



Overview of a Fraud Interview

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Purpose of Interviewing

- Secure facts
- Verify information
- Obtain confession

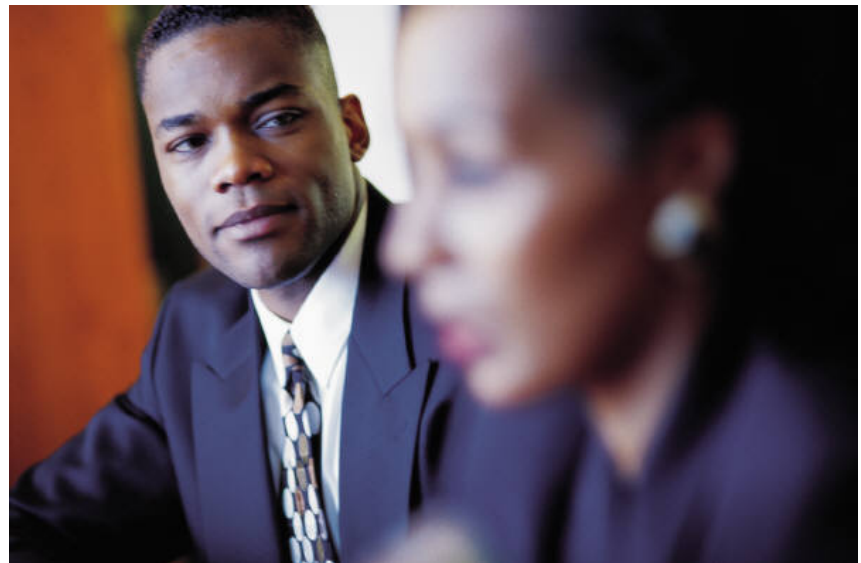


Interview Planning

- Set goals
- Know your subject/target
- Know your material
- Develop “must know” questions
- Discuss with need to know parties
- Pick location and time



- Communication skills
- Listening skills
- Show empathy
- Confidence
- Sincere/credible
- Open minded
- Patience
- Practice/training
- Observation skills



- Do your homework
- Be polite/professional
- Take good notes
- Start out simple/complex
- Stay on track
- Take your time
- Document your interview

Interviewing Basics

- Stay away from yes or no questions
- Do not promise anything
- Do not interfere with outside source
- Do not intimidate or bully
- Do not threaten law enforcement involvement
- Utilize a witness

Interviewing Basics

- Do not lie
- Do not judge or take matter personally
- Do not try to be something you are not
- Leave subject/target with dignity
- Finish your interview
- Always leave an out
- Have documentation available

Interviewing Basics

- Do not interview in a public place (avoid if possible)
- Critique your interview
- Know when to ask for help



Truthful Person

- Story contains 3 segments:
 - **introduction, main event & conclusion**
- Spend an equal amount of time on intro & main event, conclusion may be longer
- Describes both the facts & emotions
- Tells the story out of sequence

Truthful Person

- They introduce witnesses
- They deny in general
- Use realistic words
- Direct & spontaneous answers
- Reasonable memory
- Volunteers information

Deceptive Person

- Very brief on conclusion
- Describes the facts without emotion
- Often states the facts in sequence
- Deny specifically
- Avoid realistic words
- Give evasive & delayed answers

Deceptive Person

- Memory of extremes
- Qualifies answers to direct questions
- Answers too quickly, fails to give question any consideration
- Inappropriate levity, overly polite
- Responses lack continuity

Deceptive Person

- Does not form judgmental attitudes toward guilty
- Uses non-contracted denial
- Lying by referral
- One word answers
- Irrational responses

Deceptive Person

- Mental blocks
- Unjust anger
- Refers to God & religion

Unusual Sounds

- Tension increases the flow & volume of voice (pitch, rate, volume)
- Sighing
- Laughing at inappropriate times
- Stammering or stuttering
- Slurring words

Unusual Sounds

- Skipping around sentences
- Stopping sentences part-way through
- Restarting sentences in the middle
- Leaving the end off the sentence

Excessive Politeness

- “You cannot insult a guilty person.”
- Excessive politeness is a con job or subject is trying to butter you up
- Watch out if every 3rd or 4th word is “sir” or “ma’am”



Pointer Responses

- Boy that question bothers me
- That question make me feel funny
- I can feel my heart race when you ask me that question
- Stomach growling, burping, claims of indigestion
- Threatens you or uses profanity

Value Statements

“Always make them be specific & give details”

- That was a long time ago
- I didn't do it that much
- It wasn't a lot
- No more than the other guys

Stalling

- Should I tell a lie or the truth
- How big a lie do I tell...little one or a whopper
- They ask you to repeat the question
- Clears throat or gives a slight cough



Stalling

- Noises which sound like speech but are, actually used to stall:
 - Ah; Er; Uh; Jeez; Well
- Repeats the question verbatim
- Rephrases the question you asked
- Responds with another question

Complaints

“Deceptive people complain”

- Make many complaints
- Question the entire investigation
- Asks the interviewer to hurry
- Guilty complain from the start & try to bully interviewer to let them go

Religious Statements

- As God is my witness...
- If there is a God in heaven...
- May God strike me dead...
- I swear on the holy bible...
- I swear on my mother's (child's) grave...



Unnecessary Bolstering

- I swear
- That's what happened--really
- To tell you the truth
- To be perfectly frank
- To be honest or Honestly

Memory Lapses

- I don't think so
- I don't recall
- I can't remember
- Not that I can remember
- To the best of my recollection (most used phrase at senate hearings)

Overcoming Memory Lapses

- Ask them to close their eyes to visualize
- Show that memory failure is unlikely
- Go back to some agreed upon fact
- Agree with them & ask them to walk you through the incident

Flag Expressions

- Really
- I couldn't lie to you
- Frankly or Frankly speaking
- May my mother (child) drop dead
- To clarify what I am saying
- To answer completely

Flag Expressions

- I wouldn't do something like that
- This is going to sound like a lie, but
- You may not believe this, but
- I'm not try to confuse you, but
- What could happen to someone who
- I'll tell you what you want to know provided

No's

- The 5 second No
- “No” (crossed arms & legs)
- The late “No” when other answers are timely
- “No” followed by the closing of the eyes”
- “No” given before question is finished

No

- The breathless “No”
- “No” then the look away
- “No” with a hypnotic glance
- Saying “No” repeatedly in response to a question
- “No” while laughing
- “No” while shaking head or whole body

Establishing a Baseline for Non-Verbal Behavior

4 Rules to Reading Behavior

1. Establish a normal behavior pattern
2. Read for timing & consistency
3. Read behavior in clusters, not a single observation
4. Evaluate symptoms in relation to case, evidence & facts

Truthful Person

- Sits straight up, square shoulders, upright in chair, frontally aligned
- Comfortable, relaxed, casual, appears at ease
- Smooth body changes
- Leaning forward slightly

Truthful Person

- Maintains good eye contact
- Uses hands to illustrate or make a point
- Open palms
- Talkative
- Cooperative
- Sincere

Deceptive Non-Verbal Behavior

Deceptive Person

- Rigid, lack of frontal alignment
- Slouching in chair
- Barrier position (arms & legs crossed)
- Erratic - rapid body changes (robotic movements)
- Lack of interest
- Head & body slump (ready to confess)

Deceptive Non-Verbal Behavior

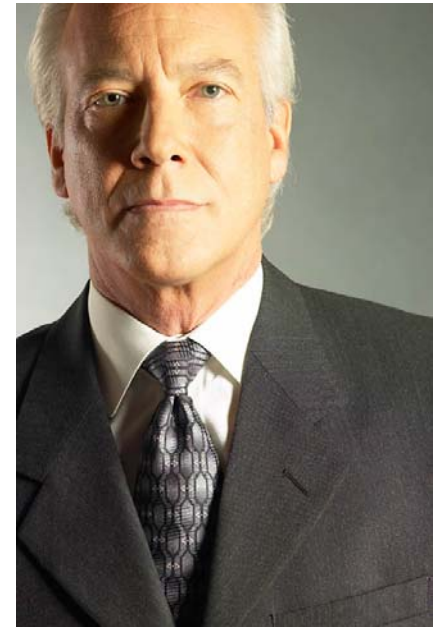
Deceptive Person

- Runner's position
- Labored breath
- Poor eye contact
- Don't generally illustrate with hands
- Places hand over mouth or eyes
- Insincere tone of voice, apprehensive

Deceptive Non-Verbal Behavior

Specific Non-verbal Indicators

- Frozen face (over 10 sec.)-fake expression
- Facial tics
- Face changes color
- Excessive eye shifting
- Prolonged eye contact (stare down)
- Blinking occurs when stressed



Deceptive Non-Verbal Behavior

Personal Gestures

- Rubbing & wringing of hands
- Scratching, stroking, picking & pinching
- Rubbing nose & earlobes
- Hair twisting, pulling or combing
- Licking of lips, biting lips
- Clearing of throat, swallowing hard, coughing, gulping, sniffing

Deceptive Non-Verbal Behavior

Personal Gestures

- Sighs & yawns (sign of lack of oxygen)
- Fingernail inspection, biting, chewing
- Knuckle popping, drumming of fingers
- Probing of body orifices
- Wiping sweat from hands, brow, and neck

Deceptive Non-Verbal Behavior

Personal Gestures

- Shuffling, tapping, and swinging of feet
- Leg bouncing
- Rubbing back of neck

Deceptive Non-Verbal Behavior

Grooming Gestures

- Adjustment of clothing or accessories
- Dusting, lint picking, thread pulling
- Winding of watch or jewelry adjustment
- Adjusting or cleaning of glasses



Deceptive Non-Verbal Behavior

External Gestures

- Smoking
- Gum chewing
- Inspecting contents of purse
- Playing with objects



Deceptive Non-Verbal Behavior

Supportive or Protective Gestures

- Head or chin on hand
- Crossing or arms, legs, ankles
- When stressed, may uncross or change direction
- Hiding of mouth & eyes
- Hiding of hands & feet

Deceptive Non-Verbal Behavior

Eye Contact - General Principles

- Truthful look at you longer (nothing to hide)
- A glance by a suspect may indicate some interest
- Too long a gaze by a suspect (staring) is a challenge

Deceptive Non-Verbal Behavior

Eye Contact - General Principles

- Different cultures have different rules
- Emotionally disturbed or extremely shy people have abnormal eye contact
- To get eye contact mention the person's name
- No dark glasses allowed

Deceptive Non-Verbal Behavior

Visual Recall

- Look up = trying to visually recall
- Truthful = look up & to the left
- Deceptive = look up & to the right
- Left-handed people - the results are reversed

Deceptive Non-Verbal Behavior

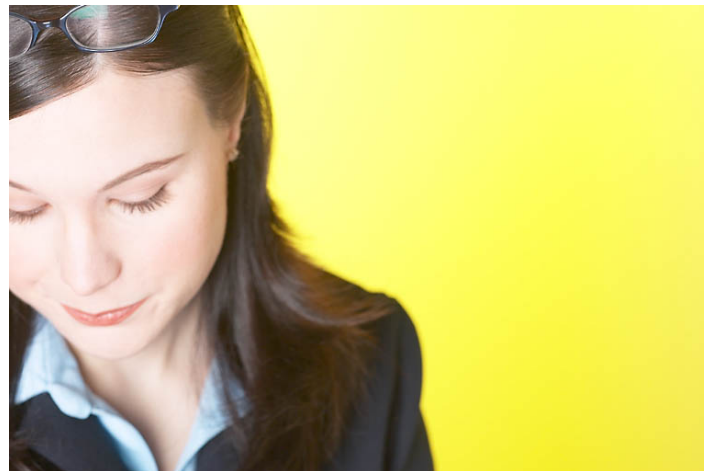
Audible Recall

- People look at their ears
- Truthful = look to the left
- Deceptive = look to the right
- Results are the same for right & left handed people

Deceptive Non-Verbal Behavior

Feelings - Eyes Down

- Head down = person experiencing feelings, remorse, having an internal dialogue
- Truthful = look down & to the left
- Deceptive = look down & to the right



The 4 P's

1. Preparation

- Have your list of rapid fire questions ready

2. Privacy

- Need one-on-one time

3. Persistence

- Be determined, repeat or rephrase the ?

4. Positioning

- Sit so you can watch the body language

Gain Control

- Exhibit confidence
- Have a command of the facts
- Maintain control of the conversation

Stop the “No”

- Hold out hand in stop sign position & turn head to side
- Mention subject’s name to get his/her attention
- Continue talking, talk faster than subject

Theme Development

- Rationalize
- Minimize
 - You're an honest person, you just made a mistake in judgment. It was a spur of the moment decision, is that what happened?
 - The cost of living keeps going up, who can keep up. We all need a little help, now and then, the interest rate on credit cards, who can afford that, is that what happened?
 - If they had cameras, you would have never stole customer personal contact data, you didn't do it 100 times, it only happened just once, didn't it?
 - It's not like it's a million dollars, it was just a couple hundred thousand, isn't that right?

Confession or Admission

- After confession, go back & clarify it
- Write out confession
- Write letter of apology (admission)
- Interviewer types out statement with obvious mistakes for subject to correct (shows knowledge and intent)

- Use of Pronouns “I”
 - use “I” = taking possession or responsibility
 - drop the “I” = trying to disassociate himself or herself from particular event or time period

- Use of Possessive Pronouns
 - “My, our, your, his, hers, their” reveal an attachment
 - Lack of possessive pronouns indicates subject is distancing from event or time period
- **A** house, **the** house, **my** house, **our** house.
Modifiers can generally change the meaning

Edited Account

- I can't remember what happened after that
- That's all I remember happening
- I believe
- I think

Use of phrase “I remember”

- The phrase “I remember” within an account indicates that whatever follows is doubly important to the subject
- That phrase “I remember” is like a big fat **underline** in a written account



Application to the Corporate Client

- What is the privilege?
 - Preserves the confidentiality of communications between an attorney & the client
 - Encourages honest & open communication between the client and the attorney
- Application to investigators?
- Who is in control of the investigation?
- What is covered? (communication vs. information)
- Attorney's advice to client?

- The confidentiality of the communication
 - Expectation of confidentiality
 - Physical maintenance of confidentiality
 - Presence of 3rd parties destroys the privilege
- Waiver of the privilege
 - Only the client can waive the privilege
- When to bring in counsel
 - The sooner the better

Interviewing Resources

- The Reid Technique of Interview & Interrogation, www.reid.com
- Stan Walters, Kinesic Interview Technique
- Practical Aspects of Interview and Interrogation, David Zulawski & Douglas Wicklander, ISBN 0-8493-8132-0

Interviewing Resources

- Fraud Examiners Manual, Vol. III (interview theory & application), Association of Certified Fraud Examiners, www.cfenet.com
- In Search of the Truth, Daniel Marsano
- Uncover the Truth, Barry Zalma, ISBN 1884770-11-8

Interviewing Resources

- Internal Corporate Investigations, Chpt. 3 (the interview process), Brad Brian & Barry McNeil, ISBN 0-89707-792-X
- The L.S.I. Course on Scientific Content Analysis (SCAN), developed by Avionam Sapir, www.Lsiscan.com

Pierce & Kohtz's Interviewing Facts

- You only get one first interview
- You get more with honey
- Everyone wants to confess
- You can become a better interviewer
- Never interrogate until the facts are established
- Subject/target must perceive that the interview is in their best interest

Pierce & Kohtz's Interviewing Facts

- Don't be afraid to ask a stupid question
- Every interview should be completed as if there were no physical evidence
- A thorough interviewer asks the ultimate question not to gain a confession as much as to gain insight into the personality of the witness

Pierce & Kohtz's Interviewing Facts

- An interviewer who is busy telling the witness what (s)he knows is too busy talking to learn anything
- The interviewer should never tell the witness anything about the results of the ongoing investigation
- The thorough interviewer repeats or rephrases the question until a complete answer is received

- Questions & Answers
- Comments & observations
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