



WATERFRONT

INTELLIGENCE

Landing interviews with witnesses who don't want to talk

A 'no' does not mean an end of an investigation but is simply a bump in the road

By Bruce Gerstman

I am standing in an office complex, looking at a locked door. The man I am trying to speak with is not there--again. This is the fifth time I have tried to see him at his workplace. I need a statement from him but he has been impossible to reach. Each visit, I've slipped my business card under the door and followed up with a phone call. He's never picked up the phone or returned my calls. He is clearly avoiding me.

I try his cell phone again. To my surprise, he picks up this time, I introduce myself and he responds that he is busy and has nothing to say about the witness I want to discuss. But, before he can hang up, I tell him that I simply need his help to understand a project that the witness had worked on with him.

"Sure," he replies.

When reaching out to sources by phone or in person, they often balk at speaking to you. But an initial 'no' can turn into a 'yes,' especially if you understand why they don't want to talk.

If you contact a source and get a curt 'no thank you,' a good first step is to find out the reasons for the person's hesitancy. They may include a fear of repercussions, a fear for their or their family's safety, not wanting to "take sides" or simply not wanting to take the time to participate in an investigation. First, listen to their concerns and imagine what it's like to be in their position. Knowing the reason for someone's reluctance to be interviewed allows you to better address a source's concerns by using some of the tips and techniques we've outlined below.

Ask for Help

Human beings want to feel helpful. You can use this impulse to help a reluctant source open up. In the example above, the man agreed to speak because he saw that he could be of service to me. Showing a little vulnerability can heighten this inclination. Saying something like, 'I've hit so many dead ends in my investigation, I'm really hoping you can help me,' can get someone to take the time to explain an issue or discuss an incident.

Flattery

A request for help can be combined with some flattering words to put the source at ease. Prefacing a request with 'You are an expert on this topic and no one knows this issue better than you,' can create a situation where the person is more enthusiastic about helping. If possible, mention that a colleague of the source, or another contact, recommended that you reach out to them, given their extensive knowledge of the issue.

Sense of Right and Wrong

Another approach that can help sources feel more comfortable is appealing to their ethics or morals. People often overcome an initial reluctance to get involved when they see that a breach of trust has occurred and that they have the ability to remedy the situation. Various disputes – such as safety issues with Boeing’s planes, Tesla’s brakes and Meta’s child protection practices – have broken after a whistleblower decided that they had a moral imperative to come forward.

Your Perspective

Another approach is to frame a request as giving the person a chance to explain their point of view. This often works if you know that someone feels that they’ve been misunderstood, misquoted or reflected in a negative light in the media or by the opposing party. Showing up at the right time can give the source an opportunity to provide their perspective that they feel was not previously included.

This can work especially well when the person has made statements to law enforcement. In that scenario, you can start out by saying that you want to confirm what the source told police to ensure that the police accurately recorded their statements.

Reciprocity

If an initial request for an interview is met with a ‘no,’ it’s often worth trying again, especially if a new nugget of information has been discovered that you can share with the source without risking your case. This creates an atmosphere of collaboration where you are willing to share what they’ve found out with the source. This doesn’t apply in every situation, but this technique gives you a valuable bargaining chip to use to urge a reluctant source to share what they know.

Trying again

Just because someone declined to talk a month ago doesn’t mean they still feel the same way a month later. They might have learned new information that changes their attitude about the issue at hand or have overcome their initial reluctance to participate in an investigation. Diligence and backtracking often pay off, so don’t get discouraged and give a source a little time before reaching out again.

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