

# Investigations



**Georgia Professional Standards Commission**

*Protecting Georgia's Higher Standard of Learning*



# Purpose of Investigation

1. To learn the facts related to a given situation.
2. Identify victims and offenders.
3. Determine if a mandated report has been triggered.
4. Provide the school system with enough information to reach a personnel decision.



# Review The Complaint

1. What is the nature of the allegation?
2. Should you contact police?
3. Who or what is the source of the allegation?
4. What rules, policies, or laws are relevant to the case?
5. Who should be tasked with the investigation?



# Is it a Crime?

If a criminal act has been committed:

- Secure all evidence
- Contact law enforcement
- Document what has been done



# What Evidence Should Exist

Evidence is anything that can provide relevant information, or something that can be used to validate information.

- Are recordings available?
- Are there any records related to the allegation?
- Are there any witnesses?
- Are there any prior incidents? Check with the school.



# Obtaining Evidence

- Who controls access to the evidence?
- Can the evidence be made available to the school system?
- Can the evidence be obtained through an ORA request?
- Is the evidence fungible or subject to change?
- Will the item be jeopardized when the investigation is disclosed?



# Documentation of Evidence

- Create summaries describing the evidence you obtain.
- Note who provided the evidence and how it was obtained.
- Document the date the evidence was obtained.
- If documents are obtained from an external office, try to secure certified copies.
- When the investigation is concluded, prepare a detailed report describing the investigation.



# Interviews

- Interview the educator last.
- Take time to establish rapport.
- Conduct interviews in a controlled environment. Minimize potential distractions.
- Try to remain neutral and don't argue.
- Record your interviews.
- Ask open-ended questions. "Tell me about..."
- Avoid "yes or no" questions.
- The interviewee should do most of the talking.
- Awkward silence is compelling.





# Interview Questions

- Avoid Leading Questions

*Do you remember [\_\_\_\_\_]?*

- Avoid Yes or No Questions

~~*Were you at the gym on Friday?*~~

*Where were you on Friday?*

- Avoid Negative Wording

*You didn't take it, did you?*

- Allow the Witness to Talk

*Tell me what you remember about [\_\_\_\_\_]...*



# Avoidance Techniques

- Swearing that a statement is true – Honestly; I swear; You have got to believe me...
- Unsolicited promises
- Evasive answers – I do not remember; Not really; I might have; I don't know; I don't recall; To the best of my knowledge
- Too much information



# Sexual Misconduct

- Notify law enforcement.
- According to a U.S. Department of Education study, the average age of educators who commit acts of sexual misconduct is 28.
- Average age of student victim is 13-14.
- Top GA offenders based on educational field: JROTC, Technology Ed, Construction, Ag Ed & Music.
- Top GA offenders based on number of sanctions: English, Physical Ed, History, Political Science & Geography.



# First, Most Harmful Event

Document the exchange of contact information.

- Removes boundaries
- Gives students access to educator's personal time
- Creates the appearance of impropriety – GROOMING
- Does this violate local policy?



# Grooming

Behavior intended to establish trust with a student to facilitate future sexual activity.

- Victim Grooming – directed toward the student victim to
  - a) Overcome resistance
  - b) Maintain access
  - c) Minimize disclosure
- Environmental Grooming – behavior focused on manipulating the perceptions of people in the student victim's life.



# Common Elements of ESM

- 10% of 8<sup>th</sup>-11<sup>th</sup> grade students report having unwanted sexual interactions with an adult at their school. Most commonly a teacher or coach.
- Majority of offending educators are the victim's classroom teacher.
- Most common place of occurrence is the classroom.
- Substantial electronic communication



# Phone Records

- There are always 2 sources of evidence (student & teacher). Both can obtain detailed records.
- Watch for trends in communication.
- Note the times of communication.
- Get the records early in the investigation.
- The content of text messages is only available for about 10 days.



# Court Records

- Most court records are available upon request.
- With criminal cases, arrest warrants and indictments can be available before the criminal case is closed.
- Request the records through the Clerk of Court.
- [www.gsccca.org/clerks/](http://www.gsccca.org/clerks/)





# Ethics Records

- When an ethics investigation is completed, the case moves into “due process”.
- Ethics investigation records are available after due process has been exhausted (final adjudication).
- An educator is free to discuss a pending case with a prospective employer.
- Check the educator using [GAPSC.org](http://GAPSC.org).



# Hold New Application

## Welcome to Ethics Lookup

Lookup final outcomes of educator's Ethics cases that were completed in the **last five years**. Enter or select search criteria, then click the "Search" button.

### Searching Educators in Ethics

Current Employer:

SSN:  OR Cert ID:

First name:  Last name:

Outcome:

Cert ID	Case number	Names	Current employer	Complaining System	Outcome	Effective Date	Expiration Date	Standards Violated
████	16-6-████	████	████ County		Hold New App	2016-10-13	N/A	Standard 1: Legal Compliance - Moral Turpitude;

An outcome of "Hold New App" indicates that an ethics case was opened, but could not be completed. Usually the result of inability to notify the educator that an investigation is pending. The case will be revisited when the educator submits a new application.



# Open Ethics Case

Mr. [REDACTED]

Certification ID: [REDACTED]

Ethics History			
Case Number	Final Outcome	Effective Date	Expiration Date
	Open Ethics Case		N/A

VLP Status: Lawful Presence has not been validated for this person. Submit VLP documentation

Exceptional Children Course: **NO**

Fields in ~~strikeout font~~ with a **RED** background have expired. If all fields have expired, the certificate has expired.

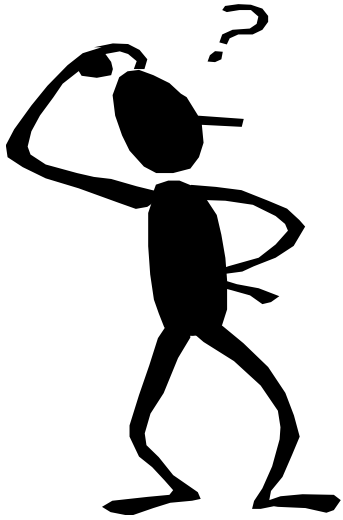
Type	Field	First Issued	Current Issued	Begin Validity	End Validity
€	<del>CLEARANCE CERTIFICATE (FLD694)</del>	<del>2013-07-20</del>	<del>2013-07-20</del>	<del>2013-07-01</del>	<del>2018-06-30</del>

The educator's certification is still valid. An investigation has been initiated, but not concluded. Active investigations are confidential and the details can't be disclosed.



# Online Resources

- Take advantage of online resources such as Facebook, Instagram, Twitter, etc.
- Personal email addresses are useful.
- Search email addresses on Google.
- Search for screennames using the first half of the email address.
- Many courts have records available online.
- Property tax records are available online (Q-Public).
- Jail records may be searchable.
- Secretary of State website for business and license information.
- [www.TinEye.com](http://www.TinEye.com) to learn where a specific image appears on the internet.
- Use Internet Archive for defunct websites.



# WHAT ARE YOUR QUESTIONS ?



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