

INTERVIEWING

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Objectives

- Have an understanding of barriers that may inhibit rapport building.
- Understand the difference between an interview and interrogation.
- Have an understanding of how the utilization of active listening skills can remove barriers.
- Be able to control denials in an interrogation setting.

COMMUNICATION

- You can't stop communicating-loop
- Goal is to build rapport, establish credibility, and ultimately persuade
- We persuade/control others using THEIR attitudes, values, and beliefs

INTERVIEW & INTERROGATION

(Objective #2)

- Interview: A conversation with specific goals or a purpose up to the point of interrogation
- Interrogation: An interview from the point of confrontation

GOALS OF INTERVIEW

(Objective #3)

- Obtain maximum amount information
- Establish credibility-Are you believable?
- Build rapport
- Discover barriers
- Develop themes for interrogation

BASIC INTERVIEWING

- Who: relationship to the investigation
- What: have they heard, seen, experienced, or know about the investigation. **DID THEY DO IT?**
- Where: were they
- When: timeline
- Why: motive

INTERVIEW PRINCIPLES

- Listen to your subject: they should be doing 70-80% of the talking
- Do not interrupt, don't take notes on first version, follow with "and then what.." "what else.."
- Building rapport is paramount

NEED FOR RAPPORT? (objective #2)

- People do not confide/confess to people they do not like
- People naturally open up to those who are similar or are in harmony with themselves
- Building rapport is a choice/active/work

OPEN ENDED QUESTIONS

- Avoid questions whenever possible that can be answered with Yes/No. These do not allow for free flow of information.
- Use open ended questions: *"Tell me about what happened tonight?"*

OPEN ENDED QUESTIONS

- Collect information not asked about, gives you the opportunity to evaluate their response, allows rapport building time, avoids yes/no response
- DO NOT INTERRUPT. Don't take notes
- Follow up with additional open ended questions for clarification

SPECIFIC QUESTIONS

- You will narrow your question field at some point
- You should ask EVERYONE, did you do it?
- Do not lead the subject or give up information about the investigation

RECALL AIDS

- "I don't remember." "If you did."
- "I couldn't tell you that." "If you could."
- Breaking state: Ask 5 questions then re-ask your main question
- Reconstruct: If you were the gun, where would you be? If you were a video camera at the scene, what would you show?

STRUCTURED INTERVIEW

- *“Thus it is said that one who knows the enemy and knows himself will not be endangered in a hundred engagements. One who does not know the enemy but knows himself will sometimes be victorious, sometimes meet with defeat. One who knows neither the enemy nor himself will invariably be defeated in every engagement.” --Sun-Tzu*

BACKGROUND INTELLIGENCE

- Prior criminal information
- Family history
- Employment
- All relevant investigative information/reports
- Health/drug status
- Mental/psychological status
- Any relevant info about the person

INTERVIEW ROOM

- **Do NOT have barrier in between**
- Sit them in plain chair (no arms). You should have wheels (adjustable)
- Turn audible phones off (vibrate on)
- Room free from distractions
- No clocks visible

INITIATION

- Location is our choosing: LE/Sheriff's department with decent interview room
- Not at their house, if possible, where they can be distracted. Not by phone.
- First meeting: Are they alone? Did they arrive early? Late? First impression?
- Establish a tone for the entire interview

GREETING

- Only 1-2 interviewers, no uniforms, no guns, no badges, no problems in court with suppression (if interrogation)
- Greet them with introduction
- You determine where they sit
- I usually begin with, *"do you know why you are here?"*

BIO INFORMATION

- Give a non-threatening introduction (even when we are sure it's our guy),
- Pedigree: name, DOB, address, etc.....

GETTING TO KNOW THE SUBJECT

- Tell me about yourself. Tell me about where you are from. Tell me about your family, kids, job, medical, drugs, drinking, problems, etc...
- Do not take notes at this time
- Active listening

RELEVANT ISSUE

- Open ended question: tell me about
- Allow them to talk without any interruption until they stop. Prompt them with continuers such as, "and then what, what else, and, what happened next."
- Until they say, "That is all." There is more to tell.
- When they are done talking. That is version #1.

FOCUSED INTERVIEW

- You can take notes this time. Use open ended questions. Do not interrupt or finish their thoughts.
- Reverse/different order
- Memory/recall aids
- Look for missing time
- You are confirming the truthful and vetting the deceptive

BOQs

- What type of person would do this?
- What do you think should happen?
- Would you pay back/second chance?
- Is there any reason why.....?
- How do you think the person responsible feels?
- Is there a reason I should believe you?
- Would you take a polygraph? Results?
- If you were found to be lying...response?

SPECIFIC ISSUES

- Details, details, details
- Timeline, focus on any missing time
- Ask about seeming inconsequential portions of story. Lies fall apart here
- Begin to test/probe their previous answers
- Did you do it?
- Not the interrogation yet.....

Rapport Building Strategies

- Active Listening
- Empathy Statements
- Mirroring
- Pacing and Leading
- Personalizing

ACTIVE LISTENING

(objective #3)

- Generally, police officers are POOR listeners. Talking is power and a method of control
- Listening is work/active process
- Subject should be doing 70-80% of the talking

ACTIVE LISTENING

- Active listening is the most seductive rapport building strategy we can employ
- Whole body listening—Hanging on every word
- No interruptions—No finishing their sentences
- Showing sincere interest in the person and what they are saying

MIRRORING

- Triggers subconscious portion of subjects brain and begins to train him/her that you are alike
- You synchronize with the subject
- Discussion: watch nonverbal of 2 close friends engaged in discussion as they mirror each other
- Discussion: past interviews where mirroring was mismatched and outcomes?
- When can mismatching be useful?

PERSONALIZE NAMES AND STORIES

- Use first names and share stories about yourself
- Helps overcome barriers between interviewer and establishes a personal/human connection
- Use stories to plant seed for theme development for interrogation
- Don't ever tell subject personal information you don't want to end up in court

INTERROGATION

LYING IS DIFFICULT

- Have to remember what you said
- Must fabricate detail
- Does not come from sequential memory
- You have to tell the same thing every time
- Fight or Flight.....fear of consequences

PRE-INTERROGATION

- Determine their values, attitudes and beliefs
- Prior to interrogation you should have an idea of what their barriers are
- What is your plan? What is your theme?
- Themes must be consistent with subjects values, attitudes and beliefs

INTERROGATION

- Interrogator does most of the talking— overcome their denials
- Present persuasion strategies
- Observe verbal/nonverbal signs so you know if your going in the right direction
- Be flexible enough to change if you aren't getting what you want

INTERROGATION PROCESS

- We interrogate people one step at a time
A---X---X---X---X---X---X---X---X---Z
I don't know nothing. I did it!!!

We persuade people one step at a time

INTERROGATION FORMAT

- Confrontation----denial----dealing with denials----persuasion strategies/theme development----closing----confession

Confrontation

- Confident direct confrontation
- Use soft words for crime
- Repeat with credibility
- Don't get into a "You did it" "No I didn't", move into your theme development

CONTROLLING DENIALS

(Objective #4)

- Use stops to control denials
- Use your verbal/nonverbal/spacing to control denials
- The longer you let them deny, the more difficult a confession will be

THEME DEVELOPMENT

- Theme developed from your interview
- What were their barriers?
- Consistent with how they see the world: blame the victim, drugs, society, only an accident, etc..
- You must find a way to save their EGO and psychologically give them an out

THEME DEVELOPMENT

- Use analogies, stories, make up “a case I just worked like this”
- Personalize the theme
- Morals, religious, type of person
- Rationalize, minimize
- Confront with direct facts/evidence

BUY OUT STATEMENT

- Give them two alternatives
- Did you plan on shooting Jimmy or did the gun just go off? Have you been doing this to little Annie for years, or was this the only time?
- Remember people confess one step at a time

MOVE TO CONFESSION

- Lock in their first admission
- Structured interview process on every aspect of admission
- Interrogate first admission

Final Considerations

- We have to allow a person a way to save face, a way to save their ego. That is your theme. This also has to be consistent with the way they view the world for your interrogation to be successful.
- We don't stop until they say, "I want my lawyer."

WHY INTERROGATIONS FAIL

- Run out of things to say
- Lose control of interview
- Develop doubts—you are not believable
- Did not establish rapport
- Not presenting theme/strategy according to subjects needs or personality
- Some people will not confess

CONFESSION/ADMISSION

- Confession:
 - A voluntary statement of guilt and/or involvement in a crime
- Admission:
 - An agreement to a fact that tends to suggest guilt without actually confessing to a crime

STATEMENTS

- A lying statement can be very useful in an investigation
- Letter of apology (very good in child sex cases)
- Letter to judge
- Letter to prosecutor

STATEMENTS

- Audio recorded: get the digital recorders with USB connect
- Video recorded
- Remember to have back up. Electronics WILL fail on an important taped confession and thus begins the conspiracy

Recording

- Interviews: Sometimes record
- Interrogations: Always record
- Statements: Always record
- Check your General Orders and always with your local prosecutor for their policy

NON VERBAL BEHAVIOR

Baseline

- Observation during non-threatening questioning to obtain a baseline
- Obtain a standard for comparison when questions become probative

Nonverbal

- Responsible for approximately 60-70% of communication. "It's not what you said, it's how you said it."
- Cannot stop communicating—Loop
- We read people as they read us

Clusters

- No single nonverbal response by itself is significant
- Looking for clusters of behavior different from baseline
- Responses must be timely to a relevant issue question

Physiology of Nonverbal

- Human nervous system and fear:
 - Threat is perceived by the senses and relayed to the brain
 - Fight or flight is stimulated due to threat
 - Involuntary reactions occur within body
 - Body must have a way to relieve anxiety caused by reactions

FIGHT, FLIGHT, FREEZE

- FFF is a survival animal reaction to danger
- Occurs without conscious thought
- Designed to prepare our bodies to fight/flee from a threat
- Combination of sympathetic nervous system effects that occur instantaneously

Fight, Flight, Freeze

- Increased heart rate
- Increased blood pressure
- Increased need for oxygen causing faster and deeper breathing
- Dilation of bronchi in lungs—(yawning)
- Vasoconstriction
- Dilation of pupils
- Redistribution of blood supply
- Decreased saliva production—(cotton mouth)
- Decreased blood flow to GI tract/digestion

Head/Face

- Touching of nose/mouth/head (facial touch target zone)
- Crying
- Flushed or pale face
- Perspiration
- Visible pulses in neck veins
- Sniffing, coughing, swallowing

Eyes

- Dilated pupils
- Covering or closing
- Looking away, avoiding contact
- Excessive blinking
- Staring
- Looking at watch, clock
- Rubbing

Mouth

- Excessively dry mouth/throat
- Clearing throat
- Coughing, swallowing, sighing, yawning
- Stuttering, slurring
- Eating, chewing, smoking, drinking
- Smiling, laughing, whistling
- Biting lip, tongue

Lips

- Biting
- Licking
- Quivering
- White funk in the corners of mouth
- Pursing
- Whistling

Trunk

- Turning/pulling away
- Stomach noises
- Posture changes, slouching
- Barriers
- Belching, farting, moaning
- Respiration changes
- Shaking/muscle spasms

Arms/Hands

- Crossing/barriers
- Scratching, rubbing, pinching, picking
- Grooming nails, clothing, biting nails
- Holding arms/hands/elbows tightly
- Hiding/sitting on hands
- Finger/hand tapping
- Playing with jewelry/accessories

Feet/Legs

- Crossing/Barriers
- Tapping
- Rocking
- Kicking
- Bouncing
- Showing soles of feet


