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Fake Text Messages in Workplace Investigations — Why Misconduct Cases Now Need Digital Forensics

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[Tracey E. Diamond](#)

[Tracey E. Diamond](#), a partner in Troutman Pepper Locke's [Labor + Employment](#) Practice Group, was quoted in the July 28, 2026, *Forbes* article, "[Fake Text Messages in Workplace Investigations — Why Misconduct Cases Now Need Digital Forensics](#)." The article also appeared in *Yahoo Tech*.

In a recent interview with Human Resources Director, Tracey Diamond, a labor and employment partner at Troutman Pepper Locke, called workplace deepfakes "a continuation of the old version of employees lying," with employees now "creating evidence to further their lies." She told the outlet she has already handled an investigation involving falsified communications. Her advice for a suspect message: "checking the employee's phone as well as the alleged harasser's phone to see if the messages are on both phones, checking the deleted files, performing forensics. Do the best they can to corroborate the story."

An employment lawyer is describing device-level digital forensics work as the standard for a category of dispute that, through most of its history, would not elevate to the level of forensic examination. This changes the dynamics of employee wrongdoing cases, and the costs.

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Employers sit in the middle of the squeeze. Diamond's reminder in the same interview is that they owe a prompt and thorough investigation whenever a policy or a law may have been violated. The obligation has not changed. The evidence underneath it has. Act on a fabricated message and someone was disciplined for words they never wrote. Treat every message as possibly fake and do nothing, and real misconduct continues with a technical excuse attached.

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