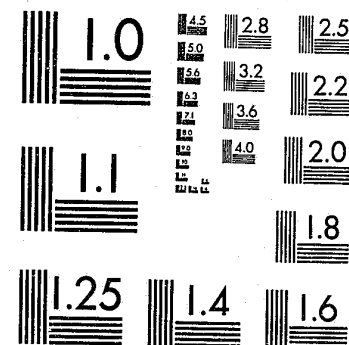


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United States Department of Justice
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Date Filmed

02/05/81

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FBI LAW ENFORCEMENT BULLETIN

MAY 1980

68697
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FBI LAW ENFORCEMENT BULLETIN

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Federal Bureau of Investigation
United States Department of Justice
Washington, D.C. 20535

William H. Webster, Director

The Attorney General has determined that the publication of this periodical is necessary in the transaction of the public business required by law of the Department of Justice. Use of funds for printing this periodical has been approved by the Director of the Office of Management and Budget through December 28, 1983.

Published by the Public Affairs Office,
Roger S. Young
Inspector in Charge

Editor—Thomas J. Deakin
Assistant Editor—Kathryn E. Sulewski
Art Director—Carl A. Gnam, Jr.
Writer/Editor—Karen McCarron
Production Manager—Jeffery L. Summers



ISSN 0014-5688

USPS 383-310

Investigative Techniques

68700

MOTIVATIONS OF CRIMINAL INFORMANTS

By JAMES T. REESE
Special Agent, Behavioral Science Unit, FBI Academy, Quantico, Va.

The use of informants is not new to law enforcement or to society in general. The recorded history of informants spans the time from Judas in the New Testament to the present day, and their uses are as vast as the entire area of responsibility for law enforcement. Informants may fall into many categories: Known, confidential, specialized, general, one-time, permanent, paid, unpaid, and others. This article, however, does not center on the types or uses of the informant, but discusses the psychological motivations of an individual who provides information to law enforcement authorities. These motivations will generally apply to all types of informants, including the concerned citizen, witness, and criminal. Emphasis will be placed on cautions concerning the psychopathic criminal as an informant.

The Foundation for Information

Gregariousness, while not being an instinct of the human species, is obviously one of our common traits.¹ People form groups, much like animals form herds, perhaps not so much for safety any more but for psychological comfort. It may be fair to say that this gregariousness provides the nucleus for informant potential. If human beings were loners by nature, the task of law enforcement would be inconceivably difficult.

These affiliations among people are based on a variety of similarities and needs, among which are values, personalities, goals, activities, income, and others. Their gregariousness is the cornerstone by which societies are built, and "by its very nature, society not only provides for the needs of its members but also controls its behavior as well."² A large part of this control today apparently stems from law enforcement's role in society and is enhanced by its proper use of informants.

The informer has been defined as "a person who informs or prefers an accusation against another, whom he suspects of the violation of some penal statute."³ This definition is altered somewhat by the labels placed on the informers by the criminal world. Among these labels (or titles) are "snitch," "squealer," "rat," "fink," "stool pigeon," and "scab," to name but a few. Unfortunately these titles, originated by the criminal world about whom the informant has provided information, are used frequently by law enforcement officers when referring to their own sources of information and by society in general. It is fair to say that many officers look at the informant as a "snitch" but accept them due to their value in the solution of crime. The

Anchorage Daily Times summed it up in 1974 with the title to an article, "Police See Informants as Necessary Evil."⁴ Still other headlines that lend credence to the value of informants in a more dignified manner are "Police Departments Would Be Lost Without Informants,"⁵ and "Police Informers Play Leading Roles."⁶ Needless to say, law enforcement and the solutions of crimes, in general, would suffer drastically if informants were to stop providing information. The law enforcement profession would be wise to look at its use of these slang titles as self-defeating behavior.

Brief History

The late J. Edgar Hoover, former Director of the Federal Bureau of Investigation, said that furnishing information was "one of the citizens' obligations."⁷ In the early histories of England and America, this obligation was referred to as the "Hue and Cry." Historically, police officers basically functioned as watchmen; it was not necessarily the officer's responsibility to catch criminals. He was, however, expected to "give Hue and Cry" so that the criminals could be apprehended by other citizens in the general vicinity.⁸ Quite the opposite role has evolved since that time, and more and more frequently, police are being challenged to solve more crimes and make more arrests.

During the period of hue and cry in England there existed the common law misprision of felony. Failure to inform, especially when witness to a felony, was punishable by fine and/or imprisonment. It is questionable whether this offense ever had any meaningful existence beyond textbook writers. The offense was practically obsolete in England over a century ago.

Today, most States and the Federal Government have some type of misprision statute. Our modern statutes are found to require active concealment, not just a failure to report, and this seems to have been the reality at common law also. Even though citizens have technical, legal obligations to report crime and furnish information, these legal obligations are, in reality, unenforceable or at least unenforced. Thus, "the informant in America serves of his own free will." ⁹ Keeping in mind this fact of voluntariness, what causes an individual to inform when another is involved in criminality?

It is becoming more and more important in present-day policing to be able to readily identify informants, and thereafter, understand their motivations for providing information in order to further develop them as sources. There was a time in our history when, due to the absence of court rulings, the police officer had fewer legal guidelines, and thus, more latitude in his interpretation of constitutional restraints. He was able to ask questions whenever he felt it was necessary, to stop indiscriminately suspicious individuals or vehicles, check the background or records of certain persons suspected of criminal activity, and conduct many other types of activities which he felt would be helpful in either identifying a criminal or in preventing a crime. This type of police activity was referred to by James Q. Wilson as aggressive police practice. Wilson defined it as "gathering more information about people who may be about to commit, or recently have committed, a crime. Because he (the police officer) cannot, except by due process of law, put people in private places under surveillance . . . he must gather the information in public places by stopping and ques-

tioning 'suspicious' persons, checking cars, searching people and vehicles for contraband, and keeping an eye on those locales—street corners or taverns in rowdy neighborhoods, for example—where criminal acts often occur." ¹⁰

Courts have begun to inquire into law enforcement practices with more regularity, resulting in more restrictions on officers' conduct, particularly with regard to collecting and using evidence. The decisions of the U.S. Supreme Court and State courts for the past 20 years have been limiting this aggressive policing. A recent case, for example, is that handed down by the U.S. Supreme Court on March 27, 1979, the case of *Delaware v. Prouse*, in which case the Court ruled that "random car stops require articulable suspicions." ¹¹ Developments such as these in criminal law which restrict information gathering have made it even more important for the police officer to understand the motivating factors involved in the decision to inform.

Informant Motivation

Motivation has been defined as an "internal condition which directs actions towards some goal: . . . usually used to include both the drive and the goal to which it is directed." ¹² These impelling forces, or motivations, directing human behavior are many and vary widely from one individual to another. The psychological motives that encourage individuals to inform on others fall within this multitude of forces. It is fair to expect the law enforcement officer will observe a few selected motivational factors, such as fear, revenge, and personal gain, more than others. Familiarity with motivational factors will allow the officer to better direct his questioning of the informant and provide a more enlightened "on-the-spot" judgment concerning the potential credibility of the information provided.

Some informants' motivating factors, delineated by Charles E. O'Hara in his book *Fundamentals of Criminal Investigation*, ¹³ are:

Fear—concern for one's own safety or the safety of his family.

Vanity—attempts to be looked upon favorably by police authorities.

Revenge—an effort to "get even" with another due to the other's previous informing or a mere dispute.

Repentance—rectifying a wrong due to a guilty conscience.

Jealousy—efforts to humiliate one with greater accomplishments or possessions.

Remuneration—informing for monetary reasons or other material gain.

Avoidance of Punishment—person caught in a criminal act informs on crime to avoid punishment.

Civic Mindedness—efforts to rid the community of crime.

Gratitude or Gain—efforts to express appreciation or earn favor.

Competition—desires to eliminate criminal competition.

John J. Horgan, the author of *Criminal Investigation*, adds still other motivating factors to this list. Among them are informing due to a dislike for a confederate, providing information regarding certain crimes of which he disapproves, and egoism or making himself look and feel important to the police, ¹⁴ similar to that factor which O'Hara referred to as vanity. Integrated within these motivations may be found the detective complex ¹⁵ and attempts by individuals to ingratiate themselves with the authorities. ¹⁶ It is noted that many of these same motivations are experienced by suspects being questioned about a crime and subjects providing confessions.

Criminal Informant Potential

Who are criminal informants? Criminal informants can be anyone, in that no category of individual or occupation is exempted. Obviously, the best individual from whom to receive information relative to a crime is the criminal himself. In lieu of this luxury, it is necessary for the officer to obtain information from others, information provided for one or more of the previously described motivational rea-

sons. An accomplice may provide the necessary information, or it may be learned from individuals merely in a position to know, hear of, or observe criminal behavior, such as cab drivers, bartenders, doormen, security personnel, and others. ¹⁷ It seems fair to assume that one person who is most familiar with the criminal mind is another criminal. It has been stated that "invariably, good informants are involved with criminal activities." ¹⁸

The Psychopath as an Informant

Some studies, discussed later, suggest that a large portion of the criminal population is made up of a certain personality type. These studies refer to the criminal as sociopaths, antisocial personalities, and psychopaths. All of these terms share basically the same meaning. For our purposes such an individual will be referred to as the psychopath. It is noted that the American Psychiatric Association uses the term "antisocial personality" to classify the sociopath/psychopath and refers to them as:

"[I]ndividuals who are basically unsocialized and whose behavior pattern brings them repeatedly into conflict with society. They are incapable of significant loyalty to individuals, groups, or social values. They are grossly selfish, callous, irresponsible, impulsive, and unable to feel guilt or to learn from experience and punishment. Frustration tolerance is low. They tend to blame others or offer plausible rationalizations for their behavior. A mere history of repeated legal or social offenses is not sufficient to justify this diagnosis." ¹⁹

Criminologist Ernest van den Haag, among others, cautions that a history of offenses does not place an individual in the category of psychopathic. He states, "Most offenders are not psychopaths, but some are." ²⁰ While there are writers such as van den Haag who state that the psychopath is not the most common offender, there are studies which oppose that particular viewpoint.

A study of the inmates of Sing Sing Prison in 1963 by J. Gaetaniello, Chief of Psychiatric Services, Sing Sing Prison, Ossining, N.Y., revealed that 35 percent, the largest percentage of any one category exposed by the study, were of the antisocial type. ²¹ Another study, this one of repeat offenders by Dr. John Holbrook, Chief Psychiatrist, and Mr. Eric J. Holden, Psychological Counselor, both of the Texas Department of Corrections, also concludes that the psychopathic-type personality makes up the majority of criminal types. In this study they reported that "though the sociopath comprises 40 percent of the criminal population, he is responsible for 80 percent to 90 percent of all crime." ²²

These percentages of psychopathic criminals are presented to expose the officer to the fact that there is a great possibility the officer will contact the psychopath as an informant on occasion. The studies are in no way intended to suggest the psychopath as the only, or best, criminal informant, and it must be stressed that since the officer's job is not that of a diagnostician, he need not label the informant as one type of personality or another. He should, however, be aware of the characteristics of the psychopath, so that he will be alert to an informant who possesses any or all such characteristics and handle him accordingly.

Even those who disagree that the psychopath is responsible for a preponderance of crime provide certain insight into the handling of this type of person. William and Joan McCord in their book, *Origins of Crime*, tell us the following: "It is the psychopath who commits the whole gamut of crimes. He feels little, if any, guilt and cannot form close relationships with other people." ²³ Ernest van den Haag advises: "Psychopaths, by definition, differ from ordinary people in that they do not experience guilt feelings. They find it psychologically easier to commit crimes." ²⁴ Therefore, whether or not the psychopath makes up the majority of the criminal population, the police officer should use extreme discretion and care when using him as an informant.

It is generally accepted among psychologists that one of the psychopath's largest problems is his lack of guilt feelings. John Coleman refers to this as an "inadequate conscience development and lack of anxiety or guilt." ²⁵ Sigmund Freud separated the human personality into three component parts—the id, the ego, and the superego. Accordingly, the psychopath is said, by Freudians, to have a poorly developed superego or conscience. As a consequence, the id (that part of the personality which seeks pleasure without regard for the consequences) dominates the individual's personality. The ego (that portion of a personality which mediates between the id and the superego, also referred to as the self) has no superego or conscience with which to mediate, thus the id predominates.

Hervey Cleckley, in *The Mask of Sanity*, lists 16 characteristics or traits of the psychopath. The officer should keep in mind the possible use of this type of individual as a criminal informant and interpret these characteristics accordingly, evaluating the effect each characteristic will have on the way the informant is handled and the purpose and usefulness of the information provided by him. These characteristics are:

- 1) Superficial charm and good "intelligence,"
- 2) Absence of delusions and other signs of irrational thinking,
- 3) Absence of "nervousness" or psychoneurotic manifestations,
- 4) Unreliability,
- 5) Untruthfulness and insincerity,
- 6) Lack of remorse or shame,
- 7) Inadequately motivated antisocial behavior,
- 8) Poor judgment and failure to learn by experience,
- 9) Pathologic egocentricity and incapacity for love,
- 10) General poverty in major affective reactions,

- 11) Specific loss of insight,
- 12) Unresponsiveness in general interpersonal relations,
- 13) Fantastic and uninviting behavior with drink and sometimes without,
- 14) Suicide rarely carried out,
- 15) Sex life impersonal, trivial, and poorly integrated, and
- 16) Failure to follow any life plan.²⁶

Some Cautions Concerning Psychopathy

Of what significance or assistance are all of these motivational factors and psychopathic characteristics to the investigator? The psychopath possesses both good and bad informant qualities. His egocentricity, or vanity, may cause him to talk excessively about "how much he knows." This same egocentricity will cause him to try to look like a big man (big in importance) to the police and thus fabricate facts concerning a case. This trait may be coupled with his lack of loyalty to anyone. He has not formed any close, meaningful relationships with anyone, particularly with criminal confederates, and therefore will speak freely of their activities.

His gregariousness is limited to a parasitic existence. His egocentricity causes him to need people around him, to be an extrovert. He will use, con, and manipulate people in accordance with his purposes and goals. An officer should not let the diagnostic term "antisocial" be misleading or confusing concerning the psychopath's need for people.

His basic good intelligence and amiability may make him extremely convincing. The officer must be aware that the psychopath is a good liar and is unreliable. While providing false information, he will show no nervousness or other signs of discomfort so frequently witnessed by police during an interview. The use of the polygraph to determine the truthfulness of his story has proven unsuccessful time and time again. The determination most often obtained using a polygraph is one of "inconclusive."

Generally speaking, the investigator is now armed with information concerning informant targeting, development, usage, and interviewing. Numerous motivations for informing were defined, which should prove helpful when attempting to collect information. Caution should be taken, however, when interviewing someone whose behavior resembles that of the psychopath. This caution should take the form of being a good listener, not being gullible, and being willing to verify every bit of information obtained through active investigation. Once again, the officer should continually remind himself that the psychopath is a manipulator, a con artist, and a liar.

Following his arrest, the motivations of an apparent psychopath will differ somewhat from those of the average person. His providing information may be due to his envy of those not arrested (accomplices), his attempts to eliminate criminal competition, but foremost, his efforts to avoid punishment. He will feign repentance for his acts and may plead for probation, stating that he has "learned his lesson." We now know better. The psychopath does not learn from his mistakes or from punishment. Recidivism is high in this category of personality. If he is given probation, it is very likely that his criminal activities will continue, and due to his cunning ways and manipulation, may become an officer's favorite probationer. Many authorities agree that the only way to stop his criminal behavior is to incarcerate him. They contend that incapacitation is the answer to his recidivism.

A last reason the psychopathic type may provide information is to turn the focus of an investigation away from himself, a motivation witnessed by this writer on several occasions. On one occasion, the entire thrust of a bank robbery investigation was shifted in the wrong direction due to information provided by an informant. The information was simple, logical, and extremely believable. It was given with a certain note of sincerity. A short time later, this informant was arrested and convicted for the crime about which he had provided information. The informer's

motivation was to prevent, or at least delay, the authorities from focusing on him as the subject of the crime. Proper interpretation of the information, using the motivational factors listed and the informant's own personality traits, made even the false information useful. Needless to say, many man-hours were expended in attempting to verify or corroborate information. The lack of adequate corroboration was one of the keys to his eventual arrest. This case provided a good example of using the information provided, be it true or false, to the investigator's advantage.

Another case pitted one brother against another in a criminal matter. Whether psychopathic or not, there appeared a lack of loyalty between the brothers. In this case, one brother testified against the other, resulting in a conviction. Obviously, the testimony provided by the informant brother was for the purpose of avoiding punishment through amnesty for his testimony. His lack of warm interpersonal relationships was the characteristic that encouraged law enforcement officers to approach him concerning informing on his brother. This is a perfect incident in which the officer was not pretending to be a diagnostician but rather was identifying certain personality traits which gave him clues as to the proper approach for information.

After reading the above examples one may ask, "Is this type of individual (one who appears to possess the traits of a psychopath) a good criminal informant?" "Should he be targeted and developed as an informant?" The answer is yes; however, this answer must be qualified. He is a good informant so long as the officer is aware of the characteristics of his personality and his motivations for informing. Nothing he says can be taken at "face value" but must be corroborated by active investigation. In a good and thorough investigation, even false information, if examined carefully, can become valuable and steer the officer in the proper direction.

When dealing with a psychopathic-type person, never forget his lack of guilt or remorse. This absence of conscience can make him a very callous, dangerous person. History gives us good examples of the psychopath's cunning and dangerousness. John Coleman, author of *Abnormal Psychology and Modern Life*, tells of Reichsmarshal Hermann Goering who "admitted that he (Goering) had no conscience; his conscience was Adolph Hitler."²⁷ Coleman also tells of the "Great Imposter," Fernando Walter Demaro, Jr., who, without any credentials of his own, was able to become dean of philosophy at a small Canadian college, gain a commission in the Royal Canadian Navy, and serve as a ship's doctor.²⁸ More recently, Edmund Kemper stands out as an excellent example of the dangers involved. At the age of 15 he shot his grandmother and grandfather in cold blood. He was hospitalized for mental treatment and eventually released. Following his release he killed eight others, which included decapitating his own mother.²⁹

"Thou Shalt Not Kill," a special report for television by the National Broadcasting Company, focuses on an interview of two persons on "death-row," Myron Lance and Walter Kelbach.³⁰ Prior to this interview, Lance and Kelbach had been imprisoned in Utah and released. Following their initial release from prison, they murdered numerous people for no apparent reason. These two men talk about the murders freely and without remorse.

On occasion, they grin and laugh about the murders and admit that they have no remorse concerning them. Kelbach states at one point, in substance, that they (the victims) were going to die anyway and they (Lance and Kelbach) were merely speeding it up a little. Kelbach adds a final, chilling note saying that it wouldn't bother him if someone were to have a heart attack right in front of him. His preference, though, would be for one to have a heart attack, crawl, and almost make it to a phone to call for help and then "keel over" and die.

These men speak openly of their crimes. The egocentricity is obvious by their statements and how they describe the murders. It is important to point out that this interview for television was conducted prior to the U.S. Supreme Court decision that invalidated the death penalty in most jurisdictions. This also serves as an excellent example demonstrating the psychopath's egocentricity. Lance and Kelbach, facing the death penalty, chose to talk about their crimes before what may be the largest audience possible, television viewers.

Conclusion

These motivational factors should not only help the officer determine why an individual is providing information but allow the officer to help motivate those in a position to inform (not only those appearing psychopathic) by suggesting a few reasons why he should give information. When dealing with the informant it should be remembered that if the informant is in fact a criminal, he knows as much about interrogation as you do, be honest—don't trick or bluff him.³¹

Informants are a necessary and integral part of the criminal justice system in America. Some individuals continue to provide information on a voluntary basis regarding criminal activities, regardless of public scorn and condemnation. Others, those involved in criminality, do so for some sort of personal gain. The law enforcement officer should realize the importance and usefulness of the informant in the solution of crimes and not adopt the public's and the criminal world's prejudices against him. The informant's motivations discussed herein can be of assistance in using an informant to a maximum potential. There will be many cases where an informant is good on a "one time" basis. Even this situation requires that the officer use his knowledge concerning the informant's reason for providing information and thereby gain all the useful information in his possession.

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