

PART III

SINGLE INCIDENT THEFT INVOLVING REGULAR ACCESS

I. IDENTIFYING THE GUILTY EMPLOYEE

The employee who takes advantage of regular access to money or merchandise to steal perceives his financial need as immediate. This employee may be a long-term employee and have an excellent work record. To cover his sole access, the employee may attempt to divert suspicion by purposefully not locking the safe, staging a burglary by breaking a window, or lie about when the theft occurred. In some cases, we have found that the guilty employee took advantage of an unusual circumstance to divert suspicion from himself. For example, stealing a deposit the same day another employee left for maternity leave, or by waiting until an assistant manager starting taking the deposits to the bank before reporting a kiting scheme. Because of this employee's immediate access to the stolen money or merchandise, it is not unusual that the employee himself will discover and report the theft.

II. INVESTIGATIVE CRITERIA

- A. The theft satisfies an immediate need
- B. The suspected employee will have regular access to the missing money or merchandise
- C. The theft appears desperate in that the guilty employee realizes he will be questioned about the theft
- D. There is no apparent collusion

III. CASE PRESENTATION

This case involved Tom, a 19-year-old assistant manager of a shoe store who made a night deposit at a bank. The bank, however, reported that his deposit was \$500 short. Tom has worked at the shoe store for 12 months and earns \$16,000 a year. He currently lives at home, but soon will be getting married and moving to an apartment.

A. Factual Analysis

Tom had the best access and opportunity to steal the money. Because of the upcoming expenses associated with marriage, and the fact that

he has had regular access to the money with no prior problems, this theft appears to satisfy an immediate financial need.

B. Interview Findings

The immediate financial need developed for this employee was an upcoming marriage, and more immediate, a security deposit on an apartment the day following the theft. During the interview the investigator asked Torn, "Why wouldn't you do something like this?" to which he responded, "Because I don't need money. I have been saving money all along." During Tom's interview he also expressed open concern about being fired.

1. Try to elicit objections during the interview because usually the subject will offer the same objection during the interrogation. In this case, the employee's objection, when voiced in the interrogation, can be handled through the statement, "That tells me you are a mature and responsible person, which is why this is important to get straightened out."
2. When an employee directly expresses a concern about being fired during the interview, the investigator should openly address that concern in the interrogation.

C. General information approach for single incident thefts involving regular access

1. Blame unusual expenses for causing the employee to steal
2. Compliment the employee about his work record, integrity, maturity, etc.
3. Possible alternative questions
 - a. Was money spent selfishly or for the family?
 - b. What the money was spent on, a fancy car, or drugs, or did it go for a worthwhile purchase?

IV. SPECIFIC INTERROGATIONAL TACTICS PRESENTED

- A. Following the confrontation, the investigator should state a purpose for the interrogation
 1. "To get this thing clarified"
 2. "To establish the reason behind this"
 3. "To establish the circumstances which led up to this"
- B. Following the statement of purpose, the investigator should ask the rhetorical question, "OK?" or "All right?"
- C. The investigator should not respond in any way to an employee's initial verbal response to the confrontation.

- D. Use of a personal story (the investigator's own marriage) to make statements the employee can basically acknowledge to be true
- E. Introduction of the alternative questions:
 - 1. "The first thing your boss (supervisor) is going to ask me is ..."
 - 2. "The most important part of my report is explaining the reason behind this."
- F. Establishing the credibility of the negative alternative through past experience with other dishonest employees
- G. Recognizing a weak denial
 - 1. Qualifying phrase (really, honestly, to tell you the truth)
 - 2. Lack of realistic terminology (take, anything to do with this)
 - 3. Apologetic statement (but sir..., I'm sorry, but..., I wish I could help you out..., I know you're just doing your job, but...)
- H. Handling a weak denial at point of alternative question
 - 1. Restate confidence in employee's guilt.
 - 2. Continue on with alternative development.
- I. Introducing fictitious evidence
 - 1. Be certain that the employee cannot refute the evidence.
 - 2. Prepare fictitious evidence before the interrogation so that the investigator can be sincere in his delivery.