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Detective Victor Lauria, City of Novi Police Department, Detroit Michigan

My name is Victor Lauria and I am a detective with the City of Novi Police Department. Novi is a suburb of Detroit Michigan. I have been a police officer for over 16 years including 8 years as a detective. Shortly after I was promoted I attended the Basic Reid course. Because of this training my success rate, in identifying suspects and obtaining confessions, increased substantially. A few years later I attended the advanced course. The success that I, and other Novi Detectives, have enjoyed is based on the Reid course and their method of interview and interrogation. My department now sends every newly appointed detective to both the basic and advanced schools as part of the required training. It is impossible for me to express the importance and value of "The Reid Technique".

Case Facts; First Degree Felony Murder (Child Physical Abuse Resulting in Death)

On the morning of September 1, 2003 (Labor Day) Ann Marie Shawley (2 years old) was brought into a Providence Park Novi Hospital by her father and step mother. Ann Marie's body had numerous marks, burns, and bruises. Her body temperature was 84 degrees. She was put on life support and transfers to another hospital. The medical staff contacted the Novi Police Department.

Due to it being a holiday I was called in from home. Other detectives had already started the initial investigation. Detective Dennis Jelley interviewed the father and Frederick at the hospital. They both stated that when they put Ann Marie to bed last night she was fine. They found her this morning lying on the floor. According to Frederick, Ann Marie must have fallen off the couch.

When I arrived at the hospital I was advised by the medical staff the Ann Marie had suffered a massive brain injury as well as numerous burns and bruises. The doctors expected Ann Marie to die within the next 24 to 48 hours. When I viewed Ann Marie I noticed three separate burn patterns. There were what appeared to be cigarette burns on her chest, arm and bottom of her foot. She had fresh bruising on every part of her body and her forehead was bruised and swollen. After viewing the body I was absolutely convinced that these injuries could not be from an accident.

The decision was made to interview Nikole Michelle Frederick who was the primary caretaker of Ann Marie. She was asked to give a “formal statement” at police headquarters.

Frederick was transported to the Novi Police Department by Det. Jelley and I. The interview was videotaped. At the start of the interview Frederick was advised of her Miranda Rights even though they were not required by law. She waived her right to an attorney and agreed to answer our questions.

Behavioral Analysis Interview;

LAURIA: Sure. How would you rate yourself (as a mother)?

FREDERICK: Um, I think I’m, I’m pretty good. I mean I, I am a little bad with being stern and stricter you know, letting them get away with things.

LAURIA: How would you describe Ann Marie?

FREDERICK: She was a very hard baby. She would, uh, cry all the time. Always wanted to be held

(Periodically during the interview Frederick made several statements describing Ann Marie and trying to explain away her various injuries.)

“When she gets mad and she hurts, she bites herself and pulls her hair you know. She’s very stubborn.”

“I mean Annie just, I mean she always looks like she’s beaten. She’s always climbing or you know. I always can see a little bit of bruising and scrapes or whatever on her back. Her shins are always bruised.”

“She’s always got bruises up and down her legs. It’s nothing uncommon for her to look like she was fallen down you know.”

“.....she’s way beyond a normal little kid. I mean she’s like real clumsy, real you know.”

“And I know she whacked her head really good yesterday on the coffee table cause she was standing in her shoes and my son who’s one came up and was pulling on her and she lost her balance and fell back and hit right here (points to right back side of her head) on the coffee table, which, I’m sure, probably eventually became a lump. But the one right here (points to her right front forehead) I don’t know about. She did that somehow last night. But I mean they said that she had internal bleeding or something.”

“when I get her in and out of the van I would lift right here (points to lower part of upper left arm) by her arm instead of pulling right (points to left hand) here or going underneath because it hurt her. And I’d do that and after one weekend I looked at her and you could see my handprint (points to lower part of upper left arm) my fingers and I didn’t even do it that hard. So she marks up pretty easy.”

“She’s only two you know and she won’t know the difference between getting hit or getting spanked so. I just don’t know what happened. I just.”

LAURIA: What do you think happened?

FREDERICK: Well, not listening to the doctors (the doctors had explained to the family that the injuries were as a result of child abuse) and knowing her, I think she either fell off the couch or got up on her own because she does that. And I think she was standing on the vent, and I think she was standing on there until she fell asleep and fell over or just laid down you know. But that’s what I think happened. I mean like I said it I know she looks bad, well she looks really bad with the burns. I know she’s got bruises and stuff but she’s just she’s an over active kid you know. And then she tries to do what the older kids do and Rae Anna was saying she’s always climbing on the top bunk and then trying to climb down and kinda clumsy but that’s what I think happened. I think she either fell off the couch cause the carpeting is not very padded. I mean it will hurt if you fall. And I think she either fell off or got up and was standing on that vent until she fell asleep and fell over with it or, you know, hit her head from falling off the couch first. But something on that order, because I don’t know. They, they were saying something about internal injuries but I don’t know on that and you know I don’t know where or. But I mean she was always bumping into things and stuff. I don’t know.

LAURIA: If you knew that someone had hurt Ann Marie would you tell us?

FREDERICK: Oh yeah.

LAURIA: Even if it were John?

FREDERICK: Oh yeah, yeah. I had, um, when I had concerns, cause I like I said I’m normally the one that gives them their baths and dresses them, so I’m the one that really sees them

LAURIA: Do you suspect anybody doing this?

FREDERICK: No, I don’t. And that’s what I’m saying, and I, I’m having a hard time believing that it was inflicted on her because, like I said, we would have heard something too, you know. Um, no, I, I can’t see Brian doing it or, you know, I don’t see his girlfriend. I don’t know his girlfriend very well. But she doesn’t really know Annie and Linda so I can’t see her just, you know ,coming out there and whatever. And their

daughter is young so I'm sure she was sleeping all night long. But, no, I can't really, I can't see anybody doing it.

LAURIA: Out of all the people in the house that were there or came in last night, list all the people that you would vouch for that you would say absolutely would not do something to hurt Ann Marie.

FREDERICK: John. I want to say Brian too. I don't know his girlfriend, so I'm not gonna vouch for her but I find it very unlikely. Uh, but I don't, I honestly don't think that, I know John wouldn't do it. I honestly don't think that Brian would do it.

LAURIA: You know, anybody had any unusual responses to this incident or acted, reacted in a way where you thought god that's awful odd?

FREDERICK: No, no I haven't, I haven't really seen Brian. I just yelled for him to get up so he could watch the kids while we took Annie to the hospital, but I haven't seen him at all today. Like I said, I know John didn't do it. He would never do that anyways.

LAURIA: Who'd vouch for you?

FREDERICK: Um, probably John. But see like I don't, I don't necessarily, uh, believe what the doctor's saying and how they were inflicted, whatever

LAURIA: How do you feel about being interviewed?

FREDERICK: Uh, it doesn't really bother me, I, you know. It just bothers me that they, them, you know, aren't sure. I mean I can understand Rae (Ann Marie's Mother) because she doesn't know what to think. But it bothers me that they just kinda are like that. But this doesn't, you know, I really don't have a reason for it to you know, but.

LAURIA: What motive do you think would possess somebody to hurt a child this way?

FREDERICK: I, I don't know. I honestly don't really know. But like I said, I don't, I don't really think that someone did it. Although I really haven't seen her a lot, you know. But you look right at her and you can see the vent. I mean, you know, even RaeAnna when she was talking to John yesterday, he stopped at least three times to yell at her to get off the vent while he was talking to Rae. I don't see why somebody would make her lay on it, or you know. Especially something that she does all the time. But, if in fact someone did do it, I have no idea what could possess someone to do it, you know.

LAURIA: What do you think should happen to somebody who hurts a child like this?

FREDERICK: I don't know (laughs). The strongest punishment, whatever (laughs).

LAURIA: Do you think anybody who's involved in something like this would deserve a second chance, you know to explain themselves why something like this could possibly have happened?

FREDERICK: Uh, well, actually it, it would depend on, on what happened, and how it happened, you know. But then again, I really don't.

BAIT QUESTION;

LAURIA: There's a whole line of study in police work that can determine how injuries occur and how old the injuries are.

FREDERICK: (Inaudible) Come out that she did something. I don't even think we'll find out exactly what happened 'cause the only one that really knows is her and it's gonna be awfully hard trying to get her to say if anything happened, you know. I'm not trying to be rude or anything, I was just wondering how long this is going to take.

LAURIA: Well, like I said, one of the things we're able to do with those (bruises) is we can date bruises based upon you know whether they're new bruises just coming in, or whether they're bruises that are already starting to heal because, you know, doctors and forensic scientists and pathologists study those type of things. So they can tell you, yeah, that bruise is three or four days old, or no that bruise happened within the past twenty four hours. That type of stuff.

FREDERICK: Ok.

LAURIA: Can you think of any reason why they would determine that those injuries were caused in the last 24 hours and that somebody would suspect that you did this?

FREDERICK: Um, other than that I was there, no.

LAURIA: I know we've talked to you a great deal today, and I've talked to you quite a bit, is there anything you told me today that is less than one hundred percent the truth?

FREDERICK: (shakes head no) Uh, just my times (laughs) may be off. But, other than that, no.

THEME DEVELOPMENT

Fredericks did not have a criminal history. Throughout the interview she stated that she was responsible for taking care of Ann Marie even though she was not biologically hers. She also said that the night before the incident she had gotten less than 4 hours of sleep. The first theme that I used was that this was a situation that had gotten out of control rather than something that was premeditated. I developed this theme for about 20 minutes. Frederick rejected this theme and then she made a statement that she wanted to

know what I didn't believe about her "story". I then switched to a theme that involved Frederick losing control for a split second and hurting Ann Marie. I explained that Ann Marie's injuries were not the result of a fall. Frederick appeared to accept the theme. I continued to develop the theme by blaming the victim. I explained that Ann Marie was a stubborn, rambunctious child who probably wouldn't listen. Frederick then nodded her head in agreement. I continued to explain that without an explanation of what happened people would assume the worst. I explained that I was going to have forensic scientists match the injury to Ann Marie's forehead to an object in the residence. Frederick then admitted to pushing Ann Marie in the bathroom causing her to strike her head on the toilet. She continued to deny that she had burned or beaten Ann Marie. The interrogation continued for about another two hours. I introduced themes that blamed her husband for not taking a larger role in raising and caring for the children. She rejected this theme as well as the theme that she was a good person and just made a mistake. I then again explained that I was 100 percent confident that by the end of the investigation I was going to know and be able to prove exactly what happened. Frederick then stated that Ann Marie had also struck her head two or three times while Frederick was giving Ann Marie a shower. After approximately another _ hour, I concluded the interview and Frederick was arrested and placed in a cell.

ADDITIONAL INFORMATION

A search warrant was executed at the Father's home. The following items were seized: a clump of hair from the toilet, wands of duct tape that contained hair and blood in the bathroom waste basket, a roll of partially used duct tape, with a spot of blood, on the sink counter top. It was clear to the officers at the scene that Ann Marie head and probably her mouth had been wrapped with duct tape.

2ND INTERVIEW

On September 2, 2004 I re-interviewed Frederick. During this interview I asked if anyone had used duct tape recently. She explained that Ann Marie and other children were putting it around their wrists and over their mouths. I did not solicit any further information. A few minutes later Frederick asked me if I thought that she had "ducted taped" Ann Marie.

During this interview, she also admitted to lying about where she slept. She stated that she lied because she did not want her story to conflict with her husbands. We discussed the cigarette burns at great length. She explained that her one year old son Jonathon had probably burned Ann Marie accidentally.

Over two days of questioning Frederick never asked how Ann Marie was doing. Near the end of the interview I pointed this out to her. She tried to convince me that she had asked me several times about Ann Marie's injuries. She then asked me for an update in her condition. I told her that Ann Marie was brain dead and that she was probably not going to survive. Frederick stated "Oh my God. I'm gonna go for murder." I then spent about

another 45 minutes with various themes in an attempt to get further information. After several attempts at denying any further knowledge or involvement in causing the injuries to Ann Marie she admitted to shaking her. After admitting to shaking her, Frederick broke down and cried. She then repeated said "I killed that little girl. I killed that little girl."

On the evening of September 2, 2003 Ann Marie died as a result of her injuries.

Results;

On September 4, 2003 Nikole Michelle Frederick was charged with First Degree Felony Murder and an alternative count of First Degree Premeditated Murder. On March 1, 2004 Frederick's trial began in Oakland County Circuit Court. She was convicted on of First degree Felony Murder on March 16, 2004. She was sentenced to life in prison without the possibility of parole on March 30, 2004.

Editors Note;

Detective Lauria did an excellent job interviewing and interrogating this suspect. These are difficult cases to investigate and elicit confessions. One of the most difficult things to do is set your personal feelings aside and appear to be sympathetic and understanding to the suspect. This is particularly difficult to do when you have personally seen the victim and the terrible injuries that have been inflicted on such an innocent helpless child.

The suspect in this case illustrates how offenders try to explain away the injuries in physical abuse cases by describing the child as "clumsy", "accident prone", "unusually active", or "bruises easily". This suspect in this case repeatedly described the victim in this fashion. The suspect also set up a motive for her abusive behavior by describing the victim's as "stubborn", and "having a bad temper". This sets up the rationalization or theme suggesting that the child's poor behavior was the precipitator for her losing control and inflicting the injuries. Studies have shown that anger and stress are the most consistent precipitators to family violence. This also suggests that this was not a malicious act but rather an emotional over reaction to the situation. Detective Lauria took advantage of this information in his theme development by describing Ann Marie as a stubborn, rambunctious child who probably wouldn't listen. The suspect predictably nodded her head in agreement to these statements because that is exactly how she justified the abusive behavior.

The main goal in theme development is to try to see the offense through the eyes of the offender and tap into pre-existing sets of rationalizations and justifications for the criminal behavior. Most suspects will reveal their rationalizations and how they are shifting the blame during the interview if the interviewer asks the right questions. In this case the right questions were asked and the proper themes were developed to achieve a successful outcome.