

Investigation Interviewing TIPS

Drafting & Preparing Questions:

- Consider what questions NEED to be answered during the investigation, and by whom (Subject, Witness, Complainant).
- Fact questions that inquire about timing, environmental observations, the who, the what, when and the where of events.
- Use yes/no questions when you need clear and concise confirmation or denial of information and facts.
- Use open-ended questions to get the story in their words.
 - Open ended questions can be used to gather opinion-related information such as interpretation of meaning, what the work unit or organizational culture is, unwritten practices or those things that 'everyone just knows' but may not be said or written down.
 - Open-ended questions should still be clear and specific.
- Avoid 'why' questions, when possible, stick to 'what' or consider rephrasing to "help me understand the reasoning or purpose behind that".
- Questions should be written (and asked) in as neutral a way as possible, don't assume anything in your questions or in their answers.
- Organize your questions by allegation and be sure to differentiate for yourself the questions that MUST be asked to make certain determinations (did it happen vs. why it happened).

Prep yourself for the interview:

- Keep a copy of the specific complaint for yourself- refer to it when asked and to help keep the issue on track.
- Determine any technology you need for the interviews.
 - If videos or audio are used, have it queued up before the meeting starts.
 - Prepare any other evidence that you will refer to, ask about or need to reference for yourself.
 - Have your preferred note taking method ready along with your drafted questions.
- Document consistently and objectively for all interviews, preferably in the same format (paper, electronic, audio & transcribed).
- Take breaks when you or the interviewee needs them.
- Remember, you are doing your job. You are a fact finder, not a friend, ally or enemy.

During the Interview:

- Acknowledge what you are doing and why.
- Set a neutral tone.
- Explain confidentiality- clarify and manage expectations.

- Do your best to create a safe space that encourages cooperation and is free from interference or observation.
- Refer to your list of questions, but don't be so tied to the outline that you can't let them tell their story.
- Be curious- even when you think you may already know the answer.
- Create a 'parking lot' for other issues that may be unrelated or only semi-related to follow up on later.
- Be prepared to dig deep with follow up questions that may be on the spot.
- Clarify when you don't understand.
- Be prepared for evasive answers, and how to illicit more information.
 - "I need to understand what this means from your perspective"
 - "I can't make assumptions about what you mean, can you be more specific please"
 - "This is your/everyone's opportunity to lay out how it all happened, I want to know your story/experience/role, please tell me more"
- Keep an eye/ear out for inconsistencies and misleading statements. Be prepared and confident to call those out in the moment when you can- if appropriate.
 - "Earlier I heard you say it was before lunch, but what you just said would be late afternoon, can you clarify the timing for me?"
 - "I am not following the sequence of events you just provided. Can we go back over it?"
 - "What makes you sure it was that day/time/person?"
- Consider calling out attitude or behaviors, as an effort to learn and understand more.
 - "You appear to be getting agitated, what is causing that?"
 - "I can see you feel strongly about this, help me understand how this affects you"
 - "I need you to speak at a typical volume, can you lower your voice please. Let's take a break to gather composure."
 - "Are you able to continue participating in a way that maintains an appropriate volume, respectful tone and demeanor?"
- Take notes, don't rely on your memory.
 - Include what you asked to clarify- especially if it still doesn't make sense
 - Include things like body language, or frequent requests for breaks, frequent steward interference, demeanor and attitude

Interview Wrap Up:

- Summarize key points, make sure you've addressed the critical questions.
- Ask if there is anything they want to share that perhaps you didn't ask about and would be relevant to the issue- and if there is just anything else they want you to know.

- Inquire if there are *firsthand* witnesses or others who should be interviewed. Be sure you aren't getting a list of character witnesses to speak on behalf of someone. Clarify what any additional participants could provide for the investigation.
- Reinforce investigation integrity and confidentiality. Provide a retaliation reminder if necessary.

Example of intro to interview meeting:

Thank you for meeting with me today. I am here to ask you some questions about an incident that happened on [DATE]. I want to start by clarifying that my role today is a fact finder. I don't want to assume anything and so I may ask a lot of clarifying questions to be sure I am capturing the events from your point of view. I ask that you also don't assume I know certain things. It is important to be as clear as we can be throughout the interview.

I will be taking notes electronically on my computer. I am not responding to emails and I have put my teams chat on DND. I may need to pause to capture important information. These notes will be used to draft a summary report that includes all relevant information and then destroyed.

While I cannot compel you to keep the contents of this interview confidential, I would ask that you avoid discussing this with others until the investigation is completed. Confidentiality helps prevent interference with the investigation, the intent is to preserve the most accurate recollection of events possible and avoid influences in what or how anyone participates in the investigation.

I am not the decision maker for any consequences that may or may not arise out of this investigation. Our objective today is to gather all the facts available to provide a clear picture of events.

Any questions before we begin?