

---

# UNIT 8 INVESTIGATIVE PSYCHOLOGY<sup>1</sup>

---

## Structure

- 8.0 Objectives
- 8.1 Introduction
- 8.2 Truth and Deception
  - 8.2.1 Types of Truth and Deception
  - 8.2.2 Detecting Deception
- 8.3 Police Interrogation and Truth
  - 8.3.1 Goals of Interrogation
  - 8.3.2 Types of Interrogation
- 8.4 Techniques of Interrogation
- 8.5 Let Us Sum Up
- 8.6 References
- 8.7 Key Words
- 8.8 Answers to Check Your Progress
- 8.9 Unit End Questions

---

## 8.0 OBJECTIVES

---

After reading this unit, you will be able to,

- discuss truth and deception;
- describe police interrogation and truth; and
- explain the techniques of interrogation.

---

## 8.1 INTRODCUTION

---

In applied psychology, investigative psychology attempts to describe the actions of offenders and develop an understanding of crime. This understanding can then help solve crimes and contribute to prosecution and defence procedures.

Investigative psychology is a relatively newer branch of applied psychology that focuses on understanding and profiling criminals. It can also be termed as a sub-system of forensic psychology as was discussed by us in the very first unit of this course. The ultimate goal is to assist with solving crimes and provide empirical evidence for court cases.

Investigative psychology differs from forensic psychology in that the latter draw on the fields of law and psychology and work within the legal system. Forensic psychologists function as expert witnesses, trial consultants,

---

<sup>1</sup> Prof. Vimala Veeraraghavan, Former Emeritus Professor, Discipline of Psychology, SOSS, IGNOU, Delhi

academic researchers and law enforcement consultants. They typically evaluate witnesses to judge their credibility, competency and even sanity. An investigative psychologist on the other hand is involved in criminal profiling. Using tools, such as interviewing, personality tests and assessment, use of sociodemographic and socioeconomic features of the suspect, the victims and their personality, etc. investigative psychologists profile offenders and predict criminal behaviour in certain individuals who indulge in criminal acts and offences. They also focus in examining different forms of crime that help the legal processes and the police.

Investigative psychology is the bottom-up approach to profiling developed by David Canter, who proposed that profiling can and should be based in psychological theory and research. Canter (1995) integrated the criminal investigation techniques with psychological principles and used considerable information, techniques, psychological methods and research to understand and explore as well as investigate crime and criminal behaviours.

Psychological principles are considered in criminal investigation, which consist of basically three major and central issues of investigative psychology. The first one is the behavioural features of the crime that would help identify the perpetrator of the crime, bring him/ her to book and prosecute him. The second is the characteristics of the offender that could help identify him/ her and the third is whether there are other crimes committed by the same person. All these three are central to the investigative psychology.

One of the major tasks of investigative psychology is profiling, which means sketching the significant features of the person or persons who committed the crime. These features consist of sociodemographic, socio cultural and socio economic and psychological features of the person who is being profiled. Investigative psychology summarises all the important features of the person/s concerned, both the person who committed the offence and those who may commit offence.

In the United States of America the Computer Assisted Passenger Pre screening System (CAPPS) is used after the explosion of the TWA plane in the mid air. This system uses the basic but major information provided by the passengers as they book their flight and look for typical patterns to identify potential offenders such as the terrorists (Armstrong and Periera, 2001).

In the present unit, we will focus on truth and deception, police interrogation and truth and interrogation techniques.

---

## **8.2 TRUTH AND DECEPTION**

---

Deception is defined as falsehood. It refers to the act of lying to someone or tricking that person. Deception refers to the act of making others believe a lie or falsehoods as the truth. It makes no difference whether the issue is small or big, positive or negative, kind or unkind. It is a lie that is told openly and blatantly and make the other person or persons believe in the same. The statement made is a blatant lie which is intended to deceive the other person or persons or group of people or the people as a whole in a community.

Harmening and Gamez (2016, page 225) defined deception as “An untrue statement with additional details added that are designed to make the statement appear truthful”.

The difference between lying and deceiving is that the former refers to the act of telling something which is false. Deceiving on the other hand refers to using a sort of plot for personal advantage of the person who is deceiving. Lying and deceiving, though both are quite similar they however differ in detail. Lying for instance is used for the purposes of deception. For example, if some one has been deceived, it implies that that there was a trick or scheme in the act that made the person loses and the deceiver gains.

Apart from lying and deception, there is another term 'misleading'. Saying something not necessarily falsehood or untruth, but the final result is leading to the other person to have a misconception about something. On the other hand, in lying, there is definite falsehood and the person who says that knows very well it is falsehood.

### 8.2.1 Types of Truth and Deception

There are various types of truth and deception (Harmening & Gamez, 2016, page 225). These are discussed as follows:

- **Objective truth:** This can be termed as a statement that is true. There is no scope for misinterpretation. The facts are not manipulated in any way. For example, if a person has stolen something from another person, he/ she would just admit it and say “Yes I have taken it”.
- **Embellished truth:** This is again truthful statement, though it also includes certain additional facts that are not true. And these facts are added in order to reduce the severity of the theft or crime carried out. An attempt here is made to decrease or change the complexion of objective truth. For example, the person who carried out the theft may say “Yes, I did it, but I was just playing a prank”. Embellished truth can be described as an objective truth with additional details.
- **Concealed truth:** This is a statement that is an incomplete truth and in this the details regarding the objective truth are concealed. Thus, if a person has taken something from another person, he/ she may say “I am going to give back what I have taken”. Concealed truth can be described as an objective truth without details.
- **False truth:** This is yet another type of truth and this denotes a statement that is false or untrue and is made by an individual who believes that it is an objective truth. Thus, person who has stolen something from another person may say “I have taken it, but I was told that I could take it”.
- **Coerced truth:** This denotes a statement that is false and is put forth as an objective truth and is as an outcome of pressure, treat or manipulation by other individual(s). The person thus may say that he/ she has stolen from another person due to external pressure or manipulation, though in reality he/ she has not stolen.

- **Lie:** A statement that is false and has no other details added to it or no further explanation or justification is provided. Thus, the person who is accused of stealing something could say "I have not taken it".
- **Deception:** This is a statement that is not true and includes additional details so that the statement appears to be true. Thus, he/ she person accused of stealing will say "I did not take it, someone must have put it there". In deception, there is not only denial of the action, but additional details are added so that the statement made by the accused seems to be truthful.

### 8.2.2 Detecting Deception

There are a few bodily signs and physiological changes that could help detect deception. For instance, facial and bodily cues, the size of the pupil (dilated), lip pressing, posture, eye blinking and so on. Detecting deception is extremely important in investigations, as the risk of going wrong when one is unable to differentiate between a lie and truth. In the process justice may be denied. Also, ensuring this distinction between lie and truth is very important when one is dealing with the allegations by the victims, when eyewitnesses are deposing before the police regarding what they witnessed, and to what extent they are telling the truth and finally the statements being made by the suspects, who deny they had committed the crime.

There are methods available to find out the truth of any statement by the victim or the suspect, for example the polygraph test, also called as 'lie detector'. This is based on the autonomic responses in the person concerned who is being subjected to polygraph. However this method has not been considered highly accurate and thus are not considered quite reliable. Hence other clues are also being used in addition to polygraph by psychologists. For example facial expression, body language, linguistics to assist in finding out the truth and differentiate deception from truth. Psychologists are also innovating new softwares that could analyse facial expressions and writing style.

There are persons who tell "high stakes" lies. Emmanuel and colleagues are collecting data on the demeanour and physiology of these high stakes liars. High stakes refers here to those people who tell lies even at the risk of their reputation being damaged, losing their freedom and in some cases their life and their family members' lives too.

Another clue is the physical appearance of the individual concerned. For instance, their very appearance seem to be deceiving. They are less relaxed, no eye contact, turning away their face etc. There is also an association between lying and increase in the person's pupil size, pursing their lips, which are indicators of the tension that the person is experiencing as a result of deceiving. Secondly those who deceive, appear to be more nervous than those who tell the truth. There is even difference in the tone of their voice , for example the liars' voice is pitched higher.

In 1978, Ekman and his colleagues published materials on "Facial Action Coding System". When this FACS is combined with other cues such as voice

m assures, speech etc. the possibility of accurate judgement of deception becomes very high. Face and voice cues, gestures and words help to detect accurately deception.

There is also another indicator. As the questioning and interview as well as testing continues, the micro expressions that may appear for a second or so give a signal regarding the person's emotions that he/ she wants to conceal, which would give an idea of whether the person is deceiving. Another indicator is the time one takes to answer a query. Research has shown that liars seem more negative, relatively more nervous than truth speaking persons. Also it has been observed that deceptions generally are uncooperative, talk less and reveal little, their answers are more discrepant, illogical, use less gestures and repeat many phrases and words, as compared to the truth speaking persons. (DePaulo and Morris, 2004). There are three primary written markers for deception and these are: fewer first person pronouns, more negative emotions like hate and fewer exclusionary words such as 'except', 'but' etc.

Taking fewer first person pronouns, that is, liars generally avoid ownership to words and distance themselves from the story they narrate. Thus, in their writing they avoid first person pronouns etc. and avoid taking responsibility for their behaviours. As for negative emotions, they use words such as hate, worthless, sad etc. These people are stated to be more anxious and also feel guilty of their behaviours. As for the exclusionary words that they use such as 'but' etc. the researchers are of the view that these persons are able to distinguish between what they did and what they did not do. In this regard Gary Bond & Lee (2005) conducted a study on analysing the writing of felons jailed in New Mexico, Kansas and Mississippi. They were shown a video and then asked to write truthfully about the video. They found that truthful writing had far lesser negative emotions, greater number of self referencing and less use of exclusionary words like 'but' etc. as compared to those who were not truthful.

Apart from the computer based programmes and softwares, there are many more methods to use in detecting lie and deception. For instance behavioural clue is one which can be used if the personnel are well trained in how to detect these clues and in what manner. In the USA, the American Psychology Association (APA), the Federal Bureau of Investigation and the National Institute of Justice joined together to conduct a comprehensive workshop for the personnel of the law enforcement agencies. Prof. Emmanuel (Professor of psychology) took lectures for them along with many other experts. Research in the area were presented on lying and deception. The personnel were trained as to how to look for the subtle clues, what they are and how they appear and how not to miss the same etc. It was pointed out that behavioural training to spot subtle cues are extremely important for the law enforcement personnel. Though there may be no typical signs per se of lies, the manner in which the person takes time to think and answer a very simple question is an indicator of the possibility of lying on the part of the person. Similarly an inappropriate emotion to a question which does not warrant such emotion could be another indicator of possibility of the person telling lies. The training given is such that the law enforcement personnel are attuned to

looking for signs of body language, inappropriate emotions, a slip of the tongue, tendency to jump a topic or divert attention from the topic etc. They learn how to look for "Hot Spots". Also other indicators include demeanour of the person concerned (for instance a suspect) and the many vocal clues mentioned earlier are highly important to note and add to the analysis. In addition it is important to note the word usage of the person and their typical judgments on behaviours etc. All these need to be noted and added to analysis so that lie and deception could be easily delineated. However, it must be kept in mind that everyone cannot be well trained in this technique, as it requires persons with certain special ability to be highly alert, perceptive and high on emotional intelligence. Only such persons will benefit from the training and can be of great use in distinguishing persons who lie and deceive and persons who tell the truth so that justice could be ensured (O'Sullivan and Ekman, 2004). According to O' Sullivan, the law enforcement agencies should identify persons with basic core talent and give them the needed training for the purpose of distinguishing deception and truth.

Instead of invasive techniques like lie detection etc. one could use non-invasive techniques in detecting lies and deception. These are non-verbal behaviours of the individual or the person concerned. The main assumption here is that the person when telling lies, enters a mental state which is different from the one when he/ she is telling the truth. This psychological state affects both verbal and non verbal behaviours of the individual. This to quite an extent indicates that deception of an individual leaks in predictable ways from the person concerned. This leak can be observed in the person's various behaviours, as for example in his communication cues, body movements, facial expressions etc. Depending on the skills acquired in such detections due to intense training, and with experience, the law enforcement person can diagnose and detect the deception with ease and more accurately. At the same time it must be kept in mind that the accused or the person being interviewed may also become so conscious about these cues that he/ she may hide them with effort thereby the law enforcement officer may not get the cue emitted by the accused and miss out important deception. Hence the training for the personnel has to keep in mind this aspect also.

Adhering to the principle of the psychosomatic aspects, that is whatever is happening psychologically will affect the physical states of the individual, though difficult to detect from the behaviours the psychological underpinnings, yet the fact remains that there is a clear linkage between psychological state and physical state of the individual and hence if a person is deceiving or telling lies, it can be detected from the behaviour or from the subtle changes that occur in the person's physical state and behaviour.

Research in the area has focussed on the cues sent by deceivers and received by the person interviewing. The findings showed that the cues consisted of nonverbal behaviours. These were coded systematically from the replays of speeches and interviews, that had been video taped and recorded for research purposes (National Research council, 1991). The research focussed mainly on observers asking subjects to rate the taped enactments. For instance, in one experiment, the observers rated the descriptions of student nurses' feelings about a film that was intended to arouse either positive or negative reactions.

The nurses who were identified to be in the deception condition were asked to conceal their actual feelings aroused by the negative film. They reported their perceptions of the communicators' deceptiveness, usually on a numerical scale that discriminates degrees of deceptiveness or honesty. In addition, they were also asked to indicate the extent to which they are confident in making these judgments. The ratings of deception were analysed for accuracy and related to expressed confidence, the nonverbal cues, nonverbal behaviours etc. The results showed the following:

- Because of the link / association between emotions and behaviour, the non-verbal behaviours leak that information which the individual is trying to hide. When emotion is aroused, there appears changes in the face, voice tone, body movements etc. From these three one can detect deception. (Ekman, 1981).
- The discriminating cues provided by the body include decreasing use of hand (movements used for emphasis).
- Increased use of self-adapters (movements directed to one part of the body to another).
- More postural position shifts by deceivers.
- Coordinated body movement among deceivers, such as rocking, head shaking, trunk swivels and nodding - all these movements were happening together. (Druckman et al., 1982)

Thus, it can be stated that leaked cues to deception occur when an individual's psychological state reflects the experience of guilt. It may be kept in mind that such guilt arising depends on the background and culture the individual. Secondly, where cultural influences may affect the ascertaining of deception or truth, there could be an interrogator from the same cultural background and social setting. Thirdly, by using laboratory experimental methods combined with field studies and application of the research findings to actual real life situations, one can find more refined and effective methods to find the truth from deception. Lastly, videotaping all the interactive and interrogative sessions will help detecting the clues when the videoed sessions are repeatedly watched and specifically look for leaked clues. This is all the more essential for research purposes. Also, taped interviews and discussions provide a baseline data and information on the cues emitted. These in turn can be used very effectively to evaluate behaviours including the past behaviours.

The concept of leakage in deception and truth is well illustrated by Druckman et al (1982). He demonstrated how psychological states function as intervening variable between non verbal behaviours and intentions in the individual to say something.

In an experiment, he made his subjects do role play after giving a task (role of an ambassador from Russia to the United States of America).

In the first role they have to play as honest ambassador. In the second role, they had to play as an evasive ambassador and in the third role, they had to play the role of deceiving ambassador. Thus, they had to role play three

different types, viz., honesty, evasion and deception. Following the role play they had to complete a questionnaire consisting of 26 item bipolar scale. The ratings given by them were correlated with their non verbal behaviours. Three typical factors emerged, viz., involvement, stress and confidence. Honest and evasive participants showed involvement. Evasive and deceptive participants showed stress and tension. While the honest participants showed high level of involvement, they also showed more directly seeing the interviewer and having eye contact with him. The deceptive participants on the other hand showed low level involvement and invariably turned away their faces from the interviewer. These results support the concept of leakage, and highlight the role played by emotions and feelings in the process of making inferences from nonverbal behaviours. It may be mentioned here that all participants showed high level of confidence though some were deceptive, some evasive and some honest.

### **Box 8.1: Evaluation and Assessment of Deception<sup>2</sup>**

The forensic psychologists may be asked to evaluate the validity of an illness, whether malingering/ deception is involved, and to aid in the follow up evaluation of persons claiming mental and emotional difficulties due to previous traumatic experience.

The Forensic Distortion Analysis (FDA) mandates a scrutiny of the actor, oneself as an evaluator, and the context in which the distortion occurs. In many cases the issues surrounding FDA makes it impossible for one individual or discipline to answer all the biological, psychological, and social questions in deception analysis.

Deception analysis involves some collaboration with other sources of data. An adequate database for FDA requires information relevant both to the time of evaluation and some past event. In the forensic distortion analysis, therefore, the initial step is to gather information. Possible sources include:

- Interviews of significant/ knowledgeable others.
- Behavioral observation of the possible deceiver in individual and group, structured and unstructured, stressful and non-stressful situations.
- Functional analysis of previous deceptive behaviour.
- Analysis of validity indicators on psychological testing.
- Analysis of learning curves and expected performance in intellectual and neuropsychological methods.
- Competence assessment.
- Medical and laboratory analysis.
- Neurological testing using PET, CT, and MRI technologies.
- Semantic and transcript analysis.
- Non verbal behaviour analysis.

<sup>2</sup> Box 8.1 is authored by Dr. Bibha Rani, Ex-Director, Directorate of Forensic Science, Government of India Delhi and is adapted from Unit 1, Block 3 of BPCE021.

- Autobiographical materials like diaries, letters.
- Records produced by others like military, school, job.
- Expunged records in the State or Federal archives.
- Intervention paradigm designed to assess deceit by changing it.
- Base rate analysis for trait of the groups in which the deceiver holds membership.

The analysis then proceeds to a synthesis of the findings by considering all factors and assigning due importance to various factors. It is expected that the synthesis can be verified and replicated by independent examiners. A good working rule is that deception must be demonstrated, not simply arrived at by ruling out other possibilities. The evaluator should recognise that ground truth for any event, free of camouflage and faking, stands by itself and can be measured.

Besides the above data analysis, psychological tests like Minnesota Multiphasic Personality Inventory (MMPI) and MMPI-2 have also been used in case of civil litigants. The MMPI-2 is a 567-item multiscale inventory designed to assess psychopathology. In addition to its clinical scales, the MMPI-2 contains specialised scales designed to evaluate issues related to response styles. However, these scales have not been widely used or cross validated. Some psychological tests specially designed to assess malingering are as follows:

The Structured Interview of Reported Symptoms (SIRS) is an interview designed to comprehensively assess malingering and related response styles.

The Miller Forensic Assessment of Symptoms Test (M-FAST) is a 25-item structured interview consisting of seven scales designed to be used to screen for malingering.

The Structured Inventory Malingering Symptomatology (SIMS) is a 75-item true/ false test composed of five scales: low intelligence, affective disorders, neurological impairment, psychosis, and amnesia.

The FDA model suggests that any combination of methods – interviewing, testing, observation, base rate comparison – can be utilised.

### Check Your Progress I

1) What is deception?

.....

.....

.....

.....

.....

.....

.....

.....

---

## 8.3 POLICE INTERROGATION AND TRUTH

---

The police and law enforcement agencies use interrogation as an important tool of investigation. The investigation may be in regard to a serious crime like murder, or a civil crime like signature fraud etc. Irrespective of the crime being a cognizable or non- cognizable one, the police have the right to question the accused brought before them as the suspect who has committed the offence.

Interrogation, in criminal law, is the process of questioning by which police obtain evidence. The process of questioning the accused can take many forms, because there are many types of questioning techniques like open-ended questioning, direct questioning, structured interviews polygraph examinations and brain electrical activation profiling, and narco-analysis tests.

### 8.3.1 Goals of Interrogation

The main goal of interrogation is to obtain the needed information. Towards this goal, the interrogation continues on with many types of interventions, questions, counter questions etc. until a reasonably reliable answer is obtained from the suspect or the person who is being interrogated.

The interrogation is for a purpose, that is, to obtain adequate and reliable evidence to prove that the offence committed by a person is true. The goal is to pin point the person who has committed the crime.

The interrogator questions the accused and is able to take him/ her around the murder and beyond, making him/ her falter at times, covering his/her tracks at times, and stating different things as answer to the same question repeated at different time and at different intervals and contexts. While interrogating the accused also tries to achieve his/her own interests and protect himself/ herself from accusation and achieve the goal of being considered 'innocent'.

### 8.3.2 Types of Interrogation

There are three types of interrogation:

- 1) In the first type, the respondent will give freely what ever information is needed. For instance, if there is a murder and it was witnessed a person, this individual when questioned or interrogated would give freely all the information.
- 2) In the second type, the person concerned, that is, the accused who is being interrogated will not reveal those information he/she would not like to divulge at all. For instance if the interrogator asks for the associates of the suspect, he/ she will not divulge that information
- 3) In the third type of interrogation, the attempt is to make the person concerned to confess. That is, the person admits to have committed the offence, may be a murder or sexual assault or whatever crime is being probed.

Interrogation is not persuasion. The main goal as mentioned earlier is to get all the requisite information from the person so as to not only identify the suspect but also provide justice to the victim of the offence. In this there is a need for the individual concerned to collaborate. If the person is a professional offender who knows the various methods and skills in interrogation, he/ she can hide almost everything but the truth, give also absolutely false information, and thus the interrogator will fail in achieving his goal to get the true details of the offence and may not be able to identify the offender also. Hence it becomes imperative to use varied types of choices and skills to get the truth from the suspect.

As is well known when a common man visualises 'interrogation' the image is one of torture and using harsh methods to cull out the information from the offender. This image of torture and harsh treatment generally will make the offender concerned to tell the truth at the earliest stage of interrogation. However these fear based methods do not work at all with highly skilled professional offender as his/her motivation is to hide the fact to the maximum extent and may do so even at the cost of losing his/her life, or limbs or incarceration for many many years. Many times just to escape continuously being questioned and getting worn out, the suspect may tell total false information and divert the interrogator and convince him/ her that he/ she is telling the truth. In certain cases the interrogator may, by his/her persistent questioning, make a witness say many things that he/ she had and had not seen hence every effort should be put in by the interrogator to not accept at face value all that the witness or the suspect is saying but delve much deeper into depth by skilfully questioning, asking for evidence, repeating certain questions unexpectedly in different manner etc. The interrogator can also verify many of the statements by visiting the concerned place for verification of facts. Where the suspect is made to say certain things, because of being tortured, the court may not accept those statements not as these have been made under coercion.

In the context of interrogation, we can also discuss about extreme interrogation. Historically torture as an interrogative technique has been used widely. One finds reference to this 800 years ago in Vatican, France and Spain which gives description of tortures carried out and meticulous financial records indicating the price of the instruments used for torture. The person's who were responsible for interrogation kept very detailed account of the methods that they used during interrogation including torture. In extreme interrogation, the police may use beating, binding the person in awful position and so on. In some tortures the person is deprived of food and drink for a few days. Unable to bear the pain, discomfort and humiliation, the person could confesse to a crime which he/ she may or may not have committed. Thus, in certain cases, an innocent person may be found guilty and incarcerated even though he/ she may not have committed the crime.

Some of the extreme techniques include abdominal slap, cramped confinement, sleep deprivation, wall standing, water dousing and so on.

### Check Your Progress II

- 1) State the three types of interrogation.

.....

.....

.....

.....

.....

---

## 8.4 TECHNIQUES OF INTERROGATION

---

Many techniques are employed in interrogation, some of which are discussed as follows:

- 1) **Deception technique:** In this the interrogator uses misstatements, false evidences and false sympathy to establish rapport with the accused and to manipulate circumstances, for instance, mutating that the autopsy report clearly showed the accused's involvement etc. so that the accused confesses to have committed the crime.
- 2) **Suggestibility:** Gudjonsson and Clark (1986) define interrogative suggestibility as, “the extent to which, within a closed social interaction, people come to accept messages communicated during formal questioning, as the result of which their subsequent behavioural response is affected”.

From the above it may be seen that suggestibility is not the same as compliance. Suggestibility refers to the personal acceptance of the information by the accused. On the other hand, compliance refers to the individual who agrees to and carries on the suggested propositions, and instructions, in order to please the other person or avoid confrontation with the other.

Suggestibility invariably leads to false admission by a person of having committed the act, while he/ she had not done so. Leading questions and negative feedback together contribute to false acceptance of a crime that one had not committed. Furthermore, according to Gudjonsson and Clark (2010), the suggestibility that is used in interrogation by the police, becomes a part of the individual's response mainly due to the culture in which the individual lives and interacts with others. More specifically, as pointed out by the authors above, the interrogative suggestibility is dependent upon the coping strategies people have which they use when faced with uncertainty and typical expectations as of the interrogative situation. As interrogation begins, the suspect processes the information and responds to the queries using his coping strategies developed over time from his own culture. Three aspects are important for suggestibility to function effectively, uncertainty, interpersonal trust and certain expectations from the other. All these three can be manipulated which can increase or decrease suggestibility.

- 3) **Use of mood altering drug in interrogation:** Mood altering drugs cause marked changes in patterns of mood and behavior, as would a hallucinogenic drug. Mood altering drug use can be defined as substances that have the ability to produce profound perceptual and cognitive alterations. Many persons take this intentionally to induce an altered state of mind which they enjoy and which appears to them relaxing and for the time period, relieves them of their anxiety, worry etc. These are substances could produce habituation and addiction to the concerned drug.

In the case of police interrogation however, using drug as a technique of interrogation is considered when physical and mental torture is to be avoided. Also it is less traumatic and may bring about the truth with certain ease, as compared to the physical tortures.

The drug based interrogation perhaps started during the Cold War in the 20s, when the Central Intelligence Agency of the United States of America used 'truth serums', for interrogation purposes. This technique is also termed as "drug based helplessness" technique. This is used along side other techniques or sometimes exclusively by itself.

In this drug based interrogation, the police use a drug called sodium pentathol, to extract the truthful statements from the suspect. Pentathol drug when injected, make the person concerned to be uninhibited in expressing even those aspects which they normally will not. This uninhibited, uncensored material may be the truth. However, even in such situations, the person being interviewed may be able to control himself and stick on to whatever statements he/ she has been giving. When under the influence of the drug (pentathol), many questions related to the crime are put to the suspect and he/ she keeps answering them. In between certain question like the suspect having committed the crime comes up, and the manner in which the person answers gives a clear idea about the person's involvement in the crime. Thus, the drug based interrogation by the police provides them information about the suspect's involvement as well as the extent to which he/ she is the culprit based on the responses given to the varying types of questions. The important aspect of the drug based interrogation is that the police or the law enforcement personnel who use pentathol for the purpose believe that it made people unable to censor themselves and thus narrate their experience or actually what they did from their memory.

As one looks at the history of the use of drugs such as pentathol, for interrogation, it is seen that in the early part of the 20th century, (around 1910 or thereabout), Dr. Robert House found that an obstetric drug called scopolamine, was able to put his patient into a twilight sleep, from which state his patients gave all the needed information as if it was all automatically being delivered. He did not use it for criminal investigation purposes, but used it to give support to his client's claims of innocence, and not used it for making them confess to their guilt. Twenty years later, this drug was used to evaluate corruption in American police and it was found that the police were using this drug in interrogations

and made the suspects confess and thus incriminate themselves. Following this, one finds these drugs being used during World War II in a different manner. For instance, anaesthetics were given intravenously to treat soldiers who were traumatised and thus could not remember anything. With these drugs, the doctors found that they could make the soldiers say what happened which in turn helped them feel better.

Thus, Sodium Amytal and Pentothal were used not only for surgical purposes, but were also used for psychiatric purpose to make the patient react and talk about their memories in psychiatric consultations many psychiatrists who took over as consultants to police, started using these drugs for interrogation.

However, these statements of the suspects were not accepted in the court of law, as the suspects become highly suggestible under the influence of the drug and may make statements that are in line with the cues they get during questioning. Hence it will not be truthful statement but modified and stated to suit the interviewer, his/her attitude and the cues that he/she gives in terms of what he/she expects.

- 4) **Using verbal and non verbal cues:** While simple interrogation and interviews to torture and drug based interrogation, have been found useful in extracting the truth, in certain cases, none of these might work and truth will never be found out. However, while using many of these techniques to cull out the truth, the investigators and interrogators also make use of verbal and non verbal cues such as the body language, facial changes, gestures, repetition of words, jumping from one subject or topic to another, hesitancy or belated answers and so on.

The non verbal cues refer to the way a person listens, looks, moves and reacts to the questions put across to him/her or during interaction with the interviewer. Most of these cues will give an idea as to whether the person is telling the truth or deceiving. If nonverbal signs match the words being spoken, then it indicates truth. Where these do not match it causes distrust, confusion and tension. An effective and efficient interrogator would be alert to both nonverbal cues and body language in addition to the other techniques he/she would be using.

Non verbal communication plays five roles (Wertheim, 2012), and these can effectively assist in ascertaining if the person concerned tells the truth or not. The five roles, viz., repetition, contradiction, substitution, complementing and accenting are discussed below:

In repetition the individual repeats whatever statement he/she made or the information he/she gave to the interrogator, he/she repeats in the same way. Such repetition strengthens the verbal message.

As for contradiction, the person concerned makes a statement or gives a certain information to the interrogator. A few minutes later or within the same interview he/she contradicts whatever he/she told earlier. This makes the interrogator doubt the statement and consider it a deception.

Substitution is the third role played by non verbal communication. For instance, the person makes a statement or gives a certain information to the interrogator. However his/her facial expression is such that it indicates the opposite of the statement. In other words, facial expression of negation substitutes for the statement made by the person.

In complementing, the person concerned makes a statement or give certain information verbally in regard to the terrible consequence to the interrogator, and follows it up by making a facial expression one of being frightened or by emotional expression with tears in his/her eyes. This shows how strongly true that information is.

Last is the accenting. In this the person provides the information and follows it up by thumping on the table to add strength to his/her statement. Such behaviours could indicate that the person is telling the truth.

***Types of nonverbal communication:*** There are different types of nonverbal communication that include, facial expression, body movement and posture, gestures, eye contact, touch, and space.

In regard to facial expression, it is well known that our faces express whatever we feel, or perceive or whatever emotions we experience. In fact our face expresses emotions so well that the person with whom we interact can understand hat emotions we are going through without ourselves conveying the same to him. Facial expressions are in fact universal in the sense every one has more or less the same facial expression when one is happy, surprised, angry, disgust and so on. These normally cannot be hidden unless a person puts in effort to control the Same.

The second nonverbal communication is the body movement and posture. The manner in which a person sits, stands, walks or holds his head indicate a certain typical attitude that he/ she possesses. It also give valuable information about many aspects regarding the individual. The posture of the individual indicates friendly or unfriendly approach, and in cases of aggression the posture clearly depicts this emotion. As the interrogation continues, the slight movement the person makes can be interpreted as feeling of discomfort in regard to the particular question or that the person is trying to hide something etc. A negative signal such as crossing arms, or tapping feet etc. Would indicate disbelief and sarcasm.

Another important nonverbal communication is the gesture. These are used by everyone as we talk to others or even when we want to convey something to another but they are far away to hear what we speak but can see the gesture, as for instance, waving your hands, (greeting), thumbs up (appreciating the other ), gesturing by your hand while arguing etc. These gestures emphasise the points that the person is making, as for instance in interrogation wherein the suspect is being questioned, the latter may make a statement and confirm it by the gesture of his/her hand. This can happen without the individual thinking about gesturing by his/her hand. In different cultures meaning of a particular gesture may vary.

In regard to eye contact, it is quite known that the way a person looks at another will convey to him/ her what the person feels, such as love, affection, anger, shyness, etc. When a person specifically avoids eye contact as may happen in interrogation when the accused is making a statement, he/ she may not look at the interrogator but look elsewhere, indicating thereby deception, that is, what he/ she said and what the eye contact indicates are contradicting each other. A person who tells the truth would always look into the eye of the other person, that is, he/ she will have good eye contact indicating truthfulness. Eye contact is important to continue on a conversation and shows the person's interest and involvement in the individual concerned.

The next nonverbal communication is the touch. By merely touching the other person we can convey, how much we care for him/her or by hugging we can show how much we love a person, or by touching the head, convey our blessings and good wishes for the other person and so on.

The nonverbal communication of space refers to the distance you keep from the other. If you stand close to the other person and speak to him, it indicates friendliness, affection and intimacy. However, if you stand far away from the person, and talk to him/her, it would indicate dominance, aggression etc. At times, going very close to the other person, giving him/ her no space at all will indicate aggression and intimidation. In an interrogation situation, the interrogator himself/herself can take a stand of aggression by standing very close to the person almost as if he/ she may assault him. Also, when the interviewee stands far away from the interrogator, would indicate fear of the interrogator and the wish to avoid him, lest he/ she injures him. Thus physical space between the interviewee and the interrogator clearly communicates many feelings both on the part of the suspect and on the part of the interrogator.

Voice is the next type of nonverbal communication. It is important what we say, how we say and what words we use and the tone of the voice, etc. In an interview situation, the interrogator can use a gruff voice, loud tone, or a soft nice voice and make the person confess to a crime. In the former he/ she creates a fear and in the latter he/ she tries to be sympathetic and puts up a show of wanting to help the accused particularly if he/ she says the truth etc. The tone of voice can indicate sarcasm, anger, happiness, confidence, sadness, affection and also fearfulness.

Though by and large all the nonverbal cues do convey and communicate the real aspect of a situation, at times, the interviewee or the suspect may control almost all these non verbal cues and give a totally different picture as compared to the real one. Hence the person who can control all his/her emotions and also understands what the non verbal cues will convey, can make deliberate effort and hide the real matter thereby deceiving the interrogator.

Thus, to conclude nonverbal cues, it may be stated that interrogator uses and understands all these cues very effectively from his own side and on

the part of the suspect to arrive at the correct conclusion regarding the crime or offence which is being investigated. It must be mentioned here that to be effective and to get at the truth rather than deception, the interrogator may have to use verbal, physical and nonverbal methods to extract the truth from the suspect. Depending exclusively on the gadgets, torture, or drugs etc. will not lead to truth, but combining nonverbal cues to these other methods would help getting at the truth of the offence being investigated.

- 5) **Pride-and-ego (up or down):** This technique is used to encourage the prisoners to cooperate. Generally in this technique the interrogator attacks the very source of the self pride and self esteem the prisoner has. The attempt is to redeem the prisoner's pride, which if successful would provide the required information from the prisoner so as to vindicate himself/herself. The interrogator attacks the source of his/her self image and the ego?

This makes the respondent to try to convince the interrogator that the latter is wrong. He/she will try to redeem his/her pride in the process by providing very important information so that he/she could vindicate himself/herself and restore his/her damaged ego. The attack is generally on the prisoner's loyalty and his/her organisation, in addition to his/her very high level competence about which the prisoner is very proud of. Also the attack will be on even the prisoner's looks, dress and his/her soldierly qualities and leadership qualities. Such attacks damages and destroys the ego of the prisoner and he/ she makes every effort to regain his self image and downsized ego. Towards this, he/ she would avoid such information which are highly confidential just to show how much worth he/ she is and how great he/ she is. Where a prisoner is determined not to be beaten by the ego devastating techniques of the interrogator, will succeed in not revealing anything to the latter which may by itself will be humiliating to the interrogator.

- 6) **Good cop bad cop technique:** A well-known interrogation technique in law enforcement, is the good cop, bad cop strategy. In this the so called 'bad' cop comes in and interviews the suspect. He / she shouts at the suspect, intimidates him/ her, and uses all types of assaultive approaches. He/she could be hostile and abusive and leaves after an hour or so of this tirade. Then come the good cop to interview the suspect. He/ she is very kind, considerate, sympathetic, behaves like a friend, offers water, makes the suspect believe that he is there to help him/ her etc. The good cop is also transparent and the assures the suspect that everything will be fine and then says that how bad cops have attitude and threatens for no reason and just frightens every on. Now that he/she (the good cop) is here, he/ she will take care of every thing. This attitude and approach makes the suspect or the accused feel relaxed and comfortable and to avoid being confronted again with the bad cop, the accused or the prisoner states as many details as the good cop wants. Thus, many truths are extracted using this technique.

- 7) **Tactics as a technique in interrogation:** In criminal investigations, the police uses many techniques and tactics to extract the truth from the suspect. Some behave as if the suspect is really not the one they are looking for, but for the purpose of clarification of certain aspects of the case, they want to interview him/ her and thus calls him/ her to the police station for further inquiry.
- 8) **Reid technique:** The Reid technique is a method of interrogation. This technique was developed by John E. Reid, in the 1940-50s. This is a behaviour analysis interview. It is non accusatory in nature. It involves both standard interview questions and also structured behaviour provoking questions. It involves steps to obtaining a confession as well as methods for detecting signs of deception in the suspect's body language.

The Reid technique involves basically three components, viz., factual analysis, behavioural analysis interview and interrogation.

**Factual analysis:** In factual analysis, the suspect is evaluated on certain specific observations related to the crime / offence. This requires the following:

- Details of the crime scene analysis.
- Details regarding the background of each suspect.
- Estimation of the guilt or innocence in each of the suspects.
- Opportunity available to them for committing the crime.
- The offender's access to various instruments and materials.
- The offender's access to the victim.
- Motivation to commit the crime.
- Propensity to commit the crime

**Behaviour analysis interview:** This is a non- accusatory session of question and answer. After the background related questions to ascertain the detailed information of the suspects are asked, certain other questions are asked which are mainly to elicit behaviours of truth or deception from the interviewee. The behaviour analysis interview provides the interrogator objective criteria to ascertain whether the interviewee is stating the truth or lies. This stage also provides the interrogator enough time and space to establish rapport to continue on with various questions with the objective of finding the truth regarding the crime. This session also facilitates formulation of interrogation strategy.

**Interrogation:** According to Reid, interrogation can occur only if the police or the investigator is quite sure that the suspect is involved in the offence concerned.

The Reid website states that an interrogation “should only occur when the investigator is reasonably certain of the suspect's involvement in the issue under investigation.” There are nine steps to the Reid interrogation technique, briefly described below.

**Step 1:** The first step is positive confrontation. The investigator tells the suspect that the evidence demonstrates the person's guilt. If the person's guilt seems clear to the investigator, then he/ she should say so without hesitation and ambiguity.

**Step 2:** Following positive confrontation, the interrogator makes a moral justification for the offence committed by the accused and thus not blaming the accused but some one else for the offence. This he/ she does sympathetically and wins the confidence of the offender hoping to make him/ her tell the truth.

**Step 3:** In addition to positive statements and sympathy, the interrogator finds that the accused is trying to deny the accusations. At this point of time, the interrogator when requested by the offender to permit him/ her to deny the accusations, he/ she does not allow him, as normally an innocent person does not ask for permission to deny the accusation. Also an innocent person does not go beyond this stage of interview.

**Step 4:** When not allowed to deny the accusation, the accused generally resorts to object the accusation in support of his/her innocence. For instance he/ she might say that he/ she would not kill the person as he/ she loved him/ her a lot and that such idea ever occurs in his/her mind. The interrogator listens to the explanations given by the accused, without arguing against it, the interrogator goes on to use those explanations to further the investigation of the theme.

**Step 5:** During this time, every effort is made by the interrogator to retain the focus and attention of the accused on the theme rather than on punishment. For this the interrogator does two things, one, he/ she closes the physical distance between himself/herself and the accused in a friendly manner and presents to the accused the probable alternatives and alternate components to the theme thus the interrogator channels the theme to alternative components which appear plausible so that the accused is off his/her guard and agrees to an extent with the possible alternatives. From here, the interrogator can progress towards the truth of the crime.

**Step 6:** The next step in the interrogation with Reid's technique is to go into depth of them and make the accused concentrate on the main or basic reasons for the offence, especially the psychological justification for committing the crime. At the same time the interrogator urges the suspect to state the truth.

**Step 7:** In this step, the suspect is either questioned assuming that he/she is guilty or is presented with supporting statement that encourages him/her to choose the alternative that is clear to him/ her and he/ she is able to understand the same.

**Step 8:** Following the 7th step, the interrogator asks the accused to state orally various details of the offence. It is important at this time for the interrogator to reinforce his/her acknowledging admission of committing the crime. To support this, details of the crime and related aspects are

being asked to be orally presented by the accused and make the accused review each one of them to so also to understand the consistency in the various statements. Towards this goal, many questions are asked by the interrogator which brings out the maximum details of the crime.

**Step 9:** In the final step, which is the 9th one, the oral confession is converted into a written confession. Generally the interrogator may record all the sessions as they occur and when the confession is orally made, it is also part of the record. From the recorded as well as the oral confession, the whole thing is transcribed into written confession. Write out the whole thing in the suspect's own language.

While Reid technique is very useful and quite elaborate, it has been criticised on the grounds that training personnel to discern if a person is telling the truth or lying may not necessarily make the personnel effective. The reason for this is, people in general cannot make an accurate judgement of truth and deception based on non verbal cues which are by themselves not diagnostic of deception. They cannot accurately distinguish between false denials and truths which can be done even by chance and thus ending with erroneous judgements. (Leo, 2018). Also, another criticism is that Reid technique uses such questioning and the manner in which it is conducted, can lead to false confessions which is an important problem in using this method. However, Reid and his colleagues are of the view that there is nothing wrong with the Reid technique, but the officers who use this technique do not follow the requisite procedures.

- 9) **PEACE method of interrogation:** While Reid method has been popular with police investigations etc. there is another method less confrontational as compared to the Reid method. This is called Peace method, and consists of Preparation and Planning, Engage and Explain, Account, Closure and Evaluate (PEACE). Under this method, the accused is allowed to tell his story in his own words and pace without being interrupted by the interrogator.

Steps involved in PEACE method are as follows:

**Step 1:** This step involves preparation and planning by the interrogators or interviewers. They write out a detailed plan of interview of the suspect with a focus on the objectives of the interview, and the order in which the interview will be conducted. The plan also states how long the suspect has been in custody and how much time he/ she is required to be in custody. The plan would clearly state the topics that would be covered in the interview and the matters and materials which are essential to prove the offence and provide a defence to the suspect. The written material also indicates the various practical arrangements that need to be made, the location at which the interview will be held etc.

**Step 2:** Step 2 is about engage and explain. In this step the interrogator typically establishes rapport with the suspect by engaging him/ her in a conversation and listening to the suspect attentively and intently through out. Interviewers may need to consider practical arrangements, such as visiting the scene or the location of the interview.

**Step 3:** This step is related to account. In this step, the interviewee states in detail all that happened and presents complete detail of events that took place in chronological order to the extent possible, and during this time there should be no interruption and the suspect should be allowed to continue telling the event in detail. If at all any question is put to the suspect, it is to be short and free of any jargon and technicalities so that the suspect can expand and elaborate where necessary as required. All leading questions should be avoided.

**Step 4:** Closure, is the fourth step which is termed as 'closure'. In other words, this step gives a closure to the interview as a whole. There should be no abrupt ending to the interview, and before closing and after the interviewee has completed his/her narration to the full, the interrogator must summarise all that were told by the suspect and give him/ her opportunity to correct any part of the summary and allow him/ her to ask questions for the purpose of clarification.

**Step 5:** The last step is called the evaluation step. In this step, the interrogator evaluates as to how far the narration and the statements made by the suspect is in line with the investigations carried out so far. Secondly, in this step the interrogator decides whether further action is to be taken and finally reflect on the performance of the interrogator and other related persons in terms of the interview conducted.

Thus, the PEACE method is a more humane and less attacking method. However, whether it would really bring out the truth or make a person falsely confess or deceive need to be researched more.

- 10) **Kinesic interview:** In this method the investigator analyses the suspect's behaviour in order to find out if he/ she is deceiving. This method is in quite a few aspects similar to the Reid method discussed earlier. Kinesic is the study of non-verbal communication. This has two phases, viz., analysis phase and interrogation phase. In the analysis phase, the interrogator uses many techniques to observe and analyse the behaviour of the person to determine if he/ she is telling the truth or deceiving. In this also the interview goes through four stages, viz., orientation, narration, cross examination, and resolution. (Walters, 2012)
- 11) **Maximisation and minimization technique:** In addition to all the above techniques of interrogation, the police uses two basic categories, viz., maximisation and minimisation. In maximisation the police uses every method possible to make the accused admit to have committed the crime, whereas in minimisation, the accused is not directly blamed or found guilty by making him/ her confess, but deflecting the blame to circumstances and other aspects not particularly related to the accused concerned. In other words, the police minimises the suspect's involvement in the crime. This technique is called maximisation and minimisation technique which is used very effectively by the police exclusively or by combining both.

There are other relevant techniques as well, let us also focus on these.

**12) The cognitive interview:** In the case of witnesses and others who report about the crime and its details and what they witnessed etc. quite often one finds that they change their version, present different details, add or delete some things from their original statement and so on. The police to overcome some of these problems and help the persons enhance their memory and retrieval processes, resort to cognitive interview, which is a technique of questions (Fisher & Geiselman, 1992).

There are four principles of cognitive interview and these are:

- **Event -interview similarity:** Interrogators while use the cognitive interview method, try to create the same or similar psychological environment that would have existed at the time the crime was committed. For instance, the weather as similar to the one that was at the time of the crime, the emotional state of fear and relevant thoughts that would have been in the mind of the person, are recapitulated during the interview. It is believed that such event similarity would help the person to remember many things that he/ she would have forgotten in the normal course of living.
- **Focussed retrieval:** Retrieving some of the past memories requires concentrated effort without any disturbance or distraction. The interviewer or interrogator tries to help the person (witness or accused) to focus attention and concentrate on the event that had taken place. Any interference with the flow of thoughts of the person will affect adversely the narration and remembering of the event accurately.
- **Extensive retrieval:** In this, the interrogator helps the person to make as many attempts as possible to remember and retrieve whatever memory he/ she has regarding the vent. The assumption here is the more times the retrieval is attempted, many more information that were not given will emerge and the person is able to recall many instances and things that happened at that time. This is called the extensive retrieval and this is a very effective method to bring out many information about that have been stored in the memory.
- **Witness - compatible questioning:** The eyewitness or any individual has his or her own unique way of organising materials in memory. To retrieve the information from memory, uniform questioning or the same method of questioning for everyone will not work. For each individual, different approach in questioning to suit their unique needs is required as otherwise the interview will not achieve the goal of retrieving all the essential material from the memory.

Apart from the above four principles of cognitive interview, the interview is set in five stages. In the first stage the interviewer establishes rapport with the witness or the person whom he/ she is interviewing. In the second stage, planning is given importance, as this is information collection phase and the person is asked to narrate without

any interruption the event that occurred in its entirety. The third stage is getting further detailed information by guiding the interviewee through those areas and memories which are rich in content (information rich mental representation). In the 4th stage, all the information collected as narrated by the witness or the person are reviewed together and the final, that is, the 5th stage is the terminal stage when the interview is terminated but with a suggestion that further interviews if required, will be conducted or the witness may be called if some more information is required.

By and large cognitive interview elicits more information as compared to other methods. In a classic study by Fisher et al (1989), they compared cognitive interview results before and after training of the personnel in cognitive interview. Results clearly showed that the trained personnel were able to extract 47% more information as compared the untrained person.

Thus, cognitive interview is considered a very useful tool and a method of interview that could elicit considerable truthful and factual information from the victim as well as from the witnesses.

**13) The polygraph:** In the previous sections and pages we have been considering various methods used by the police to ascertain truth from the accused and how deception is detected, etc. Over the years, many methods have been tried none of which has been highly reliable to cull out truth. In many cases, some of the methods ended in false confessions and even methods like torture, and even cognitive interview have been subjected to criticism. Hence efforts to find a scientific method, that would be reliable and measurable indicating the truth, has been continuing and one such methods is called the polygraph. In this the person's physiological responses that can be measured will indicate deception and thereby one could get at the truth. This method which relied on physiological responses (that cannot be manipulated or hidden easily) was considered a great discovery and was used widely in the United States and other countries, such as Japan, Israel, Canada etc. In the US, the law enforcement used this method to identify criminals, spies, and other related persons who came into conflict with the law of the land.

There are three important purposes where polygraph is used:

- (1) For pre- employment and pre-clearance screening in law enforcement and security agencies
- (2) For screening current employees especially in security sensitive occupations.
- (3) For investigation of specific events in criminal cases.

The polygraph test uses many physiological measurement apparatuses such as sphygmomanometer which measures the blood pressure of the person, respiratory rate, pulse and heart rate, and electro dermal response (EDR).The procedure followed in polygraph is first connect the various

gadgets to the individual concerned and while all gadgets are on, the investigator asks questions of the person, related to the crime or offence being investigated. The person is asked to respond with Yes or No to each question. All responses are digitally recorded and a chart is also made available called as polygraph chart.

It is not that the polygraph detects deception directly but the gadgets do show changes when a person is lying than when the person is stating the truth. Over the years, many technologies have developed which all use physiological responses to detect deception. These include, brain scans, voice tremors and the like.

The machine measures all the physiological responses that are believed to be stronger during acts of deception. What really happens is, when a question is put to the person, it causes a reaction. As for example if the question relates to the crime committed by the person, automatically, his/her system will respond with fear or higher heart beat, change in respiration rate, blood pressure, Skin conductance, etc. This would give a cue to the interrogator regarding the link between the accused and the crime. According to some polygraph theories, a deceptive response to a question causes a reaction and psychological arousal which may include such as fear of detection or some guilt etc. that changes respiration rate, heart rate, blood pressure, or skin conductance. These changes when compared to the readings of the measurement before the start of the polygraph, would show the deception or the truth. Analysis of the polygraph chart to relevant to irrelevant questions would also indicate the aroused physiological response to relevant questions. It is presumed that the relevant questions create some level of anxiety and concern in the person which would result in much stronger physiological response. Comparison question tests are used both for specific-event and general.

Despite these benefits, polygraph has been criticised for various reasons, for instance one cannot say the physiological responses are directly linked to deception. Many other reasons could bring about similar or same physiological and psychological responses. Another criticism against the polygraph is regarding whether questions asked are appropriate and whether there is different physiological response for different questions. Will the physiological reading be the same if any other interviewer or interrogator uses the same polygraph on the same individual asking questions of the same person. The association between deception and physiological response - are they the same across all accused or interviewees, is a question that also needs exploration and research as it is one of the criticisms against polygraph. Another aspect is whether the relationship between the interrogator and examinee affect the physiological responses.

Interpretation of polygraph involves the following:

- Comparing the physiological responses to questions that are relevant for the concerned offence with the physiological response to neutral questions not concerned much with the offence.

- Interpretation is carried out by reviewing the polygraph chart by the examiner.
- Coding of the responses is done according to a standard protocol. However, interpretation of the chart can also be done by others and also by the computer. People other than the examiner may also use the standard protocol to code a chart. Chart interpretation can also be done using computer.
- Polygraph testing is compared with various other techniques also in order to validate its findings , and also compare the efficacy of the different techniques in detecting deception.
- Guilty knowledge polygraph testing uses questions that are based on the event under investigation. Usually the details of the event are known only to the investigator or the interviewer who is putting questions to the accused during polygraph test. The questions are presented in a multiple choice format. The physiological response changes that occur to any of the multiple choice would indicate that the person had hidden some information about that issue. There are several sets of such questions and the examiner can clearly interpret the physiological response as indicative of deception or truth.
- The polygraph examiner may also consider other aspects in the individual. For instance in all cases before the actual polygraph test, the examiner conducts a pre test to ascertain some of the typical characteristic traits of the individual which are used later after the polygraph test is over. As the polygraph test is under way, the examiner also forms impressions about the truthfulness of the accused, based on the demeanour as well as responses in the pretest interview. These impressions do affect the interpretation of the polygraph chart.

Thus, a polygraph test and its results are a product of a combination of interview of the person, interrogation and pre test impressions and the interpretation of the polygraph chart in terms of the psychophysiological measurements obtained through the various gadgets. (National Research Council, 2003)

**14) Forensic assessment:** Forensic assessment is primarily for legal purposes. In many cases, the court requires to know if the accused or the defendant is capable of understanding what is going on in the court and whether the person concerned can stand trial in the court and whether he/she understands he/ she also has certain rights and can ask for a lawyer for himself/herself or has the right not to speak etc.

Thus, forensic assessment focusses on the mental status and cognitive abilities of the individual and reports to the court the medical, psychiatric and psychological assessment to assist the court in its deliberations. Also such forensic assessment helps in planning treatment programme where necessary. Thus, the primary purpose of forensic assessment is legal and not psychological.

The court asks for forensic assessment when the court requires answer to a specific legal question, as for example, insanity issue in the accused or the victim, competence issue etc.

Based on the request by the court, forensic assessment is taken up by clinical interviews and elicits detailed case history starting from childhood to the present day, the schooling, relationships, medical problems faced if any etc. with the person concerned referred for assessment, conducting interviews with family members of the person, his/her friends, colleagues, the police officer and the person's lawyer, and so on (referred to as collateral interviews), and takes up varied essential psychological testing that would throw light on the personality, criminal propensity and many other personality characteristics of the person referred to forensic assessment. Based on all these information, the forensic psychologist forms an opinion about the case referred and prepares answer for the court on issues of their concern such as competence etc.

Thus, forensic assessment is part of larger psychological assessment, but mainly focusses on legal issues concerned with court orders in criminal and civil cases.

Forensic psychologists differ from other psychologists such as clinical psychologists etc. in the sense that their purpose, training and practice are different. They function in places like law enforcement, prisons, correctional settings, criminal and civil courts. It is important to note that settings in which they function includes law enforcement, correctional settings, criminal and civil courts. Though the various psychological tests used may be the traditional ones, they focus more on most common applications of psychology to the law, prevalent in a variety of legal settings. A relatively new specialty, forensic assessment is one of the fastest growing areas in clinical psychology. Increasing numbers of psychologists are conducting, analysing, and presenting psychological data in various legal settings. It has been estimated that hundreds of thousands of forensic assessments are conducted annually by psychologists and other mental health professionals.

Unlike therapeutic assessment, which occurs at the request of the patient, forensic assessment is commonly conducted at the bequest of the legal system. As such, forensic assessment is often not voluntarily sought by the person being evaluated and has more limited confidentiality than traditional therapeutic assessment. The person undergoing forensic assessment may resist the evaluation or may knowingly or unknowingly try to influence the assessment to further his/her her legal situation. Attempts to feign mental illness or present oneself in a positive light are more common in forensic assessment than in traditional therapeutic assessment and should always be considered.

Traditional assessment is concerned primarily with the examinee's view of the problem or events. Although forensic assessment does pay attention to the examinee's perspective, it is more concerned with the accuracy of events than is traditional therapeutic assessment. Unlike therapeutic assessment, which casts the examiner in a supportive or helping role, the forensic evaluator's duty is to the legal fact finder, which may or may not assist the

person being evaluated. In other words, the client in traditional therapeutic assessment is the person being evaluated, whereas in forensic assessment, the client is the legal fact finder.

Finally, the scope of the two types of assessment differs. Therapeutic assessment typically covers broad clinical issues such as diagnosis, personality, and treatment. Forensic assessment, in contrast, is solely determined by the legal question at hand and, as such, commonly concerns more narrowly defined issues or incidents than what is covered in traditional therapeutic assessment. Although an examinee's mental health and therapeutic needs may be discussed in forensic assessments, such discussions occur only in the context of the larger psycholegal referral question.

Recent years have seen a rapid increase in the teaching, training, and supervision of psychology graduate students, interns, and postdoctoral fellows. Numerous conferences and continuing education opportunities have proliferated as well. In the mid-1980s, the American Board of Professional Psychology (ABPP) began signifying psychologists who have advanced knowledge and competence in forensic psychology by the awarding of diplomate status, and in the early 1990s the American Psychological Association (APA) recognised forensic psychology as an APA specialty.

In addition to the ethical codes of conduct in psychological practice as well as standards for testing (for example, Ethical Principles of Psychologists and Code of Conduct [EPPCC] and Standards for Educational and Psychological Testing), there are general and specific guidelines for forensic practice. The Specialty Guidelines for Forensic Psychologists (SGFP) were published in 1991, and a revision is under way. The SGFP are general in nature and apply to all areas of forensic psychological work. Unlike the EPPCC, which contain rules of conduct that are enforceable for APA members, the SGFP are aspirational and advisory. The SGFP inform psychologists about the nature and development of competent and responsible forensic practice with the goal of continuous improvement and enhancement. In addition to the SGFP, specialty guidelines and standards have been developed for certain areas of forensic work (for example, Guidelines for Psychological Evaluations in Child Protection Matters and Standards for Psychology Services in Jails, Prisons, Correctional Facilities, and Agencies).

Several general instructions should be kept in mind when conducting forensic assessments. First, the conclusions and opinions need to be formed from a scientific basis. Quality forensic reports substantiate opinions with data and outline the reasons for the conclusions drawn. Forensic examiners must be prepared to defend the method of data collection and its scientific basis. Therefore, data should be collected carefully, and the limits of any data collected should be recognised and reported. Interpretations made during a forensic assessment should be based on multiple methods of data collection. The response style of the examinee should always be assessed for attempts to minimise or feign psychological impairment. The best method for conducting a forensic assessment and writing a subsequent forensic report is to imagine that all methods and conclusions are being critiqued by an opposing attorney. Finally, testing instruments, if used, should be related to the legal issue at hand and should be theoretically and psychometrically sound.

Typically, when people speak about forensic assessment they are referring to psychological assessments as part of civil or criminal court cases. The broad definition of forensic assessment used in this entry also encompasses forensic assessment in law enforcement and correctional settings. Overlap may exist between settings. A forensic assessment might be conducted for use in more than one setting or might be completed for one setting only to be used later in another setting.

Law enforcement is, of course, a broad term for the work of police officers in a variety of settings. Psychological assessment in law enforcement settings may involve criminal profiling and psychological autopsies as well as direct work with police officers. Psychological assessment of police officers can include screening of police candidates, fitness-for-duty evaluations, and promotional evaluations.

Forensic assessment might be conducted to provide insight into and predict criminal behavior with the goal of preventing future criminality. This area of risk or dangerousness assessment has been quite popular in both clinical and research arenas, with much attention given to isolating the variables associated with recidivism, especially violent recidivism. Assessment in correctional settings can also be used to assess amenability to treatment and/or rehabilitation and may be subsequently used in reaching sentencing and parole decisions. Psychological assessment may also be used to evaluate the mental health needs of jail and prison inmates, as well as the psychological effects of imprisonment.

Both civil and criminal courts increasingly request and use psychological data. Civil courts handle disputes between citizens; criminal courts handle disputes between a citizen and the state. Examples of where forensic assessment might be involved in civil courts include divorce and child custody cases, competency to consent to treatment or provide care for oneself, examinations of testamentary competence, or civil suits where psychological or neurological injury might be involved (for example, malpractice cases or automobile accidents).

Certain types of cases have been traditionally categorised as civil but, given the potential deprivation of liberty involved, have been labeled as “quasi-criminal” by scholars in the field. The two types of quasi-criminal cases are civil commitment hearings and juvenile delinquency cases. Forensic assessment is invaluable in civil commitment hearings, in which most states require a finding that the person is mentally ill and is a danger to self or others or in need of care or treatment. There are many stages in juvenile delinquency proceedings where forensic assessment can be of assistance. Issues that used to occur primarily in the adult criminal justice system, such as competency to stand trial, are increasingly being raised in juvenile cases. In addition, juveniles may be evaluated for their amenability to treatment in the juvenile justice system. If they are not considered amenable, their case may be waived to adult court. A child who is tried through the juvenile justice system may undergo a pre - sentence evaluation to determine the best disposition of his or her case.

As one lists out, it is seen that the forensic assessment is involves evaluating the person's competency to be sentenced, evaluating competency to stand

trial, evaluating the defendant's criminal responsibility and in many criminal cases insanity defence evaluations is also carried out.

There is a tendency to confuse between the terms competency to stand trial and criminal responsibility. While the former focusses on the individual's mental status, his/her cognitive abilities, his/her attention and concentration etc. the latter refers to the mental state of the person at the time of committing the crime. Also they evaluate the individual's competence to plead guilty.

Some of the important considerations that decide about what tests to use are for instance:

- Relevance of the test to the legal question.
- The psychological construct that underlies the legal issue
- The specific issues involved in the psycholegal question.
- To use only those tests that have a sound theoretical and psychometric base.
- The test results and the legally relevant behaviours must correlate.

It is important to have that confirmation of correlation by a third party using and interpreting the same tests and assessments. This would eliminate any confounding results even if a person had given false information. This is a very essential requisite in forensic and legal contexts. Furthermore, where the cases involve retrospective inquiries in regard to any psychological test results, it is always better to have third party testing which will confirm the earlier findings.

Conventional psychological tests are not generally used in forensic investigations as they were not devised to address psycholegal questions and have not been standardised using forensic population. Hence establishing a clear link between the legal issue and the test that has been selected for use must be ensured. Even though the psychologists may recommend and use a test appropriate and suitable for the concerned investigation, it must be kept in mind that the selected test has to be presented and received by the legal system and therefore they have to ensure that the selected test is very appropriate to the legal issues being investigated.

There are three aspects to be kept in mind: (a) tests for assessment; (b) tests for diagnosis and (c) tests for treatment.

Tests for assessment includes all assessment techniques that have been devised for diagnosis, treatment of non forensic population. These tests in addition to taking a detailed interview with patients and working out case history, helped both in diagnosis and planning therapy for patients. However when dealing with forensic population considerable care should be taken in selecting the appropriate tests linking them to typical legal issues being handled ( Melton et al., 1997).

The tests for diagnosis though not specifically devised for legal issues, are nevertheless considered relevant to legal situations and are considered forensically relevant also. Some of these measures include for instance,

assess the response style of the accused or the examinee, evaluating how far the individual is feigning problems, which all can be assessed with the help of MMPI-II and structured interview of reported symptoms. There are also in this category assessment instruments to be used in child custody cases. For instance, Parenting Stress Index and Hare Psychopathy Checklist.

With reference to tests for treatment, the forensic assessment tests are for specific legal cases and are directly concerned with the individual's psycholegal capacity, his ability to understand the legal problems in which he/ she is involved. These instruments classify and quantify the individual's responses. These instruments are of value because they reduce the examiner's bias. Different examiners' assessments could be compared also to confirm the validity of these instruments.

By and large one finds many forensic assessment tools that can be listed as given below:

- Inwald Personality Inventory by Robin Inwald. This was meant to assess police officer candidates for any maladjustment and negative behaviours that may adversely affect their performance on the Job.
- The Jail Screening Assessment tool, that helps identify the prisoners who may require specific and a little more advanced mental health care and treatment. (Dietzel et al., 2017).
- Forensic instruments are also used in civil quasi criminal, Juvenile justice and criminal cases. These include parenting capacity, daily decision making, competency to manage health care decisions etc. Examples include the MacArthur Competency Assessment Tool for treatment and Instrument for Assessment for Standing Trial for Defendants with Mental Retardation).
- Juvenile Adjudicative Competence Interview is another forensic instrument used in Juvenile justice proceedings.(AACCP, 2000).
- Grisso's instrument for assessing understanding and appreciation of Miranda Rights (Grisso, 2003).
- Roger's Criminal Responsibility Assessment Scale.
- Fitness Interview Test (revised).

All the above measures and many more which are forensically relevant are available to use in the present day.

Though many tests are devised and are available for forensic and criminal cases, these have to be standardised on the particular population concerned, researched in great detail, and tested repeatedly for their reliability and validity as well as for its norms.

All these instruments for testing and assessment are used by forensic psychologists who would have devised them or borrowing these available tests for use. However in the courts they will have to prove that they are experts in the field and the reason that they used the instruments was specifically for relevant to the case concerned. They have to explain with proof

how standardised these tests are and the typical reasons for using the instrument concerned. This top of questioning by the court and the need to respond adequately to the court's questions and cross questions regarding the tests as well as the qualifications of the expert, form part of expert testimony.

Some of the conditions for accepting the expert testimony , in addition to the above, include: the tests used must have general acceptance; there should be increased scrutiny of the standards of developing the tests and the tests must have high reliability, validity and peer review (AERA, 1999).

### Check Your Progress III

- 1) State the roles of nonverbal combination.

.....  
.....  
.....  
.....  
.....

---

## 8.5 LET US SUM UP

---

To sum up, in the present unit, we focused on investigative psychology. Investigative psychology is a relatively newer branch of applied psychology that focuses on understanding and profiling criminals. In this unit, we discussed about truth and deception. Deception is defined as falsehood. It refers to the act of lying to someone or tricking that person. Deception refers to the act of making others believe a lie or falsehoods as the truth. Various types of deception were also discussed in the unit. the unit also focused in detecting deception. Further, the unit explained about police interrogation. Interrogation, in criminal law, is the process of questioning by which police obtain evidence. Goals and types of interrogation were also discussed. The goals types and extreme interrogation were discussed in this regard. The unit also described various techniques of interrogation, including, deception technique, suggestibility, use of mood altering drug in interrogation, using verbal and nonverbal cues, pride and ego (up or down), tactics as a technique of interrogation, Reid technique, PEACE method of interrogation, kinesic interview, the cognitive interview, the polygraph and forensic assessment.

---

## 8.6 REFERENCES

---

American Association for Correctional Psychology. (2000). Standards for psychology services in jails, prisons, correctional facilities, and agencies. *Criminal Justice and Behavior*, 27, 433-193.

American Educational Research Association, American Psychological Association, & National Council on Measurement in Education. (1999). *Standards for educational and psychological testing* (3rd ed.). Washington, DC: American Educational Research Association.

- American Psychological Association. (2002). Ethical principles of psychologists and code of conduct. *American Psychologist*, 57, 1060-1073.
- Archer, R. P., Buffington-Vollum, J. K., Stredny, R. V., & Handel, R. W. (2006). A survey of psychological test use patterns among forensic psychologists. *Journal of Personality Assessment*, 87, 84-94.
- Bond, Gary D. And Lee, Adrienne Y. (2005). Language of lies in prison: Linguistic classification of prisoners' truthful and deceptive natural language. *Applied Cognitive Psychology* 19(3): 313 - 329.
- Committee on Ethical Guidelines for Forensic Psychologists. (1991). Specialty guidelines for forensic psychologists. *Law and Human Behavior*, 15, 441-148.
- Daubert v. Merrell Dow Pharmaceuticals, 509 U.S. 579 (1993).
- Dietzel, David, Synnott, John Ioannou, Maria (2017). Prison Mental Health Screening tools: Assessment & Development Matters, 9(4), 26-29.
- Ekman, Paul (1981). Mistakes when deceiving. *Annals of the New York Academy of Sciences*. Volume 364. 269 - 278.
- Fisher, Ronald and Geiselman, R. Edward (1992). Memory Enhancing Technique for Investigative Interviewing. Charles C Thomas. Illinois, USA.
- Fisher, R.P., Gieselman, R.E., and Amador, M (1989). Field test of the Cognitive Interview: Enhancing the recollections of Actual victims and Witnesses of crime. *Journal of Applied Psychology*. 74(5) pp.722-72
- Frye v. United States, 293 F. 1013 (D.C. Cir. 1923).
- General Electric Co. v. Joiner, 522 U.S. 136, 118 S. Ct. 512 (1997).
- Grisso, T. (1998). Forensic evaluation of juveniles. Sarasota, FL: Professional Resource Press.
- Grisso, T. (Ed.). (2003). Evaluating competencies: Forensic assessments and instruments (2nd ed.). New York: Kluwer Academic.
- Gudjonsson, G.H., & Clark, N. (1986). Suggestibility in police interrogation: a social psychological model. *Social Behaviour*, 1, 83–104.
- Gudjonsson, G. H. (2010). Interrogative suggestibility and false confessions. In J. M. Brown & E. A. Campbell (Eds.), *The Cambridge handbook of forensic psychology* (p. 202–207). Cambridge University Press.
- Heilbrun, K., Marczyk, G., & DeMatteo, D. (2002). Forensic mental health assessment: A casebook. New York: Oxford University Press.
- Kumho Tire Company v. Carmichael, 526 U.S. 137 (1999).
- Leo, R. (2018). Police interrogation and suspect confessions. University of San Francisco School of Law
- Melton, G. B., Pettila, J., Poythress, N. G., & Slobogin, C. (1997). Psychological evaluations for the courts: A handbook for mental health professionals and lawyers (2nd ed.). New York: Guilford Press.

National Research Council (1991). Hiding and Detecting Deception. In NRC's *The Mind's Eye: Enhancing Human Performance*. Washington, DC: The National Academies Press.

National Research Council (2003). *Lie detection and Polygraph*. Washington DC, National Academies Press.

Rogers, R., Seman, W., and Clark, C.R. (1986). Assessment of criminal responsibility: Initial validation of the R-CRAS with the M'Naghten and GBMI standards. *International Journal of Law Psychiatry*. 9:67–75.

Rogers, R. (Ed.). (1997). *Clinical assessment of malingering and deception* (2nd ed.). New York: Guilford Press.

Rogers, R., & Shuman, D. W. (2005). *Fundamentals of forensic practice: Mental health and criminal law*. New York: Springer.

Schaefer, Lynn A. (2011). MacArthur Competence Assessment Tools, *Encyclopedia of Clinical Neuropsychology*.

Weiner, I. B., & Hess, A. K. (Eds.). (2006). *The handbook of forensic psychology* (3rd ed.). New York: Wiley.

Walters, Stan B. (2012). *Kinesic interview and interrogation*. Public agency training council, New Jersey.

Wertheim, Edward G. (2012). The importance of effective communication. <https://ysrinfo.files.wordpress.com/2012/06/effectivecommunication5.pdf>

---

## 8.7 KEY WORDS

---

**Deception:** Harmening and Gamez (2016, page 225) defined deception as “An untrue statement with additional details added that are designed to make the statement appear truthful”.

**Investigative psychology:** Investigative psychology is a relatively newer branch of applied psychology that focuses on understanding and profiling criminals.

**Interrogation:** Interrogation, in criminal law, is the process of questioning by which police obtain evidence.

---

## 8.8 ANSWERS TO CHECK YOUR PROGRESS

---

### Check Your Progress I

1) What is deception?

Deception refers to the act of making others believe a lie or falsehoods as the truth.

### Check Your Progress II

1) State the three types of interrogation.

The three types of interrogation include:

1) In the first type, the respondent will give freely what ever information is needed.

- 2) In the second type, the person concerned, that is, the accused who is being interrogated will not reveal those information he/she would not like to divulge at all.
- 3) In the third type of interrogation, the attempt is to make the person concerned to confess.

### **Check Your Progress III**

- 1) State the roles of nonverbal combination.

Non verbal communication plays five roles (Wertheim, 2012), including repetition, contradiction, substitution, complementing and accenting.

---

## **8.9 UNIT END QUESTIONS**

---

- 1) Explain deception with a focus on its types.
- 2) Describe how deception can be detected.
- 3) Discuss police interrogation.
- 4) Explain cognitive interview.
- 5) Describe the polygraph.

