INTERVIEWING IN AN ENVIRONMENTAL INVESTIGATION: GOALS AND TECHNIQUES
Environmental Interview Challenges

- **Subject Matter**
  - Regulations can be complex

- **Detail required to establish if a violation of law or regulation has occurred**
  - Scientific/Sampling

- **Variance in witness type**
  - Highly educated/un-educated/sophisticated

- **Many subjects/targets do not view themselves as “criminals”**
“Preparing” for the Interview

- What is the objective/purpose?
- What do I know and how well do I understand the background?
- What do I want to know?
- What are the potential violations? Elements of concern or the situation?
- What is the background of the interviewee?
Interview Planning

- Review evidence garnered to date
  - Applicable documents
  - Photographs
  - Video
  - Other Interviews

- Question/Outline Preparation
Interview Planning

- Know Your Interviewee
  - Criminal History
  - Family Background
  - Associates
  - Education
  - Work History
  - Represented by legal counsel

- Know Yourself
  - Strengths
  - Weaknesses
  - Experience
  - Technical Background
Why Interview in Person?

- Provides context to the person and their information
- Hard to say “No”
- Emphasizes the importance of the matter
- Use and gather documents
- Interviewer maintains control
**Verbal** - The intended and *unintended* messages sent through the vocal characteristics of oral communication

**Non-Verbal** - The intended and unintended message sent through body position, body movement and facial expressions
The Most Important Time to Evaluate Behavior

Within One to Five Seconds After a Question
Non-Verbal
Non-Verbal Responses

Immediate Reaction to Questions
Head Related

- Increased Blink Rate
- San Pak Ku – Three Whites of Eyes
- Rubbing under the nose
- Inappropriate smile or laugh
- Break in eye contact
- Covering the mouth during an answer
Non-Verbal Responses of the Body

Truthful Body Postures

- Upright and comfortable
- Forward Lean
- Relaxed with appropriate nervousness
- Smooth body changes and nature movements
Deceptive Body Postures

- Slouched in chair
- Leaning back
- Unnaturally rigid
- Move behind physical barriers
- Closed posture
- Erratic changes in posture
- Head and body slump
Creating Barriers

- Making premature comments and evaluations
- Interrupting others
- Talking too much
- Placing emphasis on blame
- Arguing
- Displaying irritating listening habits
- Being condescending
Physical Environment
General Rules

- Eliminate as much noise as possible (physical, psychological)
- Eliminate communication barriers (desks, tables, crossed arms/legs, personal items, etc.)
- Remember to set the stage
- Use proximics to your advantage
Set the Stage: Their Territory

- You can learn a lot about a person at their territory

- Look for:
  - Pictures on walls
  - Educational degrees on wall
  - Possible hobbies and/or interests
  - Mementos
## Talking Distances

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<tr>
<td><strong>Intimate</strong></td>
<td>0 – 0.5 Meters</td>
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<td><strong>Personal</strong></td>
<td>0.5 – 1 Meter</td>
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<td><strong>Social</strong></td>
<td>1 – 4 Meters</td>
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<td><strong>Public</strong></td>
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Cultural differences may change what is comfortable for each person
Five Steps of a Law Enforcement Interview

1) Introduction
   - Self, partner
   - Credentials/Badges

2) Rapport
   - Put them at ease
   - Conditions interviewee to talk
   - Begins immediately

3) Questions
   - Get the information

4) Summary
   - Brief review of interview
   - Follow-up questions
   - Listen for discrepancies or omissions

5) Close
   - Leave the door open for future conversations
   - Leave contact information
   - Obtain contact information
Rapport

- Rapport begins with your first contact
  - To include any observations interviewee makes of you prior to the interview’s initiation

- Establish yourself as a professional
  - Present credentials, identify yourself, and explain the purpose of the interview
  - Project confidence
Rapport

- Tailor rapport to the interviewee
  - Research ahead of time
  - Look for commonalities

- Rapport should be natural and not seemed forced

- Rapport is an ongoing process throughout the entire interview
  - Introduction
  - Questioning
  - Closure
People talk to people they like
People are comfortable with others who are like themselves
Rapport establishes trust
Breaks down barriers in an interview
Do NOT come across as fake or insincere
Be prepared to swap roles in a two person interview if the interviewee seems to relate better with secondary
Mirroring

- Highest form of flattery is when someone imitates you
- Develops trust because subconsciously the person feels that you are like them
- Be selective so it appears natural and sincere
- Get them to start saying “yes”
Types of Questions to Avoid

- Leading questions
- Negative questions
- Compound
- Complex questions
Interview: Summary

- Clarifications to information
- Typically conducted by secondary Interviewer
- Be aware of potential backtracking and minimization of previous statements
- For target/subject – Ensure all information covered...It is probably your only interview!
Final Questions

- What else is important for me to know?
- What haven’t we discussed so far that might be relevant?
- What would you like to tell me that I haven’t asked you about?
- Do you have any questions for me?
- How can I contact you if I have any additional Questions?
Thank them for their time
Leave the door open for future contacts
Leave your card or contact number (if you haven’t already done so)
Get their contact numbers and determine best times to call
Maintain Rapport
How To Be an “Active Listener”

- Remain neutral
- Give your complete attention/eye contact
- Ask about their statements
- Restate their main points
- Put their feelings into words
- Keep them focused on fact
- Get agreement, “Can we agree that …”
Confession Strategies

- Warning against false statements
- Confront with evidence
- Minimization
- Rationalization
- Reality
- The Sound of Silence
- Use of Guilt
Warning Against False Statements

- Advise making a false statements is a separate crime
- Not trying to scare, this is what I tell everyone
- Review inconsistencies with evidence
- Honesty is taken into consideration by prosecutor when reviewing the case
Its effectiveness typically depends on its strength. Can be used at the beginning to set the stage for the interview. Can be used to show the inaccuracy of their statements. Demoralizing to interviewee.
Rationalization

- Defense mechanism in which perceived controversial behaviors or feelings are logically justified
- Look for moral justifications
- Blame something else for their actions
- Do the thinking for them

“You were just doing what you were told”
“You’re a good person who made one bad choice”
“You need the job to support your family”
“Other businesses doing the same thing”
Minimization

- Reduce guilt and excuse behavior
- Particularly effective with white collar type criminal violations
- Minimize deed, consequences, and/or seriousness

“Its an environmental crime, not murder or robbery”
“No one got hurt”
Use evidence or facts of the case
Use the real stress it causes subject

“What happened can’t be unchanged – can’t un-ring the bell”

“The perfect crime is committed by yourself without telling anyone. This is not one of those crimes”
Silence

- Nothing builds stress like silence
- It's uncomfortable
- It's not natural for most people
- It's intimidating
- Build up to long pauses
Effective Use of Guilt

- People generally like to tell secrets, especially to those who are less judgmental
- Listen and encourage confession
- Let them unburden themselves to you
- Give them time and attention
View Any Behavior in Context With the Person’s:

- Social class
- Religion
- Culture
- Locale
- Age
- Medical Condition
Nothing happens in a case until it is documented.

A clear, accurate, and well written report is crucial in documenting investigative activities.

Judgments on the case and investigator(s) are made based upon the investigative reports.
Exculpatory Information

- Document untruthful and/or mistaken account of events
  - Even if the witness or subject “corrects” himself/herself, and even if the “correction” occurs in the interview.
  - Determine / ascertain the reasons for untruthfulness and/or mistake.
Investigative Reports

- Why We Care...
  - ALL significant investigative work ends in a REPORT
  - One of the best crime fighting tools is a well written report
  - It’s a permanent record
  - Aids in court testimony
  - Defends investigator & department actions
  - Investigator reputation
Essential Elements of Reports

Complete
- All relevant facts

Concise
- Avoid unnecessary or redundant wording

Clear
- To the average reader
- Avoid slang, jargon, or technical language
Memorialize the:
- Facts pertinent to the investigation
- The location of the interview
- Identification of himself/herself
- Circumstances associated with the noncustodial or custodial nature of the interview

Keep it simple, specific, and direct
Make easy to read
Generally, no opinions
The End!