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The Process of Interrogation

Part Five: Conducting the Interrogation

In this issue, we finally arrive at the actual conducting of the interrogation. Building on the foundation from previous columns, we will now examine the implementation of the four parts of the interrogation.

Part One: Reducing Resistance

In the first part of the interrogation, the interrogator has several clear goals:

- Establish rapport with the suspect,
- Convince him his guilt is known,
- Allow him to save face, and
- Avoid forcing the suspect into a position where he has to deny.

Building Credibility. After the interrogator has established rapport with the suspect, he begins to develop the credibility of the investigation. This is done in generalities when the interrogator talks about the work that he does. This discussion also includes the types of cases that are investigated. This allows the interrogator to introduce the topic of the investigation without making a specific accusation the suspect might deny. The second benefit that the interrogator derives from this process is possible suspect behavioral reactions to other acts of dishonesty or involvement.

Building the credibility of the investigation continues with a general discussion of investigative techniques that, if they had been used, could have developed information linking the suspect to the crime. The discussion of investigative techniques causes the suspect to consider, perhaps for the first time, that there may be evidence linking him to the crime.

The guilty suspect has been rocked by the realization that his guilt is known, but he generally does not deny because there has been no direct accusation made by the interrogator. The suspect also may withhold his denial because he



Four Phases of an Interrogation

1. Reducing Resistance
2. Obtaining the Admission
3. Development of the Admission
4. Professional Close

hopes that perhaps he is wrong in his assessment of the situation.

Showing Understanding. The second component of reducing

resistance is showing understanding for the problems that people face. The interrogator begins a discussion of reasons why people might become involved in criminal acts. The interrogator offers these reasons in a manner that is general rather than specific to the suspect. The interrogator uses “he,” “she,” “they,” or “them” rather than “you” as he presents the rationalizations. This lack of personalization continues the suspect’s pattern of no denial as he listens to the reasons why people make “errors in judgment.”

The process of rationalization is one that is perfectly suited for the criminal suspect. Above all else, the criminal is a rationalizer. This allows him to justify his actions and project his own feelings onto others. “The company makes a lot of money.” “She was asking for it.” “He doesn’t pay us enough.” These are the same rationalizations that the interrogator offers the suspect to minimize the consequences, focus the suspect’s attention on the resolution of the problem, and to transfer blame to his circumstances in life.

The rationalizations are selected based on the background of the suspect. For example, if a suspect is having financial problems, the interrogator might talk about the costs of raising a family and the stress of bills. The interrogator knows that the reasons he offers the suspect may not be the real reasons why the individual became involved in the criminal act, but these are simply reasons that allow the suspect to save face. The other benefit to the

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interrogator is rationalizations allow the suspect to save face, but it does not usually affect the elements of the crime. Does it make a difference that a suspect says he stole the money to take care of his children or to buy drugs? The answer, of course, is "No." What the money was used for is irrelevant to the case, but the admission that he stole the money is not. Showing understanding allows the interrogator to continue rapport building and the interrogator becomes a mediator, rather than an opponent in the encounter. Rationalizations help the suspect overcome the fears of confessing that were discussed earlier: loss of employment, financial issues, arrest, self-image, restitution, and retaliation.

Offering Benefits to Confessing.

While an interrogator might suggest that there are benefits to confessing, the suspect does not necessarily see these advantages. The interrogator has to deal with either tangible or intangible benefits to the suspect. Tangible benefits might be the placing of only certain charges, allowing bond, charging the suspect at a later date, or any number of others. More likely, the interrogator has to deal with intangible benefits. These are the suspect's perceived advantages of a confession: self-image, relieving guilt, or others understanding his plight.

One way to shorten the suspect's recognition of the benefit of confession is through the use of a role reversal with the suspect. The interrogator sets up a story where the suspect has to make a decision about two people, one who is uncooperative and one who is not. The suspect recognizes that he would feel differently about the two people if he were in the decision-making role. This story empowers the suspect with the knowledge that he is not helpless, but can have an influence on the decision makers, based on his actions.

Behavioral Phases. Behaviorally, the suspect will move through several distinct phases as the interrogator continues his monologue. The first behavioral phase will be rejection as the suspect recognizes that his involvement

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in the criminal act has been discovered. This will usually result in closed body posture with crossed arms and/or legs that provides a defensive barrier and increasing the comfort level of the suspect.

The second phase of behavior, evaluation, generally commences shortly after the interrogator begins the process of showing understanding and rationalization. The suspect's body will begin to appear more open, the muscles will begin to lose tension, and the hand will often move to the face in a consideration pose.

The final behavioral change is submission. The suspect's body begins to open, the arms and legs uncross and the suspect begins to withdraw mentally to consider his options. A salesman would recognize these behaviors as the "buy signs" of the customer. The interrogator comes to the same conclusion.

Part Two: Obtaining the Admission

The next phase of the interrogation is obtaining the first admission from the suspect. The admission may be made verbally or with a head movement, either a nod or a shake. The interrogator observes the signs of submission and offers an assumptive question to the suspect that encourages an admission of guilt.

The assumptive question is generally an extension of the rationalization the

interrogator was offering to the suspect. If the interrogator was talking about the proceeds of the crime being used to pay family bills, the assumptive question might be, "Did you use the money for bills or was it for drugs?" The interrogator offers the suspect a choice, acceptable versus unacceptable, which makes it easier for the suspect to save face by selecting the more acceptable of the two choices.

Another type of assumptive question is the soft accusation. This question does not provide the suspect a choice, but instead asks about some aspect of the suspect's involvement in the crime. An example of this type of question might be, "When was the first time that you took money from the company no matter how long ago?" This type of question is followed immediately with a follow-up question such as, "It wasn't your first day on the job was it?" This exaggeration by the interrogator often brings a denial from the suspect. However, it is a denial that is an admission of guilt.

The interrogator supports this denial as an admission saying, "Great, I didn't think that it was your first day on the job! When was the first time?" The suspect's admission brings us to the third phase of the interrogation.

Part Three: Development of the Admission

This phase of the interrogation answers the questions: who, what, where, when, how, and why. The suspect's involvement in the criminal act is explored fully by the interrogator who looks for confirmation of the investigative findings. Another key purpose of this section of the interrogation is to expand the admission into other areas of dishonesty or criminal activity of which the interrogator may not even be aware.

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