ASSESSING CREDIBILITY

Lesson 2: Title IX Training Program
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A credibility assessment is a formal process of determining whether or not a person and/or information is trustworthy or believable.

- In an investigation or hearing, you are determining if you can or should believe one party over the other.
  - Ultimately, you are deciding which statement will carry more weight in your conclusion.
• We assess credibility every day in every interaction:
  ▪ Friends
  ▪ Co-workers
  ▪ Social Media
  ▪ News
  ▪ Public Figures
• Constantly deciding what and who to believe.

We use:
• Past experiences
• Education
• Values
• Beliefs
• Biases
In an investigation, your credibility assessment must be evidence based.

Cross examination is designed to attack credibility. Remain focused.

There are two approaches to assessing credibility:

- **Attitude of Belief and Openness**
  - I take what I am given at face value and then evaluate the evidence.

- **Mistrust**
  - I don’t believe anyone until the evidence proves it.
Both approaches can be used effectively.

But an attitude of belief tends to invite better information.

People tend to share more with those who appear to believe what they are saying.

Someone steals your wallet. You approach a police officer on the street to report the crime.

- Approach 1: What does the thief look like? What does your wallet look like? In what direction did the thief run?
- Approach 2: Can you prove to me you had a wallet?
EXAMPLE

• Does proof it was your wallet really matter right now?
• Will further investigation answer that question anyway?
• What are we losing by first trying to prove you had a wallet to steal?

THE WHOLE TRUTH

Every interview will contain truths and falsehoods.
• You do it too!! Every time you tell a story to friends, you add details to make it more interesting.
• Are the falsehoods deliberate attempts to mislead? Or told to make you believe the story?
LITTLE LIES

• When you start with an attitude of disbelief, you create an atmosphere where the person has to figure out what you need to hear in order to believe.
• That is when they may embellish. It is in reaction to you, not a deliberate attempt to mislead.

PERSPECTIVE

You are looking at the situation as an outsider.
• You are interviewing people or reviewing testimony of people who witnessed what happened or people who experienced what happened.
• Every person has a different perspective, even in the same situation.
• Your job is to assess if the stories are reasonable considering that person's perspective.
  • Take into account the person's beliefs, culture, education, and experience.
• You cannot get the entire picture from one person.
• As you speak with more people and look at more evidence, the story of what happened will emerge.
• You will learn which information is relevant.

This applies to BOTH sides!
• What information can be corroborated?
  ▪ How?
  ▪ By whom?
  ▪ By what evidence?
• Corroboration enhances credibility.
  ▪ Even if you are corroborating negative information.
What if both sides could be true?
What if there is no indication of lying or misleading, just a lack of knowledge or a different perspective?
IT IS POSSIBLE TO BELIEVE BOTH SIDES!!
What if the evidence speaks for itself?

Your credibility assessment should only be a small factor in your decision.
• Evidence and corroboration matter.
• Credibility is more important if there is positive evidence showing a lack of credibility (proven lies, proven deliberate falsehoods).
• Look at history as a guide or indicator, but do not base your credibility assessment on the past.
• You are investigating an allegation in the present that may not be related in any way.
• Don’t judge credibility based on unrelated or irrelevant behavior.
• Be careful in weighing cross examination testimony that is not relevant.

Evidence based
• For every assertion of credibility or lack thereof, you must be able to back it up with evidence.
• You must be able to explain how your evidence proves the person is less credible.
• Your unsupported disbelief is not evidence. That’s on YOU!
LIE DETECTOR

• Sorry, but you are a horrible lie detector.
• Baseline - body language – patterns
• It all goes back to believe and verify.

CONCLUSION

We are worse at assessing credibility than we think.
• Don’t allow your biases to sneak in under the guise of a credibility assessment.
• Evidence based
• Believe but verify.
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