I N T E R V I E W A N D I N T E R R O G A T I O N

Department Of Defense Polygraph Institute

June, 1991

INTERVIEW AND INTERROGATION

Welcome to post-test interrogation. I assume that if you have reached this point, you're doing just fine in the course, or you have fooled a lot of instructors. If it is the latter, that's great, because acting is an important ingredient in a successful interrogation.

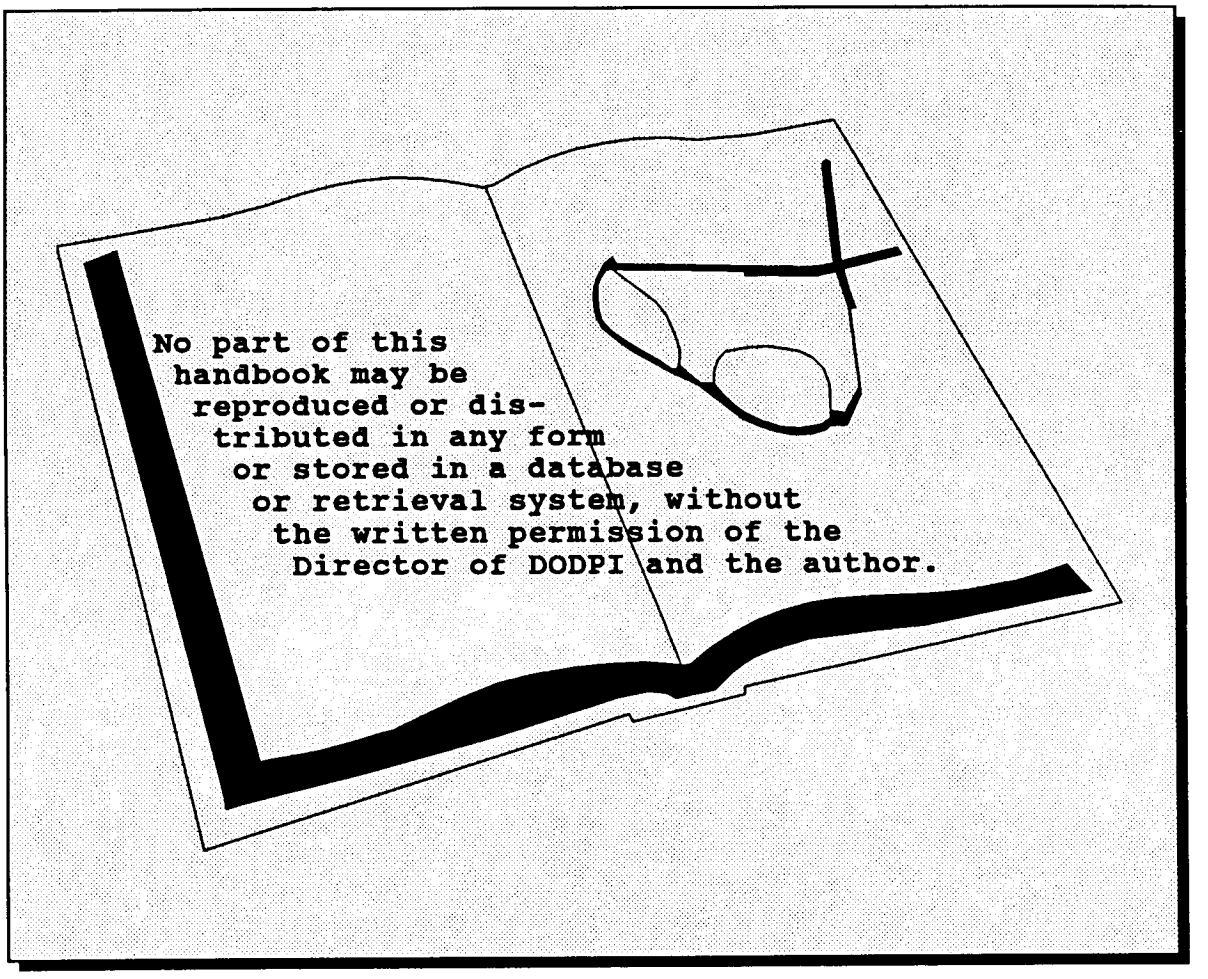
During a stimulating debate one evening, a good friend of mine told me there are two ways to get ahead in this world--being intelligent or very persistent. I smiled and was just about to thank her when she said, "Michael, you are very persistent." Needless to say the debate was over. However, I realized that persistence has paid great dividends to my success in interrogation. So if you're not in the top five percentile of the class, don't feel discouraged. You may be a shinning star in "interrogation." By now you can probably determine whether or not someone is being deceptive based on your charts. Congratulations, that's an accomplishment, but now you're faced with a new task. One that your boss is very much interested in. Can you resolve the issue by getting to the truth? Do you have what it takes, **"The Right Stuff?"**

My job is to help you bring out your own ability to elicit information from a person who withholds it for what ever reason. Your success depends on many factors and on your own natural gifts. Sociologists and criminologists have filled books with theories and facts that try to explain why people confess. Equally puzzling is the chemistry of some of our most renowned interrogators. In the handbook you received, I have organized several different sources of information on various topics. I used this material as a shell and expounded upon it based on my formal training and experiences. There is a tremendous amount of material published on interviews and interrogations. I encourage each of you to read about the subject and attend any training offered to you.

At this point in the course you're probably feeling a bit overwhelmed and maybe frustrated. Nevertheless, try to learn as much about interrogations as possible. Here at DoDPI, you're exposed to many of the best examiners and interrogators in the business. You will find that their collective experience level includes all types of interrogations under all imaginable conditions.

Interrogations can be fun and very rewarding. When I use the term interrogation, I simply mean "getting to the truth," whatever that may be. My greatest rewards have come from clearing people who have been wrongfully accused and solving cases that could only be resolved through a confession.

FOURTH EDITION



Michael J. Janniro

June, 1991

Table of Contents

COMMUNICATION 1

Introduction 1
Definition 2
Elements of Communication 2
Perception 5

Nonverbal COMMUNICATION 9

Body Motion 10
Paralanguage 13
Touch 15
Summary 17

EFFECTIVE LISTEN 18

Passive Listening 18
Active Listening 19
Listening Techniques 19
Characteristics of Poor Listeners 20
Characteristics of Good Listeners 20
Listening Habits to Avoid 21
Techniques to Improve Listening 22
Summary 22

TYPES OF QUESTIONS 23

Types of Questions 23
Information Gathering 24
Summary 27

INTERVIEW AND INTERROGATIONS 28

Definitions 28
Purposes of Interview and Interrogation 29
Setting up the Interview Room 32
Establishing Rapport 33
Characteristics of a Good Interviewer 34
Preparation Prior to the Interrogation 36
Interrogation Approaches 38
Specific Interrogation Techniques 40
Interviewing Juveniles 42
Interviewing Children of Sexual Abuse 43
Interview and Interrogation Pointers 44

ASSESSING BEHAVIOR 45

Overview 45
Behavioral Assessment 46
Behavioral Symptoms 47
Attitudes 49
Nonverbal Behavior 50
Verbal Behavior 52

STRUCTURED POST-TEST 53

Confrontation 53
Theme Development 56
Controlling Denials 58
Controlling Objections 60
Approching the Breaking Point 62
Alternative Question 64
Obtaining the Confession 67
Baiting Technique 69
Fear-Hope Alternative 72

CASE THEMES 74

Larceny 74
Check or Credit Card Theft 75
Embezzlement 75
Robbery 75
Auto theft 76
Incest 77
Rape 77
False Reports of Rape 77
Arson 78
Assault 80
Child Abuse 80
Homicide 80
Drugs 81
Espionage 81

GENERAL THEMES 56

Opening Themes 83
Logic Themes 84
Human Nature and Emotion Themes 86

SUBLIMINAL Nonverbal SELLING 92

Definition 92
The Suspect Wants to Test You 92
Style of Self Confidence 93
Handling a Resistant Suspect 94
Breaking Down the Suspect 94
Selling to the Suspect's Emotion 95
Points to Remember 95

HOMESPUN THEMES 97

DEFENSE MECHANISMS 104

Stress and Coping 104
Stress Related to Interviewing 105
Adjusting to Life Stress 107

REFERENCES 115

C O M M U N I C A T I O N

Introduction

As investigators, it is important for us to learn everything we can about communication? When you break down successful interrogations to the lowest common denominator, you are left with the basic skills of communication. Most of us have had basic courses in interviewing and interrogation. We were taught basic subjects such as: how to prepare for the interview; the proper setting; interviewing techniques; body language; etc. The learning usually focused on observing and reading the suspect's verbal and nonverbal communication. Not many of us learned that our own verbal and nonverbal communication was equally important and played a crucial role in the communication process.

Every interrogator has lost a confession at one time or another. We rationalize the loss by blaming the suspect and telling our co-workers, "this guy would not have confessed to anyone." The intent of studying communication is to recognize that we as interviewers and interrogators must be aware of what messages we are sending as well as those we receive from the suspect. How many suspects have decided not to confess mainly because they encountered some "turn-off" features in the interviewer? For example, an interrogator sitting slouched in the chair telling the suspect he wants to help him.

Communication is an extremely complex process and sometimes things can go wrong. There are many obstacles to effective communication, such as:

* People often think they have communicated when they have not.
* People have strong feelings that often get in the way of effective communication.
* People talk too much and do not listen.
* Few communicators are perfect and there are a few situations in which perfect communication takes place.

I. **DEFINITION:** Communication is a process by which information is exchanged between individuals through a common system of words, signs, actions or behavior.

"Communication links people together."

A. Verderber (1990) defines the elements of communication and how the communication process works as:

1. Context - is the physical setting in which the communication takes place (e.g., the context of a conversation in a quiet restaurant differs from the context of an interrogation room). The components of context that affects communication are:

   a. Location.

   b. Time.

   c. Light.

   d. Temperature.

   e. Distance between communicators.

   f. Seating arrangements.

2. People - as senders we form messages and attempt to communicate them to others through verbal and nonverbal symbols. As receivers we process the messages sent to us and react to them both verbally and nonverbally. The following individual experiences have different meanings for each of us when sending or receiving information:

   a. Feelings.

   b. Ideas.

   c. Moods.

   d. Occupation.

3. Messages - communication takes place through sending and receiving of messages. Messages include the elements of:

a. Meanings - the pure ideas and feelings that exist in the mind of a person represent meanings. You may have ideas about how to study for your next test; you may also have feelings such as jealousy, anger and love. The feelings that you have can't magically be transferred into another person's mind.

b. Symbols - the words, sounds and actions that communicate meaning are known as symbols. As you speak, you choose words to convey meaning. At the same time, facial expressions, gestures and the tone of your voice (all nonverbal cues) accompany your words and affect the meaning your listener receives. As you listen, you take both the verbal symbols and nonverbal cues and assign meaning to them.

4. Channels - is both the route traveled by the message and the means of transportation. Words are carried from one person to another by air waves. Facial expressions, gestures and movement travel by light waves. People communicate by any of the five sensory channels. A fragrant scent or a firm handshake may be as important as what is seen or heard.

5. Noise - is any stimulus that gets in the way of communication. This is the prime reason that interviews should be conducted in a quiet place.

a. External noises - are sights, sounds and other stimuli that draw people's attention away from the intended meaning. The sound of an airplane overhead could draw your attention during an interview. However, a noise does not have to be a sound. A photograph on the wall can distract you momentarily and would be considered a noise.

b. Internal Noises - are thoughts and feelings that interfere with meaning. Daydreaming when a person is talking to you creates an internal noise because you tuned out the words he was attempting to convey.

6. Feedback - Whether receivers decode the meaning of messages properly or not, they are likely to give some kind of verbal or nonverbal response. This feedback tells a person sending the message whether that message has been heard, seen or understood.

B. What does the communication process do for us? The study of communication is important because the process serves psychological, social and decision-making functions that touch every aspect of our lives.

1. **Psychological Function** - communication can serve two psychological functions: (1) to make contact with others and (2) to see ourselves.

"Without contact with others, most people hallucinate, lose their motor coordination and become maladjusted."

a. Psychologist tell us that people are by nature social animals and need other people just as they need food, water, shelter, etc. Without some contact with others, most people would hallucinate, lose their motor coordination and become maladjusted. Hostages have reported that isolation from other individuals was their worst enemy while they were in captivity.

b. We communicate to enhance and maintain our sense of self. Through our communication we seek approval of who and what we are. How do you know what you are good at? Through communication other people tell you.

2. **Social Function** - communication can serve two social functions: (1) to help us develop relationships and (2) to fulfill social obligations.

a. We communicate to develop relationships. When you encounter people you don't know, you communicate with them to get to know them.

b. We communicate to fulfill social obligations. Why do you say, "How are you doing?" to a person you met in the past. Why do you say such things as "What's happening?" or a simple "Hi" when you pass by people you know? You acknowledge a person you recognize with many statements. Not speaking in such situations is perceived as a insult and the person may regard you as being insensitive.

3. Decision-Making Function - As well as being a social animal, people are also decision makers. Communication can serve the decision-making function in three ways: (1) to process and exchange information, (2) to weigh and consider alternatives, and (3) influence others.

   a. We communicate to exchange information. Information is a key ingredient for effective decision-making because you can't function in our society without information. This is the age of technology where instant access to information is essential in any business. Prior to conducting an interview you try to obtain as much information about the person as possible.

   b. We communicate to weigh and evaluate information. We soon learn that all information is not equally relevant or necessarily accurate. Before we make a decision, we weigh and evaluate what we have heard.

   c. We communicate to influence others. Because the results of many of the decisions made involve the agreement or cooperation of other people, it is necessary to communicate to influence others' attitudes and behaviors.

II. **PERCEPTION:** Is the process of gathering sensory information and assigning meaning to it. Your eyes, ears, nose, skin and taste buds gather information. Your brain selects from among the items of information gathered, organizes the information, and finally interprets and evaluates it. The results is perception and it is associated with the person's knowledge and understanding of the world.

A. Bernstein, Roy, Srull, & Wickens (1988) illustrates six characteristics of perception as:

   1. Knowledge based - perception develops through experience with the world, (e.g., If you do not know the difference between a snake and a rope, then your chances of survival in the woods are poor).

2. Perception is inferential - it allows people to fill in information that may be missing from raw sensations, (e.g., if you know what a snake looks like, you will perceive it as a snake even though the underbrush conceals the last few inches of its body. (Consider the implication that inferential perception has on victims and witnesses to a crime. How many details are added or missing from what a person factually witnessed?) Hunt (1985) pointed out the following example: If two people witness a mugger stealing a purse from a senior citizen on the street, one might "see" the criminal as a tall, heavy set man wearing a raincoat. The other person might "see" him as a man of medium height, moustache and eyeglasses. Each observer notices different details and interprets them differently.

3. Perception is categorical - it helps people decide what general type of stimulus they are encountering. You may not know what kind of snake you are looking at, but it has enough "snaky" characteristics (long, round, scales, forked tongue and beady little eyes) for you to place the stimulus in the snake category.

4. Perception is relational - it compares each stimulus with those around it. You perceive a stimulus pattern as a snake, not only because of its snaky features, but also because these features are related to one another. The tapered tail is at the end of the body, not in the middle; there is a beady eye on each side of the head, which is at the end opposite of the tail. In the same way, your ability to perceive that someone is unusually tall require that you see him/her in relation to a normal size person.

5. Perception is adaptive - it allows people to focus on the most important information for handling a particular situation, (e.g., peripheral vision is sensitive to moving objects. This is adaptive and allows people to react quickly to potentially threatening motion). When encountering the snake, your perception focuses first on the fact that it is a snake not whether it is a king snake or rattler.

6. Perception operates automatically - you do not have to stop and ask yourself, "Is that a rope or a snake?" The question is asked and answered so quickly that you are unaware or it.

B. Self-perception - influences how we are likely to communicate with others interpersonally. How we perceive ourselves reflects and explains how we project ourselves (positive image).

1. Your self-concept is a collection of perceptions of every aspect of your being: your appearance, physical and mental capabilities, size, strength, etc. Your self-concept is a result of how others react and respond to you.

2. Self-appraisal is forming impressions about yourself partly from what you see. When you look in the mirror you make judgements about your weight and size, the clothes you wear and your general appearances.

C. How your self-concept affects communication:

1. Behavior - your self-concept affects your behavior, that is, how you conduct yourself in a given situation. The higher your self-concept is, the more likely you are to talk in ways that reflect positive experiences. The lower your self-concept is, the more likely you are to talk in ways that reflect negative experiences.

2. Word selection and the tone of your voice - Your self-concept can affect both your word selection and your tone of voice. People with low self-concepts engage in self-criticism and self-doubt. They tend to blame others for their failures. During an interview the suspect can interpret a low self-concept as a weakness on the part of the interrogator. People with high self-concepts speak with confidence.

3. Emotional state - your feelings affect your perception. If you are having a "down" day, your perception of the interviewee will probably be more negative than if you were having a good day.

When you receive a low grade on a physiology or psychology test that you thought you did well on, your perceptions of people around you will surely be influenced by your negative feeling. How many investigators would feel like conducting an interview at this point. If, however, you receive an A on an important examination that you weren't sure about how well you did, you are likely to perceive everything and everyone around you in a positive manner.

4. Perceptions of people according to Hunt (1985) are colored by our own attributes and value judgements. In the eyes of one person, an older woman dining out with a much younger man may be seen as a "woman robbing the cradle," while another person may see her as "a woman in the prime of life enjoying herself."

NONVERBAL COMMUNICATION

We have all heard the expression "actions speak louder than words." In face-to-face communication, between 60 and 90 percent of the social meaning may be carried by actions, or nonverbal communication. Nonverbal communication refers to how people communicate by nonverbal means. It may cover any aspect of communication that is not purely verbal. What makes one interrogator more proficient then another? It may be because skillful receivers of nonverbal communication are also skillful senders of communication. There are many categories of nonverbal behavior but for our purposes the following will be discussed:

* Body motions (Kinesics is the technical name).
* Paralanguage.
* Touch (Known as haptics)

Bosshardt, DuBois, Paullin, & Carter (1989) reported that deceptive cues are more likely to occur in those aspects of communication which we are least likely to control. It is suggested that liars are more adept at controlling some aspects of communication (e.g., verbal content, facial expressions) than others (e.g., body movements) for physical reasons (some muscles are more controllable than others). It is suggested that there is no single indicator of deception. Observers should look for groups of behaviors, rather than isolated indicators, and for the consistency between verbal and nonverbal behavior.

Research has shown that body gestures of deceptive communicators, as compared to truthful communicators, are characterized by:

* More posture shifts <u>or</u> less posture shifts.
* Increased self-manipulation (e.g., touching parts of the body or scratching).
* Increased shrugs.
* Fewer illustrating hand gestures.
* Less leg/foot movement, <u>or</u> more leg/foot movement.

I. **BODY MOTIONS:**

The major types of body motions are eye contact, facial expression, gesture and posture.

1. Eye contact - have you ever wondered why there are such phrases as "He has shifty eyes." "She has inviting eyes." Chances are that these phrases are referring to the size of a person's pupils and their gaze (fixed look). Your pupils not only respond to light and dark but also your moods. A person who is excited and positive will have dilated (enlarged) pupils, sometimes up to four times their normal size. Conversely, angry and negative moods cause the pupils to constrict.

"The eyes are the windows to the soul."

   a. The amount of eye contact people use differs from person to person and the situation.

   b. Studies show that people are likely to look at each other 50 to 60 percent of the time as they talk.

   c. Eye contact is essential to establish and maintain credibility. Have we heard this famous expression before?..."Look me in the eye and say that."

   d. Through eye contact you can tell when a person is involved in what you are saying, whether what you are saying is causing anxiety or the person has something to hide, (e.g., presenting your themes).

   e. Eyes express love, hate and every emotion in between.

2. Facial Expression - (Myles, 1989) Have you ever watched a conversation across a room or through a window? Seen a movie on an airplane without listening through the earphones? You don't really need to hear what is being said to gain some idea of the emotions of the participants. "I can read your face like a book," we tell people; or we react to a look of contempt with saying "If looks could kill."

a. Involves the arrangements of facial muscles to communicate an emotional state or reaction to a message.

b. Facial expressions can either reinforce or negate a verbal comment.

c. Many people show their feelings through facial expressions.

d. Bittner (1985) Everyone's face is a form of identity. Researchers have categorized us based on our facial expressions as being:

(1) Withholders - keep feelings from appearing on our faces. Expressionless withholders faces are difficult to read in order to determine their feelings.

(2) Revealers - are just the opposite, they wear their feelings on their face.

(3) Substitute expressors - show different facial expressions from what they are feeling.

(4) Ever-ready expressors - at the slightest reaction to emotion or any other stimulus, these people's face say it first. Such people are labeled "very expressive."

3. Gestures - are primarily movements of hands, arms and fingers. Gestures can be communicated with other parts of the body as well. Gestures of the head, trunk and shoulders when used in coordination with gestures of the hands and arms, emphasize feelings and idea.

a. Speech linked gestures normally enhance the spoken words and are used to add emphasis to what is being said.

b. A nod of the head may indicate approval or disapproval.

c. A shrug of the shoulders may denote dislike or contempt.

d. Leaning forward may suggest an interest in what is being said.

Gesture	Inference
Hands outstretched	Appealing
Feet shuffling	Impatience
Shoulder shrugging	I don't know/don't care
Drumming the fingers	Anxious
Clenched fist	Fear
Shaking clenched fist	Anger
Palms up and facing forward	Stop, wait
Thumbs up	Success
Thumbs down	Loss
Clapping fast	Approval
Clapping slowly	Disapproval

4. Posture - a person's posture can reveal attitudes, emotions and their general state of being. Lying slumped in a chair with legs crossed, head supported under the chin by the hand is a good indicator of a negative attitude. This is especially true when accompanied with the appropriate facial expression. Picture the following postures:

   a. Hip thrust out or hand on hip may indicate:

      (1) Defiance.

      (2) Sexuality.

      (3) Opinionated.

b. Arms tightly folded against the chest may indicate:

(1) Anger.

(2) Fear.

(3) Physical coldness.

(4) Refusal.

c. Hands in pockets-leaning against the wall may indicate:

(1) Casualness.

(2) Relaxation.

(3) Confidence.

(4) Indifference.

d. Seated, leaning forward-elbows on knees and head in hands.

(1) Depression.

(2) Thoughtfulness.

(3) Intensity.

(4) Exclusion.

e. By observing others and monitoring our own posture, we can begin to use our postures to aid, not hinder, our communication.

II. PARALANGUAGE

In contrast to kinesic (body motions) behavior, paralanguage relates to the sounds we hear and the way we use the sounds of our voice to utter words. Paralanguage pertains to <u>how</u> something is said, not <u>what</u> is said. The word **para** means "alongside." Paralanguage, therefore, is language alongside language.

Bosshardt, DuBois, Paullin, & Carter (1989) state that three types of nonverbal cues have been shown to have some validity in detecting deception. Paralinguistic (i.e., speech patterns and voice inflection) indicators tend to be the best nonverbal indicators. Specific paralinguistic cues that may indicate deception include longer hesitation before responding (under most conditions), more speech errors, more frequent pauses and higher voice pitch. Certain body gestures have also been shown to indicate deception. These include more posture shifts (under most conditions) increased shrugs and fewer illustrating hand gestures. Facial expressions (e.g., eye contact, smiling) have also been studied as indicators of deception. These include duration of responses, postural shifts, self-manipulation (such as scratching or touching other parts of the body with the hand), leg/foot movement, length of eye contact, and smiling.

A. Rate - our rate of speech is the speed at which we talk. A typical recommended rate of speech is between 140 and 170 words per minute. Myles (1989) states that experts say that the mind of a listener can typically accept three to four times as many words per minute than the speaker can deliver. Rate of speech may be altered by the following:

    1. Excitement.

    2. Anxiety.

    3. Relaxation.

    4. Contentment.

B. Pitch - refers to the highness or lowness of our voice. We all have a pitch that is normal for us, but that is often altered with different situation. Excitement can raise the pitch of our voice and extreme fatigue can lower it.

C. Volume - the loudness of the voice quality is referred to as its intensity. A message spoken softly means one thing; shouted at the top of our lungs means something entirely different.

D. Quality - the tone, timbre or sound of your voice is its quality. Problems of quality include:

1. Nasality - too much resonance in the nose on vowel sounds.

2. Breathiness - too much escaping of air.

3. Harshness - too much tension in the throat and chest.

4. Hoarseness - a raspy sound in the voice.

Bosshardt, DuBois, Paullin, & Carter (1989) state that research has show that paralinguistic cues (i.e., speech patterns and voice inflection) are more accurate indicators of deception than body gestures or facial expressions. Specific paralinguistic cues that have been shown to be more characteristic of deceptive (versus truthful) communicators in at least one study include:

* Longer hesitation before responding, or, shorter hesitation (when persons know they are to lie and are prepared to lie).

* More speech errors.

* More frequent pauses.

* Higher voice pitch.

III. **TOUCH** (Haptics)

Touch, known as haptics, is often considered to be the most basic form of communication. The nonverbal message of touch can express affection and concern. Be it a kiss or a handshake, touch communicates a full range of emotions. We use our hands to pat, slap, pinch, stoke, hold, embrace and tickle. We pat a person on the back for encouragement and hug a person to show love.

A. Touching behaviors - Whether people touch and like to be touched is an individual preference. Behavior that seems impersonal to one person may be intimate or threatening to another.

B. Bittner (1985) discussed the importance in touch in childhood. The popular bumper sticker that asks, "Have You Hugged Your Kid Today?" carries more relevance than we may realize. Psychologists tell us that the amount of touching an infant receives can directly affect how well adjusted the child is later in life. As children enter elementary school, touch is a major form of reinforcement.

"Have You Hugged Your Kid Today?"... carries more relevance than we may realize.

Because sexual undertones are not associated with touching at the preschool and early elementary levels, teachers are freer to touch and hug children to alleviate their fears of:

1. Alienation.

2. Rejection.

3. Security.

As children develop sexual awareness, touching become limited between teachers and students, and in many cases, between the child and parents. This can cause difficulties, because the transition into puberty can be an emotional trauma. The time when a person's identity is being challenged may be the time that touch and affection should be supported. Psychologist refer to this need for touching as <u>anchoring</u>.

When anchoring is used during an interview or interrogation, it can play an important role in instilling trust and confidence.

C. Social norms gradually define the appropriateness of touching behaviors as we grow older.

D. How we interpret messages relayed by touch also depends on what part of the body is be being touched. Touching hands is almost universally interpreted as being pleasant and friendly. Touching the pelvic area is interpreted as being sexual.

E. Of all the parts of the body, the head is the most frequent area touched.

F. Touching behavior differs among cultures and the age of a person.

S U M M A R Y

In communication, much is transmitted through nonverbal actions. When we communicate, we do so with intent and without intent. A great deal of what we transmit unintentionally is done so through nonverbal means. It is important to remember that both verbal and nonverbal communication should work together. Skillful communicators will attempt to control their nonverbal messages so that they will reinforce the verbal message.

E F F E C T I V E L I S T E N I N G

Listening is perhaps the hardest communication skill to learn. Listening involves more than hearing the words of a speaker. It includes hearing the meaning and the feelings behind the words as well.

Listening is one of the most neglected communication skills. Most people listen to others, but often don't "hear" what the others are saying. Myles (1989) relates that 45 percent of our involvement in communication is devoted to listening, 30 percent to speaking, 16 percent to reading and 9 percent to writing. Most people equate listening with hearing. The assumption is that a person who has the physiological ability to hear already possesses the psychological skill of listening.

According to Montgomery (1981) the biggest problem in listening is this: We fail to focus on the other person's point of view or idea. It is human nature to want to tell our ideas, feelings, opinions, convictions and jokes. We want to tell our own thoughts instantly-without even waiting until the other person is finished talking. We interrupt and often change the subject at the same time. Most people are egocentric, and this contributes to poor listening.

I. **PASSIVE LISTENING** - SASSE (1975) points out that in passive listening, your responses do not tell any of your own ideas or judgements. Instead, you invite the person to share their feelings and ideas. The simplest responses in passive listening are:

A. "Really."

B. "I see."

C. "How about that."

Other responses can be more direct such as:

D. "I'd like to hear more about that."

E. "Tell me the whole story."

F. "This seems like something important to you."

II. **ACTIVE LISTENING** - Active listening is the other listening skill. It usually is more effective than passive listening. In active listening (also referred to as empathic listening), you try to understand what the speaker is feeling or what the message really means. Every message contains two parts: the content or factual material and the speaker's feelings or attitude toward that content. Putting the message in your own words, you send it back to see if it is what the speaker meant. Do not send back a message of advice, judgement or logic.

A. Paraphrase (rephrasing) - means to mentally repeat in your own words what the person is saying so that you might better understand the message. A silent paraphrase of a subject also can be verbalized in order to provide feedback to the speaker about your understanding. If you cannot paraphrase the message, either the message was not clear or you were not listening carefully enough.

B. Clarifying - if the terminology or the meaning of what the speaker is saying is not clear, ask the speaker to simplify the meaning.

C. Summarizing - after the speaker has provided information pertaining to one subject, try to review the material with the speaker so the meaning is clear.

III. **LISTENING TECHNIQUES** - Bosshardt, DuBois, Paullin, & Carter (1989) provided the following recommendations for listening during a suspect interview:

A. Listen to the whole response for its substance--for plausibility, inconsistencies, omissions, inferences and qualifications. This is especially for the response to open-ended and indirect questions, since these provide the material for follow-up-questions.

B. Elicit open, frank discussion from the suspect by being an active listener. Show respect and approval of the person, if not the behavior discussed, through verbal and nonverbal behavior (e.g., say "yes, um-hum, right," nod your head and lean forward).

C. Follow up vague responses with questions that draw out details and more concrete meanings. Vague answers such as; "probably; that's about right; I don't remember exactly," are unacceptable and can be elaborated by using follow-up probes such as, "You do remember something, don't you?"

D. Note the suspect's pattern of verbal behavior during the introduction and background form review phases. This will provide a baseline of behavior for evaluating possible deception. Possible verbal content indicators of deception include vague or less plausible responses. Paralinguistic indicators of possible deception include more speech errors, frequent pauses, shorter responses and longer hesitations before responding.

Indicators of possible deception include more speech errors, frequent pauses, shorter responses, and longer hesitations before responding.

IV. **CHARACTERISTICS OF POOR LISTENERS** - Montgomery (1981), who provides workshops on effective listening, surveyed the participating executives on the characteristics of the worst listeners they know. The usual replies are:

A. Always interrupts.

B. Jumps to conclusions.

C. Finishes my sentences.

D. Is inattentive; has wandering eyes and poor posture.

E. Changes the subject.

F. Writes down everything.

G. Doesn't give any response.

H. Is impatient.

I. Loses temper.

J. Fidgets with a pen or pencil nervously.

V. **CHARACTERISTICS OF GOOD LISTENERS** - The executives are then asked to list the characteristics of the best listeners they know. The usual answers are:

A. Looks at me while I'm speaking.

B. Questions me to clarify what I'm saying.

C. Shows concerns by asking me about my feelings.

D. Repeats some of the things I say.

E. Doesn't rush me.

F. Is poised and emotionally controlled.

G. Reacts responsively with a nod of the head, a smile, or a frown.

H. Pays close attention.

I. Doesn't interrupt me.

J. Keeps on the subject till I've finished my thoughts.

"A good listener is not only popular everywhere, but after a while he knows something."

VI. LISTENING HABITS TO AVOID

A. Daydreaming - Do not let your eyes wander or your head turn aimlessly about. Keep from drumming your fingers, snapping gum, or mindlessly handling pens, pencils, and so on.

B. Listening for the facts. Or as deadpan Sergeant Joe Friday used to say on Dragnet, "Just the facts, ma'am." Tuning out ideas and feelings can result in a loss of precious information,

C. Tuning out - The burden of listening is on the listener. Do not automatically condemn a speaker or the subject as uninteresting. Do not prejudice your listening because of the speaker's looks, hairdo, voice, etc.

D. Time wasting - Try not to waste your listening time. You can listen faster than the speaker can speak, so anticipate, evaluate and mentally summarize the speaker's points as you listen.

E. Preparing your response - Also known as verbal battle. There are countless situations (interrogations) where you're concentrating so much on what to say when the chance comes, that you don't listen to what the speaker is saying.

VII. **TECHNIQUES TO IMPROVE LISTENING** - Hamlin (1988) has suggested the following techniques to improve listening:

A. Listen actively.

1. Anticipate where the speaker is going.

2. Weigh what he/she is saying against what you know.

3. Listen to the supporting evidence.

4. Keep reviewing and summarizing what is being said.

B. Listen to all of it (collecting biographical data). As you listen, try to figure out where he/she is going and what the conclusion will be.

C. Look at the speaker. The nonverbal signals we all give off as we speak are often even more truth-telling than our self-edited words. Notice what else is going on.

S U M M A R Y

It is important to listen carefully and as objectively as possible to everything that is being said. Total listening in this sense is hard work. A good listener will be perceptive to the messages being transmitted by the speaker and will be aware of the variety of obstacles. In addition, the listener should be aware and display both verbal and nonverbal signs to indicate to the speaker that he is being listened to.

Bosshardt, DuBois, Paullin, & Carter (1989) reported the goals of active listening during suspect interviews are to help the interviewee elaborate his/her responses, to gather clues for directing follow-up questioning. The key to effective listening is excellent preparation. Active listening also involves using verbal and nonverbal behaviors (e.g., leaning forward, smiling, nodding) to encourage detail of important points. The listener also listens for a pattern of pauses to questions, numerous grammatical errors and logical inconsistencies in order to detect possible deception on the part of the respondent.

TYPES OF QUESTIONS

Questions are the principle tools of interviewing. The quantity and quality of information obtained from suspects and witnesses will usually be relative to your skill in formulating and asking questions. Generally, the types of questions asked during an interview/interrogation can change depending on three circumstances: (1) the kind of information being sought, (2) what stage of the interview/interrogation you are in, (3) a desire to increase/decrease anxiety in the interviewee. Royal & Schutt (1977) noted that issues are generally resolved by a sequence of questions. In both interviewing and interrogating, efforts are directed toward resolving the questionable points. The most efficient means of resolving an issue is to have the questions focus on it by progressing from general to specific in construction.

I. **TYPES OF QUESTIONS** - Verderber (1990) addresses several types of questions that are used in interviewing:

A. Open-ended - are based on broad questions that ask the interviewee to provide whatever information he or she wishes to. Open-ended question range from those with virtually no restrictions, such as "What can you tell me about yourself?" to those that give some direction, such as "What do you believe has prepared you for this job?" Why do interviewers ask these types of questions? Mostly to encourage the person to talk, allowing the interviewer an opportunity to listen and observe (pre-instrument phase). Through the open-ended question the interviewer finds out about a person's:

1. Perspectives.

2. Values. (setting controls)

3. Goals. (post-instrument phase)

B. Closed questions - are narrow-focused questions that require very brief answers. Closed questions range from those that can be answered "yes or no," such as "Did you steal any of that money? to those that require only a short answer, such as "Do you suspect anyone of stealing any of that money?"

By asking closed questions, interviewers can control the interview and obtain large amounts of information in a short time. However, the closed question seldom enables the interviewed to know why a person gave a certain response.

C. Neutral question (non-directive) - are those questions for which the person is allowed to give an answer without direction from the interviewer (e.g., "How do you like your new job?" " How do you feel about being here today?"). There is nothing about the wording of the question that gives the interviewee any indication of how the question should be answered.

D. Leading questions - are questions phrased in a way that suggest the interviewer has a preferred answer. For instance, "You don't like your new job, do you?" Aubry & Caputo (1980) propose that leading questions in an interrogation play an important part in the latter and final stages of the interrogation. They may be used to an excellent advantage after the suspect's resistance has been penetrated and he/she has made significant, damaging admissions. "You killed them, didn't you?" "You're lying about the whole affair, aren't you?"

E. Assumptive questions - can be used to put the suspect at ease by demonstrating that their admissions are not shocking (i.e., what is the strongest drug you ever used?). If the suspect makes an admission, continue the questioning as if you expected his/her answer.

II. INFORMATION GATHERING

Crowe (1990) discussed several areas of importance relating to the method of gathering information from an examinee during the pre-test and post-test of a polygraph examination.

1. Questions.

   a. If there are too many questions during the pre-test, a shut down in interaction may occur, resulting in a change to interrogation.

   b. If there are not enough questions, the examinee may become uncomfortable.

c. Ask one clear question at a time versus multiple questions. If you ask two questions at a time, you receive inaccurate information.

d. Use the narrowing process of questioning; start with:

(1) Non-directive (neutral question).

(a) "What's happening?"

(b) "How are you?"

(2) Open-ended.

(a) "What kind of person do you think would do something like this?"

(b) "When did you find out about this incident?"

(c) "How do feel about being here today?"

(3) Closed questions and multiple choice are good for establishing control material. You can suggest the answers to the examinee. They build pressure.

(a) "Your not a thief, are you?"

(b) I'm looking for the type of person who steals from their friends, relatives, classmates, etc. "I hope you've never done anything like that before, have you?"

(4) Highly directed questions are used as a last resort when trying to seek additional information. They are useful for a checklist of questions. The Relevant/Irrelevant (R&I) technique would use a lot of highly directed questions. You should begin with less personal topics and gradually move to more personal points.

e. Asking "why" questions can activate the person's defenses which will allow you to observe their coping styles.

2. Sequence of topics.

   a. Do not force the examinee to follow a specific list of questions, unless you want to increase anxiety or do not have sufficient amount of time.

   b. During the pre-test, allow the examinee to speak first about whatever is on his/her mind. The examinee often comes in with preconceived ideas and may be anxious until they are discussed.

   c. Allow the examinee to answer the questions fully and observe the following:

      (1) Timing of pauses.

      (2) Use of silence.

      (3) Abrupt shift in topics.

   d. Summarize what the examinee has said from time to time (active listening).

3. Cues that the examiner should be sending to the examinee to encourage him/her to talk.

   a. Visual symbols.

      (1) Posture.

      (2) Facial expressions.

      (3) Gestures.

      (4) Nodding.

      (5) Pausing.

   b. Using silence to reduce stress.

      (1) When the examinee is trying to recall information or clarify his/her thoughts.

      (2) When the examinee is deciding on whether to provide more information.

      (3) When the examinee is overcome by emotion.

c. Using silence to induce stress.

(1) When the examinee's kinesics (body motions) indicate extreme discomfort.

(2) When the examinee is obviously anxious.

(3) If the examinee makes an admission, a slight period of silence may prompt another admission.

(4) You may choose to point out unexpressed and inconsistent attitudes and feelings. Especially when verbal and nonverbal communication disagree.

d. Manage your own feelings and reactions.

(1) Have a purpose for expressing any negative emotions or moral judgements.

(2) Don't get into petty arguments like "I'm right and your wrong." Unless you need the information or want to induce stress.

(3) Avoid giving professional advice.

(a) Don't try solving their personal problems.

(b) Avoid taking responsibility for them.

S U M M A R Y

Bosshardt, DuBois, Paullin, & Carter (1989) state that the flow of questioning should proceed from carefully structured general open-ended questions to more specific direct questions. Open-ended initial questions permit the interviewee a wider latitude of response and keep the interviewee more involved in the interview and committed to a full disclosure of information (It is easier to be deceptive with a simple "no" answer).

Based on the interviewee's responses (both verbal and nonverbal) to the open-ended questions, the interviewer can quickly and appropriately move on to specific follow-up questions.

INTERVIEW AND INTERROGATION: GENERAL CONSIDERATIONS

Definitions

1. **INTERVIEW** - a formal meeting between two people for the purpose of exchanging information.

2. **INTERROGATION** - asking formal questions to obtain the truth through planned or unplanned approaches and techniques.

3. **INTERROGATION APPROACH** - the manner in which the interrogator accomplishes the interrogation, (e.g., sympathetic, aggressive, indifferent, etc).

4. **WITNESS** - an individual who has personal knowledge from seeing or hearing somethig about the incident.

5. **SUSPECT** - a person who may have planned, participated, committed or have guilty knowledge of a crime.

6. **SUBJECT** - a person who committed a crime.

7. **ADMISSION** - any act or statement made by the suspect that is a partial acknowledgement of the offense.

8. **CONFESSION** - a full and complete acknowledgement of guilt concerning participation in the commission of a crime.

9. **DECEPTION** - physical, emotional or mental attempts to deceive the interrogator.

10. **STATEMENT** - a written or oral assertion of certain facts and information to an investigation.

The primary source of information for pages 29 - 41 is Aubry & Caputo (1980). The information and concepts were expounded upon, using other references and personal experiences. Our sincere thanks to these individuals for their outstanding contributions in this field.

Purpose and Use of an Interview and Interrogation

The purpose of an interview - is to question an individual who is believed to have or has information of interest to the police.

The purpose of an interrogation - although an interview and interrogation travel the same route, to obtain information, an interrogation has the additional purpose of securing an admission or confession from a person who has committed a crime. Your main objective should be "getting at the truth."

Aubry & Caputo (1980) relate the following additional uses of an interview and interrogation:

1. To induce an admission of guilt from the guilty.
2. To eliminate suspects of a crime.
3. To determine the facts and circumstances of a crime.
4. To determine the details concerning the crime.
5. To determine the identity of all accomplices.
6. To develop information leading to the recovery of the fruits of the crime, existence and location of additional evidence, etc.
7. To discover details of other crimes and other activities.
8. To locate hiding places, modus operandi and the identity of all individuals engaged in illegal traffic of contraband, narcotics, firearms, etc.
9. To develop information to be used in future interviews or interrogations.
10. In preparation of polygraph testing of suspects.

Unplanned Interrogation

Generally conducted by the apprehending officer. The only product sought in this type of interrogation is usually the implication of other individuals. Usually there is fear in the person being interrogated which eliminates any trust.

Planned Interrogation

1. The preliminary stage of the interview/interrogation involves preparing days or weeks before you conduct the event.

2. Planning is important. It is the only true time you have an advantage over the suspect. It's like being the server in a racquetball game; the only time you can get ahead is when you are serving the ball.

3. You should determine your goals.

4. Become thoroughly familiar with the case facts. Interview the first investigators at the scene. They can provide you with a wealth of information as to the general surroundings and the mood of the scene. They have a feeling for the case and may have heard or witnessed more than is documented.

5. If there are any legal ramifications prior to the interview, make sure you sort them out with legal counsel, (e.g., not being sure of the specific offense(s); having jurisdiction over the matter). Don't put the prosecutor into a position where he/she would have to prosecute the suspect for a lesser offense.

6. Ask yourself what the admission or confession of this interrogation is. If you're not sure you may be conducting it prematurely. It may sound silly but many investigators can't answer this basic question.

7. Do you have all the necessary information from the victim, witnesses or other suspect(s)? You may have only one chance to interview the suspect, so preparation is extremely important. The suspect will either sense a lack of preparation or be astonished by your total knowledge of the case.

8. Good preparation gives you time to think about the type of personality you are facing.

9. Planning allows you to properly analyze the suspect's alibi.

10. Obtain as much background information about the subject as possible, such as:

a. Parents - may provide insight into the suspect's personality and possible motivation for the crime.

b. Family members - may disclose the suspect's motivation for the crime. They can provide opportunities to discover any emotional feelings the suspect may have regarding a family member.

c. Past criminal record or good record.

d. Education - provides a reference point regarding the suspect's academic achievements, (e.g., the nature of the degree, grades and how many times he has changed his major). Generally, the better educated a person is, the more likely he/she will be able to control their signs of deception.

e. Past employment - provides information about the type of jobs, promotions, discharges and social interaction of the suspect. It identifies the skills that the suspect possesses.

f. Church activities - gives you an idea about the suspect's way of thinking and his value system.

g. The suspects value system is important - this allows you to see what things are important to a certain person.

11. Additional ways of obtaining information:

a. Use of informants.

b. Undercover operations.

c. Surveillance.

d. Pawn shop checks.

e. Records checks.

Setting up the Interview Room

The following is a list of considerations you should evaluate when setting up an interview room.

1. Privacy - as few people as possible should be in the interrogation room. Suspects are known to talk more openly in private.

2. Soundproof - external noises can interfere and break the chain of thought.

3. Size of the room - smallness allows the suspect to feel the interrogator's closeness and aids in acoustics.

4. Plain - There should be no distracting elements in the room to interfere with the suspect's attention, (e.g., tape player, radio, pictures, etc).

5. Well lighted - helps you observe the suspect's physiological changes such as reddening of the eyes, changes in skin tone, etc.

6. Concealed microphones - two-way-mirrors - allows another investigator to observe something missed by the interrogator. **(CAUTION)** Make sure you're familiar with the regulations governing listening and recording devices.

7. No telephones - a ringing telephone can interrupt your flow of thoughts and the conversation.

8. Avoid a police atmosphere - items such as guns, handcuffs, radios, the presence of uniformed police, etc. These items represent consequences to the offense and could prevent a confession.

9. Chairs - the suspect's chair should be lower than the interrogator's. This elevates the interrogator both physically and psychologically. The suspect is looking up, therefore, his eyes, body and mind tire before the interrogator during long sessions.

10. Desk - should be small so the suspect can feel the interrogator's closeness even though they might be separated by the desk. A big desk between you and the suspect can offer him relief and is a mental and physical barrier. There are times when you will have to move away from the suspect.

11. Carpet - a carpeted floor is desirable because it makes movement difficult. The suspect's chair should not have the capability of rolling. The interrogator's chair should be equipped with rolling wheels.

Establishing Rapport

Definition -
the condition of mutual trust and understanding between the interviewer and interviewee. Many witnesses and suspects feel uneasy about providing derogatory information. Resistance to the disclosure of information is increased if the interviewer is a total stranger.

The following are suggestions for establishing rapport:

1. Begin by commenting on a topic of apparent interest to the suspect. Your prior collection of background information should provide this information.

2. Establish confidence and friendliness by engaging in topics about current events such as: weather; news; TV shows and sports.

3. Display pleasant emotional responses and avoid distasteful expressions.

4. Don't ask questions in the beginning that lead the suspect to believe that you are suspicious of him.

5. Appear interested and sympathetic to his concerns.

6. Going through the biographical data will help establish rapport. It also alerts you to information that you may want to use in the interrogation.

7. Don't begin an interrogation until you feel that some form of rapport has been established.

<u>Avoid these areas when attempting to establish rapport</u>:

1. Don't sneer or ridicule the suspect.

2. Don't bully or try to impress the suspect with your importance.

3. Don't make any deliberate false promises.

4. Don't belittle the suspect or his position.

5. Try not to reveal signs of your own personal beliefs because they may be in contradiction with the suspect's.

6. Don't yell, curse or try to alienate the person.

Charateristics of a Good Interviewer/Interrogator

Aubry & Caputo (1980) describe 17 characeristics that interrogator's should possess:

1. Having a strong desire to become a skilled and competent interviewer/interrogator. A good interrogator's first concern is the truth. It must not matter to the interrogator whether the person being questioning is a male or female, rich or poor, black or white, enlisted or officer, young or old, etc.

2. Generally speaking he/she must be interested in people, in their behavior, motivations and attitudes.

3. The interrogator must be a well-rounded person who possesses a good education, preferably at the college level.

4. He should have extensive training and experience in the field of investigations.

5. Have courses in psychology, physiology, criminology, sociology elements of the law and English composition. The professional is perpetually continuing his education.

6. Fluency in the language and self expression is one of the interrogator's greatest possessions. Since your thoughts are transferred to others through words, you must be able to express yourself.

7. Mastery of words is important and comes from reading and continuing education. You should be aware of cultural and technical changes.

8. Has to be a top notch actor. The interrogator has to deliver lines that he/she has made up in the spur of the moment. The delivery has to come across in a realistic and convincing way. To sell a person an idea that it is to his best advantage to tell the truth, even if it could mean imprisonment or death, takes a performance of which has never been seen on stage.

9. Must be able to assume a professional attitude and function in a competent manner. Think of your own personal experiences and remember what types of people you trust; doctors, lawyers, teachers and other professionals.

10. Demonstrate confidence in what you're doing and saying.

11. Intelligence should be at least average or higher. You will be dealing with all types of people and you should be able to relate to each one of them.

12. Must have a good foundation of police procedures such as crime scene processing, collecting evidence and documenting your efforts. If you don't understand the basics, it's hard to speculate what the suspect may have been thinking. (Human motivation)

13. Integrity, moral soundness and honesty are a interrogator's basic weapons when it comes to being attacked by other people. If you are consistent and don't break the rules, your reputation will always precede you. Clothing and appearance can have a tremendous impact right from the beginning. You should dress in accordance with professional standards

14. Display patience when interviewing or interrogating.

15. Self-confidence - have a state of mind of feeling sure.

16. Adaptability to adjust to the person when he/she changes moods, stories, thinking, habits and language.

17. Correct attitude - have an open mind, be unprejudiced, sympathetic and understanding.

Preparation Prior to the Interrogation

1. How long should an interrogation last? Most successful interrogators will set a minimum of two hours; however, you should confer with your agency for guidelines. Some interrogations take less time and others go on for hours. You have to use common sense but remember... when you're about to give up, stay with it for another 15 minutes and you will increase your chances of obtaining an admission.

2. How is your mental condition? Is all of your concentration going to be focused on the interrogation, or are you thinking about something else? The suspect may be more mentally prepared than you because he has a lot at stake. He will be analyzing your strengths and weaknesses from the onset of the interview. A poor time to conduct an interrogation is when you're tired.

3. Physical condition - there is a lot to be said for being physically in shape for interrogations. Vigorous interviewers are generally successful because they can wear down their opponent due to their stamina. Another excellent reason for being in respectable physical shape is that you present a positive image. Remember, some people who commit crimes are used to street violence and are looking for the same physical challenge from you.

4. It's helpful to have two interrogators. Some prefer to work alone, but often have another person observing through a two-way mirror for details that they may have missed. It also allows the primary interrogator the opportunity to take a mental break. Mutt and Jeff routines will work in some situations but it's generally not a good idea to start off that way. It's best if one person establishes rapport.

5. Where is the interrogation going to take place? It should be at a location you're familiar and content with. Don't conduct an interrogation at the suspect's home or territory of his choosing. This will only make him feel more protected. Make sure you will not be disturbed by anything short of a fire in the building. Many confessions have been lost by a mere knock on the door or a ringing telephone.

6. Aubry & Caputo (1980) describe the who, what, when, where, why and how of interrogations as important considerations to the investigator. A thorough knowledge of them will help the investigator understand the mechanics of an interrogation and give them a comprehensive picture of the field of interrogation.

WHO Refers to with whom the interrogation is conducted. It is conducted with suspects or subjects who have committed a crime.

WHAT Refers to exactly what is done and what is accomplished during the interrogation. It must have a definite aim.

WHEN Considers the time element of the interrogation, and should answer when the questioning is to be conducted. The circumstances have a bearing on this. In some cases an interrogation should be conducted immediately after the crime. Other cases dictate that we should have as much background information as possible, (e.g., LTC North's interrogation by Congress was delayed for months while they gathered background information).

WHERE This also depends on the circumstances but should ideally be conducted in an interrogation room.

WHY Is to secure an admission of guilt and strengthen the case.

HOW By physically and verbally conducting the interrogation by utilizing all of the skills to motivate the person to talk.

Types of Interrogational Approaches

Prior to the beginning of an interrogation, have at least three approaches prepared in your mind. You should be able to accomplish this during the collection of the suspect's background information (Aubry, & Caputo, 1980).

1. **DIRECT APPROACH** - is usually used to the best advantage in a situation where the suspect's guilt is reasonably certain. The interrogator should assume an air of confidence in regard to the suspect's guilt. By the interrogator's manner and attitude, he rules out any possibility that the suspect could be innocent. The interrogator calmly and matter-of-factly points out the evidence. You should not make threats. Tell the suspect that anyone else may have done the same thing.

2. **INDIRECT APPROACH** - is usually used to the best advantage in situations where the degree of guilt is uncertain. Allow the suspect to tell his side of the story in detail, and if he is lying, the discrepancies, distortions and omissions will surface. If he is not too deeply involved he may decide to tell the truth rather than becoming deeper involved. The interrogator attempts to give the suspect the impression that telling the truth before it gets worse, is the best course of action.

4. **SYMPATHETIC APPROACH** - is an excellent all-around approach. It is usually used with the emotional type offender. The interrogator should drop his voice, talk in a low tone and have an expression of understanding. He should sit close and may even put his hand on the suspect's shoulder or pat him on the arm. Some physical contact at the right moment is very effective. Empathize with the suspect on a theme that might emotionally arouse him. It could be about his family, employment or intergrity.

To empathize, means to enter mentally into the feelings of another person.

3. **EMOTIONAL APPROACH** - is designed to arouse and play upon basic emotions. "What will your wife or children think about this? What will your employer or friends think?" When the suspect begins thinking about the answers to these questions, he will become emotionally upset, nervous and tense. The interrogator can capitalize on these manifestations by pointing them out. However, if the interrogator decides to point out the suspect's behavior, the suspect may stop exhibiting the signs of deception.

5. **LOGICAL APPROACH** - is very similar to the direct approach. It is a non-emotional approach. A logical approach is used when circumstantial evidence is strong or when the suspect is unemotional. When using this technique, the interrogator should sit erect, use a businesslike approach and display an air of confidence.

6. **AGGRESSIVE APPROACH** - should not be overdone to the extent that it violates one's civil rights. The interrogator should raise his voice, look aggressive and act aggressive (change your whole demeanor to fit the approach). Usually used on the emotional suspect. Friendly officers with a sympathetic approach following the aggressive or enemy type officer is effective.

7. **COMBINATION APPROACH** - is where one interrogator may blend in one or two approaches to fit the suspect or more commonly referred to as "Mut and Jeff." This is where two interrogators use individual approaches.

8. **INDIFFERENT APPROACH** - is where the interrogator acts if as he does not want or need a confession because he already has the case solved. This is the approach for the non-confessing types. It may lead the suspect to believe that you have all the evidence that you need and as a reverse psychological measure, he wants to talk to you to give his side of the story thinking that he may get a lighter sentence.

9. **FACE-SAVING APPROACH** - the interrogator should rationalize the offense and give the suspect an <u>out</u> for confessing, but do not make it so good that he could use it as a defense in court.

10. **EGOTISTICAL APPROACH** - play on the suspect's pride; brag on his good looks, intelligence, the smartness of the crime or anything that might cause him to want to confess in order to satisfy his ego.

11. **EXAGGERATION APPROACH** - over exaggeration of the case facts on the part of the victim or accomplice helps the suspect rationalize or save face by admitting to a lessor degree of the crime. Inflating dollar values. Alluding to the fact that on a burglary case the real intent of the suspect going into the house was to commit rape. Why else would the suspect go into someone's bedroom in the nighttime if this was not his intent? When the suspect is trying to explain his way out of the rape, he has, in essence, confessed to the burglary by admitting his presence.

12. **WEDGING THE ALIBI** with a minor admission: A suspect very seldom confesses all at once. Get your foot in the door by obtaining a minor admission; that he was there or owned the weapon, that he does own the car used in the robbery. Then move the interrogation forward until the admissions needed add up to a complete confession.

Specific Interrogation Techniques

There are various specific interrogational techniques that interrogators use frequently. These techniques are all tried and proven ones. When you develop your own interviewing style, you will probably only use three or four of them. The key is to be able to switch techniques smoothly (Aubry, & Caputo, 1980).

1. **SINGLENESS OF PURPOSE** - is creating and building up the impression that the only logical termination to the interrogation can be the confession of the subject. It is a particular effective technique and works well against the impressionable and emotional suspect. The interrogator uses patience and persistence and ask the same questions over and over. The persistent pursuit of the suspect can be so unnerving that suspects have later made remarks that the interrogator was not human.

2. **THE BUSINESS-LIKE** - professional attitude, appearance and method of operation works well. The reason it does is a basic one; it inspires faith, confidence and trust in the interrogator. The interrogator realizes that if he can't accept some of the revolting things that people do, at least he can put on a good act. Sometimes the motivation of the suspect will be based on the fact that he likes and trusts the interrogator and follows his suggestion to confess. We as a society believe in professionals. For example, "O.K. doctor, I need the operation, when do you want me to check in? All right, Mr. Attorney, I should make a new will out, what time is convenient for you?"

3. **THE CALM, QUIET, MATTER-OF-FACT**- attitude and technique sometimes works very effectively with the upset, nervous and emotional suspect. The technique is also excellent to calming down the belligerent, hostile suspect. Enter the interrogation room slowly and pause and look at the suspect. Say something to the effect that , "So you're Johnny Jones," in a manner that implies you expected to meet a completely different type of person. Sit down and look over your case and take out a piece of paper. Say again, "Oh yes, Johnny Jones." Look at the suspect and say, "Well, where do you want me to start?" The suspect will think your crazy and say something like, "Hey wait a minute, I haven't anything to tell you, you've got the wrong guy." Tell him, "Not if your Jones I don't." The report says you knocked off Rogers last night and that it was only a matter of time before he got it anyhow. The file says you did it for a good reason and that you were sorry and wanted to get the whole thing over.

4. **INVITING THE SUSPECT TO TELL HIS STORY**- this works well and catches a lot of suspects off guard. Let him tell his side of the story without interruption. This technique is excellent for checking the veracity of the suspect. It works best when the full facts of the crime are known and the total extent of the suspect's participation is known. Psychologically, suspects will not expect to talk during an interrogation and will become hopelessly mixed up and muddled in their web of lies. Granted, situations like this occur occasionally but they do happen. **When the pattern of hesitation and long pauses become apparent**, you may generate more tension by telling him to think carefully about everything he is saying. If the suspect has lied, he will have to be consistent which is difficult.

5. **YOU'RE JUST HURTING YOURSELF** - and loved ones is an effective techniques in a wide variety of interrogation situations and with practically all types of suspects. Just about everyone has loved ones. The suspect has already hurt the loved ones by committing the crime. The statements "What is you wife going to think about this?" "What are your kids going to think of their father?" The suspect has probably been thinking about nothing else and by the interrogator bringing this into the open is going to increase and intensify the suspects fears and anxieties. This technique succeeds in a high percentage and works well against the emotional and excitable individual. It is excellent with juveniles and first time offenders.

6. **CONFUSING THE SUSPECT** - consists of getting him so mixed up that he will almost have to tell the truth. This requires excellent acting ability and extreme mental agility. The technique places many more demands on the interrogator than the suspect. This is left to the experienced interrogator. The interrogator has to essentially ask stupid questions and yet avoid the appearance of stupidity. The interrogator has to have a quick and convincing answer when he is challenged and to have the ability to find new escape trails when his usual and normal avenues of retreat have been cut off. There is one disadvantage to this technique and that is the interrogator becoming confused.

7. **THE CONFESSION BY THE CODEFENDANT** - if you have obtained a confession from a codefendant, it makes an excellent lever. A simple bluff will often work especially with youthful or inexperienced criminals. A word of caution - don't attempt to bluff unless you are positive of the facts.

Interviewing Juveniles

1. Many juveniles have a fear of police because they see them as authority figures such as their parents. You should be sympathetic and understanding because they are generally emotional offenders.

2. Use the parents as a vehicle to pursue the truth. Juveniles may display a tough image but when they're in trouble, they generally look for help from their parents. You may say to them, "Your parents will understand you making a mistake, but they will not understand you lying about it."

3. Attitude - you should attempt to gain the respect of the suspect which is sometimes difficult to do. It may be difficult for interrogators to distinguish between the suspect's fear and respect because they frequently appear as the same expressions.

4. Don't use direct accusations. Try to understand how the suspect feels. Explore the relationship between the offense and the suspect's family life, and you will probably identify the reason why he is in trouble. Collect background information on the parents and it will give you insight into the suspect's relationship with them.

5. Use peer pressure to the maximum. There are always leaders and followers. If the suspect is a follower he will eventually tell you about the leader. If he is a leader he will see an excellent opportunity to blame it on someone else.

6. Contrast the difference between hardened criminals and young adults.

Interviewing Children of Sexual Abuse

I. Things to remember during the interview:

A. Children are usually truthful when relating matters of sexual nature.

B. Don't ask leading questions. Allow the child to relate the facts, not you.

C. Never ask "why didn't you tell?" That becomes an accusation in the child's eyes and hinders the truth telling process. Ask, "Can you remember why you weren't able to tell?"

D. Use anatomically correct dolls after an activity has been described.

E. Speak at the child's level of language development.

F. Parents should not be present unless the child insists.

G. Don't rush or appear too anxious. This may evoke anxiety in the child. The child may "clam up" or say what he thinks will please you.

H. Ask yourself, "Does the child describe the account in adult terms which would indicate coaching?"

I. Sit at eye level with the child. On the floor if you have to. Don't stand over them.

J. Ask a question with an obvious error to see if the child corrects you.

II. Establishing rapport:

K. Ask how things going at school? Do not use a location where the abuse is alleged to have happened.

L. Discuss favorite television shows, the latest craze, animals, etc. Convey a genuine interest and respect.

III. Deceptive signs in children:

M. Generally you should look for the same indicators you would in an adult.

N. Looking around for his parents every time you ask him a sensitive question.

Interview and Interrogation Pointers

Do Not	☑ Do
Be judgmental.	Be at ease and try to make the other person at ease.
Embarrass the person.	Use words suitable to the educational level of the person.
Humiliate the person.	Phrase questions so they can be easily understood.
Belittle the person.	Display a professional demeanor at the beginning of the interview and at the completion.
Underestimate a person.	Be courteous and business-like.
Evaluate a person within the first few minutes.	Try to avoid arguments.
Be impatient.	Review all accessible information prior to the interview or interrogation.
Make promises you can't keep or are illegal.	Make notes immediately after the person has left.
Curse at people.	Use the person's first name occasionally.
Be startled by admissions.	Try to get the truth without letting your personal morals and ethics frustrate you.
Be an obvious phony.	
Give up to soon...at least 2 hours.	
Pursue irrelevant topics.	
Jump from one subject to the next without a valid reason. Try to get the suspect to commit himself in one area before moving on.	
Ask for information you already know unless you are trying to verify answers or behavior.	

ASSESSING BEHAVIOR - TWO SCHOOLS OF THOUGHT

There are two schools of thought on whether polygraph examiners should consider behavioral clues in addition to collecting polygraph charts. Some people feel it is best, or moral, not to try to detect lies, to accept people at their word. Others feel that being aware of a suspect's behavioral changes provides a wealth of information that can be used during the post-test, or in cases when charts cannot be collected. The results of research on making judgements based on behavioral clues is unclear and suffers from major flaws such as: uncertainty about ground truth, too few suspects examined, or too few examiners making judgements (Ekman, 1986). However, experts in the field of interrogation consider one's ability to accurately identify and respond to behavioral clues as a necessity (Arther, 1979; Gelb, 1987; Inbau, Reid & Buckley 1986). Being able to assess an individual's behavior provides the examiner more information about the suspect.

Assessing behavior during the interview provides investigative information through listening to the verbal content and observing the nonverbal responses of the interviewee. The interrogator should look for clues of truth or deception from the onset of the interview. He should concentrate on establishing rapport when collecting biographical data for two purposes: (1) To acclimate the suspect to the environment, and (2) To afford the interrogator an opportunity to evaluate the suspect's <u>normal</u> verbal and nonverbal patterns. To be effective, these behaviors should be interpreted in terms of patterns of behavior, rather than isolated actions.

It is suggested that verbal and nonverbal behaviors indicating deception should be evaluated collectively rather than as separate incidents. It is important to understand that although behavioral symptoms can be indicative of deception, they are only tentative indicators. Other legitimate reasons exist for exhibiting these behaviors (e.g., nervousness, anger, use of medication).

BEHAVIORAL ASSESSMENT

Definition: The observation and study of verbal and nonverbal characteristics of behavior which support or negate the truthfulness of a suspect.

A. Verbal - tone, speed, pitch and clarity. Again look for a pattern. Pay attention to how consistently the examinee answers your questions during the:

1. Collection of biographical data.

2. Walking the suspect through the crime.

3. Reviewing the case facts of the crime.

4. Reviewing test questions.

B. Nonverbal - physical movements, gestures, posture and facial expressions. Nonverbal communication designates all those human responses which were not described as overtly manifested words (Harper, Matarazzo & Wiens, 1978).

C. Assessing behavior:

1. Nonverbal behavior is responsible for more than half of the information communicated.

2. Nonverbal is more reliable than verbal.

3. Does the nonverbal behavior support or take away from what the examinee is saying?

4. Your behavior influences the examinee.

5. Behavioral symptoms become more dramatic as anxiety increases.

D. Control over the suspect:

1. Location should be private.

2. Proxemics - 4 basic zones.

   a. 18" and closer - private zone, reserved for family, loved ones, and doctors.

   b. 1 1/2' - 4 1/2' - personal zone, tell me your problems.

c. Beyond that social.

d. Public zone.

E. Factors affecting the accuracy of assessing behavior.

1. Intelligence of the suspect.

a. Higher IQ

(1) Can usually match their behavior to the situation.

(2) Can read social clues and the examiner better.

b. Lower IQ

(3) May demonstrate impulsive and manneristic behavior.

(4) May repeat a particular behavior.

2. Emotional maturity.

a. An immature person may take things personally or interpret events in terms of himself (i.e., it's only important if it happens to him).

b. A mature person generally is more open minded and can deal with hypothetical lines of questions better.

4. Cultural differences - generation gaps.

a. Growing up in New York City is certainly different than growing up in Alabama.

b. Different origins, tradition, and languages.

b. 10 year generation changes.

c. Older people and females will generally allow closeness more easily.

OBSERVATION AND EVALUATION OF BEHAVIORAL SYMPTOMS

I. As pointed out earlier, you should be focusing on the changes in the suspect's "normal" pattern.

Listening is 50 percent of our education. "Be swift to hear and slow to speak."

Begin the interview in a non-threatening manner. During the pre-instrument phase, you should be paying attention to the examinee's behavior pattern. Each step in your pre-instrument phase can give you valuable information.

A. Observe the suspect's behavior for **timing** and **consistency**.

When you ask the suspect questions, does he/she respond on time? Truthful people are typically direct and spontaneous, while a deceptive person is more apt to be evasive.

B. Read behavioral clusters rather than single observations. Do not draw conclusions based on a single behavior.

1. Overall pattern of behavior: A cluster consists of several behaviors (e.g., nail inspection, leg bouncing and licking of the lips).

2. Combination of events in one answer: When questioning the suspect, pay attention to the amount of detail in his answer. Listen closely during the pre-instrument phase when the examinee is telling their version of the crime.

C. Consider the behavior relative to the case facts and evidence.

D. No challenges: Don't challenge the examinee about their behavior. Make mental notes and remember that behavioral changes at this point should be regarded as additional information, which may become useful later. We must make every effort to collect pure charts.

F. If you observe the suspect making a behavioral change when a certain topic is mentioned, test you theory. For example, you notice that when you mention the name "Mike", the suspect turns his head. To test your observation, change the subject to one other than the offense. Continue to observe the suspect but don't mention the name "Mike." Does the suspect still turn

his head? If he does, it may be a behavior unique to him. If he doesn't, you have discovered a vital behavioral clue--one that you're sure to see during the post-test.

II. **INDICATORS OF TRUTHFUL ATTITUDES**

A. Composed.

B. Concerned.

C. Cooperative.

D. Direct and spontaneous - remember timing and consistency.

E. Open - with answers and body language.

F. Sincere - willing to spend as much time as necessary to resolve the issue. Volunteers information and other witnesses names.

G. Unyielding.

H. More gaze time at the examiner.

III. **INDICATORS OF DECEPTIVE ATTITUDES**

A. Anxious.

B. Overly polite.

C. Defensive.

D. Evasive.

E. Complaining.

F. Guarded - does not want to say more than necessary.

G. Defeated.

H. Rationalizing - why would I do this - I have money?

I. Quiet - wants to find out only what you know.

NONVERBAL BEHAVIOR INDICATORS OF TRUTH OR DECEPTION
(Inbau et al., 1986; Druckman, Rozelle, & Baxter,1982)

I. **BODY POSTURES**

A. Truthful

1. Upright.

2. Open and relaxed.

3. Nonchalant posture changes.

4. Lean forward on occasion.

5. Frontally aligned with the examiner.

B. Deceptive

1. Hunched/slumped over.

2. Rigid.

3. No frontal alignment.

4. Lack of interest.

5. Head and body slump.

6. Erratic and rapid posture changes.

II. **GESTURES AND MOVEMENTS**

A. Gestures were the original form of communication from one human to another. Arther (1979) states that when a person lies, he becomes tense. The increase in tension triggers a need to expend energy, resulting in a physical movement.

B. Activities that deceptive suspects engage in to reduce their tension when lying.

Timing and Consistency Are Critical

1. Personal Gestures

a. Wringing of hands.

b. Scratching, picking and pinching.

c. Pulling of the nose or earlobes.

d. Licking of the lips.

e. Clearing of throat, coughing and sniffing.

f. Sighs and yawns.

g. Nail inspection, biting and chewing.

h. Wiping sweat from hands, brow and neck.

i. Knuckle popping - drumming of fingers.

j. Shuffling, tapping, swinging or arching of the feet.

k. Leg bouncing.

2. Grooming Gestures

a. Adjustment of clothing or accessories.

b. Dusting, lint picking and thread pulling.

c. Hair straightening, pulling and twirling.

3. Supportive and Protective Gestures

a. Head or chin on hand.

b. Crossing of arms, legs and ankles.

c. Hiding of mouth or eyes.

d. Hiding of hands and feet.

4. External Gestures

a. Smoking.

b. Playing with purse.

c. Playing with objects.

d. Military (e.g., playing with a uniform hat).

e. Winding of watch or jewelry adjustment.

VERBAL BEHAVIORAL SYMPTOMS INDICATIVE OF TRUTH OR DECEPTION

Guidelines for distinguishing between truthful and deceptive verbal responses (Inbau et al., 1986 p. 55).

A. Truthful suspects usually answer specific questions with direct and spontaneous answers.

B. Deceptive suspects may fail to answer or delay their answers.

C. Deceptive suspects may answer the examiner's question too quickly, even before the question is completed.

D. Deceptive suspects often ask for questions to be repeated, or repeat the question themselves before they answer. It gives them time to think about what they are going to say.

E. Deceptive suspects may have a memory failure or have <u>too</u> good of a memory (rehearsed), or a selective memory.

F. Deceptive suspects are more likely to question or challenge factual information.

G. Deceptive suspects may support their answers with religion or oaths.

CONCLUSION

Behavior is only one aspect in attempting to determine truth from deception. Behavior is only important in context with timing and consistency. During the pre-instrument phase, pay attention to your examinee's behavior. Make a mental note of their behavior and verbal answers when they describe the crime. When you are reviewing the questions with them, how does a deceptive person answer the relevants and controls? Remember, that reading behavior is extremely important, however, as a great man named **Mr. Ronald DECKER** once said,

"Beware of the God Syndrome!"

Over the years the pre-test phase of the polygraph examination has been refined into it's present structure. New students learn that pre-test consists of a step-by-step process which allows them to psychologically condiiton the examinee to undergo the polygraph examination.

In the past, it was assumed that new polygraph students possessed the skills of interrogation, prior to attending a polygraph course. For this reason, the post-test curriculum was not designed to provide students with extensive training on communication and interrogation skills. What little instruction did exist was geared towards refresher training. This did not mean that all graduates of previous classes were dynamic interrogators.

Today's instruction on communication and post-test has evolved into a major block of instruction. Subject matter experts in polygraph realize that good interrogation skills are essential for success as a polygraph examiner. So what is a structured post-test? It is a series of steps during an interrogation which provide the examiner checkpoints to gauge his progress. It is a systematic approach using techniques that enhance your probability of resolving deceptive issues.

A review of successful interrogation techniques focus on an organized step-by-step process (Inbau et al. 1986; Gelb, 1987). There are several sequential stages through which an interrogation will proceed. Successful interrogators who attend training in the Reid and Gelb techniques realize that they have been intuitively using the same approaches, but have never assigned labels to the steps.

I. **CONFRONTATION:** This initial step is used to tell the suspect that there is no doubt he is involved in the crime. The suspect is immediately confronted with the fact that he has not been 100% truthful. It's a critical point in the examination because the examinee will be observing you with the same intensity that you are observing him. You should make the transition being polite, but not overly friendly, and with a confident demeanor.

II. TRANSITION STATEMENT

> **"No mortal can keep a secret. If his lips are silent, he chatters with his fingertips; betrayal oozes out every pore!" Listen with your eyes as well as your ears.**
>
> **-Sigmund Freud**

A. You should clearly tell the suspect that he or she is involved. Using opening statements such as: I think, feel, or believe, that you are not being truthful, show a lack of conviction on your part and provide the suspect with an "out."

B. Avoid legal jargon, or any combination of words that imply consequences.

C. An example of a good transition is: "Mike, the results of your polygraph examination clearly show that you have not been 100 percent truthful with me." Remember, this is only one out of many statements, but it is an excellent starting approach. An example of a poor transition is: "John, the results of your polygraph examination are not good, and I don't think you told me the truth."

D. Pause for a few seconds and evaluate the suspect's verbal and nonverbal behavior. Has it changed from your pre-instrument phase?

E. Consider the suspect's verbal response. Listen for verbal indicators of deception. "<u>Liars lie specifically</u>" about one aspect of the offense. For example, "I didn't steal $500.00." "I didn't smoke any marihuana yesterday." Innocent suspect's usually deny everything.

1. Delaying tactics

   a. "What did you say?"
      "Did you say I did this?"

   b. Misleading replies

      "Who, me?"
      "How could I do something like that?"

c. Phony surprises

"What?"
"I did?"

d. Rehearsed anticipation

"I knew this would happen to me."
"I knew I shouldn't have taken this polygraph test."

F. Other statements of verbal deception

1. "Why would I do that?"

2. "I'm glad you asked that."

3. "What would happen to the person who did that?"

4. "I'm very religious."

5. "I swear I did not do that."

6. "I swear on my mother's grave, stack of bibles, etc."

7. "I don't recall or remember."

8. "Honestly, I did not do that."

9. "I'm a policeman, doctor, supervisor, etc."

10. "Do you want me to confess to something I did not do?"

11. "Would I lose my job?"

G. Procedures for the Examiner

1. Sit down.

2. Place the charts and cae file out of reach.

3. Assume an interrogation posture. Not overbearing where you scare the person or remind him of a television show.

4. Do not get into a debate about the results of the polygraph charts. Start with your themes.

I. **DEFINITION:** Themes are moral excuses introduced by the interrogator that allow the suspect to minimize the seriousness of his criminal behavior, and allows him to save self respect. The goal of a theme is to place the blame on someone or something else.

A. For emotional offenders, themes are developed to reduce their inhibitions about expressing their guilt. This is usually done through the use of sympathy and compassion.

1. It was someone else's fault.

2. It wasn't that bad of a crime.

3. It's not your nature to do these things.

B. For non-emotional offenders, themes relate to the facts of the case.

1. Fingerprints.

2. Laboratory report.

3. Eye witness.

4. Seeking an admission to lying about an incidental detail.

By now you should be aware of the direct connection between collecting biographical data in the pre-instrument phase, and theme development. You're going to use the information that the suspect volunteered to you to develop your themes.

II. **THEME DEVELOPMENT**

A. Use the building block concept.

B. Establish the case facts clearly.

C. Transition is no longer whether or not the examinee committed the crime, it's why.

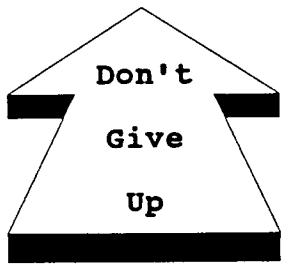
E. Transition to sympathy and compassion.

F. Suggest good reasons why he did it.

G. Give personal stories (not your own necessarily) so he won't feel alone.

H. Repetition.

During the interrogation, you will often go back to using your main themes. Experienced examiners tell us that "perseverance" has a tremendous impact on their success. When you reach a point where you feel that you have tried everything, and want to quit, <u>make</u> yourself go on for 15 more minutes.



I. **DEFINITION:** A denial is a refusal to acknowledge the truth or reality of the charge (Webster's, 1986). During the theme development, both innocent and guilty will attempt to interrupt the interrogator to express their denials. You should make every attempt to prevent any further denials of the accusation. This is accomplished by admonishing the suspect to listen to what is being said because of its importance. The guilty suspect will typically begin their denial with a permission phrase, "But sir, can't I say one thing?" The innocent person simply interrupts with a direct, simple denial.

The purpose of this step is to keep the suspect from denying involvement in the offense, since commitment to a lie makes an admission/confession more difficult.

II. **OBJECTIVES**

A. Occasionally listen and evaluate the suspect's denial. This gives you a chance to observe if the suspect's initial denials are weakening.

B. If the suspect's denial is of the same nature, try to stop it.

C. If the suspect's denial has changed, or weakened, your progress is evident.

III. **EXPECT DENIALS TO OCCUR**

A. Usually immediately after the confrontation (Step #1).

B. While themes are being developed.

C. During the alternatives.

D. You will be coming back to this step many times during your post-test.

IV. **HOW TO PREVENT DENIALS FROM BEING VOICED** (Inbau et al. 1986 p. 59)

A. Use the suspect's first name and command phrases.

1. "Mike, wait ...."
2. "Jim, hold it ...."
3. "Bill, stop ...."
4. "Dan, just a minute ...."
5. "Mike, let me finish ...."

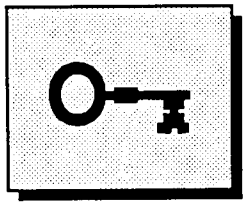
B. Combine your command phrases with physical gestures.

1. Hold your hand up.
2. Turn your head as if you don't want to hear anymore.
3. Move closer.

C. Immediately return to your themes.

CONCLUSION OF DENIAL STEP

The denial phase of a deceptive person is not that difficult to pass, if you realize what you are looking for. Inexperienced interrogators give up too easily at this stage. An experienced interrogator expects denials and sometimes welcomes them because he can sense a pattern developing. He realizes that even though the suspect is in the denial stage, he has overcome his initial barrier, keeping the suspect in the room. Generally speaking, innocent suspects never let an interrogator past this step. They are extremely persistent in their manner of delivery. However, at this point you have collected deceptive charts and you should **never** second guess yourself. Most suspects are not going to simply "roll over," just because you have presented what you believe is a sufficient argument for them to tell you the truth. <u>Practice, patience and persistence,</u> are main keys to a successful interrogation.



Keys To Success

I. **DEFINITION:** An objection is a reason or argument presented by the suspect as to why the allegation is false (Webster's, 1986).

II. **INTRODUCTION**

A. After repeated interruptions of the suspect's denials, he will typically change tactics to gain control of the conversation. This will take the form of an embellishment of the denial. This change in tactics is a good indication that the interrogation is proceeding well--the denial phase has changed to one of offering objections. Innocent people usually don't feel the need to dress up their denials with objections. At this point, you should calmly seek out the nature of the objection and use the suspect's answer to develop more themes.

B. Why do suspects offer objections to your accusations? Because their denials have been ineffective. You have successfully cut the suspect's denials off, which forces the suspect to change his tactics. Recognizing the suspect's change from denying the allegation to objecting to the allegation is another clear indication of progress.

C. For example, notice the differences in these two statements made by the suspect: During the initial confrontation the suspect states, "I didn't steal any of that money." He maintains the same denial throughout several themes presented by you. Suddenly, he states, "I wouldn't steal anything because I have plenty of money in the bank." The examiner should recognize that the suspect's denial is now an objection. This change should be regarded by the examiner as progress.

III. **EXAMPLES OF OBJECTIONS**

A. "I couldn't hurt anyone."

B. "I'm not that kind of a person."

C. "That's impossible."

D. "That's irresponsible."

E. "How could anyone do such a thing?"

IV. **ENCOURAGE THE SUSPECT TO EXPLAIN HIS OBJECTION**

A. This is where many interrogators begin to lose control in the interrogation. It's an area where interrogators become frustrated and generally leads into an argument. The best way to handle the suspect's objection is to elaborate on his objections, or draw it out.

1. "Why is that, Mike?"

a. "Why not, John?"

b. "Can you explain that further?"

2. Now you have forced him to back his objection up. The suspect will have to give you some more information.

B. Accept most objections with statements of agreement or understanding.

C. Try not to refute the objection--many objections are true.

D. Use the suspect's objection to **develop more themes.**

I. **STRATEGY FOR HANDLING THE SUSPECT AT THIS POINT**

A. After the suspect realizes that his objections are not working, he becomes uncomfortable and begins to seriously consider his position. He realizes that you have been able to persist through every obstacle that he has intentionally placed in front of you.

B. You can recognize when the suspect is beginning to break down by watching for some of the following characteristics:

1. The suspect is starting to listen to you and evaluating your theme.

2. He appears to be thinking about his situation and considering his best course of action.

3. He may be scratching his head and thinking:

a. "Maybe this guy has something."

b. "Let me listen a little longer."

c. "Maybe I was wrong."

d. "Is there another side to this situation."

e. "Am I better off telling a watered down version of the truth."

4. The suspect is looking at you to see if your gestures are agreeing with what you are saying.

5. The suspect is asking himself, "Can I trust this person?"

II. When you see the suspect approaching his emotional peak and about to make his first admission, don't ask the suspect for his reasons for committing the crime. For example, don't ask, "Why did you do it?" This is asking the suspect for too much information and he may not know "why." In all likelihood the suspect will reply with a sharp denial. In reality the examiner is working against himself by ask "why" at this point. In the next step we will cover how to obtain the first admission.

III. THE EXAMINER'S BEHAVIOR NEAR THE BREAKING POINT

A. When the suspect has reached the breaking point, adjust your behavior to create a mood of sincerity. Be able to make the suspect want to buy what ever you are offering.

1. Slow everything down such as:

   a. Moves.

   b. Gestures.

   c. Rate of speech.

   d. A slower, low registered voice has power, authority, and assurance.

2. Move closer and lean over to meet the suspect. If the suspect's head is off to the side, consider **zooming** in.

3. Establish eye contact and use facial expressions that reinforce what you are saying.

4. Shorten your theme so that you are only emphasizing the crucial points.

5. Touch the suspect gently on the hand, arm, or shoulder. This will draw his attention to what you are saying.

6. Avoid quick, jerky, and sporadic gestures or you will present an image of being nervous, anxious, and fearful.

B. The "buy signs" that salesmen often talk about are those responses that allow them to recognize that the customer (potential buyer) is getting closer to purchasing the product. During an interrogation, you should also be looking for the suspect's "buying signs." A common buy sign is "I'm not saying I did