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Developing Diagnostic, Evidence-Based Approaches to Interrogation∗

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While research on interrogation has traditionally focused on problematic practices that lead to false confessions, more recent research has addressed the need to develop scientifically validated techniques that lead to accurate information from both suspects and sources. In the present review, we summarize this recent research on building and maintaining rapport, eliciting information, presenting evidence, and assessing credibility. Research is described in the context of accusatorial (guilt-presumptive and psychologically manipulative) versus information-gathering (cooperative and evidence based) approaches to interviewing and interrogation. We also suggest future directions for research to continue to improve the efficacy of interviews and interrogations.

Keywords: Interrogation, Interview, Confession, Rapport, Evidence, Information-gathering

Each month in the United States, dozens of interrogation training courses are offered to local, state, and federal law enforcement by companies such as John E. Reid and Associates, Wicklander-Zulawski, and Kinesic. Federal law enforcement, military, and intelligence training agencies also regularly provide basic and advanced interrogation training to their personnel. Important issues to consider relate to whether the methods trained in such contexts are evidence-based and yield accurate and reliable evidence or intelligence that effectively furthers an investigation. Unfortunately, companies that offer such training have not generated or provided a scientific basis upon which to assess the efficacy of their approaches. Instead, these methods have been primarily based upon customary knowledge—practices that have developed over time through experience, that are handed-down through observation and story-telling, and that are ultimately codified in manuals, policies, and regulations. Over the past several decades, scholars have begun to assess the validity of the methods trained and used by interrogation professionals, with the goal of applying scientific knowledge—a perspective drawn from independent observation, that is theory driven and empirically derived, and is founded upon the principles of replication and peer review. In this review, we distinguish between two prominent models—accusatorial and information-gathering approaches to interrogation—and offer a scientific perspective on techniques that can influence the likelihood of eliciting true and false information.

Why Do People Confess?

A number of theories have been proposed to explain when and why people confess (see Gudjonsson, 2003). While these theories highlight the role of internal (e.g., Reik, 1959) and external mechanisms (e.g., Gudjonsson, 2003; Hilgendorf & Irving, 1981) that may lead one to confess, they generally fail to distinguish factors that may lead to true versus false confessions. For example, the internal accountability model of confessions posits that internal feelings such as guilt or remorse that result from transgressions or violations of social mores, will lead a person to confess in order to alleviate these negative feelings (Reik, 1959). Other accounts highlight the role of anxiety and social pressure in an interrogation. According to such theories, a suspect
experiences anxiety whenever they are being deceptive (Jayne, 1986), and social pressure can be placed upon an individual to facilitate a confession and alleviate anxiety. Decision-making models of confession have also been proposed, suggesting that suspects will weigh the potential costs (e.g., prison sentence, fees, dishonor) against the potential benefits (e.g., end the interrogation, relief from social pressure) of confessing. Such decision-making models often incorporate suspects’ perception of the evidence or proof against them, which has been shown to be a powerful predictor of confession likelihood (see Houston, Meissner, & Evans, 2014).

Recent empirical research involving both field surveys (Redlich, Kulish, & Steadman, 2011; Sigurdsson & Gudjonsson, 1996) and experimental studies (Houston et al., 2014) have validated the influence of such factors in predicting. A recent meta-analysis of the experimental literature has also assessed the influence of psychological processes across true versus false confession (Houston et al., 2014). Consistent with previous research, false confessions appear to be primarily based upon perceived external social pressures to confess that stem from the interrogation approaches employed; the persistent accusations, disbelief, and requests for compliance from the interrogator; or the interrogation context itself. In contrast, true confessions appear to derive from internal feelings of guilt, remorse, and accountability for the misdeed, as well as the perceived strength of the evidence against them. These findings provide a framework for understanding the influence of accusatorial and information-gathering approaches, as described below.

**Accusatorial Approach**

An accusatorial approach (typically used in North America and many Asian nations; Costanzo & Redlich, 2010; Leo, 2008; Ma, 2007; Smith, Stinson, & Patry, 2009) is generally characterized by the goal of eliciting a confession. Such techniques typically involve an assumption of the suspect’s guilt whereby interrogators seek to control the interaction and use confirmatory and closed-ended questions to elicit an admission (Meissner et al., 2014). In addition, an accusatorial approach typically introduces psychologically manipulative tactics that involve the development of themes designed to maximize a suspect’s perception of guilt through the use of (often exaggerated or even fabricated) evidence presentation, and then to minimize a suspect’s evaluation of personal responsibility and the consequences of self-incrimination. Minimization and maximization techniques in conjunction with a small, isolating interrogation room, can yield a powerful influence on a suspect that leads to increased confession rates in field studies (Meissner et al., 2014). But is it possible that these techniques might yield increased social pressure and therein produce non-diagnostic outcomes?

Advocates of the accusatorial approach frequently claim that the methods are only applied on suspects determined to be guilty (Inbau, Reid, & Buckley, 2011), a claim that remains unfounded (Meissner & Kassin, 2002; Narchet, Meissner, & Russano, 2011). Researchers have examined the various techniques encompassed in the accusatorial model of interrogation, and most importantly their influence on true and false confession rates under controlled, experimental conditions. For example, the use of minimization tactics that either diminish responsibility for the act or lessen the potential consequences associated with the act have been shown to increase both true confessions by the guilty and false confessions by the innocent (Horgan, Russano, Meissner, & Evans, 2012; Klaver, Lee, & Rose, 2008; Narchet et al., 2011; Russano, Meissner, Narchet, & Kassin, 2005), consistent with the psychological process model described above. Similarly, the presentation of false or exaggerated evidence (Horselenberg, Merckelbach, & Josephs, 2003; Horselenberg et al., 2006; Kassin & Kiechel, 1996; Klaver et al., 2008; Nash & Wade, 2009; Redlich & Goodman, 2003; Wright, Wade, & Watson, 2013) and the use of “bluff” techniques that allude to the strength of evidence that is yet to be processed (Perillo & Kassin, 2011) have been shown to reduce the diagnostic value of confession evidence by increasing the likelihood of a false confession. Overall, while accusatorial approaches may lead to information (confessions) obtained from the person being questioned, they significantly increase the likelihood of obtaining false information and thereby reduce the diagnostic value of the confession evidence obtained (Kassin et al., 2010; Meissner et al., 2014). This information appears to be due to increased social pressure and the manipulation of perceived consequences, which have been demonstrated to predict false confessions (Houston et al., 2014).

**Information-Gathering Approach**

By contrast, an information-gathering approach (developed as the PEACE model in the United Kingdom and later adopted by Norway, New Zealand, and Australia because of the problematic nature of accusatorial approaches and wrongful convictions; Bull & Soukara, 2010; Clarke & Milne, 2001) is characterized by the goal of eliciting information (rather than a confession, per se) whereby interrogators establish rapport, use exploratory and open-ended questions, and address contradictions via the strategic presentation of evidence (Meissner et al., 2014). Over the past decade, researchers have begun to focus on developing an empirical understanding of the effectiveness of the information-gathering approach, with the goal of offering an evidence-based alternative to law enforcement, military, and intelligence personnel (Meissner, Hartwig, & Russano, 2010). The extant literature (from both laboratory and field studies) indicates that an information-gathering approach can provide an effective method for eliciting more diagnostic information from both cooperative and reluctant subjects. Specifically, information-gathering has been shown to increase the likelihood of truthful confessions and decrease the likelihood of false confessions when compared to an accusatorial approach utilizing minimization and maximization under controlled laboratory conditions (Meissner, Russano, & Narchet, 2010; Narchet et al., 2011). Additionally, an information-gathering approach can lead to more admissions from guilty subjects and critical information in a non-cooperative intelligence collection context (Evans et al., 2013a).

Over the past decade, key aspects of an information-gathering approach have been developed and assessed empirically.
Specifically, this research has focused on methods to establish and maintain rapport, approaches for eliciting information from memory, understanding how to most effectively present evidence, and establishing the corollary benefits of such approaches for assessing the credibility of information elicited.

Developing Rapport

A critical component of an information-gathering approach involves establishing and maintaining rapport. Rapport is a widely supported component of modern interrogations, despite disparate definitions from both practitioners and researchers regarding what might constitute rapport (Goodman-Delahunty, Martschuk, & Dhami, 2014; Kelly, Redlich, & Miller, 2015; Vallano & Compo, 2011). For example, interrogation professionals have referred to rapport as involving a working relationship, a willingness to disclose, trust building, and mutual respect (Russano, Narchet, Kleinman, & Meissner, 2014). According to a prominent theoretical model by Tickle-Degnen and Rosenthal (1990), rapport is characterized by mutual attention (the degree of involvement of the interviewer and interviewee in the interview), positivity (mutual liking and respect), and coordination of behaviors (reciprocal responses of the interviewer and interviewee that may match, complement, or accommodate one another). Empirical, laboratory-based research has demonstrated that rapport tactics can increase positive attributions made about an interviewer, as well as facilitate the reporting of accurate information from witnesses (e.g., Collins, Lincoln, & Frank, 2002; Holmberg & Madsen, 2014; Vallano & Compo, 2011). In one of the few studies investigating the effects of rapport in an interrogation context, Evans et al. (2014) found that positive affirmations, interest, and calmness from the interviewer increased perceptions of rapport as well as the amount of information gained.

Building on the theoretical model offered by Tickle-Degnen and Rosenthal (1990), Abbe and Brandon (2014) proposed a taxonomy for rapport building tactics that have been validated by research. These tactics include a mix of verbal and nonverbal behaviors that convey engagement, respect, trust, reciprocal disclosure, positivity, and commonality (e.g., highlighting overlapping interests or identities, mirroring nonverbal behavior, etc.; see Abbe & Brandon, 2014). Recently, Alison and colleagues (Alison et al., 2014; Alison, Alison, Noone, Elntib, & Christiansen, 2013) assessed the influence of conversational rapport tactics drawn from principles of motivational interviewing (Miller & Rollnick, 2009) theories of interpersonal behavior (Leary & Coffey, 1954). Across a robust sample of counterterrorism interrogations conducted in the United Kingdom, the authors found that interrogators’ use of adaptive, rapport-based behaviors increased cooperation and information yield from suspects, and further reduced suspects’ use of counter-interrogation tactics.

Eliciting Information

Another contrast between accusatorial and information-gathering approaches involves their objectives for information elicitation. Accusatorial approaches are largely confirmatory exercises in which an investigator seeks to elicit a confession narrative from a suspect that is presumed guilty. Interrogators are encouraged to “shut down denials” or any attempt by the suspect to distance themselves from the alleged act or to offer an alternative narrative of events. Interrogators may also offer crime-relevant information and a purported scenario to the suspect, largely in the context of a theme that minimizes the subject’s responsibility, thereby contaminating any confession statement offered by the subject (Garrett, 2015). The information-gathering approach, however, utilizes open-ended and non-suggestive interviewing tactics designed to elicit a complete and detailed narrative from the suspect. Rather than controlling the interrogation, a critical aspect of the approach involves allowing the suspect a degree of autonomy and utilizing active listening skills and open-ended prompts to encourage elicitation (see Alison et al., 2013, 2014).

Another important development in this area relates to the use of the cognitive interview (CI) for suspect interrogations. The CI was initially developed by Fisher and Geiselman (1992) to facilitate the recollection of cooperative witnesses and victims by utilizing effective communication strategies and interview tactics that consider the cognitive processes that underlie memory. More than three decades of empirical research (including both laboratory and field studies) support the effectiveness of the CI in significantly increasing the amount of correct information without influencing the accuracy of responding (see Memon, Meissner, & Fraser, 2010).

In recent years, scholars have investigated individual components in the CI, demonstrating the utility of encouraging subjects to provide more accurate details, even seemingly unimportant ones (Leal, Vrij, Warmelink, Vernham, & Fisher, 2015), and the effectiveness of various mnemonics (Leins, Fisher, Pludwinski, Rivard, & Robertson, 2014). Additionally, recent research has demonstrated that the CI can facilitate information gained in both interrogation (Evans et al., 2013a) and human intelligence contexts (Leins et al., 2014). Further, the CI has been shown to outperform alternative “best practice” interview approaches taught by current training academies (Rivard, Fisher, Robertson, & Hirn Mueller, 2014). Specifically, Rivard and colleagues collected data at the Federal Law Enforcement Training Center (FLETC) comparing the CI with FLETC’s five-step interview protocol using experienced interviewers and adult subjects. The CI produces 80% more relevant information than the FLETC interview protocol.

Evidence Presentation

Accusatorial and information-gathering approaches differ in the manner in which investigators present evidence. In the accusatorial approach, evidence (including exaggerated or false evidence) is typically presented in a narrative format with the intention of maximizing a suspect’s perception of the evidence against them (Inbau et al., 2011). Unfortunately, such tactics can produce false confessions and lessen the diagnostic value of a confession, arguably through social pressure and a focus on consequences of confessing (or not: Horgan et al., 2012; Madon, Yang, Smalarz, Guyll, & Scherr, 2013; Russano et al.,
Assessing Credibility

Finally, the information-gathering approach also differs from the accusatorial approach in its perspective on assessing the credibility of statements. While we direct readers to Vrij and Fisher (in this issue) for a complete description of both laboratory and field research in this area, we note here that accusatorial methods are situated within an anxiety model of deception that focuses practitioners on non-verbal cues (e.g., fidgeting, nervousness, eye contact) that have been shown to be poor indicators of deception (DePaulo et al., 2003). In contrast, the information-gathering approach is situated in a cognitive model of deception that focuses practitioners on verbal and linguistic cues to deception (e.g., coherence, details, plausibility)—cues that can serve as stronger predictors of deception (DePaulo et al., 2003; Hauch, Blandón-Gitlin, Masip, & Sporer, 2015). When trained on verbal and linguistic cues to deception, detection performance improves significantly when compared with non-verbal or paravocal cues (Hauch, Sporer, Michael, & Meissner, 2016). Importantly, research suggests that information-gathering approaches offer a corollary benefit to assessing credibility by encouraging suspects to say more and thereby increasing the frequency of cognitive and linguistic cues to deception (Evans, Michael, Meissner, & Brandon, 2013), leading to more accurate judgments of credibility (Vrij, Fisher, & Blank, 2015).

Future Directions

While early research on interviewing and interrogations largely focused on the problematic nature of accusatorial interrogation approaches, in recent years scholars (in collaboration with interrogation professionals) have begun to identify methods that are both ethical and effective in producing more diagnostic information. This research has produced techniques that facilitate the development of rapport, improve information elicitation, render more effective the presentation of evidence, and increase accuracy in assessments of credibility. At the same time, additional research is necessary to further our understanding of the use of such techniques in different contexts. In fact, researchers are just beginning to understand the variety of contextual factors that can influence an interrogation. Recent research has demonstrated that priming mental states such as self-affirmation (positive appraisals of the self-concept) and attachment security (secure and supportive relationships) can facilitate disclosure (Davis, Soref, Guillermo, & Mikulincer, 2016; Dawson, Hartwig, & Brimbal, 2015). Further, research is also needed to appreciate the challenges of interrogating via an interpreter (Ewens et al., 2014; Russano, Narchet, & Kleinman, 2014) and the role of cultural differences in the interrogation room. For example, behaviors that may increase rapport between US citizens may be offensive in other cultures and therein detrimental to information gain (e.g., Beune, Giebels, & Sanders, 2009; Beune, Giebels, & Taylor, 2010). Language fluency may also impair the efficacy of certain approaches to assessing credibility in this context (e.g., Da Silva & Leach, 2013; Evans et al., 2013a).

Conclusion

As we move toward a “science of interrogation,” we must ensure the efficacy and integrity of the methods taken from the laboratory to the field. In 1980, Cialdini proposed a model for research practice, which he dubbed the “Full Cycle Social Psychology.” He proposed the simple notion that experimental research should be informed by real-world practice, then shared with practice, investigated in practice, and ultimately returned to the laboratory for further investigation—completing and starting the cycle anew. Over the past decade, researchers have partnered with practitioners to initiate a full-cycle research effort focused on the efficacy of interrogation (Meissner, Hartwig, et al., 2010) whereby investigators have informed laboratory-based research and researchers have taken and replicated their findings in the field. Further, this partnership has been critical to the development of best practices that are now being implemented at federal training facilities (Meissner, Kelly, & Woestehoff, 2015). We believe it is critical that these partnerships continue, and we encourage other scholars and interrogation professionals to join the conversation in order to improve both the science and practice of interrogation.

Author Contributions

The first and the second authors made the largest contributions to the writing and editing of the manuscript. The third and fourth authors contributed to the editing of the manuscript.

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