

Tips for Interviewing Alleged Perpetrators

2020 NAPS Conference

Candace Heisler

© HEISLER TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

1

Acknowledgements

- Some of the content used in this Workshop is drawn from NAPS's Academy for Professional Excellence Curriculum "Enhancing Your Investigative Skills: Interviewing Alleged Perpetrators—A Virtual Course"
- It will be available at <https://theacademy.sdsu.edu/programs/apswi/advanced-training/enhancing-your-investigative-skills-interviewing-alleged-perpetrators> early in 2021
- The **Tip Sheet** is available at <https://theacademy.sdsu.edu/wp-content/uploads/2020/07/Interviewing-AP-Tip-Sheet-FINAL-june-2020.pdf>
- The presenter developed these materials.

© HEISLER TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

2

Role of APS When Interviewing A/Ps

- APS' role is not to get a confession but to have a conversation with a purpose, not to establish guilt for a crime
- 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 assess the A/Ps willingness and appropriateness to continue to play a role in the client's life and to assure your client's safety
- "Stay in your lane"

© HEISLER TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

3

If Criminal Conduct is Suspected --APS

- To avoid compromising the criminal investigation, APS should coordinate the timing of APS interview with LE
 - In some cases may not do an APS interview
 - In others may follow a LE investigation or go first
- Law Enforcement
 - Who does the suspect interview?
 - What is the timing of the suspect interview?
 - How do you coordinate with APS?

© HUSKIE TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

Safety First

Part of planning and conducting the A/P interview is evaluating whether it is safe to do so

- For you
- For your client

Safety paramount

© HUSKIE TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

The Basics ...Victim and Personal Safety

- Do not interview victim and suspect together
- Maintain client/victim confidentiality
- Do not disclose information provided by client/victim or collaterals/witnesses associated with the client or suspect
 - The investigation reveals...
 - The police report indicates...
 - Records suggest...

© HUSKIE TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

Anticipate Dangers; Take Precautions

- Avoid Complacency—you may have been there before and all went well or assume that because A/P has always been cooperative today will be the same...
- Check location and known parties with LE and APS files before you respond
- Decide if you should make an announced or unannounced visit
- Consider where you should conduct the interview
- Should you take another APS professional or LE with you?

© HUSKIE TRAINING MATERIALS 2020. ALL RIGHTS RESERVED.

7

Anticipate Dangers; Take Precautions

- Tactical considerations/Precautions
 - Preprogramed phone to 911
 - Staff/office check in and check out procedures
 - Park where not be blocked in
 - Do not stand in front of the door
 - Have animals removed
 - Nothing between you and door. Plan an escape route.
 - Avoid places with known dangers- e.g., kitchen, workshop
 - Trust instincts—leave if not comfortable, call law enforcement

© HUSKIE TRAINING MATERIALS 2020. ALL RIGHTS RESERVED.

8

Understanding the A/P's Perspective

What does the A/P need from you if the A/P is to participate in the interview with you?

- Please write your ideas in the chat box.

© HUSKIE TRAINING MATERIALS 2020. ALL RIGHTS RESERVED.

9

Rapport Building

Be aware of Impediments to rapport building

- Biases (yours and the A/P)—cultural, ethnic, prior experiences, historical trauma, attitudes about abusers, views about government)
- Time
- Nature of the allegation
- Feelings about your client
- Explore —what do you think will happen now that I am involved? What have you been told? Do you have questions as we get started?

© HHS/LEA TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

13

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”

© HHS/LEA TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

14

Asking Questions

- Frame questions in neutral, objective language
 - Do not ask questions that assume guilt
- Remain neutral, maintain consistent body language and facial expressions
- Do not offer judgments about the A/P’s conduct or the A/P
- 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.

© HHS/LEA TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

15

Keep the Interview Going

- **Do not collude (or appear to 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.
- Do not label the A/P as an abuser or other "charged" term. Instead stay focused on the behavior, not the person.

© HHS/LEA TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

16

Write In Chat Box

How do handle situations in which A/Ps lose their temper or otherwise becomes volatile?

© HHS/LEA TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

17

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
- Offer possibility of providing help to them.
- Change the line of questioning and move to less upsetting subjects and then come back to what was upsetting.

© HHS/LEA TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

18

Documenting the Interview

- Take complete 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

© HEISLER TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

19

References And Resources

"Responding to Late Life Domestic Violence," MA Executive Office of Elder Affairs

Holly Ramsey-Klawnsnik (2005) "Interviewing Alleged Perpetrators," Victimization of the Elderly and Disabled, Vol 7(5), 65, 77-79

© HEISLER TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

20

References And Resources-2

Brandl, B. and Heisler, C. (2002) "Safety Planning for Professionals Working with Elderly Clients Who Are Victims of Abuse," Victimization of the Elderly and Disabled, 4(5), 65

Brandl, B. and Heisler, C. (2002) "Agency Policy Considerations and Training Issues for Victim and Worker Safety," Victimization of the Elderly and Disabled, 5(1), 1

© HEISLER TRAINING MATERIALS, 2020. ALL RIGHTS RESERVED.

21

Questions?

Thank You!

Candace Heisler
cjheisler@aol.com
