

Cognitive Interviewing

In our last column we discussed another type of interview called the PEACE interview, which is a method of interviewing victims, witnesses, and suspects in the United Kingdom and other parts of the world. In a PEACE interview the investigator uses open-ended questions to develop a narrative response from the individual. In the later stage of the interview, suspects are offered an opportunity to explain evidence developed by the investigation that contradicts their story. Unlike the United States, and unique to the U.K., if the suspect offers no explanation to the evidence when he is first interviewed, but offers one later at trial, it will be held against him.

Another type of interview an investigator may use is called the “cognitive interview.” Knowledge of this interview is part of the body of knowledge required to become a Certified Forensic Interviewer (CFI). This interview was developed by Ronald P. Fisher and R. Edward Geiselman to assist cooperating witnesses to more accurately recall the details of an event. In an eyewitness interview, the problem is always to obtain as much accurate relevant information as possible from the witness without contaminating the memories. This interview is not designed to obtain a confession from someone withholding information and is useful only with cooperative individuals.

The cognitive interview was developed using the latest research in cognitive psychology with heavy inclusion of practical field experiences of seasoned interviewers. Research studies of the approach have shown increases in relevant information obtained by 47 to 55 percent after training in the cognitive interview. So, with structure and training an interviewer can significantly increase an individual’s recollection of events in greater detail than ever before.

The Problem with Memory

The most significant problem is memory, which is still somewhat of a mystery to even the most learned researchers. Recently, there was discussion that a retrieved memory may not recall the actual memory, but the memory of the last recall and telling of the event. Certainly, we have all had incidents in our lives where an event was recalled significantly differently from the others who were present at the time.

Memories can be thought of in three phases—encoding, storage, and retrieval. But this is not as simple as thinking of a memory as a video filmed and placed on a shelf for retrieval. The memory may be influenced by a huge number of factors, such as our psychological state, emotions, context, similar experiences,

by David E. Zulawski, CFI, CFE
and Shane G. Sturman, CFI, CPP



Zulawski and Sturman are executives in the investigative and training firm of Wicklander-Zulawski & Associates (www.w-z.com). Zulawski is a senior partner and Sturman is president. Sturman is also a member of ASIS International’s Retail Loss Prevention Council. They can be reached at 800-222-7789 or via email at dzulawski@w-z.com and ssturman@w-z.com.
© 2013 Wicklander-Zulawski & Associates, Inc.

attention, and personal biases to name but a few. To a large extent the cognitive interview focuses on the retrieval of the memory, rather than the storage or observation components. We have all forgotten something only to later recall the information; so it was there, but our recovery strategy needed to be improved.

The cognitive interview can be thought of in two components—the person’s memory and his communication of it to us. The interviewer can cause problems for the witness with frequent interruptions that disrupt the flow of the memory, making the process feel rushed or like some information is not worth reporting. Another factor reducing detail from subjects was jumping around the memory, forcing the witness to leave memories before their recall was complete. Details were omitted as the jumps occur, making them harder to retrieve later.

Another problem is the witness’ expectation that the interviewer is going to control the interview, especially if the person has just been victimized. However, the interviewer must convey to the witness that he plays a key role in generating information during the interview. It makes sense that the way to begin is to set the ground rules for the interview, since many people have never participated in giving testimony to an investigator.

Setting Ground Rules

Following are some general instructions to tell the witness when setting the ground rules for the interview:

- Explain that the witness plays a key role in generating information.
- Explicitly tell the witness to be as detailed as possible.
- Encourage the witness to concentrate and use imagery and pictures to help recall information.
- Caution the witness that it’s normal to not know all the answers to questions, but not to guess or make things up.
- If there are questions that the witness does not want to answer, have them simply say, “I don’t want to answer that question.” This instruction is important in cases relating to sexual abuse or harassment where the victim may be embarrassed about what happened. This does not mean the interviewer will never return to this area, but postpones it until the end of the interview where rapport is greatest.
- If the witness does not understand the question, tell them to request to hear the question in a different way by saying, “I don’t know what you mean.”

continued on page 14

- Explain that you may ask the same question more than one time, which doesn't mean you do not believe the witness or that they should change their answer. Rather, it will help add details, so the witness should answer with whatever they recall as best they can.

Structured Steps

The structured techniques incorporated in the cognitive interview that are utilized to enhance the recollection of the victims and witnesses are as follows:

Establish rapport—The interviewer starts the process by establishing rapport with the witness or victim and gives the ground rules outlined above.

Reconstruct the circumstances of the event—The interviewer begins by asking the witness to reconstruct how the incident began and the circumstances surrounding it, but begins before the event so the witness has a context for the memory. This effectively allows the witness to warm up before actually

The cognitive interview was developed using the latest research in cognitive psychology with heavy inclusion of practical field experiences of seasoned interviewers. Research studies of the approach have shown increases in relevant information obtained by 47 to 55 percent after training in the cognitive interview.

attempting to retrieve the memory of the event. The interviewer instructs the witness to think about what the environment looked like from the weather to lighting to the cleanliness of the room. In addition, they also ask the victim or witness to recall their emotional mindset at the time of the incident. Asking the witness to use imagery helps in retrieving details of the event.

Instruct the eyewitness to report everything—The victim or witness has been informed not to omit any details, no matter how small. The interviewer has explained even very minor pieces of information may be important to the investigation. This is important since no witness is really trained on what is relevant to report. The interviewer uses open-ended questions to elicit information from the witness. Then the interviewer uses open-ended probes using the witness's own words to further expand the memory without contaminating the account with his own words, which may reflect assumptions or biases. The interviewer should limit any interruptions of the witness account and use closed-ended questions only after the full account has been made.

Recall the events in a different order—The interviewer may instruct the eyewitness to start from the middle or end and move either forward or backward through the story at a number of different points.

Change perspectives—Ask the witness to change roles or positions with another person in the incident and to consider what he or she might have seen. Ask them to mentally change their position and ask them to imagine what they might have seen from their new location.

The cognitive interview's basic value is that it reconstructs the circumstances in a number of different ways in the witness' mind. The non-law enforcement person rarely has an idea of what may or may not be of value to the investigator, and the small details obtained by this method often lead to other details being remembered.

Specific Techniques

The cognitive interview also has developed five specific techniques to develop specific items of information.

Physical appearance—The witness is asked to think about the suspect in terms of "Did he remind you of anybody and why?" "Was there anything unusual about his appearance or clothing?"

Names—If the suspect spoke a name during the incident, what was the number of syllables or what was the first letter of the name?

Numbers—If a number was involved, was it a low or a high number, how many digits were in the number, were there any letters that were in sequence? This is especially valuable in attempting to remember license plate numbers.

Speech characteristics—Ask the witness if the voice reminded him of anyone and why was that? Were there any unusual accents, words, or tone of voice used by the suspect?

Conversation—The eyewitness should be asked if there were any reactions to what was said, if any of the reactions were unusual, and if there were any unusual words or phrases included in the conversation?

The methods used with the cognitive interview are not inconsistent with the PEACE interview and, in many cases, there is an overlap of applications since both may be used to obtain details of the event from victims and witnesses. The primary difference between the two is the confrontation of the individual who has been lying about the incident. ■



Listen to Podcasts of Interviewing Columns

Go to the Podcast page on the magazine website, LPportal.com, to download or listen to podcasts of select past columns and other articles from the print magazine.