Interrogation: An Academic Peer-Review of the Literature (1999 – 2009)

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A demand for integrity

"For a long time I have not said what I believe nor do I ever believe what I say and if indeed I do happen to tell the truth, I hide it among so many lies that it is hard to find." (p.59)

Niccolo Machiavelli (1513)

The statesman Machiavelli knew the importance of integrity as he wrote the above words, which inferred the concern for protecting his inner thoughts from adversaries he could not trust. The demand for integrity has never been greater. Areas needing more integrity and trust can be found within personal relationships, within employment sectors, and for all positions requiring trust. The United States federal government has routinely vetted personnel seeking positions of trust when their duties required them to be stewards of the public's trust. Personnel in these positions require intense scrutiny as a prerequisite before holding such appointments because their duties entitle them to have access to sensitive information. People with the authority to know, manage and be trusted with such information are also required to have unquestionable integrity. These people must be trusted to serve a greater good and have the complete confidence of those they serve. Therefore, the challenge is for society to find people qualified to serve in positions of trust.

The United States federal government has an established vetting process for determining the suitability of personnel seeking access to jobs that allow access to sensitive information. The vetting process has been called the security clearance granting process, and criteria for determining this process has been distinctively defined with an increasing intensity of scrutiny as the level of the clearance increases. Vetting processes have grown to become major industries where companies specializing in clearance processing have created, proliferated, and become commercial icons.

The primary objective of the efforts for these companies is to assess the suitability of a person before that person is granted, access to a position of trust and responsibility. In addition, the ultimate goal is to determine a way to guarantee that people with the authority to hold positions of trust continue to act in such a way that their actions deserve the trust held in them. Finally, during investigations where seeking the truth is the goal, the same principle has applied: determining the most effective means of vetting people for positions of trust.

In those situations where the investigator has developed corroborative evidence during an interrogation, a battle of wills can develop between an investigator and the suspect. The suspect may not be willing to tell the truth while the investigator could insist that the suspect tell the truth; this

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situation is called a stalemate. The investigator has to overcome the will of the suspect through interrogation to arrive at the truth or gain a confession. For a long time, human beings have tried many methods claiming to be successful means of eliciting the truth from a reticent subject. Such things as torture have been used to persuade the reluctant holder of information to tell the truth. Truth serums or anesthetic hypnotic drugs have also been suggested to induce reticent suspects to talk under questioning; however, many of these methods are violations of the United States constitutional rights of due process and human rights. During an interrogation, one must operate within the guidelines of American criminal justice jurisprudence to obtain confessions, with complete adherence to due process for the accused.

The industry of law enforcement and security intelligence has a vast arsenal of techniques and methods that are used during interviewing and interrogation. However, novice practitioners have attempting to find quick fixes to eliciting information, which often creates controversy about the common practices of eliciting information. The proclivities of these novices have placed into question long-established methodologies relative to best practices of interrogation. Finally, a small amount of peer-reviewed academic studies exist on the topic of interrogation, and fewer studies exist relative to the subset of theme development within the interrogation type called story telling.

Case law, moral issues, and efficacy

Literature addressing the growth of interrogation reflects back to Souris, who questioned interrogation techniques of police and prosecuting authorities "as a blatant disregard of [America's] law in their ruthless pursuit of criminals while displaying contempt for the rights of others [during that time]" (Souris, 1966). In his extensive analysis of criminal case law as those statutes related to interrogation and defendant's rights to due process, Thompson provided the impacts of the U.S. Supreme Court rulings of that time for the cases involving *Miranda v. Arizona* and *Escobedo v. Illinois* (Thompson,1996). In both cases, the U.S. Supreme Court held in favor of the defendants, whose constitutional rights

under the due process laws of the Fourth Amendment had been violated. The Court also deemed that the Fourteenth Amendment had also been violated (Thompson, 1996). Law enforcement authorities have used the outcome of these cases as benchmarks for operating in field situations involving interrogation, search, seizure, and custodial detention.

Kassin questioned the relevance of criminal confessions by raising doubt about the maximization and minimization interrogation technique used by police and made inferences that the tactic could generate coerced compliance and produce coerced, internalized false confessions (Kassin, 1997). Practitioners in all forms of interrogation commonly use this technique. The technique uses subterfuge, trickery, or deception to make the defendant believe that the interrogator is on his or her side by rationalizing the wrongful act committed by the defendant. The explanation given to a defendant when the interrogator is minimizing the wrongful act is carefully choreographed to ensure that the interrogator is not judging, providing his or her personal opinions, or is proclaiming the act was the right thing to do. The interrogator might say that the defendant may have thought it was the right thing to do but never steps over the line by officially condoning the act. This technique has long been approved by U.S. Supreme Court case law dating back to the Miranda and Escobedo cases of 1966.

Police confrontation of a suspect in an interrogation room represents one of the most direct encounters a citizen can have with his or her government. Neubauer raised the issue that persuasive and manipulative interrogation techniques were in keeping with U.S. constitutional guidelines of due process. (Neubauer, 1974). However, Inbau provided the template for the acceptable practices relative to interrogations and interviewing (Inbau, 1999). Carrington described the impacts Inbau made on the industry of interrogation when he discussed due process, the protection of suspects' rights, and maintaining the premise that evidence should lead the way, without presumption to convict only the guilty (Carrington & Schmidt, 1977).

Wakefield stated that judges and juries must assess closely the retractions of confessions made by criminal defendants when certain police interrogational tactics are used (Wakefield & Underwager, 1998). However, Einesman reported the benchmark decision the U.S. Supreme Court made by shifting the perspectives on the admissibility of confessions by recognizing that police officers often use sophisticated interrogation techniques (Einesman, 1999). This perspective revalidated the responsibility that the police have to advise subjects of their right to be silent, their right to an attorney, and their privileges relative to the safeguards against self-incrimination. These rights were all prescribed in the 1966 *Miranda* and *Escobedo* cases.

Emerging opinions by scholars of impinges on due process

The tide of over protection for criminal defendants' rights only made the challenge of convicting the guilty more difficult. Hansen provided a notion of how to deal with employee fraud when he asserted that one must first understand the psychology of the thief (Hansen, 2000). Hansen further explained the need to develop interrogation strategies and techniques to obtain lawful confessions and suggested that guile tactics were appropriate. Hansen's argument seemed to receive a rebuttal in the study conducted by Magid who raised questions about the need to limit the use of deceptive police interrogation techniques. Magid expressed mistrust in police interrogation when trickery was used that inferred an abridgement of U.S. constitutional due process (Magid, 2001).

Continuing the discussion, Erikkson believed that the newly developed approaches in the field of interrogation were not truly new but were revisited by practitioners from past methods (Erikkson, 2004). Erikkson examined several approaches to interrogation where such tactics as humiliating interrogation of suspects or where confessions were gained by coercive means. However, these tactics are deemed unlawful and ineffective.

Kassin updated his earlier study with the suggested three categories that explained shortfalls when obtaining confessions during the intensity of an interrogation:

"(a) Investigators commit false-positive errors by presuming innocent suspects are guilty; (b) investigators naively believe in the transparency [suspects] innocence, innocent suspects waiving their rights; and, (d) innocent suspects [are susceptible to] elicitation of highly confrontational interrogations when accused of wrongdoing." (Kassin, 2005).

These assertions by Kassin are highlighting aspects of the interrogation during its ebb and flow. However, Murdock discussed the use of behavioral profiling as a complement to interrogation techniques to identify deceptive behavior during interviews and interrogation (Murdock, 2005). Murdock's study is a good segue to the next section that discusses research that identifies shortfalls with certain interrogation techniques.

Focus on specific methodologies used by practitioners

Russano revealed that interrogation techniques such as minimization and offers of leniency showed interesting results when conducting a laboratory study with university participants (Russano, 2004). The results reflected an increase of guilty suspects confessing to wrongdoings they had committed while the innocent subjects' admissions to the same allegations were significantly decreased. Gilbert raised the growing concern of determining how many criminal defendants have wrongfully been executed due to false confessions. Gilbert suggested that the causation of false confessions was quite diverse, and the defendant's competency rather than the interrogation techniques may have produced the confession (Gilbert, 2005).

Stapleton introduced an additional criterion for evaluation by using the threat of a polygraph test during interrogation as a psychological ploy to extract confessions (Stapleton, 2003). The study revealed that innocent suspects reported less anxiety than guilty suspects when exposed to the psychological ploy of verification of truth by using the polygraph test during interrogation. Ruffin mentioned the historical genre of Miranda protection by exploring the perceptions of law enforcement officers when officers used trickery as an interrogation

technique to extract confessions of wrongdoing (Ruffin, 2002). The study results reflected that officers believed that their techniques were ethical and professional and did not violate the spirit or principles of Miranda. This is an important perspective because professional acumen and the attitudes of practitioners as they execute their duties are often overlooked.

Butterfield addressed the methodologies with such techniques as "name dropping," a renowned person's identity during the course of an interrogation as a coercive psychological ploy on the suspect, or using the rationalization approach with a suspect to convince him or her to confess (Butterfield, 2002). The rationalization approach is defined as the means of rationalizing the motivation of a wrongdoing by extracting a burden or responsibility away from the culprit of a wrongful act. Other listed methods are the folder technique that has the interrogator continually make reference to a file that is perceived to have incriminating information but never showing the suspect the contents in the file; or, the "I am right—you are wrong" technique that accuses the suspect of wrongdoing to only later recant the allegation as a psychological ploy to emotionally gain empathy from the suspect for falsely accusing him or her. Although practitioners in the field use these techniques, many are confrontational and are often counterproductive with suspects during interrogation. The risk of losing rapport with a suspect is increased when suspects sense that the interrogator is trying to uncover their wrongdoing or culpability in a crime he or she has committed. All delineated methods are high risk and, understandably, attract the unfavorable attention of those advocates concerned about due process for the accused.

Cullen raised the issue of using the collaborative tool of the polygraph process as a means of extracting the truth with his discussion of the technical aspects of the comparison question test (CQT) technique during polygraph examinations (Cullen, 2000). An unfavorable polygraph examination is often the perquisites for the commencement of an interrogation. The CQT for polygraph examinations is designed to have test subjects answer relevant questions on a test that are merged with comparison questions that are

designed to be more worrisome, sensitive, and of concern to a test subject. Relevant questions are the main focus on a CQT test because these questions are evaluated for accuracy, truthfulness, and levels of sensitivity. Ideally, test subjects exhibiting truthful responses on relevant questions will exhibit less worrisome, sensitive, or physiological concerns on relevant questions than on comparison questions, which are designed to be more worrisome to test subject. The idea behind the CQT is that the test subject will react with stronger stress to comparison questions than to relevant questions. Test subjects who respond more stressfully to relevant questions are deemed to be deceptive, which means that they are not telling the complete truth to a specific relevant question on the test. These results would be the basis of an interrogation by the examiner.

Cullen's study illustrates one of the various means interrogators attempt to use to gain access to the psychological mindset of a potentially reticent subject when asked direct questions during an interview. Exhibiting sudden surges of physiological stress on relevant questions is often, as previously mentioned, the perquisites for the commencement of an interrogation. Once the physiological responses are evident on the relevant questions the next step for the interrogator is to interrogate. The next section will develop the theories behind the techniques of story telling as those techniques are contrasted with elicitation theme development methods during interrogation.

Wakefield and Underwager raised the concerns of police engaging in deceptive and coercive interrogations to obtain confessions by using tactics that renders a defendant vulnerable and confused thereby providing a confession under the coercion of an interrogator (Wakefield & Underwager, 1998). They suggested that judges and juries had to assess the totality of the circumstances to determine if the techniques used and the effects of these tactics on the particular defendant out weighed the dilemma of violating a defendant's due process rights. Kassin raised the issue of maximization and minimization techniques, as previously mentioned, as measures that are tantamount to coerced compliant and coerced internalized false confessions, which are normally

disavowed (Kassin, 1997). Kassin continued the arguments of law enforcement obtaining wrongful convictions obtained through confessions shows the strong opposition to some scholars about certain practices professionals have used regarding interrogations, and failing to corroborate either true and false confessions (Kassin, 2005).

Story telling versus theme development: communication with interrogation

Egan referred to story telling as one of the oldest human languages that predates other forms of communication expression such as songs, dance, painting pictures, or drawing symbols to describe an activity (Egan, 2005). The power of narrative to integrate lived experiences captures the essence of an event or series of events that ultimately gives identity and purpose to a person, a village, or a culture. That power of narrative is the successful connection, which forms the meaning of communication and is the same, desired connection interrogators seek with reticent suspects.

Malo and Bullard stated that Hispanics, Native Americans, African Americans, Irish Americans, and other cultures in the United States have long histories with using the technique of story telling. According to Malo and Bullard some of the more important skills that can be gained from story telling are: "(1) comprehension of vocabulary; (2) internalization of character; (3) visualization; (4) natural rhythms and patterns of the language; (5) figures of speech and metaphors; (6) prediction skills; (7) listening and attending skills; and (8) healthy self-concept" (p. 3). These concepts are communication bridges that are also applicable in interrogational settings with reticent suspects (Malo & Bullard, 2000).

In a different study, Grady discussed the important ingredient of behavior assessment while conducting an interrogation (Grady, 1997). Grady examined the process of parents' ability to detect deceptive communication from their children through such communication strategies as probing for information and asking repetitive and direct questions as in an interrogation setting. The study exposed the challenges that parents, like investigators, experience when attempting to elicit information from reticent subjects who are trying to identify the interrogator's elicitation techniques in order to defeat them. The aforementioned effort to identify elicitation technique strategies of the interrogator is called countermeasures and will be discussed further in this section under the topic of behavior assessment. Grady's study illustrates the challenge as an investigator virtually attempts to elicit information. Conversely, in a study conducted by Dana-Kirby, the focus was directed on the methodology of discerning truth from deception with criteria-based content analysis (CBCA) when investigators analyze statements (Dana-Kirby, 1997). This methodology examines interrogation videotape, reviews written transcripts, or observes virtual interviewing settings as a means of determining authenticity, truthfulness, or deception in communication. In both studies involving Dana-Kirby and Grady the focus rest on assessing data that derives from a person in a virtual was or from evaluating statements remotely through transcripts, recordings or video tape observations to determine the truthfulness of a person (Dana-Kirby, 1997; Grady, 1997).

Rapport base elicitation and communication

Yeschke discussed the importance of rapport and active listening during interrogation sessions (Yeschke, 2003). Yeschke believed that "mutual confidence and trust are difficult to establish in an interview" (p. 72), and the challenge of the interrogator is to gain that trust. Establishing a relationship with a person by establishing rapport takes time, patience, and requires empathy, and effective communication. The notion of collaborative engagement is the focus of such rapport-based elicitation and communication. The conventional interrogation process is an adversarial relationship where two minds are diametrically opposed and fight against each other. The interrogator is attempting to elicit the truth, and the interviewee is trying by every means to conceal the truth. Yeschke thus argued that it was essential for interrogators to read body language as a means of understanding what an interviewee is saying or not saying through nonverbal

signals such as "posture, movement, gestures, facial expression, and eye contact" (p. 83) which are important clues.

Inbau, Reid, Buckley, and Jayne also stressed the importance of learning to assess subject's behavior because "A subject who is properly socialized and mentally healthy will experience anxiety when he lies" (p.131). That anxiety may result in giving a telltale of the inner perspective of a subject's truth thoughts. Inbau et al. explained,

> Telltale paralinguistic behaviors, such as a delay before responding or nonverbal behaviors like a change in posture or a hand coming in contact with the face [could be indicators of nonverbal deceptive behaviors]. Each of these behaviors, in its own way, helps reduce the [...] internal anxiety experienced because of lying. (Inbau, et al, 2004, p. 131).

Therefore, the important aspect of understanding the clues of nonverbal behavior is to know what is being said, what is not being said, and what behaviors are being displayed or not being displayed.

Inbau, Reid, Buckley and Jayne stated that the Reid Nine Steps of Interrogation are practiced by many in law enforcement as a means of eliciting truth from reticent subjects. The nine steps of the Reid technique are as follows:

> Direct, positive confrontation (in essence make a direct accusation to the suspect) (a) Theme Development (in essence develop a bridge for the suspects denials of the allegation), (b) Handling Denials, (c) Overcoming Objections, (d) Procurement and Retention of a Suspect's Attention, (e) Handling the Suspect's Passive Mood, (f) Presenting an Alternative Question, (g) Having the Suspect orally relate various details of the offense, (h) Converting an oral confession into a written statement (Inbau, et al, 2004, p.209)

These steps require total engagement with a suspect with whom the interrogator has an established rapport. Intimidation, hostility, or establishing distance between the interrogator and the suspect are not methods that are suggested when using the Reid technique. The Reid technique is very effective and complies fully with U.S. constitutional case law and due process guidelines. A significant component within the Reid technique is the effort to develop themes as a means of providing an avenue for the subject to confess. Themes are defined by Reid as the analogy that is told by the interrogator, which parallels the wrongdoing that was done by a subject. The analogy is a scenario that is told to minimize the actions of the subject, which will convince him or her who a confession may be easier to make for the subject after hearing the theme. Developing themes is commonly done while using the Reid technique between the *Procurement/Retention of a Suspect's Attention* phased through the *Presenting an Alternative Question* phase. The Reid interrogation technique is often complementary with other techniques that assess nonverbal behavior for deception or truthfulness as indicative from studies by Ekman.

Behavior assessment and interrogation

Ekman has conducted extensive studies on the concept of facial recognition relative to emotional expression and nonverbal behavior that created the interactive graphic that is based on the concept of micro expression training that can detect accurately the emotions of a person through visual observation of his or her facial expressions (Ekman & Friesen, 1969). Ekman's study provides trained observers with the ability to capture, in virtual moments, the true emotional feelings of a person by simply observing facial expressions while the subject is talking (Ekman & Friesen, 2003). Alternative science categories like the areas developed by Ekman are valuable enhancements to practitioners seeking virtual insights about subjects' inner thoughts during interrogation sessions (Ekman & Friesen, 2003).

The specific aspect of story telling as an enhancer during interrogational settings is a natural element that fits well within the Reid technique as an adjunct to theme development. Few empirical sources exist that reference story telling as an enhancement to eliciting information in interrogational situations. Westcott and Kynan investigated

the usefulness of a story telling approach to ascertaining more clearly the aspects of information gained from investigative interviews with children suspected of being sexually abused (Westcott & Kynan, 2004). Westcott and Kynan stated, "Children suspected of being sexually abused are likely to have difficulty manipulating symbols in a narrative format when they are asked to describe in words intimate and possibly embarrassing acts for which they may not know the correct terminology" (Westcott & Kynan, 2004, p. 39). Story telling was used to bridge the gap for juveniles to tell their embarrassing and often sensitive stories.

Glazer and Marcum used the story telling methodology to assist children who had experienced a death of a family member or friend "the study was conducted to document the efficacy of story telling as an intervention technique with children who had lost a loved one through death" (Glazer & Marcum, 2003, p. 1). The results support the theory that children are able to use narrative to express grief and loss and that artwork can aid in the expression of both experiences.

Verbal and nonverbal behavior

The science of verbal indicators such as word usage or the frequency of certain usages of words has some validity in the field of behavior assessment. Inbau, Reid, and Buckley showed that using condition answers to direct questions is an indicator of a deceptive person. As Inbau et al. demonstrated, an untruthful person will most likely provide

- A delayed answer, followed by an emphatic 'no.'
- Qualifications attached to answers
- A delayed statement, such as 'Let me see now.' Accompanied by an appearance of deep thought before answering
- An apologetic or pleading 'no' answer (Inbau, Reid & Buckley, 1986, p. 49)

These are all examples of verbal answers from an untruthful person. In essence, if a suspect is asked "Did you leave your home at 12 noon?" the answer from a truthful subject may be "Yes" or "No." A person practicing deception may answer with a conditional answer of "Around that time…"

or "It was around that time." Inbau et al. explained that such answers are thus often conditional, not direct and are usually ambiguous.

Other verbal indicators can also be evaluated for truthful or deceptive behaviors through observation. Inbau et al. provided the following list of such evaluators:

- (a) Speech rate of a subject,
- (b) Frequency of pauses within speech,
- (c) Frequency of an insertion of the word 'ah' used in speech,
- (d) Number of seconds of a gaze aversions,
- (e) Frequency of smiles and laughs,
- (f) Frequency of self-manipulations,
- (g) Frequency of head movements,
- (h) Frequency of trunk movements,
- (i) Frequency of illustrators.

(Inbau, Reid & Buckley, 1986, p. 46).

All these complementary techniques are enhancers that provide clues for investigators during interrogations.

Analysis of interrogation

The John Reid School of Interviewing and Interrogation teaches the nine steps of interrogation. Some of the techniques used in the above transcript were based on the Reid technique for interrogation as noted below. An explanation of each technique that was used during the interrogation is shown as well as the desired result of why the technique was used during the session. The reader will also note that the interrogation technique, along with using the method of story telling is shown in the transcript on how the method of story telling can merge invisibly into the interrogation process.

Shutting off denials

Placing an open hand in the suspect's face to show with animation that the interrogator is insisting that the examinee be silent and cease talking is a Reid technique. Shutting off a suspect's denials while providing a theme is a common method used by Reid-trained interrogators Inbau, Reid, Buckley, and Jayne (Inbau, Reid, Buckley & Jayne, 2004). Refusing to allow the examinee to persist with his denials and forcing him to

listen to the interrogator takes away the psychological strength of the examinee. Allowing the examinee to verbally confirm his repeated denials reinforces his deception that he had not committed any indiscretion.

Minimization

Walters listed 11 forms of ego-defense mechanisms that Sigmund Freud recognized as natural behaviors human beings use to protect themselves from emotional trauma. Minimizing is a common strategy used by interrogators to minimize wrongdoing to elicit confessions. Walters defines minimization as "Diminishing the level of significance of one's unacceptable actions by describing them in more socially acceptable terms or with more acceptable explanations" (Walters, 2003, p. 301).

Poor posture and other nonverbal behaviors

The examinee's body posture as he sits in a chair can be a salient clue of deception exhibited in a nonverbal expression. Inbau, Reid, and Buckley explained that…

> A suspect's body posture also can be very revealing. An innocent suspect will generally sit upright, but not rigid, directly positioned in front of the interrogator […] the guilty suspect may sit in a posture with elbows close to his side, or the arms may be folded and locked in front, accompanied perhaps by the crossing of legs at the knees or ankles…" (Inbau, Reid & Buckley, 1986, p. 53)

Noting the numerous times the examinee exhibited body gestures such as slumping in his chair, answering questions without looking at the interrogator, or crossing his arms over his chest indicates that he was physically and emotionally resistant to what was being said. These nonverbal indicators are taught to all Reid-trained interrogators as actions that can be associated with deceptive nonverbal behaviors by interrogated suspects.

The Alternative Question

The alternative question was used in the scenario depicted in the soon-to-be published study by the author of this article where an illustration of the technique of story telling is shown. In this illustration, examinee was offered an opportunity to admit his wrongdoing. The examinee was asked, *"So, Bob, take a moment before answering the next question. Is it a serious thing that you have done here Bob or is it just a one or two time occurrence where you have had sex with a minor?"* Inbau, Reid, Buckley, and Jayne explained that the alternative question is used to obtain a declarative answer by presenting it "In terms of a clear contrast between two opposite choices; for instance, 'Joe, is this the first time you did something like this, or has it happened many times before?'" (Inbau, Reid, Buckley & Jayne, 2004, p. 352). The interrogator has defined the parameters of good, bad, most preferred, and least preferred perspectives, which the suspect must consider. Preparing that foundation from the beginning, the interrogator must work to create that psychological bridge mentioned previously to allow the suspect to escape from a perceived emotional threat. The suspect does not want to be perceived as a predator, a child molester, or bad person; the examinee will elect to rationalize that he is an only human and select possibly one or two occurrence where he has committed indiscretions by having sex with a child.

For a suspect to make such an admission is a major accomplishment from an interrogator who may spend hours working exhaustively to wear down a reticent suspect that is unwilling to admit his guilt under any circumstance. As the transcript showed, the examinee attempted to place distance between the first time and the last time he had committed his indiscretion. However, a skilled interrogator will bring to the surface more indiscretions as admissions flow from a suspect once he or she is convinced that the truth is the most important thing and not the indiscretions committed.

Story Telling As Theme Development for Interrogation

Katz similarly used phenomenological investigation methods by conducting inter-views with surviving suicide victims who were trying to endure from the healing process (Katz, 1990). In the study, survivors were asked using the third person pretense, "What

is a suicide survivor's experience by being involved in group therapy?" Using the third person pretense as well as allowing the survivor to tell a story, the therapy sessions allowed survivors to tell their stories. Researchers were able to understand the reactivating grief processes and emotional pain survivors had endured.

Presser used the story telling methodology as a tool for constructing research to identify traits in people who committed violent crimes (Presser, 2004). Presser used an interesting concept of story telling by having the subjects of the research process discuss personal involvement in a third person fashion as if he or she were discussing someone else and not themselves. This method was intended to allow research participants some means of face-saving by avoiding the identity of being a perpetrator of violent crime.

The body of research on story telling is rich with success stories of how the methods have been used across the mosaic of life experiences. Roche, Neaigus, and Miller suggested that story telling has a strong tradition in inner-city American communities as a means of understanding the dangers of the streets (Roche, Neaigus & Miller, 2005). The method is a means, particularly for women, to hear survival stories and knowing survival stories as a proactive measure to avoid becoming a victim of assault.

Michaelson introduced the value of story telling as a case study method or war stories as a means of providing on-the-job training and explained " has become quite common to use stories in order to make moral sense of business life" (Michaelson, 2005, p. 358). Regarding business, Denning showed the benefit of story telling in strategic business as a narrative technique to "address many of today's key leadership challenges, how a CEO can make effective use of story telling […] as a tool to achieve business purposes, not an end in itself" (Denning, 2006, p. 6). McLellan had the same perspective: *"many organizations are turning to story telling as a way to leverage their human capital more effectively […] story sharing refers to knowledge transfer [and] provides a valuable panoply of tools in an organizational setting* (McLellan, 2006, p. 17).

The challenge of cross-cultural understanding and communication is extremely important within interrogation settings. Al-Jafar and Buzzelli have detailed in the benefits of story telling in early childhood education programs (Al-Jafar & Buzzelli, 2004). Telling two groups of children from America and Kuwait the Cinderella tale and having them reflect on the elements of the fairytale produced positive results. The children's unique interpretations of major themes created a dialogical narrative and understanding.

Smeltzer and Vlasses used story telling to teach cultural assessment to nursing students enrolled in clinics for long-term care facilities (Smeltzer & Vlasses, 2004). Students learned to listen in nonjudgmental and contextual ways while valuing the beliefs of the storytellers. They learned to elicit information, learn from, and communicate with people from the clinics they served and became better caregivers.

Three studies specifically address the benefits of the methods of story telling in interethnic communication. Breur examined historical and cultural context writing from lengthy narratives of the country of China's Southern Song (1127-1279) and Yuan (1260-1368) groups (Breur, 2001). He further examined the concept of the oral-literary continuum, describing the complex interactions between storytellers, authors, editors, and audiences. The Martinez study raised the important aspect of the "hidden transcript" that operates under many social conditions when dealing with culture, race, class, and gender (Martinez, 1999). She showed that story telling could break the barrier through song, poetry, autobiographers, and oration. Finally, the Finnegan study presented a genre of story telling through autobiographies and memoirs with alternative perspectives of collective stories of transnational emigrations (Finnegan, 2005). Her analysis contested colonial understandings of race, gender, and the western history as diverse Euro American, Native American, and Chicana writers reported these facets in memoirs and multiform narratives.

In the *Whispering Wind* (2006) suggested that story telling is meaningful as a

communication method for Native American history, culture, and the mythical and artistic experiences. The story telling Institute speaks to the contemporary native storytellers who tell vivid stories of history or personal events between European and indigenous worldviews. The oral traditions these storytellers tell represent teachings and worldviews that are often profoundly different from and at odds with the surrounding Euro-American worldviews. Conveying these images through story telling has been effective with providing an appreciation of cultural differences and viewpoints.

In the McDrury and Alterio study, a clear understanding of story telling pathways is provided (McDrury & Alterio, 2001). McDrury and Alterio defined story telling as *"a traditional means of sharing information, understanding, validating, and obtaining knowledge"* (p. 64). Eight story telling pathways that practitioners can use are: *"(a) informal setting, (b) formal setting, (c) single listener, (d) multiple listeners, (e) spontaneous story, (f) pre-determined story, while 7 and 8 are any combination of the six listed pathways above"* (p. 66). Mastering these techniques can provide a facilitator of story telling an exceptional advantage to in communication.

Burden and Harrison, showed in their study how story telling provided keen insights about the perceptions of African American faculty on their organizational socialization in a kinesiology-based program in institutions of higher education that were predominantly dominated by Caucasian American (Burden, Harrison & Hodge, 2005). The findings for the study were presented using story telling and thematic narratives that captured the participants lived experiences. Interviews revealed four major recurring themes with regard to: (a) resources, opportunities, and power structures; (b) programmatic neglects and faculty mentoring needs; (c) social isolation, disengagement, and intellectual inferiority issues; and, (d) double standards, marginalization, and scholarship biases.

Kahan, showed the power of story telling as a method for communication in his study, which used story telling to generate high performance collaboration among professionals at the World Bank (Kahan, 2006). The program for the company called JumpStart, used story telling as means of overcoming multicultural barriers that existed with global clients belonging to the company. Using story telling, the company was able to resolve conflicts in business performance, improve intelligence collections on business development opportunities, and make contributions to specific business areas.

Conversely, Banks provided further evidence of the use of story telling as a means of communicating in cross-cultural situations in his study (Banks, 2001). Through an archival and literary review, the study captured the lived experiences of African colonialism, African nationalism, and developed stories that challenged the veracity of European archives. Story telling revealed a number of remarkable inter-related themes such as (a) the relationship between institutional achieves and the colonial states that once ruled the African nation state; (b) the history and anthropology as disciplines, nationalism as a counter narrative and as complicit with the Archive; (c) the place of women and the subaltern, and the relationship between sexuality/masturbation, identity, and imagination.

Durso, showed in his study the value of story telling as he examined four contemporary novels, written by Native American, African American, Chinese American, and Irish American women (Durso, 1997). She argued that the narrative strategies of these novels--specifically, the narrative structure and voices that were portrayed illustrate the commonalities and differences in cross-cultural communication. Jones offered that teaching story telling skills can be deemed a component in a second language because the consciousness-raising activity involved with the development of visual pictures required giving meaning to communication (Jones, 2001). Jones further advised that story transcripts designed to raise learner awareness of some of the linguistic realizations of a story could help develop conversations and enhance story telling.

Brown showed that educators could use story telling and narrative in moral development training (Brown, 1997). In her study, Brown suggested that story telling can allow bridges to be built between different

individuals and cultures and a profound understanding can be gained with the relationship building through the sharing of lived experiences through story telling.

Evans and Severtse stated that story telling connects not simply through cultural barriers but also generational barriers (Evans & Severtse, 2001). Story telling helped nursing students engaged with senior patients in long-term care facilities elicit and listen to patients' stories and use the information to assess patients in clinical practices. The communication technique of story telling is deemed a nonjudgmental and contextual way to the values and beliefs of the patients and the storyteller. The hallmarks of cultural competency revealed in Evans and Severtse's study were; (a) story telling helped the teller articulate the story through open-ended, gentle questioning; (b) listeners experience emphatic emotions while listening to stories; (c) story tellers can withhold judgment about the worth or truth of a story; and, (d) story telling has flexibility to focus the meaning of the story to a diagnostic analysis or a specific component in the story. (p. 3) Using story telling can allow a story teller the flexibility of conveying a story in a second or third person pretense, which will allow the listener to feel comfortable and not be intimidated by the presence of the story teller.

Theme Development versus story telling

Inbau, et al. stressed the importance of themes as a means of eliciting confessions during interrogations. They asserted, "As part of an offender's decision to commit a crime or, in the case of a spontaneous crime, following it, it is natural for him to justify or rationalize the crime in some manner…" (Inbau, Reid, Buckley & Jayne, 2004, p. 232). The most difficult aspect of any interrogation is to break through these layers of rationalizations; also known as denials, to give suspects the opportunity to confess wrongdoing.

McDrury and Alterio apostrophe explanation of story telling is quite similar to the desired results of those trained to gain confessions from developed themes (McDrury & Alterio, 2001). McDrury and Alterio asserted that story telling is recognized as a useful strategy to advance understanding because it enables practitioners to "capture, code, and validate the knowledge…by sharing stories, it is possible to create meaning, to understand what has happened" (p. 63). It takes time to lay the foundation for the ebb and flow of a theme that requires tenacity, patience, and persistence while working with reticent subjects who are often more determined to maintain their deceptive position on an issue for which they are being interrogated. Investigators are taught to interrogate just a little longer before giving up. Often, a confession has come after making the last attempt.

Summary

Finding that truth within the limitations of the American legal system is the challenge. The importance of knowing the truth in a timely manner cannot be the ultimate aim if succeeding in these objective thrusts asunder the basic inalienable rights cherished by all.

Liars can be experts at disguising themselves to appear as truth tellers, particularly in interrogational settings. Reading nonverbal behavior and analyzing verbal statements are skills that experts can acquire through extensive training. Empirical studies have validated a foundation for assumptions that can be made, which can distinguish deceptive behavior in liars disguised as truth tellers during interviews and interrogations. Examples of those traits are such behaviors as (a) a person conveying an unnatural ability to be too consistent with facts; (b) conveying statements that are too concise; (c) a person whom exhibits too much gazing during discussions; (d) excessive or frequent body movements; (e) display of fabricated emotions, are all nonverbal behaviors that could be indicative of deceptive behavior in liars disguised as truth tellers.

This review discussed the many views and perspectives regarding interrogation techniques. The United States Supreme Court and case law precedence has had a strong influence on the practice of interrogation. The *Missouri v. Seibert* case proposed supplemental warnings should be mandatory for law enforcement officers to recite to criminal suspects in both intentional and unintentional two-step interrogations that led to *Miranda v. Arizona* and the post *Miranda*

Cases (Goldberg, 2005). Furthermore, the unlawful practice of humiliation and degradation has long been disapproved as a working practice in the United States; yet, the global community is beginning to catch up with the United States and is deeming such practices unacceptable in the world community as accorded by the International Criminal Court and the International Criminal Tribunal (Erikkson, 2004).

Finally, the aspect of story telling as a means of communication to elicit information from reticent suspects in interrogation was reviewed in this chapter. The industry of education has used story telling with pedagogy particularly with learners with disability. Kahan's comment that story telling helped with cross cultural communication is relevant to this study because interrogation requires an investigator to communicate in cross cultural situations (Kahan, 2006). Inbau, et al. showed that story telling is much like the concept of developing a theme, which is the thrust of the unpublished research study. As previously mentioned, establishing a

relationship with a person by establishing rapport takes time, patience, and requires empathy, and effective communication. The notion of collaborative engagement is the focus of such rapport-based elicitation and communication. Rapport-based elicitation should be the acceptable elicitation of information from suspects during interviewing and interrogations with the use of the method called story telling.

Follow-on articles will illustrate the method of story telling as it interfaces during interrogation sessions. A third article will illustrate the art of elicitation; the foundation for all engagements of interviewing and interrogation sessions. Fourth, fifth, and sixth installments will address effective past themes complemented with story telling used by practitioners for interrogation; examiner psychological preventive maintenance to assure effectiveness during interrogation; and, cultural challenges that should be considered during interrogations. Look for these articles in future editions.

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