

ADVANCING YOUR CREDIBILITY ASSESSMENT

#aiTitleIX



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IMPRESSIONS

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ADVANCING YOUR CREDIBILITY ASSESSMENT

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LEARNING OUTCOME

After participating...

... you will be able to understand how to advance your credibility assessments in Title IX cases.

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CREDIBILITY

“Credibility” means “the quality of being believed or accepted as true, real, or honest.”¹

¹Definition is taken from the Merriam-Webster dictionary online at:
<http://www.merriam-webster.com/dictionary/credibility>

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■ CREDIBILITY (CONT'D)

- Pieces of information may be different in value
- Credibility – no formal rules
- Investigators will need to rely on their own set of experiences when assessing credibility (consider bias and stereotyping).
- Ask: Is the reason WHY you believe something or someone (more) “explainable?” Reasonable?

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ACTIVITY

Who is more believable?

Discuss with your colleagues at your table who you would find more believable, and why.

- A priest or a nun?
- A drug dealer or a car thief?
- A lawyer or a police officer?
- A salesperson or a business person?
- An alleged victim or an alleged respondent?

Be prepared to share with the larger group.

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■ IMPORTANT THINGS TO REMEMBER WHEN ASSESSING CREDIBILITY:

- Some hallmarks of credibility are: believability, trust, accuracy, fairness, and objectivity.
- Assessing credibility will (for the most part) be subjective.
- There will be times when your investigative conclusions will be based solely on a credibility assessment.
- Assess the credibility of the speaker and the information that is conveyed.

■ IMPORTANT THINGS TO REMEMBER WHEN ASSESSING CREDIBILITY:

- Two key dimensions of credibility: trustworthiness and expertise or first-hand knowledge.
- Do not base a credibility assessment on demeanor alone.
- How good is the witness's memory of the event?
- Is the witness a direct witness?
- Is there any self-interest or a motivation to lie?
- A major difficulty in assessing credibility: keeping track of WHO said WHAT and WHEN.

■ WHY IS THE “CREDIBILITY ASSESSMENT” SO IMPORTANT TO AN INVESTIGATION?

Sometimes you’ll need to draw a conclusion based only on a credibility assessment. Ask yourself: Who is more believable and why?

Being able to explain the “WHY” is the most difficult and necessary part.

■ DEALING WITH CREDIBILITY (A REVIEW)

- Credibility = how believable a witness or their version of events appear to be
- Features relevant inconsistencies in information provided by witnesses
- Used in considering which set of facts presented is more “believable”
- The more believable a witness or version of events are, the potential for making a reasonable determination (under “preponderance” standard) becomes in the absence of solid information.
- “Rule of 3”



ACTIVITY

A Matter of “Credibility”

In pairs (one should focus on the statement of the Reporter, the other should focus on the statement of the Respondent), identify potential inconsistencies. Choose one (1) inconsistency and write a credibility statement that appropriately reflects the facts that supports why this “inconsistency” is important in the credibility assessment.

Be prepared to this with your partner. Be prepared to discuss with the larger group.



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“CREDIBILITY” ACTIVITY DEBRIEF

- What credibility issues did you discover for each witness?
- Looking over the limited information, was it easy or difficult to find the inconsistencies? Why or why not?
- Who seemed more credible to you? Why?
- Was it easy or difficult to write a “credibility assessment?” Why was it easy or difficult?
- When discussing the inconsistency with your partner, did you find yourself agreeing with their credibility assessment? Why or why not?
- What was your biggest takeaway from this exercise?



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QUESTIONS

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EVALUATION

Thank you!

Please remember to complete the event evaluation.
Your comments will help us continually improve the
quality of our programs.



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