



*ARC Centre of Excellence
in Policing and Security*

Investigative Interviewing in cases of suspected domestic- related homicide

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Presentation Overview

Identify:

- Why is it important to interview effectively?
- Who are the suspects?
- What influences suspects' confessions and denials?
- How should effective interviews be conducted?

Who are the suspects?

- As we have heard earlier in the conference
 - Often unemployed
 - Depressed/suicidal
 - Offending history
 - Pro-offending attitudes
 - Separation
 - Sexual jealousy
 - Aggressive/angry
 - Alcohol/drug problems

Why is it important to interview effectively?

- To “search for truth”
 - Maximise the amount of accurate evidence available
 - Increase the likelihood of the conviction of a guilty individual
 - Minimise the likelihood of the conviction of an innocent individual

Why do suspects confess?

- Gudjonsson & Petursson (1991) asked 74 Icelandic prisoners who had admitted their offence why they confessed
 - 55% believed the police could prove their guilt
 - 34% to get it “off their chest”
 - 15% pressure including from the police

The importance of evidence

- Moston, Stephenson, and Williamson (1992) investigated confession rates for 1067 suspects who had been interviewed by detectives.
 - When the evidence against the suspect was weak, confessions occurred less than 10% of the time, and denials occurred 77% of the time.
 - When the evidence was strong confessions were frequent, occurring in 67% of cases, while denials were infrequent, occurring in 16% of cases.

The importance of evidence

- Kebbell, Hurren, & Roberts (2006) inaccurate reduces confession and guilt
- Häkkänen, Ask, Kebbell, Alison & Granhag (2009) more open questioning when the evidence is strong
- Sellers & Kebbell (under review) it is the perception of evidence that is critical
- Santilla (2008) 2/3 out of 1000 Finnish homicides 'easy' to solve

What do sex offenders say would help them confess?

- Kebbell, Hurren, & Mazerolle (2006) interviewed 19 convicted sex offenders.
- ‘evidence’ “the only thing they could put in front of them is the evidence, their past history...”)
- ‘compassion’ (e.g., “to be compassionate...be understanding. When people commit a crime, there are typically factors underlying that crime...” and “police officers could be more understanding...instead of coming on to you like you are the worst of the worst),
- ‘neutrality’ (e.g., “I think if they made them feel relaxed, not judged. The usual thing to do would be to make people feel more open...” and, “ask their side of the story, try to find more evidence”)

- ‘clear’ (e.g., “perhaps if they explained things more... the evidence against the accused, and explained what the process was going to be, what the outcome may be...If they had explained things to me more fully...”, and, “probably explain themselves a bit better...”)
- ‘non-aggressive’ (“It doesn’t matter what the crime is, they should go in gently...go in more relaxed”, and, “I don’t see why people that have allegations put against them, should have to sit there and cop their taunts, over something they know they haven’t done”)
- ‘honesty’ (e.g. “you don’t need the police to try and con you...I think that instead of saying that they have something when they don’t... I think they should be more honest about it”, “just be upfront about it”)

Reactance

- Brehm (1966) showed that when individuals perceive an unfair restriction on their actions, in this case their ability to deny or give their own account of an event, an intense motivational state is produced that means the individual attempts to challenge the restriction, and obtain the denied item, choice or behaviour.

- ‘bias’ (e.g. “not asking their side of the story” and, “overly opinionated without the facts”)
- ‘pressuring’ (e.g. “apply pressure”)

Changing cooperative suspects into uncooperative suspects

- Inaccurate charges: “accuse you of things you know you didn’t do”, and, “the overkill...hitting you with more charges or offences than you did”
- ‘aggressive behaviour’ e.g. “being extremely aggressive”, and, “if they had been more aggressive...if you are aggressive towards people, they tend to get their back up. They dig in, they say, well I’m not going to tell you what you want to know”

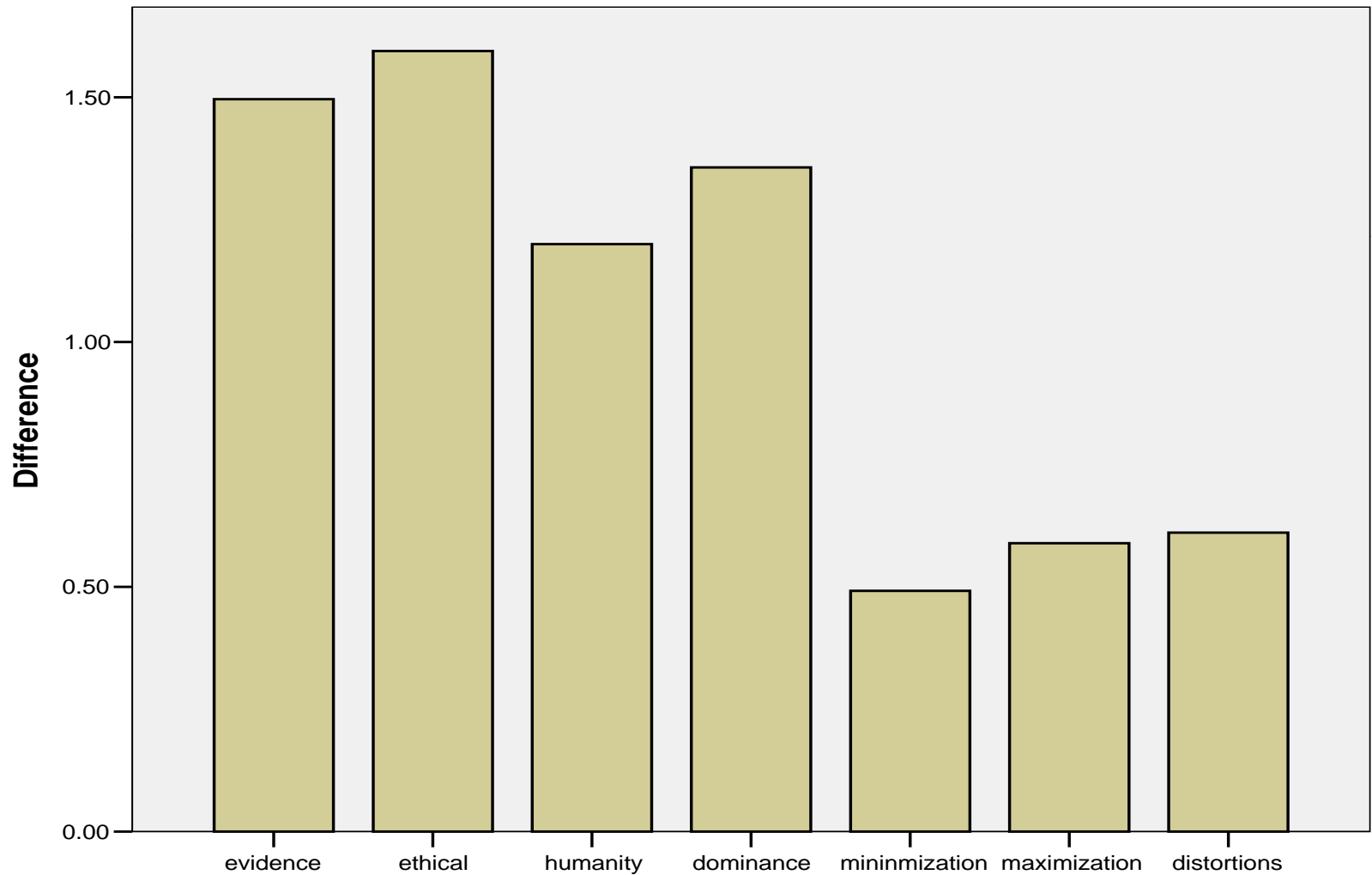
Interviewing sex offenders and murderers

- Holmberg and Christianson (2002) surveyed 83 men convicted of murder or sexual offences in Sweden. They found aggression, hostility, insulting and condemning behaviour reduce the likelihood of a confession.
- Friendliness, the suspect's feeling acknowledged and respected as a human being, and a feeling of cooperation were associated with increases in the numbers of confessions.

What do sex offenders and violent offenders think?

- Kebbell, Alison, Hurren & Mazerolle (in prep)
- Tested 60 participants, all convicted of a sex offence or serious violent offence.

Mean differences between sex offenders' perceptions of how an ideal interview should be conducted to facilitate a confession with a guilty sex offender and their perception of their own interview (dominance differences are reversed)



Is it possible to predict who will confess? Gerritz (2008)

- Eighty-six records of interviews were located and transcribed (if necessary) in relation to sexual offences committed between the years of 1993 and 2006 in Queensland. All involved strangers.

Dependent variable

- Full denial 17.4%
 - e.g., I've never seen her before in my life, etc.
- Crime denial 36.1%
 - e.g., we had sex but it was consensual, my hand slipped, I thought she was my wife, etc.
- Partial confession 25.6%
 - e.g., I did x and y but not z, It was an out of body experience.
- Full confession 20.9%
 - e.g., admits to what the victim says, sometimes provides more information

Multinomial logistic regression model

- Predict dependent variable 65% of the time.
 - Previous sex offences
 - Victim gender
 - Previous breaches
 - Victim age
 - Evidence
 - Time delay
 - Domestic Violence History

The PEACE approach (sometimes known as Conversation Management)

- CM can be neatly divided into three stages (from Milne, Shaw and Bull, 2008);
- (i) the suspect account
- (ii) the police agenda
- (iii) the challenge stage

(i) the suspect account

- The suspect is allowed to establish their position.
- Having obtained an account, if one has been offered, will assist the interviewer to break down what has been said into topics to enable further questions to be put, in a structured way.
- Throughout this stage it is important that the interviewer(s) do not interrupt or introduce new areas to the interviewee. Even though the interviewer may have a completely different account of what has happened, (for example, from that gleaned from other aspects of the investigation), they should not challenge what is being said at this stage.
- Amnesia, contradictions, falsehoods, NGRI, difficult lawyers

(ii) The police agenda

- Prior to the actual interview commencing the interviewer(s) should have produced a plan which would have included the topics that they think would be relevant to discuss during the interview such as facts they know, points to prove the offence, facts they need to establish, and also where appropriate, possible lines of defence. Thus, within the interview, after the suspect's account, there may still be areas that have not been discussed which need questions and answers.

(iii) The challenge stage

- When moving onto the identifying of topics that need challenging, the same structure as conducted in the earlier two phases still applies. If after having heard the initial account and the answers to the probing questions the interviewer is in possession of contradictory facts or information then the interviewee should be challenged as to the differences that exist.
- This phase should not be conducted in an aggressive way but should be viewed more as a presentation of information that the interviewer is in possession of. The object of this section is to afford the interviewee an opportunity to comment on the information presented which challenges his or her account.

Allowing the suspect to give an account

- “Suspect *admission* was associated with ‘open’ police interviewing, where the officer invites the suspect to ‘tell the story’ using open-ended, relationship questioning. The suspect subsequently constructs an inappropriate, self-serving account, which the officer is able to reformulate to confirm sexual contact and secure admission.” (Bennesworth, 2006, p.1).

Interpretation

- The dangers of innocence (Kassin, 2005)
- Motivated cognition (Ask & Granhag, 2006)

Conclusions

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