

INVESTIGATIVE INTERVIEWING & FALSE CONFESSIONS

The Initial Investigative Interview

- **Benefits of Conducting Interview in Close Temporal Proximity to Crime**
- **Poorly Conducted Interviews**

FACTORS AFFECTING THE QUALITY OF THE FORENSIC INTERVIEW

- Factors relating to the interviewee
- Factors relating to the interviewer

INTERVIEWING PROTOCOLS

- The interviewer's job is to maximize both the **quality** and the **quantity** of information that the interviewee provides.
- This is no easy task and several distinct interviewing protocols are currently being used by police and other investigators (e.g., social workers, child protection) to help with this task especially when interviewing special populations (e.g., children, people with intellectual disabilities, and hostile witnesses).

INTERVIEWING PROTOCOLS: The Standard Police Interview

- Police make a number of systematic avoidable errors that limit the amount of information they elicit:

INTERVIEWING PROTOCOLS: The Cognitive Interview

- [Geiselman et al. \(1985\)](#) noticed that the standard police interview (tell everything you know followed by detailed questions) did not suit the needs of eyewitness memories. They developed the [cognitive](#) interview, which is built on the following two findings from memory research:
 - The effectiveness of a _____ depends critically on the encoding conditions (_____), as demonstrated in_____.
 - There is more than one path to the _____, so that various _____ may permit access to any given information. If one retrieval cue is ineffective, another one may help.
- From these mechanisms, **interviewing principles** were derived:

The Cognitive Interview Principles

- **Social Dynamics:**
- **Memory – Cognitive:** eyewitness have a difficult tasks that
- **Communication:**
 - *“One reason why police interviewers elicit less information than they could is that they rarely convey their investigative needs explicitly to the eyewitness: how much information they need, at what level of detail, and so on.”*
 - Encouraging eyewitnesses to use **nonverbal means** to express their knowledge (e.g., sketching figures or scenes) and especially to use those output modes that most closely match their mental representation of the event.

Evaluation of Cognitive Interview

- “Across dozens of such studies, the cognitive interview has elicited between _____ and _____ than have typical police interviews, _____.”
- That is, **accuracy** _____ with this method, but the total amount of information provided (both accurate and inaccurate) increases.
- Best suited for situations in which the witness is genuinely attempting to recall and describe what he or she witnessed.

COMMON ELEMENTS OF GOOD INVESTIGATIVE INTERVIEWING:

The Cognitive Interview Incorporates a Number of Them

- Good Rapport between the Interviewer & Interviewee
- Clear Description of the “Rules” of the Interview Process
- Open-Ended Questioning
- Willingness to Explore Alternative Hypotheses

Good Rapport between the Interviewer & Interviewee

- The _____ of most interview protocols is devoted to developing a positive relationship between the interviewer and interviewee.
- The more at ease a person feels during the interview the more information he/she is likely to provide.
- Witnesses want to feel _____.

COMMON ELEMENTS OF GOOD INVESTIGATIVE INTERVIEWING

Good Rapport between the Interviewer & Interviewee

- Three aims of the rapport-building phase:
 - The interviewee does most of the talking.
 - ***How to accomplish this?***
 - The interviewer conveys understanding, acceptance, noncoerciveness, and a nonjudgmental perspective.
 - The interviewer creates an informal and related context

Clear Description of the “Rules” of the Interview Process

- Interviewers often report frustration because interviewees do not report enough detailed information.
- The reasons for this are many and I will cover 2:

Forensic Interview Procedures Violate Conversational Rules

- In most interviews with professionals
- **Conversational Maxims** (Grice, 1975)
 - quantity
 - quality
 - relation
 - manner

The Type of Detailed Information Required of Witnesses in Forensic Interviews is Difficult to Provide

- When vulnerable interviewees are pressured to recall highly specific details, they are more prone to fabrication or acceptance of false details.
- **Verbal Overshadowing:**
 - **Verbal Overshadowing:** when people generate a detailed, memory-based description of complex nonverbal stimuli (e.g., faces) their recognition performance can be worse than nondescribing controls.
 - Verbal Overshadowing has been hypothesized to occur when domain specific perceptual expertise exceeds verbal expertise.
 - **Melcher & Schooler (1996):** Had Ss taste a red wine and then either verbalize how the wine tasted or engage in an unrelated task.
 - Then (after 4 minutes) Ss had to choose the wine from among 4 wines.
 - IV?
 - DV?
 - Results:
- **Release from Verbal Overshadowing:**
 - **Finger & Pezdek** found that verbal overshadowing is reduced when a _____ is inserted between verbal description and face identification, hence resulting in **“release from verbal overshadowing.”**
 - These results suggest that the verbal description _____ the visually based representation of the face in memory, but rather makes it **less accessible** at the time of face identification.

COMMON ELEMENTS OF GOOD INVESTIGATIVE INTERVIEWING

- **Clear Description of the “Rules” of the Interview Process will Solve these Problems:**

COMMON ELEMENTS OF GOOD INVESTIGATIVE INTERVIEWING

Open-Ended Questioning Style

- open-ended questions: require multiple-word responses.
 - Questions to begin interview with?
 - Suggested follow-up questions?
 - End of interview direct back to parts you need clarification on
- closed-ended questions: ask about a specific detail or concept and can be answered with one or two words.
- The **type of questions** affects the type of response:
 - Narrative speech
 - Fragmented speech
- Benefits of open-ended questions
 - Responses to open-ended questions are usually _____ than closed ended questions.
 - Open-ended questions allow interviewer to _____
 - Open-ended questioning promotes _____ by allowing interviewees to _____.
- **Collaborative inhibition:**
 - Closed-ended questions are difficult for the interviewer
 - Closed-ended questioning invites

COMMON ELEMENTS OF GOOD INVESTIGATIVE INTERVIEWING

Willingness to Explore Alternative Hypotheses

- **Hypothesis Testing:**
- Interviewers should try to _____.
- **Prior information** can influence how an _____ about a crime
- Pettit, Fegan, & Howie (1990): examined how interviewer's beliefs about an event affect their questioning style and the accuracy of preschooler's subsequent reports.
 - Interviewer's beliefs about the event: (1) provided with full accurate information, (2) inaccurate information, or (3) no information.
 - Results:

Characteristics of Biased Interviewers

- ***Inaccurately report*** the contents of an interview
- Tend to _____ that is contrary to their beliefs.
- _____ through _____ to get information from the witness that is consistent with their hypotheses. (e.g., Attorneys Bailey and Rothblatt, 1971)
- Gather mostly _____ and avoid questions that would produce evidence inconsistent with their hypotheses

**THE ESSENTIAL ELEMENTS OF A GOOD INVESTIGATIVE INTERVIEWER
TRAINING PROGRAM**

**What Are Some Of The Real World Issues/Obstacles That Prevent Interviewers
from Using These Elements of Good Interviews?**