

Checklist #1: Review of Incident Investigations

Case _____ Investigator _____ Facility _____ Reviewer _____

Description of the incident:

Y = Yes

N = No

NA = Not applicable (NA can not be used as a code for those items where the NA column is shaded)

***These standards are ones which are *not* the responsibility of the investigator.**

Standard	Y	N	NA	Comments
Section I. Speed and Timeliness in the Collection of Evidence				
1. Did the supervisor verbally report the incident immediately to the director or designee after being notified of the incident?*				
Date/time supervised notified: _____ Date/time facility director notified: _____				
2. Was a written report of the incident initiated before the end of the shift of discovery?*				
Date/time of discovery: _____ Date/time of written report: _____				
3. Did the director or designee assign the incident to an investigator as soon as possible but no later than 2 hours after receiving notification of the incident?*				
Date/time investigator assigned: _____				
4. Did the investigator take the first witness statement no later than 2 hours from the time s/he received the assignment?				
Date/time of first witness statement: _____				
5. Did the investigator take the last witness statement no later than 5 calendar days from the time s/he received the assignment?				
Date/time of last witness statement: _____				

Standard	Y	N	NA	Comments
6. For ICF/MR and nursing facilities only: Did the investigator complete the written investigative report within 5 working days from the date the incident was discovered? Date of final report: _____				
7. For psychiatric facilities: Did the investigator complete the final investigative report within 14 calendar days from the date the incident was discovered? Date of final report: _____				
Section II A. Thoroughness Collection of Physical and Demonstrative Evidence (Worksheet I)				
8. Did the investigator collect all available physical evidence?				
9. Did the investigator collect and preserve all physical evidence consistent with the need to establish a "chain of custody"?				
10. Did the investigator collect all available demonstrative evidence?				
Section IIB. Thoroughness Collection of Testimonial Evidence and Witness Statements (Worksheet II)				
11. Did the investigator conduct in-person interviews with all potential witnesses, including the alleged victim?				
12. Did the investigator take a witness statement or its equivalent from each witness actually interviewed?				
Section IIC. Completeness of Witness Statements (Checklist #2)				
13. Did the events described in the statements flow sequentially?				
14. Did the statements contain appropriate detail?				
Section IID. Thoroughness Collection of Other Documentary Evidence (Worksheet III)				

Standard	Y	N	NA	Comments
15. Did the investigator collect all other available relevant documentary evidence?				
Section III. Summary and Analysis of Evidence				
16. Was the investigatory question appropriately written based on the nature of the incident?				
17. Was the evidence accurately summarized in the "Summary of the Evidence" section of the investigatory report?				
18. Was the evidence concisely summarized in the "Summary of the Evidence" section of the investigatory report?				
19. Was the available evidence analyzed and weighed in drawing conclusions in the "Analysis" section of the investigatory report?				
20. Were the conclusions supported by the summary and analysis of evidence?				
Section IV. Objectivity				
21. Based on the nature of the evidence collected and the manner in which it was collected, did the investigator maintain his or her objectivity when conducting the investigation?				

Collecting Physical and Demonstrative Evidence

Case _____ Investigator _____ Facility _____ Reviewer _____

List of Relevant Physical Evidence*	Collected?			List of Relevant Demonstrative Evidence**	Created?			Comments
	Yes	No	N/A		Yes	No	N/A	

* After reviewing the entire investigative file including attachments, make a list of all relevant physical evidence available to the investigator at the time of the incident. Remember, relevant physical evidence may also be a room layout where the position of persons involved in the incident makes a difference in their ability to see or hear the events in question. Compare this list of items which should have been collected with those the investigator actually collected as noted in the investigative report. If it would be impossible to actually collect the evidence [e.g. the scene of the incident; an injury], mark "n/a." In those cases we would expect the investigator to create demonstrative evidence [e.g. a diagram; a photograph].

** In most cases where there is physical evidence, an investigator is more likely to create demonstrative evidence to actually preserve that evidence. Make a list of all demonstrative evidence which the investigator, under the circumstances of this case, should have created. If the investigator had actually collected a piece of physical evidence, it is most likely that you would mark "n/a" for the column asking whether demonstrative had been created.

Collecting Testimonial Evidence and Witness Statements

Case _____ Investigator _____ Facility _____ Reviewer _____

List of Potential Witnesses	Person Interviewed?			Statement Taken?			Comments
	Yes	No	N/A	Yes	No	N/A	

- ❑ In making the list of potential witnesses, the reviewer should read the entire investigative report, including attachments. At each point where the reviewer identifies someone who might have relevant testimonial evidence, the reviewer should place the person’s name on this worksheet.

The common sources of this information, in addition to the investigative report itself, would be the work assignment sheets, work schedules, unit logs, progress notes and the original Incident Report Form. However, other attachments can also yield possible witnesses such as witness statements where reference is made to other persons at or about the scene at the time of the incident.

After compiling this list, the reviewer should compare it with those potential witnesses the investigator actually interviewed and from whom a statement or its equivalent was obtained. Use the “n/a” column to indicate those persons who were found during the interview not to have been present at the time of the incident.

Checklist #2: Completeness of Witness Statements

Case _____ Investigator _____ Facility _____ Reviewer _____

Use Y to indicate Yes and N to indicate No for each assessment criterion below. Use N/A to indicate that the question is not relevant in this particular statement (e.g., #7 – nothing is out of order).

Evaluation Question	Initials of Witnesses							Comments
1. Does the statement identify the case for which this activity took place?								
2. Is the time and place of the interview recorded on the statement?								
3. Is the name of the interviewer recorded on the statement?								
4. If the witness is an employee, does the statement include his/her title and work location? If the witness is not an employee, does the statement contain identifying information about that person? Address; affiliation; relationship to principals, etc.?								
5. Do the events described in the statement flow sequentially? If not, give an example.								
6. Does the statement contain appropriate detail? If not, give an example.								
7. If any part of the text is out of order -- e.g. margin notes, cross outs -- did the witness initial and date each such change?								
8. Were all parts of the statement, including any changes, written in ink?								
9. If the final statement was typed, was the original draft, including the witness's signature, attached?								
10. Did the witness sign and date the statement?								

