

Interviewing Insights From **DON RABON**

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In 2002 a small cadre of expert interviewers congregated to tackle one of the most significant challenges facing their industry – how to designate elite interviewers. Many investigators and organizations claimed to be elite. However, the lack of objective standards made

these claims difficult to quantify. After formalizing as the the Center for Interviewing Standards and Assessment (CISA), these trailblazers agreed that elite interviewers were capable of consistently conducting morally, legally and ethically sound interviews in any context. Next, they set out to create a designation process culminating with a rigorous exam supported by a range of independent interviewing experts. Their efforts led to the creation of The International Association of Interviewers (IAI) and Certified Forensic Interviewer (CFI) program we know today.

The CFI exam was developed from techniques found in seven core texts. One of the reference authors selected for the exam was Don Rabon. Mr. Rabon built his reputation through his success as an interviewer, author and instructor. He is approaching 50 years of investigative experience that includes contributions to the public sector, private sector and academic worlds. Recently Mr. Rabon was kind enough to share his time and his perspective on interviewing. Below are the highlights of our conversation.

Thank you again for sharing your time. Let's start with how your interviewing career started.

I found myself in a patrol car for the first time in 1974, but my journey really started long before that. I was in a folk group and played sports in high school so I got used to performing in front of people early on. After I got out of the Army, I took public speaking and psychology classes in college and worked sales jobs. All of these experiences prepared me for what eventually became my career. After several law enforcement roles, I had the opportunity to

teach at the North Carolina Department of Justice Academy. This was a great opportunity because I was conducting interviews in the field, and teaching interviewing in the classroom. One day I discovered that the Institute of Police Technology and Management down in Florida offered interviewing classes. I wrote them a letter and asked them to let me teach their class at no risk to them. If the class went well they could pay me. If it didn't, they didn't have to pay me a dime. They accepted the offer, I flew down, the class went very well, and it led to other opportunities. I've been fortunate that a number of people have opened doors for me throughout my career.

What has teaching investigators from the private and public sectors, as well as college students taught you about interviewers?

Private sector investigators link the ability to communicate with organizational success. Law enforcement officers have a tough job that is going to get tougher. College students, the ones that want to learn, don't have a whole lot of life experiences and they've spent so much time in front of screens. Tying those three together, it isn't one size fits all. In my experience it doesn't matter where a person comes from or what field they are in, it comes down to whether they want to learn or not.

How do you feel your experiences teaching and interviewing helped improve both skills?

Both of those skills are synergistic. I'm fortunate that teaching those skills, bringing in interview videos, and forcing myself to focus on those videos helped me stay sharp when I was out in the field. Teaching is for me what being on the practice field during the week is for a football team. Conducting the interviews gave me experiences (good, bad and indifferent) that I could bring back and share with the classes. They were two sides of the same coin.

How do you recommend investigators, who aren't in teaching roles, maximize their practice time?

I like to turn on the TV, turn the sound off, and pay attention to people's expressions and non-verbal cues. I also like to practice by turning the TV on, looking away from the TV, and listening to the

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dialogue – tone of voice, predicates, equivocations and so on. There is also a whole world of people they can engage in conversation with at the grocery store, or at the line at the DMV. I had a 3-foot rule in airports. If someone got within 3 feet of me, I would engage with them to see how much I could get them to tell me about themselves. I was waiting for a flight in Chicago and told a woman next to me that “I was a young man when I got in this line.” She laughed and eventually shared many details about her family and entire travel plans. These are perishable skills. If we don’t practice them, they won’t be there for us. We should always learn from our interviews including what we’ve done well and what we can do better. Interview is the theater of life and practice is critical. There are more videos of actual videos on YouTube than you can live long enough to watch. Evaluate these videos, how the interviewers ask questions, maybe miss equivocations, or start the interrogation without trying to connect with the individual first. Anyone who says they don’t have time to practice is misinformed.

I appreciate your sense of humor and self-deprecation; how important do you feel having a sense of humor is for connecting and persuading others?

It’s critical, but it’s difficult to teach humor. Used correctly it is a wonderful tool, used incorrectly it can blow up in your face. It would be wonderful to see a study done on the applicability of humor. When I was a deputy sheriff I was called to a location where the antagonist had just shot someone the week before. I rolled up as he was getting a rifle out of his truck and getting ready to shoot another guy. I got out of the car and said, “Good lord you just shot someone last week.” He started laughing and put the rifle back in the truck. Humor helped prevent someone from getting shot that day. Humor doesn’t mean I take the situation lightly. On one occasion I was debriefing a pedophile and the sheriff’s department wanted me to find out if he was still involved in pedophilia or knew any other pedophiles. He told me he was recently arrested for DWI in his driveway and I said, “Good gosh, when it rains it pours doesn’t it.” He started laughing and opened up with me.

What is the most memorable thing you learned from someone you interviewed?

I recall interviewing a man named Rick in Central Prison. I shook his hand, called him Mr. and spent

a long time building rapport. Had been on parole for murder in Chicago, came to NC and murdered a woman and her daughter. He told me that two questions he always had on his mind when he is being interviewed are “What is my interviewer going to think of me as a person? Is he doing his job or is he taking this personally?”. He told me that when interviewers take things personally, they become as antagonistic as every other convict in that prison. He said when you’re talking to people you don’t have to be a cop, you can be their father/preacher/brother. I learned more from him that day than I learned in a one week class with Warren Holmes in the 80s. He told me “I’m always thinking what answer can I give this man without giving him anything.”

What may be an example of an unorthodox teaching technique you have used?

I like to invite defense attorneys to my college classes to tell us where they are going to attack us and what their mindset is. Everyone involved in the investigation process can teach us something.

Can you share a funny response you received during an investigative interview?

I was working a homicide investigation in Nags Head. I asked one of the guys if he had heard anything around the hotel about what happened to this girl. He said, “You know you hear a lot of stuff.” I responded by telling him that what may be stuff to him, may be important to me and he said, “I try not remember a lot of things.”

You’ve done a lot of work specifically in the area of Fraud. What have the fraudsters you’ve encountered taught you?

I’ve learned a lot from fraudsters. You’ve got to be on you’re “A” game when you interview them because there is a high correlation between fraud and narcissism. They can sucker you with their personal communication skills. I’ve seen fraudsters enjoying the interview as much as I was. There is a high they get from getting over on the system, and their interviewers. Naivety often worked well for me. Instead of trying to shatter their egos, I made their egos a vulnerability for them.

What do you believe are the real keys to conducting successful interviews?

I believe the real keys to conducting successful interviews are building rapport, paying attention, critical thinking, and not succumbing to confirmation

bias. People fall in love with a theory to the point where they become disappointed when they find out the suspect didn't do it, which is crazy. Clearing the innocent is just as important as getting the guilty. Just because a suspect may act like a guilty party you had in the past, that doesn't mean he is guilty.

Beyond confirmation bias, what do you believe interviewers should be doing to avoid false confessions?

If the subjects' IQ is such that you aren't convinced that they're operating at full capacity my advice is to get a guardian, a family member or someone else involved. Interviewers are not psychologists or cognitive authorities. My default setting is err on the side of caution. I believe that when we get an admission the work has just begun. I want to be sure I haven't inadvertently procured a false confession. I want to explore the specific details and the suspect's mindset so I can assure myself that this person is giving me information that only the doer of the deed would know. If the person wants to withdraw their admission or challenge how their admission was obtained, I can show information that I received after the admission that proves beyond a doubt the confession is true. That's why I don't stop at the admission I want to know the details, about the details, about the details to prove I obtained the truth. If you can get someone to doubt their own memory you have a problem. Here are my two rules I tell people on the first day of my class: 1) We don't want to do anything to anyone that would cause that person to make an admission to something they haven't done. 2) We never want to take away the voluntariness of the admission.

How do you feel interviewers should vary their approaches when they speak to victims, witnesses and suspects?

My mindset has always focused on the willingness of the individuals I speak with. I've had victims, witnesses and suspects all lie to me. I hold two definitions of interviewing in my head:

- A meeting of two or people to talk about a specific matter
- The art and mechanics of questioning for the purpose of exploring or resolving issues

I may have to get victims and witnesses and suspects to tell me things they don't want to tell me. I treat them all with dignity and respect. My goal with all three is to make sure that when I walk away from the table that I got all the valid information that I need. With victims and witnesses I start with my first definition unless an issue arises and I have to switch to my second definition. If your members watched my non-verbal behavior and listened to my tone of voice when I interview people, they would not be able to tell if I was interviewing a victim, witness, or suspect. My philosophy has always been I'm going to treat the person sitting in that chair the way I would want to be treated if I was sitting in that chair. Being nice never made anything worse. I want people to be accepting of the way and manner I got them to tell share information. I don't want them to recant or challenge the way the admission was obtained. I don't want that regret factor to kick in. Interviewers are just finders of facts and seekers of the truth. We don't wear black robes. Professional interviewers need to just do their jobs and leave themselves out of it. I like to tell my students to lower their voice and raise their capabilities.

What challenges do you see interviewers facing in the future?

What I'm noting most dramatically are the inability for interviewers to pay attention for a long period of time and a lack of critical thinking skills. These are two big concerns for me. I tell my students paying attention is both a skill set and a form of respect. If you can't stay off the cell phone long enough to conduct an interview you may need to focus on another area of law enforcement. Questioning skills, persuasion and detecting deception go out the window if you can't pay attention during an interview.

Thanks again for sharing so much of your time today and for all you have given to our industry. Where should our members find you online to learn more?

I'm always interested in connecting with people who are fascinated with interviewing. They can reach out to me on LinkedIn and please ask them to tell me that they read this article when they reach out. They can also find my books on Amazon.