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# **BEYOND THE NUMBERS: PROFESSIONAL INTERVIEWING TECHNIQUES**

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Association of Certified Fraud Examiners

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## IV. ASSESSMENT QUESTIONS

### Introduction

The closer the interviewer gets to the admission-seeking interview, the greater chance there is of deception. Witnesses might try to cover up what they know, and targets might lie to try to convince the interviewer that they are not guilty. When the interviewer believes the respondent's answers might be deceptive, the interviewer should begin asking assessment questions.

*Assessment questions* seek to establish the credibility of the respondent. They are used only when the interviewer considers previous statements by the respondent to be inconsistent because of possible deception, as in Dominique's case.

Once the respondent has answered all relevant questions about the event and the interviewer has reason to believe the respondent is being deceptive, the interviewer must establish a theme to justify additional questions. This theme can ordinarily be put forth by saying, "*I have a few additional questions.*" But when presenting a theme, the interviewer should not indicate that the questions serve a purpose other than seeking information.

In detecting deception during an interview, the interviewer must remember that the interviewee or target might already be under stress because of the situation. This does not mean the witness is lying. Darting eyes, shallow breathing, stuttering, or any of the other classic stress signs might be exhibited because the witness is afraid of the situation, not because the witness is fearful of being caught in a lie. For this reason, it is necessary for the examiner to assess the normal behavior of the individual before assessing any clues to deception.

### Norming or Calibrating

*Norming or calibrating* is the process of observing behavior before critical questions are asked, as opposed to doing so during questioning. This process is also referred to as *establishing a baseline*. Norming should be a routine part of all interviews. Individuals with truthful attitudes answer questions one way; those with untruthful attitudes generally answer them differently. Assessment questions ask the subject to agree with matters that go against the principles of most honest people. In other words, dishonest people are likely to agree with many of the statements, while honest people won't. As Barry Masuda said in the video:

**Barry:**

*“Most people react when they’re telling the truth according to the lines of an old Persian proverb: ‘The man who speaks the truth is always at ease.’ And that’s typical of anyone who knows they have nothing to hide. They’re open; there’s no shortage of desire to communicate; they’re willing to talk about any issue; and the strength that they have is that they’re talking about truthful situations.”*

Assessment questions are designed primarily to get a verbal or nonverbal reaction from the respondent. The interviewer can then carefully assess that reaction. The reactions of Dominique and Will in the video provide good illustrations. Suggestions for observing the verbal and physical behavior of the respondent include:

- Use senses of touch, sight, and hearing to establish a norm.
- Do not stare or call attention to the person’s behavioral symptoms.
- Be aware of the respondent’s entire body.
- Observe the timing and consistency of behavior.
- Note clusters of behaviors.

Based on the respondent’s reaction to the assessment questions, the interviewer then considers all the verbal and nonverbal responses together (not in isolation) to decide whether to proceed to the admission-seeking phase of the interview. Because it is easy to draw the wrong conclusions when evaluating signs of deception, no single behavior should be isolated, and no single conclusion should be drawn from it. Behaviors should be considered together. Don’t place undue reliance on the results of the assessment questioning.

### **Physiology of Deception**

It is said that everyone lies and does so for one of two reasons: to receive rewards or to avoid punishment. In most people, lying produces stress. The human body attempts to relieve this stress (even in practiced liars) through verbal and nonverbal reactions. However, it is generally easier to tell when someone is being truthful than to tell when someone is lying because the clues to lying are often confused with the clues to stress.

Conclusions concerning behavior must be tempered by a number of factors. The physical environment in which the interview is conducted can affect behavior. If respondents are comfortable, they might exhibit fewer behavior quirks. The more intelligent the respondent, the more reliable verbal and nonverbal clues are. If the respondent is biased toward or against the interviewer, it affects behavior. Behaviors brought on by stress can range from subtle to obvious. As Barry Masuda pointed out about Dominique, one of the more obvious forms of her behavior concerned her overall posture.

**Barry:**

*“The trunk is the heaviest part of the body. The more nervous a person becomes, the more that trunk tends to turn in on itself, and you get a hunch-like approach—almost a clenched face accompanies it and it shows that someone is very tense.”*

Moreover, behavioral clues are harder to read with respondents who are mentally unstable or who are under the influence of drugs. Because professional pathological liars are often familiar with interview techniques, they are less likely to furnish observable behavioral clues. Similarly, behavior symptoms of juveniles are generally unreliable.

Additionally, cultural and socio-economic factors should be carefully considered when observing a respondent’s behavior. Some cultures, for example, discourage looking directly at someone. Other cultures use body language that can be misinterpreted. As Scott commented in the video:

**Scott:**

*“Cultural blocks or problems in speech and communication are something that interviewers deal with on a daily basis. There’s no cookie-cutter mold for the respondent—that person is going to be different from interview situation to interview situation.”*

There are basically two types of communication: verbal and nonverbal.

**Verbal Clues**

*Verbal clues* are those relating to words, expressions, and responses to specific questions. Verbal responses include spoken words and gestures that serve as word substitutes, including nodding or shaking the head to indicate “yes” and “no.” The following are some examples of verbal clues.

**CHANGES IN SPEECH PATTERNS**

Deceptive people often speed up or slow down their speech or speak louder. A deceptive person might experience a change in their voice pitch because the vocal chords constrict as a person becomes tense. Deceptive people also tend to cough or clear their throats when they are lying.

**REPETITION OF THE QUESTION**

Liars frequently repeat the interviewer’s question to gain more time to think of a response. The deceptive individual might say, “What was that again?” or something similar. Dominique used this technique often.

### TIMING OF RESPONSES

The amount of time between a probing question and its response is often one of the first signs of untruthfulness. A delay in answering means the respondent might be deceptive. A simple, direct, and unambiguous question does not require much deliberation before an answer is given; therefore, a delayed response often indicates an attempt to contrive a false answer.

### COMMENTS REGARDING THE INTERVIEW

Deceptive people often complain about the physical environment of the interview room, such as by saying, “It’s cold in here.” They also sometimes ask how much longer the interview will take.

### FRAGMENTED OR INCOMPLETE SENTENCES

In some situations, a deceptive person speaks in fragmented or incomplete sentences, such as, “It’s important that ...,” “I’ll do anything if ...,” or “I hope you ...” The presence of incomplete sentences indicates that the suspect has an unclear line of thought, which indicates that they are being deceptive.

### SELECTIVE MEMORY

In some cases, the deceptive person has a fine memory for insignificant events, but when it comes to the important facts, they say something like, “I just can’t seem to remember.” Dominique, for example, tried to act confused about the 11 televisions she purchased.

### MAKING EXCUSES

Dishonest people frequently make excuses about things that look bad for them, such as, “I’m always nervous; don’t pay any attention to that.” Or in the case of Dominique, “Everybody does it.” Here is how Scott replied when Dominique asked if there was anything “wrong” with her writing up her own transactions:

**Scott:**

*“Well, in writing up your own three-parter, yeah, there’s a little bit something wrong with that, but not a major ... major issue at this point. That’s why I asked you before I showed you the ticket if you had ever written your own and if it was wrong to write your own.”*

**Dominique:**

*“Yeah, well, everybody does it in the department.”*

**Scott:**

*“Okay, well that’s important, and what we’re going to get into eventually is everything that goes on in the department.”*

***Dominique:***

*“To tell you the truth, everybody does it.”*

**EMPHASIS ON CERTAIN WORDS**

On frequent occasions, dishonest people add what they believe to be credibility to their lies by use of emphasis.

**OATHS**

Dishonest individuals frequently use expressions such as “I swear to God,” “honestly,” “frankly,” “or to tell the truth” to add credibility to their lies. Recall Dominique’s reaction in the video:

***Dominique:***

*“But I can tell you real honestly I did not take this money; I wouldn’t steal first of all. I’ve been working here four years.”*

**CHARACTER TESTIMONY**

A dishonest person often suggests to the interviewer, “Check with my wife” or “Talk to my minister” to add credibility to false statements.

**ANSWERING WITH A QUESTION**

Rather than deny the allegations outright, the liar might answer a question with a question, such as, “Why would I do something like that?” As a variation, the deceptive person might question the interview procedure by asking, “Why are you picking on me?”

**OVERUSE OF RESPECT**

Some deceptive individuals go out of their way to be respectful and friendly. When accused of wrongdoing, it is unnatural for a person to react in a friendly and respectful manner. With Dominique, even when Scott accused her, she did not become angry.

**INCREASINGLY WEAKER DENIALS**

When an honest person is accused of something they did not do, that person is likely to become angry or forceful in making denials. The more the innocent person is accused, the more forceful the denial becomes. The dishonest person, in contrast, is likely to make a weak denial. Upon repeated accusations, the dishonest person’s denials become weaker, to the point that the person becomes silent. That is the way Dominique reacted.

### FAILURE TO DENY

Dishonest individuals are more likely than honest individuals to deny an event specifically. An honest person offers a simple and clear “no,” while the dishonest person qualifies the denial: “No, I did not steal \$15,000 from the company on June 27.” Other qualified denial phrases include “to the best of my memory,” “as far as I recall,” or similar language. Here is how Dominique reacted when Scott began asking whether she had written up her own returns—a clear violation of internal control:

**Scott:**

*“Would there ever be a time that you would write up any portion of a three-parter at customer service?”*

**Dominique:**

*“Like I said, the customer is yelling and screaming, the customer doesn’t want to go out to the floor, and I call the department manager and they’re busy and they give me the okay, I’ll write it up.”*

### AVOIDANCE OF EMOTIVE WORDS

Liars often avoid emotionally “provocative” terms, such as *steal*, *lie*, and *crime* and instead use “soft” words, such as *borrow* and *it* (referring to the deed in question). The following is Will’s response when Scott asked him about the missing camcorders:

**Scott:**

*“When I asked before what happened to it, obviously, if it was simply misplaced, they would have found it; you would have found it; Mike would have found it. It would have been on the extras.”*

**Will:**

*“They would have found it if it was somewhere back there.”*

**Scott:**

*“Obviously, what are we talking about then?”*

**Will:**

*“Theft.”*

**Scott:**

*“Of the piece?”*

**Will:**

*“Well, I mean, it’s possible.”*

**REFUSAL TO IMPLICATE OTHER SUSPECTS**

Both the honest respondent and the liar have a natural reluctance to name others involved in misdeeds. However, the liar frequently refuses to implicate possible suspects, no matter how much pressure the interviewer applies. This is because the culpable person does not want the circle of suspicion to be narrowed. In the inventory shortage in the video, Will was not reluctant to eliminate others. This can be an indicator of truthfulness.

**TOLERANT ATTITUDES**

Dishonest individuals typically have tolerant attitudes toward criminal conduct. The interviewer in an internal theft case might ask, “*What should happen to this person when he is caught?*” The honest person usually will say, “*He should be fired and prosecuted.*” The dishonest individual is much more likely to reply, “*How should I know?*” or “*Maybe he is a good employee who got into problems. Perhaps he should be given a second chance.*” Observe Dominique’s and Will’s responses:

**Scott:**

*“Do you think that just termination of the job is enough in any event that someone had stolen money?”*

**Dominique:**

*“Uh ...”*

**Scott:**

*“Or would it sort of depend on the situation.”*

**Will:**

*“It depends, I guess. Yeah, I would think it depends.”*

**RELUCTANCE TO TERMINATE INTERVIEW**

Dishonest individuals are generally more reluctant than honest ones to terminate the interview. The dishonest individual wants to convince the interviewer that they are not responsible so that the investigation will not continue. The honest person, in contrast, generally has no such reluctance.

**FEIGNED UNCONCERN**

The dishonest person often tries to appear casual and unconcerned, adopts an unnatural slouching posture, and reacts to questions with nervous or false laughter or feeble attempts at humor. The honest person, conversely, is usually concerned about being suspected of wrongdoing and treats the interviewer’s questions seriously. For this reason, truthful suspects might demand to know whether they



are still suspects after the interview. Note that Dominique frequently laughed at inappropriate times. She also attempted to feign a relaxed posture.

### ***Nonverbal Clues***

*Nonverbal clues* are illustrated by an individual's body language and can include various body movements and postures accompanying a verbal reply. Some common types of nonverbal clues are discussed below.

#### **FULL-BODY MOTIONS**

When asked sensitive or emotive questions, dishonest people often react differently than honest people by changing their posture completely, as if moving away from the interviewer. In contrast, honest people frequently lean forward toward the interviewer when questions are serious.

#### **ANATOMICAL PHYSICAL RESPONSES**

*Anatomical physical responses* are the body's involuntary reactions to fright, such as increased heart rate, shallow or labored breathing, or excessive perspiration. These reactions are typical of dishonest people accused of wrongdoing.

#### **ILLUSTRATORS**

*Illustrators* are motions made primarily with the hands that demonstrate points when talking. During nonthreatening questions, the respondent's illustrators might occur at one rate, and during threatening questions, they might increase or decrease.

#### **INTERRUPT THE FLOW OF SPEECH**

Often, deceptive people take some stress-related actions to interrupt the flow of speech. Examples include:

- Closing the mouth tightly
- Pursing the lips
- Biting the lip or tongue
- Licking the lips
- Chewing on objects
- Placing hands over the mouth

Genuine smiles usually involve the whole mouth; false ones are confined to the upper half. People involved in deception tend to smirk rather than smile.

### **MANIPULATORS**

*Manipulators* are motions, such as picking lint from clothing, playing with objects such as pencils, or holding one's hands while talking. Manipulators are displacement activities that reduce nervousness.

### **FLEEING POSITIONS**

During the interview, dishonest individuals often posture themselves in a fleeing position. In this position, the respondent's head and trunk might be facing the interviewer, but the respondent's feet and lower body might be pointing toward the door in an unconscious effort to flee. There were times when both Will and Dominique exhibited this behavior.

### **CROSSING THE ARMS**

Crossing one's arms over the middle zones of the body is a classic defensive reaction to difficult or uncomfortable questions. When a person places their hands across their body, it is a defensive gesture made to protect the "soft underbelly." A variation of this behavior is crossing the feet under the chair and locking them. These crossing motions occur mostly with deception. In the video, Will kept his arms crossed most of the time. It would have been more indicative of deception if he had crossed his arms only during the difficult questions.

### **REACTION TO EVIDENCE**

To show concern, the culpable person often displays a keen interest in implicating evidence. The dishonest person might look at documents presented by the interviewer, attempt to casually observe them, and then shove them away, as if wanting nothing to do with the evidence. Dominique, however, carefully examined the paperwork Scott provided her.

## **Methodology of Assessment Questions**

Assessment questions should proceed logically from the least to the most sensitive. The following questions illustrate the pattern that an interviewer might take in questioning a witness. In most examples, the question's basis is explained before the question is asked. The initial questions seek agreement. Not all questions are asked in all situations.

In the following example, assume an interviewer is conducting an examination of missing funds. During a routine interview of one of the employees, the respondent makes several factually incorrect statements. The examiner thereafter decides to ask a series of assessment questions and observe the answers. Here is how the interviewer begins their questioning:

| Example  | Explanation  |
|--|--|
| <p><b>Interviewer:</b><br/> <i>“The company is particularly concerned about fraud and abuse. There are some new laws in effect that will cost the company millions if abuses go on and we don’t try to find them. Do you know which law I am talking about?”</i></p>   | <p>Most individuals will not know about the laws concerning corporate sentencing guidelines, and will, therefore, answer “no.” The purpose of this question is to get the respondent to understand the serious nature of fraud and abuse.</p>                                |
| <p><b>Interviewer:</b><br/> <i>“Congress recently passed a law that allows for the levy of fines against companies that don’t try to clean their own houses. Besides, when people take things from the company, it can cost a lot of money, so you can understand why the company’s concerned, can’t you?”</i></p> | <p>Most people will answer “yes” to this question. In the event of a “no” answer, the interviewer should explain the issue fully and, thereafter, attempt to get the respondent’s agreement. If the interviewee still does not agree, the interviewer should assess why.</p> |

| Example   | Explanation   |
|---|---|
| <p><b>Interviewer:</b><br/> <i>“Of course, they are not talking about a loyal employee who gets in a bind. They’re talking more about someone who is dishonest. But a lot of times, it’s average people who get involved in taking something from the company. Do you know the kind of person we’re talking about?”</i></p> | <p>Most people read the newspapers and are at least generally familiar with the problem of fraud and abuse. Agreement by the respondent is expected to this question.</p>   |
| <p><b>Interviewer:</b><br/> <i>“Most of these people aren’t criminals at all. A lot of times, they’re just trying to save their jobs or just trying to get by because the company is so cheap that it won’t pay people what they’re worth. Do you know what I mean?”</i></p>  | <p>Although honest and dishonest people will both probably answer “yes” to this question, the honest individual is less likely to accept the premise that these people are not wrongdoers. Many honest people might reply, “Yes, I understand, but that doesn’t justify stealing.”</p>  |
| <p><b>Interviewer:</b><br/> <i>“Why do you think someone around here might be justified in taking company property?”</i></p>  | <p>Fraud perpetrators frequently justify their acts. Therefore, when compared to an honest person, a dishonest individual is more likely to attempt a justification, such as “Everyone does it” or “The company should treat people better if they don’t want them to steal.” The honest person is much more likely to say, “There is no justification for stealing from the company. It is dishonest.”</p> |

|   |  |
|---|--|
| <p><b>Interviewer:</b><br/> <i>“How do you think we should deal with someone who got in a bind and did something wrong in the eyes of the company?”</i></p>       | <p>Similar to other questions in this series, the honest person wants to “throw the book” at the offender; the culpable individual, similar to Dominique, will typically say, “How should I know? It’s not up to me” or “If he were a good employee, maybe we should give him another chance.”</p> |
| <p><b>Interviewer:</b><br/> <i>“Do you think someone in your department might have taken something from the company because he thought he was justified?”</i></p> | <p>Most people—honest or dishonest—will answer “no” to this question. However, the culpable person will more likely say “yes” without elaborating. The honest person, if answering “yes,” will most likely provide details.</p>  |

| Example  | Explanation   |
|--|---|
| <p><b>Interviewer:</b><br/> <i>“Have you ever felt yourself—even though you didn’t go through with it—justified in taking advantage of your position?”</i></p> | <p>Again, most people, both honest and dishonest, will answer “no” to this question. However, the dishonest person is more likely to acknowledge having at least “thought” about doing it.</p>  |
| <p><b>Interviewer:</b><br/> <i>“Who in your department do you feel would think they were justified in doing something against the company?”</i></p>            | <p>The dishonest person is unlikely to furnish an answer to this question, saying instead that “I guess anyone could have a justification if they wanted to.” Conversely, the honest individual is more likely to name names—albeit reluctantly. Consider Will’s response to a similar question:</p> <p><b>Will:</b><br/> <i>“Well, personally, I don’t think Rob could have because he was with me. I would say that anybody in management here has a lot more to lose. Personally, I think anybody who works here would have a lot more to lose.”</i></p> <p>The interviewer can continue their questioning along the same lines as the following examples.</p> |

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|---|--|
| <p><b>Interviewer:</b><br/> <i>“Do you believe that most people would tell their manager if they believed a colleague was doing something wrong, such as committing fraud against the company?”</i></p> | <p>The honest person has more of a sense of integrity and is much more likely to report a misdeed. The dishonest person is more likely to say “no.” When pressed for an explanation, the dishonest person will typically say, “No, nothing would be done about it, and they wouldn’t believe me anyhow.”</p>   |
| <p><b>Interviewer:</b><br/> <i>“Is there any reason why someone who works with you would say they thought you might feel justified in doing something wrong?”</i></p>                                   | <p>This is a hypothetical question designed to make the wrongdoer think that someone has named them as a suspect. The honest person will typically say “no.” The dishonest person is more likely to try to explain why someone would consider them a suspect by saying something such as, “I know there are people around here who don’t like me.”</p> |

| Example   | Explanation  |
|---|--|
| <p><b>Interviewer:</b><br/> <i>“What would concern you most if you did something wrong and it was found out?”</i></p> | <p>The dishonest person is likely to say something such as, “I wouldn’t want to go to jail.” The honest person, however, might reject the notion by saying “I’m not concerned at all because I haven’t done anything.” If the honest person does explain, it will usually be along the lines of disappointing friends or family; the dishonest person is more likely to mention punitive measures. Will’s response was typical of an honest person.</p> <p><b>Will:</b><br/> <i>“Whatever it’s worth, it can’t be worth more than like a month, month-and-a-half’s paycheck for anybody in the warehouse. And since most of these guys work here full time and maybe they’re not lifers, but you know, they’re looking to this for a steady income.”</i></p> <p><b>Scott:</b><br/> <i>“Yeah, this is their job.”</i></p> |