

UNIT ORDER #28 - ATTORNEYS PRESENT AT COMPLAINANT/WITNESS INTERVIEWS

The following guidelines shall be followed when complainants or witnesses request the presence of an attorney during their interview.

- The interview shall be scheduled at a time mutually convenient for all parties; however, caution must be used to ensure the complainant/witness and/or their attorney does not attempt to obstruct or influence the outcome of the case by unnecessarily delaying the interview.
- The interview should occur at the Internal Affairs Bureau Office whenever possible; however, situations may arise when the complainant/witness will only consent to an interview at their attorney's office. Under these circumstances, two investigators will conduct the interview at the attorney's office. The interview shall be recorded
- Prior to commencing a complainant/witness interview, the investigator shall provide the attorney with a verbal advisement of his/her role during the interview. The advisement shall be read into the record of the interview and should be similar to the following example:

“You are being permitted to attend this interview because your client feels more comfortable with you being present. The accommodation was made for that reason only. Under no circumstances will you be permitted to object to questions or interject your opinion during the interview. We request that you remain silent.”
