

A Lie...Is It Or Isn't It?

Academic researchers have spent a considerable amount of time learning what behaviors investigators rely on to determine if an individual is being deceptive. They have also identified many common behavioral observations that the public believes indicate that a person is lying.

Many people believe that when an individual refuses to make eye contact, there is a strong indication the person is being deceptive. People also believe that gestures of the hands and arms while telling a story is an indication of a lie being told. The researchers have also decided our ability

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to detect a lie is at a chance level—50-50 like the flip of a coin. And in a classroom setting with low levels of stress on the study participants and using an artificial experience, it is extremely difficult to detect a deception.

However, this is nothing like the real-world situations we work in where a person's liberty, reputation, and livelihood might be at risk. Our experience indicates investigators are much better at identifying deception than chance levels.

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Spots of Behavioral Change

Academics have studied individual behaviors looking for that single nonverbal cue that always strongly indicates a person is lying. Not surprisingly, they have not identified a single behavior that *always* strongly indicates an individual is being deceptive. In fact, most behaviors, when viewed individually, are not strongly associated with deception. This shouldn't be surprising, since people will often lie differently within several sentences. For example, in one instance a person might cross their arms, while in another they may avert their eyes, then in another situation they may lock themselves in place.

The best lie detectors are not looking for individual behaviors, but rather "on time" changes in behavior that indicate a potential "concern." We could call these "spots of behavioral change"—red flags, hot spots, concerns, trigger points, or any other name. But they indicate a moment of stress in the subject we are speaking with. These behaviors may be triggered by a change of topic, presentation of information, use of a particular word, or a question posed by the interviewer and can occur in a variety of conversations.

In a field situation the stimulus may be an officer approaching a group on the street. The officer's appearance is a stimulus triggering the fear of detection of the individual carrying the gun. His behavior begins to change as the threat to his freedom approaches—increased tension, his movement away from the group, or a sudden stillness makes his behavior appear different from his friends.

The shoplifter differs from other customers because of what he is about to do and the fear of discovery of his actions. Only further investigation and observation can determine the truth.

Establishing a behavioral norm for an individual before beginning the interview is an important component in establishing a baseline of behavior for comparison. When a change of behavior is noted, it may be the result of any of a number of reasons, such as the individual was:

- Deceptive,
- Surprised by the inquiry or topic,
- Fearful of a secondary issue,
- Concerned about his previous statements in light of new information,

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- Embarrassed, or
- Another reason.

A person who is embarrassed or concerned about a secondary issue may, in fact, offer behavioral clues or concerns that would be similar to the deceiver.

Identifying Deception

As we continue this discussion, we will use Dr. Paul Ekman's definition of lying:

"Lying is an act whereby someone deliberately misleads another and does so without notifying that person that he or she will be misleading them. The key here is that the individual is deliberately and knowingly presenting inaccurate information to another to conceal the real situation."

Unfortunately, when we observe a behavior occur at a particular point in the conversation, we may not be able to discern whether the individual is lying to us, is concerned about some other issue, or whether the behavior was simply an anomaly. What we can do is further explore that particular area of the conversation to determine what the true reason for the behavioral change is and its consistency.

The interviewer has several advantages, both physiologically and psychologically, to assist him in determining whether the subject is attempting a deception. The autonomic nervous system causes physiological changes in the body in response to emotions, such as fear, in order to protect the individual by preparing him to fight or flee. These emotional triggers cause changes such as an alteration of the breathing pattern, dilation of the pupils, blanching or flushing of the skin, perspiration, or any of a multitude of other notable observations.

Besides having to deal with the physiological changes of the body, the liar must also cope with psychological changes and the related pressures they manifest on the individual's thought process. Researchers have coined this "cognitive load." Essentially, *cognitive load* is the pressure an individual is under when he is thinking on his feet as he attempts to lie, continues to lie, or decides what to do next.

There are several behaviors an interviewer can observe that indicate a person is thinking about his answer. By the way, just because a person is thinking about his answer does not mean he is attempting to deceive; he may be merely gathering his thoughts to provide a thorough answer. The context of the person's pause should provide the interviewer some sense of whether there is an attempt to deceive in play or if he is merely making sure the answer is correct.

When an individual attempts to deceive, he must balance the lie against what he believes might be known or potential evidence that could contradict his statements. Clearly, this will require time to evaluate his situation before he presents his next statement. This pause will often cause the deceiver to appear more tense, stiff, and less cooperative in giving a complete rendition of events. The more general a lie, the easier it will be to avoid contradictions with other witnesses

or evidence. Simply stated, the less detailed the lie, the safer it is to tell.

The easiest type of lie for a person to tell is one which reduces the cognitive load and the concern about contradictory witnesses or evidence. That type of lie is a "lie of omission." A *lie of omission* uses the truthful events while omitting those details that would be incriminating, such as "I went to the mall this afternoon and then came back to the house."

Here the deceiver left out the fact that between leaving the mall and arriving home, he had robbed a convenience store; otherwise his story is the truth. Because of the general nature of the story, the liar can alter or fabricate information or other details if it proves necessary later.

Cognitive load—thinking—requires time to decide what to say next. To cover this delay, the deceiver may use a variety of tactics, such as repeating the question, offering non-responsive statements before answering the question, body shifts, hand-and-arm movements, or language artifacts, such as "ah," "um," or clearing the throat.

Another common response we see is for the subject to sit stiffly, with little or no movement of the arms and body, while the individual focuses on the interviewer's questions.

The liar may also have additional pauses during his answer as he searches for and tests each word and sentence against what he has said previously or what he may have to say in the future. These pauses during the sentences may cause repeats of words, such as "I...I...I guess then we went to..." or simply a slowing of the words as he becomes more careful in his selection of them. The voice around these pauses becomes garbled, soft, or trails away as the person speaks about an area of concern.

A Difficult Process

Having a conversation with another person, especially a deceiver, is an especially difficult communication model. The interviewer who is able to observe changes in the voice, the pattern of speech, and movement of the body can identify areas of concern where the individual fears his lies could be detected. By identifying these areas, the interviewer can explore them in detail to determine if it is deception or an unrelated issue causing the changes.

Unfortunately, we doubt that there will ever be a single or group of behaviors identified that will allow an interviewer to identify a lie with high reliability. It is much more likely that the interviewer will be able to identify a subject's concerns about a topic, word, or question that will require additional probing to ascertain its real meaning. If the individual is already concerned about a particular topic or point in his alibi, the interviewer's probing of that area should increase the cognitive load and fear of detection, thus increasing the leakage of behavioral clues for evaluation.

In our next column we will examine ways to explore and evaluate these hot spots, giving the interviewer further advantages in the conversation. ■