FEATURED ARTICLE

CFIs: Experts, Professionals, or Both?
by Eric D. Echols, CFI
TFP Company

VIDEO OF THE QUARTER

LETTER OF EXPLANATION
by Tammy Clark, CFI, CFE

LETTER FROM THE EDITOR
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LETTER FROM THE CHAIRMAN

For those of us in the Midwest and Plains, surviving the polar vortex and subzero temps occupies our minds. As the winter months pass by, we inch closer to spring. Snow will leave, sunshine will stay. This warm beginning will usher us into the perfect state of mind for Elite Training Day.

Fresh air, clear skies, good company, companionship, and wonderful speakers; what could be a better way to learn while being in paradise? Chico’s is the perfect venue, providing top-tier hospitality for us in Fort Myers, Florida.

With plenty of space to network with solution providers and learn about their new ideas, this venue will provide a comfortable space to work on solving problems with new ideas. We can catch up with old friends and hopefully meet new ones.

The real treat is our speakers who will present topics on real world experience. We have WZ’s own Chris Norris, CFI, who directs the firm’s international training. Based on his travels and training experiences, he will focus on finding common ground in our diverse world and rapport building strategies that work globally. Chris will also address how to adapt our interview style to encourage honesty from almost anyone in the world.

John Diederich, Senior Vice President and Chief Operating Officer at Rush Copley Medical Center will talk about preparing for an active shooter. He spent nine months enhancing and training over 2500 employees for an active shooter situation. Then the unthinkable, his personal survival story was put to the test during the Rt. 91 Concert shooting in Las Vegas in 2017. Hear what really goes on in a person’s mind when the bullets fly and the unexpected happens.

Finally, John Fenzel, retired special forces commander, will talk about real world examples of where planning and unconventional techniques are used to gain information and resolve crises. His experience from the White House to the Pentagon to the battlefield will help us understand the application to real world situations.

Elite Training Day will also feature a one-day WZ Master Class taking place on Tuesday, April 2, 2019 from 9am-4pm taught by Dave Thompson, CFI. Challenge yourself and your skillset by attending this Master Class. Participants will add a new interviewing method to their toolkit and be tasked with workshop-based scenarios to broaden and elevate their skills. I hope you will find your way to Ft. Myers in April. I look forward to seeing you then!

David E. Zulawski, CFI, CFE
Chairman
CFIS: EXPERTS, PROFESSIONALS, OR BOTH?

by Eric D. Echols, CFI

Certified Forensic Investigators (CFIs) are considered professionals by virtue of the certification they hold. They also are regarded as experts in the field and may be asked serve as expert consultants. So, which is more important? Or are CFIs a notable combination of both? And why does it matter? If you ever are asked to testify in court or get deposed, it is advisable to be armed with some facts and examples of just how important both statuses are. The situation described in this article can serve as a model for how you can prepare.

Court Requests

I recently had the experience of being questioned in a military court in another country. I will have to leave out some of the identifying details, as ordered by the staff judge advocate and the commanding general. Though I am a civilian now, I will always be a Marine and follow orders. The process through which I was summoned is called a motion to compel. This motion was presented by the defense to the government and military court to request that I, as a Certified Forensic Interviewer (CFI), aid the defense in locating and conducting interviews with 19 military personnel. Below is a portion of the memo sent to the staff judge advocate and the commanding general.

The alleged crime was committed in another country, but the military personnel who were potential witnesses had demobilized back to the United States. The defense—who were also military—wanted an investigator to locate the potential witnesses and conduct interviews when they were located. Some had even left the service since the incident.

When an investigator is requested by the court, the question comes up about whether a CFI is a professional called on to do a skilled task, an expert in the eyes of the court, or both. I was referred to the military due to my work as a private investigator. I do investigations for prominent law firms in Atlanta, among other clients. One of the firm’s work includes military law, and that is how the military heard about me for this case. As a CFI, I am a professional private investigator. I also consider myself a professional based on the way I handle cases, treat my clients, and produce quality work. Now, the US government referred to me as an “expert.” This was based on my experience and areas of expertise, as well as the certification I hold and continue to maintain as a Legacy CFI.

During the motion to compel process, I was called (remember, the alleged crime occurred in another country, so when it was time for me to testify, I was called via telephone) and sworn in to answer direct questioning from the defense and cross-examination by the government (prosecution) to validate my expertise in interviewing. It is likely that you have asked, “If I’m ever questioned in court about my CFI certification, what do I say?” As someone who just went through it with a military court, I can attest that it can be daunting. Thus, it is always best to prepare

Continued...

SUBJECT: Request for Appointment of Eric D. Echols, Certified Forensic Interviewer (CFI), as an Expert Defense Consultant and Witness, United States v. ""

SPC """, by and through counsel, requests the Convening Authority to appoint Eric D. Echols, Certified Forensic Investigator (CFI), for the purpose of conducting a defense investigation. Mr. Echols will provide an independent defense investigation into the facts of this case; interview and evaluate witnesses; develop affirmative defense evidence and impeachment evidence; and identify and interview prospective pre-sentencing witnesses in extenuation and mitigation in the event of a conviction. SPC "" further requests the expert consultant be designated as a member of the defense team bound by the attorney-client privilege, in accordance with Military Rule of Evidence (MRE) 502(a).
well ahead of time. Let me take you through the preparation and the questions I was asked, as I remember them, and my responses.

**Professional Experience**
First, I had to send the court my CV. I informed them of my background, what high profile cases I have worked, and the number and types of interviews I have conducted. All of this is standard. The court and counsel need to see where you have worked and what you have done at those jobs.

Longevity and experience in a career contributes to being a professional. In my case, I have more than 30 years of related experience. These are some of the high-profile cases that I have worked in the past:

- Tonya Craft – child molestation case
- Robert Champion – FAMU drum major who was hazed to death
- Anthony Hill – unarmed and fully unclothed veteran shot and killed by a DeKalb County police officer

Even though these cases were different, the common factor was that I located witnesses and conducted interviews. The end results were that my work contributed significantly to case outcomes.

- Tonya Craft was acquitted on 22 felony counts
- The Estate of Robert Champion was awarded a civil demand; some of the people who did the hazing were jailed and/or put on probation
- The police officer who shot Anthony Hill awaits trial for felony murder, aggravated assault, violation of oath of office and making a false statement

The first question that the defense asked me was about whether there was anything in my background or experience that is not included in my CV. This gave me an opportunity to talk about the method of interviewing I created, and that my program was approved by the International Association of Interviewers for other CFIs to obtain continuing education credits (CEUs). And I talked about my book “The Echols Files: Catoosa County Justice” My investigation into the biggest child molestation case in the south. (The State of GA vs Tonya Henke Craft)

I was asked, “What is a CFI?” I responded, “The CFI is the highest documented certification in the field of interviewing. To put it in perspective, it’s like having Esq. behind your name if you are in the legal field or CPA if you are an accountant.” I then explained the process I went through to become a CFI, and what I must do to maintain my certification.

I was asked what a CFI can do that others cannot. Knowing that the room was filled with attorneys, and that they could do things which non-attorneys cannot, this is how I replied: “A CFI is trained in interviewing.

As a CFI, I know how to conduct an interview while reading the body behavior to detect deception, empathy, or sympathy, I know how to use techniques to bond with the interviewee. I know how and when to rationalize and will know what rationalizations to use to get the interviewee to talk. CFIs learn how to identify and handle nonverbal denials, how to address verbal denials, and what to say if a person decides to get up and walk out of the interview, without using threats or intimidation.”

**Expert Knowledge**
After these questions that probed the professional status of a CFI, there were others that I consider as addressing my standing as an expert in the field of investigation. Here are the questions and answers as I recall them.

I was then asked why it was important to know the techniques I had described in my last answer, and specifically what were some things I looked for during an in-person interview. My response was to let the court know that CFIs get people to talk, and then expanded the answer based on my experience: “These techniques are important because the issue in any case is to get to the truth. You want witnesses to talk and provide the truth, or at least provide the interviewer with some information on the case to follow up on. When doing interviews, I look for body behavior (motions, gestures), I listen for voice changes (pitch, tone, dryness, I look to see if barriers are broken down, and I can tell when the interviewee is going into submission”

The next question was whether there were specific tactics and techniques that led to more successful interviews. My response was that the entire interview process is based on techniques and tactics, but certainly there are ways to ensure success. “I was trained in the art of interviewing, then took that training, along my experience of doing Continued...
over 1000 interviews, and developed a different interview process. Any interviewee who talks makes the interview a successful one. Effective CFIs get people to talk."

One of the most important questions asked was this: “What are some benefits of having a civilian, rather than a member of the military, conduct interviews in court-martial cases?” This question could stir the pot if not answered prudently. One thing I did not want to insinuate is that the military CID would be incompetent in any way. So, I rationalized! I stated, “Often, I’m asked to participate in wrongful death cases (like the Anthony Hill case, in which a DeKalb County police officer shot and killed a fully unclothed veteran). Most people who have something to fear do not like talking to people who can get them in trouble. This is why people in the streets don’t like talking to police officers, because of the fear they may get arrested, or someone in the neighbor may retaliate. There is a similar mindset with soldiers. They may not want to talk to CID or JAG because of that same fear, but this time that fear could be Office Hours, Article 15, etc. Sending a civilian to conduct the interviews shows that the military court wants to get the truth. And getting the truth is so important, that they hired a civilian and sent that civilian to investigate the case. There is also the benefit of taking away the fear of the higher-ups (Officers) being in front of the interviewee.”

I was then asked why in-person interviews are more successful than interviews over the phone. For the most part, phone interviews are conducted by retailers with employees with no tenure, when a loss or wrongdoing is fairly insignificant. But in a criminal case, what professional would even consider doing a phone interview? This would be highly inadvisable in a case in which the accused could possibly spend life in the brig or on a sex registry.

My response to the court was this: “In a case like this, doing phone interviews would be a disservice to justice. Phone interviews are only conducted when you have the facts of the case or concrete evidence, and you just need an admission from the interviewee. If a person is facing jail, may be dishonorable discharged, or will be on sex offender registry for life, a phone interview is not the way to go.” Then I added the interviewer’s worst fears when doing a phone interview: “Also, during phone interviews, it is difficult to read the behaviors and bond with the interviewee. Worst of all, the person can just hang up the phone and leave the room.”

Among several other questions, I was also asked what I felt was the most important question about being an expert: “What could you bring to the defense team in this case?” When people ask me questions like that, I always think about the training I had, what it took to become a CFI, and what I have do to maintain the certification. Most of all, I think about my ethics and motto. With all that in mind, this is how I answered the question: “I hope nobody takes this the wrong way, but what I bring is a true interest in justice. I don’t go into an investigation or do interviews that are biased. If I did that, I might discount valuable information, details, or evidence. As a CFI who is considered a professional interviewer, and an expert in my field of investigations, I always follow my motto: Truth, Fact, and Protect—get the truth, and find the facts, to protect the clients’ best interest. What I bring to the defense team is the ability and motivation to conduct a professional unbiased investigation and interviews.”

Now what do think? Is a CFI an expert, a professional, or both? I say BOTH! We are professionals because we hold a national certification that is the highest in the field of interviewing, and we are trained to conduct interviews in any situation. We maintain this standing and follow a code of ethics and standards of practice under the guidance of the International Association of Interviewers. We become experts through experience, longevity, and the application of our professional skills. So, in the event you are asked to testify in court, or get deposed, you have some handy examples to refer to.

Private Investigator Eric D. Echols is Managing Partner with TFP Company and has been a CFI since May 31, 2006, holding a Legacy CFI Membership. Eric is a former United States Marine and has worked for fortune 500 Companies in loss prevention as Divisional Vice President with Kmart, Regional Director with Lowes Home Centers, Director of Loss Prevention with SaveRite Grocery Warehouse, and Area Manager with Walt Disney World, to name a few. Eric has also developed an innovative style and format for interviewing employees to discovery dishonesty and rollovers called the Retail AID Program, which stands for Retail Advance Internal Development Program. The Retail AID Program has been approved by the International Association of Interviewers for CFIs to obtain eight (8) continuing education hours. You can find the Retail AID program at [www.tfptraining.net](http://www.tfptraining.net) and The Echols Files: Catoosa County Justice on Amazon.
Let’s Sit at the Same Side of The Table, OR HOW TO BE A BETTER PARTNER

Originally published on September 27, 2018 in the LPM Insider.

With a regular blog titled “Confessions of a Forensic Interviewer” you’d think that every week I’d have something to say about interviews. I do. But here’s the thing: I’m a solution provider now. In order for me to write regularly, I have to write about my experience, and what I’ve experienced since transitioning from retail loss prevention five years ago to solution provider has been, well, A LOT!

Thinking back to when I worked for various retailers over the years and bumping into “vendors,” let’s just say I was mostly underwhelmed (though sometimes pleasantly surprised) at the service we received. My role brought me into contact with field technicians and occasionally a manager, if something had gone haywire. I was there during installations as the eye in the sky or checking on the work after it was done, and saw a whole range of behaviors on the job, from taking extra-long lunches, to flirting with store staff, to just plain shoddy workmanship. Not everything was negative, as I said, there were pleasant surprises too: techs that showed up on time, with a name badge, checked out at the end of shift and walked me through the work that they did.

Through all my years of working with vendors, I never once had a supervisor, project manager or account rep call and ask me how the job went. This was curious to me – wouldn’t they want feedback from the customer directly? I always thought to myself that if our vendors would communicate with us more often, then they would become solution providers. Now living on the vendor-side for five years, I noticed that communication isn’t always easily forthcoming from the retail side either. And I re-learned what my experience as an investigator first taught me – that communication is a two-way street.

So this will be a two-way article. I’ll offer suggestions for improving the retailer-vendor communications from both sides, so regardless of which side of the table you are sitting at, you may find a helpful nugget.

**Being a Great Customer**

If you are a retailer who wants a rock star vendor, don’t just sit back and wait for it to happen on its own. When you’ve gone through all the trouble to select a vendor—or even if you have a long-term
partnership—talk about your expectations and then follow up on them. Almost every retailer has a service level agreement (SLA) or master service agreement (MSA) in place but how many actually talk about those things that make that SLA run?

For instance, you may have an SLA in place that states your vendor needs to respond to service calls within five days; however, are there any mechanisms in place to make sure each service call is placed with a maximum amount of information from your end so the vendor’s tech can properly complete the job when on site? If your store isn’t satisfied with something about their service can they document the issue, or does it go by word-of-mouth to the loss prevention manager?

You’ll see a common thread here, it’s communication. Often times, frustrations start to develop because the retailer waits too long to share the issues. The larger the organization, the more delays there are, and the quicker these frustrations pile up. Do you have a regular touch base with your vendors? It may not be the most exciting conference call of your week, but regular calls can help to develop a rapport and you may be surprised that information starts to flow and things will bubble up that otherwise may have laid dormant and festering.

Being an Awesome Solutions Partner
One thing I’ve learned as a solution partner is that every retailer is different and they all communicate quite differently. Some don’t want to hear from me at all unless they have a problem. Then there are those who I can pick up the phone with, pick their brain about a new product and we have a great chat. What needs to stay consistent is the attempt to communicate, from day one. Outlining the critical processes and double checking that there is consensus is crucial. If your retail customer has a different expectation than you thought, it’s only going to become exacerbated as time goes on.

Don’t hesitate to call your retail customers with bad news. We all have those tough calls to make—sometimes things don’t go perfectly. But the longer you wait, the worse it will get. As my friend and boss, Steve Sell, likes to say, deliver good news fast and bad news even faster. Communicate truthfully. People can smell BS a mile away. Retailers have enough to worry about without having to deal with a vendor who is colorful with the facts.

We also have to accept that sometimes people don’t click. Personalities may clash or there may be history of some kind you have no control over. Communicate anyway. Ask the other party, how would you like me to communicate? What works best for you? What have you experienced in the past that you’d like me to do different?

Treat others with respect. This goes both ways. I have seen retailers treat vendors like indentured servants and I have also seen vendors acting like they own the place. These attitudes don’t serve anyone and only further build the walls between the two sides. If you are a retailer and have a procurement team who handles your LP buying, may I suggest sitting in on a conference call or meeting to see how things are going?

A finely tuned partnership between retailer and vendor can only result in benefits for both sides. Just think of the idea sharing, problem solving and money saving that could arise if ideas were exchanged freely and on a regular basis! To illustrate this, I’ll leave you with an example as a final thought. I let one of my retail partners know I was going to be in his area recently and we made plans to grab lunch. He was telling me about a problem they were having with some auditing, and I was able to recommend a company to him that might be able to help. You could write this off as normal networking or even run of the mill sales stuff, but I disagree. This came about because we have good communication and feel comfortable with one another. Comfort and easy exchange of ideas only come about with some work upfront on communication. We’re there. And you can be too!

Quote of the Quarter
If you don’t stand for something you will fall for anything.

Gordon A. Eadie
Dominant lines

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- Overview of the Cognitive Interview
- Translating Your Skillsets
- Workshop Based Scenarios
- Updates and Evolution of Interviewing

TAKE ON THE CHALLENGE! TUESDAY APRIL 2

Elite Training Day 2019 will feature a one-day WZ Master Class taking place on Tuesday, April 2, 2019 from 9:00 – 4:00 pm taught by Dave Thompson, CFI. When registering, select the option WZ Masterclass/Attend ETD Member or Non-Member to attend this workshop with Elite Training Day.

For more information or to register visit certifiedinterviewer.com

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HOW SECURE ARE YOUR SOCIAL MEDIA ACCOUNTS?
First, use a completely different email address for social media than you use anywhere else. You can be tracked even when not using these apps and you don’t want someone to be able to link those accounts to your banking, healthcare, other info, etc. Second, always use two factor authentication (2FA). This makes it much harder for hackers and detects log ins that may not be your own. Third, all social media apps have privacy settings. Facebook; check your settings & lock them down, do a privacy check up, and don’t let people have the ability to tag you. Instagram; check your profile and settings & lock them down to only close friends. Monitor what other apps are connected. SnapChat; check settings and look closely at the "who can section" to ensure privacy. Lastly, Delete is NEVER really delete. Be mindful and careful about what you post. Keep yourself and your family safe!

Advice from Fortalice Solutions
Privacy Day: Staying Safe & Secure on Facebook

Understand What's Collected
YOUR ACTIVITY IS TRACKED
1) Facebook, Instagram and WhatsApp activity is tracked, i.e. accounts followed, posts liked, ads clicked, messages sent. View the tab labeled “Your interests” to see what data has been collected.
2) Facebook has methods of tracking your activity around the web as well.

Things to Remember
DELETE IS NEVER DELETE
There are multiple ways for others to save your Facebook pictures, posts and stories without your knowledge:
1) Screenshots may be taken of any and all posted photos
2) Recordings may be taken of your story
3) Certain software may be used to save stories and photos.

Facebook has a Privacy Tool

#1
Click "Settings" at the top right corner of your Facebook page

#2
Select "Privacy"

#3
Review Your activity

#4
Review how others can find and contact you

Privacy Trophy
Facial Recognition: Settings > Face Recognition > Choose "No"
Timeline Tagging: Settings > Timeline and Tagging > Choose to review the posts you’re tagged in. Here, you can remove tags from any photos you don’t like, or change the settings to ensure only you are able to see tagged photos of yourself.
Location History: Settings > Location Tab > View Location History
Privacy Filter: Try a privacy add-on like Privacy Badger, a free app which alerts you to tracking - https://www.eff.org/privacybadger
NORTHEAST CHAPTER
The Northeast Chapter held its first 2019 meeting on Tuesday, January 29, 2019 from 10:00 am to 1:00 pm at Tiffany & Co. (200 5th Ave., New York, New York). Speakers included Dave Thompson, CFI, VP of Operations Wicklander & Zulawski, who presented “Lessons From False Confessions” and Mary Doyle, CFI, VP Axion Partners, who presented on “Social Media Investigations and Analyses.”

The next Northeast Chapter meeting will be April 9th in Philadelphia, PA. Speakers include Dave Thompson, CFI, VP of Operations, Wicklander Zulawski. More details to come.

SOUTH CHAPTER
The IAI South Chapter held its last meeting on Tuesday, March 5, 2019 at Axis Communications in Irving, Texas. Speakers included Wayne Hoover, CFI, Senior Partner, Wicklander-Zulawski & Associates, Brock Cary, Axis Communications, who presented on “Interview Audio & Visual Recording,” Axiom Partners, LLC who presented on “Social Media,” Jim Bishop, CFI, Cracker Barrel Old Country Store, who presented on “Interview Witness Selection.”

The venue and lunch were sponsored by Axis Communications, Steve Darrah, PCI and Yesenia Krueger.

WEST COAST CHAPTER
The IAI West Coast Chapter held its last meeting on Friday, March 1st, 2019 from 10:30 am – 1:30 at the Ovitt Family Community Library in Ontario, CA. Speakers include Andrew Birozy, CFI, Wicklander Zulawski.

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DECEMBER 2018

JANUARY 2019
Jose Baeza Suarez, Anthony Barkey, Heather Bennett, Michael Bouley, Lindsey Cotton, Yevgeniy Mayba, Martin Medina, Mario Mora, Bradley Newkirk, Anthony Paixão, Scott Pickrel, Kevin Sigmon, Dustin Zink

FEBRUARY 2019
Keri Braunberger, Renee Bricker, Yingzhu Chen, Kenneth Clark, Jason Cornewell, Rachel Dodson, Levi Ellis, Marlene Giordano, Rahman Hunter, Scott Lucas, Rosario Munguia, Ryan Smith

WE DON'T HAVE AN AUTOMATED PHONE SYSTEM. WE HAVE DEVIE.

When you call our toll-free number, she answers in under 4 seconds. And if she is on another line, Mary (who sits next to her) answers on the 5th second. And if Mary is on another line too, then Shane answers on the 6th second. That's how our “phone tree” works.

But 93% of the time (we measured!) you will get Devie. She is our busiest and most reliable customer-facing employee. She has talked to all our customers, knows which sales rep serves whom, and who can help you the fastest.

That’s why we have zero interest in the fancy “artificial intelligence” automated phone systems. We have the real human intelligence and human touch of our employees. They deliver on our First Time Right pledge every day. Starting with Devie, and continuing with everyone you will encounter at CONTROLTEK, around the country and around the globe.

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HELPFUL LINKS

CFI Designation Renewal, CLICK HERE and login to your profile.
CFIs in the Media, VIEW HERE.
Want to Join a Committee? MORE INFO HERE
LETTER FROM
THE EDITOR

It is no secret that most CFIs fall into two general groups, retailers and law enforcement. This quarter we have opinion articles from two CFIs who not only have retail experience, but also crossed over into other related fields. The first article is from Eric Echols, CFI, who writes about being an expert and professional CFI in a military court defense case. If you have ever wondered how testifying for the defense or in military court, be sure you check out his article. The second article is from my fellow CFInsider editor Stefanie Hoover, CFI. Her article discusses reading behaviors and actions of both vendors and their customers, as well as opportunities she has witnessed since crossing over from the retail to the support side of the business.

As always, we would like to know what you think. Does Eric’s opinion on the CFI designation being an expert or professional align with your own? What did you think of his assessment on the application of phone interviewing? Did Stefanie’s statements about retailers and vendor relationships hit a little too close to home, or far from it?

Feel free to send your responses HERE or let us know in person at this year’s Elite Training Day in Fort Myers, Florida. We look forward to seeing you there!

Cary Jones, CFI