

The Reid Technique of Interviewing and Interrogation

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The Original

John E. Reid and Associates began developing interview and interrogation techniques in 1947. The Reid Technique of Interviewing and Interrogation is now the most widely used approach to question subjects in the world. The content of our instructional material has continued to develop and change over the years. John E. Reid and Associates is the only organization that can teach the current version of our training program on The Reid Technique of Interviewing and Interrogation.

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U. S. Supreme Court Recognition – In June 2004 in the case of *Missouri v. Seibert*, the United State Supreme Court referenced our company and our book, Criminal Interrogation and Confessions, as examples of law enforcement resources that offered proper training. In 1994 the United States Supreme Court referenced our textbook, Criminal Interrogation and Confessions, in making their decision in the case *Stansbury v. California*. Courts throughout the country have recognized The Reid Technique as the leading interview and interrogation approach used today in both the law enforcement and business communities (see our web page for details).

THE REID TECHNIQUE OF INTERVIEWING and INTERROGATION

I. INTRODUCTION

A. History of Material

- * Founded in 1947
- * Original research initiated over 50 years ago
- * 1962 Criminal Interrogation and Confessions, Fred Inbau & John Reid; second edition 1967; third edition 1986; fourth edition 2001; fifth edition 2011
- * Training programs since 1974

B. Program Content

Behavior Symptom Analysis – *The verbal and nonverbal behavioral characteristics that distinguish a truthful person from one who is withholding or fabricating relevant information*

The Behavior Analysis Interview – *The structure for the interview that is designed to elicit both factual and behavioral information so as to suggest investigative direction*

The Reid Nine Steps of Interrogation – *The interrogation process that is designed to obtain an admission of guilt*

C. Distinction Between an Interview and an Interrogation

Characteristics of an Interview

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*Introduction***Interview Goals:**

Develop Investigative Information: The subject's version of events
The details of the event – who, what , when, where,
why and how questions
Independent sources to corroborate the story/facts
Possible motives and opportunity to commit the
crime

Develop Behavioral Information: Based on the verbal and nonverbal channels of
communication assess whether or not the subject's
behavior symptoms fit the "profile" of a truthful or
deceptive individual

Characteristics of an Interrogation

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Introduction

D. Always try to conduct a non-accusatory interview prior to any interrogation. The purpose for doing so is to develop rapport with the subject; assess their general attitude and demeanor; give them an opportunity to tell their story; and, develop insight into possible interrogational approaches.

E. The Interview Room

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F. Seating Arrangement

X

A is the _____ zone, extending out about _____ feet
B is the _____ zone, extending from _____ to _____,
C is the _____ zone, extending from _____ to _____,
D is the _____ zone, extending beyond _____.

*Nine Steps of Interrogation***THE REID NINE STEPS OF INTERROGATION****Step One: DIRECT POSITIVE CONFRONTATION**

A. "I have in this file the results of our investigation into the (issue). The results of the investigation clearly indicate that you are the person who (issue)".

B. Behavioral pause to assess the verbal and nonverbal reaction.

C. Truthful Reaction:

Nonverbal

Verbal

D. Deceptive Reaction:

Nonverbal

Verbal

E. Transition - *"I want to sit down and spend some time with you to see if we can get this thing straightened out. Here is what I think that we are looking at..."*

Sit down

Place file on the side

Assume interrogational posture

Begin Theme development

*Nine Steps of Interrogation***Alternative Confrontation Statements**

“Jim, the results of our investigation indicate that _____

or, the results of our investigation indicate that _____

(When multiple subjects have been interviewed, an alternative confrontation statement that may be appropriate is:

“Jim, as you know I’ve interviewed everyone in the area and _____

Step Two:**THEME DEVELOPMENT**

- A. In a monologue the interrogator proposes to the suspect reasons and motives that will serve to psychologically justify or excuse the suspect's criminal behavior.
- B. General Rule: attempt to place the blame for what the suspect did on some person or set of circumstances other than the suspect himself.
- C. The theme is developed as to why the suspect committed the act, not if he committed the act.
- D. Theme statements:
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*Nine Steps of Interrogation***Step Three: HANDLING DENIALS**

- A. Many deceptive suspects introduce their denials with permission phrases:
- "Can I say one thing?"
"Just let me explain..."
"But sir..."
- B. The interrogator, using verbal statements and non-verbal gestures, interjects before the words "I didn't do it" are voiced.
- C. Use first names and command phrases, such as:
- -
 -

Combine with physical gestures:

- D. Truthful suspects usually do not ask to talk, and they do not move beyond step three - their denials strengthen

Step Four: OVERCOMING OBJECTIONS

- A. An objection is a statement or reason that is offered to allegedly prove that an accusation is false: "I don't need any money – I've got plenty of money" in the bank." Normally offered by only the guilty.
- B. Introductory phrases are used to indicate an objection: "That's impossible"; "That's ridiculous"; "I couldn't have done that".

- C. When the objection follows, use statement of agreement or understanding, and discuss how bad it would be if the objection was not true.

D. Sample Dialogue:

S: "I would never do something like that." (Introductory phrase)

I: "Why is that Jim?" (Draw out objection)

S: "I don't need money; I have plenty of money in the bank."
(Objection)

I: "I hope that's true Jim, because then that tells me that this was a spur of the moment thing where maybe you needed some money right away and it was left out when it shouldn't have been and you gave into temptation." (Positive discussion indicating that if the objection was true then that speaks favorably for the subject)

"On the other hand Jim, if you didn't have any money then that tells me that you were looking for an opportunity to do something like this and that it was probably planned out." (Negative discussion indicating that if the objection was not true then it speaks poorly for the subject)

"But Jim, I don't think that you planned this thing out."

Step Five: PROCUREMENT AND RETENTION OF SUSPECT'S ATTENTION

- A. The suspect is on the defensive, may withdraw and focus his thoughts on punishment.
- B. Interrogator attempts to regain the suspect's attention by intensifying the theme and by establishing physical closeness.
- C. Physical gestures of sincerity are used to establish attitude of understanding.

*Nine Steps of Interrogation***Step Six: HANDLING SUSPECT'S PASSIVE MOOD**

- A. The suspect is becoming less tense, appears defeated, is listening to your theme and may begin to cry.
Handling tears:
- B. Intensify the theme and brief it down to one or two sentences, underlying the essential elements.
- C. Begin introducing the components of the alternative question while remaining in close physical proximity.

Step Seven: PRESENTING AN ALTERNATIVE QUESTION

- A. The alternative consists of a question in which the suspect is offered two incriminating choices concerning some aspect of the crime - based on an assumption of guilt.
- B. The alternative should contrast an desirable action (good reason) with an undesirable action (bad reason).
- C. The alternative should be followed by a supporting statement in which the interrogator tells the subject that he thinks it was done for the good reason.
- D. Examples:
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*Nine Steps of Interrogation***Step Eight: HAVING SUSPECT RELATE THE VARIOUS DETAILS OF THE OFFENSE**

- A. Following acceptance of an alternative, use a statement of reinforcement: "Joe, I was sure that that was the case all along".
- B. Use open ended questions to obtain details of the offense.
- C. Obtain corroboration - facts that only the guilty would know.

Step Nine: CONVERTING AN ORAL CONFESSION INTO A WRITTEN CONFESSION

- A. Use third party to witness the oral confession.
- B. Forms of written confession: written by suspect, written by interrogator, recorded, taken down by stenographer.
- C. Establish the voluntariness of the statement

Interviewing Witnesses

(May 2011 Investigator Tip from www.reid.com)

A witness is anyone who possesses direct information pertinent to an investigation. Sometimes witnesses are forthcoming and fully cooperative, other times they are reluctant to get involved and occasionally they are deceitful in an effort to protect themselves, an accomplice or loved one. There are many factors that may influence the accuracy of a witness' statement including trauma, passage of time, prejudices, influences of drugs or alcohol, age, and psychological/ physiological disorders. Finally, witnesses are interviewed in a number of different settings, ranging from a totally uncontrolled setting (outside a bank that was just robbed) to a semi-controlled environment (the witness' home or office) or in a controlled setting (the investigator's office).

With all these variables, obviously there is no single best technique to develop information from a witness. Consequently, this web tip will present a number of different concepts relating to witness interviews which the investigator will need to appropriately apply. There is, however, a single underlying principle: The more time the investigator spends talking to the witness, the more information will be learned. Regardless of how cooperative a witness may be, the investigator should never accept a witness's first version of an event as final and complete. A witness rarely initially volunteers all the information he or she possesses; the investigator must draw it out by asking follow-up questions and perhaps even consider using memory-enhancing techniques.

1. Identifying a good witness. Consider that a pedestrian was struck by a car when crossing the street. By the time the police officer arrives on the scene, ten individuals have congregated around the accident. The officer may be tempted to approach a person in the crowd and ask, "Did you see what happened?" This direct approach to locate a witness is likely to produce a response such as, "I can't help you. I just got here."

The officer would be much more productive in identifying a knowledgeable witness by initially asking an individual in the crowd, "Do you know who may have seen this happen?" This question is likely to produce a response such as, "That woman over there was here when I arrived and by the way she's acting it looks like she saw the whole thing." Armed with this insight, the officer could approach the identified woman and state, "Ma'am, I understand that you were here when this happened. Would you help me out by telling me what you saw and heard?"

It may also be beneficial to observe the behavior of potential witnesses in a crowd to identify a person who is likely to possess information and be willing to share it. The individual may appear animated in discussing the incident with those around them, appear approachable by exhibiting an open posture and a friendly facial expression. When the investigator attempts to make eye contact the willing witness may turn toward the investigator and return mutual gaze.

2. Interview multiple witnesses separate from each other. Consider that three people witnessed the same fight in a bar. If the investigator approaches them and asks, “What did you see?” one witness is likely to do most of the talking while the other two nod in agreement. Three individuals can witness the exact same event but their recollections of the event may differ slightly. To account for individual differences, it is important that the investigator conduct three separate interviews. This technique is also useful to identify possible biases or omissions within a particular witness’ statement.

3. Create the most private environment possible for the interview. Almost every witness statement attributes blame to someone or something for the observed event. Psychologically, pointing a finger at a responsible person is difficult for most individuals. This difficulty increases substantially when a witness’ statement incriminates a friend, family member or accomplice. To ease the psychological burden of implicating others, the investigator must afford the witness privacy.

Once a witness is selected from a crowd it would be appropriate to escort the witness 15 or 20 feet from the crowd before asking questions about the occurrence. In some situations, it may be appropriate to place the accused person in custody in the back seat of a squad car and then privately question the witness out of the accused person’s presence. There may be instances where the witness’ statements will be so critical to the successful prosecution of the guilty that the investigator may choose to interview the witness in the confines of an interview room in a law enforcement center. Regardless of the circumstance, the important message is that once a witness is located the investigator should do whatever is possible to afford the witness privacy before expecting that person to provide accurate and meaningful information.

4. Do not elicit personal information from the witness (full name, address, telephone number) early during an interview. The reason many witnesses are reluctant to offer information is the fear of getting involved in the legal system (testifying in court, being named as a source of information to obtain an arrest warrant, etc.) Consequently, once an investigator identifies that a person may have information pertinent to an investigation, the information should be elicited in a casual manor, e.g., “Good evening sir. I’m a police officer investigating this incident. Can you tell me what happened?” Only after the witness has provided the desired information should the investigator elicit personal information.

For much the same reason, the investigator should refrain from taking written notes early during the interview. Not only does note-taking remind the witness of the permanency of the statement, but it can be a distraction and affect the natural flow of information. Once the witness has made a complete oral statement the investigator can pull out a pen and paper and document what was said.

5. Introduce each area of the interview with an open question. Research and empirical observations clearly indicate that the most effective technique to develop full and accurate information from a witness is to start with a broad question, e.g. “Please describe the car for me” than to ask a series of closed-ended questions, e.g. “What color was the car?”; “Was it a van or sedan?” “How old do you think the car was?”

When asking an open question the investigator should not influence the witness’ statement by making assumptions within the question. Witnesses are often nervous when talking to an authority figure and may be eager to please the investigator by saying what they think the investigator wants to hear (or already knows). Consider that a woman heard a loud noise coming from the liquor store across the street and saw a person run out of the store following the sound. As it turns out, the liquor store was just robbed and the clerk was shot dead. It is improper to ask this witness “Describe the man who robbed the liquor store” because the question assumes that the robber was a man and that the person being described is the person who robbed the liquor store. Rather, the investigator should ask “Describe the person you saw leave the liquor store after you heard the loud sound.”

Once the witness starts to respond to the investigator’s open question, the investigator should not interrupt the account. Rather, he should encourage the witness to fully respond to the question with phrases such as “please continue,” “I understand,” or “alright.” Certainly, during the course of an open account additional questions will occur to the investigator. However, if the investigator interrupts the witness’ response with a detail question, e.g. “How many shots did you hear?” the interview will quickly deteriorate to an undesirable question and answer session.

6. Ask clarifying questions before detail questions. As the name implies, clarifying questions are intended to draw out further information about a topic mentioned within an open response. Examples of clarifying questions include, “Tell me more about what you heard prior to the fight;” “Describe the vehicle that struck the woman;” or “Tell me again about what caused you to step out of your house?”

Detail questions seek specific answers and should be reserved for the conclusion of the interview. They fill in gaps of missing information not volunteered by the witness through the use of open or clarifying questions. Examples of detail questions are, “What time did this happen?” “What color was the car?” “Did he strike him with his left or right hand?” Because detail questions force the witness to offer specific information, they are the most likely questions to elicit false information. Failure to offer a definitive response to a detail question holds a negative connotation – the witness is stupid, the witness is uncooperative, the witness is withholding information. Consequently, witnesses are prone to lie to detail questions.

7. Memory- enhancing techniques. It is the investigator’s goal to develop accurate and complete information from a witness. The previously listed techniques are designed to increase the accuracy of information. To increase the amount of information a witness

recalls, consider these tactics:

Traumatized witnesses should always be re-interviewed at a later date. Especially when the witness is also a victim, it is important to gain immediate information in an effort to quickly identify a possible suspect and collect relevant evidence. Frequently, however, a traumatized witness will be able to recall further information 24 or 48 hours following the incident. After taking the initial report, the investigator should prepare the traumatized witness for a second interview with a statement such as the following:

“Linda, I know this has been difficult for you and I really appreciate your assistance. In cases like this, I have found that a person will remember more about what happened if given some time to think about it. I would like to talk to you again tomorrow afternoon to update you on our investigation and to find out what else you remember. Would that be alright?”

Have the witness write down their recollections. Many individuals are kinesthetic thinkers in that the act of writing will help stimulate and organize memories. This should not be introduced as a “written statement” but rather as a technique to assist the witness’ recollection. For example, the witness may be given a sheet of paper with the numbers one through ten listed as a column and asked to write down, in sequence, ten recollections about the event. Once this task is completed, the investigator can ask the witness to try to add two more recollections following each of the ten points.

Consider using cognitive interviewing techniques. These specialized techniques are specifically designed to enhance a person’s recall. They require a cooperative witness and should be utilized in a controlled environment. The witness should be relaxed and comfortable. It may also be appropriate to ask the witness to close their eyes to help concentrate.

The first technique involves recalling the incident in reverse order. The witness would be asked to start their story with the last recollection, and working toward the first recollection. The investigator could also ask the witness to tell their story from a different perspective. For example, in a hit and run accident, the witness could be asked to tell the story from the victim’s perspective.

A second concept within cognitive interviewing involves asking hypothetical questions about the recalled event. In the process of answering these questions, further memories may be stimulated within the witness. Examples of these questions include:

“Did he remind you of anyone you know?”
 “Why do you think he was dressed the way he was?”
 “What do you think the man did for a living?”
 “Where do you think he was from?”
 “Did the man mention any names?”

Conclusion

Developing accurate and complete information from witnesses is critical to any criminal investigation. This information may determine whether or not a crime was committed, the direction in which an investigation goes and the identification of the perpetrator of a crime. Yet, too often, investigators engage in procedures that fail to identify valuable witnesses to a crime, or question witnesses with techniques that result in missing or erroneous information. Of primary importance, investigators need to create a private environment to interview witnesses which will, in turn, allow for more structure within the interview. Specifically, the investigator should start the interview by asking open questions followed by clarifying questions. Only at the conclusion of the interview should the investigator ask detail questions, take written notes and obtain personal information about the witness.

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