

**How to Conduct a Misconduct Investigation Handout**

Objectives:

By the end of this session, participants will be able to:

* Structure and conduct a misconduct investigation
* Create meaningful and helpful interview questions
* Identify and address complicating factors in public sector investigations

Agenda:

Session 1: Structuring an investigation and investigative interview

Session 2: Evaluating investigative interview questions, evaluating credibility, and complicating factors in public sector investigations

Session 3: Challenges of workplace investigations, scenarios, and discussion

Pre-work for Session 1:

* Read the attached “Investigative Process Pre-work” and develop two questions on the investigative process to bring to session 1.
* Watch this video on [Hidden Bias](https://www.youtube.com/watch?v=IAt0eNrd1NU)

Session 1 Homework:

For the following scenario, decide:

* Who should investigate?
* What are the key allegations?
* What types of evidence would you need to collect?
* Fill out sections I. through IV. on the Investigative Report Template you received. Design initial interview questions for Janae or Jason.

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| Scenario: Janae and Jason are employees who both perform construction inspection in the Building Inspection Division. Janae sends the following e-mail to their supervisor indicating some concerns:  **From:** Jepson, Janae  **Sent:** Monday, July 27, 2020 9:31 AM **To:** Weasley, Ginny **Subject:** Incident on Hawk St.  Hi Ginny –  I wanted to tell you about a “run-in” I had with Jason out on Hawk Street today. I was assigned to inspection at 2822 Hawk St., and when I got there Jason was already on the site. I asked him what he was doing there and he told me he knew the person who had applied for the permit. Not only was he **not** assigned to that job, but he proceeded to follow me around the site while I gave feedback to the builder. He kept saying things like, “This won’t be a big deal just contact me when you fix this,” and “I can help you through that if you just want to text me.” When I was walking away from the site, he was still there talking to builder and I thought I heard him say something like, “She doesn’t even know what she’s doing here, I can help you fix this up at a reasonable price if you contact me after work.” Not only was I really frustrated that he seemed to be demeaning me, but he shouldn’t have even been there and it seemed like a major ethical issue that he was so intent on trying to help the person out. Please help! |

Session 2 Homework:

Based on the information you learned in session 2, rework your investigative interview questions and connect up with your designated learning partner. Your learning partner will be responding to your interview questions ***as if they are Janae or Jason***. This will require creativity on the part of your learning partner. Take turns practicing your interview questions and answer the following questions:

1. What changes did you make to your interview questions based on what you learned in session 2, and why?
2. What key pieces of information are you still missing and are there any complicating factors?
3. Based on your learning partner’s responses, do you evidence of violations?