

Interviewing & INTERROGATION

by Douglas E. Wicklander and David E. Zulawski



The Process of Interrogation Part Two: The Decision to Confess

In this month's column, we look at how different suspects make the decision to confess to wrongdoing and what implications that process can have for the trained investigator. Learning these underlying motivations can help an investigator target his or her approach to specific suspects.

The suspect who elects to confess makes the decision to do so either emotionally or rationally. Emotional decisions to confess are related to the subject's guilt feelings and self-image. This type of individual needs the support of rationalization and projection to protect the framework of his or her emotional state. The Emotional Model of Interrogation (Jayne, 1986) works well with this type of suspect because it supports the individual and their self-image while allowing them to justify their actions. It is not unusual for a suspect making an emotional decision to confess to have pronounced signs of submission. These signs of submission could progress from a head and shoulder slump to tearing and crying.

Unfortunately, when suspects are in an emotional state, they may react in ways that benefit neither the interrogator nor themselves. Eric Byrne, an American psychologist, founded a branch of psychology called transactional analysis, which attempts to explain interpersonal relationships. In transactional relationships, the individuals adopt one of three roles, depending on their perception of the other party. The three roles, parent, adult, and child, interact in the

dominance and dialogue as the two parties converse.

In the emotional model, the interrogator takes the role of the parent and the suspect takes the role of the child. If Mom confronts her child about a misdeed, it sounds remarkably like an emotional interrogation of a suspect.



If the interrogator treats suspects as if they have value, they will at least consider confessing

The child makes a denial to mother's direct accusation, quiets into submission, becomes withdrawn, and then finally cries and admits the misdeed.

Conflicts arise when one party, the interrogator, tries to force a role upon

the other party that he or she does not wish to play. The child reacts to a mother with the statement such as "go ahead and send me to my room for the rest of my life and don't feed me!" The suspect responds with something similar, "Go ahead and lock me up. I don't care!" Neither of these statements is the true desire of the speaker, but is instead an attempt to change roles in the conversation. The child no longer wishes to be spoken to as a child, and this statement is an attempt to alter the power of the other individual.

When the suspect makes a rational decision to confess, the interrogator and the suspect are in a complementary conversation. The Wicklander-Zulawski Technique (Zulawski and Wicklander 1993) creates a complementary conversation that encourages a subject to make a rational decision to confess. In this approach, the interrogator takes the role of the adult speaking to the adult. When this approach is successful, there are a number of benefits for the interrogator and the suspect in the encounter, which will be discussed later.

Hurdles to Overcome

The decision to confess means that the suspect has addressed the fears or concerns he had and has resolved them in his mind. This is true regardless of whether the suspect has made a rational or emotional decision to confess. The fears or hurdles that the interrogator must address to overcome the suspect's

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resistance to a confession fall generally into one of the following five categories:

Fear of termination or financial repercussions. The suspect is reluctant to make an admission because it may impact his ability to get or retain a job. The suspect may also focus on the bills that are due or other financial obligations in his life.

Fear of arrest or prosecution. This area is often of greater concern to those suspects who have had little previous contact with the police. Many times, their inexperience will create a greater fear of the consequences of arrest than the circumstances warrant.

Fear of embarrassment. This hurdle to a confession relates to a suspect's self-image. It is the fear that they will shock family, friends, or coworkers and lose their respect. Still others are unable to face what they have done in their own mind without destroying their own self-image.

Fear of restitution. Some suspects are resistant to a confession because

they could not compensate the victim for the damage or loss their actions caused.

Fear of retaliation. This hurdle can often be insurmountable. Fear for one's safety or that of a family member can often be a difficult hurdle to overcome. This factor is becoming more prevalent as gang intimidation and violence increases. Child molesters are often reluctant to make an admission because of the fear of being labeled as such in the prison system.

When the interrogator considers the reasons why a subject elects to confess, it is at best an educated guess. Interrogators, through experience, recognize that some suspects confess to relieve guilt, others because of overwhelming proof of their guilt, and others because of the interrogator's persuasion. In our research with convicted felons, they all have said essentially the same thing, that if the interrogator treats them as if they have value, they would at least consider

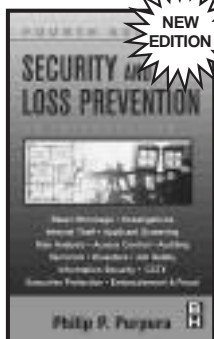
confessing. This seems to be true regardless of the consequences that they faced. To a person, the convicted felons said that their resistance to a confession would increase if they were being berated or looked down upon (Wicklander and Zulawski, 1994, unpublished research).

In the next column, we'll look at suspect denials and the critical role they can play in an interrogation. ■

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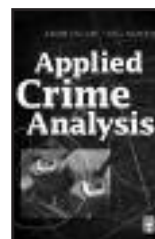


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