

# INTERVIEWING & PSIs

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## OVERVIEW:

The pre-sentence investigation is one of the most important documents that will be used to determine sentencing options, risk assessment, institutional planning, and release planning for the offender. The trainees will gather a greater understanding of the various dimensions of the pre-sentence report and its significance for the offender as they journey through the criminal justice system.

## OBJECTIVES:

Participants in this training module will:

- ◆ Recognize the importance of the Pre-Sentence Investigation, not only for making sentencing recommendations, but also for aiding in institutional programming, as a treatment tool, in later supervision, and as part of developing a reoffense prevention plan.
- ◆ Learn the necessary components of the sex offender Pre-Sentence Investigation.
- ◆ Receive a checklist of the desired components of the PSI and the psychosexual report.
- ◆ Understand the importance of other information (psychological reports, probation reports, etc.) being sent to the institutions case management staff and treatment providers.
- ◆ Increase their repertoire of special probation conditions. They will receive a checklist and will be given examples of the creative use of special conditions in supervising the sex offender.

## INTRODUCTION - Probation/Parole Officer as Practitioner

### PREPARATION FOR INTERVIEW

- ◆ Remote
  - ◆ Know your biases
  - ◆ Some assumptions regarding sex offenders
    - ◆ basically they are us
    - ◆ heterogeneous population
    - ◆ qualitatively different
    - ◆ never cured
- ◆ Proximate
  - ◆ All available information
    - ◆ felony complaint
    - ◆ criminal history
    - ◆ all professional and personal statements
- ◆ The plea negotiation
- ◆ Victim interview

### THE PSI INTERVIEW

- ◆ Introduction

- ◆ Purposes - Information and rapport
  - ◆ Privacy Act statement
  - ◆ Release of Information forms
  - ◆ Set up psychological testing and interview
  - ◆ If C.D. evaluation is ordered, set up
  - ◆ Role of officer/agent
  - ◆ Officer/agent as expert
  - ◆ Denial and sex offender
  - ◆ Basis for probation supervision/institution and release planning
  - ◆ Interview Proper
    - ◆ Face sheet
    - ◆ Format
      - ◆ Plea negotiations
      - ◆ Circumstances of the offense
      - ◆ Defendant's version
      - ◆ Victim impact
      - ◆ Prior record
      - ◆ Additional information
      - ◆ Family information
      - ◆ Personal information
- |                        |
|------------------------|
| Chemical use           |
| Marital                |
| Employment             |
| Education              |
| Economics              |
| Religion               |
| Military               |
| Additional Information |
| Summary                |
| Evaluation             |
| Recommendation         |

A PSI investigator not only has a right, they have an obligation to recommend that a plea not be accepted if there is a *compelling* basis to recommend that a plea be rejected by the court.

### **SUGGESTED QUESTIONS REGARDING OFFENDER HONESTY:**

(Source: Treatment Skills for Professionals Working with Sex Offenders)

How do you feel about coming here for an interview?

- ◆ What is your explanation for the offenses?
- ◆ How do you think your offenses affected the victims?
- ◆ How much excitement did you get from the offenses? What was exciting or arousing about committing your offense(s)?
- ◆ Are you angry with the victim for reporting you? How do you feel about your offense being reported?
- ◆ How honest were you with the police? In what ways have you been dishonest about your behavior?
- ◆ Who have you lied to about this problem?
- ◆ Do you want to get even with the victim? What would you like to say to the victim?
- ◆ Do you think you have a problem with honesty?

## Detailed Questions to Ask Regarding the Current Offense

### Child Molestation

- ◆ What is the usual age of the children you offend against? How old is the youngest child you had sexual contact with? How about the oldest? What is their relationship to you?
- ◆ What is the sex of the children you molest? Does it make a difference if they are boys or girls?
- ◆ What time of day did you commit your offenses? Where did they take place? How did you get there?
- ◆ How many different children have you molested that you didn't get caught for?
- ◆ How old were you when this behavior started? How long before that did you start thinking about it?
- ◆ How much time out of a day or week do you spend thinking about this or getting into situations where you could do this?
- ◆ Where or in what situations did the other molestations take place?
- ◆ How much thinking do you do about offending before you commit an offense? How much thinking do you do before an offense about particular victims?
- ◆ How did you get into the situation where you could molest a child?
- ◆ Why do you think you chose that child to molest?
- ◆ In detail, what did you do to your victims? Did you remove their clothes or get them to do it? How did you fondle him/her? Exactly where? How did you perform oral sex on your victims? Did you then have vaginal intercourse? If not, why not? Did you have anal intercourse? If not, why not?
- ◆ How did you get your victim to perform oral sex on you? How did you get your victim to masturbate you? Did you use any objects or creams during your offenses? Explain how.
- ◆ How frequently did these incidents occur?
- ◆ Do you have access to a camera or video camera? Did you take pictures of or videotape your victims? If yes, where are they and what do you do with them? If not, why not? Did you ever think about taking pictures or videotaping your victims?
- ◆ How many children did you attempt to molest but gave up for some reason? Why did you give up?
- ◆ Tell me about the situations where you molested more than one child at the same time? On how many occasions did you make one of these children have sexual contact with the other?
- ◆ How did you get the child to go along with the sexual behavior? How did the child react to the sexual behavior? What did the child do to attempt to verbally or physically stop you? What did you do when they attempted to stop you? What did the child say during the offense? What did you say to the child?
- ◆ What did you do to physically force or restrain the child? Did you have a weapon?
- ◆ How did you make sure the sexual offenses would remain secret?
- ◆ Who else was present during the offense? Who else was in the vicinity when you molested the children? Who else knew about the offenses?

- ◆ Were you ever caught for the offenses? If you were caught, by whom and what were the details of the circumstances? How did you continue to molest this particular child after you were caught?
- ◆ What is your guess as to how many separate incidents of sexual contact you had with each victim?
- ◆ Was any adult sexually touching or watching while you molested the child?
- ◆ Did you ever collect money for any of your victims? Did you ever give them money? Did money ever get exchanged because you get them sexually involved with others?
- ◆ Why do you think you sexually offend against children? Tell me about your fantasies about sexually abusing children in detail. Do the fantasies involve male and female children?
- ◆ What did you think about doing or want to do with your victims that you did not do? Why didn't you?
- ◆ What pornography did you use to get the child's interest or curiosity?
- ◆ What kind of games did you play with your victim(s)? What do you know about magic or witchcraft? Does your molesting involve anything like this?
- ◆ Are there any other things that you always do when you commit an offense?
- ◆ Did you make fun of the child, call them names? Did you urinate or defecate on them?
- ◆ How were you feeling during most of these offenses?
- ◆ What were the things that led up to the offenses?
- ◆ On a scale of one to ten, how strong would you say the sexual feelings were you had during these episodes?
- ◆ Did you have an erection during the molestations? Did you ejaculate? During how many of your offenses?
- ◆ Were you drinking alcohol or using drugs during any of these offenses? What and how much were you using?
- ◆ What type of fantasies have you had about rape, in other words, having sex with someone against their will or where they say no and you continue? Do these thoughts include girls/boys around your own age or older?

**Interviewer's Note:** If any responses to the above questions indicate force, violence or ritualistic behavior, the interviewer should ask all of the peer age-oriented offense questions.

- ◆ When have you fantasized about exposing yourself in public or to other people?

**Interviewer's Note:** If the response to this question is positive, the interviewer should ask all of the exhibitionist offense questions.

## Rape

- ◆ What time of day did you commit your offenses or attempts?
- ◆ Describe to me in detail the place(s) where you committed the offenses.
- ◆ Why did you choose the place? Is this a typical place for committing offenses or does it vary?

- ◆ How did you get there? Did you use a vehicle during the offenses or when you left? Give me a description of your vehicle and/or the one you used. What is (are) the plate number(s)?
- ◆ Who else was with you or near by? Did they see what you were doing? Could they hear you? Are you usually alone when you offend or with others? Who are the others and what is your relationship to them?
- ◆ Did you know your victim? From where and for how long? How old were you when this offense occurred? How old was the victim?
- ◆ When did you first notice or think that the place would be a good place to commit an offense?
- ◆ When did you first start thinking about this type of offense? When did you first start fantasizing about this particular victim? How old were you when you first started having these fantasies?
- ◆ How did you plan to keep it secret and avoid getting caught?
- ◆ How did you approach this victim? What did you say? What did he/she say?
- ◆ Did you make the victim undress or did you undress him/her? Did you tear his/her clothes?
- ◆ Did you insert any objects into the victim at any time? Where did you get these objects?
- ◆ What did you say to the victim during the entire episode? How about after the offense was over?
- ◆ How did you get the victim to go along with the offenses? What kind of threats did you use?
- ◆ Did you threaten to find or watch the victim's home? What did you say you would do if the victim told anyone? Did you threaten to get other people to go after the victim?
- ◆ How many times have you sexually assaulted this victim?
- ◆ Describe in detail any physical hitting, beating, kicking, etc. during the offense. What were you thinking about or feeling at the time? How sexually exciting was this to you?
- ◆ Did you tie the victim up? Did you blindfold the victim? Why? How? Did you become sexually excited during this part of the offense?
- ◆ Did you urinate or defecate on the victim?
- ◆ What kept you from being more violent or killing the victim?
- ◆ What did you want to do to the victim that you did not? Why didn't you? What stopped you from carrying it out?
- ◆ What did the victim say to you during the offense? How did what they said to you make you feel?
- ◆ What was going on and how were you feeling right before these offenses? How were you feeling during the offense?
- ◆ Why do you think you did this?
- ◆ Did you physically take the victim anywhere from where you originally started the offense?
- ◆ When you left the scene of the offense, how was the victim left? How did you ensure that he/she would not report you? What did you do immediately after you left the offense scene?
- ◆ Did you take anything, even something minor, from the victim? Did you keep it?

## Obscene Phone Calls

- ◆ Where do you make these calls from?
- ◆ What do you say in detail? How did you keep the person on the line?
- ◆ How did you find the numbers of the people you call? How did you decide whom to call? Who were you hoping would answer the phone?
- ◆ How many of the people you have called do you know personally or know of?
- ◆ What exactly were you doing during the call? Do you masturbate during or after the calls?
- ◆ Give me your best guess as to how many times you have done this in the past.
- ◆ Why did you choose the people you called? How much direct contact did you make with the person(s) you were calling?
- ◆ On how many occasions did you think about having sexual contact with anyone you called? What if they were unwilling? How often did you think about forcing someone you called to have sex with you?
- ◆ How many of your calls do you make alone? How many with other people? Who introduced you to the idea of making calls?
- ◆ What were you feeling and thinking while the call was going on?
- ◆ What reaction did you hope for from the person you were calling? What was their reaction most of the time?
- ◆ How old were you when you first started thinking about making obscene phone calls?
- ◆ How did you get caught?
- ◆ What kind of things happened before any of the calls that you think may have to do with why you make these calls?
- ◆ How much time out of a day or week do you spend thinking about this or getting into situations where you could do it?

## Voyeurism

- ◆ How and where did you look in windows? What and who were you trying to see? Did you know them?
- ◆ How old were the persons you hoped you would see or did see?
- ◆ What did/would you do if they saw you?
- ◆ How much have you thought about going inside and having sex with someone inside? How many of those thoughts have had situations where you force the person to have sex with you if they don't go along?
- ◆ How many times have you broken into the house or building where you had seen someone? What were your intentions? What did you take? What else did you do before you left? Did you break, vandalize, or deface anything?
- ◆ How many times have you returned to the same house to look in windows or break in?
- ◆ How many times have you ever broken into a house/apartment and waited for someone to come home? Who were you waiting for? Why?

- ◆ Do you have access to binoculars or a telescope? Where are they now?
- ◆ How are you feeling at the time you look in windows? How often do you masturbate while looking? Do you ejaculate? How do you feel afterwards?
- ◆ How old were you when you first started thinking about looking in windows?
- ◆ How much time out of a day or week do you spend thinking about this or getting into situations where you could do it?

### **Exhibitionism**

- ◆ How did you expose yourself specifically? What did you want to make it look like you were doing? What type of vehicle, if any, did you use during the offenses? Give me the license plate number(s) and any other identifying characteristics.
- ◆ How were you feeling during the offense(s)? How about before?
- ◆ How long before you exposed yourself did you follow your victim(s) or persist in your choosing of a particular victim?
- ◆ Where do you usually expose yourself? When did your first recognize that it was a good place to commit this type of offense?
- ◆ What time of day or night do these offenses usually take place? Why?
- ◆ What are the ages of your victims? Are they usually men/women, boys/girls?
- ◆ How do you get their attention? What do you say to them?
- ◆ How old were you the first time you thought about exposing yourself?
- ◆ How well did you know the victim(s)? Where did you first meet them or see them?
- ◆ What exactly do you do during the offenses? Do you masturbate during or after the offenses? Do you usually ejaculate? When?
- ◆ How much actual contact did you have with the victim(s) during the offense? How much did you plan to have? Why didn't you have more contact? Did you follow them or attempt to find them again?
- ◆ What exactly do you say to the victim during the offense?
- ◆ Approximately how many times have you exposed yourself?
- ◆ How do your victims usually react? What reaction do you want? What do you do when the victim reacts?
- ◆ How many times have you been caught for this offense? What were the circumstances?
- ◆ How much time out of a day or week do you spend thinking about this or getting into situations where you could do this?
- ◆ Have you ever exposed yourself out your window at home or in another situation?
- ◆ Have you ever left the bathroom door or other door slightly open while you were dressing or urinating hoping that someone would see?
- ◆ Have you ever exposed yourself to the same victim more than once?
- ◆ Why do you think you expose yourself?
- ◆ Were you drinking alcohol or using drugs during any of these offenses? What and how much?

## Questions Regarding History of Past Offending Behavior

- ◆ How many times have you broken into a house and stolen something? How about a store? Have you ever robbed a store or home when someone was there? Were they asleep? What else did you want to do?
- ◆ How many times have you committed or attempted a sexual assault at the same time as another crime such as armed robbery or burglary?
- ◆ What do you think you wanted to do when committing the offense?
- ◆ How old were the victims in other similar offenses you have committed?
- ◆ Describe in detail what you did to the victims, i.e., what exactly would you do to the victims? How did you touch or hold the victim? Exactly where? How did you perform oral sex on your victim? What was their reaction? How did you have intercourse (vaginal) with the victim? What else did you do to the victim? How did you make the victim perform oral sex on you? Did you hold or restrain the victim? How?
- ◆ What type of weapons have you used during offenses? Were they on you or somewhere else like in the car? Did you say you had a weapon? Did you touch the victim with the weapon? Did you put the weapon anywhere inside the victim? How sexually exciting was this to you? What access do you have to other weapons?
- ◆ Did you kill, attempt to kill, or think about killing any of your victims? What did (would) you do with the body? Did you have any sexual contact with the victim while the victim was unconscious or dead?
- ◆ Tell me what your rape fantasies are like, what exactly do you think about? Let's start with the first time you ever had a thought like that?
- ◆ How do you feel about women/girls in general? Do you have any problems getting along with certain women/girls? Do you ever feel women/girls think they are better than you or are able to control you somehow? Describe the type of woman you find attractive. Describe the type of woman you dislike. Describe the type of woman you would probably offend against.
- ◆ Were you drinking alcohol or using drugs at any time prior to or during the offenses? How much and what was consumed? What do you think your drinking/drug use has to do with your fantasies or sexual behavior?
- ◆ How many victims would you say you've offended against? How many have you tried to assault? Were you caught for any of these other offenses? Did you admit it to the person who caught you?
- ◆ How many of your offenses were reported to the authorities? How many of your offenses were you arrested for? What was the court's response?

## Suggested Probation Conditions for Sex Offenders:

The following is a list of suggested probation conditions for sex offenders. Other probation conditions may be imposed in order to manage an offender's specific risk areas.

- ◆ You shall participate in an offender treatment plan as directed by your probation officer and assume the costs of your own treatment.
- ◆ You shall assume the cost of therapy required by the victim of the offense.

- ◆ You shall make restitution to the victim for out-of-pocket expenses incurred as a result of the offense.
- ◆ You shall not purchase, possess, or consume alcoholic beverages/regulated drugs.
- ◆ You shall submit to alcosensor/urinalysis testing as requested by your probation officer.
- ◆ You shall attend and participate in alcohol/drug counseling as directed by your probation officer.
- ◆ You shall not purchase, possess or use pornographic materials of any sort.
- ◆ You shall not possess a home computer.
- ◆ You shall not operate a motor vehicle after dark, except for purposes of verified employment, unless in the company of a responsible adult.
- ◆ You shall abide by any curfew imposed by your probation officer.
- ◆ You shall not hitchhike.
- ◆ You shall not pick up hitchhikers.
- ◆ You shall not reside with your children nor contact your children in any manner unless approved by the social worker assigned to the case and your probation officer.
- ◆ You shall not initiate, establish, or maintain contact with any minor child nor attempt to do so, nor reside in the same residence with minor children without permission of your probation officer.
- ◆ You shall reside where your probation officer directs. You must obtain permission from your probation officer to relocate to another residence.
- ◆ You shall not purchase or possess firearms.