## INVESTIGATIONS 101 CHECKLIST

### Before the Investigation:

Investigations take time, resources and are disruptive. Regular conversations with your staff resolve most issues before formal action.

- Carefully estimate the time you'll need. Budget adequate time.

Some staff complaints may be resolved with informal meetings or mediation. Check with HR for guidance.

A staff saying, "I don't want you to do anything about this" does not determine a manager’s action. Don't make promises of no-action.

To investigate or not? See [DOC policy 70.1.4](#) and attached flowchart.

- Discuss your observations or staff complaints (verbal or written) with your functional unit manager (FUM) and HR. With allegations of criminal behavior, include SIU.
- The FUM decides if an investigation is needed and who will conduct it.

### The Investigation:

Research relevant requirements in procedure, policy, post orders, the CBA, ORS, OAR.

- Security series management (Lt., Capt., ISM, Asst. Sup.)
- See [DOC Policy 20.9.1](#) and [Summary of Revisions (House Bill 2713)](#)

Collect and review any evidence (e-mails, memos, property, pictures, video, etc.)

Conduct interviews (more detail below) in this order:

- The Complainant.
- The Victim(s) (the target of the alleged misconduct; may also be the Complainant).
- Witness(es).
- The Subject (Exception: If criminal conduct is alleged, after summary notification, the subject may be interviewed last).
- Follow-up interviews with any of the above, as needed by new information.

### Conducting Interviews:

- **Write out questions. Ask follow-up questions as needed. Use: “What else do I need to know?”**

- **Ask Who, What, When, Where, How, Not Why.**

- Schedule the interview during the person's normal working hours.

- 24-hr Notice of Intent to Interview - AFSCME or AOCE; and Employee Notification forms for Represented or Management.

Represented staff may have a union steward present; security management staff may have a person of his/her choosing present. Roles are prescribed by Weingarten rights.

Advise interviewees that they must be truthful. Always maintain a professional and serious demeanor.

Take verbatim notes of statements, including profanity.

### Writing the Investigative Report:

Follow the structure of the template offered in class. Explain all acronyms. [Investigative Report template](#).

Write your notes and report in a fair manner, without bias. Notes and reports are public record. Some day a jury could see them.

Complete the written report soon after conducting interviews; within a week is best. Have HR or an approved manager proofread your draft before submitting. All notes and drafts to HR. Keep no copies.

### Hazards:

1. Ignoring complaints, either verbal or written.
2. Over-reacting to complaints.
3. Not telling your supervisor and not checking with HR.
4. Not knowing requirements of the relevant directives.
5. Judging or leaning toward guilt or innocence before gathering facts.
6. Refusing to allow union representation.
7. Not having questions prepared before an investigative interview.
8. Not taking written or verbatim notes at investigative interviews.
9. Adding opinion to the investigative report.
10. Keeping personal copies of your notes or written investigative report.

### Helps:

1. Begin your response ranging from immediately to within 24 hours, depending on seriousness and risk to others.
2. Access the seriousness and risk to others in each complaint.
3. When appropriate and when the type of complaint is new to you, check with your supervisor.
4. Check policies, collective bargaining agreements, the OAR and ORS, procedures, post orders, as needed.
5. Find and report facts and eye-witness accounts.
6. Use Employee Notification forms (see Conducting Interviews section for the link). Follow Weingarten rights (also, above).
7. Write out questions. Always add, “Anything else I should know?”
8. Get executive support help if needed and/or tape the interviews.
9. Report actions and words of interviewees, HR can help with editing.
10. Hand deliver or confidentially e-mail all your notes and written reports to your HR manager.

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*DOC Investigations 101 Checklist.pdf  CD1544 (8-2010) bh*