

Foundations of Investigative Interviewing

A Practitioner's Guide

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Brandon, Vermont

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First Edition

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— John Tedeschini

First, I am deeply grateful for the friendship and professional partnership with my co-author, John Tedeschini, whose fortitude and drive to promote evidence-based investigation practices during his career in law enforcement and in his engagement with investigators from diverse settings, have been inspiring. I have valued and appreciated our many conversations, meetings, and catch-ups over some great Italian coffee and pastries over the past 15 years. Second, I am indebted to clinicians I have worked with, my workshop participants, and my students, all of whom have enriched what I have learned and applied. Third, many thanks to David Prescott and Stephen Zeoli at Safer Society Foundation for their encouragement to write this book and to see the value and need for it, and Mary Falcon for the care

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— Sandy Jung

Introduction

It is our hope that this book provides to those who have taken on the role of investigator the tools they need to conduct ethical, fair, and effective interviews as they carry out their investigations. Some things should never be taken for granted. Interviewing is not something we were born to do, but it is an ability and an expertise that we can most certainly develop and improve upon.

This book is a culmination of the professional collaboration between a police investigator and a therapist. We recognized early on that investigative interviewing in the police context could benefit from well-established therapeutic approaches. We further realized that investigative interviewing is conducted in various non-police contexts, such as universities and colleges or fire departments, and these investigations could also greatly profit from knowledge about therapeutic strategies. Note that investigative interviewing is not and should not be therapy; however, a mutual sharing of important elements, such as ethical considerations, humane conditions, building a solid working alliance, and clinical interviewing and assessment, can only benefit the overall investigative interviewing process—especially when employed by the novice or less seasoned interviewer who has only recently forayed into an investigative role.

[John] Over the course of my career—whether during my early years as a patrol officer, later as a major crimes detective, or eventually as a specialist interviewer supporting colleagues across my police service—one lesson became clear: Obtaining high-quality information is essential to achieving positive investigative outcomes. It also became evident that the core components of effective investigative interviewing extend well beyond law enforcement, offering significant value to a wide range of organizations and investigative bodies tasked with examining non-criminal matters.

[Sandy] My connection with John over the years has been a steady reminder that translating scientific knowledge for practitioners is a critical

part of my role as a researcher. Our work together has also taught me that the clinical skills I've attained as a psychologist are not common skills possessed by new investigators; however, investigators can most certainly learn these skills and practice and implement them in the important work they do.

Therefore, the goal of this book is twofold: (1) to provide a practical resource to help investigators understand and gain competence in the foundations of investigative interviewing and (2) to offer practical tools that they can use in their practice. Both of us feel strongly that professional practice should always be guided by the evidence, and therefore foundational interviewing skills that are evidence-based are the focus of this book. The reader is encouraged to use this book as a springboard for applying these skills, passing along this knowledge to their counterparts, and furthering their learning on structured investigative interviewing approaches (some of which will be introduced in chapter 6). It is hoped that this book offers readers an opportunity to learn about the core skills needed to effectively conduct an investigative interview, the science behind it, and the preparation needed to apply these skills in their practice and in the most challenging of situations that they might face.

Interviewing Versus Investigative Interviewing

The emphasis of this book is on *investigative* interviewing. But it is necessary to begin by differentiating among the various forms of interviewing and comparing them to what this practical book is about. Interviewing techniques are used in journalism, qualitative research, health care, and many other settings. However, the goals of these interviews are not the same as the overall goal of an investigative interview, which is to gather as much information, and more importantly investigation-relevant information, as is possible to effectively carry out an investigation.

A lot of work on investigative interviewing has been done in the criminal justice context; therefore, many of the sources of information cited in this book have been borrowed from this extensive literature.

Application in Diverse Contexts

Investigative interviewing is more common than we realize in settings outside of the criminal justice system. For example, an investigation of academic misconduct

in a school, harassment and threats on a campus, conflict of interest behaviors by a government official, sexual misconduct in a workplace, and unethical practice in a business, to name but a few, may be situations in which we would see an investigation take place. Some settings may see more of these incidents than others and regularly conduct investigations as a result, such as addressing inappropriate employee behavior (e.g., threatening a co-worker) or investigating a student's misconduct in high school or a post-secondary institution (e.g., cheating or plagiarism by a student in their class, sexual violence on a university campus). Although this book was written and intended for non-criminal types of investigations, understanding the core skills of investigative interviewing should also be useful for those conducting criminal investigations.

Requisite Knowledge

This book was written to satisfy interviewers who are responsible for investigating inappropriate behaviors, violations of policy, or other situations and events. Although this book is designed to be accessible for all investigative interviewers at various stages of their career, potential users ought to have a basic understanding of the following elements as they conduct their interviews. First, interviewers should have the ability to express some degree of empathy towards others. Second, as an extension of an interviewer's ability to exhibit empathy, one should understand what it means to have a trauma-informed lens. Principles of trauma-informed practice inform us that great care should be taken to ensure that processes and procedures do not retraumatize interviewees. Specifically, an interviewer should have a fundamental understanding that individuals who have been subjected to traumatic and emotionally charged events in their life may re-experience the impact of the traumas in the interview and therefore, an interviewer must be mindful and tailor each interview accordingly (Risan et al., 2020).

Third, as an interviewer, you should have a clear understanding of your role. Are you a decision maker in the investigation or solely an information gatherer? Perhaps your role is to conduct a preliminary examination of the situation, event, or occurrence. Without this clarity about one's role, it would be easy to *cross the line*; that is, inappropriately plunge into domains that might have an impact on the investigation itself. Fourth, interviewers should feel comfortable asking difficult and what may be challenging questions to an interviewee. One might ask, if you find it too tough to challenge an interviewee, then why work in this particular field? Last, a requisite element is to understand your organization's

policies and procedures. Comprehensive knowledge of the organizational and reporting structure, policies, procedures, and even other relevant documents that govern your organization is essential before conducting one's first interview. For example, one should be clear about the limits to confidentiality and privacy at your organization or institution.

Scope of the Text

This book was not written with the seasoned investigator in mind. It was also not intended for those who are training to be a medical professional, clinical counselor, or a therapist. Rather, this book is intended for those who have not necessarily received training on interviewing skills and yet interviewing is a seminal part of their job. Given the introductory nature of this book on foundational investigative interviewing skills, we use a lot of examples. However, given the diversity of situations where investigative interviewing is necessary, it is not possible to cover all situations and the reader may need to generalize some of these examples to one's own situation, role, and types of investigations.

Although this book was not specifically written for the criminal justice professional, some who work in criminal justice-related areas often find themselves in situations where interviewing skills are very much needed (e.g., parole board members, human resource administrators, correctional officers). Hence, core skills can be advantageous to learn and practice in these criminal justice roles.

A Note to the Reader About Language

Readers should recognize that there are many ways to refer to the individual who conducts an investigation and the individual who is asked to share their account of a situation or event in the investigation. Throughout this book, the term investigative interviewer (or interviewer, for short) will be used to describe the individual conducting an investigation that involves an interview. Individuals who are often referred to as victims or survivors of an event that caused them harm are referred to as interviewees. We use the term interviewee to also include those who are being investigated for their behavior or decisions in a situation, as well as those who are being interviewed as witnesses or those who may provide additional context to an investigation. For simplicity in some of our examples and illustrative dialogues, we will be referring to the interviewer as the IR and interviewee as the IE. When we are referring to someone who is conducting an investigation or a supervisor who is questioning employees, or an officer, such as

a probation officer, who is carrying out an assessment, that professional will also be referred to as the IR.

We also use the pronouns they and them, throughout the book to avoid genderizing the parties involved in an investigation (e.g., victims, suspects) and making assumptions about their gender. Unless it is specified in a specific example (e.g., that David identifies as a male), we will gravitate towards nonbinary, gender-neutral pronouns.

In addition to the language used in this book, we wish to highlight to the reader about the importance of being mindful of what terms are used to refer to those being interviewed. Avoiding labels, such as victim, survivor, or witness, among other terms, may be helpful in establishing solid ground with the interviewee. Similarly, making assumptions about gender could also rupture any chance of establishing a respectful interviewing situation.

Our Hope for the Reader

What we hope is that readers want to learn practical ways to carry out their investigative interviews, that they wish to optimize their skills to effectively conduct investigative interviews in their work, that they want to feel competent in how they conduct their investigations, and that they carry that knowledge to build strong relationships with those they engage in an investigation.