Assessing Credibility & Avoiding Bias
What is Credibility?

• The process of weighing the accuracy and veracity of the evidence.
• Credibility and Honesty are not the same thing!
• Evaluate
  • Corroboration
  • Consistency
  • Chronology
  • Plausibility
  • Demeanor
  • History & Motivation
Corroboration/Confirmation

• Are there documents, other witnesses, or digital files that support the story?
• Eyewitnesses – most valuable
• What was heard from an eyewitness second hand is less useful.
• What was learned after the fact from a responding party’s best friend a week later is not worth much.
Consistency

• How consistent is the witness story compared to others?
• Have they changed their story at all?
• A lie may not torpedo credibility...
  • If someone is lying about alcohol consumption at a party (or some other policy violation), it is your responsibility to understand why they may be lying about that.
  • It may not change the fact that the alleged behavior occurred.
  • How crucial is the fact to the core of the investigation?
Chronology

• How does the witness’s timing of events compare with the timing recounted by others?

• Compare it to physical evidence
  • Emails, Texts, Letters, Voice Mail, Receipt dates and amounts?
Plausibility

• Is what someone is saying reasonable?
• This one is tough to judge as it relied heavily on our own personal experiences, and my experiences are different than yours.
• It’s worth finding a trusted but different perspective to do a gut check.
Demeanor

• Avoid “micro-expression” or “gestics” unless you’ve been specifically trained.
  • Cross limbs, looking to the right vs. the left, and other so-called tell-tales are not evidence.

• Those who have experienced trauma may display behaviors that look like disinterest, or even antagonistic, even if they are the ones reporting the issue.
History & Motivation

- Is the witness neutral? Are they partisan?
- What motivations might they have that you don’t see immediately?
- Has the respondent been accused of this behavior before?
  - Be careful with this... It matters if they were accused before but not found responsible.
Why bring all of this up?

- It’s no longer enough to “We find the party responsible on the basis that is is more likely than not that the policy was violated.”
- You have to show your work. Each piece of evidence and even the interviews must be evaluated for these credibility factors.
- Especially in He Said/She Said situations – If the one is more credible than the other, you must state why!