

Tips for Interviewing Alleged Perpetrators

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Poll Question #1

Who is here?

- APS
- Criminal Justice Professionals
- Advocates
- Other

Poll Question #2

How many A/Ps have you interviewed?

None

1 to 10

11-24

Over 25

Acknowledgements

- Some of the content used in this Workshop is drawn from NAPSA'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-A-P-Tip-Sheet-FINAL-June-2020.pdf>
- The presenter developed these materials.

In This Workshop

- APS uses term “**client**”; LE uses term “**victim**”
- LE uses term “**suspect**”; APS uses term **A/P, A/A or S/A**.
- These terms will be used interchangeably in this session.

Poll Question #3

Which of these is NOT a goal of interviewing the A/P?

- Assess willingness to make changes in life
- Get a confession
- Problem solve
- Evaluate risk to client of continuing contact
- Get A/P's view of facts

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"

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?

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

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...

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?

Anticipate Dangers; Take Precautions

- Tactical considerations/Precautions
 - Pre-programmed 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

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.**

Creating an Environment for Candor

Build trust with A/P—

- Must think that you are interested in what they are saying, are neutral and objective, empathetic
- Must believe that what they have to say is important and will be fairly considered
- Honesty
 - Who you are
 - Why you are there

Poll Question #4

Do you carefully pre-plan your interview or do you find you can “just do it”?

- Pre-plan carefully
- Have a few ideas
- “Just do it”

The Concerns

One chance...

What if you forget something important?

Organizing the Interview

Need a clear plan to the interview

Ordinarily interview late in the fact gathering stage—one opportunity, may not be others to go back and clarify

Get the facts before moving to problem solving and education

See Tip Sheet in handout materials

Interviewing A/P Tip Sheet

TIP SHEET

Interviewing Alleged Perpetrators



This tip sheet suggests a way to structure your interview with an alleged perpetrator (A/P). Examples are provided to spark ideas. However, it is important to take the examples and make them your own based on the situation, your interview style, and APS program policies.



Safety must be considered during intake, when first initiating interview and throughout the entire interview.

Pre-Interview	Examples
<p>Is it safe to conduct the interview?</p> <ul style="list-style-type: none"> Consider safety for yourself and your client. If unsafe (environment, infectious diseases, violence), do not enter. <p>Should you bring someone with you?</p> <p>Screen for anyone in home being ill, exposure to communicable diseases.</p> <p>If at any point you feel unsafe, EXIT, and call Supervisor.</p>	<p>Weapons—location, any in area of interview</p> <p>Animals—assume any can be dangerous</p> <p>"Does anyone in the home have or recently had a fever?"</p> <p>Who else is present at location?</p> <p>Identify safe exit should you need to leave quickly.</p>
<p>If conducting a phone or virtual interview, additional safety considerations:</p> <ul style="list-style-type: none"> Are you using a personal phone, computer or other device? Is your number blocked on A/P's display or call back list? Can you be located by the A/P? Consider consulting with your IT department to ensure that your device is protected from malware. Is anyone other than the A/P listening? How do you know that you are speaking with the A/P? 	
Introductions	Examples
<ul style="list-style-type: none"> Title/Agency Cultural Considerations—e.g., is eye contact appropriate? Is shaking hands appropriate? Getting in the door. Wear or display badge/ID. 	<p>"Thanks for answering. I'm Jason with Adult Services."</p> <p>"Could we talk about your (mom, dad, grandma, etc)?"</p> <p>"I'm a Social Worker with the County."</p> <p>"I'm from Aging and Adult Services."</p>
Spend Time to Build Rapport	
<p>Have a conversation, not an interrogation.</p> <p>Create an environment for disclosure.</p> <p>Demonstrate respect for their time.</p>	<p>Acknowledge décor, pictures, etc. in environment.</p> <p>"Thank you for taking time to talk to me."</p> <p>"Tell me about yourself..." (job, military, interests)</p> <p>"What do you enjoy doing?"</p>
Explanation of Events: One Allegation/Subject at a Time	
<p>Let A/P narrate.</p> <p>Open ended questions.</p> <p>Discuss one allegation at a time — ask directly.</p> <p>Make sure that your questions are answered and not deflected.</p>	<p>"We received a report about some concerns regarding your Mom's health (safety, finances)."</p> <p>"I was hoping you could tell me more about..."</p> <p>"I would really like to hear from you and get your perspective on what has been happening."</p> <p>"Help me understand how your dad got that bruise?"</p> <p>"Perhaps my question was not clear," then repeat the question that was not answered.</p> <p>"Thank you for that information. Can you tell me..."? and repeat the question that was not answered.</p>

Clarifying Questions

Only after getting the explanation of events, go back to ask clarifying questions.

By topic or events.

Existence of collaterals or information/evidence supporting the account.

Explore justifications and defenses.

"Do I correctly understand that (repeat what you have been told)?"

"If I heard you correctly, you said that he called you a name, and you became angry. What is the next thing that you did?"

"Do you have a copy of the POA/contract/form you described?"

"Have you shared what happened with anyone else?"

Educate if Appropriate

Describe relevant laws or rules/regulations.

"What appears to have occurred/what you have told me may be considered elder abuse/neglect, exploitation."

"When you left your dad alone overnight instead of staying with him, that may be considered neglect."

"How else could you have responded to this situation?"

Remain objective and neutral as you educate-- do not label the person.

Engage in Problem Solving as Appropriate

Resources for A/P

"How could we prevent (bed sores, being delinquent in the rent payment, etc.)?"

"Would you be interested in getting additional support caring for your mother?"

"How would you feel about getting support for yourself around your substance use/gambling/mental health challenges?"

"What are you comfortable doing?"

Wrapping Up the Interview

Ask if there is anything else the person wants to tell you.

Thank the person for their time and for being willing to speak with you.

- If you know what happens next, inform them if appropriate and safe to do so.
- Keep the door to further interaction open—consider if you may want to invite the person to contact you if additional information comes to mind.
- Attempt to end on a conversational note.

"What else would you like to tell me that we didn't cover?"

"Is there anything else you want me to know?"

"Is there anything I did not know to ask you?"

"Thank you for speaking with me today. I really value your perspective in helping me understand the situation better."

"Do you have any questions for me?"

"If you remember anything else or have questions, please call me."

If asked, provide a brief summary of what happens next.

"I'm going to go back to my office and mail you the resources we talked about."

Post Interview

Document the interview.

As close in time to interview as possible so memory is clear and fresh.



Inquire. Inspire. Impact.

Developed by Candace Heisler, JD in collaboration with Southern CA APS Curriculum Advisory Committee and NAPSA Education Committee- June 2020

For more information about APSWI and/or this tip sheet, contact us at apstraining@sdsu.edu

Or visit our website at: theacademy.sdsu.edu/apswi

Tip Sheet - 2

Introductions

- Title/Agency

Examples

"Thanks for answering, I'm Jason with Adult Services."

Spend Time to Build Rapport

Explanation of Events: One Allegation/Subject at a Time

Let A/P narrate.

Open ended questions.

Discuss one allegation at a time – ask directly.

Make sure that your questions are answered and not deflected.

"We received a report about some concerns regarding your Mom's health (safety, finances)."

"I was hoping you could tell me more about...."

"I would really like to hear from you and get your perspective on what has been happening."

"Help me understand how your dad got that bruise?"

"Perhaps my question was not clear," then repeat the question that was not answered.

"Thank you for that information. Can you tell me...?" and repeat the question that was not answered.

Tip Sheet - 3

Introductions

- Title/Agency

Examples

"Thanks for answering, I'm Jason with Adult Services."

Spend Time to Build Rapport

Explanation of Events: One Allegation/Subject at a Time

Let A/P narrate.

Open ended questions.

Discuss one allegation at a time – ask directly.

Make sure that your questions are answered and not deflected.

"We received a report about some concerns regarding your Mom's health (safety, finances)."

"I was hoping you could tell me more about...."

"I would really like to hear from you and get your perspective on what has been happening."

"Help me understand how your dad got that bruise?"

"Perhaps my question was not clear," then repeat the question that was not answered.

"Thank you for that information. Can you tell me...?" and repeat the question that was not answered.

Tip Sheet- 4

Educate if Appropriate

Describe relevant laws or rules/regulations

"What appears to have occurred/what you have told me

Wrapping Up the Interview

Ask if there is anything else the person wants to tell you.
Thank the person for their time and for being willing to speak with you.

- If you know what happens next, inform them if appropriate and safe to do so.
- Keep the door to further interaction open—consider if you may want to invite the person to contact you if additional information comes to mind.

"What else would you like to tell me that we didn't cover?"

"Is there anything else you want me to know?"

"Is there anything I did not know to ask you?"

"Thank you for speaking with me today. I really value your perspective in helping me understand the situation better."

"Do you have any other questions?"

Post Interview

Document the interview.

As close in time to interview as possible so memory is clear and fresh.

A Few (Random) Thoughts About Conducting Your A/P Interview...

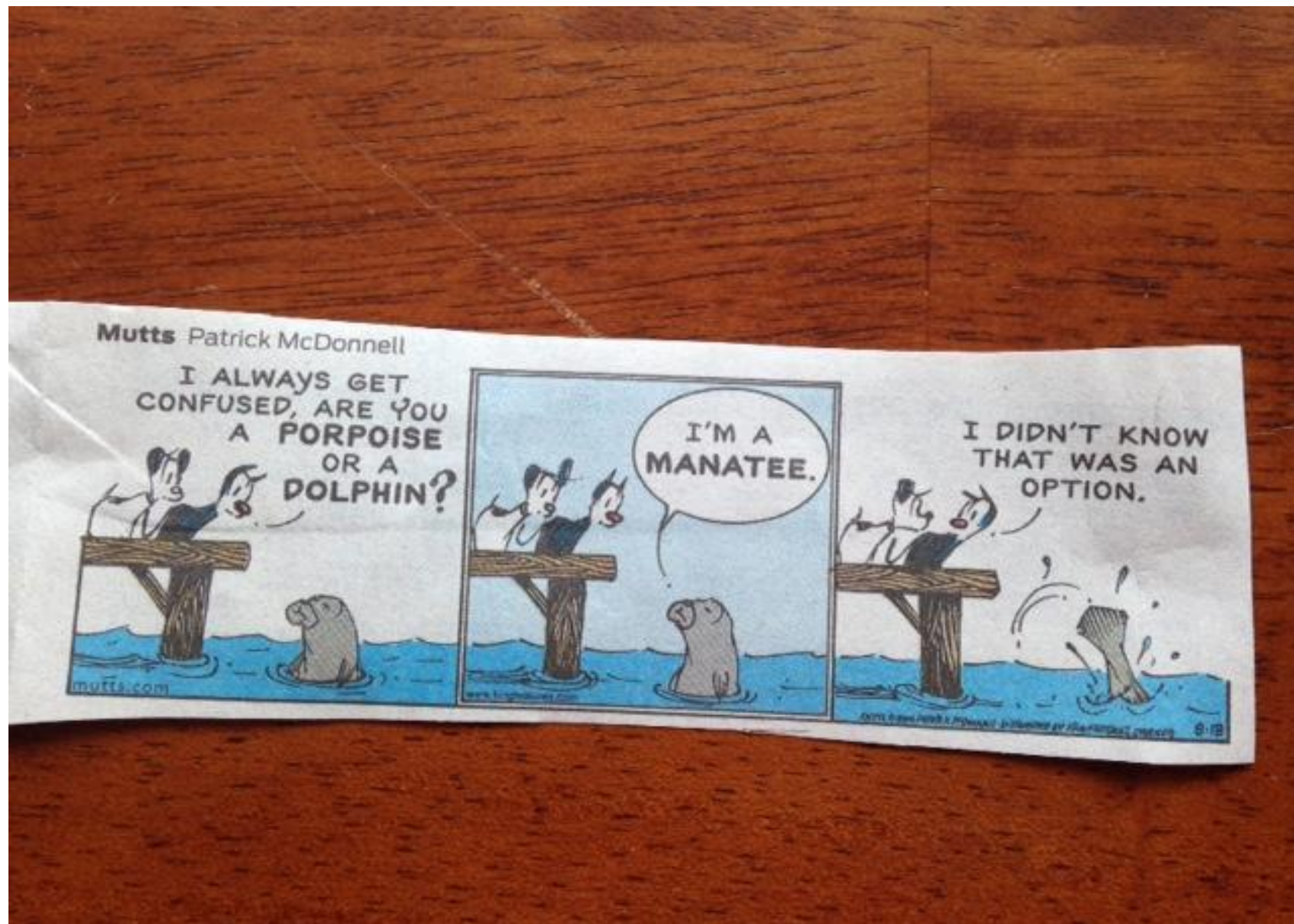
Rapport Building

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?

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”



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.

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.

Write In Chat Box

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

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.

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

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

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

Questions?

Thank You!

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