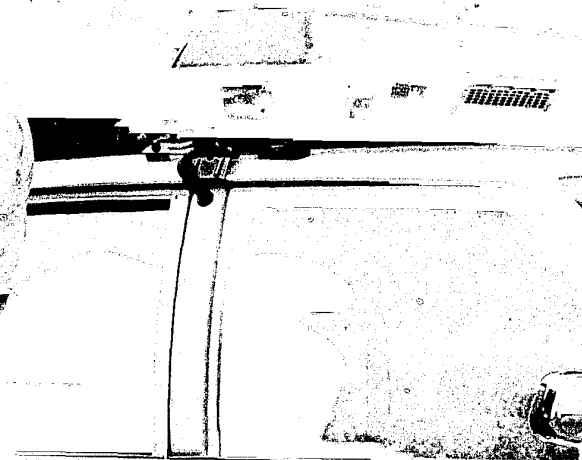




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William S. Sessions, Director

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Why Suspects Confess



By
DAVID D. TOUSIGNANT, M.A.

Many criminal cases, even when investigated by the most experienced and best qualified investigators, are ultimately solved by an admission or confession from the person responsible for committing the crime. Oftentimes, investigators are able to secure only a minimal amount of evidence, be it physical or circumstantial, that points directly to a suspect, and in many instances, this evidence is not considered strong enough by prosecutors to obtain a

conviction. In such cases, the interrogation of the suspects and their subsequent confessions are of prime importance.

This article addresses the question of why suspects speak freely to investigators, and ultimately, sign full confessions. The physical and psychological aspects of confession and how they relate to successful interrogations of suspects are also discussed, as is the "breakthrough," the point in the interrogation when suspects make an

admission, no matter how minuscule, that begins the process of obtaining a full confession.

Defining Interrogation

Interrogation is the questioning of a person suspected of having committed a crime.¹ It is designed to match acquired information to a particular suspect in order to secure a confession.² The goals of interrogation include:

- To learn the truth of the crime and how it happened

- To obtain an admission of guilt from the suspect
- To obtain all the facts to determine the method of operation and the circumstances of the crime in question
- To gather information that enables investigators to arrive at logical conclusions
- To provide information for use by the prosecutor in possible court action.³

Knowing the definition and objectives of the interrogation, the question then asked is, "Why do suspects confess?" Self-condemnation and self-destruction are not normal human behavioral characteristics. Human beings ordinarily do not utter unsolicited, spontaneous confessions.⁴ It is logical to conclude, therefore, that when suspects are taken to police stations to be questioned concerning their involvement in a particular crime, their immediate reaction will be a refusal to answer any questions. With the deluge of television programs that present a clear picture of the *Miranda* warning and its application⁵ to suspects, one would conclude that no one questioned about a crime would surrender incriminating information, much less supply investigators with a signed, full confession. It would also seem that once suspects sense the direction in which the investigators are heading, the conversation would immediately end. However, for various psychological reasons, suspects continue to speak with investigators.

Suspect Paranoia

Suspects are never quite sure of exactly what information investigators possess. They know that the police are investigating the crime, and in all likelihood, suspects have followed media accounts of their crimes to determine what leads the police have. Uppermost in their minds, however, is how to escape detection and obtain firsthand information about the investigation and where it is heading.

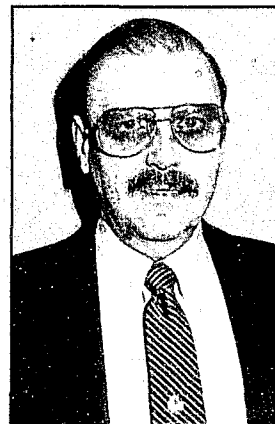
Such "paranoia" motivates suspects to accompany the police voluntarily for questioning. Coupled with curiosity, this paranoia motivates suspects to appear at police headquarters as "concerned citizens" who have information pertinent to the case. By doing this, suspects may attempt to supply false or noncorroborative information in order to lead investigators astray, gain inside information concerning the case from investigators, and remove suspicion from them-

selves by offering information on the case so investigators will not suspect their involvement.

For example, in one case, a 22-year-old woman was discovered in a stairwell outside of a public building. The woman had been raped and was found naked and bludgeoned. Investigators interviewed numerous people during the next several days but were unable to identify any suspects. Media coverage on the case was extremely high.

Several days into the investigation, a 23-year-old man appeared at police headquarters with two infants in tow and informed investigators that he believed he may have some information regarding the woman's death. The man revealed that when he was walking home late one evening, he passed the area where the woman was found and observed a "strange individual" lurking near an adjacent phone booth. The man said that be-

"Suspects confess when the internal anxiety caused by their deception outweighs their perceptions of the crime's consequences."



Inspector Tousignant is with the Lowell, Massachusetts, Police Department.

cause he was frightened of the stranger, he ran back to his home. After reading the media accounts of the girl's death, he believed that he should tell the police what he had observed.

The man gave police a physical description of the "stranger" and then helped an artist to compose a sketch of the individual. After he left, investigators discovered that the sketch bore a strong resemblance to the "witness" who provided the information.

After further investigation, the witness was asked to return to the police station to answer more questions, which he did gladly. Some 15 hours into the interrogation, he confessed to one of his "multiple personalities" having killed the woman, who was unknown to him, simply because the victim was a woman, which is what the suspect had always wanted to be.

This case clearly illustrates the need for some suspects to know exactly what is happening in an investigation. In their minds, they honestly believe that by hiding behind the guise of "trying to help," they will, without incriminating themselves, learn more about the case from the investigators.

Interrogation Setting

In any discussion concerning interrogation, it is necessary to include a review of the surroundings where a suspect is to be interrogated. Because there is a general desire to maintain personal integrity before family members and peer groups, suspects should be removed from familiar surroundings and taken to a location that has an

atmosphere more conducive to cooperativeness and truthfulness.⁵

The primary psychological factor contributing to successful interrogations is privacy—being totally alone with suspects.⁶ This privacy prompts suspects to feel willing to unload the burden of guilt.⁷ The interrogation site should isolate the suspect so that only the interrogator is present. The suspect's thoughts and responses should be free from all outside distractions or stimuli.

“[Interrogation] is designed to match acquired information to a particular suspect in order to secure a confession.”

The interrogation setting also plays an important part in obtaining confessions. The surroundings should reduce suspect fears and contribute to the inclination to discuss the crime. Because fear is a direct reinforcement for defensive mechanisms (resistance), it is important to erase as many fears as possible.⁸ Therefore, the interrogation room should establish a business atmosphere as opposed to a police-like atmosphere. While drab, barren interrogation rooms increase fear in suspects, a location that displays an open, you-have-nothing-to-fear quality about it can do much to break down interrogation defensiveness, thereby eliminating a

major barrier.⁹ The interrogators tend to disarm the suspects psychologically by placing them in surroundings that are free from any fear-inducing distractions.

Psychological Factors

More than likely, suspects voluntarily accompany investigators, either in response to a police request to answer questions or in an attempt to learn information about the investigation. Once settled in the interrogation room, the interrogators should treat suspects in a civilized manner, no matter how vicious or serious the crime might have been. While they may have feelings of disgust for the suspects, the goal is to obtain a confession, and it is important that personal emotions not be revealed.¹⁰

Investigators should also adopt a compassionate attitude and attempt to establish a rapport with suspects. In most cases, suspects commit crimes because they believe that it offers the best solution to their needs at the moment.¹¹ Two rules of thumb to remember are: 1) "There but for the grace of God go I"; and 2) it is important to establish a common level of understanding with the suspects.¹² These rules are critical to persuading suspects to be open, forthright, and honest. Suspects should be persuaded to look beyond the investigators' badges and see, instead, officers who listen without judging. If investigators are able to convince suspects that the key issue is not the crime itself, but what motivated them to commit the crime, they will begin to rationalize or explain their motivating factors.

At this stage of the interrogation, investigators are on the brink

of having suspects break through remaining defensive barriers to admit involvement in the crime. This is the critical stage of the interrogation process known as the breakthrough.

The Breakthrough

The breakthrough is the point in the interrogation when suspects make an admission, no matter how small.¹³ In spite of having been advised of certain protections guaranteed by the Constitution, most suspects feel a need to confess. Both hardcore criminals and first-time offenders suffer from the same pangs of conscience.¹⁴ This is an indication that their defense mechanisms are diminished, and at this point, the investigators may push through to elicit the remaining elements of confession.

In order for interrogators to pursue a successful breakthrough, they must recognize and understand certain background factors that are unique to a particular suspect. Many times, criminals exhibit psychological problems that are the result of having come from homes torn by conflict and dissension. Also frequently found in the backgrounds of criminals are parental rejection and inconsistent and severe punishment.¹⁵ It is important that investigators see beyond the person sitting before them and realize that past experiences can impact on current behavior. Once interrogators realize that the fear of possible punishment, coupled with the loss of pride in having to admit to committing mistakes, is the basic inhibitor they must overcome in suspects, they will quickly be able to formulate questions and analyze



“ **Investigators should...adopt a compassionate attitude and attempt to establish a rapport with suspects.** ”

responses that will break through the inhibitors.

Successful Interrogations

Investigators must conduct every interrogation with the belief that suspects, when presented with the proper avenue, will use it to confess their crimes. Research indicates that most guilty persons who confess are, from the outset, looking for the proper opening during the interrogation to communicate their guilt to the interrogators.¹⁶

Suspects confess when the internal anxiety caused by their deception outweighs their perceptions of the crime's consequences.¹⁷ In most instances, suspects have

magnified, in their minds, both the severity of the crime and the possible repercussions. Interrogators should allay suspect anxiety by putting these fears into perspective.

Suspects also make admissions or confessions when they believe that cooperation is the best course of action.¹⁸ If they are convinced that officers are prepared to listen to all of the circumstances surrounding the crimes, they will begin to talk. The psychological and physiological pressures that build in a person who has committed a crime are best alleviated by communicating.¹⁹ In order to relieve these suppressed pressures, suspects explain the circumstances of their crimes—they confess.

And, finally, suspects confess when interrogators are able to speculate correctly on why the crimes were committed. Suspects want to know ahead of time that interrogators will believe what they have to say and will understand what motivated them to commit the crime.

Conclusion

It is natural for suspects to want to preserve their privacy, civil rights, and liberties. It is also natural for suspects to resist discussing their criminal acts. For these very reasons, however, investigators must develop the skills that enable them to disarm defensive resisters established by suspects during interrogation. Before suspects will confess, they must feel comfortable in their surroundings, and they must have confidence in the interrogators, who should attempt to gain this confidence by listening intently to them and by allowing them to

Police Practices

verbalize their accounts of the crimes.

Interrogators who understand what motivates suspects to confess will be better able to formulate effective questions and analyze suspect responses. Obviously, more goes into gaining a confession than is contained in this article. However, if the interrogator fails to understand the motivations of the suspect, other factors impacting on obtaining the confession will be less effective.

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Footnotes:

¹ Charles E. O'Hara and Gregory L. O'Hara, *Fundamentals of Criminal Investigation*, 5th ed. rev. (Springfield, IL: Charles C. Thomas, 1988), p. 117.

² W. E. Renoud, *Criminal Investigation Digest* (Springfield, IL: Charles C. Thomas, 1981), p. 10.

³ John J. Horgan, *Criminal Investigations*, 2d ed. (New York, NY: McGraw-Hill Book Company, 1979), p. 78.

⁴ Fred E. Inbau, John E. Reid, and Joseph P. Buckley, *Criminal Interrogation and Confessions*, 3d ed. (Baltimore, MD: Williams & Wilkins, 1986), p. 16.

⁵ Robert F. Royal and Steven R. Schutt, *The Gentle Art of Interviewing and Interrogation: A Professional Manual and Guide* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1976), p. 56.

⁶ Supra note 4, p. 24.

⁷ Charles R. Swanson, Jr., Neil Chamelin, and Leonard Territo, *Criminal Investigation*, 4th ed. (New York, NY: Random House, 1988), p. 210.

⁸ Supra note 5, p. 57.

⁹ Ibid.

¹⁰ Supra note 2, p. 12.

¹¹ Ibid., p. 13.

¹² Ibid., p. 13.

¹³ Supra note 5.

¹⁴ Supra note 7.

¹⁵ James C. Coleman, James N. Butcher, and Robert C. Carson, *Abnormal Psychology and Modern Life*, 7th ed. (Glenview, IL: Scott Foresman and Company, 1984), p. 261.

¹⁶ Supra note 7, p. 209.

¹⁷ John Reid and Associates, *The Reid Technique of Interviewing and Interrogation* (Chicago, IL: Reid & Associates, 1986), p. 44.

¹⁸ Supra note 5, p. 115.

¹⁹ Supra note 7, p. 209.



Community Outreach Program

In an effort to improve police-community relations, the City of Delray Beach, Florida, Police Department created the Community Outreach Program (COP). This program allows police officers to be active in police-community relations. It not only facilitates the effective performance of the department but it also encourages citizen involvement. The specific goals of the program are to solicit citizen support in dealing with community problems, listen to the concerns of the citizens, and promote goodwill toward the department.

The Program

COP officers initiate positive, unsolicited contact with residents. Uniformed officers meet regularly with both residents and merchants to inform them that officers are in the neighborhood to make the com-

munity both safe and drug free. Officers ask citizens to relay information about suspicious or illegal activity and give the citizens an information guide that answers frequently asked questions. Some of the questions addressed include:

- Why are citizens who call in to make a complaint asked multiple questions?
- What are the citizens' responsibilities to report criminal or suspicious activity?
- How can citizens give information anonymously by calling a TIPS hotline?
- How can residents help reduce crime in their neighborhoods through Crime Watch groups?