.

If the *Provider* retains originals, they will be produced upon proper notice or subpoena from parties or attorneys; if originals are conveyed herewith, they will be preserved with copies returned on request, or handled as agreed by special terms attached: ___ (*Check if applicable*).

Affirmed: _____

Investigator: _____ Date _____

Address:

Ph/eM:

Approved: _____

Provider: _____ Date _____

I. WITNESS LIST ///

____. Name Phone
Address
eMail Alt. Contact

Incident.....
Date Time Location
Record (Aff, Media)

Summary/Notes.....
.....
.....
.....

____. Name Phone
Address
eMail Alt. Contact

Incident.....
Date Time Location
Record (Aff, Media)

Summary/Notes.....
.....
.....
.....

____. Name Phone
Address
eMail Alt. Contact

Incident.....
Date Time Location
Record (Aff, Media)

Summary/Notes.....
.....
.....
.....

II. EVIDENCE LIST ///

___ Item ID: _____ Audio Video Photo Doc Format _____
Event: _____ Site: _____ Original Copy

Provider: _____ Witness # _____
Device: _____ Authentication Date _____

a) Index/ #-# _____ Incident `a`: _____
Location: _____ Date-Time | duration _____

b) Index/ #-# _____ Incident `b`: _____
Location: _____ Date-Time | duration _____

c) Index/ #-# _____ Incident `c`: _____
Location: _____ Date-Time | duration _____

___ Item ID: _____ Audio Video Photo Doc Format _____
Event: _____ Site: _____ Original Copy

Provider: _____ Witness # _____
Device: _____ Authentication Date _____

a) Index/ #-# _____ Incident `a`: _____
Location: _____ Date-Time | duration _____

b) Index/ #-# _____ Incident `b`: _____
Location: _____ Date-Time | duration _____

___ Item ID: _____ Audio Video Photo Doc Format _____
Event: _____ Site: _____ Original Copy

Provider: _____ Witness # _____
Device: _____ Authentication Date _____

a) Index/ #-# _____ Incident `a`: _____
Location: _____ Date-Time | duration _____

b) Index/ #-# _____ Incident `b`: _____
Location: _____ Date-Time | duration _____