

RESULTS

THE POWER OF INTELLIGENT INFORMATION SM

Diversified
Risk
Management
Inc.



WE DON'T JUST CRACK CASES. WE PUT THEM BACK TOGETHER.

Litigation arising from workplace misconduct costs employers billions of dollars annually. Increasingly, lawsuits are focused on the quality of the investigation. Don't just get the facts. Understand them. Diversified Risk Management, Inc. goes beyond solving problems, so you know why things happen, not just that they happened. We have the experience and qualifications to conduct effective workplace investigations that will produce objective results and withstand scrutiny.

CORPORATE INVESTIGATIONS

Diversified Risk Management, Inc. is a licensed corporate investigation and consulting firm specializing in internal security, risk mitigation and workplace investigations. We understand the sensitive legal issues involved in handling a situation that could potentially result in some form of litigation and recommend all our clients to retain a qualified Employment Law attorney. Our team of bilingual, qualified investigators and security experts have years of experience and understand the issues of concern faced by employers in today's business environment. Our firm specializes in conducting investigations resulting from...



- Employee Misconduct
- Sabotage
- Sexual Harassment
- Substance Abuse
- Theft and Dishonesty
- White-collar Crimes
- Workers' Compensation Fraud
- Workplace Accidents
- Workplace Violence
- Employment Background Checks
- Due Diligence Research in 190+ countries
- Litigation Support
- Security Risk Analysis Surveys
- Specialized Investigative Interviews
- Undercover Investigations

In some cases investigative and legal service fees are reimbursed to the client by the convicted perpetrator(s) of the crime.

From hiring or firing an employee to acquiring/merging a business, INTELLIGENT INFORMATIONSM is vital and necessary. Our proven techniques and services enable employers to:

- Reduce Liability
- Increase Profits
- Solve Problems
- Improve Morale
- Create A Safer Workplace
- Get The Facts

Thus enabling executives to make smart and well informed business decisions that save time and money. Our proprietary interviewing techniques yield high success rates for obtaining voluntary admissions and solving complex cases that produce tangible, measurable results.

CORPORATE OFFICE

8132 Firestone Boulevard, Suite 862
Downey, California 90241
Tel: (562) 319-0411 • Fax: (562) 319-0412

LOS ANGELES OFFICE

5042 Wilshire Boulevard, Suite 569
Los Angeles, California 90036
Tel: (323) 934-2634 • Fax: (323) 934-2734

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WHO SHOULD CONDUCT YOUR INVESTIGATION?

Investigation firms that truly specialize in workplace investigations are few and far between. As of May 2004, there were approximately 9,952 licensed investigators in California and it's estimated that only 10% of these investigators have experience in conducting workplace investigations. As a result, most private investigators do not have the experience or understand the sensitive legal issues involved in dealing with a situation that could result in litigation. Employers and their attorneys will often engage an independent human resources consultant to investigate a workplace matter. While such consultants may have the skill necessary to do an excellent job, there may be some hidden legal problems.

PRIVATE INVESTIGATOR ACT

The California Department of Consumer Affairs (DCA) requires that any firm or individual who investigates alleged misconduct or makes determinations of credibility for the benefit of an employer must possess a private investigators license. Anyone who violates the law may be subject to a fine of \$5000 or imprisonment of one year in county jail or both. The Act does not apply to investigations conducted by an actual employee of the employer or to an attorney at law.

CONSULTANT-LED INVESTIGATION

Although Human Resource consultants who conduct investigations without a private investigators license may be fined by the DCA, the law does not impose any specific penalty on the employer who retains the unlicensed HR consultant. Of potentially greater significance, however, an employee terminated for misconduct may be able to challenge the validity of the investigation that was not conducted by a licensed private investigator. This makes any actions or decisions by the employer based on the investigation vulnerable to litigation.

ATTORNEY-LED INVESTIGATION

A qualified attorney can certainly conduct most types of investigations; however, the issue of attorney-client privilege is an important concern. If the investigation is ever the subject of litigation, the employer will almost certainly need to present all or part of the investigation as evidence at trial. If the attorney who performed the investigation is also advising the employer as to what actions or decisions to take as a result of the investigation, the attorney may be forced to testify about privileged matters. Even if the privileged matters could be compartmentalized, as a witness in the case, the attorney would be precluded from representing the employer in litigation.

So, what should an employer do if an investigation is required? Here are some considerations.

1. Select an employee who can remain unbiased to conduct the investigation (with the guidance and privileged advice of qualified employment counsel). The employee must be able to keep all matters confidential; or
2. Retain an independent employment attorney who can perform the investigation with the understanding that his/her efforts may be subject to litigation discovery; or
3. Identify a licensed and qualified investigation firm which has specific expertise in workplace investigations.



Fred Miller
fmiller@drminc.us

Fred Miller, CPP, CFE serves as Director of Business Development and Senior Executive Investigator at Diversified Risk Management, Inc- Los Angeles office and assists employers in all aspects of workplace investigations, including law firms that represent employer's employment law matters. Prior to joining DRM, Miller was employed in the private sector with several prestigious corporations and was formally with the FBI; where he served as Special Agent for nearly 20 years and supervised major fraud, product tampering and copyright violations, espionage, and terrorist investigations and oversaw development of the first FBI based security program in the Los Angeles Division.

Miller has a Master of Science in Security Management from California Lutheran University and completed a certification course at California Polytechnic University, Pomona leading to a Certificate in Corporate Protection Management encompassing security, safety, and risk management. Miller is a board Certified Protection Professional (CPP) in Security Management, Certified Fraud Examiner (CFE) and is an expert in the prevention, detection, and investigation of fraud. Miller brings extensive executive experienced in multiple disciplines, including contract security operations, risk assessment, loss mitigation, fraud investigations, security project management, personal and physical security.