

cfinsider

A Journal for the Certified Forensic Interviewer

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<http://www.certifiedinterviewer.com>

Letter from the

Chairman of the CISA Advisory Committee

Interview And Interrogation Critics

Every interviewer and CFI should understand the position of critics who attack interrogations. We know that every interrogation and resulting confession is going to be challenged, so we should be prepared for our opponents' strategy. The individuals who hold themselves out as experts are making a nice living providing court testimony, so it is unlikely they will disappear anytime soon.

Only recently have these experts made the transition from criminal to civil cases in the private sector. It makes sense since there is more money to be made in the private sector than in the public where the court may have to authorize payment for services.

In these early civil cases, the experts had some trouble transitioning their testimony from the public into the private venues. The private sector environment and rules are very different so many of their criticisms do not translate well. This is not to say that they will not learn to modify their testimony to fit the private sector practices. These experts were able to do this in the public

sector where they originally testified in false confession cases. There they have moved from the confession was completely "false" to it was "coerced" using psychological means. Essentially, they are now focusing on the voluntariness of the confession and the suspect's freewill being overborne by the interrogator's unfair psychological tactics.

CISA would like to act as a clearing house and resource for companies having to deal with these expert witnesses. If anyone has experts named to appear in a case relating to an interrogation or are aware of a



David E. Zulawski, CFI, CFE
Chairman CISA Advisory Committee

case like this, [contact me](#).

Through your help we can all learn more about them, their positions and tactics.

Sincerely,
David E. Zulawski



CISA

The objective of this certification program is to create comprehensive, universally accepted professional standards combined with an objective measure of an interviewer's knowledge of those standards. The ultimate goal is that every person and every organization with a stake in interviewing will benefit from the program, as will the reputation and effectiveness of the entire profession.

CFI Code of Ethics

The Certified Forensic Interviewer is a professional with the expertise to conduct a variety of investigative interviews with victims, witnesses, suspects or other sources to determine the facts regarding suspicions, allegations or specific incidents in either public or private sector settings.

The Certified Forensic Interviewer demonstrates understanding of legal aspects of interviewing and proficiency in interview preparation, behavioral analysis, accusatory and non-accusatory interviewing, documentation, and presentation of findings.

Click below to link to the complete CFI Code of Ethics:

[http://certifiedinterviewer.com/
code_of_ethics.htm](http://certifiedinterviewer.com/code_of_ethics.htm)

Opinions and ideas in cfinsider are intended for information, and is not meant to be used as legal advice.

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Legal Aspects

The Canadian government is still working on the changing landscape of public and private policing. The Law Commission of Canada released its report on the future of policing in Canada this summer after three years of work. There has been criticism of the time it took to produce the study and several provinces have moved ahead with their own regulations while the Commission completed its report.

Noting that public and private security often do similar jobs, cooperating and complementing each other, the Law Commission called for accountability and embracing professional standards. The Commission questioned the current patchwork of standards across the provinces and the lack of universal training for private security. In light of this "patchwork" the Commission recommended Provincial and Territorial governments establish Security Complaints and Accreditation Commissions (SCAC) that would be responsible for licensing organizations and personnel, either in-house or contract. These commissions would also be responsible for setting minimum training standards and codes of conduct. The Commission also recommended

that the SCACs work together to create uniform standards across the country. Many Provinces have already moved ahead with these recommendations even before the report was released.

For those interested in reviewing the full report, *In Search of Security: The Future of Policing in Canada*, [Click Here](#)

CFInsider comment: It is interesting to note both Canada and the United States are beginning to recognize the value of cooperation between the public and private sectors. Here in the U.S. the focus on Organized Retail Crime has many companies and law enforcement agencies working closely together on a variety of cases and databases.

The Law Commission called for accountability and embracing professional standards.

Is a confession to an inmate admissible?

After an attempted bank robbery, police stopped a car matching the description of one parked near the bank. During the stop, police developed enough evidence to arrest the occupants of the vehicle for the robbery

attempt. While awaiting trial, one of the two suspects admitted to another inmate in jail that he and the other occupant had tried to rob the bank. That inmate then sought out prosecutors. During the meeting the inmate related the conversation he had with the defendant concerning the bank robbery. Prosecutors introduced the testimony.

The defendant asked that his statements to the inmate be suppressed. The court disagreed and the two defendants were convicted. They appealed their conviction, in part, on the basis of the inmate's testimony.

Decision: Conviction affirmed

The court concluded the statements were admissible at trial for both defendants. The court reasoned the informant inmate did not press or force the defendant to relate events of the attempted robbery, and as result his testimony was admissible

CFInsider comment: Consider what differences there might have been in the court's opinion if the inmate was acting at the behest of police or prosecutors to secure the defendant's admission after Miranda and while represented by counsel.

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Questions from the Field

When is the best time to present evidence to the subject?

In general, the interviewer or interrogator should almost always conceal evidence from the suspect for the following reasons.

- First, concealing evidence serves as a lie detector for the interviewer/interrogator. If the suspect never reveals the details of the crime discovered during the investigation, the interviewer/interrogator can surmise the subject is still being deceptive.
- Second, revealing evidence to the suspect tells him about the scope and breadth of the investigation. The suspect may be able to determine how the evidence was discovered or the identity of informants providing information.
- Third, knowing what the investigation has discovered may limit the suspect's admission since he now believes his other crimes remain undiscovered.
- Fourth, if evidence is disclosed early, while the subject is physically and emotionally strong, he is more likely to argue about it. Even strong evidence revealed early in the encounter may not be accepted by the suspect and only entrench his resistance.

- Fifth, if evidence is revealed it should be done vaguely, so it does not contradict the suspect's image of the facts.
- Finally, having the suspect confirm evidence, without being aware of its existence, substantiates the confession and enhances its believability.

On occasion there may be reasons to reveal evidence to a suspect, however, the decision to do so, and its implications, should be carefully considered by the interviewer/interrogator. One reason to present evidence early might be the career criminal who has been lied to by police over the years. The evidence is used to establish the credibility of the investigation with the suspect. Presenting a single piece of evidence in some cases might be enough to convince the suspect his guilt is known, however, just as likely, this could cause the suspect to argue, invoke his rights, or increase his resistance to a confession.

More often than not, holding the evidence back benefits the investigator. The subject may make statements flippantly believing the investigators are guessing. There is also a point in the later stages of the interrogation where a suspect may offer an absolute denial, "I don't care what you or your investigation say. That's all I have done!" Even weak circumstantial evidence contradicting the

suspect's assertion can have a dramatic effect on the individual's resistance at this point.

More often than not, holding the evidence back benefits the investigator.

The investigator can increase the psychological power of his evidence by carefully interviewing the suspect prior to confronting him with the facts. During this interview, the suspect will likely lie believing that his crimes are undiscovered and he can safely conceal what he has done wrong. The suspect's own words stand in stark contrast to the truth, and even lacking a confession, his lies can be as damning as an admission. In *Linking Research to the Field* there is a specific discussion of the structure of using evidence during an interview or interrogation.

There are two relevant studies included in this edition's *Linking Research to the Field* section, which have implications to this question as well. One of the articles relates to the suspect's decision to confess when confronted with evidence and the second looks at increasing the investigator's ability to detect deception by withholding evidence.

Book Review

This is a dynamite little 85 page book to help you write grammatically correct reports. The 4th edition of *The Elements of Style* by William Strunk Jr. and E.B. White provides the elementary rules of style and language for the writer. Written in a simple readable style, this useful book belongs on everyone's desk who must write clearly.

If you have ever wondered whether to use a comma or a semicolon this book will provide a simple set of rules some of us sort of remember learning in high school. Plus, there is a section on style and another on the basic principles of composition.

Charles Osgood says of the book "...still a little book, small enough and important enough to carry in your pocket, as I carry mine."

Unlike Mr. Osgood, I don't carry this useful gem in my pocket, but it does have a spot in my briefcase. [Click Here](#) for more information.



Linking Research to the Field

In this edition's Linking Research to the Field we will address the use of the evidence, both as it relates to the suspect's decision to confess and the interviewer's ability to detect deception during the interview.

Mock-suspects' decision to confess: the accuracy of the eyewitness evidence is critical

Applied Cognitive Psychology
Appl. Cognit. Psychol. 20: 477-486 (2006)

Mark R. Keibell, Emily J. Hurren and Shannon Roberts

Abstract

"Forty participants were asked to commit a mock crime that involved them stealing a cell phone. Later the mock offenders were questioned and evidence was presented to them from a witness who is said to have seen the offense. Participants were randomly assigned to one of two conditions in which they were presented with a witness statement that either contained detailed information concerning their description and their actions or not detailed information. For half the participants in each condition the information was correct, while for the other half some of the information was incorrect. The results showed that participants were more likely to confess if the evidence against them was accurate, but the level of

detail of the evidence made no difference. Participants who had accurate evidence presented against them felt more guilty than those who had less accurate evidence against them. The results are discussed in relation to police interviewing techniques."

Study

The authors note that evidence appears to be a critical factor in determining whether or not a suspect will confess to a crime. They cite Moston, Stevenson, and Williamson (1992) who found when evidence against the suspect was weak, confessions occurred less than 10% of the time and denial of the crime 77% of the time. However, when the evidence was strong, confessions occurred in 67% of the cases while denials occurred in only 16% of the cases. Also cited was research by Gudjonsson and Petursson (1991), where they surveyed 74 prisoners who had confessed to their crime. They found that 55% of the prisoners confessed because they believed their guilt was known while 40% claimed that a feeling of guilt had been a major factor in their decision to confess.

The study raises the issue of what suspects perceived to be strong evidence. In witness credibility studies using mock juries, it was learned that a more detailed account by a witness increased the jurors' confidence in its strength. (Bell and Loftus, 1988, 1989). In this experiment using 40 participants, the

purpose was to explore whether more detailed evidence is perceived as stronger and whether incorrect evidence may reduce an individual's willingness to confess.

Fabricating evidence is a dangerous practice which is likely to reduce a suspect's likelihood of confessing if the suspect is able to recognize errors in the "evidence" presented to him.

The participants in the study were asked to enter a room, search for and then steal a cell phone located there. Although all the subjects stole the cell phone they were told that some might be innocent and not commit the theft. Three days later the subjects were interviewed by an interviewer who did not know all were guilty. The interviewer used a prepared script that placed the participants in one of four conditions:

1. Accurate information of guilt including details
2. Accurate information of guilt not detailed
3. Detailed inaccurate information of guilt
4. Not detailed inaccurate information of guilt

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Linking Research to the Field...continued

Research Findings

The research in this study strongly supported the authors' theory that inaccurate information would reduce the likelihood of a confession from the guilty. The authors conclude that fabricating evidence as suggested by Inbau, Reid, Buckley, and Jayne (2001) "is a dangerous practice which is likely to reduce a suspect's likelihood of confessing if the suspect is able to recognize errors in the 'evidence' presented to him." Those participants presented with inaccurate information believed that the evidence was far weaker than those who were presented with accurate information. While the researchers also theorized that

the more accurate detailed eyewitness evidence would increase the likelihood of confession, they found that this was not the case.

The following chart captures the subject responses to the two conditions of presenting guilty subjects accurate detailed and accurate not-detailed evidence.

The authors also note that the new research findings "indicate that once an individual has decided to confess he may feel he should explain his confession in terms of his desire to confess because of feelings of guilt. They surmise this seems more desirable than having been forced to confess because of convincing evidence or other reasons. Clearly,

saying you are confessing as a result of feelings of guilt creates a better impression of the suspect than saying you are confessing due to strong evidence or police pressure."

providing non-detailed evidence can still establish the credibility of the investigation and convince the suspect his guilt is known without having to provide those specific details that would be known only to the guilty.

CFInsider Discussion

The use of evidence and the amount of detail offered a suspect during an interrogation is an important decision for every interrogator. One of the primary criticisms leveled by critics of interrogations is that the interrogator provided the suspect with details of the crime, thus contaminating the resulting confession. The critics theorize the confession could have been false and the suspect incorporated the supplied information into the admission and did not have the unique knowledge of the perpetrator. On the one hand, a suspect was offered detailed accurate eyewitness evidence in a play by play of the individual's search and theft of the phone, while the non-detailed account was much more general:

"She was a white woman aged about 21-23 (age). She was about 5'5" to 5'7" tall (height) and had brown hair (hair color). She found the cell phone behind the curtain and took it."

The results of this study seemed to support that an interrogator

The use of non-detailed evidence can still establish the credibility of the investigation and convince the suspect his guilt is known.

An interrogator who chooses to use an Introductory Statement style accusation provides the suspect with "evidence" in a non-detailed fashion that protects what was actually discovered in the investigation. It also appears, based on the research findings, that the decision to confess is not enhanced by increasing the amount of detail revealed to the suspect. In fact, the findings (See figure 1) support our experience, that inaccurate evidence diminishes the likelihood of a confession. In a field situation most interrogators recognize suspects increase their resistance to a confession when inaccurate information is provided.

In our experience, it is preferable to provide a vaguely constructed accurate piece of evidence since

Figure 1

Question	Detailed Accurate	Not Detailed Accurate
How likely would you be to confess?	6.5	6.1
How accurate do you think the evidence against you is?	7.7	7.2
How guilty do you feel?	7.2	6.6
How strong do you think the evidence against you is?	7.2	6.6

Linking Research to the Field...continued

this allows the suspect to fill in the details accurately that further convinces himself his guilt is known. The problem with eyewitness information or determining a suspect's actions by examining the crime scene is any incorrect information provided to the suspect decreases the likelihood of a confession and undermines the credibility of the investigation.

The authors in this study are academics and not practitioners. They attack the idea of fabricating evidence to convince a suspect that his guilt is known, specifically citing the Reid text. However, the presentation of fabricated evidence is generally done using either a baiting or an enticement question, rather than asserting fictitious evidence actually exists. Although the Reid text does suggest presenting fictitious evidence directly, it also offers the use of the baiting presentation and cautions that if the evidence is wrong it will increase the suspect's resistance. The academics misunderstanding of the concept and the technique's application creates a largely unwarranted criticism. They are, however, correct in asserting that an inaccurate bait or enticement question can create resistance during an interrogation. For example, if a crime was committed behind

closed doors, asking the suspect if there was any reason someone would say that they saw him commit the act makes no sense. Or, asking the suspect if his fingerprints would be present when he had everyday access to the location or object also makes no sense. The interrogator should choose his bait or enticement question based on the circumstances surrounding the case. In this study the room where the cell phone was stolen contained a two way mirror that could have concealed an observer, so the witness description of events seems plausible. However, so would an enticement question concerning being observed committing the theft.

In addition, it is interesting the researchers postulate that an individual will offer an excuse or rationalization to minimize his loss of face when admitting. *Wicklander-Zulawski & Associates found that 55% of subjects confess because they believe their guilt is known, 42% wanted to put a positive spin on the crime, and 33% felt guilty about their act.* The need to rationalize one's action is a common human trait. Simply presenting evidence to the suspect, without offering a rationalization, is making it more difficult for the suspect to confess. Not only is the interrogator asking him to

confess to the crime, but he is also asking him to confess to being a bad person. The suspect who suggests he feels guilty about committing the act supports his self image to both himself and the interrogator.

Presenting evidence to the suspect, without offering a rationalization, is making it more difficult for the suspect to confess.

The study authors suggest accurately recovering the memory from a witness will enhance the interrogator's ability to obtain an admission from the guilty. Interviewers using the Cognitive Interview can assist the witness in accurately recovering his memory of the event with the least amount of inaccurate information. However, as this study and experience tells us, presenting vague accurate information will have essentially the same impact, but with less danger of incorrect details.

A second study looked at the timing of presenting evidence to a suspect and its implications in detecting deception during an interview.

Strategic Use of Evidence During Police Interviews: When training to detect deception works

Law and Human Behavior
Law Hum Behav (2006) 30:603-619

Maria Hartwig, Par Anders Granhag, Leif A. Stromwall, Ola Kronkvist

Abstract

"Research on deception detection in a legal context has neglected the question of how the use of evidence can affect deception detection accuracy. In this study, police trainees (N=82) either were or were not trained in strategically using the evidence when interviewing lying or truth telling mock suspects (N = 82). The trainees' strategies as well as liars' and truth tellers' counter strategies were analyzed. Trained interviewers applied different strategies than did untrained. As a consequence of this, liars interviewed by trained interviewers were more inconsistent with the evidence compared to liars interviewed by untrained interviewers. Trained interviewers created and utilized a statement-evidence consistency cue, and obtained a considerably higher deception detection accuracy rate (85.4%) than untrained interviewers (56.1%)."

Linking Research to the Field...continued

Study

The authors review previous research indicating the ability of humans to detect deception hovers around the chance level. This chance level is true regardless of whether or not participants worked within the legal or law enforcement systems. Unfortunately, laboratory research into detection of deception does not accurately replicate the circumstances, emotional stress of the suspect, or investigative facts that investigators use to identify deception. In most of these studies, the participants were asked to watch videotaped segments and then determine whether or not the individuals were telling the truth without being able to ask questions or use investigative results to evaluate statements.

This study changes the rules and allows participants to interview and use case facts or evidence to evaluate a subject's truthfulness. Specifically, the study's authors proposed to look at the way evidence was disclosed by interviewers. They noted that some police manuals recommend "disclosing the evidence at the onset of the interview" (e.g., Inbau, Reid, Buckley, & Jayne 2001; Yeschke, 1997). Other manuals contain very little or no information on

how to use the evidence during the interview (e.g., Gordon & Fleisher, 2002; Macdonald & Michaud, 1992)."

In a previous study the authors (Hartwig, Granhag, Stromwall, Vrig (2005) explored whether withholding evidence from a suspect until the latter stages of the interview would increase the investigator's ability to detect deception. They found that interviewers who withheld evidence were significantly more accurate in detecting deceptive statements.

In this study, the authors' hypothesis withholding evidence and asking strategic questions about the evidence will provide a sound basis for an interviewer to determine whether a subject is lying. They base this hypothesis on research conducted with experienced police officers which revealed guilty subjects tended to hold information back to a larger extent than truthful subjects. Liars tended to keep their story simple, while truth tellers reported the incident using greater detail to describe what happened. The authors conclude that liars provide less information, but also run a higher risk of contradicting evidence from the investigation.

The authors intended to test three hypotheses in this particular study. They predicted:

1. Trained interviewers would withhold evidence, presenting it later in the interview more often to liars than truth tellers. They also predicted that untrained interviewers would reveal their evidence at the end of the interview equally for liars and truth tellers.
2. The liar's strategy would entail: a) would not reveal as much detail as a truth teller and b) would be more inconsistent than truth tellers and c) withholding information from the liar would cause his story to be more inconsistent.
3. Trained interviewers would correctly identify liars as deceptive.

Interviewers in the training condition obtained an overall accuracy of 85.4% (accuracy in truths 85.0%; lies 85.7%).

Study

To explore these three hypotheses the authors had students commit a mock wallet theft. Those students actually assigned to commit the theft stole the wallet from a briefcase in a bookstore. The students not committing the theft were

instructed to go to the area where the briefcase was located and look for a paper punch in a box. To look in the box required the briefcase be moved.

The interviewers consisted of 82 police trainees divided into two groups, one of which was to be trained and the other untrained. The study authors spent three hours training 41 of the police trainees in planning and asking questions, including the strategy of withholding evidence from the subject.

Prior to the interview, all the suspects were told a wallet containing a large sum of money had been stolen from a briefcase. They were told that they were suspected of having committed the crime and investigators had some information implicating them in the crime. The guilty were instructed to lie as convincingly as possible, while the truthful were told to give an accurate account of what they had done.

Findings

The authors found that the untrained interviewers revealed significantly more evidence than the trained police trainees did. They also found that those who were trained in the strategic use of evidence followed their training when conducting the mock interviews. Interestingly, the truth tellers tended to

Linking Research to the Field...continued

"mention evidence related information in their free recall to a significantly larger extent than liars."

Another finding that supported the author's hypothesis was that *"liars interviewed by trained interviewers were significantly more inconsistent than liars interviewed by untrained interviewers."* When examining the interviewer's ability to detect deception, it was found *"that the interviewers in the training condition obtained an overall accuracy of 85.4% (accuracy in truths 85.0%; lies 85.7%), while the interviewers in the no training condition obtained an overall accuracy of 56.1% (accuracy in truths 57.1%; lies 55.0%)."*

The authors concluded that withholding evidence from a subject will increase the interviewer's ability to distinguish between a truth teller and liar. In addition, withholding evidence from the guilty subject causes additional pressures on him to appear truthful.

CFInsider Discussion

The authors of this study note that a number of textbooks either do not address the issue of evidence presentation or encourage it be disclosed early in the conversation. They also

point out that in a 1996 study by Leo disclosing evidence early in the interview was the most frequent way police interviews began.

The Leo study was an examination of approximately 60 videotaped police interviews. From this review he concluded revealing evidence was a common police practice. We believe that this is an erroneous conclusion based on the very limited number of interviews he reviewed.

The Cognitive Interview encourages free uninterrupted recall by the subject.

In this study, the researchers have overcome one of the fundamental problems in academic research, the failure to allow interviewers to question the subject. In most of the studies, interviewers merely observe a pre-taped interview with no ability to question the subject or use evidence as a means of establishing the veracity of the individual's story.

It is interesting to note that the authors' study supports what interviewers have consistently done for years when evaluating a subject's story, that is, withhold

evidence. In addition, the study supports what we have experienced in actual interviews; liars tend to offer a vague story compared to the truth tellers detailed recounting.

Let's consider an interview structure to take advantage of what this study suggests. When evaluating a subject's story against an investigation the interviewer should consider a structured approach to the conversation.

1. First, consider the crime, the environment, potential evidence, and factual basis prior to the interview. How was the incident able to happen?

2. Consider what possible explanations the subject might offer for evidence revealed during the investigation. How could a suspect explain away his actions?

3. Prepare possible baiting or enticement questions that fit the facts of the case. For example, in the previous study, a wallet was stolen from a closed briefcase. An excellent enticement question might be, *"Is there any reason that you can think of that your fingerprints would have been found inside the briefcase?"* In either the guilty or the truthful condition, a participant might have placed his hand on the outside of the briefcase transferring a

fingerprint. However, it would be only the guilty parties who would have entered the briefcase to remove the wallet.

4. The next step is to begin the interview with the subject. The interviewer should use a Cognitive Interview which encourages free uninterrupted recall by the subject. The Cognitive Interview instructions are given to the subject prior to his recounting the events. Remember, the subject should be encouraged to include as much detail as possible, and be allowed to do so uninterrupted. The purpose of this section is to obtain the subject's untainted version of the event.

5. The interviewer should consider the amount of detail included by the subject and look to the general structure of the free recall to determine whether on its surface it matches a truthful or untruthful story. Statement analysis proposes that a truthful story is approximately equal in detail and length in what precedes the event, the event itself, and what follows the event.

6. The interviewer could now move into a behavioral interview to assist in determining the subject's truth or deception. Using the behavioral interview in this position also puts time

Linking Research to the Field...continued

between the first telling of the story and the interviewer's later questions.

7. Next, the interviewer selects a point in the subject's story and asks him to recount it again, either forward or backward from that point. The interviewer is attempting to establish whether or not the individual is capable of telling a consistent story when he does not start at the beginning. This is especially effective with the untainted story because the subject has not recounted it repeatedly and may forget the order of events. Most liars tend to construct a story in a linear fashion moving consecutively from the beginning through to the end. Because he has constructed his story in this fashion it is more difficult for him to keep the story consistent when his starting point is not the beginning.

8. Once the subject has had a chance to retell his story from beginning, at a different point the interviewer, for the first time, begins to ask questions. The interviewer first questions the subject about areas of the story that do not matter to the interviewer. This conceals the interviewer's areas of interest and protects against the subject identifying possible evidence.

9. Next, the interviewer questions the subject in the areas of interest or where evidence exists. The truth teller is likely to confirm evidence or sequence of events, while the liar will attempt to conceal information believing it is undiscovered.

A single piece of contradictory evidence may not be sufficient to cause a person to confess.

10. The interviewer then misdirects the subject's attention to irrelevant areas, but confirms the subject's previous statements.

11. The interviewer now leads the subject to the area of concern restating the subject's statements. As before, the interviewer obtains a commitment from the subject that the statements he made earlier were accurate. Asking him to commit to previous statements does not seem out of place since he was asked to do the same thing just moments before in other areas.

12 A. If the interviewer has determined that the suspect has concealed information or has been inconsistent in his story, he may use a baiting or enticement

question to challenge the individual's story.

12 B. Or the interviewer may elect to begin an interrogation of the subject while still concealing the evidence or information revealed from the investigation.

12 C. Or in the alternative, the interviewer may present evidentiary contradictions to the subject and request an explanation. Remember, an interviewer who presents evidence to the subject indicating the subject has lied is asking for multiple admissions. He is asking the subject to admit lying and doing something wrong, all without allowing him to save face.

The truth teller is likely to confirm evidence or sequence of events, while the liar will attempt to conceal information believing it is undiscovered.

It is also worth noting, a single piece of contradictory evidence may not be sufficient to cause a person to confess. A factual approach works best when there is overwhelming evidence of the individual's guilt, enough to overcome the individual's resistance to a confession. But it would still be easier for the suspect to admit his

involvement if he was allowed to rationalize his behavior. Remember, in the first study, the researchers concluded the cause of the subject's confession was due to his belief his guilt was known, plus he had a desire to explain his feelings of guilt and preserve his self-image.

In this section we will continue to review academic research into behavior, detection of deception, interviewing and interrogation. We invite your questions, comments, and ideas relating to the research presented.

References:

Inbau, F. E., Reid, J. E., Buckley, J. P., & Jayne, B. C. (2001). Criminal interrogation and confessions (4th ed.). Gaithersburg, MD: Aspen.

Gordon, N. J., & Fleisher, W. L. (2002). Effective interviewing and interrogation techniques. London: Academic Press.

Macdonald, J. M., & Michaud, D. L. (1992). Criminal interrogation. Denver: Apache Press.

Hartwig, M., Granhag, P.A., Stromwall, L. A. & Vrij, A. (2005). Detecting deception via strategic disclosure of evidence. Law and Human Behavior, 29, 469-484.

Comments, Facts & Interesting Tidbits

Deception in Social Settings

Judging deception in a club or social setting is very difficult for a number of reasons:

1. Rarely do you have a clear behavioral norm for someone you have just met.
2. The individual's behavior may change as a result of alcohol or social setting.
3. The distractions surrounding the encounter.
4. Your lack of rapport with the individual or your failure to calibrate the person accurately.
5. No personal history or "investigative findings" to compare the person's story against.
6. Short casual encounter during which you have failed to capture their interest or desire to continue the conversation.
7. Plus, if you are not suspicious or looking for deception...which can change the tone of the conversation, you are unlikely to recognize it.

Truth Serum

Chicago Tribune, November 27, 2006 David Brown, writing for the Washington Post, addressed the idea of a truth serum as part of the debate over interrogation in an article reprinted in the Chicago Tribune. A timely article since there has been much hand wringing over interrogation techniques and what constitutes torture during an interrogation.

In his article he raises a question that goes back thousands of years, "Is there something you can give a person that will make him or her tell the truth?"

Ancient Romans said, "In vino veritas", meaning in wine there is truth. All of us have witnessed, or more lamentably experienced, the candidness of words when under the influence of "vino". Most recently a couple of young lads appearing in the movie *Borat* seem to regret some of their statements after consuming a few beers. But the government has experimented for years with a variety of pharmaceuticals attempting to obtain a "truth serum". These drugs began with scopolamine, a tranquilizer used during child birth and then moved on to the more well known barbiturates, Pentothal and Amytal. The CIA also tried LSD on unwitting subjects and experimented with several drugs from the 1950s to the late 1960's attempting to find a "truth serum" that was consistently useful in interrogation.

Scientist Mark Wheelis, a historian of chemical and biological warfare, quoted in the article said, "There is a large number of neural circuits that we are on the verge of being able to manipulate- things that govern fear, anxiety, terror and depression. It would absolutely astonish me if we didn't identify a range of pharmaceuticals that would be of great utility to interrogators."

Many legal scholars think that the question of whether these drugs could be used legally is still to be determined.



Continuing Education Credits – Cost Effective Methods

Don Ward, CFI

After all those hours of studying, I finally passed that CFI Exam. Now, I have nothing to worry about for 3 years. Thank goodness. What do you mean I have to earn 24 continuing education credits to keep my certification. Rats. Now, I have to start studying all over again to pass that exam.

Hold on. Before you start studying, there are several things that you and your company can do to earn those continuing education credits. The CFI Advisory Committee has a set of requirements (http://certifiedinterviewer.com/seminar_classes.htm) that all CFIs can use as a tool to guide them through the process. Within this set of requirements, there are some cost efficient methods to earn continuing education credits.

Attendance at a company meeting where investigation,

interview or interrogation was discussed is one way that the company can help manage continuing education credits. Of course, the CFI Advisory Committee must review the content in order to award credit. Another way to earn credit is to be an instructor on the topic of interview and/or interrogation at a company meeting.

The review of interviews is another way to earn continuing education credits. For instance, a supervisor and subordinate could earn credit through individual coaching. This is a great way to minimize risk to liability and provide learning opportunities. Your company can seek out these types of opportunities by contacting CISA.

All of these methods are cost efficient ways to provide continuing education credits towards your CFI Certification.

Links of Interest.....

A useful link to send/receive statements when conducting telephone interviews via your computer in a PDF format.

[Click Here](#)

Criminal Interrogations article by the FBI.

[Click Here](#)

Trust: Ten Ways To Tell If Someone Is Lying To You

[Click Here](#)

Perplexed by punctuation? Contact the grammar hotline: www.ucollege.ilstu.edu/ucla or 309.438.2345

CFIs in the News

The magazine Canadian Security favorably reviewed a new book, *The Process of Investigation: Concepts and Strategies for Investigators in the Private Sector* written by Charles A. Sennewald, CPP, CSC and John Tsukayama, CPP, CFE, PCI. The review also mentioned two CFIs, David E. Zulawski, CFI, CFE and Douglas E. Wicklander, CFI, CFE who contributed Chapter 10, *An Overview of the Interview and Interrogation Process*, to the text.

Dan Doyle, CFI and Tim Osbourne, CFI were interviewed by USA Today for a front page article on Organized Retail Crime in the Money Section.

[Click Here](#)

Interviewing the Gurus of Interviewing

[Click Here](#)

Welcome CFI's

The following individuals became CFIs during the quarter, August - October, 2006. Congratulations to those who have achieved the CFI status this last quarter!

To view the current list of all CFIs, visit our updated web site, or [click here](#)

Greg Adams
Stephen Douglas Bain
Timothy Wayne Baker
Ken Gabry
Jose Aldo Lopez
Donald Eugene Wuchter
Robert E Bearden
Brandon David Brown
David Cobarrubias
William Polk Hardeman
Melissa Leigh Hernandez
John Richard LaPorte
Kathy S Laws
Bobby Lee Mothershed
Justina Anne Reading
Art Emil Sheeler

Jerome Forest Snider
Michael Stuart St Clair
Paul A Trindle
Jonathan Joseph Williams
Martin Joseph Angeles
Charles Matthew Cherry
Christopher Correia
LeeRoy Paul Hegwood
Darrell L Kingore
Timothy Stephen Kneidel
Deana McLees-Gertzen
Juan Ospina
Damien Pittola
Paul Rufo
Michael James Russell

Organizations Represented

The following list comprises the organizations that have individuals who have successfully achieved the CFI designation during the quarter, August - October, 2006.

To view the current list of organizations represented, visit our updated web site, or [click here](#)

Target
CVS Pharmacy
Texas State Auditor's Office
Reliable Solutions, LLC
Steve and Barry's University
Sportswear
Tilly's
Game Stop

Container Stores
Circuit City Stores, Inc.
Dollar General
Staples, Inc.
Zerep Polygraph & Investigations
Services, Inc.
Springfield, MO Police
Department

CFI Recertification Selection

Previously, it was required that all CFIs up for recertification would send in all documentation to CISA to review and maintain. During the Advisory Committee meeting in August, a change of this procedure was proposed and accepted. Now all CFIs will maintain their own records of the 24 hours of Continuing Education Credits over the three years. All CFIs will provide a signed acknowledgment that the continuing education requirement has been met along with the \$125.00 recertification fee.

when an individual is required to have his recertification form turned into CISA.



Randomly, 10% of CFIs up for recertification will be selected for audit by the Continuing Education Committee. Those selected for the audit will be required to send in supporting documentation for the 24 hours of continuing education. After the Continuing Education Committee reviews the documentation, those selected will be notified if their Continuing Education Credits met the requirements to be recertified.

Our first group of CFIs come up for recertification in April, 2007. After April, we will have CFIs up for recertification every month thereafter. Should you need a copy of the CFI Recertification Packet, please [Click Here](#). Shortly, the list by month will be available on the web site showing

CFI Needs You!

Since the CFI designation has gone worldwide, we have had numerous requests for information about conducting investigations throughout the world. We are looking for CFIs who can create a "reference sheet" for others to use when conducting investigations in other countries. Types of information needed includes: country's requirements to conduct internal investigations, Miranda warnings (equivalent to US), proper reporting to authorities, special rules/laws to be aware of, etc. Should you be able to create these "reference sheets", please forward this information to [Wayne Hoover](#).

Did You Know?

Mark Witsoe, CFI

Here is a Web Site / Service that has been very helpful when conducting an interview of an individual who has an ethnic background you may not be familiar with;
<http://www.culturegrams.com>

As you know, this information can be very useful to ensure the interviewer is well prepared and understands what different words, phrases and gestures mean to a culture, as to not offend or embarrass a subject. It is also a great way to brainstorm motives, create rationalizations and build a rapport, when you know a little about their culture.

This pay service will give you information about different cultures;

- General attitudes
- Language
- Religion
- Greetings
- Gestures
- Family
- etc..



In addition to the CFI Coin, highlighted on the front page, we have received requests for numerous CFI items. While several are under development, we still have 25 commemorative CFI leather bound folders available. The cost is \$35.00 plus shipping. Please click [HERE](#) to order yours today!



CFI Ambassadors

With each issue of the *CFInsider*, we hope to spotlight members who offer a great story and profile that you will find interesting and insightful.

CFI Ambassador
Richard Portmann, CFI
by Jeremy Bailey, CFI



Richard Portmann, CFI.

It is my pleasure to introduce this issue's CFI Ambassador, Richard Portmann. Richard is the Manager of Investigations with the Global Security Division of Abbott. At his current position, he supervises two Investigators and an Investigative Assistant. He has held his current position at Abbott for approximately two

.... "My forensic accounting background has taught me the value of process; investigators need a consistent, teachable approach to all of their work".

years. He has the responsibility for internal investigations within the organization. While at Abbott he has worked on and produced the company's Investigation Manual and the Standard Response Protocol. Furthermore, he was also a key figure in developing a Standardization



Process for identifying potential problems.

Before Richard began his investigative career, he built a strong foundation in Internal Audit. He states, "my forensic accounting background has taught me the value of process; investigators need a consistent, teachable approach to all of their work". Some of his previous employment ventures in Investigations and Internal Audit have included employment at other notable companies such as Bank One. He also holds various additional professional certifications including his CPA and CFE. He earned his CFI designation in April of 2004. He has the distinction of being part of the inaugural 100 persons who earned their CFI.

He states holding the CFI designation brings instant

credibility in interviewing and interrogation within anyone's organization. He believes having the knowledge that encompasses the CFI designation brings out the individual's ability to uncover the truth and that it also greatly diminishes each individual's exposure to complaints and concerns following an interview or interrogation.

Individuals now have an ability to achieve significant results in interviewing for their organization which directly affects the bottom line. He emphasizes, "My philosophy is that where employees are concerned, my job isn't to get

Richard earned his CFI designation in April of 2004.

confessions. It's to find out what happened so management can make informed decisions". In the future, he would like to see other Investigators within the company pursue the CFI designation. Simply stated – he believes the CFI is a must have for all Investigators.

Congratulations to this issue's CFI Ambassador, Richard Portmann, CFI.

About the author: Jeremy Bailey, CFI. Jeremy is a graduate of the University of Alabama at Birmingham where he obtained his Bachelor of Science in Justice Sciences. He has been in Loss Prevention for over 10 years. He has been employed with Hibbett for nine of those years. While at Hibbett he has held various Loss Prevention positions. He obtained his CFI in December of 2005. He can be contacted at Jeremy.Bailey@Hibbett.com.

If you know of a CFI Ambassador who you would like interviewed for a future CFInsider, please [click here](#) to contact CISA.

CFI Re-Certification

A link to the http://certifiedinterviewer.com/seminar_classes.htm will give you a list of some of your options. To download the re-certification form, please click the following link:

www.certifiedinterviewer.com/pdfs/CISA_Certification.pdf

Here are some links that take you to pre-approved seminars or programs that can be applied to your re-certification:

www.policetraining.net

www.w-zcampus.com/campusV2/campus/course_catalog.html

www.w-z.com/schedulecfi.php#schedules

www.lsiscan.com/scan_training.htm

NRF Investigator's Conferences (Link for dates and locations)

www.lpinformation.com/Default.aspx?tabid=202

The following is a partial list of conferences that are recognized for your CFI re-certification:

April 16-19, '07 **

Retail Industry Leaders Association Loss Prevention, Auditing & Safety Conference.

June 11-13, '07 **

National Retail Federation Loss Prevention Conference & Expo.

****Note:** CISA representatives will be at these conferences. Please feel free to contact [Wayne Hoover](mailto:Wayne.Hoover@cisa.com) via email for an introduction.

How Do You Sign Your E-mails?

Have you added CFI to your e-signature?

Eric D. Echols, CFI
The LPS Group
A Loss Prevention * Private Detective * Security Corporation
1050 E. Piedmont Road, Suite E - 134
Marietta, Georgia 30062
eric@lpsgroup.net

CFIs On the Move!

Moving?, New Job? Update us with your current mailing/email addresses, positions, and phone numbers.

Congratulations to those CFIs who have taken new positions:

Joe DiMariano, CFI was named the Vice-President of Loss Prevention for DSW.

Chris Duke, CFI was named the Director of Loss Prevention for DOTS.

Shannon Hunter, CFI has been promoted to Director of Corporate Loss Prevention Operations for Office Max

Kevin Stewart, CFI was named to a Regional Loss Prevention Manager position for Gap, Inc.

Are You Carrying Yours?



Missing CFIs Email/Contact Information

Please click [here](#) and review the list of current CFI, to see if you or someone you know is listed in BOLD. If your name, or someone you know is listed, it indicates we do not have either current phone numbers, titles, organizations, or email addresses to reach them.

c f i n s i d e r

■ The cfinders newsletter is distributed in electronic format only. You can view back issues of this newsletter. [Click Here.](#)

■ Opinions and ideas in cfinders are intended for information only. And is not meant to be used as legal advice. Statement of fact and opinions made are the responsibility of the authors and do not imply an opinion on the part of CISA, its officers, the editors or its members.

■ Member articles about interview and interrogation published in cfinders, qualify for Continuing Education Credits.

■ Should you have any questions on obtaining re-certification for your CFI designation, please [Click Here](#) to contact CISA.