



Center for Interviewer Standards & Assessment
Focused on the science of interviewingSM

cfinsider

September 2006

A PUBLICATION FOR THE CERTIFIED FORENSIC INTERVIEWER

CISA

The objective of this certification program is to create comprehensive, universally accepted professional standards combined with an objective measure of an interviewer's knowledge of those standards. The ultimate goal is that every person and every organization with a stake in interviewing will benefit from the program, as will the reputation and effectiveness of the entire profession.

CFI Code of Ethics

The Certified Forensic Interviewer is a professional with the expertise to conduct a variety of investigative interviews with victims, witnesses, suspects or other sources to determine the facts regarding suspicions, allegations or specific incidents in either public or private sector settings.

The Certified Forensic Interviewer demonstrates understanding of legal aspects of interviewing and proficiency in interview preparation, behavioral analysis, accusatory and non-accusatory interviewing, documentation, and presentation of findings.

Click here to link to the complete CFI Code of Ethics:

http://certifiedinterviewer.com/code_of_ethics.htm

Inside This Issue

- Questions from the Field
- Legal Aspects
- Links of Interest
- Current CFIs and Organizations
- CFI Ambassadors
- Linking Research to the Field
- CFI Re-Certification Tips
- CFIs On the Move!

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Update from the

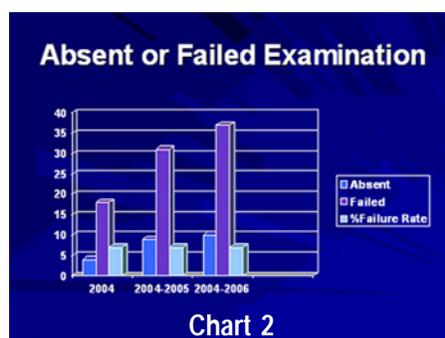
Chairman of the CISA Advisory Committee

This past August the Advisory Board of the Center for Interviewer Standards and Assessment met to review the current status of the examination, development of future examinations, and the recertification process for CFIs.

The Board was apprised of the current number of individuals holding the CFI designation and those in the process of obtaining theirs. As you will note from the following chart our numbers continue to grow as more individuals and organizations realize the benefits of the designation. Clearly, as more certifications become available in our industry it speaks to the maturation and success of the professional investigator. As you will note in the following chart (Chart 1) our current membership is over five hundred people and has grown at a steady pace since the examination began. Presently the membership is dominated by individuals employed in the private sector, but there are a number of initiatives to expand the public sector. For example, Fox Valley Technical College has included the CFI as part of its law enforcement certificate. As a result The CFI Preparatory Course is eligible for college credit and tuition reimbursement programs.



David E. Zulawski, CFI, CFE
 Chairman of CISA
 Advisory Committee



We have also seen a corresponding growth in people who sign up for the examination, but for some reason fail to take the examination. This can be viewed positively since these numbers are relatively small when viewed against the whole. (See Chart 2)

Another way to look at the growth of the CFI certification is to look at those in the process of preparing to take the examination. As you can see from Chart 3 there are over six hundred people either preparing to take the test or having preparatory materials reserved for them.

Finally there are almost two hundred and fifty separate organizations represented by the current CFIs. (Chart 4) Applied Measurement Professionals (AMP), our

Continued on page 2.

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September '06 *Update*

CFI Preparatory Registrations

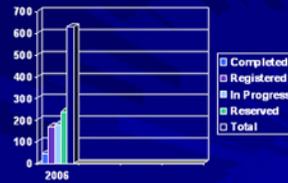


Chart 3

Organizations Involved

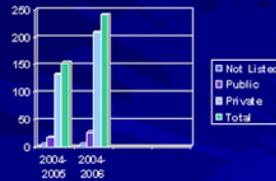


Chart 4

testing organization, is both surprised and pleased at the growth we have had compared to other certification programs they have administered over the years.

In short, our growth is in line with what should be expected when there was no grandfathering of the membership.

The Board also had considerable discussion of the re-certification process. It was agreed that continuing education is an important part of maintaining the CFI designation. The ability of a CFI to obtain credits toward re-certification without having to attend a formal paid class was emphasized. Company training programs and presentations may qualify, but the CFI must document these to account for the necessary hours.



Questions from the Field

Question: Does non-bonded loss prevention personnel have the right to give a custodial interrogation without warning?

Answer: According to the 5th amendment, if someone puts you in a custodial interrogation they have to give the Miranda Warnings because they are enacting a police action.

Answer: We think you have either confused or misinterpreted the Fifth Amendment to the United States Constitution.

Fifth Amendment

No person...shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law...

The Fifth Amendment to the United States Constitution says nothing about custodial interrogation. It is the Miranda decision that talked about custodial interrogation and the cautionary warnings that must be given to a person arrested by police.

Without knowing more about the context of your question it may be difficult to give you an accurate answer. However, we can answer it in general terms. Unless there is a statutory requirement, whether or not the individual is bonded or not is really irrelevant to the situation. The courts have been very clear that a private citizen acting independent of the police does not have to give Miranda warnings. For example, when loss prevention apprehends a shoplifter the agent is merely making a citizen's arrest and not acting as a representative of the state. Therefore, unless there are statutory requirements to the contrary, there is no need for Miranda warnings to be given. Once the police have determined that there is sufficient probable cause for the arrest the officer must then read the individual his Miranda rights prior to any questioning since the person is now in police custody. The term "custodial interrogation" is used where the police are involved and have made an arrest. Just being questioned by a police officer does not necessarily turn the conversation into a custody situation. A loss prevention agent conducting an interrogation after an arrest would likely be seen as acting as an agent of the police, thus the warnings would be required. If the police had previously given the individual his Miranda warnings there is no requirement that another officer or loss prevention

investigator acting as an agent of the police must re-advise the individual of his Miranda warnings, unless a considerable period of time has passed.

An additional point worth noting is that the Miranda warnings are incident specific. For example, if an individual was placed under arrest for burglary and read his Miranda warnings he could refuse to talk to the police and all questioning must stop. However, his refusal to talk is limited to the burglary, not another issue. Even though the individual invoked his Miranda rights and is in custody for the burglary he could still be questioned on a separate crime. The suspect's invocation of his rights is limited to the burglary and any statements made to the separate crime, for which he was not under arrest, would likely be admissible at trial. If the officers had continued to question the suspect on the burglary after his refusal to talk to them, any statements that he made would likely be suppressed. In addition, any evidence recovered as a result of those statements could be suppressed since the evidence would be tainted under the "fruit of the poisonous tree" doctrine.

In simple terms the Miranda warnings must be read to a suspect if: 1) the individual is in police custody, 2) the person doing the questioning is public law enforcement or someone acting as their agent, and 3) the individual is actually being questioned. Any spontaneous utterances made by an individual without being questioned will generally be admissible in court.

It is only when the police become involved, an action of the state, that the Miranda warnings become a requirement prior to an interrogation.

Question: Do we have to give the shoplifter Miranda since we have called the police and the person is going to be arrested?

This question is very similar to the previous question. The individual is not in police custody, nor has a formal arrest been made. Once the police arrive and make the arrest Miranda warnings come into play. Statements made prior to the officer's arrival will likely be admitted at trial because they were made before the arrest took place.

There are other issues that should be considered as well. First, this is an opportunity for the loss prevention agent to explore other aspects related to the crime, gathering intelligence into the scope and frequency of the suspect's activities. Obtaining admissions relating to the quantity and frequency of the person's shoplifting can help estimate the impact on an organization's shrink. Second, these admissions may be admissible at trial to give an indication of the scope of the suspect's activity against the company. There may also be sufficient information to increase the civil demand based on the suspect's statements. Finally, for those working on Organized Retail Crime this interview can be fertile ground to gather information on the group's operations and structure. Even if the suspect invokes his rights and refuses to talk about the shoplifting incident, he may be willing to offer information about the organized theft ring. This information is separate from the shoplifting incident and since the information has intelligence value it will not likely be used at trial anyway.



Opinions and ideas in cfinsider are intended for information only. And is not meant to be used as legal advice.

How Do You Sign Your E-mails?

Have you added CFI to your e-signature?

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4 Legal Aspects.....

After the suspect's initial refusal to talk about murder are his later statements admissible?

Herbert v. Cain, 5th U.S. Circuit Court of Appeals, No. 03-31158 (2005)

Facts:

Gaspard was arrested for the murder of the manager of the Green Oaks Lounge. His roommate, Herbert, was also a prime suspect in the murder. Police officers asked Herbert to come to the police station to discuss the murder. A neighbor of Herbert's gave officers a bag of clothes that she said Herbert had asked her to hold for him.

At 2:30 that afternoon Herbert arrived at the police station and was placed in an interrogation room where he was read his Miranda rights. Herbert signed a form consenting to the interview and offered an alibi to the officers. Upon learning about the bag of clothes Herbert became visibly shaken and declined to talk further about the murder. After his third refusal to discuss the case any longer the officer discontinued the interview.

Shortly after the first officer left the interview room his partner entered and re-advised Herbert of his Miranda warnings. This second interview continued for approximately 3 hours before Herbert made incriminating statements. At no time during this second interrogation did Herbert refuse to talk about the murder.

Are the suspect's incriminating statements from the second interrogation admissible?

Decision: Affirmed

Herbert had asked the trial court to suppress his statements since he invoked his right to remain silent and police did not honor his request. The trial court had refused to suppress his statements and he appealed his conviction.

The Court of Appeals found that Herbert had voluntarily made statements incriminating himself. The first officer terminated the interrogation as a result of Herbert's refusal to talk about the murder. However, police could re-interrogate a suspect if they:

- 1) immediately ceased the original interrogation when requested to do so,
- 2) waited a significant period of time before resuming the interrogation,
- 3) gave the suspect a fresh set of Miranda warnings,
- 4) interrogated the suspect about a different crime, and
- 5) the suspect was advised he did not have to speak with officers

Clearly the initial officer did not stop the interrogation immediately, waiting until after Herbert's third refusal to talk about the murder. There was also no significant time period between the first and

second interrogation that was on the same topic, the murderer of the lounge manager.

It is clear that Herbert received a second set of Miranda warnings, had frequent breaks during the second interrogation and was not "browbeaten" to wear him down. The court viewed the totality of circumstances concluding that police had honored Herbert's right to silence. It should be noted that the court of appeals felt that this was a very close call, but declined to overturn the lower court's conclusion.

Man in custody and represented by counsel confesses to unrelated armed robbery. Was his right to counsel violated?

U.S. v. Santiago, 3rd U.S. Circuit Court of Appeals, No. 05-1515 (2006)

Santiago was being held without bail for drug offenses and was being represented by a court-appointed lawyer. A detective for another community was investigating Santiago relating to an armed robbery of a hotel. Santiago had been identified from a photo lineup by the clerk at the hotel.

The day after Santiago had received his court-appointed lawyer the detective interviewed him in jail about the armed robbery. After waiving his Miranda rights, Santiago confessed to the hotel armed robbery and made a written statement. Santiago asked the court to suppress his incriminating statements because he had been denied his right to counsel.

Decision: Affirmed

The trial court had properly admitted Santiago's statements at trial. The right to counsel is protected by the Sixth Amendment and is incident specific. The defendant had been granted a court appointed attorney for the drug offenses only. Since the defendant was not represented by counsel for the armed robbery of the hotel it was appropriate for the detective to question him without a lawyer being present. In addition, Santiago was not in custody for the armed robbery at the time that he was being questioned by the detective in jail. His arrest for the robbery did not come until almost a month later. The right to counsel does not apply until a suspect has been at least arrested.



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"Figures don't lie,
but liars figure."
Lou Holtz

Comments, Facts & Interesting tidbits

Compliance

by Scott H. Patterson, CFI, PCI
Assistant Store Manager, Wright's Foodliner, Inc.

The lack of complete compliance toward an investigation by Store Managers is a situation that professional investigators must prepare for in a multi-store environment. As a CFI, creating a mutual level of respect and cooperation with all the store level employees will help ensure that problems with the Store Manager's compliance are mitigated and the situation under investigation is thoroughly resolved in an efficient and discreet manner.

The confidence of knowing that the interview and interrogation process will produce a successful conclusion to the investigation is not often shared by those Store Managers who are not familiar with the process. As you search for the truth, the doubt of others can at times be contagious and disheartening. It is not entirely rare to encounter defensive behavior by Store Managers that may seem at the time nothing short of obstruction. This added suspicion towards them because of their behavior can become a waste of valuable energy. The CFI has to establish the rapport needed to inspire the necessary support for the investigation from Store Managers. As a professional investigator it is important to overcome any personal pangs of doubt or feelings of isolation by promoting a confident and positive persona. Maintaining a professional attitude toward the Store Managers will help you effectively respond to their unexpected criticism and defensive attitude. A Store Manager who feels the natural stress from having to host an internal investigation in their store may initially complain to you that employee morale is low because of the investigation. This type of complaint can be a good indication that weak controls in the store are at the core of the problem under investigation, but remain positive and open to the all the factors that could be causing the Store Manager to complain. Leadership is always crucial when faced with any unexpected behavior from Store Managers. Demonstrate a command of the situation by explaining the interview and interrogation process to them with the appropriate tact and enthusiasm. Try to refrain from using any absolute authority in the matter to get what you need in the investigation and maintain your professional bearing as you listen to their complaints.

The impact of the investigation from the Store Manager's point of view is not always taken into consideration when preparing for an internal investigation. If weak controls are suspected and poor management techniques are a matter of record with the host store then they must be considered as part of the investigation. Take the time to view the impact of the investigation from the Store Manager's point of view regardless of their past history with other disciplinary matters. This technique can help you maintain a consistent baseline of objectivity and demonstrate to others that you have made an effort to move beyond any previous biases with

that store's operations. When possible, develop goals of what the successful result of the investigation will be with Human Resources or the Director of Personnel. The result of the investigation can eventually include the termination or suspension of a senior store employee and a strong partnership with the HR department can give you the answers you need to help the Store Manager with questions and concerns over their staffing needs.

Store Managers are some of the most senior and dedicated employees in the company. The lack of complete compliance from them is often emerging from natural stress and the basic concerns of having to host an internal investigation in their store. It is not necessarily coming from a desire to conceal their own involvement in the situation or obstruct the investigation because of their personal loyalties or embarrassment. Make an effort to discuss with Human Resources and Operations early in the investigation some of the basic store level concerns of the Store Managers involved. This type of preparation will help you as a CFI engage those Store Managers with real solutions to their immediate problems and help engender their cooperation through mutual respect.

Editor's Note: This is an example of a submitted article that is eligible for Continuing Education Credits for your Re-Certification. Scott says he wrote this after being inspired by receiving the CFI Challenge Coin.



CFI in the Media

Pierre Lautischer, CFI has been selected to be one of 69 co-authors on a book titled Case Studies in Fraud. Click the magazine cover and scroll to page 37 to view an profile article about Pierre Lautischer, CFI.

www.nait.ca/alumnait/pdfs/AlumnaitSum2006.pdf

Syed Raza, CFI being interviewed Concerning Global Security and Loss Prevention:

http://losspreventionmagazine.com/archives_view.html?id=1590

Walter Palmer, CFI, CFE, CPP discussing Considerations for Evaluating EAS Source-Tagging Programs:

http://losspreventionmagazine.com/archives_view.html?id=1592

MySpace.com as an Investigation Resource

I'm sure you have all heard of MySpace, an internet site where lots of people go to meet new people, stay in touch with friends, share music, pictures, videos, and lots more. A nice way to get background on people before an interview is to enter their name into MySpace, read their profile and blogs, and view their pictures. In order to view all of the information on a person's site, you need a MySpace account.

Links of Interest.....

How to Spot a Liar ...Click Here

Recording interrogation can avert controversy
Pittsburgh Post Gazette - Pittsburgh, PA, USA

... "Each **interrogation** is fluid; you have to respond to the personality of a suspect being ... Sometimes they tape only a short statement after a lengthy **interview**. ...

Leo J. Rain, M.D. did a statistical survey in 1996 of the moral development of 450 students (California State University at Northridge) using a questionnaire developed at the Josephson Institute of Ethics and in cooperation with members of the Departments of Philosophy, Department of Political Science (Professor Phil Present), and Department of Psychology (Professor Linda Fidell). Here is a link to the interpretation details of the survey:
www.csun.edu/~hbphi016/interpre.htm

Link to National Business Ethics Survey for 2005:
www.ethics.org/nbes/nbes2005/release.html

false confession article:
http://forejustice.org/wc/robert_farnsworth_jr_vol1_i12.htm

CFI Needs You!

Since the CFI designation has gone worldwide, we have had numerous requests for information about conducting investigations throughout the world. We are looking for CFIs in different countries who can create a "cheat sheet" for others to use when conducting investigations in other countries. Types of information needed includes: country's requirements when conducting internal investigations, Miranda warnings (equivalent to US), proper reporting to authorities, special rules/laws to be aware of, etc. Should you be able to create these "cheat sheets", please forward them to **Wayne Hoover**.



Welcome CFIs!

The following individuals became CFIs during the quarter, May - July 2006. Congratulations to those who have achieved the CFI status this last quarter!

To view the current list of all CFIs, visit our updated web site, or click below

http://certifiedinterviewer.com/current_cfi.php

Kevin Baker	Marc Edward Lambert
Eric R. Balmoja	David D. Lund
Chancelor Bowlin	Bryant Gale McAnnally
Michael R. Bruce	Jay Minsky
Michael Scott Burch	Raul Ramirez
Roderick Pagilagan Cabrera	Jim Allan Redeker
Kathy Carnivele	Dennis L. Rogers
Jacob W. Carroll	Edward Frank Schroeder
Ryan Josiah Clevenger	Melissa B. Smart
Paul Herbert DeMasi	Brian Michael Soenksen
Eric Dwight Echols	Stephanie M. Stahl
Randall Edward Fernandes	Ken J. Trimble
Tyler W. Hill	Brittney Alisa Vachon
Daniel Ryan Horowitz	Jeffrey William White
Darryl William Horton	Vince Edward Williams
Dennis Hunter	

Organizations Represented

The following list comprises the organizations that have individuals who have successfully achieved the CFI designation during the quarter, May - July 2006

To view the current list of organizations represented, visit our updated web site, or click below
http://certifiedinterviewer.com/current_org.php

Things Remembered	Rue 21
Petco	Kohl's
Haggen	Musicland
LPS Group	Samsonite Company Stores
Dick's Sporting Goods	Ann Taylor
Luxottica	Spencer Gifts
Saks Fifth Avenue	The Children's Place
Sherwin Williams	J. Crew
Tesco USA	Game Stop
Canobie State Park	Tilly's

CFI Coin Check

By Mark M. Neapolitan (CFI)
Director of Loss Prevention Sterling Jewelers Inc.

Recently, at Sterling Jewelers 2006 Manager's meeting our Loss Prevention Department had the pleasure of a presentation conducted by Mr. Doug Wicklander, CFI, CFE. The majority of our Department holds the CFI designation, and some of us are already up for our third year re-certifications.

Having over 32 years of combined experience in Law Enforcement and Loss Prevention it would have been very easy for me to feel and state "what do I need this for". We only kid ourselves if we stop learning. I have found that both the information assimilated from Wicklander-Zulawski and others as well as their Certified Forensic Interviewer designation has given me an edge over not only my subjects in interviews but my counter-parts and competition.

A side note to the presentation that you all should know, the (CFI) designation comes with the receipt of the CFI coin. Rumor has it that if you are not carrying the coin and happen to be in the company of others in the profession and the "coin" is displayed by a fellow CFI designate, those unable to produce theirs have an obligation to "pick up the tab" for everyone.

So as to set this rumor to fact, if you run into Kevin Valentine – CFI, ask him what happened after the seminar when Doug happened to pull out his coin and slap it down on the table! By the way, I happened to be carrying mine with me in anticipation that the rumor was not just a rumor. In fact, two other CFI designates within our own department happened to stop by our table as we were having a discussion and....

Needless to say, I would caution those of you who are CFI's to ensure you are in possession of it at any of your respective professional gatherings.



CFI Coins Returned

We have mailed out the CFI Challenge Coins to all current CFIs. If you have not received yours please contact Wayne Hoover so we can send it out to you. We currently have 8 that have not made it through the mail, due to incorrect addresses. We have reached out to a number of these people but have not had success. If anyone knows these people or how to get in contact with them, please let Wayne Hoover know. They are:

Tim Erickson
Andy Flores
Kim Hodge
Zakary Kaiser

Janine Marin
Diane Perez
Robert Rachel
Giselle Xavier

Missing CFIs Email/ Contact Information

Please click [here](#) and review the list of current CFI, to see if you or someone you know is listed in BOLD. If your name, or someone you know is listed, it indicates we do not have either current phone numbers, titles, organizations, or email addresses to reach them.

Surprised?

Chicago Tribune – September 11, 2006

Two university professors attempted to determine how truthful lawmakers were when they debated three major bills between 1996 and 2000. Using the Congressional Record the two examined the accuracy of claims by lawmakers during 43 House and Senate debates relating to the three bills.

What the professors found was that members of Congress told the whole truth only about a quarter of the time when they debated the three major pieces of legislation. Most relied on half truths, exaggerations or outright inaccuracies when they debated. Stopping short of calling the lawmakers liars, one of the professors said, "We don't pretend to know whether they are lying, are ignorant, or misperceive the facts..."

Wisconsin State Journal – May 27, 2006

Justice system fallible

Both Chris Ochoa and Steve Avery were both wrongfully convicted of rape and murder, but their stories end very differently. Through the work of the Wisconsin Innocence Project, based at the University of Wisconsin law school, both men were freed from prison for crimes they did not commit. After spending 12 and 18 years in prison respectively the men were freed.

After his release Chris Ochoa went on to attend the University of Wisconsin Law School graduating this May from the very school that was instrumental in obtaining his release. As a side note, Chris' recounting of the events leading to his confession can be found in Practical Aspects of Interview and Interrogation, 2nd edition. Steve Avery was released from prison in Wisconsin after 18 years of being wrongfully imprisoned. His release inspired lawmakers to propose legislation to reform the criminal justice system that was labeled the "Avery bill" in his honor. The legislation passed the Wisconsin House and Senate unanimously in the fall of 2005. Ironically this bill passed the day after Teresa Hallbach, a 25 year old photographer disappeared after visiting Avery's Salvage yard to take pictures. Her bones and teeth were discovered at the salvage yard, plus Avery's blood was found on her car key located in his bedroom. Avery is scheduled to stand trial for the murder this fall.



CFI Ambassadors

With each issue of the CFInsider, we hope to spotlight members who offer a great story and profile that you will find interesting and insightful.

CFI Ambassador, Lance Williams, CFI

It is my pleasure to introduce this issue's CFI Ambassador, Lance Williams, CFI. Lance is currently a Regional Loss Prevention Manager with Big Lots, Inc. His daily responsibilities include supervising 14 District Loss Prevention Managers who are responsible for approximately 350 stores. He is well respected and committed to interviewing excellence within his organization. There is no doubt that Lance is a key player in developing interviewing professionals at Big Lots. Recently, an email praising him for his involvement in interview training was received from Dave Dehner, CFI who is a Distribution Center Loss Prevention Manager with Big Lots. The following is an excerpt:

Big Lots recently completed General Loss Interview training at our corporate office. The facilitator was Lance Williams, CFI who was trained by Wicklander-Zulawski in the method. During this two day training we were video taped interviewing each other. The group and facilitator utilized the video to critique us for the effectiveness in all categories from developing behavioral norms and rapport to submission and development of the written statement. In my opinion this was the single most important training an interviewer could hope for. An experienced interviewer learns and develops what works for them over the years by analyzing their most successful interviews and repeating the steps that lead to the successful conclusion of those interviews. It was a great refresher and enhancer to my understanding of how the interviewee perceives what we say and how we say it. I want to thank Wickander-Zulawski and Mr. Williams for this valuable training.

Before joining the Big Lots team 5 years ago Lance held various Loss Prevention positions. He began his LP career 23 years ago as a Store Detective with then Gold Circle Stores. He soon became increasingly interested in the industry and has been in loss prevention since. He was one of the first 100 people to earn his CFI certification. He became certified in April of 2004. He is currently an active member of the CFI Newsletter Committee.

Lance believes the CFI program has developed an ability for interviewers to demonstrate knowledge, professionalism, and standardization within the industry. He firmly believes the certification gives LP Professionals instant credibility among peers as well as with law enforcement. His company currently requires all District Loss Prevention Managers to enroll and attend Wicklander-Zulawski Basic Interviewing/Interrogation Training before conducting any interviews. After the DLPM's have been in

their position for one year conducting interviews, they are encouraged to begin the CFI certification process.

Congratulations to Lance Williams, CFI this issue's CFI Ambassador.

About the author: Jeremy Bailey, CFI. Jeremy is a graduate of the University of Alabama at Birmingham where he obtained his Bachelor of Science in Justice Sciences. He has been in Loss Prevention for over 10 years. He has been employed with Hibbett for nine of those years. While at Hibbett he has held various Loss Prevention positions. He obtained his CFI in December of 2005. He can be contacted at Jeremy.Bailey@Hibbett.com.

If you know of a CFI Ambassador who you would like interviewed for a future CFInsider, please [click here](#) to contact CISA.



Advisory Committee Update

Recertification Changes

After meeting with the Advisory Committee last month it was agreed that we would not have each individual send in all their recertification documentation. Rather, it will be the responsibility of the CFI to keep their records, but send in a signed statement that they had in fact achieved the required 24 CECs to maintain their CFI designation. After receipt of this document a percentage of those recertifying will be audited and then required to send in the documentation. This is a standard operation for other certifications. The new form will be emailed to all current CFIs who are coming up for recertification in the next 6 months.

Did You Know?

In addition to the CFI Coin, highlighted on the front page, we have received requests for numerous CFI items. While several are under development, we still have 26 commemorative CFI leather bound folders available. The cost is \$35.00 plus shipping. Please click [HERE](#) to order yours today!



Linking Research to the Field - Sept. '06

Submitted by Jennifer Leibow

This article continues to discuss the results from Bella DePaulo's latest study, "Cues to Deception" reviewed in the last edition. The following findings are summarized and discussed as they apply to real-life interviews and interrogations.

Conclusion: Liars seem more negative than truth-tellers

Signs of negativity a suspect might display:

- Generally more unpleasant
- Less cooperative
- Makes more complaints
- Uses more negative facial expressions

The results of this study show that un-truthful people seem more negative than truthful people. This makes sense, considering the difficulty involved in lying. The liar must simultaneously recount a plausible story, control deceptive behaviors, appear cooperative, and try to ascertain whether he is believed. On top of the stress of lying, add the moral conflict that some face when lying and the experience becomes even more unpleasant. Most people agree that lying is wrong, and do not feel good about doing it. The resulting negativity is a cue that the suspect may be experiencing feelings associated with doing something he knows is wrong.

Conclusion: Liars tell less compelling tales than truth-tellers

Signs of a tale that is less compelling:

- Story does not quite seem to make sense
- Story does not seem plausible
- The structure of the story seems illogical
- Listener gets the impression that the response is impersonal, distant, evasive, unclear, irrelevant, and indirect
- Subject seems uncertain of his own answers; he may appear to have difficulty answering the questions
- Chin is raised or both chin and lower lip are pushed upward
- Subject repeats words and phrases

Perhaps the liar's stories do not seem very compelling because he is reflecting on the fact that he does not fully accept his lies in the same way people embrace the truth. This causes the liar to seem uncertain and have a difficult time answering. The liar's discomfort with the lie is revealed through his choice of words and vocally through his tone of voice. In order to distance himself from the discomfort of telling direct, specific lies, the liar tends to use generalized terms instead of specific ones ("the girl" as opposed to "Sally"). The deceiver's knowledge that his story is false, coupled with the discomfort associated with lying creates responses that just don't add up.

What investigators should note is that words that might seem to indicate uncertainty, such as "um" "well" or "uh" were not associated with deceptive answers. One might reasonably assume

that these types of words would be prevalent in the speech of a liar who is making things up as he goes along. However, researchers speculate that their absence might be an indication of a person controlling their speech in order to sound credible.

Conclusion: Liars tend to be less forthcoming than truth-tellers.

Signs that a story is less than forthcoming:

- Subject presses lips together more frequently than usual
- Less details are given
- Portion of time the subject spends speaking is smaller than that of interviewer

Research estimates indicate liars make their stories up on-the-spot about 50% of the time. Improvising a story means that the deceiver has only seconds to formulate his response. Even the best storytellers would have difficulty constructing a response containing the richness, depth, and details of a memory in a short amount of time. In addition, certain stories will require more background experience or knowledge than the liar possesses when pressed for supporting information. For example, knowing what movie is playing at the theater and its starting time may be critical to the liar's alibi, but unless he planned to use this information, fabricating it may be his undoing.

Some liars opt to use minimal details when attempting to deceive. This leaves them with less information to keep track of and affords them an opportunity to modify the story should contradictory facts arise.

Researchers caution that the cues to deception are not the same in all circumstances. The type of lie and the time available to prepare it may influence the extent and type of behaviors observed.

Many of the lies that people tell are "self-presentational." These lies exaggerate strengths and minimize an individual's weaknesses to present a positive image to the listener. Other lies relate to *transgressions* such as cheating, stealing, or the betrayal of loved ones; things that could affect the reputation and image of the individual. When people lie to cover-up transgressions, they are more likely to display foot or leg movements, seem nervous or tense, and are more likely to blink. This comment on blinking may seem to contradict the last newsletter, but researchers have noted that the blinking cue is more prevalent in lies used to conceal transgressions while not necessarily relevant in other types of lies.

When judging whether or not someone is being deceptive, it is important to consider the entire context of the statement. DePaulo and colleagues have found that those who have no time to plan their lies will show a logical lag in response time. However, those who have time to prepare their deception will show response times similar to truthful subjects. Being aware of how much time a person has had to prepare his story will help investigators from confusing the innocent and guilty.

DePaulo and her colleagues are beginning to identify some of the more reliable behavioral cues for detecting deception. Interestingly, many of these cues are those that investigators have used for years to resolve cases and now the academics are confirming these experiences.

CFI Re-Certification

A link to the http://certifiedinterviewer.com/seminar_classes.htm will give you a list of some of your options. To download the re-certification form, please click the following link:

www.certifiedinterviewer.com/pdfs/CISA_Certification.pdf

Here are some links that take you to pre-approved seminars or programs that can be applied to your re-certification:

www.policetraining.net/topic-interviews.htm

www.w-zcampus.com/campusV2/campus/course_catalog.html

www.w-z.com/schedulecfi.php#schedules

www.lsiscan.com/scan_training.htm

NRF Investigator's Conferences (Link for dates and locations)

www.lpinformation.com/Default.aspx?tabid=202

The following is a partial list of conferences that are recognized for your CFI re-certification:

October 3-4, '06

EyeForRetail (Europe)

October 4-6, '06

International Anti Counterfeiting Coalition

October 5, '06

NRF/Montgomery County Police Department, Fairfax, VA
Organized Retail Crime/ID Theft/Methamphetamine Issues

October 10-13, '06

International Association of Financial Crime Investigators

April 16-19, '07 **

Retail Industry Leaders Association Loss Prevention, Auditing & Safety Conference.

****Note:** CISA representatives will be at these conferences. Please feel free to contact [Wayne Hoover](mailto:Wayne.Hoover@certifiedinterviewer.com) via email for an introduction.

The *cfinsider* newsletter is distributed in electronic format only. You can view back issues of this newsletter at http://certifiedinterviewer.com/cfi_newsletter.htm

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Member articles about interview and interrogation published in *cfinsider*, qualify for Continuing Education Credits.

Should you have any questions on obtaining re-certification for your CFI designation, please [click here](#) to contact CISA.

CFIs On the Move!



WHEN YOU MOVE, update us with your current mailing/ email addresses, positions, and phone numbers.

Congratulations to those CFIs who have taken new positions:

Dennis Braman, CFI has been promoted to Divisional Investigator for Auto Zone.

Duarte Monteiro, CFI is the new Director of Field Loss Prevention-North for Charming Shoppes.

Kim Russell, CFI is now with Kohl's as a District Loss Prevention Manager.

Frank Albany, CFI is now with Target.

John Gay, CFI is now with Game Stop.

Zak Kaiser, CFI is now with Target.

Janine Marin, CFI is now with Target.

Shane Owings, CFI is now with Polo Ralph Lauren.

Giselle Xavier, CFI is now with Home Depot .

Bill MCLAughlin, CFI has been promoted to Divisional Vice President of Bealls.

Kevin Bahret, CFI is the new Director of Loss Prevention Manhattan for Container Stores.

Scott Springer, CFI has been promoted to Senior Regional Loss Prevention Manager for Gap, Inc.

Tracey French, CFI has been promoted to Director of Loss Prevention for The Limited & Express.

Mike Hofstetter, CFI has been promoted to Director of Loss Prevention for Guess? Inc.

Earl Watson, CFI has been promoted to Vice President of Corporate Security and Loss Prevention for Gap, Inc.

Debbie Maples, CFI has been promoted to Director of Investigations for Gap, Inc.

Rod Cabrera, CFI has been promoted to Regional Loss Prevention Director for Petco, Western US.

Matt Lincoln, CFI has been promoted to Regional Loss Prevention Manager for Mervyns.

Roger Coursey, CFI is Regional Investigations Team Leader for Target.

Michael Burch, CFI is the new Director of Loss Prevention for Tilly's.

