



HOW TO CONDUCT A MISCONDUCT INVESTIGATION

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Session 3



Agenda

1. Investigations and Interviews

2. Credibility and Complicating Factors

3. Challenges, Scenarios, and Discussion



Honor confidentiality

Respect others and yourself

Be brave but share space

Use “I” statements – speak from personal experience

Use active listening

Be responsible for your own learning – Ask for what you need

Group

Agreements

Before We Begin

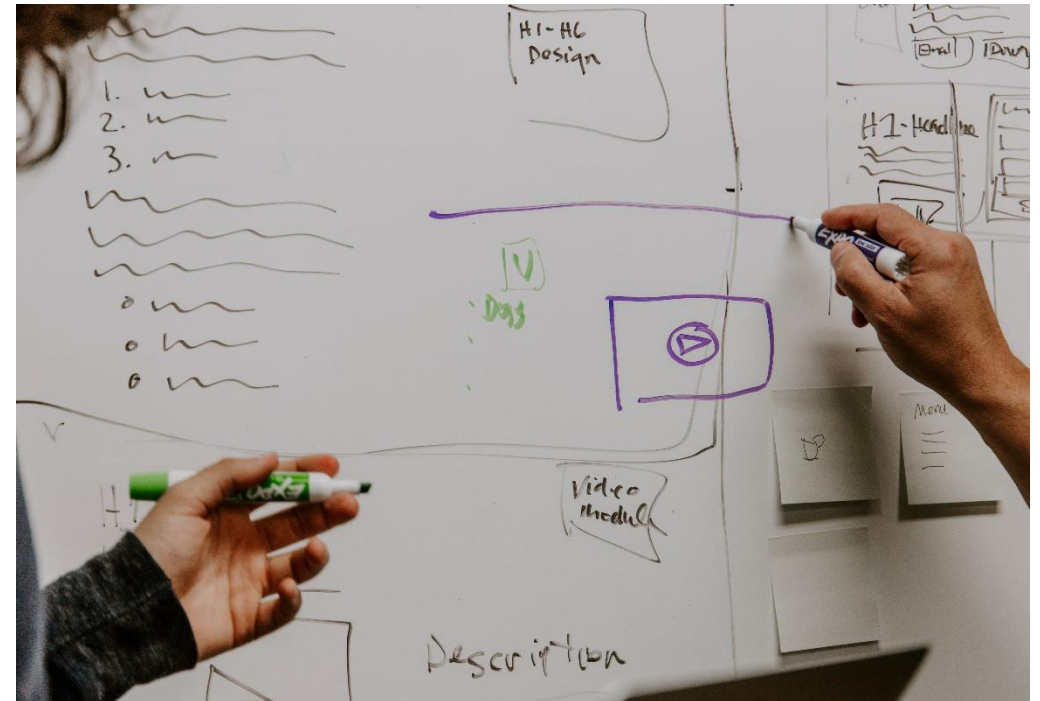
1. Let's talk – Did you feel prepared to conduct the interviews? What issues did you have?



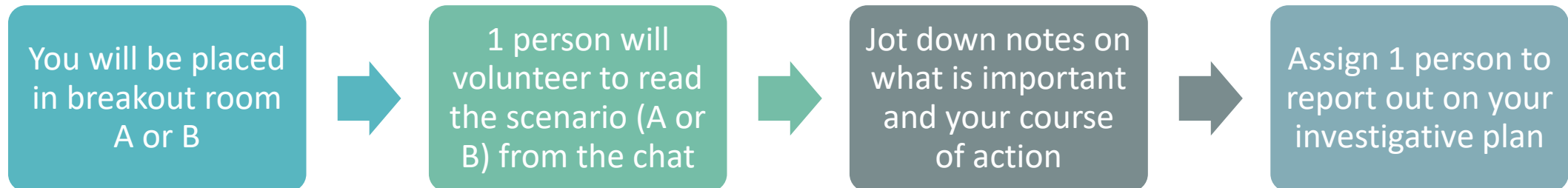
2. Populate the chat box with some of the “complicating factors” you see in the scenario



Case Studies



Breakout Rooms



Let's Discuss Scenario A

You have an employee who has been reported to have about \$10,000 worth of work equipment in his garage at home. None of the equipment has tags showing whether it is City equipment. No one saw the employee take the equipment.

What do you do?



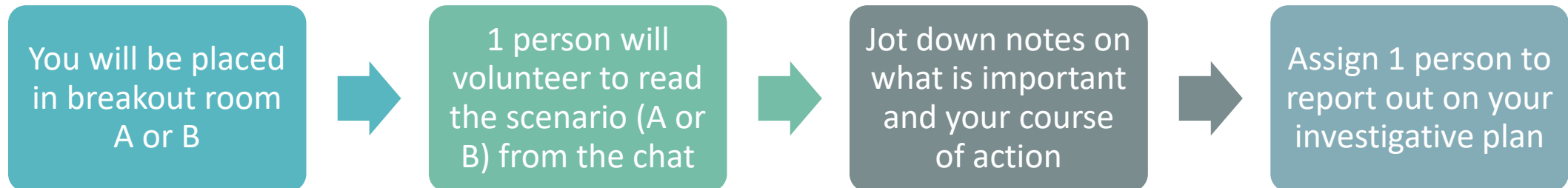
Let's Discuss Scenario B

A Commissioned Officer was part of the section of the Police Department that entered and maintained data into the computer communication system. A bill was before the Legislature to prohibit same-sex marriage. While on duty and using a City computer the officer emailed a passionate call to action to all email users suggesting the Legislators were Nazis and bigots.

What do you do?



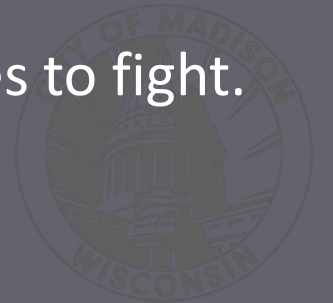
Breakout Rooms



Let's Discuss Scenario A

City employee, who is performing their job well attends an event at Monona Terrace also attended by employee's supervisors, managers and other City employees. Employee proceeds to have several drinks at the event and engages in the following behavior:

- Told their direct supervisor: "F___ you; you are nothing."
- Lunged at the girlfriend of a fellow employee.
- Punched another City employee in the chest with both hands and challenged him to a fight
- Challenged Monona Terrace security personnel and other city employees to fight.
- Poured beer over the heads of their supervisors and managers.



What do you do?

Let's Discuss Scenario B

City employee has a private Facebook account with almost 50 of her coworkers as friends. Employee posted a quote from a person named Dan Phaum to her page which read:

- *If I were Black in America, I think I'd get down on my knees every day and thank my lucky stars that my ancestors were brought over here as slaves, because when you look at the amazing rights, privileges, and benefits that come along with U.S. citizenship, and then compare that to the relentless poverty, violence, and suffering in Africa, it's like winning the Super Lotto a hundred times over. But I guess I'm old-fashioned that way, believing as I do in the importance of gratitude, humility, and respect.*

In another Facebook post, the employee linked to an article from *Businessinsider.com* that stated in part, “[w]e are losing Blue Eyed People. Too many are reproducing with Brown Eyed People. She wrote, “It is true. Blue Eyed People ... UNITE!” Employee also posted an image of a t-shirt with the words, “Have you Lost Your Cotton Pickin’ Mind?” written on it.

Several of her co-workers, who are her Facebook friends and work in different City departments, bring screenshots of her posts to their supervisors. What do you do?



Key Takeaways

Structure and conduct a misconduct investigation

Create meaningful and productive interview questions

Identify and address complicating factors in public sector investigations

On one hand –
How comfortable
are you with the
objectives

