

## 28<sup>th</sup> Annual NAPSA Conference

# Interviewing Alleged Perpetrators of Abuse

Candace Heisler, Presenter

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## Acknowledgements

Some of the content used in this Workshop is based on materials in NAPSA Core Competency, Module 11, Caregiver Neglect, and Module 16, The Initial Investigation.

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## Some Goals of Interviewing

- Obtain A/P's account of events
- Assess A/P's capabilities, credibility, and motives
- Compare A/P's account to those of client/collaterals
- Identify alternative explanations for events
- Determine appropriate services to offer
- Fairness and due process
- Agency and legal requirements

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### **Always** Consider Client Safety

- Safety paramount
- Should you interview at all?
- Do not interview client and A/P together
- Do not disclose information provided by client or collaterals associated with the client or A/P
  - The investigation reveals...
  - The police report indicates...
  - Records suggest...
- Maintain client confidentiality

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### Your Role

- You are APS, not law enforcement or an agent of law enforcement
  - You conduct interviews; conversation with a purpose
  - You do not conduct interrogations; an accusatory interview typically conducted by law enforcement once a person is suspected of a crime or other misconduct
- **Your goal is to get a statement of what happened not a confession to a crime**

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### If Criminal Conduct is Suspected

- To avoid compromising the criminal investigation,
  - Coordinate with LE timing of APS interview
    - In some/ cases no APS interview a
    - In others. may follow a LE investigation

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## Overview: Planning the Interview

- Interview client and collaterals first--you may only have one chance to talk with the A/P
- Consider the setting of the interview
  - Your office, the home the client and A/P share, other
- Plan
  - How to build trust and rapport, questions to be covered, how deal with volatility or danger

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## Case Study

- Your client relies on daughter (Doris) for overnight care as Doris works during the day. Doris and her daughter, Tammy, live with client. Tammy provides care to client when Doris at work.
- Evidence and interviews to date establish that Doris has brought client to ER twice in a month with bruises to her face and chest. Client says Tammy hurts her. Monthly social security checks are missing and appear to have been cashed at a neighborhood liquor store by Tammy and an unknown male.
- Client does not want anything done as she has no one else to care for her while Doris is at work. She knows that Tammy has had a hard life, is unemployed, and is trying to get back on her feet.

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## Considerations for Interview Setting

### Your Office

- Other staff nearby
- Alarm systems
- Professional setting
- Your turf
- A/P will feel less in control
- You can retrieve items you may need during interview

### A/P's Home with Victim

- A/P's turf and tactical advantage
- You do not know layout or sources of danger
- Not know location and types of weapons, animals
- You may be alone
- You do not know who else will be in the home

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## Anticipate Safety Concerns

- Yours
- Client
- Determine who else is in the house
- Make sure others cannot hear the conversation
- Avoid interviewing in the kitchen
- Have an escape route planned
- Have animals removed
- Space between yourself and the A/P (width of a table; coffee table, etc.)
- Nothing between yourself and the door

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## Obstacles

- Can shut the A/P down
  - Will discourage cooperation and forthrightness
  - Make your job harder
  - May increase danger for client
- **What can you do or say to encourage the A/P to share information?**

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## Encouraging the A/P

- My name and role is...
- I am not the police...
- I am here to figure out what may have been happening...
- I may be able to help you and your family...
- You have valuable information to provide to help me better understand the situation...

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### Setting a Professional Tone

- Describe your relevant job responsibilities and legal authority
  - Most people have no idea what APS is or does
- Get and keep A/P focused on purpose of the interview—get his/her side of situation
- If you cannot legally answer a question, say so
  - State law prohibits me from discussing who made the report; who I have spoken with already
- Refocus A/P on purpose of the interview and importance of A/P’s account

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### Rapport Building

- Will you build rapport with Tammy? Why?
- How will you build rapport with Tammy?
- Examples of rapport building questions you developed earlier.

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### Rapport Building

- Purpose
  - Gain trust and create an environment for sharing information
  - Assess A/P’s communication style, educational level, and life capacities

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## Rapport Building

- Time well spent—investment in the interview and the case
- Explore
  - Interests and hobbies, military service, family
  - Plans for future
  - If retired, how spends time, his/her job, what s/he did, what was important to him/her about work
  - What s/he does, what gives A/P pleasure

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## Keeping the Interview Going

- **Active Listening**
  - Minimal Encouragers
  - Open Ended Questions
  - Mirroring/Reflecting
  - Emotion Labeling
  - Paraphrasing
  - “I” Messages
  - Effective Pauses
  - Summarizing

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## Types of Questions

- Open ended to get narrative responses
  - Yes-no questions close off answers
  - Open ended may help keep A/P calm and de-escalate anger
  - Encourages providing more information
- Specific Closed questions
  - To clarify prior answers “Who was there. Who said that? Where were you standing”
- Forced Choice Closed questions
  - May not provide the right choices—“was the light red or green”

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## Keeping the Interview Going

- Frame questions in neutral, objective language
- Remain neutral, maintain consistent body language and facial expressions
- Do not confront denials
- Do not offer judgments about the A/P's conduct
- Watch for general statements that may be "coded" responses and probe for more. "Can you give me an example?" Make sure your questions are really answered.

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## Creating an Environment for Disclosure

- I'm sorry this has happened. Can you tell me what happened?
- What does "V" expect you to do for her/him?
  - Have you had any concerns with what you have to do to help your parent? What tasks?
  - What happens when you feel overwhelmed? What could help you when you feel overwhelmed?
- Identify with the A/P's needs
  - Caring for an older person can be really difficult. What things do you find hardest to do?

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## Creating an Environment for Disclosure

- Ask about what triggered the event
  - When did this all start?
  - What caused it to happen?
- Be empathetic
  - You feel that you cannot do it all. What tasks are you just unable to manage?
- Offer support
  - You may need some help. What would be most helpful to you?

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## Keeping the Interview Going

- Maintain control of the interview; be aware of efforts to distract, misdirect, or take over the interview
  - Many abusers appear likeable, sympathetic
  - You may like the A/P more than the client
- Do not collude with bad behavior
  - Wow, I see what you mean. We all have breaking points. I'd have hit her too.
  - I understand. You had no money, your mom has all she needs and more. When she didn't give you money when you asked, I see why you had to take it

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## Keeping the Interview Going

- Do not label the A/P as an abuser or other "charged" term. Instead stay focused on the behavior, not the person.
- Some A/Ps will push your buttons
- Keep yourself in check
- **What techniques does the interviewer use to gain information and keep Evelyn talking?**

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## Discussion

- What techniques does the interviewer use to gain information and keep Evelyn talking?
- What about the interview in Norman's presence?

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### Returning to Your Interview with Tammy...

- During your interview Tammy becomes angry and verbally aggressive, she says you are just out to get her, and this is all rigged to trap her into saying something that is untrue.
- What techniques will you use to address her volatility?

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### Addressing Volatility

- Take control firmly and immediately. Do not raise your voice.
  - “Please sit down and lower your voice”
- Maintain your neutrality and attempt to create and maintain an atmosphere of calm and reason
- Refocus on purpose of interview and importance of gaining the A/P’s perspective

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### Addressing Volatility

- Do not ask questions that assume guilt
- If unsuccessful, take a short break or end the interview
- Leave if you feel unsafe
- If you are concerned for your own safety or your client’s, leave and call LE for help

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## Documenting the Interview

- Take thorough notes while maintaining eye contact with the A/P
- Tell A/P that you are taking notes and reasons
- Complete, exact quotes, neutral and objective
- Avoid unnecessary conclusions and labeling
- Describe demeanor (behaviors) not your reactions to them
  - Think about how the interview notes may be used

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## Ending the Interview

- Is there anything I did not ask that you want me to know?
- Leave door open for future interviews
  - You or someone else may need to interview this person in the future
- Prepare for cooperative problem solving and/or offer of services
- Thank the person for participating
- Promote victim safety by ending on professional terms

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## Final Words...

- Interviewing A/Ps is challenging
- Practice helps
- Watch co-workers
- Develop your own style



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## Questions?

- Thank You!

Candace Heisler  
 cjheisler@aol.com

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