

Information in italics exists only to "cue" the reader or to make commentary. It should be deleted prior to template use.

(Heading and case number *Your Agency*) Internal Investigation Report

December 16, 20xx

I. Statement of Jurisdiction *(Include all of the following information)*

- A. Issue: Was the complainant subjected to harassment in violation of (*Your Agency Policy and Procedure #*)?
- B. Date of Complaint:
- C. Investigators: *(Names, Titles & Agency)*
- D. Complainant(s): *(Names, Titles & Agency)*
- E. Accused: *(Name, Title & Agency)*
- F. Witnesses: *(Names, Titles & Agency)*
- G. Investigation Authorized (Requested) by: *(Name, Title & Agency)*

II. Background Information (This section is used to “set the stage” for the discussion of and the analysis of the allegations. It should provide enough information for the reader to gain sufficient context of the allegations and any necessary tangent information.)

(Complainant and Accused are coworkers in the contracting section of the Department of (entity). Both share similar administrative responsibilities and both have been assigned to the same team for approximately two (2) years. Complainant alleges that over the past several months Accused has begun making derogatory remarks about women and individuals from Mexico. Some of Accused’s remarks have been directed at Complainant, while some have been general comments. Complainant asserts her supervisor is aware of Accused’s behavior, since it has occurred in staff meetings when the supervisor was present. Complainant has not spoken with either Accused or her supervisor about Accused's behavior, and is interested only in having the Accused’s behavior stop.)

III. Summary of Allegation(s) (Complaint) *(A succinct statement of each allegation)*

A. Allegation 1: *(Complainant alleges Accused called her a "f@#%ing brown whore" on at least three (3) separate occasions between October 1, 2007 and October 15, 2007.)*

B. Allegation 2: *(Complainant alleges that over the past several months Accused continually told coworkers that "these illegal Mexican women should take their babies and go back across the border")*

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C. Allegation 3: *(Complainant alleges that Accused routinely made derogatory remarks about her national origin and her race.)*

IV. Accused's Response(s) *(Admission or denial of each allegation)*

A. Allegation 1: *(Accused admits to using the term "f@#%" in front of Complainant, but he denies ever directing the term at Complainant and he denies ever calling Complainant a "whore. ")*

B. Allegation 2:

C. Allegation 3:

V: Witness Statement(s) *(Summary of relevant information provided by witness(es))*

A. Jane Doe

(Doe stated Accused "swore a lot" in the office and "really liked using the 'f' word." Accused often made known his opinion about illegal immigration and frequently commented that he wished "they {illegal immigrants} would sneak back across the border."

Doe never witnessed or overheard Accused direct any derogatory, profane or racial remarks at Complainant. Complainant, however, did tell Doe that Accused was "always making comments about 'those damn Mexicans."

B. John Smith

C. Sally Short

VI. Finding(s)

In this section the investigator should articulate the reasoning behind each finding. Commentary should be made regarding issues of credibility, any conflicting statements by the accused or by the complainant, any documents reviewed by the investigator, and other relevant factors used in making a finding. It would be insufficient, for instance, for the report to reflect, 'The complainant was found to be more credible than the accused,' or that "The witness did not appear to be credible." Commentary must be made as to why the complainant is more credible than the accused or why the witness is not credible.

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For each allegation the investigator reports a finding. If there is sufficient evidence for the investigator to conclude the conduct occurred as alleged, the appropriate finding is that the allegation is substantiated. If there is sufficient evidence for the investigator to conclude the conduct did not occur as alleged, the appropriate finding is that the allegation is unfounded. Allegations where there is insufficient evidence for the investigator to conclude whether or not the conduct occurred as alleged are found to be inconclusive.)

A. Allegation 1: *(Though Accused denies ever referring to Complainant, or any other employee as a "f@#%ing brown whore," statements from all three (3) witnesses confirm Accused routinely referred to women as "whores" when he was upset. Accused admitted to his use of the term "f@#%" in front of Complainant. One (1) witness overheard Accused's use of the term "f@#%ing brown whore" during the week of October 8 - 15, 2007, though the witness did not observe whether the term was directed at any particular individual. Complainant's recall of the three (3) alleged verbal assaults by Accused was specific enough as to time, location, and circumstance to grant credibility Accused's personnel file contains a February 12, 2006 Written Warning for Accused's use of profane and demeaning language to coworkers.*

There is sufficient evidence to conclude the conduct in Allegation 1 occurred as alleged. This allegation is substantiated.)

B. Allegation 2:

C. Allegation 3:

VII. Conclusion(s)

(It is important to remember that in an Investigative Report, Findings are not the same as Conclusions. A Finding refers to a specific behavior(s) in a specific allegation. A Conclusion is a statement as to whether the conduct referenced in the Finding violated a Rule or policy. It is quite possible to have one or more substantiated findings and to conclude that there was no violation of Rule or policy)

In order to conclude the alleged conduct violated (**Your Agency Policy**), governing unlawful harassment, the evidence must be sufficient to show that the complainant was subjected to behavior or conduct based, in this case, on her color, race, and/or national origin, that was unwelcome, pervasive, demeaning, ridiculing, derisive, or coercive, and resulted in a hostile, offensive, or intimidating work environment. The evidence is sufficient in this case to conclude that the conduct engaged in by Accused was in violation of the above cited rule or policy.

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