



International Association of Computer Investigative Specialists Code of Ethics and Professional Conduct Policy

Effective: April 20, 2023

I. PURPOSE

- (A) The IACIS Code of Ethics and Professional Conduct policy (the policy) outlines and governs the way in which IACIS applies ethics and standards of professional conduct to all IACIS Personnel regardless of class, status, or position within the association. The policy establishes the requirement for all IACIS Personnel to adhere to an established code of ethics and standards for professional conduct. The policy establishes guidelines for conducting ethics and professional conduct investigations, when warranted. IACIS Personnel, as referred to throughout this document, includes but is not limited to members of the corporation, employees, certification candidates, certification holders, and persons who participate in a training event.

II. DEFINITIONS

- (A) **Complaint:** A Complaint refers to any alleged violation of the policy or other IACIS policies (the policies) by a member of IACIS (Accused Member).
- (B) **Finding:** A Finding is the subjective opinion of the Director of Ethics or Investigative Team member who summarizes an investigation. A Finding will be based upon a preponderance of evidence.
- (a) **Not Sustained:** Either the preponderance of evidence does not clearly indicate the alleged act did or did not occur or there is insufficient evidence to support the allegation.
- (b) **Exonerated:** A specific act or acts did occur, but were justified, and/or lawful and/or proper.
- (c) **Unfounded:** A specific act or acts did not occur and/or, did not involve IACIS, or if the complaint is determined to be unfounded.
- (d) **Sustained:** There is a preponderance of evidence that the alleged violation occurred.
- (e) **Dismissed with Prejudice:** Investigation of the Complaint is determined to be unwarranted and a future Complaint containing the same allegation(s) will not be investigated.
- (f) **Dismissed without prejudice:** There is insufficient information provided in the Complaint to proceed with an investigation.
- (C) **Investigative Team:** A team assembled by the Director of Ethics (or designee) to investigate allegations of violations as provided in Subsection **II(A)**.
- (D) **preponderance of evidence:** The threshold used to establish if an alleged violation occurred. This preponderance is based on the more convincing evidence and its probable truth or accuracy, and not



on the amount of evidence.

III. CODE OF ETHICS AND PROFESSIONAL CONDUCT

- (A)** All IACIS Personnel, both in their professional capacity and as individuals, are expected to hold themselves to the highest standard of integrity and ethical behavior. Anything less, reflects poorly on the individual, the individual's employer and the IACIS association.
- (B)** IACIS has a reputation for integrity, as well as a reputation for integrity of its personnel. This reputation is one of its most valuable assets. As one means to promote the highest quality of personal and professional conduct in its personnel, IACIS has adopted the policy.
- (C)** Although all IACIS Personnel are expected to adhere to the policy, it does not provide a set of rules to govern every situation. Rather, it is intended to serve as a statement of principles to focus our attention on areas of ethical risk; provide guidance for recognizing and dealing with ethical issues as they arise; and foster a culture of honesty, integrity, and accountability for IACIS Personnel.
- (D)** Principles:
 - (a)** IACIS Personnel will advise and provide assistance to other IACIS Personnel within the scope of their legal authority.
 - (b)** IACIS Personnel will be honest and ethical when dealing with each other.
 - (c)** IACIS Personnel must respect the rights and authorities of the directors, fellow members, and individuals encountered as a result of their membership in IACIS or in connection with IACIS sponsored or sanctioned activities.
 - (d)** The actions of IACIS Personnel, when representing or acting on behalf of IACIS, must be free from discrimination, libel, slander or harassment. Each person must be accorded equal opportunity, regardless of age, race, sex, sexual preference, color, creed, religion, national origin, marital status, veteran's status, handicap or disability.
 - (e)** IACIS Personnel may not misrepresent their credentials, employment, education, training and experience, or membership status; nor may they misrepresent the credentials, employment, education, training and experience, or membership status of any other member of IACIS.
 - (f)** IACIS Personnel may not issue public statements that appear to represent the position of IACIS without specific written authority from the Board of Directors.



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- (g) IACIS Personnel must not commit any act of professional dishonesty.
 - (h) IACIS Personnel may not knowingly submit, aid or abet the submission of plagiarized or any non-uniquely authored piece of work during any phase of an IACIS certification process or test. To do so will be considered to have been a dishonest act.
 - (i) IACIS Personnel have an obligation to report acts or suspected acts of dishonesty committed by IACIS Personnel. Failure to report acts or suspected acts of dishonesty will be considered to have been a dishonest act.
 - (j) IACIS Personnel's criminal convictions are a serious affront to the ideals of IACIS and as such are not tolerated.
 - (k) IACIS Personnel have an obligation to fully and honestly cooperate with any investigation or inquiry conducted at the direction of the Ethics Committee or members of an Investigative Team.
- (E) Any member of IACIS who violates any of the provisions of the policies or fails to fully and honestly cooperate with any investigation or inquiry of the Ethics Committee may be subject to disciplinary action, including, without limitation:
- (a) Written reprimand
 - (b) Suspension of membership and/or certifications (a given time span)
 - (c) Revocation of membership and/or certifications (permanently)

IV. ETHICS STANDING COMMITTEE

- (A) The Ethics Committee shall oversee and administer all investigative functions for alleged violations of the policies.
- (B) The Director of Ethics, appointed by the Board of Directors, will preside over the Ethics Committee, determine the number of members serving on the Ethics Committee, and approve all assignments of personnel serving as members of the Ethics Investigative Teams.
 - (a) In the case of an allegation against the Director of Ethics, the Chairman of the Board of Directors shall oversee the actions of the Ethics Committee until the allegation against the Director of Ethics is resolved.



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- (C) The primary function of the Ethics Committee is to receive and review all allegations of violations of the policies, review reports from Investigative Teams, and provide a Report of Findings (Investigative Team) and Summary Report (Director of Ethics) for all allegations of violations of the policies to the Chairman of the Board of Directors.

 - (a) The Ethics Committee will review the policy annually and recommend any necessary changes to the Board of Directors.
 - (b) Allegations of violations of the policies will be submitted in accordance with Subsection **VI(B)** of this policy. Each allegation will be reviewed by the Director of Ethics (or designee) to determine if there is a need to assemble an Investigative Team and what restrictive criteria will be in place for selecting Investigative Team Members. (Information within the allegation may need to preclude certain IACIS Personnel from serving on the Investigative Team.)
 - (c) The assigned Ethics Investigator will be a designated member of the Ethics Committee but may employ the services of a subject matter expert outside of the committee.

 - (i) The basis for allegation(s) and the information gathered during an investigation (other than that material contained in the Final Report of Findings) shall remain confidential and may only be released by the Director of Ethics.
 - (ii) All members of the Ethics Committee must agree to and abide by the Volunteer Staff Agreement document for the given year of service.
 - (iii) All members of an Investigative Team must make a Conflict of Interest Declaration.
 - (d) The Ethics Investigator will complete a report containing the results of their investigation, which will be received and reviewed by the DIRECTOR OF ETHICS (or designee). The DIRECTOR OF ETHICS will review this report and will prepare a Summary Report for the Board of Directors to review, which will contain a Finding as provided for in Subsection **II(B)**.
- (D) IACIS will indemnify members of the Ethics Committee for official actions arising out of their work on behalf of the Ethics Committee. Official actions must be legal, adhere to the scope of this policy, and be objectively reasonable. No member of IACIS is authorized to direct or ignore illegal acts by its personnel, nor is any member of IACIS authorized to sanction or otherwise approve illegal acts by IACIS Personnel.
- (E) Ethics Committee expenses can be approved by the Director of Ethics. In general, this authorization will include expenses incurred in the performance of their assignments such as airfare, mileage,



lodging, and per diem.

V. SUBMITTING A COMPLAINT

- (A)** A Complaint consisting of an allegation of a violation of the policies will be reported to the DIRECTOR OF ETHICS via instructions on the IACIS website, in person or by phone.

VI. INVESTIGATIONS

- (A)** Investigations will be conducted at the direction of the Director of Ethics (or designee) once they have received a Complaint. Investigations will result in a Report of Findings and a Summary Report as provided for in Subsection *IV(C)(d)*. The Director of Ethics may also provide a Recommendations Summary to the Chairman of the Board of Directors for a specific action.

(B) Complaints

- (a)** A Complaint cannot be acted upon until submitted to and received by the Director of Ethics.
- (b)** A Complaint involving the Director of Ethics will be submitted directly to, or immediately provided to, the Chairman of the Board of Directors.
- (c)** A Complaint may be made anonymously; in which case the Complaint will first be examined to judge its credibility and determine if there is sufficient information on which to proceed.
- (d)** The Complainant will be required to submit a signed Complaint, or the Complaint will be handled as anonymous.
- (e)** Each Complaint should include sufficient details that clearly identify the party or parties involved, the allegation, and the circumstances involved in the alleged violation. Any Complaint that lacks sufficient details may be dismissed pursuant to Subsection *II(B)(f)*.

(C) Initial Review

- (a)** Upon receipt and review of a Complaint, the Director of Ethics may initiate an investigation or provide a copy of the Complaint to members of the Ethics Committee to help determine if the complaint will be investigated and will notify the Chairman of the Board of Directors.
- (b)** Initial Review of the complaint will be completed within three (3) business days, of receipt.
 - (i)** In order to complete an Initial Review, it may be necessary to obtain records from within the association including but not limited to membership history, dues payment



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history, current status, current certifications, Moodle usage, Office 365 usage, etc. Or it may be necessary to consult with a subject matter expert. Where either is required to complete an Initial Review the Initial Review timeframe will be extended to ten (10) business days.

- (c)** Once the Ethics Committee has completed its Initial Review, it will take one of the following actions:

 - (i)** The Director of Ethics will assign an Investigative Team and commission a Full Investigation to handle the Complaint.
 - (ii)** The Ethics Investigator may make a Finding that the Complaint is to be dismissed without prejudice. This will be provided, along with the reasons for the Finding, to the Director of Ethics. After review, the Director of Ethics may affirm the Finding, or direct other investigative steps, as appropriate, to further the investigation into the violations alleged.

- (D)** Full Investigation

 - (a)** An Investigative Team will, when warranted, be assigned to handle the Complaint. The team may conduct interviews, request the production of, and review supporting evidence, and present a Report of Findings to the Director of Ethics.
 - (b)** Notification of Member: If a Full Investigation is warranted, concurrently with the assignment of an Investigative Team, notification will be made to the Accused Member that IACIS is conducting a Full Investigation into alleged violations of the policy. The purpose of a notification is to ensure the member knows they are under investigation and to ensure the Ethics Committee and Board of Directors can confirm the member knows they are under investigation. The notification will request that the member acknowledge the notification. Such notification will take the form of an official letter from the Director of Ethics (or designee). It will be attached to an email or sent by Registered U.S. Mail by the IACIS Secretary (or designee).

 - (i)** Where possible, care will be taken to ensure the notification letter is received by the Accused Member by the most discrete method possible. Where available, email address will be utilized for delivery ahead of physical addresses. Personal addresses will be utilized ahead of employer addresses.

- (ii) Notification may be delayed for up to 90 days (renewable) if requested by an outside investigative body where notification would jeopardize their investigation.
 - (iii) If there is reason for the Ethics Committee to believe a violation of criminal law has occurred in any jurisdiction as a result of the members action, the member shall not be notified of the Full Investigation. A report will be made by the Director of Ethics to the appropriate law enforcement agency, and the Board of Directors will be notified. Any information collected in reference to the possible criminal allegation will be furnished to the appropriate law enforcement agency immediately. It should be noted that Subsection **VI(G)** only applies to internal Affairs Complaints, and Civil actions.
 - (c) The Full Investigation will be conducted discretely, preserving, to the extent possible, the confidentiality of all aspects of the Full Investigation and its participants. No aspect of the Full Investigation will be discussed with anyone outside of the Investigative Team without direct authorization from the Director of Ethics.
 - (d) The Investigative Team will provide appropriate and timely updates on the Full Investigation to the Director of Ethics.
 - (e) The Director of Ethics will provide appropriate updates on the Full Investigation to the Chairman of the Board of Directors.
 - (f) A detailed accounting of the Full Investigation and any investigative notes not fully incorporated into the Report of Findings will be provided, along with the Investigative Team's Report of Findings, directly to the Director of Ethics.
- (E) Final Review – The Role of the Ethics Investigator.**
- (a) Upon the completion of a Full Investigation, the Ethics Investigator will submit the Report of Findings to the Director of Ethics.
 - (b) Only those details pertinent to the Finding will be included in the Summary Report.
 - (c) The Summary of Findings will not include recommendations for subsequent action.
- (F) Final Review – The Role of the Director of Ethics.**
- (a) Upon the completion of a Full Investigation, the Director of Ethics will review the investigative notes and Report of Findings provided by the Investigative Team.

- (b) The Director will prepare a Recommendations Summary for submission to the Chairman of the Board of Directors.
 - (c) Only those details pertinent to the Finding will be included in the Summary Report.
 - (d) The Report of Findings will not include any recommendations for subsequent action.
 - (e) The report or any documents pertinent to the incident will not be disclosed to anyone other than the Chairman of the Board of Directors, or in his/her absence, his/her designee. Under no circumstances will the Finding, recommendations, or disposition be communicated by anyone until resolved by the Board of Directors as further described in Section *VII* of this policy.
- (G) Cooperation with Law Enforcement Personnel or Other Entities with Statutory Authority**
- (a) Depending on the nature of the Complaint and/or the underlying details, the matter may result in an investigation by an entity with statutory authority (the third-party) such as a department's Internal Affairs or Office of Professional Responsibility.
 - (b) In these cases, proprietary IACIS documents may be released to the requesting third-party upon receipt of an official written request and a signed non-disclosure agreement. For the purpose of this section, proprietary IACIS documents do not include material submitted by a candidate involved in a certification program. However, excerpts of this material can be provided at the discretion of the Director of Ethics after consultation with the Director of Certification to substantiate a Complaint or a Finding, whilst protecting the confidentiality of the certification program. VI(G)(b)
 - (c) Upon receipt of a valid legal requirement (e.g., subpoena or search warrant), IACIS will release any requested material in its possession to the third-party.
 - (d) The Director of Ethics may, after notification to the Chairman of the Board of Directors, discuss the matter under Full Investigation with a representative of the third-party, in the most general terms possible, for the purpose of refining what material is needed by the third-party and to refine any written request under consideration.
 - (e) Upon receipt of a valid request as outlined above, the Director of Ethics will oversee the preparation of the material sought.
 - (f) Material provided pursuant to a valid request will be provided to the third-party via email at a verified email address provided by the third-party.



VII. FINAL DISPOSITION

- (A)** The Chairman of the Board of Directors will provide a copy of all available documentation to each of the current members of the Board of Directors.
- (B)** The Board of Directors will begin the deliberative phase to determine the disposition of the allegations and the Finding. The final disposition rendered in each case must be supported by a majority of the entire Board of Directors.
- (C)** In the event the matter under consideration is an alleged criminal conviction of an IACIS member, a certified exemplified copy of the journal entry of conviction and sentence, or in the case of a court outside the United States of America, the equivalent proof of conviction and sentencing shall constitute sufficient evidence upon which the Board of Directors may take administrative and/or disciplinary action up to and including dismissal of the member.
- (D)** Once final action has been taken on the allegations, if any, by the Board of Directors, the complainant will be notified of the disposition of the Complaint. In the event of an anonymous Complaint, no notification will be sent.
- (E)** Once final action, if any, has been taken by the Board of Directors, the Accused Member will be notified. Such notification will take the form of an official letter from the President. It will be attached to an email or sent by Registered U.S. Mail by the IACIS Secretary (or designee).
- (F)** Each quarter, a report entitled Quarterly Ethics Report will be published for membership review in the 'members only' area of the website. The report will serve to inform the membership that the Ethics Committee is striving to uphold the integrity of the association. The report shall include an entry for each Complaint which has had an open status during the quarter or which has been closed during the quarter.
 - (a)** The following content will be included for each Complaint in the report:
 - (b)** Status: open or closed.
 - (c)** Nature of the violation.
 - (d)** Brief synopsis of what investigative steps occurred. The content to be decided upon by the Director of Ethics (or designee).
 - (e)** If closed, the Finding and consequences. VII(F)



The report shall not include the following content:

- (f) The name of the complainant.
- (g) The name of any accused member.
- (h) Investigation specifics, evidence, processes and methodologies.

VIII. THE APPEAL PROCESS

- (A) Pursuant to an investigation by the Ethics Committee, the subject of a sustained violation (Subject) of the policies may appeal the Finding of the Ethics Committee, subject to the following conditions:
 - (a) Only the Subject can file an appeal against a Finding.
 - (b) Only a Finding of a sustained violation can be appealed. Action taken as a result of the sustained violation cannot be appealed.
 - (c) The appeal must be supported by evidence possessed by the Subject.
 - (d) The evidence in question:
 - (i) Must be pertinent and/or compelling evidence that would mitigate the Finding of the Ethics Committee.
 - (ii) Has not previously been made known to, or considered by, the Ethics Committee.
 - (iii) Must be provided to the Chairman of the Board of Directors in written form no later than thirty (30) calendar days from the date the Subject that the violation was sustained.
- (B) The Chairman of the Board of Directors will provide the information to the Executive Committee.
- (C) The Executive Committee will review evidence submitted in support of the appeal and render one of the following decisions:
 - (a) Confirmation of the original Finding.
 - (b) Matter returned to the Ethics Committee for further investigation.
- (D) There must be a majority decision by the Executive Committee to return the matter to the Ethics Committee.



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- (E) In those instances where the Executive Committee determines that further investigation is warranted, the investigation will be returned to the Ethics Committee for follow-up investigation based on the new evidence.
- (F) The Executive Committee determination sustaining the original Finding is final and no additional action will take place.
- (G) The Chairman of the Board of Directors (or designee) will notify the Subject of the outcome of their appeal.
- (H) When a certificate holder's certification is suspended or revoked, the certificate holder will return any unexpired certificates to IACIS.

IX. RECORDS

- (A) All records related to a Complaint – including the original Complaint, emails, committee reports, and Investigative Team documents – will be archived by the Director of Ethics (or designee) and provided to the IACIS Secretary to be securely stored in accordance with the Records Retention Policy. Except as provided for in IACIS’ By-Laws, only the Chairman of the Board of Directors may authorize someone to access the archived records of an ethics Complaint. (Nothing in this document precludes the production of any documents previously outlined upon proper legal service to IACIS by a United States court of competent jurisdiction.)

X. PREVIOUS POLICES

- (A) This policy supersedes all previous policies regarding ethics or professional standards. Specifically, this policy, in its entirety, shall replace the following IACIS policies by reference to name and date (printed within the document or metadata in the file).

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| Submitted by: | Erin Mitchell |
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