

How to Collect Evidence/Ask Questions/Start an Investigation

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Mom to Sydney, Poisoned 5/31/15, Forever 18

BELIEFS

1. Every drug toxicity death warrants a criminal investigation
2. They are unintentional drug induced homicides, not accidental deaths, not overdoses
3. Drug dealers are murderers
4. Drug dealers need to be prosecuted as murderers

QUESTIONS TO ASK

1. What is status of the case? Open/active or closed
2. What is detectives name, badge number, unit of assignment, office phone number, email
3. What is protocol of law enforcement agency in handling drug toxicity deaths?
4. Will the fatality be investigated criminally?
5. Was the scene investigated as a crime scene?
6. Was a narcotics officer called to the scene?
7. Was a coroner called in to establish time of death?
8. What type of evidence does law enforcement recover?
9. Does crime scene investigation include
 - a. Gathering and inventorying of evidence: plates, bills, wrappers, narcotics, paraphernalia, packaging of narcotic
 - b. Gathering and inventorying wallets of all parties
 - c. Gathering and digital inspection of phones of all parties
 - d. Inventory of personal property
 - e. Collection of personal property retained by LE
10. Were statements taken from anyone present at the time of death, prior to death and following death?
11. Will autopsy be performed? When? Where? How long for before results?
12. Will toxicology be conducted? When? Where? How long before results?
13. Will there be a search of cell phones of deceased and persons present?
14. What is status of digitally extracting data from victims' electronic devices?
15. Were victim's social media accounts preserved and content subpoenaed?
16. Have detectives taken statements from any witnesses or close associates of victim?
17. Any banking withdrawals prior to death?
18. Did they obtain the call log history of victim and those on scene (also known as call detail record)
19. Is there a narcotic taskforce involved to set up surveillance or buy busts is possible suspect?
20. What is status of body camera videos?

21. What is status of acquiring surveillance tapes at atms, ring & neighborhood cameras, videos from friends at parties, etc

THINGS TO DO

1. Write everything each day, every day
2. Contact assigned detective
3. Obtain detectives name, badge number, unit of assignment, office phone number, email
4. Obtain Case Number & Incident/Investigation Report
5. Follow up emails to law enforcement, DA, ADA should always include case #, date and time of death
6. If case is closed, file a Freedom of Information Request (FOIA) to include:
 - a. lab reports
 - b. lab reports of all recovered evidence from location of death
 - c. all inventory reports
 - d. all medical examiner reports given to LE
7. Create timeline of events prior to death, during event, following death with list of close friends, possible suspects, and social media accounts, Venmo, Zelle and banking details. List any iPass toll accounts, logins, passwords if known
8. Access financial data. Get a list of transactions from bank, Venmo, CashApp, bank statements, debit & credit cards
9. Collect video surveillance tapes from atm, places visited, ring cameras, parties attended
10. Ask victim's friends to call detective
11. Access iCloud & phones for digital evidence: photos, videos, messages on all social media accounts
12. Follow up emails to law enforcement, DA, ADA should always include case #, date and time of death
13. Document everything before and after homicide
14. Identify chain of delivery
15. Offer to help
16. Use phrases like: I don't want other mothers to feel this way. I don't want this person to kill anyone else. Please get them. We want justice, not vengeance. Justice will save lives.
17. Identify DEA/drug taskforce in the area either where the drugs were purchased or where your child died
18. Reiterate: poisoning is the technically correct diagnostic term for what happens inside the body when person unknowingly ingests lethal amount of fentanyl. Meanwhile, the word overdose means to administer medication in too large a dose. It implies victim knows what the appropriate dose is and chooses to take too much.
19. Ensure victims phone records are subpoenaed
20. Ensure victims phone, tablet, laptop, desktop digitally examined to extract data potentially leading to source of delivery
21. Inquire if social media accounts of victim and suspected dealers are preserved and search warrants issued for signs of further leads
22. If source known, inquire whether law enforcement will conduct controlled buys of dealers

23. Get DEA involved. DEA has prosecuted Fentanyl dealers for years. Fentanyl is a Schedule I controlled substance in NC and Federal.
24. Reach out to drug task force teams as grieving parent. Let them see your pain/ask for help
25. Prove drug purchased or ingested caused death. It is almost always true for fentanyl.
26. If all calls and emails and letters are dismissed, we recommend showing up in person at police station, mayor's office, governor's office. Pack a lunch and patiently wait.
27. Follow, share Drug Induced Homicide.org public FB page then join state chapter
28. Join individual state groups
29. Continue to fight for justice on social media and in the press
30. Post a sign outside your home 'save your child'
31. Attend bereaved Mother's Day rally or host your own
32. Participate in empty chair campaign
33. Spread awareness by adding FB frame
34. Search druginducedhomicide.org for sample letters
35. Educate yourself on criminal statutes and fight
36. Host rally outside police station, courthouse, media, high traffic area
37. Contact local media, ensure this will not compromise case
38. Keep story in the media
39. Write letters to Governor, mayor, senator, chief of police, states AG, to pursue case criminally
40. Identify others in the community also fighting for justice in lethal poisoning of a loved one. We are stronger if we are not alone.

GOOD TO KNOW

1. Homicide is defined as the death of an individual at the hands of another
2. If your local law enforcement is not investigating your child's homicide, or do not know how to investigate it, you can ask to have someone else investigate the case
3. Do not doubt law enforcement, they do want to investigate and arrest fentanyl dealers.
4. Moving quickly is the key to highest arrest rate
5. Cell phones are invaluable. They will show conversations, where they traveled by towers they pinged off of, and even emails if they are searching online.
6. GPS coordinates extremely helpful in pinpointing victim's whereabouts
7. Person will sing like a canary when cuffs put on
8. Law enforcement can request preservation orders for cellular provider and cell phone company for both victim and dealer
9. You will get what you give, do not lose temper or demand help.
10. Prosecutions do make headlines
11. LE may stall while waiting for device to be unlocked and/or toxicology results
12. OCDETF. 18 strike forces in SE. NC part of SE 2020 = 4000 convictions

MYTHS

1. Law enforcement must wait for toxicology report before starting the investigation. The investigation should begin the moment law enforcement arrives on the scene.

2. States attorneys/DAs will not back charges. Not true, attorneys often say law enforcement is not bringing forward cases or do not collect evidence to prosecute the case
3. Drug users deserve to die. Not true, today any use of drugs is Russian Roulette with death unlike in years past. Young people can no longer experiment. Victims are deceived. They did not have ingredient list, did not know of contamination, did not make choice to die
4. Overdose. Not today! Death by Fentanyl is a drug poisoning. Overdose implies knowledge of correct dose and ingredients. If someone dies from ingesting too much alcohol it is categorized as alcohol poisoning.