by Douglas E. Wicklander and David E. Zulawski

Preparing to Confront the Dishonest Employee

Preparation is the key to success when interviewing a dishonest employee. Many factors in an investigation can not be anticipated, but the final interview usually can be planned well in advance. With proper consideration, the flow and likely outcome can be orchestrated with considerable accuracy.

Management Preparation

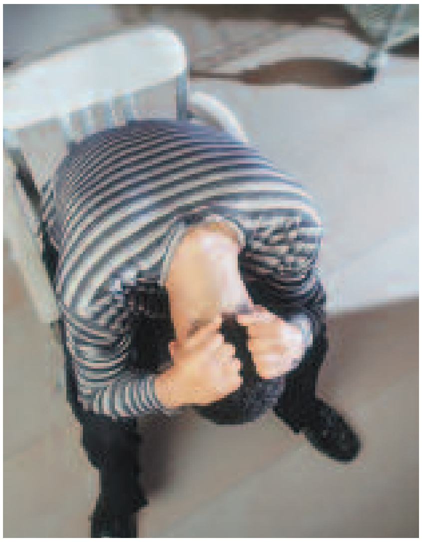
Senior management should be notified of the investigation's progress and the final plan to confront the suspected employee. Often management's perceived needs and questions differ significantly from the investigator's. Recognizing these areas of concern before the interview enables the investigator to meet management's objectives.

The appropriate human resource professional should also be consulted to identify which policy violations allow for termination. Human resources may also raise other issues that need to be addressed before a termination or suspension can take place. The investigator should create contingency plans in the event the employee becomes uncooperative. Having the plan means less confusion and a greater management comfort with the outcome.

Keeping the dishonest employee from his or her work may create operational difficulties for the department or facility. Staffing problems can be handled by informing the immediate supervisor of the need for extra support. Depending on the circumstances, this can be handled either by pretext or by informing the supervisor of the investigation and its intended target. In the event that the supervisor is kept unaware of the investigation, a briefing shortly before the interview may be politically appropriate and may save bruised egos.

Preparing the Interview Room

Selecting a room can be either a simple or complex manner depending on the type of case and the level of the employee. The goal is to locate a private space free of distractions and prying eyes. However, the room selection takes on greater importance as the status of the employee increases within the organization.



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The amount of space necessary for the interview and support room should be considered before selecting a location. Some simple frauds require no support room, while other cases may dictate the need for several additional rooms. In general, the room selected for the interview should not be supportive for the suspect.

The room should be prepared in advance of the suspected employee's arrival. The chairs for the interviewer and suspect should be placed across from one another without a barrier between them. The witness should be positioned to one side and slightly behind the suspect. The room should also be stripped of unnecessary distractions that may interrupt the interviewer or disrupt the proceedings.

Timing of the Interview

The investigator should plan for sufficient time to complete the interview with the subject. The subject's work schedule, lunch hour and breaks may give an indication of the best time to set the meeting. The investigator should plan on about an hour, and half to complete an interview and written statement. More complex frauds might require even more time to resolve fully.

Guilty suspects will often use an excuse such as, "I need to pick up the kids" or "I have a doctor's appointment" as a reason to avoid a confrontation interview. Knowing in advance that the suspect has no plans to leave work makes it less likely that a suspect will attempt this type of excuse. The employee's immediate supervisor can be drafted to bring the employee to the interview. The investigator should prepare the supervisor for any questions the associate might have.

The Interviewer and Witness

Selection of the interviewer and witness plays an important part in the

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successful conclusion of any case. The interviewer should be selected for his or her knowledge of interviewing and the suspect's status within the organization. The higher the level of the suspected associate's job, the greater the importance of selecting an appropriate interviewer. On occasion, personal relationships within the organization mandate the use of an outside interviewer or investigator, because such relationships make it difficult to put personal feelings aside while the confrontation takes place.

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Selecting an interviewer who is the suspect's immediate superior or who has had conflicts with the suspect creates unnecessary problems. Similarly, choosing a witness who has a personal relationship with the suspect only creates a need for the suspect to lie to protect the relationship.

Prior to the interview the witness should be instructed in his or her duties and what will be expected of him. Advanced preparation makes the witness more comfortable with the process and less likely to behave improperly. The witness should be instructed to sit quietly and not to speak unless spoken to by the interviewer. A common ploy of the guilty is to engage the witness in conversation or seek to gain support from them.

Consider the Evidence

The interviewer should understand the evidence and its implications to the suspect completely. The evidence review allows the interviewer to anticipate suspect explanations and case weaknesses. This review also gives the interviewer a measure of confidence in the suspect's guilt. This confidence goes a long way toward convincing the suspect that his or her guilt is known. By clearly understanding the fraud, the investigator may also know what will be the easiest admission for the suspect to make.

As you can see, the success of an interview is not solely dependent upon the skill of the investigator during the interview. Rather, the preparation for a successful interview begins well before the suspect walks in the door to meet the interviewer for the first time. If we rush to resolve an issue, we risk an outcome with which no one will be satisfied. While expediency is often important, make sure you properly prepare by following these steps to ensure an accurate and thorough outcome. ■

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Do You Have Questions for Wicklander-Zulawski?

The Interviewing and Interrogation column by Wicklander and Zulawski is an ongoing feature of *LossPrevention* magazine. You are invited to suggest topics for future columns. Please email your suggestions, questions, and reactions to comments@LossPrevention Magazine.com.