

Unit Order #8

RISK MANAGEMENT BUREAU - UNIT ORDER



"Mitigate Loss & Control Liability"



UNIT ORDER # 8

SUBJECT: OBTAINING INFORMATION FROM INTERNAL CRIMINAL INVESTIGATIONS BUREAU

PURPOSE OF ORDER

To create standardized procedures regarding the manner in which information is obtained from the Internal Criminal Investigation Bureau (ICIB) and provided to legal counsel representing the Department in a civil lawsuit.

SCOPE OF ORDER

This order shall apply to Risk Management Bureau personnel assigned to the Civil Litigation Unit or working on a temporary basis as civil litigation investigators.

ORDER

When a civil lawsuit is filed concurrently with an open ICIB investigation, legal counsel representing the Department may need specific details from an ICIB investigation to defend the Department during trial, or to allow pending civil litigation matters to appropriately toll.

Upon receiving a request from legal counsel for information stemming from an ICIB investigation, a civil litigation investigator shall facilitate contact between legal counsel and the ICIB investigator. The civil litigation investigator shall request the following from ICIB Operations Staff: case status and the ICIB investigator's name.

Open ICIB Investigations

When an ICIB case book has been requested but is not yet completed, the assigned civil litigation investigator shall notify Department legal counsel regarding the open status of the ICIB investigation and the case book status. Further discussions amongst the Civil Litigation Unit, ICIB operations, and county counsel will then occur to determine what information will be provided, so as not to jeopardize the integrity of the criminal

investigation, while allowing for an early litigation assessment.

Completed ICIB Book with Pending Criminal Filing Review

When an ICIB case book has been completed, and it is pending review by the District Attorney's Office, the civil litigation investigator shall notify ICIB operations staff of legal counsel's request for the ICIB case book. If a request for an ICIB case book is denied, the Risk Management Bureau unit commander shall contact the ICIB unit commander to inquire as to the reason for denial.

NOTE: Information stemming from a current ICIB investigation is on a need-to-know basis.

