



THE PRE-INTERVIEW (Research)

The pre-interview process can be related to the actual investigation and case preparation.

DO YOUR HOMEWORK

The most important part of any investigation process is to do your homework. This means that you must review the information and/or evidence that you or someone else obtained with an objective outlook.

DON'T JUMP TO CONCLUSIONS

Review each aspect of the information carefully before coming to a conclusion.

DON'T TAKE ANYONE ELSE'S WORD

Whenever possible go to the source of the information and either confirm it, eliminate it or hold it for future analysis. Just because the information you have may not tie into anything, it does not mean it won't become valuable later when other evidence comes to light.

PLAY DEVILS ADVOCATE

Review the information obtained at this point. Look at both sides, are the circumstances a mistake, policy violation or was the law broken. If undecided, don't jump to conclusions - review it at a later date.

PREPARE CASE FILE

- Chronological listing of events
- Evidence collected
- What further records/evidence is needed
- Statements of people you talked with (witnesses/non-suspects)

DISCUSS THE CASE WITH LOSS PREVENTION

The purpose is to ensure that a course of action is developed. If the evidence is strong enough to indicate a possible termination confer, with Human Resources



Don'ts

- Don't*** Discuss the case with any one who does not have a need to know.
- Don't*** Detain an employee without their consent, or forcibly detain them, or make threats of imprisonment.
- Don't*** Use threatening words or gestures or have any physical contact.
- Don't*** Provide false information to the police or prosecutors.
- Don't*** Withhold information from the police or prosecutors.
- Don't*** Allow a malicious prosecution case to arise against the company due to an incomplete investigation.
- Don't*** Coerce a confession (threats, screaming, yelling).
- Don't*** Prevent an employee from using a restroom or making a phone call.
- Don't*** Prevent from leaving to pickup a child or other family member, act reasonably and within company guidelines.
- Don't*** Detain the employee beyond a reasonable time. While the company has a right to fully investigate any loss of assets, when there are no admissions of guilt then the interview is unsuccessful and should be terminated. When an admission is received of guilt then the time should be reasonable and answer the questions of “**Who, What, When, How and Why.**”



INTERVIEW TO BE CONDUCTED?

Once a decision that an interview is to be conducted consideration as to time, place, location, who are the people to be interviewed, what questions or techniques are to be used. **Is the interview going to be announced or unannounced?**

COMMON CIVIL ACTIONS RESULTING FROM INTERVIEWS OF EMPLOYEES

There are many cases that resulted in lawsuits against companies when well-intended interviews took place. There have been lawsuits settled in the millions of dollars to employees whose rights were violated during the interview process. The interviewer should always anticipate possible actions and act to avoid them.

- Defamation
- False Imprisonment
- Malicious Prosecution
- Assault and Battery
- Intentional Inflection of Emotional Distress



THE INTERVIEW

- Set up interview room.
- Determine order of the interviews.
- Have witness situated behind subject, instruct witness of their role.
- The Interview- Introduce yourself.
- State your position with company and purpose of interview.
- Review the subject's biographical data.
- Review the facts relating to the specific investigation.
- Explain the "tools" available to assist you in the investigation.
- State that you may ask some questions that you already know the answer to determine if they are cooperating.
- Explain the importance of their cooperation.
- Have Case Folder on table and refer to the documented evidence in the folder.
- Observe body language and signs.
- If admission obtained- reduce to writing
- If no admissions - Back out of Interview
- Stress confidentiality of the interview
- Thank them for their cooperation
- Remind them of the company Spoiler Hotline, give them the toll free number



INTERVIEW TECHNIQUES

ESTABLISH CREDIBILITY

1. Who you are and what you do.
2. How losses occur
3. How we investigate losses
 - Paperwork shrink, external theft, internal theft
 - Always try to use what you're investigating as an example (refunds, cash shortages)
4. How we investigate losses
 - Paperwork trail,
 - CCTV, witnesses, etc.

SHOWING UNDERSTANDING

1. Rationalization - Financial problems, peer pressure
2. Minimizing - Play down the wrong doing ("We all make mistakes")
3. Focus On The Future - Draw attention away from the present situation
4. Positive Outlook - Benefits of making an admission
5. Confirming reduced resistance ("What we don't know is what kind of problems you have outside of work")

SOFT ACCUSATION

1. Question worded that when answered subject will make own admission, "When was the first time you caused a loss"
2. Support soft accusation with a follow-up.

DEVELOPING THE ADMISSION

1. Find out what the subject has done and what they know about other employees.

POST INTERVIEW

- Review the results of the interview
- Decide on a course of action
- Confer with the Field LPM and Field HRM
- If a written warning is decided-do it then
- If termination is decided-do it swiftly, professionally, complete PAF
- Review the failure controls and develop plan of action to ensure their not repeated



DON'T FORGET TO



DOCUMENT!

The Statement



Body Language

Neurolinguistic Eye Movement

The eyes are used by each of us as we begin to recall or create information from our visual, auditory, or kinesic channels. By determining which representational system a subject is using, the interviewer can ascertain whether the information is being recalled or created. (Reprinted with permission from W-Z & Associates).

Eye movement of subject

Up and to the left:	Visually recalling
Up and to the right:	Visually creating
Straight across to the left:	Recalling something heard
Straight across to the right:	Creating something heard
Down and to the left:	Internal dialogue
Down and to the right:	Internal feelings touch

Posture Indicators

	<u>Truthful</u>	<u>Untruthful</u>
Trunk/Shoulders	Good posture Appears comfortable Normal respirations	Leans forward or side to side Gross body shifts/frozen Protects abdominal area of body Deep breathing Scratches body
Hands/Arms	Warm/dry May lightly hold head/chin	Excessive tension Arms crossed Hands damp/clammy
Legs/Feet	Flat on floor Legs/ankles crossed	Fleeing position Taps or circles foot Uses legs to provide barrier Shifts/crosses legs
Head/Neck	Nods lightly Sincere expression	Head back/forward Nods from the waist/abrupt, jerky head movements
Neck/Face	Relaxed	Bites/wets lip Yawns/blood rush

The above information has been provided by Curtis Baillie, President/Principal Consultant of Security Consulting Strategies, LLC. Feel free to use the information for training purposes. For additional information please contact the author at Security Consulting Strategies, LLC, P.O. Box 178, West Chester, PA 19382 or telephone 484-368-1040. Visit our website at: www.SecurityConsultingStrategies.com