

## Recorded Interview Worksheet

### PHASE 1

- **Do you know why you are here?**
- **Do you know why I want to speak “with” you?** (If they say “no” then offer them a brief explanation of why)
- **Before we talk about that, tell me about yourself.**...If can be stated such as this--  
“Since we’ve never met before, why don’t you tell me about yourself so I know who I’m talking with.”
- **Let them speak and ask more questions about them.** (Everyone likes to talk about themselves or something they truly care about.) Again, this will provide you and your audience a baseline of how they communicate when they are not trying to hold back information from you. Think of yourself as a talk show host.

**PHASE 2:** Engage with suspect about the issue in a non-confrontational manner

- **Ask the suspect to share his/her “side” of the situation.**
- If they claim to possess no knowledge of anything you desire to speak with them about then **ask them for their “thoughts” about the situation and why they would be considered a suspect.** If they were apprehended shortly after a crime was committed this would be a good time to bring up the issue of how they ended up in police custody.
- If this is a non-custodial interview then **ask them why they would be suspected** (i.e.: complaint filed by reported victim, witness, evidence, or timeline of events).
- **“Talk to me about this.”** Continue to engage with them about the issue.
- **“What do you think about this?”**
- **Tell me about your relationship with this person** (victim, suspect; the reporting person).
- **“Where did the vehicle, gun, drugs, stolen property, come from?”**
- **“Why would they point the finger at you?”**

### **PHASE 3:** Probing questions and pursuing detail

This strategy accomplishes two objectives in the recorded interview: **1.)** It locks them in with their statement, which may allow you, later in the interview, to demonstrate to them and your audience how their lies have buried them when compared to the evidence that shows their involvement. **2.)** This strategy will demonstrate to your audience that you allowed the defendant every opportunity to provide you with a legitimate alibi for you to verify because you were truly interested in seeking the truth and not just pinning the crime on them.)

The interviewer may want to take notes of the suspect's responses and times during this stage of the interview, for it will assist them in going back over what the suspect has told them. It also assists the investigator when they are memorializing their discussion with the defendant onto a report. (It will save you a considerable amount of time when reviewing the recording.)

\*Taking notes will demonstrate that what they are telling you is important to them, and you desire to accurately reflect what they told you. Again, at this point, they believe you are looking to get their alibi. Make sure you submit the exact notes you are writing while being recorded; i.e.: If you write six pages of notes and only submit two pages during a suppression hearing the case interview could be tossed.

- Stay in your "Clinical Mode." **Continue to ask questions for specific detail in a non-confrontational manner.** Don't insinuate they are lying. Imply that you are trying to get to truth and need them to be as specific as they can to allow you the ability to assist them "if" they are innocent.
- Tell the suspect that **you may need to speak with other people to verify their version.** This will allow you to become more pointed with your questions without becoming confrontational.
- Ask the suspect **what do you think about the victim as a person.** (If they know each other.)
- **"Can think of any reason why the victim would make such a complaint against them?"** (You are knocking down a possible defense if they answer the question with a "no.")
- **Are there any potential problems that may exist between them and the reported victim or the victim's family?** (Especially if it is sexual abuse case involving a child.) (If there are issues then flesh them out with the suspect.)

#### **PHASE 4:** Confronting the suspect with what you believe to be the truth and why

This is a great opportunity to methodically lay out your case to the judge and jury as you begin to share it with the suspect. Begin to share with the suspect what your victim/witness has told you—be general and synopsized. Remain non-confrontational. Act as though you are speaking to the jury as you share the testimony of others against them. Speak of the credibility of your victim and/or witness identification of the suspect. Methodically begin to expose the suspect's lies by sharing your "concerns" about their "inconsistent" statements and explanations.

Educate the jury about what they should be looking for. Allow your "monologue" to point them in the direction of the suspect's untruths and how incredulous their explanations sound when confronted with proof and testimony that says otherwise.

Remember, if the suspect never admits to the crime you will have allowed the jury to see for themselves just how guilty they are and proved them to be a liar.

- Speak of your own expertise and experience as an investigator: **"I've been investigating these types of cases for twenty years and have the opportunity to interview hundreds of victims, children, etc., and I have to tell you, I am very impressed with this little girl's truthfulness and ability to recall such detail."**
- Begin to politely and professionally **"Let me tell you why I don't believe you're telling me the truth."** You want the jury to hear your "expert thoughts."
- **"Based on the evidence I shared with you, I have no doubt that something went down here."**
- **"Whether you tell me the truth or not doesn't mean it didn't happen. Do you understand what I am saying here?"** (Get some sort of response, even a denial)
- **"What would you think if you were me looking at all this that is in front of me?"**
- Continue to utilize your interviewing techniques in an effort to close the suspect for an admission.