

CIGIE Peer Review Individual Closed Case Review Checklist

PURPOSE: Appendix D-1 is based on the Quality Standards for Investigations, which were adopted by the CIGIE in December 2003. The Quality Standards contain three general standards (Qualifications, Independence, and Due Professional Care) and four qualitative standards (Planning, Execution, Reporting, and Information Management).

This checklist is used to review Closed Case Files in an effort to determine the level of conformity with the standards adopted in the CIGIE Quality Standards for Investigations. Complete one checklist for each closed case reviewed. Enter a Y (Yes), N (No), or NA (Not Applicable) for each of the items on this checklist. Enter comments as applicable. Answers to certain questions below—particularly in the Independence and Due Professional Care sections—may not be readily available or apparent. In these instances, the peer review team should assess whether there is clear, specific and articulable information in the case file to suggest the standard was violated. In the absence of such information, the appropriate answer is “yes” to the corresponding question.

The results of these checklists will be summarized in the *CIGIE Peer Review Case Review Summary Checklist* (Attachment D-2)

OIG Being Reviewed:	Closed Case # Being Reviewed:
Reviewing OIG:	Closed Case Office:
Date of Case Review:	Reviewer:

A. INDEPENDENCE		
<u>Criteria/Requirements</u>	<u>Y/N/NA</u>	<u>Comments</u>
1. Were the investigators free, both in fact and appearance, from impairments to independence?		
B. DUE PROFESSIONAL CARE		
<u>Criteria/Requirements</u>	<u>Y/N/NA</u>	<u>Comments</u>
2. Were reasonable steps taken to ensure pertinent issues were sufficiently resolved and all appropriate criminal, civil, contractual, or administrative remedies are considered?		
3. Does available information suggest that constitutional rights were respected (e.g., Garrity, Kalkines, Miranda, etc.)?		
4. Was the investigation conducted in a fair and equitable manner?		
5. Was evidence gathered and reported in an unbiased and independent manner?		
6. Were investigative activities conducted and reported with due diligence and in a timely manner?		
7. Were the investigative report findings, and accomplishments supported by adequate documentation?		
C. PLANNING		
<u>Criteria/Requirements</u>	<u>Y/N/NA</u>	<u>Comments</u>
8. Was the incoming complaint evaluated against investigative functions, priorities, and guidelines?		
9. If appropriate, does the file contain information		

that an investigative plan of action was established?		
10. When present, was the investigative plan consistent with the <i>Quality Standards for Investigations</i> ?		
D. EXECUTION		
<u>Criteria/Requirements</u>	<u>Y/N/NA</u>	<u>Comments</u>
11. Did investigators act as fact-gatherers and not allow conjecture, unsubstantiated opinion, or bias to affect activities?		
12. Was the FBI notified in accordance with Attorney General guidelines?		
13. Were two investigators present when conducting interviews in situations that were potentially hazardous or compromising?		
14. Were contemporaneous interview notes retained in case file until final disposition?		
15. Did investigators comply with organizational policies/procedures for the gathering, preserving, and/or disposing of evidence?		
16. Were investigative activities documented in the case file?		
17. Were subjects' rights and waivers clearly documented (when administered)?		
18. Were witness confidentiality requests documented?		
19. Where requested and granted, was the confidentiality of witnesses adequately protected?		
20. Was consensual monitoring conducted in accordance with the procedures established by AG guidance?		
21. Was Grand Jury material properly marked, securely stored, and properly disposed of?		
22. Were supervisory case reviews conducted?		
23. Did this investigation comply with appropriate AG Guidelines?		
E. REPORTING		
<u>Criteria/Requirements</u>	<u>Y/N/NA</u>	<u>Comments</u>
24. Were reports accurate, clear, complete, concise, logically organized, timely, and objective?		
25. Did reports include a clear and concise statement of the applicable law, rule, or regulation that was allegedly violated or that formed the basis for an investigation?		
26. Was evidence outlined in a report supported by documentation in the investigative case file?		
27. Were reports free of opinions; personal views; unsupported assessments, conclusions, observations, or recommendations?		

28. If applicable, were systemic weaknesses identified during investigation reported to agency officials?		
29. Were reports prepared in accordance with the agency's policies?		

F. INFORMATION MANAGEMENT

<u>Criteria/Requirements</u>	<u>Y/N/NA</u>	<u>Comments</u>
30. Was a case file established immediately upon the opening and assignment of an investigation?		
31. Is the case file formatted, organized, and maintained in a manner that is consistent with agency policies?		
32. Was information about the case—such as opening date, judicial actions and outcomes, administrative outcomes, reports issued, identifying information about witnesses and subjects, and related data—in a form that allowed for effective retrieval, referencing, and analysis?		

E. Comments (continued)