Communication

Communication - Verbal Behavior

- Types of Verbal Behavior
  - Expressive Vocal Verbal
    - Speaking
    - Includes Paralinguistic
      - Tone, Cadence (speed and rhythm), Volume, Intensity
  - Receptive Vocal Verbal
    - Understanding / Responding Contingently to Vocal Speech
  - Expressive Non-Vocal Verbal
    - Gestures, Facial Expressions, Body postures, etc.
  - Receptive Non-Vocal Verbal
    - Understanding / Responding Contingently to Gestures, Facial Expressions, Body Postures, etc.
- The Label: "Non-Verbal"
- ACTIVITY: "Non-Verbal"
Interview Techniques

Interview Considerations

- Myth: “I can’t get good information from a person with an intellectual disability”
- Why?
  - Difficulty communicating what happened
  - Remembering the order of events that led to the crime
  - Difficulty naming people, places, and times
  - Providing consistent testimony
- Truth – All witnesses have difficulty with some of the above
  - Do not dismiss a victim because they have difficulty with 1 or more
- Research demonstrates individuals with mild and moderate ID can recall information accurately.

Special Considerations for Individuals with Disabilities

- Interviewer should have knowledge of:
  - The victim/witness’s memory abilities
  - Victim/witness’s capacity for language
    - Expressive and receptive
  - Intellectual disability across varying levels of intensity and severity
- Uniquely susceptible to the effects of leading questions and to suggestion
- Interview should match developmental level
Special Considerations for Individuals with Disabilities

- Pace of the interview should be set by victim/witness
- Victim/witness must be able to describe events in own words
- Rapport building can be critically important
  - Reducing anxiety
  - Improving trust
  - Provides baseline information about communication skills, memory functioning, etc.

- Allegations of abuse in a facility
  - List of all employees and residents
  - Staffing schedule
  - Floor plan
  - Policy related to discipline, staff/person interaction
  - Continuity of policy vs. practice

- Minimize contamination of memory*

Memory

- Recall of past event = narrative memory or autobiographical memory
- Reconstructive versus Reproductive Memory
- Memory is not reproduced from a complete copy
  - Rather, we reconstruct each memory as the situation demands
- As such, narrative memory is affected by the recall context (e.g., current events, emotional state, leading questions, etc.) and, consequently, will vary somewhat from one retelling to the other
- Key: Narrative memory can only reflect those aspects of an event that were paid attention to at the time the event took place
Memory

- Reconstruction of the memory is dependent on having the right cues
- Most events are quickly forgotten because there are no distinctive cues that permit reconstruction
- Most experiences are routine/common and are quickly forgotten
- We tend to remember only those events that are important to us in some way (salient – to be discussed later)

Specific Considerations for Individuals with Disabilities: “3 P’s”

- Pausing
  - 8 – 10 seconds before repeating or rephrasing
- Prompting Cues (Facilitative Cues)
  - Repeating the end of the last statement
    - “So you just finished cleaning up after dinner…and then what happened?”
- Pain
  - Differences in responding to and describing
    - Does not mean “no pain”

Interview Techniques: Basics

- Communication
  - Pay attention to:
    - Vocal Verbal
    - Non-Vocal Verbal
    - Receptive vs. Expressive Language
- Concrete and Literal
  - “It’s raining cats and dogs outside”
- Conversational punctuations
  - Ex. “Really”, “You do”, “Good”, “I see”
Interview Techniques: Basics

- **Interrogative Statements**
  - “You like Mr. Steve”

- **Negative Interrogative Statements**
  - “You don’t like Ms. Tammy”

- “I” and “You” confusion
  - Use proper names for people, locations and acts

Interview Techniques: Basics

- **Resist temptation to fill in the blanks**
  - Case Example of Observation of Interview (poor)
    - Response: “…hurt…head…..bad”
    - Question back: “You hurt your head bad?”
    - What if the person is describing what happened to someone else?
  - Example of what not to do: Another Case Example
    - Statement: Paul…touch….penis
    - Question: Paul touched your penis?

- **Expect to take more time**

- **Ideally, you would just be able to ask a question and get a response**

Interview Techniques: Adaptations

- However, sometimes an initial question can be too difficult or the person is not oriented to answering questions

- For this, use Reverse Scaffolding

- Ex. Mary
Interview Techniques: Adaptations

Reverse Scaffolding
- Ex. “Pick up the paper”
  - “Raise your hand”
  - “Touch your nose”
  - “Give me a high five”
  - “Go pick up the paper”

High Probability (HP) Instructional Sequence
- Building momentum and increasing response effort
  - Vocal Verbal Response
  - Non-Vocal Verbal Response

HP Sequencing Examples

Interview Techniques: Adaptations

Echolalia
- Repeating of words spoken by others
- Normal in children as a developmental process
- Not random speech
- Taking his “turn” in the conversation

Strategies
- Time
- Reduction of Anxiety
- Patience

Interview Techniques: Adaptations

Perseveration
- Hyperfocus on a particular topic or subject unrelated to the topic of discussion

Strategies
- Re-direct the victim if they perseverate off topic
- Re-frame the question if it elicits an off topic discussion

Example......
**Interview Techniques: Adaptations**

**Influenced Responses**
- Individuals with disabilities are taught to “get along” with other people and respect those in authority
- As a result, they may change their responses if they think you don’t like their answer
- Research suggests individuals with intellectual disabilities can be as accurate as individuals without disabilities, but are significantly more suggestible
  - (Henry & Gudjonsson, 1999)

**Mary**

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**Interview Techniques: Adaptations**

**How to avoid influenced responses?**
- Keep your body language and voice tone neutral
  - Examples
    - Nodding or shaking of head during responses
    - Interrogative statements
- Avoid conversational punctuations
  - “Good”
- Resist temptation to be helpful and supportive
  - Balance between overly helpful, friendly and cold

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**Interview Techniques: Adaptations**

- **Saliency**
  - Emotional “strength or pull” of an experience
  - Helps all people remember things – good or bad
    - Lunch 2 Wednesdays ago?
- The saliency of common events may be greater for individuals with disabilities
- Perceptions of emotional significance
  - Salience Landscape…
Interviewing

Funnel Technique

- Free Narrative
  - Tell me...
  - Help me understand...
  - And then what happened?
- Open Ended Questions
  - How, who, what, where, when
- Multiple Choice/Embedded Questions
  - Bathroom, kitchen, roof, or somewhere else?
- Yes/No Questions
  - Did he, Do you, Does Uncle Mike...
Research Tells Us...

- Similar to individuals without ID, open-ended questions elicit more reliable information

- Questions that are presumptive / leading have the greatest influence on responses for both adults and children with ID regardless of open or closed question types
  - (Bowles, P. & Sharman, S., 2014)

Interview Techniques: Asking Questions

Ideally, you would be able to ask Open Questions

- Open
  - Tell me what happened Thursday?
  - What happened in the bedroom?
  - Tell me more about that?

- Some individuals may only be able to answer YES/NO
  - Leading vs. Not Leading YES/NO questions

- Leading YES/NO
  - Did Mr. Steve touch your penis?
  - Did Brian hit you?
  - Who touched your privates?
  - (Prior to disclosure of allegation)

- How to interview with only being able to ask YES/NO questions?

Activity: 20 Questions

Best Questions to Start With?

- Broad Eliminating Questions
  - Example:
    - Is it living?
      - No
    - Is it a place?
      - Yes
    - Is the place in the United States?
Activity: The Non-Vocal Verbal Interview

- Physical Abuse Case Example
  - Male approximately between 15 and 18
  - He does not use sign language, AAC and does not speak
  - He has expressive non-vocal verbal behavior in the form of gestures for yes and no
  - He arrives in your office in a wheelchair with what look like bruises on his face.

- How you would establish the following?:
  - Yes
  - No
  - I don’t know
  - Something else

- Now, find out what happened

Interview Techniques: Asking Questions

- Recap: Physical Abuse: Not Leading Yes/No
  - Maximize gain on questions to limit total number if possible
  - Establish Options
    - Bruises / Scratches / Scraps
    - Fall / Bump Into / Object Hit / Person Hit / Hit Self / Something Else
    - Bites
      - Self / Animal / Something Else
  - Be sure to go through each option
  - Complete threads before moving on

Activity: The Non-Vocal Verbal Interview

- Sexual Abuse Case Example
  - Alleged Victim: Alex (Person with Cerebral Palsy)
    - He does not use sign language, AAC and does not speak
    - He has expressive non-vocal verbal behavior in the form of gestures for yes and no
  - Alleged Perp: Tom (Bus Driver)
  - Witness: Mike (Other Bus Driver)
    - Mike is a bus driver in the same company as Tom
    - Mike sees Tom’s bus parked behind gas station
    - Mike walks on bus and sees Tom kneeling at back of bus
    - Alex is also in the back of bus in his wheelchair
    - When Tom stands up, Mike sees his pants are down
    - There are no other children or adults on the bus
Activity: The Non-Vocal Verbal Interview

- Sexual Abuse Case Example
  - Tom (Bus Driver) States in Interview:
    - Alex’s wheelchair tie-down came loose and he pulled over to fix it.
    - He parked behind the gas station as that was the only place safe to park.
    - When asked why his pants were down, he stated that they fell down when he stood up because he didn’t wear a belt that day.
  - Witness: Mike (Other Bus Driver) Re-Interview
    - When asked if Tom’s pants were down when he walked on the bus or fell down when he stood up – Mike responded, “I really don’t remember.”
  - You have already established yes, no, I don’t know and something else.
  - You have also already developed rapport.
  - Now find out what happened.

Interview Techniques: Asking Questions

- Recap Sexual Abuse: Not Leading Yes/No
  - Maximize gain on questions to limit total number if possible.
  - Follow Protocol if Applicable and Adapt to Yes/No.
    - Safety
    - Anatomical Drawings
      - Establish Options including ‘Something Else’.
  - If not protocol, use factual information as appropriate.
  - Orient to event.
  - Be sensitive to leading.

- Neglect: Not Leading Yes/No
  - Maximize gain on questions to limit total number if possible.
  - Follow Protocol if Applicable and Adapt to Yes/No.
  - Provide Options
    - LOS
    - Nutritional
    - Environmental
    - Educational
    - Medical
    - Other
    - Something Else.
The Non-Vocal Verbal Interview

Gathering Additional Information

- Determining Who
- Determining Where
- Determining When
- Determining How Many

Communication Disorders

Communication Disorders

- Time
- Patience
- Communication is a two way street

- With difficult to understand speech
  - Use yes/no format as appropriate
  - Repeat and paraphrase – wait for confirmation
  - Don’t be afraid to say: “I didn’t understand, could you repeat”
  - Example: ………….  
Communication Disorders

- With difficult to understand speech
  - The more you are around an individual with a speech disorder – the easier it is to understand
- Expect to take more time
- Sometimes you cannot understand what a victim is saying verbally
  - Example

Communication Disorders

- What do you do with unintelligible speech?
- Create yes/no communication
- Validation:
  - If capable, ask to:
    - Write their response
    - Draw their response
    - Show you
      - Ex: “Assa Pa”
  - Ask support person how they communicate
    - They may be able interpret victim’s speech
    - Can verify with victim for accuracy (yes/no)
    - May not be admissible
  - Use of pictures or other AAC
    - AAC (Augmentative and Alternative Communication)
      - Processes or devices that augment or replace an individual’s method of communication
Augmentative and Alternative Communication (AAC)

- Manual signing, gestures, facial expressions, pantomime, pointing, and/or eye gaze
- American Sign Language (ASL)
  - Use professional interpreter
  - Learning basics for rapport
- Low tech
  - Picture Exchange Communication System (PECS)
  - Ex. Picture board
- High tech
  - iPad
  - Computer

Massachusetts Supreme Court

- Ruby McDonough, sexually assaulted, 10 years earlier stroke
- Court Ruled
  - Ruby’s rights had been violated when she was deemed incompetent to testify
  - Established brand new rules to ensure that the rights of all crime victims with disabilities will be better protected
  - Individuals with disabilities not only have a right to physical accessibility (e.g., wheelchair ramps to ensure they get IN to the courthouse), they have a right to accommodations that will enable their “full and equal” testimonial and participatory rights as witnesses in criminal cases
  - Allowed Ruby to use gestures and answer only “yes” and “no” style questions

Alternative Communication Testimony

- Ohio - State v. Woods, 2014-Ohio-3892
  - Ricardo Woods, 35, was convicted of fatally shooting David Chandler
  - Police interviewed Chandler while he was hooked up to a ventilator, paralyzed after being shot in the head and neck as he sat in a car. He was only able to communicate with his eyes and died about two weeks later.
  - Prosecutors showed jurors a videotaped police interview in which they say Chandler blinked three times for “yes” to identify a photo of Woods as his shooter.
  - Judge Myers watched the video and said that she found the identification reliable
  - She noted that Chandler’s identification was made by pronounced, exaggerated movement of the eyes and not by involuntary movements.
  - A doctor who treated Chandler also testified that Chandler was able to communicate clearly about his condition
AAC Summary
- Do not assume people who use AAC have intellectual disabilities
- AAC may be one of several ways a person communicates
- No special training is needed to communicate
- Speak directly to the AAC Device user
- Try not interrupt when they are using their device
- Be comfortable with silence
- "Voice" from Carrie-Lynn

Final Considerations
- Range of communication abilities
  - Both receptive and expressive
- No assumptions of intelligence based on physical appearance and/or VVB
- Anxiety / Stress
  - Increases in maladaptive behaviors
    - Perseveration
    - Echolalia
  - Responses to sensory input
- Increase your experience
- Be Cool

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