

47 Quick Tips for Better Investigation Interviews

🔄 OBJECTIVITY

- Take allegations seriously.
- Don't take the role of "one of the guys" as it questions your sincerity.
- Don't promise confidentiality, but try to maintain it to the extent possible. Depending upon the end result, you will probably not be able to keep a promise of confidentiality because disclosure may be compelled. You can tell a witness that you will attempt to share remarks with only persons who have a need to know (i.e., management, etc.).
- Do not tell witnesses what other witnesses had to say (unless you are interviewing the accused or attempting to obtain information from a hostile witness).
- Do not discuss your thoughts, opinions, conclusions, conversations, etc.
- Avoid oral agreements (i.e., deal making, etc.)

🔄 GENERAL Demeanor DURING THE INTERVIEW

- Relax; Conversational style.
- Put the witness at ease.
- Balance comfort with need to focus on investigation.
- Focus on interview questions to bring you back on track when needed.

🔄 QUESTIONS

- Avoid loaded questions, such as: "Are you a tough manager?"
- Avoid questions that are answered by a "yes" or "no"; try to get the witness to open up. (However, at the end of the interview yes and no questions can be useful to pin down a specific position or fact).
- Avoid accusatory questions, such as:
"Why did you steal the money from the register?"
"We have been told that you stole cash from the register."
"We saw you take cash from the register."

Instead, make statement such as:

"You are a suspect in a recent theft from the cash register."
"We have a reason to suspect..."

- Avoid compound questions that combine two or three issues in a single question, such as: "What time did you come to work and what did you do when you first came in the door?"
- Avoid leading questions that indicate the answer you are looking for, such as: "Isn't it true that you were yelling at Mary Joe in the hallway?"

🔄 QUESTIONS *(continued)*

- Use open ended sentences, especially at the beginning of the interview. Try to get the witness to open up. For example,

“Tell me about...”

“When did you see...”

“How did it come about that you were in the building on...”

🔄 DEVELOP THE FACTS

In an investigation regarding specific events, inquire about all events that occurred during the relevant time frame, in chronological blocks of time. Establish all of the details in each of the chronological blocks to recreate the incident.

- Exactly what occurred?
- When did it happen?
- Where did it happen?
- Who was present?
- Who else may know relevant information?
- How did it happen?
- Who did or said what? In what order?
- Why did it happen? Could it have been avoided?
- Are there notes, documents, phone messages, or other evidence?

Ask the witness to list all individuals who have knowledge of any of the events. Ask yourself:

- What knowledge does the witness have?
- What is the source of the witness' knowledge? (hearsay, rumor mill, eye witness, other direct knowledge)

🔄 SUMMARIZE AND REVIEW (during the interview)

- Restate periodically what the witness has said
- Determine if you have heard the witness correctly
- Assure the witness that you have been listening
- Close a topic and keep discussion on track
- Ask follow-up questions (i.e., “If ABC occurred, how would you explain XYZ?”)
- If a witness avoids a question, ask it again later and possibly rephrase
- Ask witness for new evidence, new leads, or relevant situations
- You need not investigate remote leads or those not likely to have results

☞ SUMMARIZE AND REVIEW *(continued)*

- Give the witness an opportunity to disclose anything he/she wants you to know prior to concluding the interview
- Allow a witness time to think before responding
- Don't be afraid to use silence (it may prompt a reaction)

☞ NOTE-TAKING DURING THE INTERVIEW

- Take detailed notes during interview
- Review and finalize notes immediately upon completion of interview
- Legible, accurate
- Free from bias and subjectivity
- Names, dates, time and place of interview
- Sign and date the notes

☞ SIGNED STATEMENTS

- Can be useful if witness may not be available in the future
- Can be used to contradict witnesses who become hostile or change story later
- Properly written stating the facts; use witness' words and statement
- Witness review for accuracy
- Witness signature with date; Interviewers signature and date
- Copy to the witness

☞ HOSTILE WITNESS

- Clarify that witness or employee can leave or terminate the discussion anytime
- Let witness consult with representative (or someone) if they ask
- Do not threaten, coerce, or intimidate during questioning
- If witness refuses to speak, accept it and document situation
- Do not promise a benefit or threaten adverse action