

ADVANCED INTERVIEWING TECHNIQUES

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Second Edition

ADVANCED INTERVIEWING TECHNIQUES

Proven Strategies for Law Enforcement,
Military, and Security Personnel

By

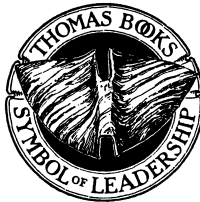
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PREFACE

The purpose of this book is to update the previous edition with the latest interviewing techniques. New techniques and discoveries in psychology and related fields require interviewers keep current with the latest interview and interrogation techniques.

As with the previous book, this edition was written with working professionals in mind and contains advanced interviewing techniques. Some basic topics emphasized in other interviewing books will not be addressed. This book was designed as a quick reference guide rather than a comprehensive manual. The enhanced outline format of the text and the extended table of contents provide for easy reference, reading, and comprehension.

Material for this manual derived from numerous sources including formal interviewing models and decades of social and psychological research as well as the authors' over fifty years of combined law enforcement experience. In many instances, this book provides names for techniques instinctively used by experienced investigators. Identifying and explaining interviewing techniques afford investigators with less experience the opportunity to use the same effective techniques as do their more experienced colleagues.

The marketplace is replete with interviewing books and manuals; however, quickly locating information buried in thick manuscripts is costly and time consuming. The style of this book is consistent with the manner in which law enforcement officers like to receive information: quickly, authoritatively, and to the point.

INTRODUCTION

Traditionally, obtaining information from others is divided into two categories, the interview and the interrogation. The interview, a more benign inquiry, gleans facts from witnesses and other people not directly related to the activity under investigation. The interrogation, a more intimidating process, extracts information from unwilling suspects. This two-paradigm approach suggests that the mindset of the investigator during an interview differs from the mindset of the investigator during an interrogation. Consequently, investigators adopt one persona during an interview and a more aggressive persona during an interrogation. Changing from the interview persona to the interrogation persona can be difficult, especially when interviewing witnesses who, for various reasons, offer resistance similar to suspects.

An alternative approach to the inquiry process places the interview on a resistance continuum. At one end of the continuum, interviewees offer information without resistance. At the other end, interviewees are reluctant to provide information or fall silent. This concept allows investigators to glide back and forth along the resistance continuum using a succession of specialized interviewing techniques to overcome varying degrees of resistance. Investigators need only focus on the appropriate selection of interviewing techniques to overcome resistance from witnesses and suspects alike. As the interviewee's resistance increases or decreases, the interviewer adjusts the intensity of the inquiry by selecting the suitable interviewing technique to overcome the interviewee's resistance.

Merely learning a variety of interviewing techniques, however, does not make a good interviewer. A good interviewer not only knows how to use interviewing techniques but can also identify the appropriate circumstances in which to use each technique. Using an interviewing technique at the wrong time can have a negative impact on the outcome of

an interview. Investigators must exercise appropriate caution when using any advanced interviewing techniques.

Good interviewers glean techniques from formal training, personal experience, and fellow investigators, and then assimilate those techniques into their own personalities. When interviewing techniques become part of an investigator's personality, the investigator can act naturally during an interview without the added pressure of maintaining a pretense.

No single interviewing method or technique provides a magic formula for success. The fact remains, investigators only become good interviewers by interviewing. Every interview, no matter how trivial, provides an opportunity to practice new interviewing techniques or to hone previously learned skills.

An interviewing technique that works for one investigator might not work for another investigator, and, of course, each interviewee is different. If a particular interviewing technique does not work the first time, the investigator should change one or more aspects of the technique or add a personal touch. If the technique still does not work, discard it no matter how effective other investigators judge the technique.

Whether investigators subscribe to the traditional interview/interrogation approach or to the resistance continuum, effective communication with a purpose remains at the core of the interviewing process. This book builds on interviewers' communication skills and expands their repertoire of interviewing techniques.

The first three chapters examine interview planning, the interview setting, and the use of interview props, the foundation for effective inquiry. The next four chapters, assessing the interviewee, establishing dominance, building rapport, and Miranda warnings focus on establishing effective communications under legal constraints. Chapters 8, 9, and 10 discuss deception and the verbal and nonverbal cues to detecting deception. Chapter 11 provides investigators with a variety of interviewing tools to overcome interviewee resistance. Chapter 12 demonstrates techniques to deal with angry people. Chapter 13 reviews techniques to break the interview impasse, a critical point in the inquiry. The final chapter focuses on the interview end game, an often overlooked component of the interview process.

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ADVANCED INTERVIEWING TECHNIQUES

Planning the Interview

Chapter

1

Planning is the most important aspect in the interview process; yet, it is the most overlooked. Interviewers typically do not plan for interviews because they are either too busy or, for various reasons, do not feel the need to plan. Interview preparation is neither difficult nor time-consuming once interviewers develop a mental checklist applicable to most routine interviews. Of course, more complex interviews require more in-depth thought and planning.

Selecting the Interviewer

Interviewers should read the case file, learn about the suspect, and then ask themselves two questions, “If I were the suspect, who would I want to interview me and why?” and “Am I the best person to do this interview?” If the investigation is important and you know you are not the right person to do the interview, select a more suitable interviewer. Be honest with yourself.

If two interviewers conduct an interview, both interviewers should plan to take the primary role in the event the initial interviewer and the interviewee experience a personality clash.

Number of Interviewers

One-on-one interviews create an environment with the highest probability of success. If a one-on-one interview is not possible, no more than two interviewers should conduct the interview. More than two interviewers raise the anxiety level of the interviewee and could inhibit the rapport-building process between the interviewee and the interviewer.

Multiple interviewers may be perceived as an audience giving the interviewee an opportunity to put on a performance to advance his or her personal or social agenda instead of answering questions. In some situations, the presence of multiple interviewers promote competition between the interviewers, which is nonproductive and detracts from the focus of the interview (Meloy & Mohandie, 2002).

Age of the Interviewer

The age of the interviewer should be considered. An older interviewer may provide a substitute father figure for an interviewee who was abandoned by his or her father during childhood. Fatherly or authoritarian feelings can be exploited during the interview (Meloy & Mohandie, 2002). An interviewer who is younger than the interviewee may be perceived by the interviewee as a person who can be manipulated due to inexperience or naiveté. A younger interviewer could also assume the role of a student or apprentice for an interviewee who views himself or herself as a teacher or mentor.

Gender of the Interviewer(s)

In most instances, the gender of the interviewer will not affect the outcome of the interview. However, under certain conditions, the gender of the interviewer may have a positive or negative impact on the interview. A female interviewer interviewing a male suspect may evoke emotions from the suspect that can be exploited depending on the personality and culture of the interviewee and the interview objectives. A female interviewer interviewing a Middle Eastern suspect may prove more difficult because Middle Eastern males often view women as having more traditional or domesticated roles (Nydell, 1996).

Interview Objectives

Take time before the interview to think. Establish clear, attainable objectives. Carefully define your objectives. Well-defined goals increase the probability of success because the interview will proceed with direction and purpose.

Confession

If the goal of the interview is a confession, review the appropriate statutes and memorize the legal elements necessary to prove the crime. A confession is less effective if the suspect does not confess to all the elements necessary to prove the criminal violation in a courtroom. Keep in mind that some suspects will not formally confess, but rather make a series of smaller admissions, which in concert constitute a full confession.

Lead Information

If the objective of the interview is to obtain information of lead value, identify the specific information needed and either solicit the information using a straightforward approach or develop strategies to elicit the information using more subtle techniques.

Informant Development

If the goal of the interview is to develop an informant, establishing rapport, the foundation for a long-term relationship, is the paramount objective. A slower, more measured approach is typically more effective in building a lasting relationship based on trust.

Gathering Intelligence

If the goal of the interview is to gather intelligence, then any information from the interviewee may be significant. The interviewer should keep the interviewee talking for as long as possible. The primary goal of an intelligence interview is to obtain as much information as possible. Interviewers should not restrict themselves to the elements of the crime but widen the scope of the interview to as many relevant topics as possible.

The Importance of Confessions

At trial, the mere presentation of a confession increases the rate of guilty verdicts. Confession evidence is more powerful than eyewitness identifications and character witnesses. In fact, “Confession evidence is so inherently prejudicial that people do not fully discount the information even when it is logically and legally appropriate to do so” (Kassin, 1997).