

Dawn Raid

DEFINE A CLEAR, DEFENSIBLE, AND PRECISE APPROACH TO FUTURE DAWN RAIDS

Proactive Approach

Equip relevant personnel with skills needed to adequately respond to regulators during a raid

Fully Compliant

Ensure information is collected in a way that meets the regulator's request timely and efficiently

Detailed Documentation

Know precisely what was provided to regulators so that an internal investigation can ensue

Controlled Process

Learn how to control the flow of information internally and externally to manage risk holistically

A dawn raid is an inspection, investigation, and/or seizure of information, documents, and other material by law enforcement with little to no advanced warning, often in the early morning or late at night outside of business hours. The element of surprise is a central theme of a raid, usually due to concern that the target will hide or destroy evidence, or resist and avoid arrest. Dawn raids present significant legal, regulatory, and business risk for corporations – much of which can be avoided with advance preparation.

Challenges We Address

There is a wide range of common challenges for stakeholders when it comes to dawn raids. These include the following:

- **Limited role clarity** — Often, roles and responsibilities are not clear prior to a raid, and, therefore, staff can become confused and sometimes even fearful.
- **No set direction** — When regulators see that staff do not have or are not following a process, they typically default to a “take everything” approach, often times seizing servers and disrupting business continuity.
- **Finite experience** — Regulators quickly lose confidence in the process if staff do not know how to get the right information to the regulator.
- **Data collection** — Staff often encounter difficulty identifying and exporting data, which can frustrate the regulator and result in confusion about what to produce and how.
- **Little or no tracking** — Staff do not always track what was provided to the regulator, making it difficult after the raid to replicate what was collected and duplicate the investigation.
- **Lack of messaging** — Absent a clear command of internal messaging, staff will rapidly disseminate information about the raid. Sometimes this misinformation can result in significant reputational harm, including a loss of investor confidence. In other cases, it can lead to subsequent investigations or even raids by other regulators.
- **Lack of control** — Staff and outside counsel are not well positioned to mitigate risk because there are so many moving parts and extreme time constraints.

Benefits We Provide

Having a clear dawn raid strategy enables companies to respond in an efficient and timely manner through an intentional and measured approach. Lighthouse's **Dawn Raid** offering includes three components: planning, response, and ongoing support services. Here is what those components include:

Planning — Lighthouse's team of experts will run technology assessments based on likely raid scenarios to evaluate whether existing tools can meet the needs of an inspection. Lighthouse will also review current dawn raid policies and procedures (including internal workflows for responding to a raid) to ensure they comport with legal and regulatory requirements, and, to the extent required, recommend changes. Once implemented, Lighthouse will conduct mock raids to ensure internal teams are adequately prepared and educated on the revised policy and process.

Response — Lighthouse is available to provide subject matter expertise on strategies for responding to the inspection, including the best collection methods for urgent demands and timelines. In addition, Lighthouse can support on-site and remote collections, as required. Once collected, data will either be produced to the regulator or analyzed as part of a parallel investigation.

Support — Lighthouse offers post-raid ediscovery support for internal investigations that run in parallel. In addition, we will help run compliance checks, audits, and set establish new controls to address predicate risk that led to the raid.

Summary

Dawn raids present unique challenges, not only because of the element of surprise, but also because of the different approaches by law enforcement, regulators, and across industries. Being unprepared can present significant legal and regulatory risk to the matter at hand, and, in some cases, the viability of the company. Rely on Lighthouse to help define a clear, defensible, and precise approach to future dawn raids.

About Lighthouse

Lighthouse simplifies the complexities of ediscovery and information governance by the use of our intuitive technology solutions and comprehensive service offerings. Through our best-in-class expertise, Lighthouse stands apart as a leader in industry best practices and workflows. Our proactive, high-touch approach has enabled us to build enduring partnerships with the most respected corporations and law firms around the globe. For more information, visit lighthouseglobal.com.

Contact us to find out what Lighthouse can do for your business.

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