

# INTERVIEWING ALLEGED PERPETRATORS OF ABUSE OF ELDER/VULNERABLE ADULTS

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# DISCLOSURE

- The planners, presenters, and content reviewers of this course disclose no conflicts of interest.
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# ACKNOWLEDGEMENTS

Some of the content used in this Workshop is based on materials in NAPSA Core Competency, Module 11, Caregiver Neglect, and Module 16, The Initial Investigation.

# IN THIS WORKSHOP

- APS uses term “client”; LE uses term “victim”
- LE uses term “suspect”; APS uses term A/P or S/A.
- These terms will be used interchangeably in this session.

# Consider

- Why Do YOU Interview Alleged Perpetrators?

Reasons, Goals



# IF YOU ARE APS

- You are APS, not law enforcement or an agent of law enforcement
  - You conduct interviews; conversation with a purpose
  - You do not conduct interrogations; an accusatory interview typically conducted by law enforcement once a person is suspected of a crime or other misconduct
- **Your goal is to get a statement of what happened not a confession to a crime**

# IF CRIMINAL CONDUCT IS SUSPECTED

- To avoid compromising the criminal investigation, APS should coordinate with LE the timing of APS interview
  - In some cases may not do an APS interview
  - In others may follow a LE investigation or go first
- Law Enforcement
  - Who does the suspect interview?
  - What is the timing of the suspect interview?
  - How do you coordinate with APS?



# THE BASICS ... VICTIM SAFETY

- Safety paramount
- Do not interview victim and suspect together
- Do not disclose information provided by client/victim or collaterals/witnesses associated with the client or suspect
  - The investigation reveals...
  - The police report indicates...
  - Records suggest...
- Maintain client/victim confidentiality

# OVERVIEW: PLAN THE INTERVIEW

- Interview client and collaterals first--you may only have one chance to talk with the suspect
- Consider the setting of the interview
  - Your office or station, the home the client and suspect share, other
- Plan
  - How to build trust and rapport, questions to be covered, how deal with volatility or danger

# WHERE TO INTERVIEW THE SUSPECT

- Ideal is at your office or station—you control the terrain and have the tactical advantage
- But suspect may refuse to come or you may need to interview when Tammy is Barbara's care provider
- Recognize possible dangers—you do not have the tactical advantage, not know who else present, weapons, dangerous animals or conditions at the house

# ANTICIPATE SAFETY CONCERNS

- Yours
- Client/Victim
- Others in the house
- Make sure others cannot hear the conversation
- Avoid interviewing in the kitchen
- Have an escape route planned
- Have animals removed
- Space between yourself and the suspect (width of a table; coffee table, etc.)
- Nothing between yourself and the door

# SETTING A PROFESSIONAL TONE (APS)

- Identify yourself by name and position.
  - Consider describing relevant job responsibilities
- Describe your legal authority
- Get and keep A/P focused on purpose of the interview—get his/her side of situation
- If you cannot legally answer a question, say so
  - State law prohibits me from discussing who made the report; who I have spoken with already
- Refocus A/P on purpose of the interview and importance of A/P's account

# RAPPORT BUILDING

- Should you attempt to build rapport with Tammy? How?

# RAPPORT BUILDING

- Purpose
  - Gain trust and create an environment for sharing information
  - Assess suspect's communication style, educational level, and life capacities
- How to Build Rapport
  - Time well Interests and hobbies, military service, family
  - Plans for future
  - If retired, how spends time, his/her job, what s/he did, what was important to him/her about work
  - What s/he does, what gives A/P pleasure

# ENCOURAGING RESPONSES

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



# 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”
- Forced Choice Closed questions
  - May not provide the right choices—“was the light red or green”

# PRODUCTIVE INTERVIEWS

- Frame questions in neutral, objective language
- Remain neutral, maintain consistent body language and facial expressions
- Do not confront denials
- Do not offer judgments about the A/P's conduct
- 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.

# CREATING AN ENVIRONMENT FOR DISCLOSURE

- What does “V” expect you to do for her/him?
  - Have you had any concerns with what you have to do to help your parent? What tasks?
  - What happens when you feel overwhelmed? What could help you when you feel overwhelmed?
- Identify with the A/P’s needs
  - Caring for an older person can be really difficult. What things do you find hardest to do?

# CREATING AN ENVIRONMENT FOR DISCLOSURE

- Be empathetic
  - You feel that you cannot do it all. What tasks are you just unable to manage?
- Offer support
  - You may need some help. What would be most helpful to you?
- Ask about what triggered the event
  - When did this all start?
  - What caused it to happen?

# KEEPING THE INTERVIEW GOING

- Maintain control of the interview; A.Ps will attempt to distract, misdirect, or take control of the interview
- Many abusers come across as likeable, sympathetic; you may like the A/P more than the client/victim

# KEEPING THE INTERVIEW GOING

- Do not collude with bad behavior
  - Wow, I see what you mean. We all have breaking points. I'd have hit her too.
  - I understand. You had no money, your mom has all she needs and more. When she didn't give you money when you asked, I see why you had to take it.
  - Do not label the A/P as an abuser or other "charged" term. Instead stay focused on the behavior, not the person.

# ADDRESSING VOLATILITY

- Take control firmly and immediately. Do not raise your voice.
  - “Please sit down and lower your voice”
- Maintain your neutrality and attempt to create and maintain an atmosphere of calm and reason
- Refocus on purpose of interview and importance of gaining the A/P’s perspective

# ADDRESSING VOLATILITY: IF YOU ARE NOT LAW ENFORCEMENT

- Do not ask questions that assume guilt
- If unsuccessful, take a short break or end the interview
- Leave if you feel unsafe
- If you are concerned for your own safety or your client's, leave and call LE for help



# DOCUMENTING THE INTERVIEW

- Take thorough notes while maintaining eye contact with the A/P
- Tell A/P that you are taking notes and reasons
- Complete, exact quotes, neutral and objective
- Avoid unnecessary conclusions and labeling
- Describe demeanor (behaviors) not your reactions to them
  - Think about how the interview notes may be used

# ENDING THE INTERVIEW

- Is there anything I did not ask that you want me to know?
- Leave door open for future interviews
  - You or someone else may need to interview this person in the future
- Prepare for cooperative problem solving and/or offer of services
- Promote victim safety by ending on professional terms

# REFERENCES

- NAPSA Core Competency, Caregiver Neglect Core Competency, Module 11
- NAPSA Core Competency, The Initial Investigation, Module 16
- “Responding to Late Life Domestic Violence,” MA Executive Office of Elder Affairs
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## REFERENCES-2

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- Brandl, B. and Heisler, C. (2002) “Agency Policy Considerations and Training Issues for Victim and Worker Safety,” Victimization of the Elderly and Disabled, 5(1), 1

# QUESTIONS?

- Thank You!

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