

# The Protective Services Interview

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## Module Overview

Protective services workers must conduct interviews using specialized skills and techniques. They require the skills to interview resistant clients and perpetrators. They must know how to explain the legal mandates to consumers and alleged perpetrators. This module provides information on techniques that can be used when interviewing victims and perpetrators during a protective services investigation.

Note: Since protective services workers must meet the following qualifications it is assumed that they have basic interviewing skills. If you need basic training on interviewing skills please consult with your supervisor to develop a training plan. This module covers advanced level interviewing skills directly related to conducting a protective services investigation.

*6 Pa. Code § 15.121. Protective services staff qualifications: Protective services caseworker. A protective services caseworker shall: Have 1 year direct aging casework experience.*

## Learning Objectives

By the end of this module, you will:

- Know techniques to use when interviewing individuals with hearing loss
- Know how to assess if the person being interviewed has hearing loss
- Know techniques to use to interview victims
- Know techniques to use to interview perpetrators
- Know questions that can be used to interview perpetrators

## Study Steps

1. Observe an experienced worker conducting an interview with a victim and also an alleged perpetrator. Observe the skills and techniques they use. Observe how they explained the role of the protective services worker in the investigation process.
2. Review the content of this section.
3. Review recommended Acts, Laws and Regulations.
4. Complete the self-evaluation quiz and use the answer key to review your answers.

5. Review the content of any of the questions you answered incorrectly.
6. Plan with your supervisor to complete transfer of learning activities.

### **Content**

Read the module, The Protective Services Interview.

<h2><b>Interviewing the Older Adult</b></h2>
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- A. Techniques for Interviewing an Older Adult: These techniques may need to be used on either the victim, perpetrator or collateral resources.** Connect to the individual; every older adult is different. There is no fail-safe standardized way to communicate with older adults.

**Note:** If you suspect the person you are interviewing is displaying symptoms of dementia, mental illness or substance abuse refer to information in the mental health section of this study guide.

- a. Engage the older adult before beginning the interview
- b. Clearly define the purpose of the interview
- c. Use basic interviewing and engagement skills
- d. At the end of the interviewing provide an outline of the next steps and clarify information as necessary.

**B. Elders and Hearing Loss:**

Many older adults experience some level of hearing loss. A protective services worker must first establish that the older adult can hear, then if the interviewee has hearing difficulty, know how to interview the hearing impaired.

- a. Arrange the room where communication will take place so that no speaker and listener are more than six feet apart, and all are completely visible.
- b. Eliminate as much background noise as possible.
  - i. For hearing-impaired victims, choose a location free of distractions, interference, and background noise.
  - ii. Concentrate light (but be sure it is not glaring) on the speaker's face for greater visibility of lip movements, facial expressions, and gestures.
  - iii. Do not stand in front of a light source such as a window.
- c. Establish if they can hear you: Ask interviewees if they are having any difficulty understanding you. Be sensitive to the possibility that they may have difficulty hearing or seeing, but do not assume such impairments. Ask the person you are interviewing if he/she has any special needs, such as eyeglasses or hearing aids. Give the person time to hear and understand your words during the interview.
- d. Always treat the person with dignity and respect.
- e. Avoid a condescending tone.

- f. If you need to get the person's attention, use a light touch on the arm or shoulder.
- g. Position yourself directly in front of the person to whom you are speaking.
- h. Establish eye contact before you begin to speak.
  - i. Face the person so your eyes and mouth are clearly visible.
  - ii. Stand or sit at a distance of no more than 6 feet and no fewer than 3 feet from the interviewee.
  - iii. Go to the person's eye level, i.e., sit if she or he is sitting, etc.
  - iv. Speak to the hearing-impaired person from a distance of no more than six feet, but no less than three feet.
- i. Never speak directly into the person's ear.
- j. Ask the person if he or she would prefer to use written communication or an interpreter.
  - i. When using written communication, remember the following: keep your message short and simple; use short words and phrases; face the person after you have written your message; use visual aids.
  - ii. Provide enhanced lighting if victims are required to read. Ensure that all print in written materials is both large enough and dark enough for victims to read.
- k. If needed, speak slightly louder than you normally would.
- l. Speak clearly at your normal rate, but not too quickly.
- m. Use short, simple sentences.
- n. Keep language concrete.
- o. If the person does not appear to understand what is being said, rephrase the statement, rather than just repeating the same words.
- p. Do not over-articulate. Over-articulation distorts both the sound of speech and the face, making visual clues more difficult to understand.
- q. Keep your questions and instructions short and simple
- r. Include the person in all discussion about him or her.
- s. Avoid smoking, chewing gum, or covering your mouth while you speak.
- t. Repeat key words and phrases. Ask the interviewee to repeat what you have said.
- u. If you cannot understand the person's answer to your question, ask him or her to repeat or rephrase the response.
- v. Use visual aids whenever possible---drawings, diagrams, etc.
- w. Watch for signs of fatigue in your listener.
- x. Provide written information: If necessary, write question down for the interviewee. Also, if needed provide written information that summarizes the important points you communicated verbally so they can refer to this information later.
- y. Don't:
  - i. Talk about the elder as if they were not in the room.
  - ii. Assume since she/he will get confused, all of the information she/he provides is inaccurate.
- z. Do:

- i. Listen closely for important facts.
- ii. Take your time during the interview.
- iii. As needed, get support from an expert in communicating with the elderly – if available.

## Techniques for Interviewing Victim

### A. Goal of the Victim Interview:

- a. In all your comments and interactions with elder victims, their families, and other professionals involved in the case, focus on the goals of restoring confidence to and maintaining the dignity of the older adult victim.
- b. Clearly explain the purpose of the interview as it related to the investigation process.
- c. Gather information; facts and details about the incident.
- d. Determine needs for additional support services.

### B. Techniques to Use:

- a. Protect dignity: Protect the dignity of victims by including them in all decision making conversations taking place in their presence.
- b. Remember that elder victims' recollections may surface slowly. Do not pressure them to recollect events or details; rather, ask them to contact you if they remember anything later.
- c. Make the victim as comfortable as possible.
- d. Tell the victim what to expect during the investigation.
- e. Minimize the number of people present.
- f. Allow the victim to describe the incident in his or her own words.
- g. Be patient and reassuring. Some older people, particularly those in crisis, may need time to collect their thoughts and may need to take frequent breaks. Avoid unnecessary pressure.
- h. Acknowledge the victim's anxiety and try to discern its cause. For example, you may say, "You seem anxious. Are you concerned that your son will find out that you talked to me?"
- i. Keep it simple. Phrase questions in a clear, concise fashion. Keep questions short.
- j. Allow victims to "ventilate." If anger is directed at the officer, he/she must not argue.
- k. Avoid demands to the elder victim to "control yourself."
- l. Assure victims that their emotional responses are normal & to be expected
- m. Ask questions one at a time: Wait for a response before proceeding to the next question. Avoid interrupting victims.
- n. Repeat as needed: Repeat key words and phrases. Ask open-ended questions to ensure you are being understood.
- o. Do not pressure: Avoid unnecessary pressure. Be patient. Give victims frequent breaks during your interview.

- p. Give the victim a chance to tell his/her story: Before asking detailed questions, ask the victim what happened and give them time to tell his/her story. You can also glean the victim's preferred word choice for future questioning.
- q. Ask open-ended questions that encourage further discussion.
- r. Accept and use the victim's terminology and language for acts, etc.
- s. If you feel that the older person is having difficulty understanding or communication, ask him or her if he or she has assistive devices or someone who can help.
- t. Ask the victim if he or she would like assistance. If so, ask how he or she would like to be assisted. Do not guess.
- u. Even if the victim appears to be somewhat confused, do not discount the information. Make every effort to obtain the fullest possible response relying on information from others.
- v. If you need to have another person assist in communicating or providing information for the victim, conduct the conversation in the victim's presence and look for signs of corroboration from the victim (e.g., nodding in agreement). Do not discuss the victim as if he or she is not in the room.
- w. Do not discount a complaint because the victim is unwilling to cooperate.
- x. Do not argue with the victim.
- y. Assess the likelihood of retaliation. If a threat is present, arrange for protection.
- z. Determine whom the victim first told about the mistreatment.
- aa. Show the victim records or other documents that suggest exploitation. Record his or her response to each one that is in dispute.
- bb. Conclude the interview in such a fashion that the victim feels free to contact the investigator again. Ensure that the victim is capable and has the means for contact. If not, take measure to facilitate follow-up with the victim.
- cc. Encourage victims to talk about their reaction/feelings with friends & loved ones.

### **C. Completing the Victim Interview:**

- a. Provide an overview of the purpose of the interview
- b. Identify the safety plan if the older adult may be at risk
- c. Explain the next steps in the investigation process
- d. Provide support service contact information
- e. DO NOT make promises
- f. Inform the interviewee when you will be contacting them again

## Interviewing the Alleged Perpetrator: Overview

Always consult with your supervisor regarding the alleged perpetrator interview. Inquire if it needs to be conducted in collaboration with law enforcement. Remember, all of your notes may be part of a criminal prosecution. They must be detailed and accurate.

APD 93-12-01 (See the Appendix of this study guide for the APD) requires the Protective Services worker to interview appropriate collaterals (perpetrators included), UNLESS, the worker can establish a compelling reason to abbreviate the investigation – then the AAA director must approve skipping the collateral interviews.

The content of this section provides a complete overview of a perpetrator interview. PS workers may not always conduct this detailed of an interview with alleged perpetrators. Review this section to learn interviewing techniques that can be used at different times when you are interviewing someone who is known to be or may be a perpetrator. It is law enforcement's job to interrogate the alleged perpetrator. It is the PS workers job to gather enough evidence to determine if abuse occurred and insure the safety of the older victim.

## Interviewing the Alleged Perpetrator

### A. Purpose

- a. Why Should I Bother Talking to the Perpetrator?
  - i. When interviewing a perpetrator it is important to recognize from the outset that the primary goal is to:

● **Obtain the Truth**

● **Establish Facts**

● **Corroborate or Disprove Statements**

- ii. This will eliminate a suspected perpetrator or identify perpetrators, accomplices and additional witnesses.
- b. Environment of a Good Interview
  - i. Critical to achieving this goal is to UNDERSTAND THAT THE Alleged Perpetrator IS MORE LIKELY TO COOPERATE, IF HE/SHE IS TREATED DECENTLY.
  - ii. Given the nature of older adult abuse, it may be hard to accept such a premise, but keep in mind that as professionals, we must be able to put our personal feelings aside and CONCENTRATE ON DOING WHAT WORKS.

- Treating interviewees with respect works when you need to gather information.
- iii. Therefore, avoid the negative, don't degrade or alienate the alleged perpetrator.
  - iv. Give the alleged perpetrator ample opportunity to tell the "FULL STORY" from his or her point of view.
  - v. Attempt to develop an environment that encourages cooperation and openness.
- c. Be Prepared.

## **B. Pre-Planning of an Interview is Essential!**

- a. Preparation Area #1: A Complete Understanding of the Case Facts
  - i. Many interviewers feel that because they are the Investigator, there is no necessity for review of case facts.
  - ii. The person coming for the interview, if involved in the incident, is planning what he or she is going to say in the interview.
  - iii. For example, the sister of the victim is the initial source of the report. The perpetrator will prepare to discredit not only the victim, but also the reporter of the incident.
  - iv. The interviewer's understanding of the relationship between the reporter and the perpetrator can be crucial in discrediting the perpetrator's allegations of a false complaint.
- b. Preparation Area #2: Background of the Suspected Perpetrator
  - i. Many interviewers feel the only background information necessary is if there is any prior abuse reports and/or criminal history on the perpetrator. When an interviewer has only that information, the interviewer is at a disadvantage.
  - ii. Other areas of background information that should be addressed:

- Family history
- Educational background
- Employment history of the perpetrator
- Hobbies
- Drug/Alcohol use
- The perpetrator's relationship with the victim, the reporter of the incident, as well as other persons involved in reporting

- iii. Knowing this information will provide information about the alleged perpetrator that can be used to find common ground when beginning the interview. It can be information used to engage the interviewee. "So I hear that you like boats." "You are one of 7 children?" Or later in the interview process, I understand that you have 3 DUI's, is it possible you were under the influence when you hit your mother?"

- c. Preparation Area #3: A Complete Knowledge of the Elements of All abusive/exploitative actions which potentially are involved in the investigation
  - i. Preparation in this area is necessary to determine if there is clear and convincing evidence against the perpetrator (APD 03-01-06, HCBS Manual, Chapter 3) and what, if any, criminal offences could/must be referred to police for investigation.
- d. Preparation Area #4: Preparations for the Denials that the Perpetrator Will Offer, as well as, preparations of rationalizations and minimizations for the perpetrator's actions.
  - i. Rationalizations in this context is defined as "...excuses, reasons and methods offered to the perpetrator to which he admits that he did the abuse which serve to psychologically justify, or minimize the seriousness of the subject's activities. All rationalizations and reasons psychologically justify his activities, but it never justifies his activities."
  - ii. Minimizations in this context is defined as "...the softening of words, which permit the perpetrator to admit to his actions, while being permitted to save face."
  - iii. The interviewer must anticipate and be prepared to handle denials that the untruthful perpetrator will offer.
  - iv. If the interviewer is not prepared for the denials, the untruthful perpetrator will gain control of the interview.
  - v. Rationalizations and minimizations for the abusive acts make it easier for the untruthful perpetrator to confess to his or her crime(s).

### **C. Suggested Structure of the Interview - General**

- a. General Interviewing Techniques
  - i. Know where you intend to go with an interview as well as what you need and want to accomplish
    - Avoid the negative. Don't talk negatively about a person's actions or don't discuss negative consequences of confessing.
      - (a) Use open ended questions
        - (i) Tell me more.
        - (ii) What else happened?
        - (iii) What happened next?
        - (iv) Go on...
- b. Proxemics - the communication language of space, distance and angle.
  - i. 4 zones
    - Public: distance you tend to be from someone in a public setting up to 1 foot as available
    - Social: distance you tend to be from someone in a social setting 6 inches to a foot as available
    - Personal: 4 to six inches
    - Intimate: directly touching

- ii. Once you have made the interviewee comfortable throughout the interview, by moving closer you add stress on the interviewee.
- iii. Start the interview up to a couple feet from the interviewee then move closer towards the end when you are asking the critical questions.
- c. Non-Verbal Behavior and Clues: Observe a suspected perpetrator's non-verbal behaviors such as:
  - i. Posture – do they move during certain questions or stop moving during certain questions – any movement could be a clue – look for patterns
  - ii. Hands and arm position – do they cover their mouth during certain questions
  - iii. Leg and feet positions – do they become fidgety at certain times
  - iv. Head movement – do they look away
  - v. Eye movement
  - vi. Dry mouth
  - vii. Over grooming, touching hair during certain parts of the interview
- d. Verbal Behavior and Clues:
  - i. Delay in response
  - ii. Responding with a question
  - iii. Repeating the question
  - iv. Unsolicited premature responses
  - v. Excessive helpfulness and politeness
  - vi. Political Answers
    - To the best of my knowledge
    - If I recall correctly
    - Kind of or Sort of
    - Not really
    - I believe so
    - Emphasis on truth
      - (a) Honest to God
      - (b) I swear on a stack of Bibles
      - (c) Trust me on this one
    - Memory problems
      - (a) I can't remember
      - (b) I'm not sure
      - (c) I think
      - (d) Maybe

#### **D. Suggested Structure of the Interview - Specifics**

- a. General Conversation
  - i. Begin the interview with general conversation
  - ii. For the alleged perpetrator who is not involved, it gives that person a chance to calm down, before the interview process begins.
  - iii. For the alleged perpetrator who is involved, the interviewer can make observations of the subject's verbal and non-verbal communications.
  - iv. Very often the alleged perpetrator who is involved will immediately have to tell the interviewer his story about how he could not be involved.

- v. During this phase of the interview, the interviewer can make general observations of the alleged perpetrator in the following areas:
  - He was capable of answering questions appropriately, as posed by the interviewer.
  - He does not appear to be under the influence of alcohol or drugs.
- b. Control Questions
  - i. This phase of the interview also gives the interviewer the opportunity to ask “Control Questions” of the alleged perpetrator.
  - ii. For the purposes of this course a “Control Question” can be defined as “A question, which parallels the issue to which the alleged perpetrator will probably lie.”
  - iii. There are many types and variations of “Control Questions” which can be used in this type of interview. These should be developed from the case facts and also the background information obtained from the alleged perpetrator. Each control question should have two parts.
  - iv. Sample Control Question:

### **Sample Control Question**

*Over the years there has been a lot of research done on the type of individuals who become involved in this type of incident. One of the things that has been developed is that very often, the type of person who would do something like this has done other things sexually that they would be embarrassed to talk about. You have never done anything sexually that you would be embarrassed to talk about, have you?*

- In the above example, the first part of the question up until the last sentence accomplishes several things:
    - (a) It puts the alleged perpetrator on notice that this is a “well established fact.”
    - (b) It puts the alleged perpetrator on “alert.”
    - (c) It puts the alleged perpetrator, whether he or she is actually a perpetrator or not, in a position where he or she feels that by admitting to the “Control Question,” he or she is partially admitting to this crime.
  - The last sentence, which is the actual question, accomplishes something even though in almost every case, the alleged perpetrator will answer “no.” It gives the interviewer the opportunity to observe the non-verbal communication of the suspected perpetrator to see how he or she reacts to a “probable lie question.”
- c. Structured Interview Questions
    - i. “Structured Interview Questions” can be used in this phase of the interview.
    - ii. A “Structured Interview Question” is defined as follows:

**Structured Interview Question:** A set or series of questions, which when used during the course of an interview tend to elicit certain verbal and non-verbal responses from truthful individuals, and different verbal and non-verbal responses from deceptive subjects.

- iii. “Structured Interview Questions” must be asked in a normal questioning procedure.
- iv. The answers to the “Structured Interview Questions” must be recorded.
- v. The main benefits of the “Structured Interview Question” is to assist the interviewer in determining if the alleged perpetrator is being truthful or deceptive in his or her denial of non-involvement in the abuse.
- vi. Following are “Structured Interview Questions” that can be useful in these types of investigation as well as likely responses for Truthful “T” persons as well as for Deceptive “D” persons:

### Sample Structured Interview Questions

1. Have you ever been falsely accused of anything?

T - May relate some matter

D - Very often will describe previous similar “false accusations,” or more importantly will say they have never been falsely accused of anything.

2. Have the cops ever accused you of anything that you didn’t do? (This is a good follow up question to a subject’s answer that they never have been falsely accused of anything).

D – Many will tell you that they have never been falsely accused of anything. The obvious thing to remember is that they are there due to being accused of this abuse Do not point this fact out to them at this time.

3. What do you think should happen to the person who...?

T – Will offer a harsh sentence, depending on the abuse, the more serious the abuse, the harsher the sentence.

D – “Gee, I don’t know. That’s your job.”

Theft, “They should be given a chance to pay the money back.”

Sexual Abuse, “They should be given help.”

A General Rule is that a deceptive person’s response will normally be avoiding the question or give a very mild sentence, considering the facts.

4. Do you think the person had any good reasons for committing this...?

T – Will deny any good reasons for the crime.

D – Will tell you reasons.

\*\*\*\*\*LISTEN CAREFULLY\*\*\*\*\*

They will often give you rationalizations for the abuse. If they do, pick up on them and use them.

5. How do you think the person feels who did this...?

T – Normally, will speak harshly of the person.

D – Will express feelings.

\*\*\*\*\*LISTEN CAREFULLY\*\*\*\*\*

If the subject tells you the person is “worried,” “scared,” “concerned,” etc., he or she is actually expressing his or her own feelings. Use those same words during the confrontation of guilt. His or her own words will have more effect on him or her because he or she realizes you are seeing that.

6. Would you be willing to take a polygraph test about this?

T – “Yes.” They may ask questions about how it works, is it accurate, etc.

D – Very often they will say “Yes.” Then they will start hedging about how they heard they don’t work, etc.

7. What do you think the results of the polygraph test will be?

T – “If that thing works, it’ll be ok.”

D – Will start offering excuses of why they think they will fail.

8. What questions do you think the person that did should be asked?

T – “If it was me, you could ask me anything.”

D – Normally a pause. Very often they will offer no suggestions. On occasion, they will note questions. If they do, make note of them. They are probably the things that are scaring them the most.

- d. Discussion of the Accusations Being Made and the Case Facts
  - i. Often, a good opening question is “Tell me what you think the agency thinks you may have done to your mother.” “Why do you think the agency thinks that?”
    - The truthful alleged perpetrator generally will tell you all the accusations being made against them.
    - Very often, the deceptive alleged perpetrator will offer only minimal or no information about the accusations being made.
  - ii. During this phase of the interview, an extremely accurate account of the information being furnished should be made. So, TAKE CAREFUL NOTES.
    - “I didn’t do anything.” is NOT AN ACCURATE ACCOUNT of this phase of the interview.
  - iii. During this portion of the interview, if possible:
    - Gather all of his or her knowledge of the accusations.
    - Record all contact that he or she has had with the victim.
    - Establish the fact that the victim is truthful and does not lie about serious things.
    - Establish the contact between the suspected perpetrator during the time period as presented by the victim.
    - Establish the fact that he or she had the opportunity to commit the act(s) as reported.
    - Obtain potential defenses that the actor may try to use-if you don’t get a confession. One of the defenses heard in sexual abuse cases is that the suspected perpetrator was doing it for “hygienic purposes.” Eliminate the defense. By knowing the “defenses” to the crimes – eliminate those defenses in the interview.
- e. Confrontation of the Deceptive Suspected Perpetrator
  - i. As noted, up to this point in the interview process the alleged perpetrator has been doing the majority of the talking in the interview.
  - ii. At this point, the interviewer will take charge of the interview process.
  - iii. For the alleged perpetrator whom you have determined to be responsible for the accusations, this phase of the interview permits the interviewer to introduce “Rationalizations and/or Minimizations” into the interview process.
  - iv. This time is crucial to refute false case facts or false allegations that the alleged perpetrator has made against the victim.
  - v. During this time, the interviewer must confront the alleged perpetrator with the fact that there is no doubt that he or she committed the acts.

## E. Rationalizations and/or Minimization

- a. A Definition/Explanation of this phase follows:

**Rationalizations and/or Minimizations:** The Interviewer offers excuses, reasons and methods the subject did the abuse which serve to psychologically justify, or minimize the seriousness of the subject’s activities. (All conversations and reasons psychologically justify his or her activities, but it never justifies his or her activities).

- i. The interviewer dominates the conversation.
  - ii. The entire conversation is a monologue presented by the interviewer, until the first admission to the crime is received.
  - iii. Rationalization and Minimization are also known as “Picture Painting” and “Theme Development.”
  - iv. This process gives the alleged perpetrator the chance to admit to the abuse while still “saving face.” It is much easier for a person to admit to abusive behavior when he or she can tie it to a “reason” that they committed the behavior.
- b. Types of Rationalization
- i. Blame caregiver stress:
    - It is very hard to take care of someone with advanced stages of Alzheimer’s. I can see why you locked your sister in her room everyday.
    - I met with your dad. Wow! He really can be mean. He made me so angry I wanted to hit him.
  - ii. Blame illness, alcohol or drugs.
    - Use this rationalization ONLY if you have established the following things with him during the course of the initial interview.
      - (a) His normal (daily) use of alcohol or drugs
      - (b) The amount of alcohol or drugs it takes “to effect him”
      - (c) The amount of alcohol or drugs he used when he was with this victim
      - (d) The illness/alcohol/drugs made him do what he never would have done
      - (e) The fact that he does not have mental lapses when he drinks or uses drugs
    - A true fact is that alcohol or drugs very often was a factor in the abuse
    - One important area to address if the suspected perpetrator is blaming alcohol/drugs – Cover the fact that the suspected perpetrator can’t deny that he or she did the act because of the alcohol/drugs
  - iii. Blame society
    - Point out that in many societies, the conduct they committed is permitted. In effect, you can indicate to him or her that if this was the norm in this society, he or she wouldn’t be in trouble. “Moms are supposed to support their sons/daughters and grandchildren; it is understandable that you used his or her money.”
  - iv. Blame pornography.
    - Use the argument that if the society didn’t encourage sexual behavior through pornography, he or she never would have been involved.
  - v. Use an argument that the act was accidental.
    - “I can see how the patient fell out of bed several times. It is hard to keep them in bed.”
    - This can be an especially dangerous rationalization. It probably should only be used as a last resort.
    - If a care plan existed with safety precautions that were not used that would definitely negate his or her story, it is a good rationalization.

vi. Other Notes:

- This is not a totally definitive list of rationalizations or themes that can be used.
- Case facts and information from the suspect very often give you the rationalization to use.
- Use your imagination.
- “Paint the picture” using experiences that you have experienced. They are more realistic and more believable.
- When you see the suspect “buying” a rationalization and theme, stick with it.
  - (a) Keep repeating.
  - (b) Narrow the theme and rationalization until you get the first admission.
  - (c) Remember: In all likelihood, the first admissions you get from the alleged perpetrator will be the rationalization and theme that you developed and used.
  - (d) Interrogation begins after the first admissions to get the complete story.
  - (e) During the course of the interrogation is the interviewer’s opportunity to confront the alleged perpetrator with the fact that his “rationalization” for his actions is not accurate.

**F. Use Either/Or Questions to Obtain Admissions to the Crime**

- a. Human nature is such that when we are confronted with any type of wrong-doing, we tend to minimize the wrong-doing.
- b. An “Either/Or” question affords the subject the opportunity to do that.
- c. An “Either/Or” question is a two part question.
  - i. The first part of the question should be such that the subject’s actions appear to be:
    - More serious
    - Repulsive
    - Offensive
  - ii. The second part of the questions should allow the person to:
    - Save face
    - Place the blame on something or someone else
    - Explain it as a human frailty
    - Indicate that it was an accident
- d. Ways to set up an “Either/Or” question include:
  - i. “In all my years in this field...”
  - ii. “In every investigation like this...”
  - iii. “All the research that has been done about this kind of thing...”
  - iv. “I have found...”
- e. You can also preface the “Either/Or” questions with statements such as:
  - i. “There are two kinds of people that get involved in this type of thing...”
  - ii. “This type of thing happens in one of two ways...”

- f. Suggested delivery of “Either/Or” questions:
  - i. Offer the “Either” part in a manner which indicates to the subject that it is a more serious and undesirable choice. This is accomplished through voice inflections and facial expressions.
  - ii. Offer the “Or” part as a viable alternative to the undesirable choice of the “Either” half of the question.
- g. Following the delivery of the “Either/Or” question, pause and look at the subject in a questioning way and wait for an answer. If the subject does not reply, repeat the “either” portion in a questioning way.
- h. When accepting the “Either/Or,” the subject will normally nod or gesture. Very often, the subject will say “I’m not a (“EITHER” portion of the question).
- i. You Now Have Your Admission
- j. Reassure him or her through words and gestures:
  - i. Example: “Joe, that makes me feel a lot better. I can deal with someone who just (the “Or” portion of the question).”
- k. This is the phase of the interview when the first admission to the crime is forthcoming.

### **G. Overview: Techniques for Interviewing Alleged Perpetrators**

- a. Encourage the suspect to relate the incident in his or her own words
- b. Note the suspect’s attitude or demeanor during the interview
- c. Determine the relationship between the suspect, victim and witnesses
- d. Look for behavioral indicators of abuse or exploitation
- e. If the suspect provides care to the victim: get complete information about his or her duties, training, pay, and length of service; find out how involved the suspect is with the victim’s care and what he or she expects of the victim—determine if this is reasonable; find out whether the suspect is the only one caring for the victim; determine how well the suspect is coping with the caregiving responsibilities.
- f. Note statements that are inconsistent with other findings and evidence.
- g. If handwriting is an issue, collect handwriting samples.
- h. If instruments used for transferring resources are at issue, ask the suspect about the specific transactions and the instruments involved with each transaction.
- i. Do not communicate hostility or disbelief.
- j. Show disputed documents to the suspect one at a time and record his or her response to each one.
- k. If the suspect admits to abuse or exploitation, ask the suspect to specify precisely what he or she did and record the response.

<p style="text-align: center;"><b>Self-Evaluation Quiz</b> <b>The Protective Services Interview</b></p>
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Answer the following questions:

1. Victims of assault who confuse their stories cannot be considered credible reporters?

T                      F

2. Older victim's impacted by dementia can provide accurate details regarding abuse even if they do not know the day or time.

T                      F

3. It is important to make every attempt to use a noise free location with good lighting to interview the older adult?

T                      F

4. You can wait to document facts until after the interview is completed?

T                      F

5. When interviewing the alleged perpetrator begin with closed ended questions?

T                      F

Review your answers with the answer key at the end of this section.

## Transfer of Learning Activities

As assigned by your supervisor, shadow a worker as he or she conducts various interviews:

With an alleged victim

With an alleged perpetrator

Informing someone of the outcome of an investigation

Informing a perpetrator of their rights

- What information did the PS worker provide to the interviewee?
- What interview techniques were used to engage the interviewee?
- Were different techniques used with the victim than the alleged perpetrator?
- Did the interviewer inform the interviewee of the law regarding older adult protective services investigations?
- Did the interviewer communicate with user friendly terms and language?
- Did the interviewer use techniques to meet the developmental and physical needs of the interviewee?
  - Hearing
  - Mental status
  - Stress level

## References

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Pennsylvania Coalition Against Rape, Interviewing Sexual Assault Victims, APD 93-12-01.

Pennsylvania Code, Title 6, Chapter 15. Protective Services for Older Adults.

## Resources

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[http://www.elderabusecenter.org/default.cfm?p=cane\\_sexualabuse.cfm](http://www.elderabusecenter.org/default.cfm?p=cane_sexualabuse.cfm)

Lieberman, J., III (2000, May/June). Using the BATHE technique with older patients.  
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<p style="text-align: center;"><b>ANSWER KEY</b> <b>The Protective Services Interview</b></p>
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1. Victims of assault who confuse their stories cannot be considered credible reporters? **False.** *Victims may confuse parts of stories and still provide a good portion of accurate information.*
2. Older victim's impacted by dementia can provide accurate details regarding abuse even if they do not know the day or time. **True.**
3. It is important to make every attempt to use a noise free location with good lighting to interview the older adult? **True.**
4. You can wait to document facts until after the interview is completed? **False.** *Unless you have an outstanding memory it is important to write down facts at the time of the victim interview. Explain to the victim that their information is important and therefore you are going to write some things down.*
5. When interviewing the alleged perpetrator begin with closed ended questions? **False.** *Begin perpetrator interviews by asking the interviewee to tell you their story. Use open-ended questions. Used closed ended questions towards the end of the interview when you are pushing for an admission.*