

## GRIEVANCE PROCESS - CREDIBILITY OF WITNESSES

The investigator can weigh each witness's **credibility** with regard to the issue at hand:

- (1) Were they in a position to actually witness the events?
- (2) Is the person generally reliable?
- (3) Do they have any reason not be truthful about this matter?
- (4) Was their testimony consistent?
- (5) Was there any corroborating evidence?

When an assessment of credibility is made in order to resolve conflicts between evidence, the reasons that a particular account is considered more credible than not must be given, using factors such as those listed above.

- CRO Training materials

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## DECISIONS

1. A client claimed that his provider's Director **badgered him** about his relationship with a prior provider in the same community. Although it may have been appropriate to question the client about this under the circumstances, it was inappropriate for a Director to continue to pressure the client about it after the client asked her to stop several times. The **credibility** of both the client and the Director **were weighed** by the State Grievance Examiner in the Level III decision and it was **concluded that it was more likely than not** that the client's version of the events was accurate. A rights violation was found. That finding was supported by the evidence provided. (Level IV decision in Case No. 10-SGE-14 on 7/18/11)

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