CITY OF **MADISON**

Misconduct Investigation Process: Planning and Preparation

In a misconduct investigation, investigators should start by:

- ☐ Opening an investigation file
- ☐ Meeting with the appropriate management representative to discuss the parameters of the investigation
- ☐ Identifying potential interviewees
- ☐ Gathering and review relevant policies/work rules, documents, and records
- ☐ Determining who to contact to set up the meetings
- ☐ Determining an appropriate deadline for completing the investigation.

Initial Considerations for the Investigator

- The employee is presumed innocent throughout the investigatory process, until all evidence has been collected and weighed and a conclusion has been made based on the facts of the case. Hidden bias can harm the integrity of an investigation.
- The information and evidence needed to determine whether or not an employee engaged in misconduct includes:
    - What the allegations are and any known, objective facts.
    - Documents including relevant APMs and work rules, departmental policies, ordinances, ethics rules, manager's notes, complaints filed, and statements written or obtained from witnesses.
    - Records of prior investigations, complaints, or disciplinary action as well as any business records like time cards, calendars, photographs, logs, etc.
    - Investigative interviews with employees who were involved or know about an incident (if applicable)

Investigation File

The investigator should immediately open an investigation file and include the following:

Relevant Rules or Policies	Evidence Lists	Records and Documents	Physical Evidence
Photographs	Written Statements	Investigators' Notes	Investigative Summary