

Employee Interview

The name/rank of the person in charge of the investigation is _____

The date and time of this interview is _____

The location is _____

Present in the room is _____

The person conducting the interview is _____

The general allegations are:

The general allegations and scope of interview **WAS** **WAS NOT** provided in writing prior to this interview.

This interview **IS** **IS NOT** being recorded.

At this time, I will advise you of your rights under the Peace Officer Bill of Rights.

1. You have the right to a representative of your choice to be present during this interview. The representative can be an attorney, an association member, or anyone else not connected with this investigation.

Do you understand? YES NO

Do you want a representative? YES NO If so, who _____

2. You have the right to make your own tape recording of the interview.
3. You will have access to the department's tape recording of your interview if further proceedings are contemplated or prior to any further interrogation at a subsequent time.
4. After the interview, you are entitled to any transcribed copy of any notes, or to any reports or complaints, except those that are deemed confidential.
5. You will be questioned by no more than two interrogators at one time during the interview.
6. If this interrogation is occurring during your off-duty time, you will be compensated in accordance with the regular department procedures and you will not be released from employment for any time missed.
7. This interview session will be for a reasonable period of time based on all the circumstances and you will be allowed to attend to your own personal necessities. If you need to take care of a personal necessity, please advise me orally during the interview.
8. If prior to or during the interrogation it is determined you may be charged with a criminal offense, you will be read your constitutional rights.

Do you Understand these rights? YES NO

Employee Initial _____

(When there is a possibility of criminal conduct and it is deemed prior to or during the interrogation the officer may be charged with criminal offense, the employee shall be advised of their rights. If the investigation is solely for administrative purposes and there is no allegation of criminal conduct, this advisement is not necessary.)

Miranda Advisement

- 1. You have the right to remain silent.**
- 2. Anything you say may be used against you in court.**
- 3. You have the right to an attorney before and during questioning.**
- 4. If you cannot afford an attorney, one will be appointed for you before any questioning, if you wish.**

Do you understand each of these rights I have explained to you?

Having these rights in mind do you want to talk?

(if Miranda is not waived and interview will be used for administrative purposes)

Lybarger Warning

- 1. While you have the right to remain silent with regard to any criminal investigation, you do not have the right to not answer my administrative questions.**
- 2. This is an administrative investigation. I am therefore now ordering you to discuss this matter with me.**
- 3. If you refuse to discuss this matter, your silence can be deemed insubordination and result in administrative discipline, up to and including termination.**
- 4. Any statement you make under compulsion of this threat of such discipline cannot be used against you in a later criminal proceeding.**

Do you understand the nature and scope of this investigation? YES NO

You are admonished you are to answer all questions asked of you completely. While being interviewed, you shall not provide misleading, untruthful, inaccurate, or partially misleading, untruthful, or inaccurate information to me or any investigator in regards to this investigation, nor shall you fail to disclose any pertinent facts or information within your knowledge to me or any investigator.

This investigation is related to a confidential personnel matter. You are hereby ordered to not discuss this investigation with any other Department member or with any other person who may have information regarding this investigation or who may be called as a witness in this investigation without the express permission of the Office of the Police Chief. You may speak with an attorney or an employee representative regarding this investigation.

Do you understand this admonishment? YES NO

Employee Initial _____

Employee _____ Investigator _____