



## Active Listening Skills

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### Objectives

- ▶ Have an understanding of how humans communicate.
- ▶ Identify communication issues with traditional law enforcement method of questioning.
- ▶ Identify the 8 Active Listening Skills

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YEAH I CALLED HER UP. SHE GAVE ME A BUNCH OF CRAP ABOUT ME NOT LISTENING TO HER, OR SOMETHING...

I DON'T KNOW, I WASN'T REALLY PAYING ATTENTION.

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## Goal

*Students will understand the application of Active Listening Skills in an interview/interrogation environment.*

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## COMMUNICATION

- ▶ The activity of conveying **information** through the exchange of thoughts, messages, or information, as by speech, visuals, signals, written, or behavior. It is the meaningful exchange of information between two or more living creatures.

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## Communication cont.

Any act by which one person gives to or receives from another person information about that person's needs, desires, perceptions, knowledge, or affective states. Communication may be intentional or unintentional, may involve conventional or unconventional signals, may take linguistic or non-linguistic forms, and may occur through spoken or other modes."

From Wikipedia

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## How We Communicate (OBJECTIVE #1)

- ▶ Words 7%
- ▶ Tone of Voice 38%
- ▶ Non-Verbal 55%

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*Active listening is the  
stealth weapon of an  
effective interview.*

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## Traditional Law Enforcement Information Gathering

- ▶ Official Voice
- ▶ Questions
- ▶ Interview & Interrogation
- ▶ Accusations & "Confrontations"
- ▶ Investigation
- ▶ Physical Police Presence

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## Traditional Law Enforcement Questioning

- ▶ Rapid Fact Finding (rapid fire questions)
- ▶ Quick Problem Solving
- ▶ Intrusive
- ▶ Focus on the questioner's agenda
  - "Just the facts"
  - Control



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## Impact of Traditional Law Enforcement Questioning (Objective #2)

- ▶ Diminishes rapport
- ▶ Creates pressure
- ▶ Can provoke defensiveness
- ▶ May create barriers



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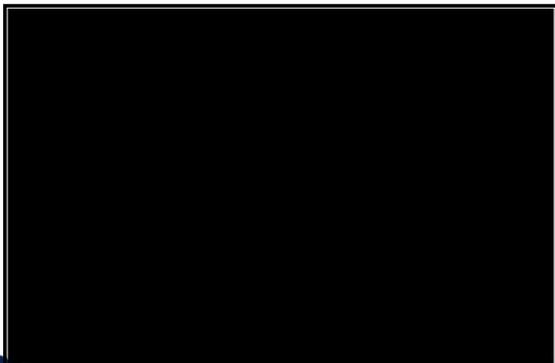
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*As an interviewer/interrogator, what is our ultimate goal?*

*How do we achieve that goal?*

*Ask yourself is this a sprint or a marathon?*

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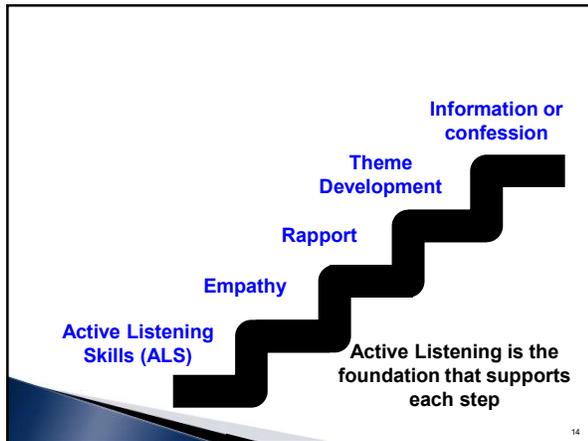
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## Active Listening Skills Defined

- ▶ For purposes of this class:
  - Eight (8) specific techniques that enable better understanding and more productive communication

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## Purpose of Active Listening Skills

- ▶ Lower emotions & return subject to "normal"
- ▶ Establish rapport & influence
- ▶ Gather information
- ▶ Encourage behavioral change

Active Listening is the only skill set designed to work toward all these goals at the same time

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## Active Listening Approach

- ▶ The *only* aspect of an effective interview/interrogation is that we have absolute control over our own emotions
- ▶ When confronted with a difficult subject, the first step is **not** to control **his behavior**, but to control your own behavior
- ▶ If you can't control yourself, you can't control the situation

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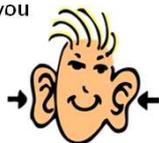
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## Active Listening Approach

- ▶ Give the subject "a hearing"
- ▶ People want to be **understood**
- ▶ **Listening** is the **cheapest**, yet **most effective concession** you can make
- ▶ Show **respect**



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## Active Listening Approach

- ▶ Listen
- ▶ Acknowledge
- ▶ Agree wherever you can
- ▶ Establish rapport/common bonds
- ▶ Minimize involvement
- ▶ Develop themes
- ▶ Don't argue!

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## Active Listening Approach

- ▶ People don't always say what they mean
- ▶ Attempt to **listen for the meaning** (unsatisfied needs)
  - Remember that people don't care what you think until they...

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## Active Listening Skills (ALS)

Objective (3)

- ▶ Minimal Encouragers
- ▶ Open Ended Questions
- ▶ Reflecting / Mirroring
- ▶ Emotion Labeling
- ▶ Paraphrasing
- ▶ "I" Messages
- ▶ Effective Pauses
- ▶ Summary



"MORE PIES"

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## Voice: the Interviewers #1 Tool

- ▶ The **WAY** something is said can be **5x** more important than **WHAT** is said:
  - Tone
  - Inflection
  - Rate
- ▶ Tone of voice, demeanor & projected sincerity are more important than any single phrase you may use



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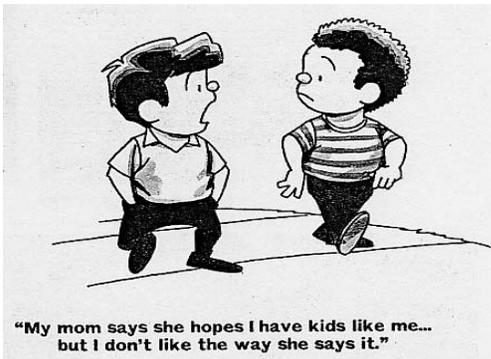
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"My mom says she hopes I have kids like me... but I don't like the way she says it."

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## Emotion Labeling

- ▶ Statement of *emotions* heard
  - "You sound angry..."
  - "You seem scared..."
  - "I hear confusion in your voice..."
- ▶ If adverse reaction, easy to back off
  - "I didn't say you **WERE** angry, I said you **SOUND** angry." (Soft delivery)

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## Emotion Labeling

- ▶ Identification of underlying feelings
  - Subjects often have many emotions
    - Extremely Effective – Can build tremendous rapport by labeling emotions the subject is feeling but has not yet recognized
    - *"I can hear anger in your voice, and it seems like this situation has really bothered you."*



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## Emotion Labeling

*"If possible, never let a feeling go by without labeling it; people love to have others understand how they feel."*

Dr. Mike Webster

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## Reflecting / Mirroring

- ▶ Brief follow alongs
  - Repeating the last few words
    - **Good initial technique**, helps the interviewer get oriented to the subject.
    - **Subject:** *"She doesn't pay attention to what I say to her and it makes me angry."*
    - **Interviewer:** *"It makes you angry."*

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## Reflecting/Mirroring

- ▶ Brief follow alongs
  - Voice inflection at the end (upward or downward) can be used to either demonstrate understanding or encourage them to go on
    - **Subject:** *"She doesn't pay attention to what I say to her and it makes me angry."*
    - **Interviewer:** *"It makes you angry."*

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## Reflecting/Mirroring

- ▶ Maintain professionalism
  - You represent your agency at all times
    - Avoid repeating subject's foul language
    - Evidence may be heard in court



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## Minimal Encouragers

- ▶ Brief responses (sounds) that indicate you're present and listening
  - "Uh-huh", "Really?", "Yeah...", "Okay" (etc.)
- ▶ Best used when the person is talking through an extended thought or for an extended period of time
- ▶ People want to know that you are there & listening

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## Minimal Encouragers

- ▶ Use wisely:
  - May invite opportunity for our minds to wander or be distracted
  - Are *also* what the subject is used to hearing when the listener is simply waiting for the chance to speak
  - Effective in combination with another skill such as paraphrasing, or mirroring / reflecting
  - Timing is important

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## Open Ended Question

- ▶ Questions that require more than a "YES" or a "NO" answer
  - "What...?" "How...?" "When...?"
  - "What happened today?"
  - "How would you like this to work out...?"
- ▶ Benefits
  - Conveys a sincere interest in gaining understanding
  - Gives a freedom of response while framing the scope

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## Effective Pauses (silence)

- ▶ Immediately **before** or **after** saying something meaningful
- ▶ Help focus thought and interaction
- ▶ Help show the subject that conversation is a turn taking process
- ▶ Can also be an appropriate response to anger

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## Paraphrasing

- ▶ Put meaning in ***your*** own words
  - "...Restatement... giving the meaning in another form." (Webster's Collegiate Dictionary)
  - Used for brief confirmations of meaning and to display attentiveness
    - **Subject:** *"She's always talking and doesn't pay attention to what I say."*
    - **Interviewer:** *"She doesn't listen to you."*

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## Summary

- ▶ Periodically covering the main points
  - HIS story
  - HIS feelings } In ***YOUR*** words
- *"Ok, what you've told me so far is this... and as a result, you feel worried (an emotion)..."*

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## "I" Messages

- ▶ Not normally used in initial contact
- ▶ Used to "confront" in a non-threatening manner
- ▶ *"I am trying to understand what you are saying; however, it is hard when you start shouting."*

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## Empathy

- ▶ To see **through the eyes** of the other
- ▶ Empathy **absorbs tension**
  - *"Let me be sure I heard what you just said . . ."*
  - *"I can understand how you would be upset over . . ."*

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## Empathy

- ▶ Being **right** is not the issue; making the attempt to **get it right** is!
- ▶ Your **tone** indicates your **attitude**
  - Tone speaks louder than words
  - A calm controlled demeanor may be more effective than a brilliant argument

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## Empathy

*"...to understand his thoughts and feelings so well that you could summarize them for him."*

Carl Rogers

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## Empathy

### ▶ Empathy is not sympathy

- Sympathy is "...an expression of pity or sorrow for the distress of another..."  
*(American Heritage Dictionary)*
- Pity and sorrow are not productive
- It's not necessary to actually "*feel what they feel*" to provide empathy

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## Empathy: An Essential Concept

- ▶ *"Nor is empathy about being nice...Empathizing with someone, therefore, does not mean agreeing with or necessarily liking the other side."*

Beyond Winning  
Mnookin, Peppet & Tulumello

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## Rapport

- ▶ Relationship of Mutual Trust



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## Phrases That Damage Rapport

- ▶ **"Calm Down"**
  - This may be perceived as an order which may provoke intense anger
- ▶ **"I Understand"**
  - Often the phrase others use to interrupt with, in order to jump into problem solving
  - Often is a well-intentioned, but counter-productive shortcut
  - You may in fact understand, however understanding must be *demonstrated* to maintain rapport



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## Phrases That Damage Rapport

- ▶ **"Why?"**
  - Feels accusatory, creates defensiveness
- ▶ **"You Should..." or "You Shouldn't..."**
  - A judgmental (advice giving) statement. Implies a superiority of the advisor and may cause the receiver to feel



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## Better Phrases

- ▶ ~~Calm Down~~ ■ *"I can see (hear) how angry you are"*
- ▶ ~~"I Understand"~~ ■ *"I'm listening"*
- ▶ ~~"You should(n't)"~~ ■ *"What's causing that?"*  
~~"Why?"~~

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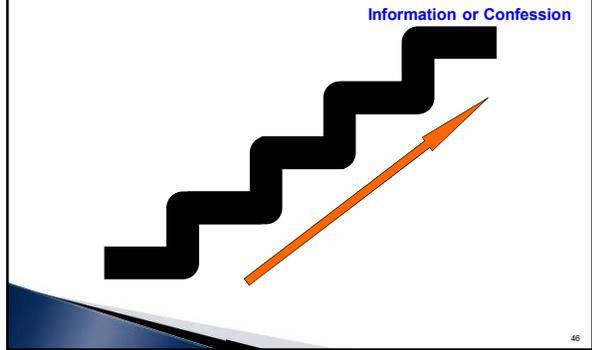
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## Behavioral Change Stairway



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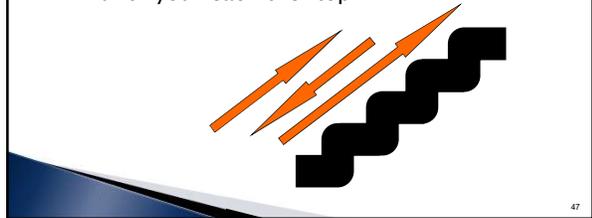
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## Behavioral Change

- ▶ Requires continuous process of using Active Listening Skills
- ▶ You may go “up and down” stairway until you reach the “top”



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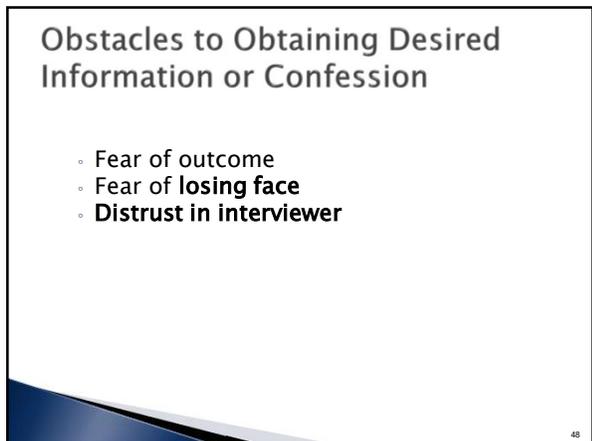
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## Obstacles to Obtaining Desired Information or Confession

- Fear of outcome
- Fear of **losing face**
- **Distrust in interviewer**



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## Delivery

- ▶ Good tone of voice
  - Not harsh, sarcastic or punishing
- ▶ Choice of words
  - Non-threatening, non-judgmental
- ▶ Effective Pauses
  - Set-up delivery & gain the subject's attention
- ▶ The "I" portion
  - The key to making it less accusatory

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## No "Zingers"

If you really want to say something,  
and you can just taste how good  
those words will feel...  
**they are probably wrong!**



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## Points to Remember

- ▶ Your *voice* may be your strongest tool
- ▶ *Empathy* is neither opposition nor agreement
- ▶ When you *confront* a suspect it should be non-threatening & non-judgmental



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## Points to Remember

- ▶ ALS – Perishable Skills
  - If not used, they will diminish
  - The more they are used, the better the interviewer becomes
- ▶ Can be used in all aspects of life



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“Most people do not listen with the intent to understand; they listen with the intent to reply.”

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