

A Look at Successful Interrogators: Their Attributes, Attitudes, and Tactics

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Preface

Throughout this research I have made a conscious effort to set aside all prejudgements, and bracket my experiences, relying on my intuition and imagination to try to accurately obtain a clear picture of the experience from the perspective of the study participants. In an effort to put this research into perspective, I felt it was important for me to give a brief explanation of my professional background. Although I am not inexperienced in conducting interrogations, I made a conscious effort not to impart my opinions or experiences while conducting the interviews of the respondents.

I am a thirteen year member of the Illinois State Police. I hold the rank of sergeant and I am currently assigned to an investigative unit operating in the northern third of Illinois. I have been in this position for nearly three years. Prior to my current assignment, I have been fortunate to have been assigned to a number of different units within the state police. Those units included the tactical response team, patrol duties in and around the City of Chicago, and the fugitive apprehension team.

The Illinois State Police trains all of its personnel in interview and interrogation tactics and I was no exception. Beginning in the state police

academy, I was instructed in basic interview and interrogation techniques. In 1992, during my first investigative assignment, I was trained in basic and advanced interview and interrogation tactics. It was also at this time I attended training in the basic course of “The Reid Technique” of interview and interrogation, by John E. Reid and Associates. John E. Reid and Associates specializes in investigative expertise and law enforcement and security personnel training in interview and interrogation techniques as well as other investigative tactics. “The Reid Technique” includes a non-accusatory interview prior to an interrogation then a nine step process for conducting an interrogation. A few years later I attended both the basic and advanced courses of instruction in “The Reid Technique.”

Since my days in the academy I have been fascinated and intrigued by the interrogation process. I began reading all I could on the topic. Early on, I noticed certain police officers were much more successful than others when it came to interrogations and obtaining confessions. Those officers seemed to be able to get criminals to talk about what they had done.

In my career, one of the finest interrogators I have met was Master Sergeant Lawrence Lindenman of the Illinois State Police. Larry seemed to possess an incredible ability to quickly analyze behavior and interpret what was

truly being communicated by a suspect. But as Larry said, he had the “Holy Grail” of interrogation. He had a system he followed very closely. That was the Reid technique. I have been fortunate thus far in my career to have been successful in the interrogation room. But I am no where near Larry’s level. But, that is what drove me to undertake this research. Selfishly, I wanted to know how I could improve. But, it grew into an effort to see how others were successful and to try to provide some insight into the interrogation process. It was not my intention in conducting this inquiry to create a commercial for the Reid technique. However, as you read this you will learn, as I did, there are significant benefits to law enforcement officers being trained in interrogation tactics. Hopefully, some of the insight I was able to provide will be of benefit to the law enforcement community and help to put more criminals behind bars.

Abstract

This research was designed to examine police officers, specifically detectives working in and around the Chicago metropolitan area, who were identified as successful interrogators by their supervisors or their peers. The inquiry used a phenomenological approach to gain insight into the attitudes, attributes, and tactics of the interrogators. The information presented is based on a qualitative study of ten respondents identified as consistently successful interrogators.

A major part of the data collection was accomplished through in-depth interviews. Using my contacts as a law enforcement officer, I gathered relevant intelligence information, which accomplished this. The information gathered from interviews employed methods of secondary data analysis. My experience in methods and tactics of interviewing and the use of member checks increased the internal validity and reliability of this study. Document analysis became an additional form of data collection.

Three specific steps were utilized in coding the interviews. Open, axial and selective coding. Through the use of analytical induction and constant comparison, categories and accompanying themes associated with the phenomena emerged. In addition, conceptual memos were developed and aided in the process of data analysis and reduction. Data were presented in narrative form offering a thick, rich description of the inquiry and quotations were used to illustrate and enhance the interpretation of the data.

The results suggested successful interrogators had significant law enforcement experience. They had significant investigative experience, as well. The respondents in the research who had formal interrogation training had significantly higher interrogation success rates than those who were untrained. Successful interrogators analyzed suspect's behavior, they increased the suspects comfort level as well as increasing the pressure on the suspect t various times and through various means. The interrogators in this study also rewarded desired responses and behavior, they used complex interrogation theories, and most had a second officer in the interrogation room. Finally, the interrogators rehearsed the interrogation before beginning, practiced interrogation tactics, prepared for the interrogation, controlled the interrogation setting, and did not predetermine the

length or set time limits on the interrogation. In essence, successful interrogators followed closely what was set forth in the current literature. Near the end of this research, a discussion of the implications for further research and recommendations is provided.

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Chapter 1

Introduction

Overview

In popular television programs criminal interrogations are highlighted in nearly every show. The actors and writers of these shows portray criminal interrogations as simple, short exchanges typically involving one actor as the “good cop,” or the one sympathetic to the suspect and one officer as the “bad cop,” or the one putting pressure on the suspect. Typically, the confession is obtained and the suspect is brought to justice. But is that how criminal interrogations really work? Are they that simple, and if they are, why has not every criminal interrogation resulted in a confession from every offender held in police custody? Criminal interrogation is a highly organized and complicated

process involving the interaction between the officer and the suspect, including the use of many different tactics and techniques designed to elicit confessions.

Purpose

In this study I will try to understand and describe the characteristics, attributes, attitudes, and tactics of successful criminal interrogators. I hope to determine if successful interrogators actually follow what is set forth in the literature. I expect to find most successful interrogators subscribe to what is set forth in the literature, however, I believe a number of successful interrogators are merely able to get by through their communication skills and their ability to get along well with all types of people. This is a phenomenological study; I hope to learn from those who are experienced, successful interrogators what it is that they do before, during, and after criminal interrogations to elicit confessions from suspects. At this stage in the research, the criminal interrogator will be generally defined as one who uses legal and ethical tactics to obtain confessions from individuals arrested for crimes classified as felonies. Felony crimes are generally defined as offenses that are punishable by a minimum of one year or more in prison.

Significance

Often, the only hope in solving a crime will come from obtaining a confession from a suspect. Therefore, the confession is crucial. Without a confession, there may be no further progress in a criminal case. Even when other significant evidence exists, a conviction of a criminal suspect can be in serious jeopardy without a confession. The use of physical force, threats of physical harm, promises of leniency and confessions obtained without Miranda warnings are some of the tactics that cannot be used to obtain confessions. Interrogators who choose to use such tactics not only negates a confession, but jeopardizes the entire evidentiary case and leaves themselves and their departments open to criminal and civil sanctions.

In the literature on obtaining confessions, there are numerous items addressing tactics and techniques. But beyond tactics and techniques, what else can interrogators do? I hope this research can fill the gap between the current research and literature. I hope to learn such things as their average level of education, their longevity in law enforcement, what preparations they make, and what other strategies successful interrogators utilize to accomplish their task. I also hope to learn the essence of the experience of consistently conducting successful interrogations. By obtaining this information, this research could help

to identify necessary skills investigators need to develop to increase the likelihood of obtaining a confession.

Focus

The focus of this research is to attempt to understand and identify the strategies and techniques of successful interrogators. As Vessel (1998) wrote, there are a number of steps officers can take to increase their chances of conducting successful interrogations:

These include preparing for the interrogation by selecting the right setting and learning about the background of suspects, understanding the difference between interrogations and interviews, developing themes and arguments to encourage subjects to tell the truth, and establishing a good relationship with subjects. (p. 1)

Chapter 2

Literature Review

Review of Databases Searched

Databases within, as well as databases outside, the law enforcement community were searched for literature pertaining to this study. Because there was very little information in the literature discussing successful interrogators, information was developed on the topic of interrogations themselves. The databases searched included law enforcement publications from the *FBI Law Enforcement Bulletin*, the *Canadian Journal of Criminal Justice*, the *Journal of*

Criminal Law and Criminology, the *Michigan Law Review*, and the *British Journal of Criminology*. Psychology and sociology scholarly publications such as the *Journal of Personality and Social Psychology*, *Social Research*, and *American Psychologist* were also included. In addition, publications from private industry, such as *Security Management* and *Across the Board* were also reviewed. Several books were also identified as invaluable including the classic work *Criminal Interrogation and Confessions* (Inbau, Reid, and Buckley, 1986) and *Practical Aspects of Interview and Interrogation* (Zulawski and Wicklander, 2002).

Publications were selected based on information that pertained to interrogations. That information was then combined and compared to acquire information pertinent to successful interrogators.

Introduction / Overview of the Interrogation Process

The complicated process of criminal interrogation is frequently misunderstood. The role of media has blurred the dynamics of what actually takes place in the interrogation room. As Inbau, et al. (1986) stated in their classic work *Criminal Interrogation and Confessions*:

There is a gross misconception, generated and perpetuated by fiction writers, movies, and TV, that if criminal investigators

carefully examine a crime scene, they will almost always find a clue that will lead them to the offender; and that, furthermore, once the criminal is located, he will readily confess or otherwise reveal guilt, as by attempting to escape. This, however, is pure fiction. As a matter of fact, the art and science of criminal investigation have not developed to a point where the search for and the examination of physical evidence will always, or even in most cases, reveal a clue to the identity of the perpetrator or provide the necessary legal proof of guilt. In criminal investigations, even the most efficient type, there are many, many instances where physical clues are entirely absent, and the only approach to a possible solution of the crime is the interrogation of the criminal suspect himself. (p. xiii)

Merrill (1995) reiterated this point. In old movies and on television, determined detectives put criminal suspects under a single, glaring light bulb. They asked questions such as, 'Where were you on the night of February 14?' Even the toughest criminals break down under the pressure of this brutal exchange. In reality, interrogations are rarely that simple. Modern law enforcement officers must rely on experience and finesse to gain information. "The most delicate

interviews . . . are those in which an agent attempts to get a suspect to confess” (Wilson, 1978, p. 37). Indeed, this seems to be the same attitude shared by those that provide training to law enforcement personnel. There are many topics taught in law enforcement academies and criminal justice training centers throughout the United States. However, one of the most critical topics that consistently gets little or no attention are the techniques of interview and interrogation”(Walters, 1996).

The history of the interrogation process is also complicated. There are many different styles and derivations of the interrogative process. Interrogation during war has taken the route of torture and murder to elicit information. Presently, there are a number of nations who still use this method to obtain information. The use of drugs is also a method used by some to obtain information (Zulawski and Wicklander, 2002).

Even those experienced in the criminal justice system have difficulty understanding the complex nature of the interrogation process, “Many judges have no comprehension of the extent to which an interrogator must rely on psychologically sophisticated interrogation techniques to elicit a confession, and the ability of both innocent and guilty suspects to resist these techniques without

confessing is not understood”(Jayne and Buckley, 1992, p. 64).

An interrogation can be defined as a meeting between an investigator and a criminal suspect in which the investigator attempts to obtain information the suspect is unwilling to provide. The process of getting someone to provide information they do not want to provide is extremely difficult. Indeed, the act of confessing to a crime requires that one act against their own self interest (Jayne and Buckley, 1992). The successful interrogator uses the psychological process of the criminal in deflecting guilt about the crime that was committed to their advantage. In committing a crime, the offender rationalizes, minimizes, or justifies the crime in some way so they can internally tolerate their criminal behavior (Jayne and Buckley, 1992). The interrogator then uses what the subject has internalized and reinforces it. The interrogator persuades the subject that it is to the subject’s benefit to cooperate with the interrogation process. However, effective interrogation techniques are often counterproductive to healthy psychological adjustment because the investigator fuels the suspect’s rationalizations for committing the offense (Jayne and Buckley, 1992).

The techniques that are used, however, are not for the benefit of the criminal suspect. The techniques of successful interrogation allow the suspect to

use the same psychological processes in deflecting guilt after committing a crime during the interrogation. The processes of both the internal psychological coping mechanisms and the interrogation allow the subject to maintain dignity while providing self-centered justification for committing the crime and providing information to the interrogator (Walters, 1998).

The way a confession develops “is psychologically accomplished through two basic processes - reducing the suspect’s resistance to confess and increasing his or her desire to tell the truth. This is true whether a confession is to a priest, a friend, or a police officer”(Jayne and Buckley, 1992, p. 68).

In addition to the complicated nature of interrogations, there are other factors at play as well. Psychologically, if an interrogation is to be obtained at all, it must be based on a methodical interview, the length of which may extend to several hours, depending upon certain factors, such as the nature of the offense and the personality of the suspect (Inbau, et al., 1986). While most people view interrogations as relatively simple exchanges between the police and criminals, those who conduct or attempt to conduct interrogations realize it is a much more complicated process which relies on the experience and preparation of the interrogator, the ability to make a connection or establish rapport with the subject,

the setting of the interrogation room, the privacy afforded the interrogator and the subject, and the attitude and attributes of the interrogator themselves (Inbau, et al., 1986; Jayne and Buckley, 1992; Vessel, 1998).

In fact, there are a number of tactics successful interrogators use to elicit confessions. These tactics include preparing for the interrogation by selecting the proper setting, learning about the background of the suspect, understanding the difference between interviews and interrogations, developing persuasive themes and arguments to encourage a suspect to tell the truth and establishing rapport with the subject (Vessel, 1998). There are also reasons interrogators do not elicit confessions. “Some reasons are foreseeable; some are not. However, interrogators can increase their success rates by eliminating or minimizing identifiable causes of failure”(Vessel, 1998, p. 1).

The Necessity and Importance of an Interrogation

Self preservation is a very strong instinct. To convince someone to provide information which they have previously convinced themselves is against their best interest plays a large role in the interrogation process. Thus, the interrogation is vitally important to the investigative process. “The interrogation

of criminal suspects is essential to the investigation process, and in a large percentage of solved cases, a confession played a vital part” (Jayne and Buckley, 1992, p. 64).

The overall goal of a criminal interrogation is to obtain information. However, very few suspects leave the interrogation room after quickly offering a full confession to their crime (Magid, 2001). Interrogators must normally make extensive efforts to get a subject to confess. They must convince a suspect that it will be best for their personal situation to explain what occurred. However, “in reality, making an un-counseled confession to an officer is rarely in a suspect’s best interest” (Magid, 2001, p. 1178).

The importance of obtaining a confession cannot be overstated. Many criminal cases are only able to be resolved through the confession of a criminal suspect. Most cases, even when investigated by the finest police departments, are able to be solved only by an admission or confession from the suspect or upon the basis of information obtained from other criminal suspects (Inbau, et al., 1986). In another comprehensive work, Zulawski and Wicklander (2002) stated, “If one examines criminal cases at random, it is clear that most cases are resolved by confession, not forensic evidence.” (p. 4)

In fact, interrogations are necessary simply because criminals are unlikely to admit their wrongdoing. “A gross misconception prevails that a person who commits a criminal offense will, in most instances, readily admit it or confess after only a brief period of questioning”(Jayne and Buckley, 1992, p. 64). “If the only permissible tactic allowed during an interrogation were to ask the suspect to tell the truth about what he or she did, certainly no innocent suspect would confess, but neither would a guilty suspect” (p. 67).

However, as necessary as interrogations are, they are often highly time consumptive. Confessions are not normally obtained quickly when psychologically effective, ethical, non-endangering techniques are used. Several hours may be reasonably expected to eliminate innocent suspects or implicate the guilty (Jayne and Buckley, 1992).

Truly, the outcome of many investigations can be directly related to the ability of the investigator to elicit a confession.

The success of the investigator is directly related to his ability to conduct effective interviews and interrogations. In 1975, the Rand Corporation concluded through research that the single most important factor directly affecting the outcome of any investigation

was the quality of information obtained from the witness or victim of the event. It is reasonable, therefore, to also believe that the proper interview and interrogation of possible suspects has an equal, if not greater, effect on the success of an investigation (Walters, 1996, p. 1).

Entire cases, all the work that has preceded the interrogation, will be for naught in many instances if a confession or admission is not obtained.

A successful interrogation is obtained when a guilty or involved criminal suspect makes a confession or admission to participating in illegal activity (Vessel, 1998). Furthermore, the interrogation of a criminal suspect has three primary objectives: to ascertain whether the suspect is or is not the offender; to eliminate innocent suspects by eliciting evidence, information, or behavior symptoms which indicate they are innocent; and to obtain a confession from the guilty suspect or information about other offenders (Jayne and Buckley, 1992).

The need for interrogations is further emphasized by Williams (2000) when he referred to interrogation as “a crucial dimension of daily police operations” (p. 210) and described the interaction between the police and the criminal suspect as “instrumental in arousing and substantiating initial police

suspicions” (p. 212). Williams (2000) also pointed out that the law enforcement community is united in its pursuit of the need for the ability to interrogate suspects. A defining characteristic of the contemporary police interrogation is its near universal endorsement by the law enforcement community as a necessary tool of an effective investigation. The most typical rationale for interrogation revolves around its role in eliciting confessions, obtaining inculpatory evidence, and generating information regarding other crimes.

“Specifically, interrogative practices must be viewed as natural extensions of the police activities of case construction and legitimation”(Williams, 2000, p. 214). Thus, the role that interrogation plays in the investigative process is crucial. The criminal interrogation provides the opportunity to confirm previous suspicions regarding a case and actively incorporate the suspect in the crime report with the elicitation of confirmative statements. The interrogation then, emerges as a sense-making tool by which the circumstances of cases are applied to the known information of the crime (William, 2000). Magid (2001) went further:

Some cases can be successfully prosecuted only with a confession from the defendant. The state has an extremely high burden of

proof. Without a statement from the defendant, the physical evidence and testimony from witnesses are sometimes insufficient to obtain a conviction. In other cases, there is little physical evidence, the defendant conceals his face, or there are no witnesses. Some of the most heinous crimes, such as child abuse, may involve no physical evidence and no witnesses, other than the child who may be incompetent to testify due to age. Obviously, the more clever and sophisticated the criminal is, the less likely he is to carelessly leave behind physical evidence or witnesses.

Confessions will sometimes offer the only hope of convicting the guilty. (p. 1178)

Even if a confession is not essential to a case, it may still be valuable for a number of reasons. Obtaining a confession allows the conservation of critical resources throughout the criminal justice system. Second, confessions greatly reduce the likelihood that suspicion will fall on an innocent person. If a confession is not obtained from the true offender, there is a chance that an innocent person may be investigated, arrested, and falsely convicted. Third, a confession allows the prosecution to negotiate a suitable plea agreement. In fact, a

confession may so strengthen the criminal case that a plea bargain to a lesser offense is avoided. Confessions and what follow in the judicial process free the courts to attend to other cases, lessen the trauma to the victim, and conserve vital judicial and prosecutorial resources that would be consumed at trial (Magid, 2001).

There is a need to train interrogators in tactics designed to increase the numbers of successful interrogations. The formal training of interrogators needs to go beyond the handing down of techniques from one generation of investigator to the next. Walters (1996) noticed the problem when he informally looked at successful interrogators. Many of the interviewers he observed were mature and highly skilled. However, when he inquired how they obtained their skill, they were unable to provide any insight as to why they employed certain tactics or why one technique was used instead of another. Inbau (1999) stated there needs to be:

the establishment of police practices whereby the responsibility for interrogating suspects and witnesses is assigned to police personnel who are specially selected and trained for that purpose.

In order to conduct effective interrogations within a reasonably and

legally permissible period of time, the task of interrogation must be the responsibility of a trained specialist, and not the chore of any officer who happens to be assigned to the case, for the qualifications of an interrogator are vastly different from those which may mark an excellent general investigator. (p. 215)

Interrogation is crucial to criminal investigations. Jayne and Buckley (1992), sighted law professor, Joseph D. Grano: “The professional interrogator, with his anxiety-inducing tactics, is employed precisely because the inherent pressures of custodial interrogation usually are insufficient by themselves to produce the desired confession” (p. 65). The mere presence of a criminal in an interrogation room is rarely going to be enough to elicit information relevant to the resolution of the case. Therefore, the interrogation must be conducted in privacy and for a reasonable length of time. Police must also use psychological tactics and techniques that may be viewed as unethical if we were to look at them in terms of normal social behavior (Inbau, et al., 1986). Such tactics or techniques as minimizing the seriousness of a crime or blaming the victim for causing the crime. Although the tactics used may not be appropriate in dealing with most citizens, when interacting with criminal suspects, and with criminal suspects who may

actually be innocent, less refined methods must be employed than are considered appropriate for everyday affairs (Inbau, et al., 1986).

However, those who seem to be the most successful interrogators: are those men and women who have learned to observe and interpret human communication behaviors, are introspective enough to know themselves, have developed a broad-based understanding of other personalities, and have developed the skill to play 'the game' in the interview room and temporarily play the role of any other personality. They are always the ones who second guess themselves and critically review their own performance long after the interview is over. Their curiosity about such matters is never fully satisfied. They are what I call 'students of human behavior'(Walters, 1996, p. 3).

The combined art and science of interrogation is learned, but not from a single lesson, class, textbook, or experience. It is a skill that is practiced and polished over time. The successful interrogator realizes the learning process never ends. The successful and professional interrogator is committed to observing and evaluating human behavior. To be successful, the investigator must study the

interrogation process, practice his skills, and use his knowledge in the pursuit of truth (Walters, 1996).

Major Themes of the Literature

Throughout the literature several major themes emerged which formed the nexus for obtaining confessions. These themes included preparing for the interrogation, obtaining general background information and specific information regarding the case, distinguishing between interviews and interrogations, developing themes and arguments to use during the interrogation, establishing an interrogation plan, allowing enough time for an interrogation, proper training of interrogators, conducting the interrogation in privacy, preparing the interrogation setting, establishing rapport with the subject, and the proper attitude and conduct of the interrogator.

Preparation.

Zulawski and Wicklander (2002) stated succinctly, “Two minutes of preparation can save hours of interrogation” (p. 4). The preparations an investigator makes prior to the interrogation of a criminal suspect loomed as a major theme in eliciting a confession from a criminal suspect. There were several areas that were addressed. They included, the background of the suspect, victim,

and the crime itself; the known facts regarding the case; the ability of the investigator to distinguish between an interview and an interrogation; the development of themes and arguments to present to the suspect prior to entering into an interrogation; the establishment of a plan for the interrogation; allowing enough time during an interrogation; and finally, the training of interrogators. Proper preparation of an interrogation is essential for a successful conclusion (Zulawski and Wicklander, 2002).

General background information.

Before the interrogation, the investigator must become thoroughly familiar with the facts of the entire case (Inbau, 1986). Indeed, fundamental preparation requires thorough interviewing of all victims, the analysis of all related documents, information developed on all aspects of the crime and a thorough review of the suspect's background (O'Neal, 2001). In addition, prior to an interrogation, the investigators must conduct a complete analysis of the crime and the crime scene (Merrill, 1995). The investigator needs all information available on the suspect and on the victim as well. Investigators equipped with such information are in a much better position to ask the kinds of questions necessary for an effective interrogation (Inbau, et al., 1986).

If the investigator fails to prepare in this effort, the interrogator may become misguided by a:

preconceived theory, or by an erroneous piece of information procured during the course of the investigation, the use of such information may place the interrogator at a considerable disadvantage because the suspect who is guilty and realizes the inaccuracy of the interrogator's information will be more confident about lying; if the suspect is innocent, he will feel insecure because of a lack of confidence in the interrogator (Inbau, et al., 1986, p. 34).

Preparation emerges as an important factor in conducting a successful interrogation. Far too often, an unplanned approach leads to a failure in the interrogation process. When preparing for an interrogation, consider such factors as the setting and environmental considerations, the investigator's knowledge of case facts and familiarity with suspect's backgrounds, and proper methods of documenting confessions (Vessel, 1998).

Case facts.

Another important factor in preparing for the interrogation and a

contributor to increasing the likelihood of successfully obtaining a confession is the knowledge of the facts of the case and the elements of the crime being investigated. Knowledge and understanding of case facts are critical to any interview or interrogation, however some facts prove much more important than others. Information of how a crime occurred can be an effective tool of persuasion (Vessel, 1998). In addition, the elements necessary to prove the crime in question must be carefully reviewed by the investigator (Zulawski and Wicklander, 2002).

Distinguishing between interviews and interrogations.

It is important that the investigator be able to set apart and understand the differences between interviews and interrogations. Before conducting an interrogation an investigator should conduct a comprehensive interview with the suspect to gain insight into the suspects' background, thoughts, and feelings. "Experienced investigators know that by nature, everyone uses an often-unconscious mental process to justify their behavior or cope with personal problems"(Napier and Adams, 1998, p. 11). The interview allows the investigator to obtain information on the internal mental process of the offender and often provides valuable information for use by the investigator during the interrogation. In addition, the interview which is conducted in a more friendly,

less aggressive manner allows investigators to physically observe the suspects behavior patterns. Through this non-threatening initial interview, interrogators are able to identify nonverbal and verbal behavior of the suspect, build rapport and find a common understanding with them, determine if they actually should be interrogated, and possibly obtain additional case facts (Vessel, 1998).

It is through this non-confrontational interview process that suspects often let their guard down and unknowingly provide the interrogator with information. This is also the preliminary stage in which the interrogator, if unknown to the suspect, begins to establish rapport with the suspect. As Napiers and Adams (1998) point out, suspects “give clues when investigators ask them about their backgrounds, attitudes, beliefs, and values during the initial interview.” (p. 11)

Interrogators must make a distinction between the two processes of interviewing and interrogation. An interview should always precede every interrogation. During the interview, investigators can learn about the suspect, their needs, fears, concerns, and attitudes. This information can be used to develop themes and arguments during the interrogation process (Vessel, 1998).

Developing themes and arguments.

An important component of the preparation for an interrogation is the development of themes and arguments for use during the interrogation. These themes and arguments should encompass information about the suspects and their personalities, the nature of the crime, and information about the victim. The themes and arguments are used during the interrogation, not as responses to the suspect, but rather as part of a dialogue used by the interrogator in which a number of rationales are presented to the suspect offering explanations for why the crime may have been committed. The rationales are not legal explanations but more often emotional explanations that allow the suspect to justify their actions in their own mind while maintaining dignity in admitting to the crime. In fact, a lack of arguments and themes developed by the interrogator to persuade suspects emerges as a major cause of interrogation failures (Vessel, 1998). Many themes and arguments may be used in a variety of ways. “These concepts include minimizing the crime, blaming the victim, decreasing the shamefulness of the act, increasing guilt feelings, and appealing to the subject’s hope for a better outcome” (Vessel, 1998, p. 3).

This is where properly conducting an interview and the development of themes and arguments are intertwined. During the interview the suspect may

offer a theme or argument for the interrogator to use. Themes that are offered by the suspect during the interview are often themes that are most successful in eliciting a confession. As Vessel (1998) wrote:

Conducting good interviews before the interrogations and noting the subject's key responses allow investigators to convert these answers into persuasive themes and arguments in interrogations. Knowing what is important to the subjects gives interrogators plenty of topics to convert into themes, which helps combat their greatest problem - running out of things to talk about during interrogations. (p. 3)

Establishing an interrogation plan.

Another important aspect of preparing for an interrogation is the establishment of a plan. Preparing for and anticipating a suspect's reaction to an accusation and planning for it as a pre-interrogation strategy allows the interrogator to obtain a confession from suspects who would not ordinarily confess (Zulawski and Wicklander, 2002). A plan provides interrogators with a basic road map leading to obtaining confessions which leads to successfully resolving criminal cases (Vessel, 1998).

Allowing enough time.

Too often it seems investigators give suspects only a very brief period of time in which to confess. It may be because the investigator is rushed because of a heavy case load or simply because the investigator believes there is enough evidence to make an arrest. Investigators must realize they have a responsibility to ensure the prosecution of a criminal offender, and they should not be satisfied with what has accumulated as a case. Whether or not an investigator believes there is sufficient evidence against a suspect to prosecute, the proper amount of time to elicit a confession must be allotted. Successful interrogations, of necessity, require ample time to complete. Statements amounting to admissions or even confessions may come quickly, but the vast majority do not (Vessel, 1998).

“Generally, the chances of obtaining a confession increase 25 percent for every hour (up to 4 hours) of interrogation. Stopping after 30 minutes or an hour of interrogation dooms investigators to a 75 percent interrogation failure rate” (Vessel, 1998, p. 4). When an entire case may balance on an interrogation, a 75 percent failure rate should not be tolerated in any situation. Those who understand the inner workings of interrogations usually plan to conduct them for

as long as necessary, not as quickly as possible.

Training.

Training of interrogators is a fundamental form of preparation for the criminal interrogation. Even basic interrogation training greatly enhances the probability of gaining a confession. Some members of the law enforcement community view formal interview and interrogation instruction as a vital training experience. Many skilled interrogators have said they would not have obtained confessions in many of their investigations without such invaluable training (Vessel, 1998). The combination of formal interrogation training, information gleaned from experienced, successful interrogators and a few years of on-the-job experience, and investigators will have the ability to consistently obtain confessions.

Privacy.

Since investigators generally have the opportunity to prepare both the time and the location of the interview or interrogation they should do so with privacy being paramount (Zulawski and Wicklander, 2002). “The principle psychological factor contributing to a successful interrogation is privacy - being alone with the person under interrogation. Interrogators seem instinctively to

realize in their own private or social affairs, but they generally overlook or ignore their importance in criminal interrogations” (Inbau, et al., 1986, p. 24) In fact, investigators generally overlook the fact that a suspect or witness is much more likely to provide valuable information in private rather than in the presence of others (Inbau, et al., 1986).

In addition to privacy, part of the interrogation process is keeping the suspect off balance. An interrogation should not be conducted in a location comfortable to the suspect. In fact, nearly everything about the interrogation should be controlled by the investigator. Successful interrogations require interrogators to maintain control over the topics of discussion and the physical setting of the interrogation. An interrogation or interview should not be conducted unless the environment is controlled and privacy is established (Vessel, 1998). Even if the investigator is merely conducting a street interview, he should establish an area of privacy in which they can communicate (Zulawski and Wicklander, 2002).

The interrogation room.

The interrogation room is directly related to the issue of privacy in the interrogation process. The investigator must establish privacy. A designated

room should be set aside for the express purpose of interrogation. The room itself should be quiet, without indications the suspect is among the police and without distractions within view. The room should be somewhat insulated from sound and should also be in a location where others will not have reason to enter or pass through (Inbau, et al., 1986).

The interrogation room should also have a minimal amount of furniture as well as other distractions. There should only be two chairs, one for the interrogator and one for the subject. The chairs for the interrogator and suspect should be approximately 4 to 5 feet apart, and they should directly face each other, without any furniture or other object between them (Inbau, et al., 1986). A desk should be present to write on but not between the interrogator and the subject. This allows the interrogator to control proxemics, observe all body language, and maintain overall control of the interrogation. In addition, there should not be a telephone in the room. Interruptions by a ringing telephone or its' use is a major distraction (Inbau, et al., 1986).

The ideal setting, according to Vessel (1998):

is a small, controlled, sound insulated room void of distractions.

Investigators should avoid environments with windows,

telephones, clocks, pagers, and intercom systems. A setting free from diversions forces subjects to respond only to the inquiries. It also gives investigators a much better opportunity to observe the subject's verbal and nonverbal responses to the issues presented. Accordingly, interrogators know that these reactions result from the issues and not from any extraneous stimulus. The further the situation gets from a controlled setting, the higher the chance that the interrogation will fail. If investigators cannot guarantee this environment, they should conduct the interrogation at another time and place. Often, only one good interrogation opportunity exists. Risking that opportunity in an unacceptable environment may be a poor investigative decision. (p.1)

A private setting is enhanced by the privacy and intimacy created by the interrogator. The minimization of interruptions and distractions must be maintained so that the suspect can focus their attention on the interrogator. Interrogators then build a mind set that encourages the suspect to focus on the immediate resolution of the problem and away from the long term consequences of their actions. Any interruptions during the dialogue reduces the rate of success

(Zulawski and Wicklander, 2002).

Establishing rapport.

The ability of investigators to establish some kind of rapport between themselves and their subjects emerged as another important factor in eliciting confessions. The investigator begins this process from the moment they meet the suspect. This should be done before the suspect is actually accused of the crime and the interrogation takes a more aggressive tone. This can be done through a number of means. The simplest way is to ask questions which are not threatening to the suspect. These include questions regarding basic information such as full name, date of birth, education, employment, and talking about such things as the weather, neighborhood, children, current events, and general topics that cause little or no stress to the subject (Walters, 1996).

To help establish rapport, the investigator should consider that in every person there is some good, however slight it may be. At the outset, the interrogator should try to determine the desirable traits and qualities of the suspect (Inbau, et al., 1986). This provides the investigator with a more true appearance of empathy with the suspect and is more difficult for the suspect to see through.

A crucial aspect in overcoming obstacles during the interrogation is the level of rapport and communication that the interviewer is able to achieve. During communication, it is essential the interrogator and suspect understand each other. It is preferable to speak simply. The interrogator should try to communicate on the same level as the suspect. If, for example, the suspect is attempting to minimize the seriousness of the crime, the interrogator should also attempt to minimize the seriousness of the crime (Zulawski and Wicklander 2002).

Finally, significant success can be achieved in the interrogation room by ensuring the subject remains the main focus of the interrogation. This focus is as important as the interrogation plan, the themes and arguments, the setting, or any other component. Often, suspects will confess simply because of the respect and trust the interrogator has established. Therefore, building a good relationship with the subject is vital. If anything appears more important than the suspect or the relationship, it may prove detrimental to the interrogation process (Vessel, 1998). Rapport deserves the interrogators greatest attention because, through it, the interrogator is able to gain trust through verbal and nonverbal communication. Through rapport the interviewer is able to steer the interview (Sumpter, 2002).

The attitude and attributes of the interrogator.

The attitude and attributes of the interrogator also emerged as a major theme in the literature. The attributes of the interrogator are important in the overall process of interrogation. The interrogator's attitude is important in projecting sincerity and empathy for the suspect's predicament.

Certainly, special personal attributes should be present. For example, the interrogator should be intelligent and have a good practical understanding of human nature. The interrogator must be genuinely able to get along with all types of people and all types of personalities. The interrogator must also have a tremendous interest in the field of interview and interrogation. With a thorough knowledge of criminal interrogation tactics and they should attend professional seminars on the topic (Inbau, et al., 1986). Finally, it is essential for the interrogator to be thoroughly aware of the laws and regulations that govern interrogation and the documenting of confessions (Inbau et al., 1986).

Successful interrogators take on the role of the mediator-negotiator, negotiating from a position of confidence - confidence not only that they can resolve the problem, but also that they can understand the suspect and believe in the facts of the case. The mediator acts as a go-between, someone who can find common ground in any

situation without appearing to take sides. Think of the interview process as a well-planned play. Interviewers have an opportunity to choreograph the movements, the setting, and some of the dialogue of the play about to be acted out. They consider and arrange the room setting and location of the interview to their advantage (Zulawski and Wicklander, 2002, p. 12).

Interrogators may be compared to salespeople. The process of interview and interrogation has many similarities to the sales function. The needs of the customer must be identified. Once the needs are identified, benefits of the product that answer the client's desires can be highlighted. If the benefits of the product outweigh the negatives and the product meets the needs of the client, the purchase will be made. Likewise, in an interrogation, if the perceived benefits of providing information, from the perspective of either the witness or suspect, do not overcome objections to providing the information, the witness or suspect will not talk (Zulawski and Wicklander, 2002).

An interrogator who is overbearing, too aggressive, or not empathetic toward the suspect usually increases the suspect's defensiveness, resulting in denial and increased interrogation failures. The interrogator who displays these

attributes is correctly seen by the suspect as an opponent (Zulawski and Wicklander, 2002). The interrogator must possess the ability to get the suspect to respect them, if not like them. Distrust and denial occur when the suspect dislikes the interrogator. It is the interrogators sincerity and certainty in the suspect's guilt which determines whether or not the suspect will trust the interrogator (Zulawski and Wicklander, 2002).

The interrogator must also possess the ability to set aside his personal feelings and complete the job at hand. No matter how heinous the crime, the interrogator must not reveal an emotional bias. The interrogator must not imply, in any way that the suspect is despicable or inhuman, but convey an empathetic and understanding attitude. This approach is far more effective (Inbau, et al., 1986). Merrill (1995) noted, "the purpose of an interrogation is to elicit a confession from the suspect. Regardless of the investigator's personal feelings toward the criminal or the crime, they must employ the best techniques to obtain the information they seek. Expressing shock or scorn toward the suspect will serve only to alienate them" (p. 10).

The interrogator must also realize everything that is done in the interrogation room is designed to project to the suspect that they are as good as

convicted of the crime under investigation. The interrogator must clearly convince the suspect that his guilt is certain. An inability to demonstrate this belief to the suspect will result in an increase in denials and a more difficult interrogation (Zulawski and Wicklander, 2002). In addition, the interrogator's presence, both verbally and physically during the interrogation can directly affect the amount of denial during an interrogation. When the interrogator is viewed as weak, inconsistent, or unsure, a suspect will usually deny merely to test the interrogator. The perception of a lack of confidence by the interrogator may cause the suspect to deny because they do not believe the investigation is as conclusive as the interrogator has made it seem. Thus, denials emerge as a way to continue to avoid detection (Zulawski and Wicklander, 2002).

An effective interrogator must have a good practical understanding of human nature generally. He must possess personality traits such as are evidenced by a general ability to "get along" with people and to be well liked by his friends and associates. He must also be a man of patience, with an intense interest in the work itself. A coupling of these basic qualifications with a relatively short period of instruction from an experienced, competent

interrogator in the art of criminal interrogation will make available to any police department a service of immense practical value. A man or unit of men with these various qualifications will be able to solve many crimes by means of confessions which will successfully stand the test of admissibility not only in the state courts but in the United States Supreme Court as well. (Inbau, 1999, p. 1367)

The attitude of the interrogator is important in successfully obtaining a confession. The attitude of the interrogator can make or break an interrogation. Competent investigators convey empathy to the suspect by indicating that they understand suspects' predicament. When interrogators deliver an empathetic approach in a gentle and sincere manner, they reinforce that the suspect is a good person involved in a difficult situation (Napiers and Adams, 1998).

In addition, the investigator should refrain from creating the impression of one in search of a confession or a conviction. Interrogator should portray themselves as merely seeking the truth (Inbau, et al., 1986). The attitude of patience and sincere interest in the suspect's situation must also be conveyed. The interrogator must remain seated and not move or pace around the room. By

providing undivided attention to the suspect during the interrogation, it becomes much more difficult to continue deception. In addition, animated actions such as moving around indicate the interrogator's impatience. Indications of impatience by the interrogator provide encouragement to a lying suspect that if they hold out just a while longer, the interrogator will relent. A much different impression is given when the interrogator remains seated and calm throughout the interrogation (Inbau, et al., 1986).

Finally, the interrogator must see things through the eyes of the suspect. The interrogator must avoid the typical role of the dominant, authority figure and instead assume the role of the mediator seeking the truth. The interrogator must not appear as an opponent. The suspect who views the interrogator as a mediator is less fearful and more likely to confess. Interrogators must also exude confidence during all phases of the interrogation process. The display of confidence will often help conceal any mistakes the interrogator might make during the interrogation. In addition, interrogators should display professionalism and avoid an air of superiority (Zulawski and Wicklander, 2002).

Summary

of Core Findings

Successful interrogations come about for a number of interrelated reasons.

These reasons include the preparation of the interrogator, from case facts to the elements of the crime; preparing the setting for the interrogation; conducting the interrogation in a private, distraction-free setting; establishing some sort of rapport with the subject of the interrogation; and the proper attitude and attributes of the interrogator.

How this Research Differs from the Literature

What this study hopes to do is to look at the actual phenomenon of conducting successful interrogations from the perspective of the interrogator.

This research hopes to determine the attitudes, attributes and strategies that successful interrogators use in the interrogation room and compare that with what is espoused in the literature.

Chapter 3

Methodology

Study Design

The research design for this study is qualitative in nature, using a phenomenological approach to study the essential interaction between police officers in their role as a criminal interrogators and suspects of criminal offenses. Much of the data collected in this study is based on recorded interviews with established, successful interrogators, specifically those investigators assigned in and around the Chicago metropolitan area. As stated by Polkinghorne in Creswell's (1998) work, *Qualitative Inquiry and Research Design*, "a phenomenological study describes the meaning of the lived experiences for several individuals about a concept or the phenomenon. Phenomenologists explore the

structures of consciousness in human experience” (p. 51).

For this study there were compelling reasons to choose a qualitative design. A qualitative study allows researchers to examine *how* or *what* so that what occurred can be described. Qualitative analysis allows for a detailed view of the topic. Finally, qualitative inquiry allows the researcher to take on the role of the “active learner” able to tell the story from the view of the participants.

(Creswell, 1998, p. 17) This study allows me to form hypotheses based upon data collected in my role as a detective. This research also allows a view of the “essential, invariant structure (or essence) or the central underlying meaning of the experience and emphasize the intentionality of consciousness where experience contains both the outward appearance and inward consciousness based on memory, image, and meaning” (Creswell, 1998 p. 52).

Since there have been few prior systematic attempts to gather information about successful interrogators, the current study is exploratory in nature. Semi-structured interviews with closed and open-ended questions were used to obtain information from interviewees on: methods of interrogation or tactics; methods of preparation for interrogation; methods for determining truthfulness or deception by suspects; the attitude of the interrogator; and interrogator response to an admission or confession. In addition, demographic data such as respondents

marital status, number of children, level of education, longevity in law enforcement, and level of experience in investigations was analyzed.

Sampling Procedures

The sampling procedure used was purposeful. The purposeful sampling technique used in this research were both the techniques of typical case and snowball sampling. As Fitzgerald and Cox (2002) stated, snowball sampling begins with an individual or small group who are then asked, in-turn to recommend others similar to themselves and ends with an appropriate group. This type of sample is often employed by law enforcement officials to collect information on a particular type of behavior. Initially, I identified detective supervisors and detective peers and ask that they identify those who are known to be competent, consistently successful interrogators. In addition, those initially interviewed were asked to recommend other individuals like themselves. According to Fitzgerald and Cox (2002):

Often snowball sampling is used for studies or those engaged in illegal or illicit activities or of participants in informal groups for which no membership lists are available (for instance, drug users and/or sellers, street prostitutes, card players, and pool

sharks, as well as police officers engaged in semi-organized graft or shakedowns) (p.104).

Because an accurate sampling frame was not available for the officers, interviews were conducted with a purposive sample of knowledgeable interrogators who have been consistently successful in obtaining confessions. In a purposive sample, the researcher “hopes to select cases that are typical of the population in question, and assumes that errors in his judgement will cancel out one another. The problem with the typical-case method is that one cannot know whether the cases chosen really are typical” (Fitzgerald and Cox, 2002 p.104).

I have knowledge of a number of informants within my own department and thus I began there. However, these contacts were limited to avoid skewing the research by involving an excessive number of state police informants. As a detective with the Illinois State Police and employed in law enforcement for thirteen years, I was afforded the luxury and ability to formulate contacts and informants. Once I made arrangements, snowball-sampling techniques were implemented to identify other successful interrogators. Sufficient data was secured to allow analysis with respect to a number of important research questions. Each of the major issues addressed in this study were thoroughly saturated, however, “generalizations made on the basis of the sample data refer at

best only to the population sampled”(Fitzgerald and Cox, 2002 p.104).

The number of interviews I conducted was not predetermined. The information I collected became repetitive at ten respondents, thus I knew that I had reached the point of saturation. Each interview I conducted took approximately one hour to complete. However, with the amount of information the research attempted to collect, on occasion the interviews lasted substantially longer.

Data Collection Techniques

Data was collected primarily through in-depth interviewing and document analysis for the purpose of this research. I used my function as a law enforcement officer to gain access to participants in an attempt to uncover the extent of the phenomena in question. At the conclusion of the interviews, the data was able to be analyzed. The data were readily available and I was familiar with the collection techniques and interview structure. The possibility of misinterpreting the data was thus minimized, but, because the data collected involved law enforcement officers from different jurisdictions, subjects may or may not have been willing to share all they knew about the subject. This may have been particularly true with respect to tactics which may be less than ethical.

A guided interview (see Appendix B) was employed throughout the

interview process. Interviews proceeded only if the participants voluntarily signed a consent form (see Appendix C). Each subject was then given a code number (e.g., Interview #1, Interview #2...etc.) to ensure anonymity and confidentiality.

Prior to and during each interview, the subjects were encouraged to ask any questions they had. The consent document along with all audiotapes, transcripts and any written materials, remains in my possession and are stored in a secure location. Only I know the true identity of the subjects interviewed, and this will remain so.

An attempt was made to audiotape all interviews. However, in certain circumstances, it was expected some may be apprehensive and opt to be interviewed without audiotape, requiring the taking of detailed notes during the interview process. This method was only used in such instances as audio recording is preferred (Creswell, 1998). In addition to audio taped interviews, notes were taken to record significant reactions or themes gleaned from the interviewees. In either case, field notes of my impressions of the interviews were recorded during each session. These were audio taped immediately after the interview was completed.

Creswell (1998) said interviews “describe the meaning of a small

number of individuals who have experienced the phenomenon” (p. 122).

Interviews were conducted when the subjects were available and at locations of their choice. The interviews were all conducted in a private setting. There was a conscious effort to ensure the environment of the interview did not negatively affect the validity of the interview. The locations of the interviews was described following their completion.

Interview Process

In order to help respondents become comfortable with the interview process, each interview began with an explanation of the purpose of the research and both a verbal and signed guarantee of anonymity. Although I used a pre-organized set of questions during the interviews, it was expected, and subjects were encouraged, to expound on their responses thus creating a more unstructured and informal setting. The questions were based largely on the literature review, but they led to additional questions and responses to add to my current knowledge base.

Fitzgerald and Cox (2002) stated “interviews fall into two general categories, depending on the types of questions asked” (p. 118). Structured or formal interviews have fixed questions and content and are generally used when the researcher has predetermined the specific information sought. Unstructured or

informal interviews are more flexible in both the questions used and the directions taken. The researcher explores general question areas, follows up on certain responses, and pursues other topics as suggested by the subject. While informal interviews may not generate responses that can be compared among the subjects, “they often give more insightful, extensive information about the research topics as well as about the emotions and attitudes of the respondent” (p. 118).

Fitzgerald and Cox (2002) divided interviews into two categories: structured/standardized or formal interviews in which the wording and order of the questions are predetermined asked in a prescribed order from which respondents select the most appropriate response from a predetermined group; and unstructured or informal interview which use a combination of more and less structured questions which allows a more flexible and exploratory interview to become more like a conversation. As stated, my inquiry focused mainly on semi-structured and open-ended questions.

Issues addressed during the interview process initially focused on the general areas of inquiry: methods of interrogation or tactics; methods of preparation for interrogation; methods for determining truthfulness or deception by suspects; the attitude of the interrogator; interrogator response to an admission or confession. Following the initial interview, when other areas worthy of further

inquiry developed, subsequent interviews were conducted accordingly.

Validity and Reliability

All research has strengths and limitations. This research was no exception. Interviews, related literature and other forms of data collection were employed. Thus, triangulation strategies were able to be implemented to strengthen the reliability and validity of the study. I also used other forms of validation.

Because of my background in policing, the interviewees were continually assured that this study was being conducted for research purposes and under no circumstances, be used against the participants. Along with verbally assuring the subjects, an informed consent document was signed by each of the participants assuring them of confidentiality.

Fitzgerald and Cox (2002) stress ethical neutrality toward the phenomena being investigated.

Scientists try not to permit their moral or ethical beliefs to influence their data gathering or their analysis. As researchers, scientists are concerned only with what is true or false, not what is right or wrong, good or bad. Maintaining ethical neutrality during the research process does not prevent the scientist from using his moral sensibilities to identify research questions worth pursuing or

from using his moral perspective to assess the implications of his findings (p. 40).

Furthermore, issues of verification and standards are addressed by Creswell (1998). Phenomenologists view verification and standards as largely related to the researcher's interpretation. However, there are criteria by which a phenomenological study might be judged. Creswell (1998) cited Polkinghorne when he described validity as referring to developing whether the general structural description of the phenomenon provide an accurate portrait of the commonalities of the examples collected. In addition, there are several areas researchers can address to help ensure standards and verification in the research. First, did the researcher influence the respondent so as to not reflect accurately the subject's experience? Second, are the transcripts of the interviews accurate and do they convey the true meaning of the interview. Next, in the analysis of the transcripts, could there have been other conclusions drawn than those of the researcher? Can the researcher move from the general structural description to the transcripts and account for the contents and connections in the original example of the experience? Finally, is the structural description situational specific or is it applicable in general? Throughout this research I complied with each of these standards to ensure verification.

In addition, member checks were used to enhance the internal validity. In this I solicited the informants views of the credibility of the findings and interpretations (Creswell, 1998). This technique is espoused by Lincoln and Guba (1995) in Creswell, as “the most critical technique for establishing credibility” (p. 314).

I also used a similar method that has proven valuable in thirteen years of interviewing subjects to enhance the validity of the inquiry. A tactic was employed by first interacting with the subjects informally, without audiotapes or written materials being used, thus reassuring trust and confidence. Once I felt the subjects were comfortable with my presence the formal interview began with audio taped questions and responses. This technique not only allowed me to gain the trust of the subjects, but also shed light on any discrepancies or contradictions with prior inquiries.

To the extent possible, I also utilized participants from initial samples to verify pertinent information about subsequent interviewees. Because it was the detective supervisors and detectives own peers who recommended the initial subjects, and those subjects then recommended others (snowball sample), they were able to unintentionally substantiate and verify the validity and reliability of the subjects.

Ethical Issues

Because this research delves into potentially sensitive material, various ethical considerations were addressed. First, informed consent was obtained. Second, because some interrogators may not strictly adhere to standards of ethics or may be pressured to obtain confessions regardless of the methods, I assured the participants of the inquiry that their anonymity was protected and I ensured that their participation in the interviews was voluntary.

Consideration was also given to ethical procedures for processing and presenting data. The audiotapes and transcriptions are protected in a secure area including all written presentations and findings. The real names of the interviewees were removed from the audiotapes and separated from coded names. Under no circumstance will I reveal the true identities of the participants. Participants who demonstrated fear or trepidation over participation in the inquiry were not included in the interview process. Since these procedures were maintained at all levels of the analytical stages, ethical concerns were minimized.

Data Analysis

There is no consensus for the analysis of qualitative data. However, several commonalities emerged. First, a general review of all information obtained should be conducted. Feedback from the participants of the research on the

information obtained should then be solicited. Categories and codes can then be developed and the data can again be sorted (Creswell, 1998). Identification of recurring themes can then be used to generate a hypotheses which constantly develops throughout the data collection process.

The audiotapes were transcribed verbatim and coded after each interview. I transcribed each interview using a cassette transcriber. This practice allowed me to seek out nuances and thoroughly review the interview before coding. I was thus able to be immersed in the details of the interview, getting a sense of the interview in its entirety before sorting it into categories. (Agar, 1980 in Creswell, 1998). In addition, because some of the information acquired from the interviews was sensitive and confidential, a third party transcriber was not used. After coding, the transcripts were copied and maintained in a separate, secure location in order to protect the data in case the original set was lost. The transcripts bear only the interview number originally assigned to the participants and any thoughts, hunches, and speculations I formed during the process of reviewing the transcriptions.

Finding categories and the relationship and patterns between and among them leads to the essence of the phenomena under investigation. Three specific steps were used in coding developing themes associated with the data. The first

step, according to Creswell (1998), is the technique of open coding. The process of breaking down, examining, comparing, conceptualizing and categorizing data. Properties and subcategories are created and the researcher attempts to dimensionalize the data. “The researcher forms initial categories of information about the phenomenon being studied by segmenting information” (p. 57)

During the second phase, axial coding allows the investigator to assemble the data. A coding paradigm or logic diagram is created where the researcher identifies the central phenomenon and explores causal conditions, identifies the interactions that result from the phenomenon, identifies the context and conditions that influenced the interactions and spell out the consequences of the phenomenon (Creswell, 1998).

Conceptual memos and ideas were noted in the margins of the transcriptions themselves. Selective coding, the final step in the analyses, involved the identification of a core category around which the inquiry then revolves. As Creswell (1998) explained, “the researcher identifies a story line and writes a story that integrates the categories in the axial coding model. In this phase, conditional propositions (or hypotheses) are typically presented” (p. 57).

Throughout the research process, as suggested by Creswell (1998), I made a concerted effort to bracket my experiences. I consciously tried to set aside all

prejudgements and rely on my instinct, imaginativeness and universal structures to acquire the essence of the experience.

Subsequent to the transcriptions and coding, core themes for categories emerged, the number of which was determined using analytical induction and constant comparison. These emergent themes describe the essence of the phenomena. In the next chapter, data will be presented in narrative form offering a thick and rich description of the phenomena uncovered by the investigation. Finally, quotations will be used to illustrate and enhance the interpretation of the data.

Chapter 4

Data Analysis and Interpretation of Findings

Description of the Sample

The analysis of demographic variables is presented to provide a description of respondents who constitute the sample. The characteristics examined included age, marital status, children, level of education, length of experience in law enforcement, and length of experience in investigative assignments.

As I stated in Chapter 3, I used my function as a law enforcement officer to gain access to participants in an attempt to uncover the extent of the phenomena in question. The responses of the interviewees were separated into

descriptive categories focusing on the general areas of inquiry: interrogation tactics; interrogation preparation; the interrogator's attitude; and how the interrogator's learned acquired their skills. From these inquiries, key themes and phrases were extracted from the interview transcripts and included under each of the previously mentioned categories and subcategories. The respondents interviews are referred to by numerical order (e.g., Interview 1, Interview 2, etc.) To protect and maintain anonymity and confidentiality. A concerted effort was made to maintain the integrity of the audio taped interviews and illustrative comments were reported directly and not edited for grammar or strong language. Additionally, the respondents often referred to actual criminal cases to provide illustration of the phenomenon. Any references naming or identifying individual cases, suspects, or victims were omitted from direct quotes.

Throughout this chapter, the data are summarized in paragraph form in order to provide a rich, thick description of the phenomenon. Also, liberal use of direct quotes of the respondents is intended to illuminate the findings. Finally, reporting of emergent themes will be presented to enhance the intricacies and understanding of the phenomenon.

Demographic Information

Interview 1

Age: 41

Marital Status: Married

Children: 2

Level of Education: Master's Degree

Length of Law Enforcement Experience: 13 years

Length of Investigative Experience: 9 years

Interview 2

Age: 37

Marital Status: Married

Children: 2

Level of Education: Master's Degree Candidate (3rd year)

Length of Law Enforcement Experience: 14 years

Length of Investigative Experience: 8 years

Interview 3

Age: 50

Marital Status: Married

Children: 3

Level of Education: Bachelor's Degree and Northwestern

University, Center for Public Safety, School of Police Staff and

Command

Length of Law Enforcement Experience: 29 years

Length of Investigative Experience: 15 years

Interview 4

Age: 47

Marital Status: Divorced

Children: 3

Level of Education: Associate's Degree and Northwestern

University, Center for Public Safety, School of Police Staff and

Command

Length of Law Enforcement Experience: 24 years

Length of Investigative Experience: 20 years

Interview 5

Age: 43

Marital Status: Single

Children: 1

Level of Education: A year and a half of junior college

Length of Law Enforcement Experience: 18 years

Length of Investigative Experience: 13 years

Interview 6

Age: 48

Marital Status: Married

Children: 4

Level of Education: Bachelor's Degree

Length of Law Enforcement Experience: 24 years

Length of Investigative Experience: 11 years

Interview 7

Age: 45

Marital Status: Married

Children: 2

Level of Education: Three years of college

Length of Law Enforcement Experience: 17 years

Length of Investigative Experience: 2 _ years

Interview 8

Age: 42

Marital Status: Divorced

Children: 2

Level of Education: One year of college.

Length of Law Enforcement Experience: 15 years

Length of Investigative Experience: 5 years

Interview 9

Age: 38

Marital Status: Married

Children: 2

Level of Education: Bachelor's Degree

Length of Law Enforcement Experience: 14 years

Length of Investigative Experience: 4 years

Interview 10

Age: 39

Marital Status: Married

Children: 3

Level of Education: Master's Degree

Length of Law Enforcement Experience: 13 years

Length of Investigative Experience: 6 years

Description of Demographic Variables

The descriptions of demographic variables were simple, allowing me to refer and inquire about them throughout the informal interview. During the interviews, while the audio taped interviews were being conducted, demographic data that was revealed earlier was used to check the validity and reliability of the responses. It also served as a basis for me to establish rapport and engage in more relaxed and comfortable conversation with the respondents. These variables became the foundation for the informal semi-structured interviews.

Several themes emerged from data pertaining to demographic variables. The interrogator's ages ranged between thirty-seven and fifty years of age. The mean of the respondent's age was forty-three. All of the interviewees were active members of the Illinois law enforcement community in and around the Chicago metropolitan area. The interviewees worked in a variety of assignments in the Blue Island Police Department, the Chicago Police Department, the Downers Grove Police Department, the Illinois State Police, and the Schaumburg Police Department.

The current marital status of the interrogators was reported at the time the interviews were conducted. Seven of the ten interviewees were married, two were divorced, and one was single. All of the interrogators had children. In this category the responses were indicative of the stability of the lives of successful

interrogators.

The level of education ranged from one year of college, to college graduates, to post graduate. All ten of the respondents had some level of college education. Six had bachelor's degrees. Of the six, three had bachelor's degrees, two had master's degrees, and one was a third year master's candidate. One respondent had an Associate's Degree. Three had between a year of college and three years of college education. In addition, two of the respondents in this category had Graduated from Northwestern University's, Center for Public Safety, School of Police Staff and Command. The School of Police Staff and Command is an intensive program which provides law enforcement executives professional development and education necessary for modern policing. Although all the respondents generally had a high level of education, those with higher educations seemed to be better able to recognize and understand the essence of the phenomenon and seemed better able to articulate their responses to my inquiries.

Previous work experience in law enforcement as well as previous work experience in an investigative capacity was inquired on. Experience in law enforcement ranged from thirteen years to twenty-nine years. This indicated the interviewees generally had a large amount of police experience. Additionally, investigative experience ranged from five to twenty years with the exception of a

single respondent who had two and a half years investigative experience. It should be noted, the numbers in this category may be skewed due to some police departments reassigning investigators to patrol functions after a predetermined amount of time. However, the respondents had a mean of 9.35 years of investigative experience. This indicated the respondents were highly skilled and well versed in investigative techniques and tactics.

Interrogation Tactics

Interrogation tactics used by the respondents was discussed. The tactics included the analysis of the suspect's behavior, techniques for making the suspect more comfortable, increasing pressure on the suspect during the interrogation, rewarding positive behavior or responses of the suspect, the use of overriding interrogation theories throughout the interrogation, and the use of an assistant or partner during the interrogation process.

Analysis of behavior

All of the respondents in the study looked very closely at the physical behavior exhibited by the suspect during contact with them. For the interrogators, the analysis of the behavior of the suspect was ongoing. From the moment the interviewees met the suspect until they parted company. The analysis of suspect's behavior was referred to as "vitally important." Another respondent

said this about the analysis of the suspect's behavior:

I think most people think that it is designed to ferret out lying. And what they'll usually do is to use it as a tool, much like a polygraph test, and they might use it to sift through a large pool of suspects. I'll do it even if there's no doubt this is the person who committed the crime I have in the interrogation room. I'll still do the behavior analysis interview because it does a couple of things for me. One, it gives me insight into the individual . . . the other thing I'll use it for is that it gives me that extra edge when I know, for sure, that this person did it.

Another interrogator described it this way, "The analysis of the suspect's behavior is absolutely necessary. It allows you to plainly see, through their physical reactions, if what you're saying to them is having the desired effect."

Making the suspect more comfortable / Establishing rapport

Controlling the suspect's perception of comfort versus the perception of pressure during the interrogation emerged as important in the ability to successfully obtain confessions. The interrogators interviewed saw providing comfort to the suspect as an important tool in controlling how the suspect perceived the interrogator and the interrogation process as a whole. All of the respondents indicated an early key to success during interrogations was to

establish some type of rapport with the suspect. One interviewee said, “In many cases you are asking people to talk about things that can be very embarrassing and land them in jail for years. Someone is not going to reveal something of that magnitude to an interrogator they don’t have some level of confidence in.”

Another interrogator described the process of establishing rapport with the suspect and making them feel more comfortable this way:

He’s expecting, if he’s committed a serious crime, he’s imagining the police coming and busting his door down and slamming him down to the ground. And so I kind of reverse that on him right away. I’m very nice to him at first. I might not even put handcuffs on him to take him into the station so that he feels he can get over on me. I’m also using bonding statements and a lot of things during the drive to the station so that I can make him feel more comfortable. I might offer him a drink at first and then make sure that drink is done with before the interrogation process. As I’m reading Miranda [referring to Constitutional rights], I’m doing it in a manner that seems friendly and were just doing this as friends. And so I’m looking to put out these bonding statements and things to make him comfortable with me.

Increasing pressure during the interrogation

At some point during the interrogation process there may be a need to increase the suspect's perception of psychological pressure. The implied psychological pressure created by the interrogator may be necessary to overcome the suspect's other concerns, such as his fear of imprisonment or the reaction of a spouse when they learn what the suspect had done. One interrogator described it this way:

The whole interrogation is designed to increase the pressure of the moment. And hopefully what we're going to do is increase the pressure inside the [interrogation] room and decrease the fear of consequences. So, throughout the process, what I'm trying to do is, I'm trying to be consistent with increasing the pressure in the room. One of the main things that creates internal stress is lying. Because he needs to be able to keep track of every lie that he does. Also, he's feeling the flight or fight type symptoms but he's not able to suppress those ordinarily or burn off that energy like we normally would by walking around or pacing, so he's got to suppress all that. So, he's under a lot of pressure just from the fact he's being interrogated . . . then what I try to do is put him in a

room that doesn't have anything on the wall that he could look at.

I don't give him anything that he can hold in his hand, I don't let

him smoke. So any tension relievers I take away from him.

In essence, the respondents believed most of the pressure during the interrogation was internally created by the suspect resisting efforts to confess. However, interrogators also used proxemics, the distance between them and the suspect, and volume and tone of voice to project psychological pressure. One of the respondents described the method he used to increase pressure on suspects:

When I want to get his attention, I'll move in, I'll speak louder, I'll use tone of voice to magnify the tone in the interrogation. So what I'm trying to do is build it up to essentially to a crescendo where he feels like he doesn't have a choice but to say that, obviously if he's guilty, that he did it.

None of the interrogator's interviewed advocated yelling or any aggressive behavior toward any suspect. Aggressive actions by the interrogator were viewed as counter-productive in the interrogation process. As one interrogator put it, "They are not afraid of you. You're not going to scare them."

Rewarding the suspect

Rewarding a suspect for providing information or details the interrogator

sought emerged as an important aspect in a successful interrogation. Even when a suspect merely shakes their head in acknowledgment, provides a single word response that confirms the interrogator's suspicions, or provides an affirmation of participation in a crime, successful interrogators felt it was crucial to completing the interrogation that they provide positive reinforcement to the suspect. This positive reinforcement ranged from assuring the suspect they were "doing the right thing" by confessing to allowing the suspect to smoke inside a non-smoking area. None of the reinforcement the interviewees advocated was in any way unethical, but appeared as another step in establishing rapport between the interrogator and the suspect. One interrogator said:

The bottom line is that every confession starts with an admission. Every interrogation I have done eventually works to an admission and that admission grows into a large confession. So when a person makes an admission . . . I'll give them a lot of positive reinforcement. At that point they are broken and when they hear that positive reinforcement, you don't just leap at them and say I got you . . . you give them more [positive reinforcement] and you'll be able to grow off that.

Another interviewee said:

You have to reward them somehow. Usually it depends on what stage you're in. If you've just gotten the suspect to nod his head or say yes and acknowledge they were involved in the crime then I'm probably just going to say something like 'Good, that's what I thought all along' or 'I'm glad you told me that, it says a lot about the kind of person you really are'. However, if it's later in the interrogation, for example when you're writing up a complete statement, I might reward them with something more tangible like a smoke or a can of pop.

The interrogators all said they offered suspects food, water, use of the restroom, and use of the telephone. However, if a suspect requested any of these it was given to them before the interrogation began or during a break in the interrogation. Once the interrogation process was underway, the respondents sought to control access to such items and use them as a tool for reinforcing desired responses or behavior.

Interrogation theories

Throughout the interrogation process a few themes emerged pertaining to the overriding theories the respondents used. One interrogator said, during an interrogation,

the overriding theory is increase the pressure of the moment and decrease the fear of consequences. So, I think it's increased pressure, decreased consequences. I think the edge, the psychological edge is that he [the suspect] has to believe that, in fact, you have him. He has to believe that you can lock him up right at that very moment regardless of whether you can or can't . . . tailor the attack to emotional reasons rather than tailoring the attack to factual reasons.

Another interrogator said the overriding theory used during an interrogation was “. . . the tension. Then letting them know there is absolutely no doubt in my mind that they committed the crime . . . then go on to seek an acceptable explanation for it.” The interviewee then followed up with this summarized example of what might be presented during one interrogation, “ . . . are you a cocaine snorting freak that doesn't like her kids or are you a mom just trying to get by and put some food on the table?” This is an excellent example of the way the respondents presented themes to suspects during the interrogation process. These themes or stories typically create two options for the suspect, one placing the suspect in a more favorable light played against one slightly exaggerated option the suspect is less likely to want to be portrayed as.

The use of themes during the interrogation allows the suspect to choose from alternatives. It also allows the suspect to maintain some form of dignity by choosing the alternative that makes the suspect appear as an average person involved in a difficult situation. The ability to present themes in this manner emerged as a vital theme in conducting successful interrogations.

Another interrogation theory which emerged during the interviews was for the respondents to minimize the seriousness of the offense or minimize the suspects role or culpability and increase culpability anywhere but with the suspect. An example of this practice was used when a respondent told me of the interrogation of a burglary suspect who had a drug problem:

I told this guy, 'Hey, have you ever been treated for your drug problem?' And he said no. I told him that was his problem and the fact that he had to break into places to survive wasn't his fault. It wasn't something he would normally do. And he agreed. So, I was able to blame all of his problems on his drug habit. He was certainly able to make his own choices in life, but I offered him a way to say 'I need help' and maintain his dignity without him really admitting he was just a shithead that couldn't control himself.

Another interrogator said this:

Truly, the overriding theory, the overall picture is to have enough pressure, to create enough concern in the suspect so that the outside concerns like jail, losing their job, or losing friends are forgotten for the time being. Convince the suspect that the most important thing in the world is to resolve this thing right now.

All of the interviewees had a solid grip of the overall theory used during the interrogation and why they used it. They seemed well prepared and well versed in the theories cited.

The presence of a second officer in the interrogation room

Of the ten successful interrogators interviewed, eight had another officer with them throughout the interrogation. The two that did not normally have another officer present, brought in a second officer during the final stage of the interrogation process. The second officer was brought in when the respondents were documenting the confession. For these respondents, it allowed the testimony of the second officer to affirm that the statement the interrogator obtained from the suspect was given freely and voluntarily.

The eight respondents who had a partner throughout the interrogation process did this for much the same reason, but for other reasons as well. First,

they said it was important to have another person who could testify in court to what was said throughout the interrogation, not just in the final stage. One interrogator said, “You have to have somebody that is in there as a prover. Usually, in these cases, you’re going to be going to a suppression hearing [a court proceeding designed to determine if the information obtained in the interrogation was legally obtained] so it’s nice to have somebody that can back up that you didn’t do anything illegal.”

Another reason eight of the ten respondents used a partner during the interrogation process was in the event the suspect developed some animosity toward the main interrogator. This practice allows the second officer to take on the lead role in the interrogation without having to be briefed on what has transpired prior to the partner taking over. It also allows the interrogation to continue without allowing the suspect time to relax.

In addition, a second officer in the interrogation room allowed for analysis of the interrogation process from a different perspective. This reason was explained by one interrogator this way:

. . . this person [the second interrogator] might have more ideas and has been in it from the beginning. So, if he needs to take over, he understands the process you have been working on and maybe he

can critically analyze the way you have been doing it and maybe see that you have been doing the wrong things and maybe give you feedback that will improve your interrogation. Or, he might be able to take over without having to be briefed up on what's going on.

Finally, the last reason presented was an officer safety issue. The respondents felt the presence of a second officer might deter or stop any violence attempted by the suspect.

General Preparation

All of the respondents stressed the importance of preparing for an interrogation. Seven of the ten respondents went to great lengths to prepare for an interrogation and tried to prepare for or anticipate any eventuality. Half of the respondents even went so far as to practice interrogations in situations where a confession was not necessary. For example, conducting interrogations of offenders apprehended during the commission of criminal acts witnessed by uniformed police officers. Discussions with the respondents also addressed practicing for or rehearsing interrogations, specific steps taken to prepare for an interrogation, preparation of the setting in which the interrogation is going to be conducted, and the length or time limits of an interrogation.

Rehearsal / Practicing interrogation skills

The repetition of the steps involved in eliciting information consistently emerged as a vital aspect to a successful interrogation. One interrogator in this study asked patrol officers in his department to contact him for any minor arrest where a confession would be of value just so he could practice interrogations. In this way, the respondent was able to conduct a large number of interrogations without having the burden of working an entire criminal case. The experience gained through this process was invaluable to the interrogator. Another respondent described how he rehearsed for interrogations:

I always prepared several information sheets before an interrogation. I would prepare one sheet on who the offender was, what type of criminal history he had, what type of crime was committed. Was it greed or opportunity or lust or revenge? Anything and everything I could find out about the suspect, I would. Even down to information on bankruptcies or civil suits. Then I would prepare another sheet which was basically my outline for the interrogation process. On that sheet I have several prepared themes on why the crime occurred that I'm going to present to him. Also on that sheet are things I think the suspect

might try to use as excuses or response such as ‘I couldn’t have done that, I’m a family man’. So I even have a response prepared for his objection.

For three of the respondents, practice or rehearsal was less important. However, that appeared to be due to the sheer number of interrogations they conducted. All three of the respondents were assigned to a large urban police department where their primary investigative assignment was in a high crime, drug infested area.

Preparing for the Interrogation

All of the respondents took certain steps to prepare for an interrogation. All of the respondents advocated a thorough knowledge of the case, the suspect and their background, and information on the suspect’s family. The respondents also saw as important a thorough investigation into the crime, crime scene, and even a thorough study of the victim. They also took other steps to prepare for an interrogation such as controlling the interrogation setting and planning for lengthy interrogations. Both of these themes will be discussed later, in further detail.

One of the respondents in the study described his preparation in this manner:

I think the most important thing is to have a complete and

thorough understanding of the case. Usually I like to wait until I have all the information from the crime scene, the canvas, and the total information on the case before I conduct an interrogation. Then I prepare a sheet about the suspect, what possible themes would work with them . . . I come up with some themes that I'm going to start with . . . I already have them memorized . . . so that I can conduct the interrogation, at least the first few minutes, without having to stop and without having to reference anything.

After further questioning the respondent elaborated:

I'm constantly refining the themes and techniques as the interrogation is going. Even during the behavior analysis interview, which really isn't necessarily an interrogation, I'm looking for things that would increase my knowledge of the suspect and maybe give some insight into what would be a good interrogation theme.

The development of themes was important to the successful conclusion of an interrogation. The themes used varied widely but were not legal justifications that allowed the suspect to avoid punishment. Rather, they were rationales developed and employed to allow the suspect to maintain dignity while providing emotional explanations and confessing to the crime. One theme an interrogator

used in a case involving the sexual abuse of a suspect's daughter was to draw parallels between the interrogator and the suspect and minimize the suspect's shame. The interrogator told the suspect of how he had recently seen his thirteen-year-old niece and remarked how she had physically developed. The interrogator told the suspect he could not believe the feelings he was having but explained it was a natural reaction when seeing someone attractive. In truth, this was far from what the interrogator actually thought, but it was important to mask his true feelings about the suspect and the crime. In this way the suspect was allowed to believe the sexual abuse of his daughter was something anyone, under similar circumstances, might succumb to. This, however, couldn't be further from the truth. As the interrogator explained to me, he didn't have a niece and the entire story was fabricated to create a bond between the interrogator and the suspect. It did lead to a complete confession by the suspect and his subsequent arrest. The drawing of parallels between the interrogator and the suspect allowed the suspect to maintain his dignity while confiding in the interrogator and giving details of this heinous crime.

Controlling the interrogation setting

Although all of the respondents in the study had access to rooms specifically set aside for conducting interrogations, I wanted to examine if the

setting of the interrogation played any role in the successful conclusion of an interrogation. The respondents stressed that privacy and the ability to separate the suspect from surroundings that were familiar was crucial. Additionally, the respondents were asked what arrangements would be made if they needed to conduct an interrogation at a location that was not familiar to them. One of the respondents described what would be done in preparing a proper setting:

I would try to make sure there were no clocks in the room. I'd make sure the room is as bare as possible. I want him [the suspect] to focus on me rather than focusing on other things or utilizing distractions to pull away from the pressure.

In addition to this, another interrogator added:

I would make sure there wasn't a table between us or that we were using the corner of the table so that I would be able to see his whole body. I would make sure that his chair was facing away from the door so that he wouldn't be able to look at the door. I would try to give him a chair that didn't have arms and that was harder to move . . . I would try to remove the phone if possible, even actually remove the phone from sight . . . Ideally what I want is a room with four white walls, a door, the chair facing away from

the door, so he has to look forward, no clocks, and put him in a position where he has no way to move around.

Again, what emerged here was that, as with all other aspects examined in this study, the interrogators sought to control and choreograph everything the suspect felt or saw.

Length of the interrogation / Time limits

There were two aspects this research tried to examine in this point during the interviews. First, was there an approximate amount of time for a successful interrogation to be accomplished. Second, are there limits on the amount of time a successful interrogator may be willing to spend on an interrogation. Interestingly, nine of ten respondents would spend “as long as it takes” to obtain a confession. All of the respondents indicated they would end an interrogation if the suspect asked to stop or requested a lawyer. Aside from that, there was no set limits these respondents had in conducting interrogations. These interrogators also had higher rates of success as compared to the other respondent. Interrogator success rates will be discussed in greater detail later in the chapter.

All of the respondents said they had conducted interrogations that ranged from minutes in length to days. In conducting the days long interrogations it was learned that these interrogations involved suspects who were in custody pending

criminal charges. These suspects were going to be charged with a criminal offense whether or not they confessed. During these interrogations the respondents said they offered adequate rest periods, food and water, use of the restroom, and time for the suspect to sleep. Constitutionally questionable tactics such as sleep deprivation or conducting interrogations in shifts were not employed by the respondents in this study. As one interrogator explained, much of what he learned while becoming a successful interrogator was from “a defense attorney’s cross examination.”

The other aspect discussed regarding the length of an interrogation was time limits set by the interrogators. As mentioned earlier, nine of the ten respondents did not limit the amount of time they were willing to cultivate a confession. One interviewee explained it this way:

I consciously try to stay away from a time limit. I think that a serious crime, a crime against persons, I’m probably going to extend the amount of time I’m going to go. I can work on the philosophy that when you’re feeling tired that person [the suspect] is feeling tired. If I’m one hundred percent convinced of their guilt, then I have a real hard time stepping away from it. So, even for minor cases, I’ll push that limit and I’ll let the practical

concerns dictate how long it's going to go. I'll go as long as it takes.

This was a consistent mind set throughout the research. The apparent reason the one respondent set time limits on his interrogations was directly influenced by the sheer volume of work he was expected to handle

The attitude of the successful interrogator

The proper attitude of the interrogator emerged as a major theme for the respondents. The respondents all sought to portray themselves as friendly and amicable. They often went out of their way to maintain a professional atmosphere throughout the interrogation. A friendly approach was most often used at the outset of the interrogation with a more serious yet non-confrontational tone increasing as the interrogation proceeded. The respondents tried to be viewed as sincere and empathetic. One interrogator responded, "I try to draw a bond between us so we're more friendly . . ." Another respondent spoke of how he liked to establish a professional atmosphere during the interrogation, "Initially, in an interrogation my relationship is a professional one. I let people know it's a business relationship but I would say that I tend to minimize the formality . . ." The interviewees stressed it was important for the suspect to respect them. Additionally, they tried to display empathy for the suspects situation. Another

respondent suggested it was important that the suspect view the interrogator as someone who was merely seeking the truth, somewhat detached but friendly while remaining professional. Among the ways this research tried to elicit further details of the attitude of the respondents was to examine how the interrogators determined when the suspect was being truthful and when the suspect was being deceptive, the interrogators response to factual information, and the interrogators response to deceptive information.

Ascertaining factual information

The study attempted to identify how it was successful interrogators determined when suspects provided factual information. Obviously, information reported by the suspect that could be corroborated by case facts was easily verifiable. However, the research tried to develop further information. All ten of the respondents in the study used their extensive knowledge of body language to assist them in this determination. One respondent said, “What I look for is the nonverbal response, primarily. The verbal responses are important, but if I see a cluster of nonverbal responses . . . that is usually a good indicator to me.” The respondents tried to use a variety of ways to determine if they were being told the truth. They tried to match verbal responses with nonverbal behavior. They matched what was known about the case and the suspect to what the suspect

reported, and they ensured that what the suspect said was consistent throughout the interrogation process.

Detecting Deception

The respondents used much the same techniques in determining when a criminal suspect was being deceptive during the interrogation process. As mentioned earlier, the respondents rewarded suspects who provided accurate information in the same way they rewarded suspects who made admissions or provided confessions. However, they were also quick to discourage false or deceptive responses. One interrogator described this account:

I was interrogating (name omitted) for a sexual assault. When he said something that I knew was false, I called him on it [challenged the suspect as to the accuracy of the statement]. I didn't want him to think he could get away with it. Then he would think he's in control. I would say 'That's not true and you and I both know that.' He responded, 'Are you calling me a liar?' And I said 'No, but what you told me isn't true and you know it.' You have to be careful when you get into that type of situation. You want it clear you won't tolerate his bullshit but you don't want to make him angry.

Another interrogator said this about being lied to by a suspect during an interrogation:

We call him on it right away. Because if he gets away with that then he figures he can continue to bamboozle you. He'll test limits. But if you call him on it right away, say 'That's not true. Nobody here believes that but you and you don't believe it. We don't believe it and the physical evidence says that's not the way it happened. Why are you lying to us? You're making it worse for yourself.'

The Learning Process of the Successful Interrogator

The respondents in this study learned to be successful interrogators through a number of means. Certainly I could not discount the fact that none of the respondents had less than thirteen years experience in law enforcement and that they averaged over nine years experience in investigative assignments. Also, nine of the ten respondents received formal training in interview and interrogation tactics. All of the respondents reported repetition, conducting interrogations as often as possible, as important in their development. One respondent stated, "A lot of it is just from arresting people and talking to them . . . even when you're arresting someone on a bullshit dope case or something like that. You still have to

talk to [interrogate] them.” In addition, the respondents placed emphasis on garnering information from other interrogators. One respondent said that he learned through, “experience and listening to other guys who have been doing it for so many years. Listen to the way they talk to people.”

Another remarkable theme that emerged in this portion of the research was the amount of self criticism that was undertaken by the respondents. Being self critical of previous performance during interrogations was very important to the respondents. It served as a way of identifying mistakes and capitalizing on those mistakes during future interviews. It was a significant way of improving themselves as interrogators. One interrogator said, after being formally trained in interrogation tactics, criticizing his own performance rather than making excuses, allowed him see where mistakes were made and later avoid them. He said, “I was . . . very self critical. I also debriefed myself. You know, if something didn’t work correctly I would see why it didn’t work then try to alter that.”

Interrogation training / Interrogator success rates

The most interesting theme to emerge from this research was the relationship between formal interrogation training and the respondents own estimation of their rate of successful interrogation. The interrogators were asked to estimate their rate of obtaining confessions. Those that were formally trained

in interrogation tactics accounted for eight of the ten respondents. Those respondents estimated they had been able to obtain confessions in seventy-five to ninety percent of the case in which they conducted interrogations. Those without formal interrogation training reported they were able to successfully obtain confessions in only thirty to forty percent of the interrogations they had conducted in their careers. Even though these rates were self estimated and were unverifiable, this is a marked disparity. It should also be noted that seven of the eight formally trained interrogators were schooled by John E. Reid and Associates of Chicago, Illinois, in the Reid Technique of Interview and Interrogation. John E. Reid and Associates is a company that provides investigative consultation, interview and interrogation training, as well as other investigative training. Three of the respondents trained in the Reid technique reported that, throughout their careers in law enforcement, they had successfully obtained admissions or confessions in ninety percent of the interrogations they had conducted. Additionally, none of those trained in the Reid technique or any other form of formal interrogation training reported less than a seventy-five percent success rate. This is significant because it indicates that ever decreasing law enforcement educational funding would be well spent training interrogators in formal tactics and techniques designed to obtain admissions and confessions.

Finally, throughout this study there was no topic discussed where the respondents did not follow closely the recommendations or procedures which were set forth in the literature as discussed in Chapter 3.

Chapter 5

Conclusions and Recommendations

Summary

In this study, ten interrogators who were identified by their supervisors or their peers as successful interrogators were interviewed. The interviewees worked as full-time police officers in and around the Chicago metropolitan area. A phenomenological analysis was undertaken to illuminate the ability of some police officers to consistently conduct successful interrogations and identify behavioral

patterns associated with their experience. This research was intended to provide insight into the tactics, preparations, attitudes, and learning processes of successful interrogators.

The research conducted for this study was made possible by analyzing secondary data through interviews I conducted and administered. The information obtained through the interviews were compiled for the purpose of this research only.

The veracity of the data collected relies heavily upon the honesty and reliability of the participants. Bearing this in mind, I employed several tactics which I have utilized over thirteen years in law enforcement to ensure the most accurate and reliable investigation possible. In addition, methods associated with validity and reliability used in qualitative research were employed to verify the findings as discussed in Chapter 4.

As I stated in Chapter 3, there were compelling reasons to choose a qualitative design. The qualitative study allowed me to examine *how* or *what* so that what occurred could be described. Qualitative analysis allowed for a detailed view of the topic. Finally, qualitative inquiry allowed me to take on the role of the “active learner” able to tell the story from the view of the participants. (Creswell,

1998) This inquiry sheds light on several categories and sub-categories developed through the interviews of the respondents. Accordingly, the interviews created relevant themes which emerged throughout the analysis of the data.

Categories and sub-categories developed from interviews which were reported in Chapter 4 include: demographic information pertaining to the respondents in general; interrogation tactics: analysis of suspect behavior, making the suspect more comfortable, establishing rapport with the suspect, increasing pressure during the interrogation process, rewarding the suspect, overriding interrogation theories, the use of a second officer during interrogation; methods of preparation for the interrogation: practicing interrogation tactics, rehearsing for an interrogation, controlling the interrogation setting, the length or time limits of an interrogation; interrogator attitude: determining truth or deception by the suspect; interrogator response to truthful information, interrogator response to deceptive information; and learning to be a successful interrogator: formal interrogation training.

For the aforementioned categories many germane themes emerged during analysis. A majority of these are consistent with information contained in the literature. Additionally, unfamiliar themes emerged from the inquiry which appear to be missing from the literature. Unfortunately, due to the relatively small

sample size used in this research, generalizations of the themes can not be made. However, their emergence are very interesting and worth reporting.

Emergent themes were analyzed and reported in Chapter 4. However, it is important to note again in this chapter that several are unique to existing literature.

The most interesting theme to emerge was the relationship between formal interrogation training and the respondent's own estimation of their rate of successful interrogation. Those that were formally trained in interrogation tactics accounted for eight of the ten respondents. Those respondents estimated they had been able to obtain confessions in seventy-five to ninety percent of the situations in which they conducted interrogations. Those without formal interrogation training reported they were able to successfully obtain confessions in only thirty to forty percent of the interrogations they had conducted. This emerged as a marked disparity.

Additionally, seven of the eight formally trained interrogators were schooled by John E. Reid and Associates of Chicago. Three of the respondents trained in the Reid technique reported that they had successfully obtained admissions or confessions in ninety percent of the interrogations they had conducted. Additionally, none of those trained in the Reid technique or any other form of formal interrogation training reported less than a seventy-five percent

success rate. This emerged as significant because it indicates that ever decreasing law enforcement educational funding would be well spent training investigators in formal tactics and techniques of interrogation.

The respondents level of education also emerged as an interesting theme. Six of the respondents had attained bachelor's degrees. Of the six, two had gone on to attain master's degrees and one was a current master's degree candidate. All of the respondents had some level of college education.

Interrogation tactics used by the respondents was also discussed. The tactics included the analysis of the suspect's behavior, techniques for making the suspect more comfortable, increasing pressure on the suspect during the interrogation, rewarding positive behavior or responses of the suspect, the use of overriding interrogation theories throughout the interrogation, and the use of an assistant or partner during the interrogation process. With very few exceptions, as discussed in Chapter 4, the respondents followed very closely what was set forth in the literature.

In addition, the inquiry examined techniques for preparing for an interrogation and the attitude of the interrogator. Again, the responses of the interviewees fell closely in line with the established literature.

These reported themes became the essence of the study and the dominant

themes of the literature. None of the respondents appeared to have any difficulty during the interview process relating information. All of the respondent were well versed in legal applications of interrogation and seemed well prepared to defend an interrogation they conducted in a court of law.

The interrogators in this study did not need to merely get by using their communication skills and their ability to get along well with others. Even those who were not formally trained in interrogation tactics, though their success rates were lower, still conducted interrogations which were in line with the present, available literature.

Recommendations

Two issues should be addressed regarding successful interrogators. First, significant consideration should be given to the amount of law enforcement experience of a police officer desiring to be assigned to investigative duties. Law enforcement executives should set minimum lengths of time in other law enforcement areas before consideration is given to assign an officer to investigative duties. Experience in other areas of law enforcement may be beneficial to the development of the detective as an interrogator. In this research the respondents had no less than thirteen years in law enforcement.

Finally, law enforcement executives or anyone with influence over the way

a law enforcement agency utilizes its funds must provide substantial budgetary consideration to interrogation training. Most of the themes, with the exception of education and estimated success rates, were developed directly through the prevailing literature of interrogation tactics. The analysis of behavior, increasing the suspects comfort level, increasing pressure on the suspect, rewarding suspects, interrogation theories, the presence of a second officer in the interrogation room, rehearsing and practicing interrogation tactics, preparation for an interrogation, controlling the interrogation setting, the length or time limits of an interrogation, and interrogator attitudes were all closely aligned with the literature reported in Chapter 3.

Suggestions for Future Research

The continuance of studies and research is mandatory in formulating future initiatives and developing better interrogators. The law enforcement community must continue and expand their research studies, awareness programs and training to police officers and their supervisors directly involved the interrogation process.

The law enforcement community must align itself with training organizations and institutions of higher learning to continue to provide instruction, knowledge, and the ability to conduct research on a variety of public safety issues. In addition, academia and law enforcement must continue to obtain funding from

governmental institutions such as: National Institute of Justice; Bureau of Justice Assistance; Bureau of Justice Statistics; Department of Health and Human Services; Department of Education; and the Illinois Criminal Justice Information Authority. These agencies, along with others, are able to provide the necessary support for universities to conduct comprehensive research to document the complexities and intricacies of the phenomenon under investigation.

Since this research was narrowed to interviews of established, successful interrogators, it is suggested that future undertakings might include others involved in the interrogation process. Access to prosecutors involved in the defense of confessions obtained by law enforcement would be a valuable benefit to the research process. Additionally, access to witnesses involved in the interrogation process would be intriguing.

Depending on validity and reliability, criminal offenders themselves, those who have previously provided confessions to criminal offenses, would be the greatest asset in conducting a research project of this kind. Since they are at the forefront of the phenomenon, these offenders would produce interesting dialogue. However, these individuals may or may not be willing to share all they know about the subject, thereby limiting the validity and reliability of the inquiry.

Studies of this nature should not be limited to qualitative methods but also

integrate quantitative data to support, supplement, and strengthen the research process. The aggregation of additional qualitative data, although difficult to accomplish, might include direct observations associated with the phenomenon. Quantitative data might include alternative sampling techniques to create a larger sample, thus increasing the reliability of the research. The sampling population could include, for example, all detectives working for a particular police department or a sampling of detectives from different police departments. Finally, questionnaires should be employed to generate and collect the data. If these recommendations were implemented, validity and reliability of future studies would greatly increase while limitations would decrease. Unfortunately, limited means and limited time constraints did not allow such extensive research for this endeavor.

I would strongly urge Master's or Doctoral Degree candidates to consider undertaking and expanding on this research. Although this study is focused and limited, any endeavor would complement existing research and data and be of benefit to the law enforcement and prosecutorial community, as well as the safety of the public.

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Appendix A

Operational Definitions

Behavior Analysis - The interpreting of bodily gestures, postures, and facial expressions to determine truth, deception or areas of concern.

Body Language - Bodily gestures, postures, and facial expressions by which an individual communicates nonverbally with others.

Crime Scene - The location where a crime occurred.

Criminal Interrogator, Interrogator - One who uses legal and ethical tactics and techniques to obtain information from individuals suspected of criminal offenses. Including, information, admissions or confessions.

Criminal Investigation - The systematic examination of criminal activity.

Conviction - The state of being proved guilty.

Felony crimes, felonies - Criminal offenses, as defined in a criminal code, that are punishable by a minimum of one year incarceration.

Interrogation - A meeting between an investigator and a criminal suspect in which the investigator attempts to obtain information the suspect is initially unwilling to provide.

Interview - a conversation in which facts or statements are elicited.

Offender - One who has been shown to violate the law. In this study, one who has

admitted or confessed to participation in criminal activity.

Physical Evidence - evidence of a material nature on which a judgement or conclusion may be made.

Plea Agreement, Plea Bargain - an agreement that permits a criminal suspect to plead guilty to a lesser charge instead of a more serious one.

Proxemics - Moving closer to or farther away from a suspect during an interrogation by an interrogator to increase or decrease the perception of pressure on a criminal suspect.

Successful Interrogator - One who has consistently, over time, demonstrated the ability to obtain documented confessions from criminal offenders.

Suspect - One who is suspected of participating in criminal activity.

Theme - Rationales presented to the subjects of interrogations by interrogators offering why a crime may have been committed. Not legal justifications but emotional explanations which allows the subject to provide details of criminal activity while maintaining their dignity.

Appendix B

Informal/Semi-Structured Interview Questions

I am researching the attributes, attitudes, characteristics and tactics of successful interrogators. I believe that successful interrogators, those that elicit lawful confessions to felony crimes, have similarities in the way that they conduct their interrogations whether or not they have been formally trained in a specific system or strategy. Through this research, I hope to determine what those similarities are.

I am interested in felony offenses for which a felony charge was filed against a suspect. When I refer to interrogations, I am referring to an interview of a criminal suspect which is designed to obtain information regarding from the suspect on his involvement in a felony crime.

1. What is your level of education ?
2. Does your department have a minimum requirement (time with department or minimum education) for assignment to an

investigative/detective unit?

3. How long have you been employed in law enforcement?
4. How long have you been a in an investigative/detective unit?
5. How would you characterize your attitude during an interrogation?
6. Can you estimate the number of felony criminal interrogations you have conducted?
7. Do you practice interrogation tactics(e.g., in social situations or on misdemeanor suspects)?
8. Do you take steps to prepare for an interrogation? If so, what steps?
9. Do you do anything to make the suspect feel more comfortable? If so what?
10. Do you do anything to make the suspect feel uncomfortable? If so, what?
11. Is there an overriding theory you use throughout the interrogation (e.g.,: increase tension of the moment, decrease fear of consequences, increase the suspects overall fear, etc)?
12. Does your department, office location or headquarters have rooms designated for interrogations?
13. If not, do you do anything to prepare a room for an interrogation (table or not, how are chairs arranged, take notes, organized set of questions written

down) ?

14. How do you determine when a suspect is being truthful?
15. How do you determine when a suspect is being deceptive?
16. What is your response to a suspect who gives you a response that you know is false? Do you let the suspect lie, do you challenge him on the issue?
17. What do you do during an interrogation to elicit the truth from a suspect?
18. What do you do after a suspect has either made an admission or a confession? An admission would be an acknowledgment by the suspect of certain information that would incriminate him with respect to the crime under investigation. A confession is an acknowledgment by the suspect he has committed all the elements of the crime being investigated.
19. On average how long do your interrogations last?
20. How many people have you successfully interrogated (successful is defined as either a verbal, written or taped confession)?
21. Do you have an internal time limit for your interrogations?
22. Do you have a partner during the interrogation? If not, why not? If so, what is his role?

23. How would you characterize how it was that you learned interrogation tactics? Did you have any formalized training? If so, what?

Appendix C

Informed Consent

The purpose of this research is to understand and describe the concept of a successful interrogation from the perspective of established, consistently successful interrogators. This research is being conducted with the approval of Lewis University, Department of Criminal/Social Justice. The principle investigator in this research is Jeffrey W. Padilla. The faculty supervisor of this

research is Dr. Gene Scaramella. There are no known risks involved in the participation of this research. The research hopes to benefit the law enforcement community by identifying the essential characteristics of conducting a successful interrogation. Participation in this research is completely voluntary and refusal to participate will have no penalty. In addition, subjects may discontinue participation in the research at any time and request withdrawal of any responses. Furthermore, the principle researcher will ensure that all participants in the study are at least 18 years of age.

I _____, the undersigned, have read all the elements of the informed consent document and fully understand that any information provided by me will never be used against me in any capacity. This information will only be used for the collection of research information by the interviewer. Only the interviewer knows my true identity, my name will never appear in any reports, publications, or revealed at any time. Any information that is provided to the interviewer will refer to me using a fictitious name or code number. The informed consent document and any other materials that list my true identity will be in the possession of the interviewer at all times and stored in a secure location.

Informed Consent Ethical Issues:

1. Any information provided will be used for the collection of research information.
2. Any information provided by me will never be used against me in any capacity.
3. Only the interviewer will know my true identity.
4. My name will never be revealed or appear in any reports, publications, or revealed at any time.
5. Any information provided by me to the interviewer will refer to me fictitiously.
6. This informed consent document and any other materials that list my true identity will be in the possession of the interviewer at all times and stored in a secured location.

Date of Interview:

Location of Interview:

Interviewer:
Jeffrey W. Padilla

Interviewee:

(Print name)

(Signature of interviewer)
interviewee)

(Signature of

Appendix D

Debriefing Form

There was no deception involved in the interviewing of the research participants and each participant was fully informed and participated voluntarily. It is anticipated the research will be concluded and the results of the research will be available by June 2003. If you wish any information pertaining to the research or would like information on the results and conclusions of this research, please contact Dr. Gene Scaramella, Lewis University, Department of Criminal Social Justice, at 815-836-5502.

Appendix E

Summary of The Reid Technique

The key elements that define the Reid Technique are:

1. A non-accusatory interview that is conducted before the investigator engages in an accusatory interrogation. This interview generally lasts from 30 to 45 minutes and includes both investigative and behavior provoking questions.
2. The interview is conducted in a controlled environment with only one investigator interacting with the subject.
3. The interview and interrogation are distinctly different Procedures separated by several minutes.
4. The primary persuasive vehicle of the interrogation is a theme that offers moral justification for the suspect's crime. The theme is presented as a monologue and the investigator discourages the suspect from offering denials or explanations for incriminating

evidence. At no time during the interrogation process should the investigator state that if the suspect's crime was somewhat justified, he may be afforded leniency.

5. The impetus for the first admission of guilt is in the form of asking an alternative question. This question presents the suspect with two choices concerning some aspect of the crime. For example, "Did you plan this out months in advance, or did it pretty much happen on the spur of the moment?" The suspect is encouraged to accept the positive choice (spur of the moment). In presenting and contrasting the alternative question, the investigator must not offer threats or promises. An example of an improper alternative question would be, "Do you want to be charged with first degree murder, which will mean life in prison, or was it just manslaughter, where it happened on the spur of the moment?"
6. Once the suspect accepts the positive alternative, active persuasion stops within the interrogation process. The investigator asks non-leading questions to draw out the full confession. The final step of the process is to have the verbal confession witnessed and converted to a court admissible

document.

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