INTERVIEW CONSIDERATIONS

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Assumptions of the Interview

- Purpose of interview: to find the truth.
  - And why the person believes it.
- Facts should be verified and/or corroborated
  - Including admissions and confessions
- Applies equally to all interviewees

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Preparation

Verified Facts	Unverified Information	Interpretations
What do we definitely know (verified)?	What do we have that isn't verified yet?	What do we interpret about the subject based on the verified facts and unverified information?
For example, background context, biographical information, CCTV, DNA, etc.	For example, witness statements, informants	
Goals: What gaps do we have? What do we need to know? What do we want from the interview?		

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Consider the Physical Setting

Context
- Which room?
- Layout?
- Number and types of chairs?
- Positioning?
- Props?
- Characteristics of interviewers?

Appearance and Props

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OVERVIEW OF TACTICAL INTERVIEWING

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Overall Approach

- We want to get the whole story from people – suspects, witnesses, victims

- FACT: Non-confrontational interview techniques based on rapport building have been *proven* to be the most effective in eliciting truthful information

Laura Morton / Special to the Chronicle

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Overall Approach

- Interview strategies based on rapport allow individuals to feel trusting and safe, and to tell their story
- Creating these relationships requires you to read people well
- Thus, we train skills for reading people – emotions and nonverbal behaviors – as foundational skills to interviewing and surveillance
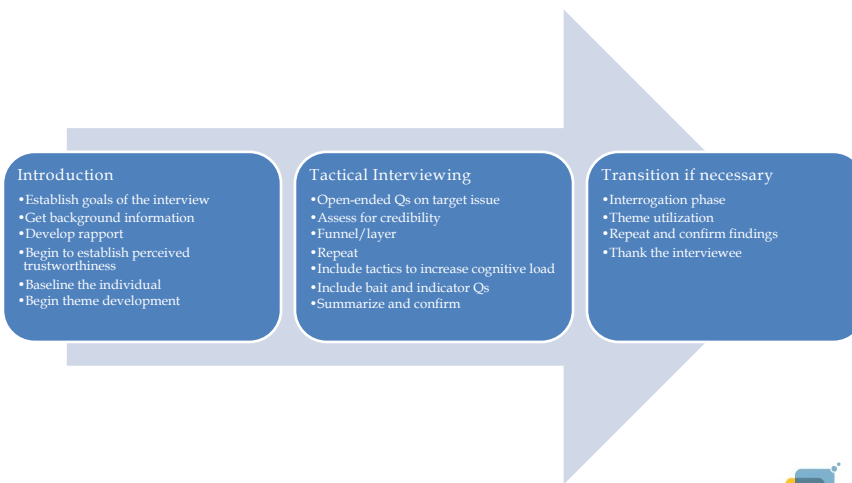
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Overview of the Process

Introduction
- Establish goals of the interview
- Get background information
- Develop rapport
- Begin to establish perceived trustworthiness
- Baseline the individual
- Begin theme development

Tactical Interviewing
- Open-ended Qs on target issue
- Assess for credibility
- Funnel/layer
- Repeat
- Include tactics to increase cognitive load
- Include bait and indicator Qs
- Summarize and confirm

Transition if necessary
- Interrogation phase
- Theme utilization
- Repeat and confirm findings
- Thank the interviewee

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Develop Rapport

- Be genuine
  - Be yourself; don't be someone you're not
- Be interested
  - Active listening and observation
  - Be attentive, synchronous
- Use non-judgmental listening
  - Be empathetic

- Leverage principle of liking
  - Be pleasant
  - Reduce negativity
  - Engage in strategic self-disclosure
  - Find similarities and common ground
  - Use affirmation
- Leverage principle of reciprocity

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Increase Their Perceived Trustworthiness of You

- Be willing to assume (not take) risk
- Demonstrate
  - One's own trustworthiness (fulfill obligations, keep your promises)
  - Willingness to trust (assume/accept risk)

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Baseline Individuals 1

- How expressive is the person overall?
- What emotions did the person express?
  - Emotional biases?
    - Lots of contempt? Smiles all the time?
  - Personality based emotional dispositions

- Motivations and intentions
  - What makes the person happy? Sad? Angry?
- When the person does express emotion, is it
  - Macro or subtle?
  - Reserved or unreserved?
  - Smooth or abrupt?
  - Appropriate or inappropriate?

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Baseline Individuals 2

- Verbal Style
  - Pauses or filled pauses
  - Jargon
  - Stuttering and repetitions
  - Pronouns
  - Tone of voice
  - Verbal hedges
  - (Cultural issues)

- Nonverbal Style
  - Emotional style
  - Illustrator usage?
  - Expressive or reserved?
  - Yes/no/I don't know emblems?
  - Signs of cognition?

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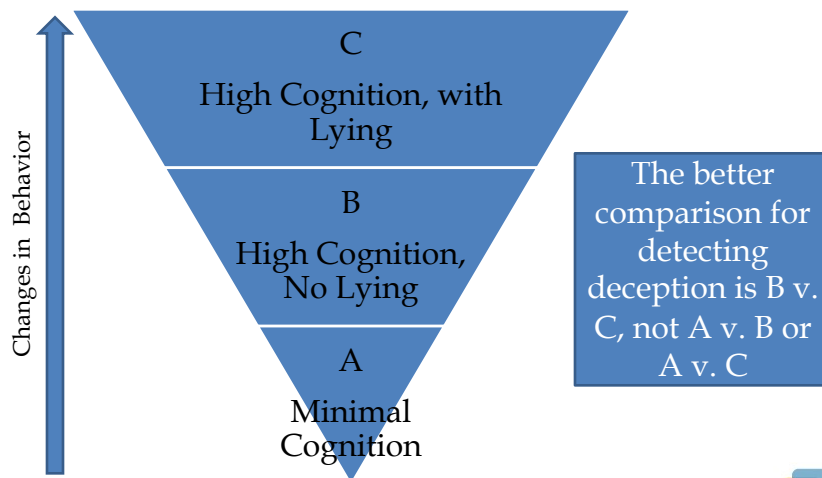see what you've been missing

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Changes from Baseline

- Detecting demeanor changes from a baseline can tell you important cues about changes in mental or emotional states that may be important to reading people

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Decision Tree for Evaluating Behavioral Indicators for Deception

Changes in Behavior

C
High Cognition, with Lying

B
High Cognition, No Lying

A
Minimal Cognition

The better comparison for detecting deception is B v. C, not A v. B or A v. C

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Examples of High Cognition Truthful Qs

- On a scale from 0 to 10, with 10 being someone who is absolutely trustworthy, and 0 being someone who is absolutely untrustworthy and we wouldn't want to be with, what score would you give yourself?
  - Why do you give yourself that rating?

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Examples of High Cognition Truthful Qs

- If you had to choose a person whose opinion of you you value the most, who would that be?
  - Why do you choose that person?

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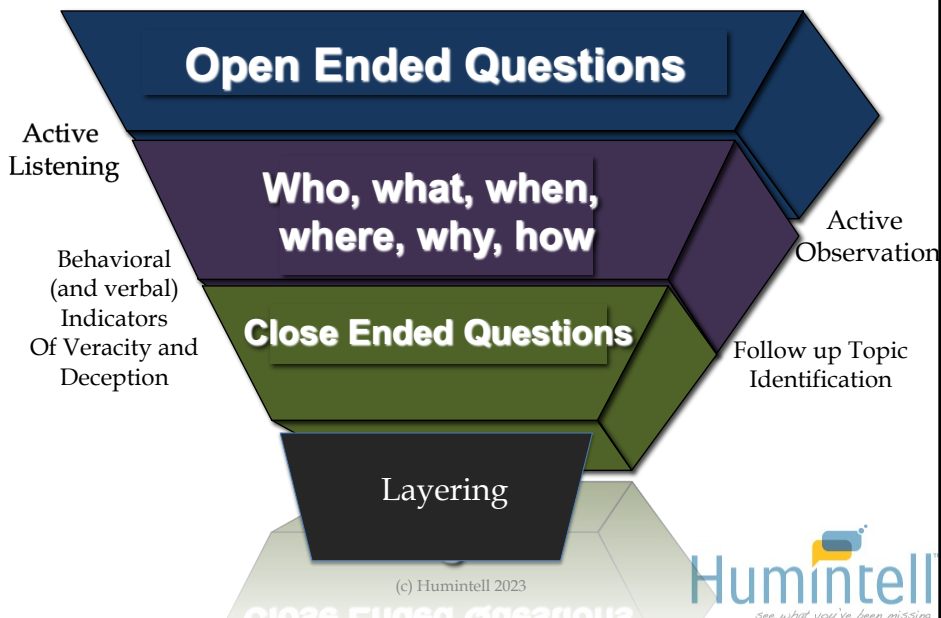# Tactical Interviewing using a Funnel

- Start with open-ended questions
- Observe (listen) for credibility indicators
- Observe (listen) for new details in target event (or lack of)
- Layer as necessary
- Repeat
- Increase cognitive load
  - Reverse order, sketches w narration, unexpected questions, directions for verifiable details, strategically use evidence, stack techniques
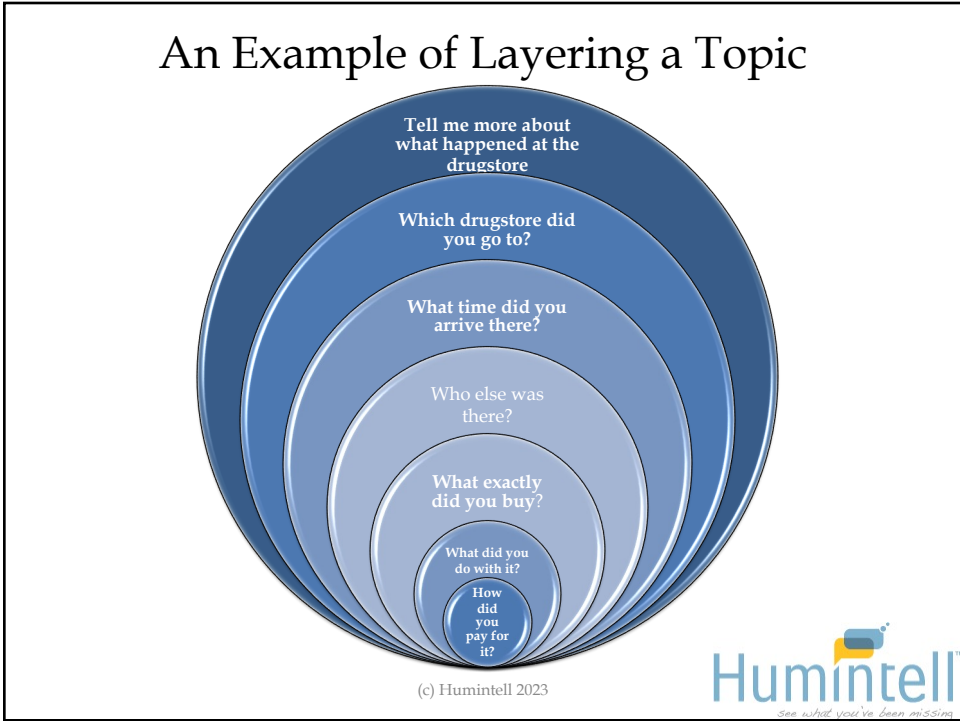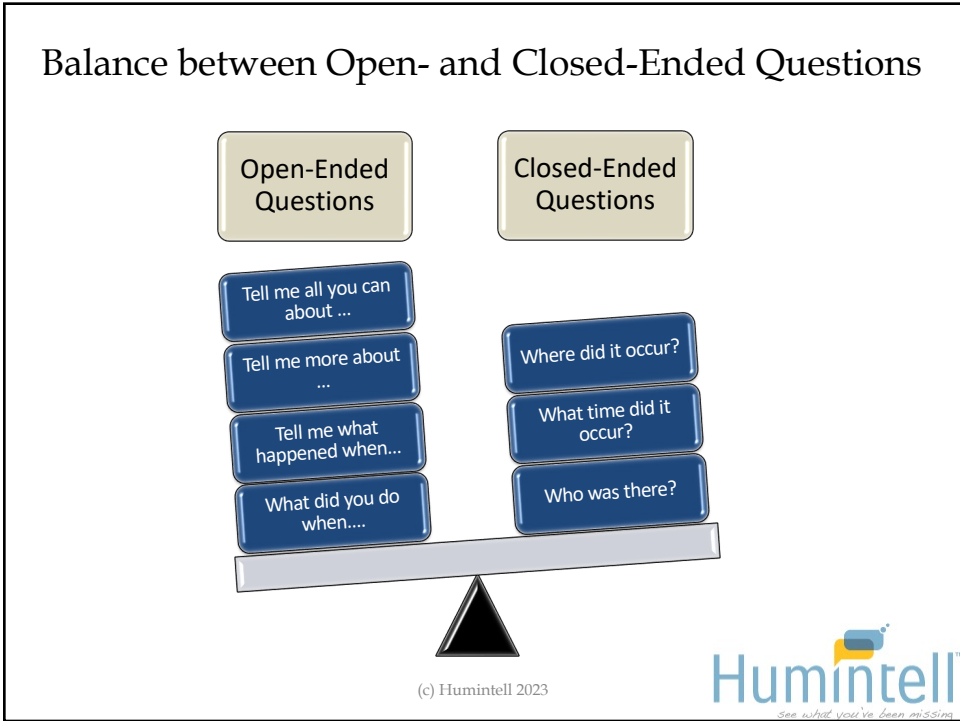
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The Funnel Approach to Questioning

Active Listening

Open Ended Questions

Who, what, when, where, why, how

Active Observation

Behavioral (and verbal) Indicators Of Veracity and Deception

Close Ended Questions

Follow up Topic Identification

Layering

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An Example of Layering a Topic

Tell me more about what happened at the drugstore

Which drugstore did you go to?

What time did you arrive there?

Who else was there?

What exactly did you buy?

What did you do with it?

How did you pay for it?

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Balance between Open- and Closed-Ended Questions

Open-Ended Questions

Closed-Ended Questions

Tell me all you can about …

Tell me more about …

Tell me what happened when…

What did you do when….

Where did it occur?

What time did it occur?

Who was there?

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Supplemental Tactics to Increase Cognitive Load

- Drawing/sketch w or wo narration
- Unexpected questions
- Directions for restatement for verifiable details
- Reverse chronological order
- Doll/Prop reenactment
- Write a statement
- Strategic use of evidence

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Indicator and Bait Qs

1. What do you think should happen to the person who XXXX and is caught lying about it?
2. Do you think that the person who XXXX and is caught lying about it should be allowed to get away with it?
3. Once we've completed our investigation, what do you think we will find about your involvement in XXXX?
4. We learned that there's a video camera at the scene of the crime. When we review the video, is there any reason that we will see you XXXX?
5. If we were to show the video to (PERSON IDENTIFIED EARLIER), how would this change their opinion of you?
6. If someone were to search you right now, is there any reason why they will find XXXX?
7. Would you be willing to take a polygraph exam to get this resolved?
8. Is there anything else you wish to tell me about what happened? And is everything you've told me the truth?

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Transition

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INTERROGATION CONSIDERATIONS

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Purposes of the Interrogation

- Interviewee has been determined to be lying in the interview phase
- Purpose of the interrogation
  - To get a confession of culpability
  - To get an admission of a fact pattern that implies guilt given other evidence

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Rough Procedures leveraging Behavioral Indicators

- Develop themes from the interview phase to use in the interrogation phase to aid interviewee in justifying their behavior
  - Through the analysis of verbal content and demeanor
- Use a theme to allow the interviewee to explain their behavior in their own words
- Be sure the theme cannot be used as a legal defense

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RPMs

Rationalization – distorting the true intention behind their crime.	• e.g., "I didn't mean to steal the money, I just wanted to borrow it."
Projections of blame - placing blame for their own actions onto someone or something else	• e.g., the victim, an accomplice, low salary, unfair treatment, intoxication.
Minimization – convincing themselves that what they did could have been much worse	• e.g., "I only took $50,000. If I were dishonest, I could have easily embezzled $100,000;" " there is no injury to the victim, e.g., "The company can afford the loss"; "The child was not physically injured."

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Other Themes and Issues

- Ego up
- You're the victim
- Principles of P&I ala Cialdini

- Be the savior/advocate

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De-Escalating Issues Downstream

- Underyling every issue, concern, position is a belief laden with emotion and value
- People are more likely to be willing to change positions on issues if they feel that their underlying emotion/beliefs are acknowledged
  - Also helps continue or repair rapport

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