

# Interview & Interrogation: Part Two

## Suspect Interviews



# Get to know you exercise

Interview someone in the room you don't know.  
Find out the following information about them:

Name

Agency they work for

Current Assignment

Interesting hobby

Proud accomplishment

# Get to know you exercise - recap

Lessons learned

How did you approach your interview?

# Goals of a Law Enforcement Interview



To obtain the most

Complete

Accurate

Truthful information possible.

Do so in a manner that is legal, ethical and consistent with current best practices.

# Science Based Interviewing Principles

Obtain uncontaminated information

Minimize suggestibility

Prevent possibility of false confession

Treat people how you would like to be treated

What type of information is sought FROM SUSPECTS in a welfare fraud investigation?



What challenges and barriers do you face when interviewing suspects in a welfare fraud investigations?



# Legal considerations

## Miranda advisement - When necessary

Police

Custody (for the purposes of Miranda)

Interrogation

# Legal considerations

## “Police” as it pertains to Miranda advisements

Police would be considered people who have police powers (832 PC in California) in the performance of their duties

# Legal considerations

## Custody for the purposes of Miranda

Is in the mind of the interviewee

Circumstances that would lead a reasonable person to believe they are “in custody”, not simply detained

# Legal considerations

## What constitutes “interrogation”

Common perceptions

Definition of Interrogation: Words or actions that could elicit an incriminating response

Admission - statement that ties a person closer to the Crime

Confession - taking full responsibility the crime

# Credibility Assessment - Detecting and managing deception

## Why do people lie?

To avoid consequences

To protect someone else

To control the narrative

Peer pressure

# Detecting and managing deception

## Why do people tell the truth?

Perceived moral / ethical / right thing to do

Socialization

Telling the truth may be easier

Relief from personal anxiety

# Detecting and managing deception

Statements contradictory to other evidence

Which facts / evidence / statements are actually true

# Detecting and managing deception

## Stalls

Asking you to repeat the question

Repeating the question themselves

Asking for clarification

Pretending not to hear the question

Not answering the question as it was asked

Timing of responses

# Detecting and managing deception

## Behavior Analysis - Other verbal responses

Mercy questions

# Detecting and managing deception

## Behavior Analysis

Behavioral analysis is not considered to be particularly accurate under current SBI guidelines

# Detecting and managing deception

## General guidelines

Keep an open mind!

Your assessment of a person's truthfulness may be wrong.

Let the evidence be your guide.

Support your partners and the case by playing the devil's advocate.

# Techniques for Encouraging Truth and

## Disclosure

Acting on perceived deception

So what if we think they are lying?

What do we do about it?

# Techniques for Encouraging Truth and

## Disclosure

When to address perceived deception

Accept and explore “contrary statements” initially

They may actually be telling the truth

Keeping them talking is valuable

Locking them into their lies may be helpful

The lies may be all we get and possibly all we  
need

# Techniques for Encouraging Truth and

## Disclosure

How to address inconsistencies / contrary statements

Explore the inconsistent area again in detail, they may add / change / further disclose on their own

Share evidence / other statements that are inconsistent with their statement. Ask them to explain the difference if they can.

# Techniques for Encouraging Truth and

## Disclosure

How to address inconsistencies / contrary statements

Share, in a non threatening, non-judgemental, non-accusatory manner why you think they may not be willing to be fully forthcoming at this time.

# Techniques for Encouraging Truth and

## Disclosure

How to address inconsistencies / contrary statements

Choose your language and tone carefully.

“I don’t think you have fully shared with me about what happened” vs. “You are lying”.

# Techniques for Encouraging Truth and

## Disclosure

Investigative deception

Lying to the person being interviewed is strongly discouraged.

Is not permissible with juveniles.

# Exercise