



How HR professionals can avoid a bad hire.

USING THE INVESTIGATOR'S MINDSET: How H-R Professionals Can Interview Like an Investigator to Avoid Bad Hires

by Tadd Downs

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USING THE INVESTIGATOR'S MINDSET:

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**HOW H-R PROFESSIONALS
CAN INTERVIEW LIKE AN
INVESTIGATOR TO
AVOID BAD HIRES**

**BETTER
RESULTS**

TADD DOWNS

Using the Investigator's Mindset

*How H-R Professionals Can Interview Like an
Investigator to Avoid Bad Hires*

Tadd Downs

Decoding the Body



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Decoding the Body
P.O. Box 16234
Missoula, MT 59808

tadd@dtbconsultingservice.com

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INTRODUCTION

MORE IN COMMON THAN YOU THINK

Let me start by saying, I am not a Human Resources (HR) Professional. I am, and have been a criminal investigator my entire adult life. I began my investigative career while attending Michigan State University and obtaining my degree in Criminal Justice. Now, I have spent over twenty-five years as a criminal investigator. Twenty-one of those years were spent as a Special Agent with the United States Secret Service.

Right now, you, the HR professional, is probably asking yourself, “Why should I read on? This guy is a career investigator. How can he help me reduce my problem hires?” This is an excellent question, and I am often faced with this skepticism. After all, the book was probably purchased to help you make better-informed hiring decisions, not conduct investigations. The answer is simple, an investigator and an HR professional have more in common than one may think. Part Two of this book thoroughly explores this; however, a brief explanation here may be helpful.

One of the most important management functions an HR professional performs is recruiting, hiring, and retaining qualified employees. This endeavor has the potential to be challenging and frustrating. If it is done right, a qualified employee is hired. If it is done wrong, the HR professional ends up with a problem employee. This problem hire has the potential to cost the company thousands of dollars, affect the morale and productivity of the company, and means the company has missed hiring someone who could have been a valuable asset. In addition, good employees currently working for the company will have to work harder to compensate for the bad hire’s poor performance. However, avoiding a bad hire is easier said than done.

The process of hiring involves conducting employment interviews, with the primary purposes being threefold. One is to gather information concerning the applicant’s qualifications for the job.

Second, it will provide information on the company to the applicant. This will in turn assist the applicant in assuring their career goals match up with the position being offered. Lastly, it will provide an opportunity to see if the applicant has the right chemistry to fit within the company.

Interviewers seek to have an **open and honest exchange** of information with the applicant. Again, this is sometimes easier said than done. Why is this? Primarily, because interviews tend to be quite misleading. In a job interview, HR professionals assume the candidate is acting in a fashion similar to how they will act if hired. This is not necessarily always the case because interviews are stressful, and stress causes people to behave differently from their norm. Furthermore, applicants often lie in interviews to obtain the job. Applicants will also try to answer the interviewer's questions by telling the interviewer what they believe the interviewer wants to hear. To further muddy the waters, applicants will go to great lengths to learn impression management skills. These skills will be used to fool an interviewer into believing the applicant is something he/she is not. Applicants will spend millions of dollars each year on books, seminars, coaches, videos, and read articles and blogs about how to effectively interview. In my research for this book, I found considerably less information for the HR professional than for the applicant on how to interview. Unfortunately, interviewers are often poorly prepared to combat the job seekers ability to mislead them. This book will better prepare you for this.

The goal of an employment interview is to have an open and honest exchange of information.

As an investigator, my goal is to solve crimes. There are only two ways to do this. One is by obtaining enough physical evidence to prove beyond a reasonable doubt the suspect committed the crime. The other is by obtaining a confession. When I conduct criminal interviews, I also hope to have the same open and honest exchange of information the HR professional seeks during the employment interview. However, I do so in hopes of proving the suspects' guilt, obtaining convictions, and

sending them to jail, not offering them a job. This makes for some pretty tough interviews.

I know of no other professions which employ interviewing more than the HR professional and the investigator. Both have ample opportunity to practice and hone their skills, yet most of us are terrified and dread conducting them.

This book will help you gain the advantage and tip the scales away from the applicant and back toward the interviewer. It will teach you how to strip away the applicant's impression management techniques and assure the applicant in the interview will be the employee you expect.

The book is divided into two parts. The first will focus on nonverbal communication for hiring. The second will further explain the similarities of the HR professional and the investigator, and help you to develop the investigator's mindset. Along the way, the book will also dispel some myths people have on how an investigator interviews and conducts investigations. Both the hiring process and conducting an investigation, have more in common than most HR professionals may think.

Every HR professional needs to have a basic knowledge of nonverbal communication to effectively interview. As you will see in the following chapters, nonverbal communication does not lie, whereas spoken words do. As you read the book, you will start to develop an investigator's mindset for hiring, and employ techniques investigators have been using for decades to have open and honest exchanges of information.

Start observing and studying nonverbal communication.

Part I

The Importance of Nonverbal Communication in Human Interaction and Hiring

**Becoming a student of nonverbal
communication.**

ONE

NONVERBAL COMMUNICATION

From Gut Instinct to Nonverbal Knowledge

The radar in my car whistled a familiar tune when the old, beat-up Chevy whizzed by me, heading north on Highway 17. I had been tucked away in the median hidden out of sight, but now I was pulling out onto the highway and activating the lights on my patrol car. As I accelerated to catch up to the vehicle, I began going through my usual pre-stop routine. “Park about ten yards behind the vehicle, slightly angle my vehicle for protection on the approach, remember to fingerprint the car’s rear window (this is done in case the stop breaks bad and my fingerprint is needed to place me with this particular vehicle, i.e. if I was shot and killed), and for goodness sakes make darn sure I put my hat on.” Back then a Virginia State Trooper would as soon exit the vehicle naked as to forget to exit the vehicle without his cover.

Slowly the Chevy came to a stop on the shoulder and I reached for my radio, “949 – Culpepper,” I radioed. The radio squelched back “949.” I proceed to provide the license plate and location of my stop to our dispatch located in Culpepper, VA (we didn’t have fancy computers back then like they do now). I quickly exited my vehicle expecting that this stop would be like others I had done in my short career. I had been released from my Field Training Officer (FTO) after finishing my probation period, and had been on my own for a couple of months.

As I approached the car, I immediately started looking for the driver’s hands and not looking at his face. A face will not kill the police officer, whereas the hands will. Luckily, the driver’s hands were in plain sight and I stated, “Hello, Driver’s License and Registration please.” The driver looked at me and replied, “I don’t have my driver’s license with me.” He then proceeded to obtain the registration for the vehicle from the car’s glove box. I immediately knew something was not right,

however, I couldn't put my finger on it. I had made stops before, granted, only a few, where individuals did not have their driver's license with them, but this stop for some reason was different. I told the driver it was fine he didn't have his driver's license and I would check his motor vehicle record by his social security number, date of birth, and name. I took out a pen and note pad and asked the driver to spell his name, provide his social security number, and date of birth. I was still keeping an eye on his hands while getting this information and my gut instinct was continually telling me something was not quite right.

The driver freely provided his name, spelled it with ease, and gave his date of birth. The name matched the name on the vehicle registration. He then provided a social security card number to me without hesitation. The name, date of birth, and social security card number would be used to conduct a database search through the National Crime Information Center (NCIC). While the driver was able to provide this information flawlessly, I still had an uneasy feeling. I didn't know why. It is normal for individuals to be nervous when stopped by the police, but this guy was not acting nervous, just strange. The answers to my questions flowed out of his mouth with ease, but I couldn't place my finger on what was wrong.

I walked back to my blue and gray (what we called our patrol cars because they were, well, blue and gray) keeping an eye on the driver. I called in the driver's information to dispatch and waited for a response. Dispatch responded by indicating the individual was cleared, no wants or warrants and the registration on the vehicle was valid.

Now what? All was supposed to be copacetic; I scratch out a couple of tickets to the guy and send him on his way, right? Wrong! My "gut instinct" was continually letting me know there was more to the situation. But what? I kept asking myself. I then made a smart decision, probably one of only a few in my life during that time, I picked up my brand-new cell phone (a flip phone which weighed about 5 pounds) and called my office. Luckily, First Sergeant Newlen answered the phone; he was a wise trooper with 20 plus years on the job and an individual for whom I had a tremendous amount of respect. I told the First Sergeant I had a vehicle stopped along Highway 17 and all appeared to be fine, but

my gut was telling me something was not right. First Sergeant Newlen said, “Hold tight, I am on my way.” There were no questions, no second guessing, nothing, he jumped in his car and responded. The First Sergeant arrived about 5 minutes later and together we approached the vehicle to speak with the driver. I watched in amazement as he went to work questioning the suspect. The First Sergeant, using his experience and interviewing ability, was able to obtain the true identity of the individual.

Once the First Sergeant was able to obtain the suspect’s true identity, I again ran the suspect through NCIC. The individual was a wanted felon. There were warrants for his arrest stemming from violent crimes in Virginia and surrounding states. This guy was a badass who was going to be considered a “habitual offender” when convicted of these crimes. He knew he was going away for a long time and was willing to do almost anything not to go to jail. Oh yeah, did I mention he also had a large amount of drugs in the car? It was a bad situation I had stumbled into. I was glad it ended safely and the way it should, with the bad guy going to jail and me going home after my shift.

The suspect had used his brother’s name, date of birth, and social security card number. This was obviously not the first time he has done this to fool law enforcement. When I placed the silver bracelets (handcuffs) on him to transport him to jail, I was still wondered what it was I had seen or sensed which caused me to call the First Sargent.

Over two decades later, as I sit and look back at this incident, my appreciation for what took place that day continues to grow. Was First Sargent Newlen simply a super trooper, or was it that, over his long career, he had developed an ability to have an open and honest exchange of information with suspects. Back then I chalked up my suspicion to gut instinct. Now, I know better. What I had observed was the suspect’s nonverbal behavior not matching his verbal communication. My wife told me it was God telling me my life was about to end. Either way I learned from it.

This incident, early on in my law enforcement career taught, me a valuable lesson. If I was going to survive in this line of work, I needed to pay attention to not only the spoken word but also what a person’s

nonverbal communication was saying. Believe it or not, people tend to lie to law enforcement. Shocker, I know. Learning to decode the body has proven extremely useful to me over the years, not only as a trooper but also as a special agent. It has kept me safe and allowed me to have open and honest exchanges of information with suspects to obtain confessions I might not otherwise have received.

Much like I did early in my career, you, as HR professionals need to take the first step in developing an investigator's mindset. That first step is to become students of nonverbal communication. You need to transition from relying on gut instinct in making hiring decisions to using nonverbal knowledge. I will devote a considerable amount of print in the next several chapters to form a foundation for decoding basic nonverbal communication. No matter how much you believe in your ability to read nonverbal communication, it is imperative to study these chapters. Later, we will use this understanding to better develop the investigator's mindset. Without the understanding provided in part 1 of this book, an open and honest exchange of information will continue to elude you.

Verbal and Nonverbal Communication

I do not yet consider myself an expert in nonverbal communication. In my opinion, that title belongs to people such as, Dr. Paul Ekman, Dr. Aldert Vrij, Dr. David Matsumoto, Dr. Maureen O'Sullivan, Dr. Bella DePaulo, and others whose work I have studied and learned from. I consider myself a student or "practitioner," as Dr. Matsumoto refers to non-academics in his book *Nonverbal Communications: Science and Applications*. Dr. Matsumoto's book does a wonderful job of "bridging the gap between science and application." If you are interested in learning more about nonverbal communication, get his book and study his work (Matsumoto, Frank, and Hwang, 2013). While I may not be an "expert" myself, I do have extensive expertise obtaining criminal confessions. Much of this success is due to my ability to listen with my eyes, by reading nonverbal communication.

Communications 101: the Basics

Humans communicate in two ways, verbal and nonverbal communication. A quick Google search of what percentage is verbal vs.

nonverbal provides a commonly quoted statistic of 7% verbal while nonverbal accounts for 93%. The majority of the studies I reviewed indicate verbal communication accounts for roughly 7-25%, while nonverbal accounts for 75-93%. Dr. Albert Mehrabian, Professor of Psychology, UCLA, is widely quoted as to his findings that 7% of any message is conveyed verbally, 38% through vocal elements, and 55% through nonverbal communication. (Adding the nonverbal and vocal elements to get the 93% often quoted.) The actual percentage is **not** what is important. What **is** important is realizing that most communication is done **nonverbally**. Imagine trying to read this book if only 7-10% of the words were present. It would be impossible. Likewise in a face-to-face conversation. If you are only paying attention to the spoken word, and not nonverbal communication, you are only getting 7% of the conversation. Nonverbal communication will tell more about what a person actually feels or what their underlying emotions are than their spoken words. To make sense of this, try pondering some everyday interactions. For example, you see a coworker, James, on Monday morning and ask him how his weekend went. James, whom you have worked with for years, is known to be a pleasant individual, who is happy and enjoys his work. He responds by saying, "It was great." However, there is an expression on James's face, which does not match his spoken words; somehow, you know James had a terrible weekend. The nonverbal expression of James emotions spoke louder than his words.

It is imperative to understand that nonverbal communication provides more information on how a person **feels**, what they are thinking, and what their intentions may be, than their verbal communication.

Nonverbal communications tells us what a person is feeling.

So why do people pay more attention to the spoken word if it only makes up roughly 7% of the message? One reason is because people are taught, starting as children, to pay more attention to the spoken word and less attention to nonverbal communication. Parents take great pride and spend a large amount of time teaching their children how to speak and understand their native language, yet they don't teach

how to read **body** language. As people grow older and become adults, they are often judged on how eloquent they are. How well people speak often has profound impacts on their lives in such areas as obtaining employment or the outcome of social interactions. Reliance on speech is then reinforced by saying to our children, “You better listen to me or you’ll be in big trouble” or “Listen carefully to my instructions.” As a parent myself, I am just as guilty of this attitude. My favorite saying to my children has been, “Two ears and one mouth, use them in order, and listen to what I am saying.” Once children are taught how to speak, we reinforce their reliance on the 7% of what is being conveyed verbally, but not on the other 93% of nonverbal.

This is not to say children don’t learn some nonverbal communication, they just receive little formal instruction. Children learn nonverbal communication through a trial and error basis. As children, we learn how to “test” how far we can push our parents, and thus, learn where the **Do Not Cross** line is, by reading body language. I knew by my parents’ reactions, not their words, when to stop pushing the limits. I often referred to it as when I received, “the look” from my mom or dad.

If children receive “little” formal instruction on nonverbal communication, what instruction they do receive is done more for socializing the child and teaching proper social norms. Parents might say, “Stop slouching,” or “Look someone in the eye when you talk to them,” (one of my favorites). This is intended more so the parent has socially acceptable offspring, than intentionally teaching the child how to communicate nonverbally.

We are taught how to communicate verbally but receive little to no nonverbal training.

The next reason people don’t pay attention to nonverbal communication, is that the study of nonverbal communication has only been around a short period of time, compared to the existence of the spoken word. Pre-twentieth-century studies were rare, and perhaps the first study of nonverbal communication widely accepted was Charles Darwin’s *The Expression of the Emotions in Man and Animals*, published in 1872. However, nonverbal communication was not widely studied until

the 1950's and 60's. The spoken word has been around for thousands of years.

The study of nonverbal communication is a relatively new area of study.

We live in a digital/virtual world, which is yet another reason we focus on verbal communication instead of nonverbal. Emails, iPhones, cell phones, video teleconference, text messaging, all of these are communication tools we use every day which take nonverbal communication out of the equation. They lack personal interaction and perhaps that is why some people choose to use them. Up until the invention of the telephone, if people wanted to communicate with someone they were forced to either write a letter or physically travel to see the individual. Today there are all sorts of options to convey a message to someone and people take advantage of these options often. CNN.com recently reported on a report by Forrester Research that six billion text messages are sent every day in the United States. This comes out to about 2.2 trillion text messages a year (2). Texting is everywhere; I have even known family members, sitting in the same house, who text each other instead of getting off their rears and having a face-to-face conversation. Because of these new technologies, people have taken personal interaction out of communication and thus taken out the ability to decode the body. Please don't misunderstand, the above technological advancements are wonderful and there is place for them in today's world, but when we use them, people are only getting about 7% of the message.

I often speak to career sales professionals about nonverbal communication. It is quite apparent that those who have mastered the art of reading nonverbal communication are the most successful. Those sales professionals, who believe they are able to do their job effectively over the telephone or email without visiting their clients, need to find a new career.

Technology takes nonverbal communication out of the equation.

When people learn to decode the body, they attain a much greater understanding of what a person is feeling and communicating,

they don't rely on the 7% of communication which is verbal. A person's emotions expressed through their nonverbal behavior will tell what the spoken word does not. Being able to decode the body by understanding a person's nonverbal behavior and the emotions that drive the nonverbal behavior, gives us the remaining 93% of the conversation.

What is Nonverbal Communication, Body language, and Verbal Communication and what are they comprised of? Simple definitions of terms used here in the book are below. While they may not all be exact textbook definitions, they are simple and easy to understand in the context used here.

Verbal Communication – The spoken and written word.

Nonverbal Communication – A medium which conveys a message from a sender to a receiver. Nonverbal communication is comprised of facial expressions, kinesics (physical movements), proxemics (distance between individuals), haptics (touching), and tone, timber, pitch, and volume of the voice. It also includes posture, clothing, office decorations, or accessories worn.

Body Language - Movements or position of the body express a person's thoughts or feelings (1).

Nonverbal Communication is Driven by Emotions

An essential point to make at the outset is, to study nonverbal communication people must understand it is driven by emotion. Nonverbal communication or body language is the expression of these emotions. No, this is not going to be a touchy-feely book about emotions, but it is imperative to understand the role of emotions in nonverbal communication. More on emotions will be discussed later in the book.

The Relationship Between Verbal and Nonverbal Communication

Dr. Paul Ekman and Dr. Wallace Friesen, in their paper *The Repertoire of Nonverbal Behavior: Categories, Origins, Usage, and Coding* (1969), explain the relationship between verbal and nonverbal communication. Ekman and Friesen say verbal and nonverbal relate in various ways. The nonverbal act will substitute, repeat, contradict, regulate, compliment, or accent the words spoken; it will also anticipate and coincide, as well (Ekman and Friesen, 1969)(Matsumoto, Frank and Hwang).

When nonverbal substitutes for verbal it will take the place of the spoken word. An example would be the simple shake of the head yes or no without saying a word. In law enforcement there are quite often times when nonverbal will substitute for verbal communication when silence is needed. An example would be when approaching a residence where a search warrant is going to be served. Certain signs are given in the event the door has to be breached and/or a distraction device deployed. Thus we often substitute nonverbal for verbal because of safety.

Nonverbal will also repeat the spoken word. The shaking of the head up and down and then verbally saying yes would be an example of nonverbal repeating the spoken word.

Nonverbal communication will contradict the spoken word. This would be when the spoken word and the nonverbal communication are not congruent. Using the shaking of the head example again, we see nonverbal communication contradicting verbal communication when a person says no but nods his head yes. While you might not believe this occurs often, it happens in most of my interviews with criminal suspects at some point. A discussion on the concept of nonverbal communication being non-congruent or contradicting the spoken word appears later when discussing the rules of reading nonverbal communication.

Nonverbal communication will also regulate a conversation. An example would be when a person is talking and suddenly another person holds up their hand in a “stop” fashion to have the person stop talking. The nonverbal of stop has regulated the speech.

Nonverbal speech will complement speech as well. An example of this would be when a person says, “I sure am tired” and stretches and yawns. The nonverbal actions have complimented the spoken word.

Accenting verbal communication is also possible through nonverbal communication. An example of this I see quite often when my wife is assisting my children with their spelling and grammar. When discussing how many syllables a word has and where to accent each word, she opens the palm of one hand and slaps it with the other for each syllable of the word. She is accentuating to aid the pronunciation of each word. Another example would come from the world of sports. How many times have you seen a football coach accent his verbal communication with his nonverbal when he says, “you need to HIT the guy!” and pounds his hands together, or pounds the shoulder pads of the player.

Summary

The importance of nonverbal communication cannot be understated, yet we often miss it in everyday life. Understanding that nonverbal communication reveals how people feel more than their words, is imperative in interviewing. Until you become a student of nonverbal communication, you will continue to miss the other 93% of what is being communicated during employment interviews. In hiring interviews, start observing nonverbal communication. You might be surprised at what the applicant is really saying.

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<http://www.merriam-webster.com/dictionary/body%20language>



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