

Retail Loss Prevention Council



Greg Brumley

Council Chair, Retail
LP Council – ASIS

Director, Retail Loss
Prevention
T-Mobile, USA

We are already in the third month of 2009; hard to believe. The economic times we are in bring a real dilemma to decision makers in retail companies. On the one hand there are tough budgetary decisions to be made and expenses to cut. Often loss prevention and security are some of the first groups to be looked at for cut backs in these tough times. On the other hand, challenging economic times bring out the worst in those inclined to steal or commit fraud and can really stress a business and requires a robust and proactive loss prevention department.

It is times like these that the words of the former VP of loss prevention at Wal-Mart and a current member and former chairman of the Retail Loss Prevention Council, Dave Gorman, ring so clear; he used to tell us, ‘we aren’t loss prevention professionals in retail, we are retail professionals that happen to be in loss prevention.’ The point being, that we should be valuable contributing members of the business; con-

tributing to margin, measuring our success and publicizing it, calculating return on investment for our initiatives and generally running an organized and frugal loss prevention program. This approach to the business from Retail Loss Prevention programs will ensure our viability, especially in these times.

Our goal in the Retail Loss Prevention Council at ASIS is to not only promote the loss prevention discipline to the ASIS membership, but to provide resources that will help Loss Prevention professionals be the very best they can be. We have a council filled with world class Loss Prevention professionals that excel in the LP field. We have a wealth of knowledge and experience that we hope to leverage and share with you through this newsletter.

We hope you enjoy our newsletter this month. We are working hard to produce a newsletter that is relevant and current to the Loss Prevention discipline. We also invite your feedback if there is anything you would like to learn more about or suggestions you have.

Please get back with us and we will take everything into consideration to make this a better product for Retail Loss Prevention professionals.

Contact: info@lpretailcouncil.org

W-Z Recognized by the State of Michigan

Excerpt from the special tribute below...

On April 20, 1986, 13-year-old Cindy Zarzycki left her house in Eastpointe, Michigan to go to the local Dairy Queen, and never returned home. Cindy's missing person case went cold until it was reopened by Eastpointe detectives in 1994. Through the diligent efforts of Eastpointe detectives and others involved, the case might have never been solved.

Eastpointe Detective McLaughlin was assigned this unsolved murder case in May 1995. In 2000, after attending an investigation and interrogation class offered by Wicklander/Zulawski and Associates, Inc., Dave Zulawski offered his assistance and expertise in helping to solve the murder case. Over the next eight years and with the help of many individuals, the suspect in the case was found guilty of first degree murder and is now serving a life sentence. Not only was this justice for Cindy Zarzycki and her family, it provided closure to a cold case that might not ever been solved.

IN SPECIAL TRIBUTE, Therefore, This document is signed and dedicated to commemorate the hard work and dedication in solving this crime. As evidence of our admiration and best wishes, we offer this expression of our gratitude by presenting a copy of this Special Tribute to the outstanding employees of Wicklander/Zulawski and Associates, Inc., Dave Zulawski, Shane Sturman, Lou Tessman, Dominic Cappelluti, and Bobby Masano. Also, we would like to thank Detective McLaughlin and his assistant Jennifer Leibow and Deputy Warden/Inspector Terry Steward, from the Michigan Department of Corrections for their tireless efforts.

Congratulations
to
Wicklander/Zulawski and
Associates, Inc.

We are proud to have
Shane Sturman, CPP, CFI
who represents the LP
Retail industry so well as
an active member on
our council!



Telephone Interviewing - A Cost Cutting Alternative during Difficult Economic Times

Shane G. Sturman, CPP, CFI and David E. Zulawski, CFE, CFI
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With the "Recession" upon us there is no question things are going to be difficult in the coming months. Less sales, means less taxes, means less services for all. Making do with less and cutting costs is at the forefront of everyone's agenda. We must look at every aspect of our jobs and identify where these cuts can be made. One such area to consider is the investigative interview. While face to face interviews are the norm; more and more companies are finding that the phone interview can be an effective cost cutting alternative for certain types of cases.

For investigators who are responsible for multiple locations, there is an obvious savings on travel costs when the phone interview is used as an alternative to the face-to-face interview. However, the travel issue also extends the investigator further, removing him from the day-to-day tasks of auditing, training, and case development. Depending on a number of factors, an investigator can stretch both his time and investigative dollar using a telephone interview to resolve cases.

The first question that must be answered in determining if a phone interview is appropriate is, "How important is the information that I am trying to obtain?" There is an obvious risk vs. benefit equation to be balanced in each situation. Essentially the investigator must decide the potential worth of the subject's information or cooperation against time and dollars expended to do an in-person interview.

When to Use the Telephone

Certain cases are tailor made for the telephone interview. To decide to use the telephone, the interviewer must weigh the importance of the information that is to be gained against the possibility of failure.

A positive outcome is one where the needs of the company and its investigation are met and the truth is learned. Considered

within the framework of the investigation, the timeliness of the response, and the realistic probability of success, the telephone can create a strong advantage when used properly.

One instance where the phone interview can be used effectively is in those situations where the suspect is apprehended in the act. The emotional shock of being caught often makes the suspect willing to discuss the incident. Since the suspect believes he has been discovered there is no reason not to talk about his involvement.

Direct evidence of the suspect's guilt can also streamline the interview process and makes a confession more probable indicating the appropriateness of a telephone interview. In the event the suspect does not confess, the investigation has developed such strong evidence of his guilt that the individual can be separated from the company or prosecuted without a confession. Since the confession is less important, the phone can be used to move the investigation more quickly to a final conclusion without the necessity of travel expenses.

Another situation that points to a possible telephone interview is when the suspect is younger. The inexperience and fear of the subject can sometimes be reduced using the phone making the situation seem less serious. The strength of the case is enhanced in the subject's mind by the interviewer's use of the phone believing there must be credible evidence if the investigator did not even feel the need to show up in person.

Finally, when the case appears to be relatively unimportant, it may indicate a phone interview. This might be an employee of very short tenure or one still in the probationary period. When the amount of money or product that they could have stolen is extremely limited, does it make good sense to expend time and effort on a small case when those resources could be focused on more serious matters? In each case, an

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evaluation of the risks vs. benefits and time vs. costs will help determine if the telephone is the proper venue for the interview.

Disadvantages of the Telephone

There are a number of obvious economic advantages, but certainly there are disadvantages to using the phone as well.

There is a general lack of control of the interview because the interviewer is not physically present with the subject.

Communication is limited to the verbal channel. Over 50% of communication is nonverbal, these nonverbal clues are lost as the interviewer can not observe the physical behavior.

Unless the caller is known, the telephone can be a rather impersonal medium.

Often, the subjects are in their own supportive environment.

The interviewer often cannot tell if the subject is paying attention to the conversation.

Props or evidence generally are not present, so their impact on the subject may be muted.

The interviewer may be uncertain what the suspect's silence means.

Generally, it is more difficult to develop the suspect's admission into other areas of dishonesty or criminal acts, thus limiting the scope of the final admission.

Advantages of the Telephone

While there are many pitfalls to using a telephone to conduct an interview, there can also be distinct advantages as well.

The first significant advantage is the perception of the subject that the matter at hand could not be that serious or the interviewer would be here in person. The perception fits neatly into the strategy of minimization of the issue's seriousness using rationalizations.

The suspect cannot read the interviewer's body language or expressions.

The interviewer's physical appearance is not a

factor.

The interviewer can script the interview and the subject is unaware of the outline being followed.

The interviewer can refer to evidence and confirm information without the suspect being aware of the interviewer's physical movements.

The interviewer's voice is intimate because the earpiece of the phone is held to the ear. This is a rapport building position that is almost like having a confidante whisper in the ear, which creates a physical closeness.

When talking on the phone, many people put themselves in a submissive head down position to focus their listening on the conversation.

The interviewer can react to the case immediately, while the suspect is in an emotional state following his apprehension.

The most experienced interviewer can be used even when not physically nearby.

The telephone interview can be observed for training purposes, without special equipment or stressing the subject by having additional witnesses present.

There is limited legal liability relating to whether the suspect was being restrained or was in custody for the purpose of the interview.

There can be significant savings of time and travel dollars.

Interview Setting

Especially in the private sector, where investigators and resources are stretched, the use of telephone interviews can make good business sense. The investigator must pick the correct times to employ its use in closing the investigation.

As in a traditional interview, privacy and a distraction free environment are critical to the process for both the subject and interviewer. The room setting for both should be prepared to meet the expected needs of the interviewer and subject.

Telephone Interviewing Cont.,

Noise and distractions should be avoided so the concentration of the subject and interviewer can be focused on the conversation.

If the call is going to be made to the individual's place of business, it is possible to have more control over the interview. The following are a few considerations:

Prior to the call, contact the individual's manager and discuss the subject's personality, employment history, and general background.

Discuss the necessity for confidentiality and management behavior with the subject's supervisor. This makes the management team a partner to the process.

Identify the best method of getting the subject to the phone. Identify who will act as witness at the employee's work site.

Instruct the witness on his duties and what to observe during the phone conversation. Make sure that the witness knows not to react to an admission from the subject. Let the witness know the overall positioning and structure of the interview that will be used during the phone call. Also let them know they should not talk or counsel the subject during the process.

Have the witness prepare the room removing distractions in the same manner that an interviewer would if he was physically present.

Conducting the Interview

Conducting an interview over the phone relies on the traditional techniques used in face-to-face encounters. There is one exception...time. If phone interviews are going to work, the first admission is generally obtained earlier than in a face to-face meeting. The interviewer can be more direct with the suspect, shortening some of the components of the interview and the time it takes to obtain the first admission.

Shortening the interview appears to work for several reasons. First, the suspect is doing something very natural, talking on the phone.

The voice at the other end of the phone is anonymous and in many ways does not seem real, which reduces some of the apprehension the individual might have in confiding information.

The use of the telephone would at first seem impersonal, but with the handset to the ear, it is actually quite intimate. The privacy is present even with a witness in the room because the suspect focuses on a voice that only he can hear.

The seriousness of the incident seems to also be diminished for several reasons during the telephone interview. Certainly, one of the most helpful reasons is the suspect's perception that if the problems were serious, the meeting would have been held in person. A by-product of this perception is a feeling of freedom, because he or she is not physically facing the interviewer. The individual's fear of consequences is diminished because it is a voice rather than a face, which must be read and interpreted. Effectively, what has happened is the suspect's belief system is predisposed to the process of rationalization and he has already internalized a position of minimization.

The suspect, wanting to believe that everything is less serious, is only one factor in reducing the time it takes to obtain a first admission. Another internalized belief of the subject is that the interviewer must have strong evidence of his guilt, or he would not handle the situation in this manner.

When the interviewer refers to evidence, because it is not visually present, it has even more impact because the subject commonly thinks the worst believing it is even more incriminating than it is.

The interviewer's level of confidence in the subject's guilt is also high because of the strength of the evidence. The tone and delivery speak volumes to the suspect. The

Telephone Interviewing Cont.,

confidence of the interviewer supports the suspect's belief that he has been discovered. Just as in a face-to-face interview, the suspect's belief that he has been discovered is a strong component in his decision to confess.

Structuring the Interview

The structure of the interview is similar to that of a face-to-face interview.

The interviewer establishes rapport with the suspect while confirming his identity and biographical information. During this stage, the interviewer establishes the behavioral norm for the suspect; his speech pattern, tone of voice and speed of delivery.

The interviewer uses the introductory statement as a starting point to convince the suspect he has been caught. Unlike the delivery of a face-to-face introductory statement, the interviewer encourages the suspect's participation and responses.

This is done to maintain control and assure that the suspect is listening to the monologue. The internal structure of the introductory statement otherwise remains the same: Who we are and what it is that we do, types of losses or crimes we deal with, and how we investigate. The interviewer has spent about four minutes on this section, which establishes the credibility of the investigation.

The interviewer then proceeds to rationalize why people make errors in judgment using rationalizations that fit the suspect's background. This face-saving section is intended to provide a means of mitigating the suspect's participation in wrongdoing.

Periodically, the interviewer may want use engaging techniques by asking the suspect a short question like "Do you see what I mean?" to assure the suspect is listening.

The interviewer uses an assumptive question, either a soft accusation or a

choice question to obtain the first admission of guilt from the suspect.

The interviewer then develops the admission and obtains confirmatory details of the incident. The who, what, where, when, how, and why of the case is discussed with the suspect. Once a complete admission has been achieved, it is time to document the confession.

The final step is to secure a full documented written confession containing the admission developed during the phone call. This final step can be accomplished by asking the witness to provide pen and paper to the suspect.

In the event there is not a witness present, the interviewer may elect to audio tape the confession over the phone. Some states have eavesdropping statutes, which restrict when a conversation may be taped, so the interviewer should obtain the suspect's permission to record the conversation at the beginning of the tape. In instances where there may be doubt about who was on the phone, ask some questions, to which only the suspect would know the answers. A question such as, "What is your mother's maiden name?" should help confirm the identity of the individual being spoken with.

The telephone interview is a cost cutting alternative that should not be quickly dismissed. Its use will cut travel costs, free up valuable time to accomplish other tasks and may allow for quicker case closure. The most difficult part of conducting phone interviews is doing the first one because it is different than what we are used to. Once an investigator discovers how easy it can be to get an admission over the phone they often rely on the phone interview when in fact they should be conducting a face-to-face interview. The phone interview is not for every case, but it is a nice cost saving alternative for many of the routine cases we work on.

Use of All Your Available Resources—Part 2

In the last newsletter, an article emphasized the fact that membership in ASIS International provides a number of important benefits. This article identified several ASIS Councils who provide meaningful support and information to Retail LP Professionals on the issues they deal with everyday. The Councils mentioned in that first article included:

Crisis Management & Business Continuity Council — knox_don@cat.com

Law Enforcement Liaison Council — Richard.E.Chase@usdoj.gov

Global Terrorism, Political Instability, & International Crime Council — Michael.Bouchard@eodt.com

Investigations Council — marty.bishop@nsn.com

In this edition of the RLPC Newsletter, we want to continue this effort and discuss several other Councils that are especially relevant to Retail Loss Prevention. More information on each of these can be obtained by going to www.asisonline.org and accessing the Council section under the Membership tab.

Business Practices Council

Promotes ethical, reliable, and effective business processes, improvement techniques, standards, business ethics, and reliable performance indicators via the benchmarking of superior procedures and processes. This Council strives to deliver 'best business practices' through publications, workshops, and a series of webinars.

Goals/Objectives for 2009 include:

- "Get the word out" - Solicit from all ASIS International Councils, ASIS members, and

specific business leaders, information regarding their proven 'business practices'.

- "Get Published" - Initiate a series of articles on best practices in Security Management magazine using SME's (Subject Matter Experts) from across ASIS International.
 - "Deliver Training" - Complete no less than 4 (four) Council sponsored Webinars to cover topics normally covered in our workshops.
- Through all of the above, "Provide Recognition" for SME's across ASIS and in particular, from the Councils.

Contact point: kort.dickson@perdue.com .

Crime & Loss Prevention Council

The objectives of the Crime & Loss Prevention Council include:

- Provide an additional means, consistent with the objectives of ASIS International, for the exchange of information, techniques, and experiences in the field of asset protection.
- Establish and sustain a productive relationship, for the common purpose of crime prevention, between the public law enforcement and private security sectors.

Establish a mechanism that will facilitate implementing effective security concepts and practices in the deterrence of criminal activity. Contact point: Les.Cole@att.net

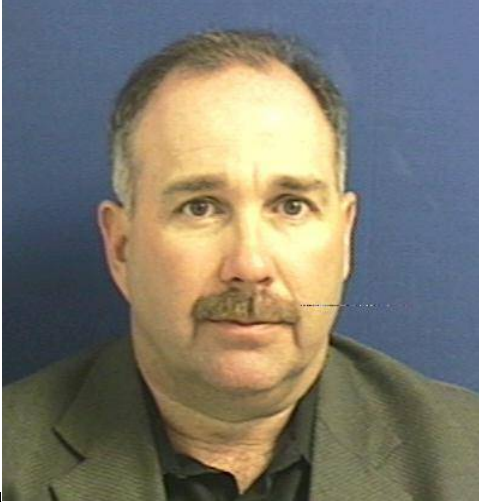
Economic Crime Council

The Economic Crime Council provides education relative to economic crime, and supports ASIS members with intelligence and innovative solutions aimed at resolving economic crime threats. In addition, ECC promotes global cooperation between security professionals and law enforcement officials.

ASIS members are encouraged to use the relevant links provided on the Economic Crime Council site at www.asisonline.org

Contact point: jon@fraudresourcegroup.com

Member Profile — Steve Lindsey, CPP



Q. What is your Position, and how long have you been employed with this company? I have performed a number of jobs during my soon to be 29 years at Wal-Mart Stores, Inc. I have worked in Loss Prevention in both Wal-Mart and Sam's Club where I was the Director, Director of Homeland Security, and now serve as the Director of Security Services inside Wal-Mart's Global Security division.

Q. Before joining your current company, where were you and what did you do in your previous position? I joined Wal-Mart right out of college.

Q. Briefly, what is your education background and which professional certifications do you hold? I graduated from Missouri Southern State University with a B.S. in Criminal Justice. Certifications include Georgetown University's ISMA Leadership Program, Texas A&M University's Vulnerability Assessment Strategy, Design and Mitigation, and a Certified Protection Professional awarded by ASIS.

Q. What do you consider your greatest accomplishment in your present position? Leading Wal-Mart through its migration from analog video to a digital video platform In your career? Being a part of developing people that have taken on greater responsibility at Wal-Mart and other professions.

Q. How has LP changed since you first got into the field? The impact areas of the business are much broader and more sophisticated now. LP professionals have access to significantly more data and exposed too many more regulations and risks. Where do you see it going from here? I suspect that LP professionals will further integrate themselves with all parts of the business as the business learns the added value the LP professional brings.

Q. Explain to the general public the importance of retail loss prevention. An effective Loss Prevention program aids in expense reductions, safe shopping environments, and enforcement of operating regulations. These activities result in lower consumer pricing, pleasant shopping experiences, and assurances that the business is run with integrity.

Q. What do you see as the current trends in Retail Loss Prevention and what companies should take notice of? Obviously ORC seems to continue to grow not only in terms of criminal activity, but awareness as well. I also see a growing demand for traditional Loss Prevention response integrating with other pieces of the business such as Legal, Compliance, Marketing, Ethics, IT, and Finance departments.

Q. Where do you think the U.S. is in comparison to other countries in regards to the LP industry? Each country has unique challenges related to accepted business practices such as laws, culture, weather, economic conditions, political issues, and others. Global companies must be able to adopt flexible strategies that impact the business positively in each country without negatively impacting other countries.

Q. What tips would you give to someone wanting to get involved in Loss Prevention? Understand and integrate with the core business of the company that you belong too.

Q. What was the greatest influence to your development and success in this field? My leadership has always challenged me to get involved in unfamiliar areas of the business and then supported my strategies.

Q. Why did you join ASIS and what drives you to participate as a member of the LP Retail Council? I joined ASIS and the LP Retail Council to broaden my knowledge base in security and gain new industry resources.

Briefly tell us a little bit about you personally... Where do you live? Hobbies? Family? Etc...I have been married to my wife Jan for 28 years. We have one daughter, Erin who is a graduate of the University of Arkansas and works for a retail advertising and marketing company. I enjoy golf, Nascar, football, college sports, traveling (on vacation), and supporting The Literacy Council of Benton County.