

# Tips for Interviewing Alleged Perpetrators

## *The Why, The When, and The How*

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# Poll Question #1

## Who is here?

- APS
- Criminal Justice Professionals
- Victim Advocates
- Licensing agencies
- Other

# Acknowledgements

- ▶ Some of the content in this Workshop is drawn from Academy for Professional Excellence, APS Workforce Innovations curricula:
  - **“Enhancing Your Investigative Skills: Interviewing Alleged Perpetrators Multi-Module VIRTUAL Training**
  - **“Enhancing Your Investigative Skills: Interviewing Alleged Perpetrators Instructor Led Training**
  - **“Interviewing Alleged Perpetrator eLearning (in development)**
  - **Interviewing Alleged Perpetrator Tip Sheet and Quick Reference**
- ▶ All materials are available at <https://theacademy.sdsu.edu/programs/apswi/advanced-training/>

# Overview of Session

- ▶ Goals of interviewing A/Ps
- ▶ Safety Considerations
- ▶ Creating an Interviewing Environment
- ▶ Organizing the Interview
- ▶ Introduce the Tip Sheet Tool
- ▶ Keeping an A/P Interview Productive

# A Word About Terminology

- 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 #2

▶ **Do you regularly interview alleged perpetrators?**

- Yes
- No

**Write reasons in chat**

## Poll Question #3

### ▶ How many A/Ps have you interviewed?

- None
- 1 to 10
- 11-24
- Over 25

# Case Study--Parties

- ▶ Client is 75, male, widowed for 18 months
  - **Recently had a stroke resulting in left side weakness and mobility difficulties**
  - **Needs regular physical and occupational therapy to regain lost function and improve mobility**
  - **Cannot live independently without assistance**
- ▶ Son moved in to help client
  - **Recently lost his job during the pandemic**
  - **Client and son have had a difficult relationship for years**
  - **Son blames client's years of verbal abuse for causing his mother's recent death and for driving his sister away**



# Case Study – Client Interview

- ▶ **Says son is verbally abusive, yells at client constantly, and refuses to take him to therapy appointments as agreed**
  - Client says he only agreed to the arrangement to avoid having to move into a SNF during the COVID-19 pandemic
- ▶ **Says son does not buy the food his doctor recommended and has lost a lot of weight in the last month. Client is very thin**
- ▶ **Son stays up very late at night drinking and has failed on several occasions to help your client get to the bathroom to relieve himself. On one occasion son pushed client backwards causing client to hit his head on a wall**
- ▶ **Client is increasingly afraid of his son**

## Poll Question #4

- ▶ In this case study, assuming you would interview (or attempt to interview) the son, which of these would not be a goal of interviewing him?
  - 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

- **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
- **Is** to assess the A/Ps willingness and appropriateness to continue to play a role in your client's life and to assure your client's safety
  - “Stay in your lane”

# Safety First—Reflective Chat

- ▶ In the case study what dangers to safety should you anticipate?
- ▶ Type answers in chat but do not hit enter YET.

# 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 is paramount

# The Basics ...Victim and Personal Safety

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- Do not interview victim and suspect together
- Maintain client confidentiality
- Do not disclose information provided by client 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...
- Consider where you should conduct the interview
- Should you go alone or with someone
- Have animals removed
- Avoid places with known dangers- e.g., kitchen, workshop
- Trust instincts—leave if not comfortable, in extreme situations consider if you should 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 Interviewing Environment

- ▶ 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

# Consider Role of Culture and Biases

- ▶ Cultural humility
- ▶ Ask if you are uncertain
- ▶ If not considered, may raise barriers to the A/P interview
- ▶ Both you and the A/P bring biases and assumptions to the interview
  - Stereotyping
  - Misinterpreting actions such as eye contact or moving into personal space or touching
  - Attitudes about taking care of elders, distrust of government officials and/or services, etc.
- ▶ *Each previously mentioned curricula explores this but in different ways*

## Poll Question #5

- ▶ **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”

# Organizing the Interview

- ▶ Need a clear plan to the interview
- ▶ Ideally, 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 Perpetrator



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 what is applicable, 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"> <li>Consider safety for yourself and your client.</li> <li>If unsafe (environment, infectious diseases, violence), do not enter.</li> </ul> <p>Should you bring someone with you? Screen for anyone in home being ill, exposure to communicable diseases. <b>If at any point you feel unsafe, EXIT, and call Supervisor.</b></p>	<p>Weapons—location, any in area of interview Animals—assume any can be dangerous</p> <p>“Does anyone in the home have or recently had a fever?” Who else is present at location? 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"> <li>Are you using a personal phone, computer or other device? Is your number blocked on A/P’s display or call back list?</li> <li>Can you be located by the A/P?</li> <li>Consider consulting with your IT department to ensure that your device is protected from malware.</li> <li>Is anyone other than the A/P listening?</li> <li>How do you know that you are speaking with the A/P?</li> </ul>	
Introductions	Examples
<ul style="list-style-type: none"> <li>Title/Agency</li> <li>Cultural Considerations—e.g., is eye contact appropriate? Is shaking hands appropriate?</li> <li>Getting in the door.</li> <li>Wear or display badge/ID.</li> </ul>	<p>“Thanks for answering, I’m Jason with Adult Services.” “Could we talk about your (mom, dad, grandma, etc)?” “I’m a Social Worker with the County.” “I’m from Aging and Adult Services.”</p>
Spend time to build Rapport	
<p>Have a conversation, not an interrogation. Create an environment for disclosure. Demonstrate respect for their time.</p>	<p>Acknowledge décor, pictures, etc. in environment. “Thank you for taking time to talk to me.” “Tell me about yourself...” (job, military, interests) “What do you enjoy doing?”</p>
Explanation of Events: one allegation/subject at a time	
<p>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.</p>	<p>“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.</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.**

“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.”

- 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.

### Post Interview

Document the interview.

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



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](mailto:apstraining@sdsu.edu)

Or visit our website at: [theacademy.sdsu.edu/apswi](http://theacademy.sdsu.edu/apswi)

# Tip Sheet Sections

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## Introductions

- Title/Agency
- Cultural Considerations—e.g., is eye contact appropriate? Is shaking hands appropriate?

## Examples

“Thanks for answering, I’m Jason with Adult Services.”

“Could we talk about your (mom, dad, grandma, etc)?”

## Spend time to build Rapport

Have a conversation, not an interrogation.

Acknowledge décor, pictures, etc. in environment.

## Explanation of Events: one allegation/subject at a time

Let A/P narrate.

“We received a report about some concerns regarding your Mom’s health (safety, finances).”

Open ended questions.

“I was hoping you could tell me more about....”

Discuss one allegation at a time – ask directly.

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

Make sure that your questions are answered and not deflected.

“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 Sections Cont'

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## Clarifying Questions

### Wrapping Up the Interview

Only ask

End

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Res

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.

# Conducting the A/P Interview...A Few Thoughts

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APSWI's Financial Abuse Allegation, Home Visit: Alleged Perpetrator Interview, Training Video



# Rapport Building

- ▶ Impediments
  - 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?”

# Types of Questions Cont'

- Forced Choice Closed questions
  - May not provide the right choices
    - “was the light red or green”
- Working with people with communication limitations
  - May have to use forced choice closed questions
    - Provide “other” option:
      - Was it X, Was it Y, or Was it something else?

# Asking Questions

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- Frame questions in neutral, objective language
  - Do not ask questions that assume guilt or culpability
- Remain neutral, maintain consistent body language and facial expressions
- 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 yelled at him too.
  - I understand. You were just treating your father the way he treated you to teach him a lesson. Sometimes parents have to be handled like children.
- Do not label the A/P as an abuser or other “charged” term. Instead, stay focused on the behavior, not the person.

# Keeping the Interview Moving— Active Listening

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▶ Keeps your tone neutral and communicates to the A/P that you are really listening and care about what the A/P is saying.

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

# Ending the Interview

- ▶ Thank the A/P for speaking with you.
- ▶ Effective questions:
  - **Is there anything I should have asked you that I did not?**
  - **What else do you want me to know? What questions do you have for me?**
- ▶ If appropriate, tell the A/P what will happen next in general terms, describing only what is in your control, not what other agencies may or may not do.
  - E.g., I will write up my interview notes...I will discuss with my supervisor...etc.
- ▶ Promptly document the interview, including date, start and end time, location, everyone present, and what you learned.

# Summary

- ▶ Understanding APS goals of interviewing the A/P
- ▶ Importance of planning the interview
- ▶ Focus on safety
- ▶ Use of Tip Sheet
- ▶ Resources



# Resources: Video Clips

## Modeling A/P Interview Segments

- ▶ Adult Protective Services Workforce Innovations (2019). Caregiver Neglect Allegation, Home Visit: Alleged Perpetrator Interview, *Training Video*. Retrieved from <https://theacademy.sdsu.edu/programs/apswi/apswi-videos/>.
- ▶ Adult Protective Services Workforce Innovations (2019). Financial Abuse Allegation, Home Visit: Alleged Perpetrator Interview, *Training Video*. Retrieved from <https://theacademy.sdsu.edu/programs/apswi/apswi-videos/>.
- ▶ Adult Protective Services Workforce Innovations (2019). Home Visit: Addressing APS Professional Safety, *Training Video*. Retrieved from <https://theacademy.sdsu.edu/programs/apswi/apswi-videos/>.

# Resources: Job Aides

## Interviewing Alleged Perpetrators: Tip Sheet

- ▶ <https://theacademy.sdsu.edu/wp-content/uploads/2021/05/Interviewing-AP-Tip-Sheet-FINAL-ADA-compliant.pdf>

## Interviewing Alleged Perpetrators: Quick Reference

- ▶ <https://theacademy.sdsu.edu/wp-content/uploads/2020/07/Interviewing-AP-Quick-Reference.-folded-FINAL-June-2020.pdf>

# Resources: Articles

- ▶ Brown-Rice, K. (2013). Examining the theory of historical trauma among Native Americans. *The Professional Counselor*, 3 [3], 117-130. Retrieved from <http://tpcjournal.nbcc.org/category/pdf-articles/volumes/volume-3/volume-3-issue-3/>.
- ▶ Media Education Foundation (2015). Techniques for Active Listening. Handouts and Downloads. Retrieved from <https://www.mediaed.org/handouts/ActiveListening.pdf>
- ▶ Ratner, P. (2019). 200 Cognitive biases rule our everyday thinking. *Big Think*. Retrieved from <https://bigthink.com/mind-brain/cognitive-bias-codex>.
- ▶ Trusty, J., Looby, E.J. and Sandhu, D.S. (2002). *Multicultural counseling: Context, theory and practice, and competence*. New York, NY: Nova Science Publishers.

# Questions?

▶ **Thank You!**

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