

11:10 am – 12:30 pm

## TITLE IX INVESTIGATIONS

### Strategies for Establishing Rapport & Optimizing Interviews

Tom Denton: (55 mins.)

- Introductions
- Be familiar with school policy and procedures – equally applied, fair, impartial
- Investigation is a serious matter which demands full attention – First, DO NO HARM
- You are in charge. It is up to you to discover the facts.
- Conflicts of Interest – What to do?
- Implicit and explicit biases
  - Interview vs. Interrogations – What’s the difference? (planned conversation vs. overcoming resistance to answers)
- In Person & Virtual Interviewing techniques
  - Controlling the environment, setting the stage, searching for truth
  - Those critical first minutes – understand your role. Mindful of appearance & mannerisms
  - Role of Advisors –
    - may not participate
    - solely to advise client
  - Establishing rapport – developing empathy, building trust
    - Empowering the witness - “Whether you talk to me today is not up to me, not up to your advisor, it is up to you and you alone.”
    - Nothing you say today will shock or offend me. There will be no trick questions. This is your opportunity to share your recollection of events
  - Be genuinely curious, compassionate and completely objective
    - Find common ground or interests
    - Working as an investigator team i.e. lead interviewer vs note taker
  - Video/audio recording –
    - Preamble date, time, location, persons present
    - Verbal consent for recording and voice identification for transcriptionists
- Rapport is the “TRUTH SERUM” of Interviewers
  - “Good cop/bad cop” routine does not work. Can lead to false admissions particularly among young people, non-native speakers and vulnerable persons (traumatized).
  - Search for truth, NOT a confession
  - Maintain control over yourself. Keep calm, remain objective, professional, unbiased and non-judgmental

- When proper techniques are applied, justice can be appropriately served. You are a neutral, unbiased fact finder.

Ron Bratcher: (10-15 mins.)

- Gathering, securing, packaging and storage of digital evidence
  - Cellphone, laptop, notebooks, etc.
  - Equipment needed
    - Packaging
    - Chain of custody
  - Storage
- Documentation
- Organization of Case File
- Report Writing

Q & A – (5-10 mins.)

\*(possible questions from Moderator)