

INVESTIGATIONS
FOR
PARTICIPANTS IN
PUBLIC-POLICY
DISPUTES

The Mintz Group has developed substantial expertise in conducting investigations for clients in public-policy disputes before regulatory and legislative bodies, as well as in the larger public arena. Our clients have ranged from companies and trade associations to not-for-profits and labor unions. In addition, we gather information on behalf of government agencies in a variety of contexts and also have worked on a pro-bono basis on significant public issues for not-for-profit clients.

We work in tandem with our client's communications advisors, lobbyists and attorneys to gather facts on their opponent's vulnerabilities and strengths. We are adept at staying out of the limelight while preparing our clients for media, Congressional or regulatory scrutiny.

Our public-policy practice is headed by James Rowe, managing partner, and Christopher Weil, partner and director of public policy investigations, in our Washington, DC office. In addition to his background as an investigator – starting in 1974 on the Senate Watergate Committee – Rowe headed public affairs at Harvard University, ran NBC's corporate offices in Washington, served as a chief counsel in the U.S. House of Representatives and was a litigator at a New York law firm. Prior to working for the Mintz Group, Weil worked for a number of labor unions and labor coalitions focusing on corporate accountability.

We have a number of staff – including former investigative reporters – with experience developing evidence on complex issues and unearthing relevant information in the public arena.

Typical Assignments During Public-Policy Disputes

Our public-policy investigations have been conducted in local and federal capitals the world over. On a strategic level, we are particularly experienced at developing evidence to support our clients' policy claims, exposing weaknesses of opponents and preparing our clients for public hearings.

Our investigative assignments have included:

- Uncovering the secret funding and support provided to front groups by our client's opposition;
- Tracing financial ties between seemingly unrelated opponents and their collaborators;
- Finding evidence of possible favoritism by government or legislative bodies towards opponents in contracting awards or legislative decisions;
- Raising questions about the validity of claims put forward by opponents and identifying the real authors of the opposition's advocacy materials;
- Compiling demonstrable evidence of an opponent's misconduct that can impeach their public credibility or be brought to law enforcement or relevant industry regulators.



How We Work

We are experts at gathering facts in ways that don't leave footprints and don't make waves.

Because the reputations of our clients may depend on the facts we gather, we recognize the importance of accuracy and attention to detail, and our responsibility to maintain the highest professional and ethical standards. We believe that thorough investigations can and should be conducted in ways that do not invade anyone's privacy.

We start by quietly following the paper trails and digital records that business people leave behind and identify knowledgeable third parties for possible follow-up interviews by consultants or us. When we uncover facts or allegations about an opponent's history, reputation or character in our preliminary reports, we follow up discreetly and carefully.

Our clients maintain control of both the investigation and its cost by paying fixed fees for agreed-upon work.

Forensic Web Analysis

In a number of our public-policy investigations, the Mintz Group has identified the backers of opposition groups through analysis of the groups' websites and Internet activity, including postings on blogs and user groups. Our office in Zurich has developed proprietary techniques to forensically analyze websites and obtain all available digital data. In one case, based on our forensic review of an advocacy website, we learned that it was organized by a Washington lobbyist representing our client's direct competitor. Based on data buried in documents on the website, we determined that an employee of the competitor was actively involved in the management of the site, which was actually hosted on the same Internet server as the employee's family websites.

Self Due-Diligence

We routinely conduct self due-diligence research for clients to identify and anticipate potential exposures that may be used by opponents. Working closely with our client's legal and crisis-communications teams, we can formulate a variety of scenarios that may occur as a fight or crisis escalates in order to test our own side's vulnerabilities and preparedness.

Work for Government Agencies

The Mintz Group was chief investigator for the Connecticut legislative committee that considered the impeachment of Governor John Rowland. Our investigators testified for days at televised hearings, during one of which Rowland resigned. The Mintz Group has worked on behalf of New York City and other cities on the issue of how handguns are distributed, sold and get into the hands of criminals. Our undercover purchases in this investigation helped New York City file a lawsuit against 27 gun dealers that resulted in agreements by the majority of the dealers to change their sales practices and be subject to monitorship. We also were the only U.S.-based investigative firm selected for a multi-year contract to provide due-diligence investigative services to the World Bank's Department of Institutional Integrity (INT).

Pro Bono Matters

The Mintz Group is proud to have conducted important pro-bono investigations for several not-for-profit groups. Our pro bono work has included investigations for the Center for Justice and Accountability to develop lawsuits against human-rights abusers from abroad who end up in the United States and for the Human Rights Watch regarding alleged human rights abuses.

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