International Municipal Lawyers' Association
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Grand Ballroom: Confessions of a Micro-Manager

How To Manage An Investigation Without Becoming A Witness

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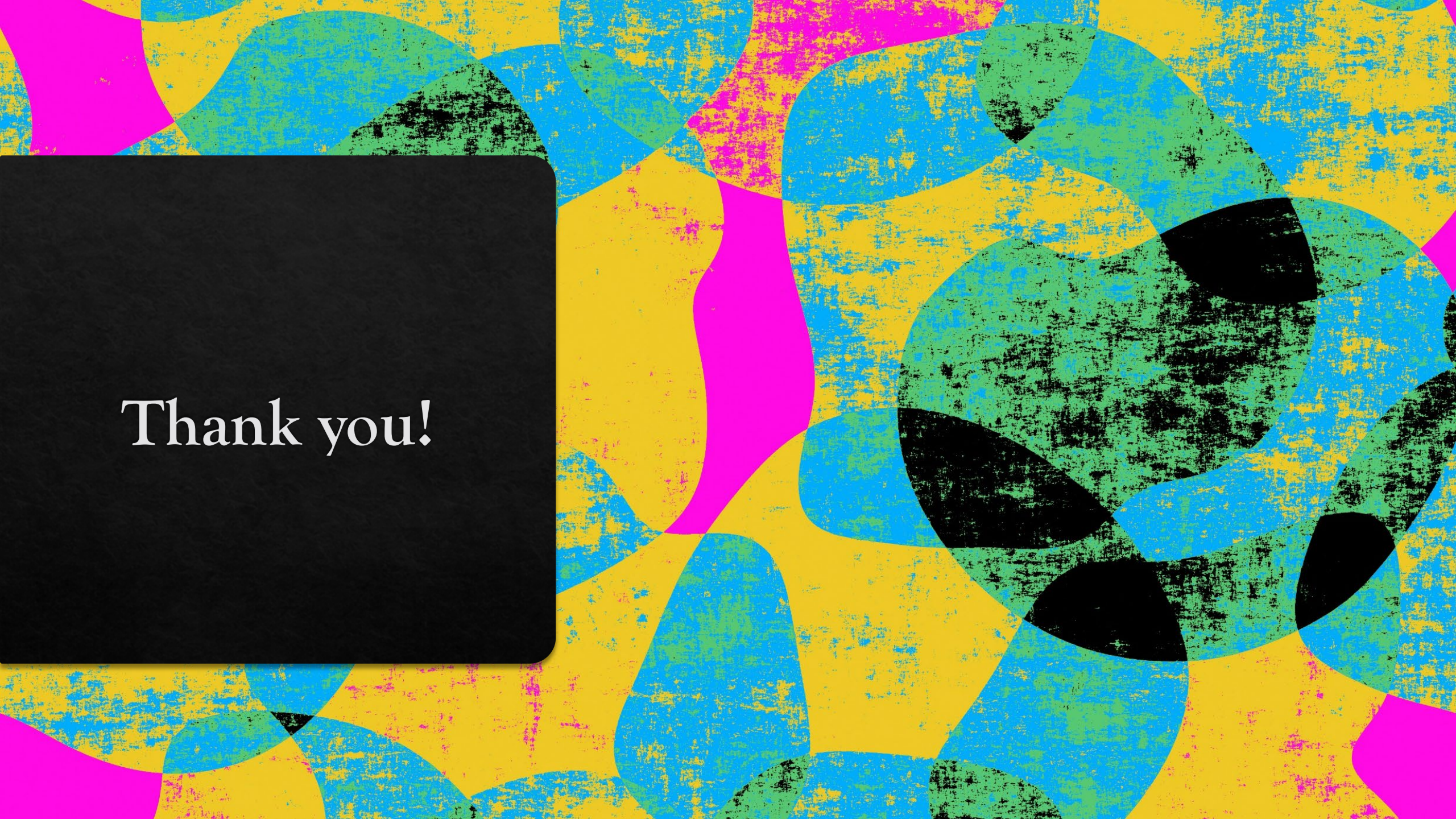

Thank you!

IT IS OKAY TO WANT TO KNOW THINGS!



Types of Investigations

Internal Investigations

- Personnel
  - Workplace issues between co-workers
  - Issues involving citizens and employees
  - **Issues involving Council**

External Investigations

- External Investigations
  - Police Investigations
    - Criminal cases
    - Police shootings
  - Outside government agencies

Do You Need Outside Help?



Factors to Consider

- Does it involve the City Manager, the Mayor or a Councilmember
- Does your City have the resources to handle this type of complaint
- **Will it be better for optics**

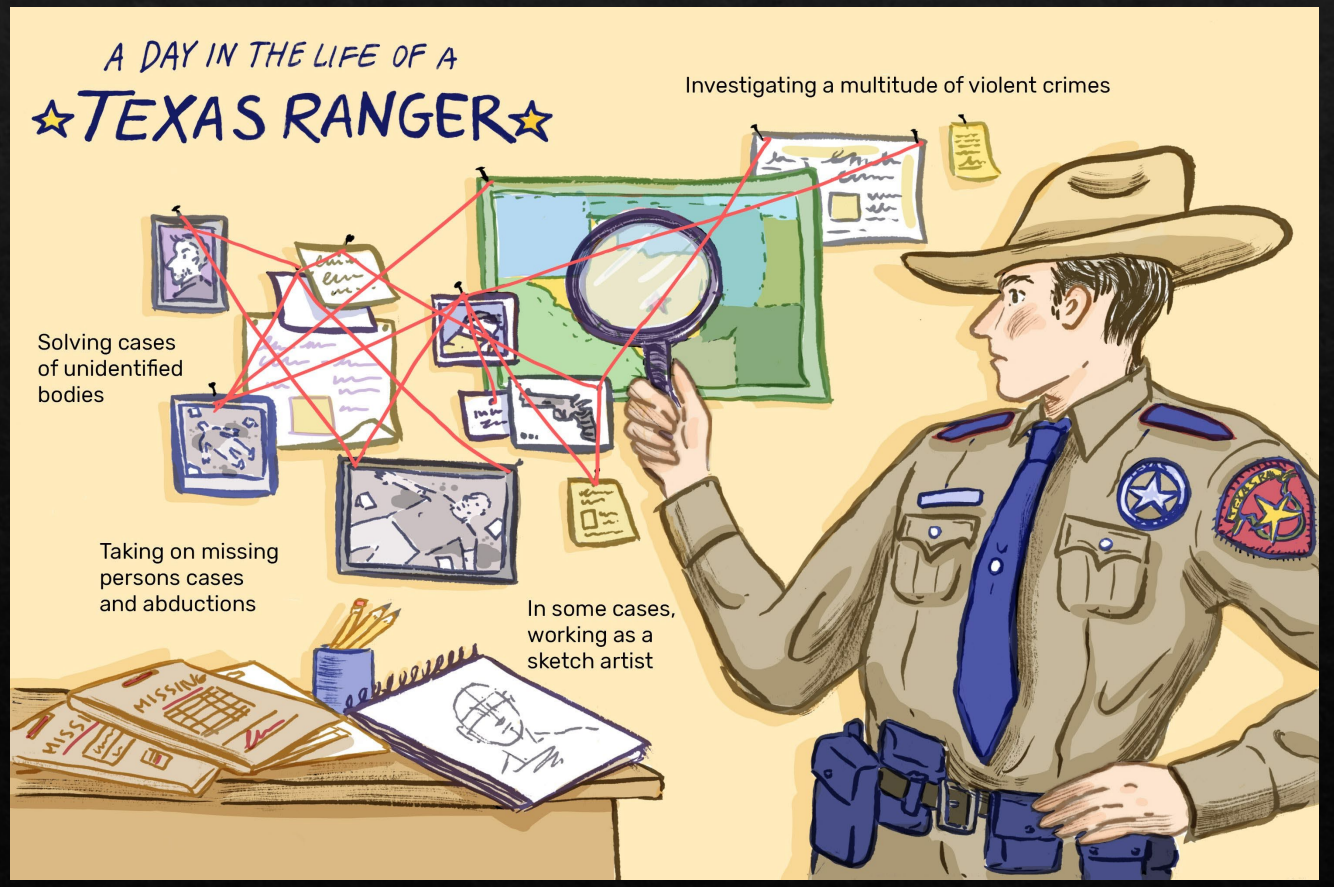
Real Life



- Councilmember complaint against other members of Council
- Potential criminal activity
- Possible civil suit

Real Life

- Criminal investigation
- Threatened litigation multiple times
- Accused the investigator of being bias



An IDEAL Investigation

- Follows the City /Department policies and procedures
- Well documented
- Avoids outside influences

Does Your Process Work?

- Is your policy/procedures regularly reviewed
- Have you noticed a pattern or theme in your lawsuits
- **Is the policy easily accessible**

No Detail Is Too Small

- Address every issue of the complaint
- **Collect documentation**
- Follow the breadcrumbs

Real Life



- Employee complained about being written up
- HR asked for proof

Avoid Outside Opinions

- Investigations should remain confidential
- Reports should be impartial
- **Fact-finding mission**

Avoid The “If This, Then That” Crisis

- Take the binder
- Interview the witness
- Hire the firm



What Would Captain Jack Do



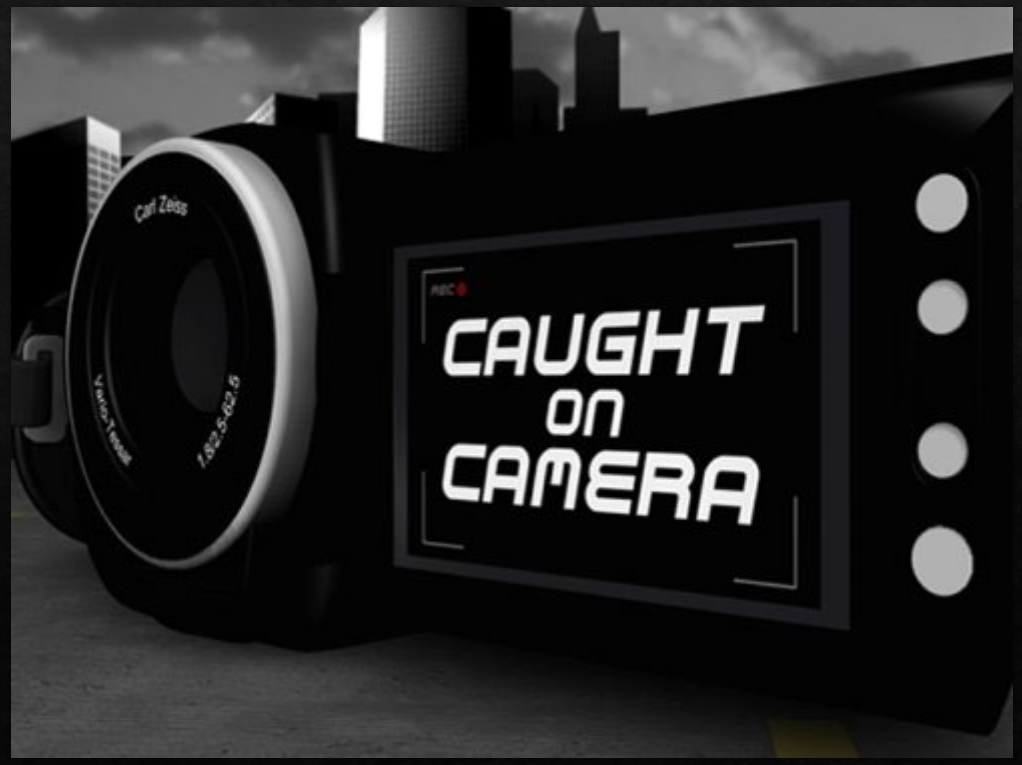
- Initial notifications
- Regular status updates
- **Provide unsolicited guidance**

Notifications

- Personnel
  - Type of complaint
  - **Who's involved**
- Police
  - Hot Sheets

Real Life

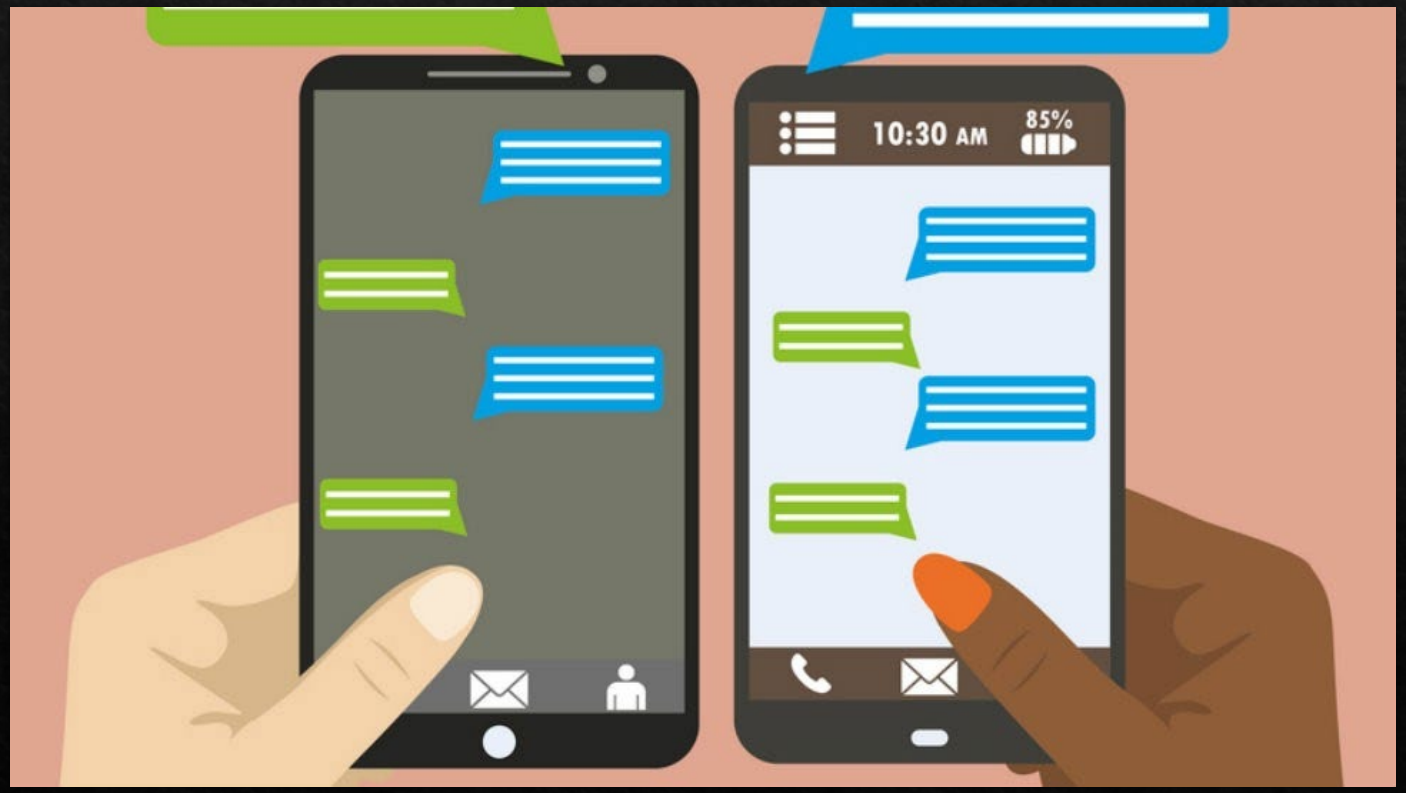
- Citizen/employee complaint
- Witness in a wrong death suit



Status Updates

- Regular benchmarks with the investigations
  - **Keep the investigation on track**
  - **Gauge exposure for potential litigation**

Real Life

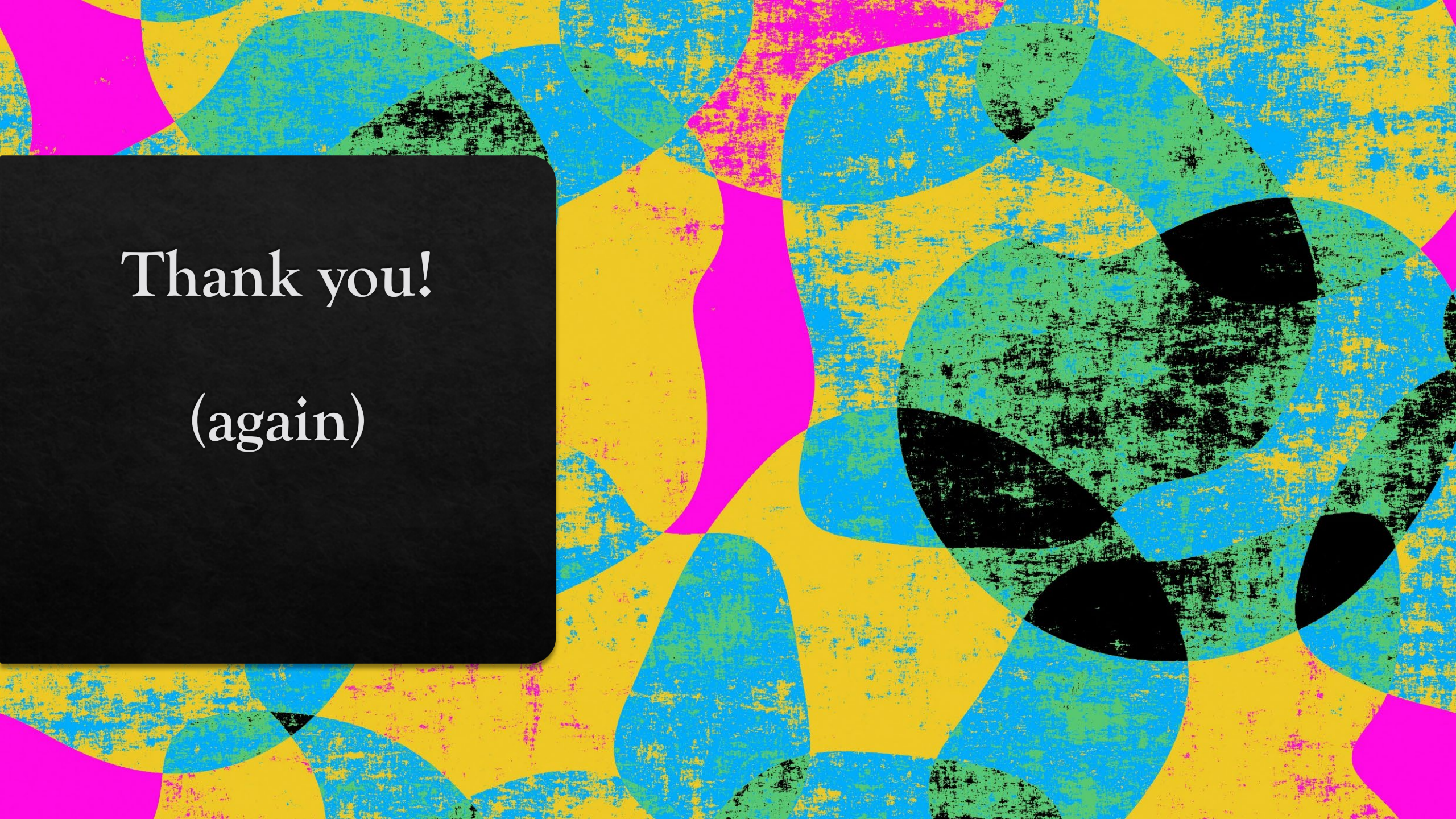


- Whistleblower
- Investigation reveals negative information about the whistleblower

Best Practices

- Be proactive
  - Review your process
  - Annual trainings
- **Reinforce the company culture**

To provide quality service
in a *professional* matter.


Thank you!
(again)

Happy to share...

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