



## INTERROGATION TECHNIQUES

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This report provides a concise overview of (1) the Reid method of interrogation, (2) critiques of the Reid method, and (3) alternative interrogation techniques.

### SUMMARY

The Reid method is a system of interviewing and interrogation widely used by police departments in the United States. The term "The Reid Technique of Interviewing and Interrogation" is a registered trademark of John E. Reid and Associates, Inc. According to the company's website, over 500,000 law enforcement and security professionals have attended the company's interview and interrogation training programs since they were first offered in 1974.

Some critics contend that the Reid Technique is premised on certain assumptions about human behavior that are not supported by empirical evidence, and that the technique may lead to false confessions. The company contends that critics mischaracterize the Reid Technique and that false confessions are caused by interrogators applying inappropriate methods not endorsed by the company.

Two alternative interrogation techniques are (1) Preparation and Planning, Engage and Explain, Account, Closure and Evaluate (PEACE), a less confrontational method used in England, and (2) the Kinesic Interview, a method that focuses on recognizing deception.

### REID TECHNIQUE

The Reid Technique involves three components – factual analysis, interviewing, and interrogation. Following is a brief summary of these components; more information is available on the company's [website](#).

## ***Factual Analysis***

The Reid [website](#) describes factual analysis as:

an inductive approach where each individual suspect is evaluated with respect to specific observations relating to the crime. Consequently, factual analysis relies not only on crime scene analysis, but also on information learned about each suspect. . . . Applying factual analysis . . . results in establishing an estimate of a particular suspect's probable guilt or innocence based on such things as the suspect's bio-social status (gender, race, occupation, marital status, etc.), opportunity and access to commit the crime, their behavior before and after the crime, their motivations and propensity to commit the crime, and evaluation of physical and circumstantial evidence.

This factual analysis is also intended to "identify characteristics about the suspect and the crime which will be helpful during an interrogation of the suspect believed to be guilty[,]" such as motive or the suspect's personality type.

## ***Behavior Analysis Interview***

The Reid [website](#) describes the Behavior Analysis Interview (BAI) as a non-accusatory question and answer session, involving both standard investigative questions and "structured 'behavior provoking' questions to elicit behavior symptoms of truth or deception from the person being interviewed."

The investigator first asks background questions, to establish personal information about the suspect and allow the investigator to evaluate the suspect's "normal" verbal and nonverbal behavior. The investigator then asks "behavior-provoking" questions intended "to elicit different verbal and nonverbal responses from truthful and deceptive suspects." The investigator will also ask some investigative questions during this stage. The Reid website states that the BAI:

provides objective criteria to render an opinion about the suspect's truthfulness through evaluating responses to the behavior-provoking and investigative questions. In addition, the BAI facilitates the eventual interrogation of guilty suspects . . . by establishing a working rapport with the suspect during the non-accusatory BAI, and developing insight about the suspect and his crime to facilitate the formulation of an interrogation strategy.

## ***Interrogation***

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.

- 1. The 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, the statement should be unequivocal.
- 2. Theme development.** The investigator then presents a moral justification (theme) for the offense, such as placing the moral blame on someone else or outside circumstances. The investigator presents the theme in a monologue and in sympathetic manner.
- 3. Handling denials.** When the suspect asks for permission to speak at this stage (likely to deny the accusations), the investigator should discourage allowing the suspect to do so. The Reid website asserts that innocent suspects are less likely to ask for permission and more likely to “promptly and unequivocally” deny the accusation. The website states that “[i]t is very rare for an innocent suspect to move past this denial state.”
- 4. Overcoming objections.** When attempts at denial do not succeed, a guilty suspect often makes objections to support a claim of innocence (e.g., I would never do that because I love my job.) The investigator should generally accept these objections as if they were truthful, rather than arguing with the suspect, and use the objections to further develop the theme.
- 5. Procurement and retention of suspect’s attention.** The investigator must procure the suspect’s attention so that the suspect focuses on the investigator’s theme rather than on punishment. One way the investigator can do this is to close the physical distance between himself or herself and the suspect. The investigator should also “channel the theme down to the probable alternative components.”
- 6. Handling the suspect’s passive mood.** The investigator “should intensify the theme presentation and concentrate on the central reasons he [or she] is offering as psychological justification . . . [and] continue to display an understanding and sympathetic demeanor in urging the suspect to tell the truth.”

- 7. Presenting an alternative question.** The investigator should present two choices, assuming the suspect's guilt and developed as a "logical extension from the theme," with one alternative offering a better justification for the crime (e.g., "Did you plan this thing out or did it just happen on the spur of the moment?"). The investigator may follow the question with a supporting statement "which encourages the suspect to choose the more understandable side of the alternative."
- 8. Having the suspect orally relate various details of the offense.** After the suspect accepts one side of the alternative (thus admitting guilt), the investigator should immediately respond with a statement of reinforcement acknowledging that admission. The investigator then seeks to obtain a brief oral review of the basic events, before asking more detailed questions.
- 9. Converting an oral confession to a written confession.** The investigator must convert the oral confession into a written or recorded confession. The website provides some guidelines, such as repeating *Miranda* warnings, avoiding leading questions, and using the suspect's own language.

## **CRITIQUES OF REID TECHNIQUE**

There has been considerable academic research on various aspects of police interrogation, including whether interrogation methods can lead to false confessions. Below, we briefly describe some criticisms of the Reid Technique, as well as responses to such criticisms by Reid and Associates, Inc. For a more detailed summary of criticisms of the Reid Technique, see this [article](#) from *Criminal Law Quarterly*, a Canadian journal. For more information on the company's response to such criticisms, see this [document](#) from Reid's website.

In the "Sources and Other Information" section of this report, we provide links to some studies and commentary on these issues. This report does not attempt to survey the vast range of research on the relationship between interrogation techniques and false confessions. If you would like more information about particular aspects of this issue, please let us know.

### ***Discerning truth or deception***

One aspect of the Reid approach is to train investigators to discern when a suspect is lying (e.g., by analyzing nonverbal behavior during the initial interview). Critics question whether training can actually lead investigators to do so, and point to

various studies concerning the ability to discern truth from lying. For example, one frequent critic of the Reid Technique, law professor Richard Leo, argues that extensive social science research has demonstrated:

that people are poor at making accurate judgments of truth and deception in general, that the behavior cues police rely on in particular are not diagnostic of deception, and that investigators cannot distinguish truthful from false denials of guilt at rates significantly greater than chance, but instead routinely make confidently held yet erroneous judgments (Leo 2013, 203).

Reid and Associates, Inc. [argues](#) that many such studies have limited applicability to police interrogations. For example, the studies may have (1) involved college students in laboratory settings, with students having low motivation to be believed if innocent or avoid detection if lying, or (2) been conducted by people not trained to interview criminal suspects. The company also points to other studies supporting the contention that training can increase the ability of police to detect when suspects are lying.

### ***False confessions***

Critics argue that various features of the Reid interrogation method may lead certain innocent suspects to confess. For example, one critique argues that “the guilt-presumptive nature” of the Reid method “creates a slippery slope for innocent suspects because it may set in motion a sequence of reciprocal observations and reactions between the suspect and interrogator that serve to confirm the interrogator’s belief in the suspect’s guilt” (Moore and Fitzsimmons, 513). According to some critics of the Reid Technique, aspects of Reid-style interrogation that may lead to false confessions include (1) misclassification (the police attributing deception to truthful suspects); (2) coercion (including psychological manipulation); and (3) contamination (such as when police present non-public information to a suspect, and the suspect incorporates that information in his or her confession) (Gudjonsson 2012, 695, discussing Leo and Drizin among other studies).

Reid and Associates, Inc. disputes the contention that their methods lead to false confessions. They argue that:

False confessions are not caused by the application of the Reid Technique . . . [but instead] are usually caused by interrogators engaging in improper behavior that is outside of the parameters of the Reid Technique . . . such as threatening inevitable consequences; making a promise of leniency in return for the confession; denying a subject their rights; conducting an excessively long interrogation; etc.

The company also cites court cases upholding their methods or denying the admission of expert testimony that would link those methods to false confessions (e.g., *U.S. v. Jacques*, 784 F.Supp.2d 59, D. Mass. (2011)).

## **PEACE METHOD**

In England, police generally use a less confrontational interview and interrogation method than is used in the United States. The method is called Preparation and Planning, Engage and Explain, Account, Closure and Evaluate (PEACE). Under the PEACE method, investigators allow a suspect to tell his or her story without interruption, before presenting the suspect with any inconsistencies or contradictions between the story and other evidence. Investigators are prohibited from deceiving suspects during an interview (Meissner et al., 11).

The following information on the steps to the PEACE method is drawn from [Authorised Professional Practice](#) (APP), a national body of guidance on policing in the United Kingdom. For more detailed information, see their [website](#).

- 1. Preparation and Planning.** Interviewers should create a written interview plan, focusing on issues such as the objectives of the interview and the order of interviews. Among other things, the plan should include the time a suspect has been in custody, the topics to be covered, and points necessary to prove the offense or provide a defense. Interviewers should consider characteristics of the interviewee that could be relevant to the plan (e.g., cultural background could affect how someone prefers to be addressed). Interviewers may need to consider practical arrangements, such as visiting the scene or the location of the interview.
- 2. Engage and Explain.** The interviewers should engage the individual, including using active listening to establish a rapport with him or her. The interviewers should explain the reasons for the interview and its objectives. They should also explain routines and expectations of the process (e.g., explaining that the interviewers will take notes). Interviewers should encourage the individual to state anything they believe is relevant.

- 3. Account.** The interviewers should use appropriate questions and active listening to obtain the interviewee's account of events. Questions should be short and free of jargon, and can help to clarify and expand the account. Multi-part questions should generally be avoided due to possible confusion, and leading questions should be used only as a last resort.
- 4. Closure.** This stage should be planned to avoid an abrupt end to the interview. Among other things, the interviewers should summarize the person's account of events, allowing the person to make clarifications and ask questions.
- 5. Evaluate.** The interviewers should evaluate the interview to (a) assess how the interviewee's account fits with the investigation as a whole, (b) determine if further action is needed, and (c) reflect on their performance.

## **KINESIC INTERVIEW**

The Kinesic Interview method involves analyzing a person's behavior to assess deception. The method has some similarities to the Reid Technique.

Kinesics is the study of nonverbal communication. One author, Stan B. Walters, describes two phases to this process: the "Practical Kinesic Analysis Phase" and the "Practical Kinesic Interrogation Phase."

During the analysis phase, the interviewer uses several techniques to observe and analyze the subject's behavior "to determine the subject's truthful and deceptive behaviors or at least to determine those areas most sensitive to the subject and, therefore, in need of further attention through verbal inquiry" (Walters 3). Walters describes four fundamental stages of the interview: (1) orientation, (2) narration, (3) cross-examination, and (4) resolution (Id. at 25-29).

The investigator uses information gathered during the first phase to tailor interrogation for the specific subject. Walters describes the interrogator's task of "breaking the cycle of deception" during the interrogation; this includes confronting the suspect's negative-response emotional states (Id. at 209). Walters outlines different interrogation strategies for different personality types.

Walters describes over 30 practical kinesic principles to guide investigators in this process. The "first and most important" such principle is that "No single kinesic behavior, verbal or nonverbal, proves a person is truthful or deceptive" (Id. at 10). The other principles include both general statements of human behavior (people are better able to control verbal than nonverbal kinesic signals) and statements

specifically focused on interview or interrogation techniques (to attack a denial, the investigator should review the real or circumstantial evidence with the subject every 3 to 5 minutes).

## **SOURCES AND ADDITIONAL INFORMATION**

College of Policing, Authorised Professional Practice, Investigation: Investigative Interviewing, available at <http://www.app.college.police.uk/app-content/investigations/investigative-interviewing/#peace-framework>.

Gudjonsson, Gisli H. *False Confessions and Correcting Injustices*. 46 New Eng. L. Rev. 689 (Summer 2012).

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Leo, Richard A. and Steven A. Drizin. *The Three Errors: Pathways to False Confession and Wrongful Conviction*, in *Police Interrogations and False Confessions: Current Research, Practice and Policy Recommendations* (G. Daniel Lassiter & Christian A. Meissner eds., 2010).

Meissner, Christian A. et al. *Interview and interrogation methods and their effects on true and false confessions*. Campbell Systematic Reviews (2012:2013), The Campbell Collaboration, available at [www.campbellcollaboration.org/lib/download/2249/](http://www.campbellcollaboration.org/lib/download/2249/).

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O'Sullivan, M. et al. *Police Lie Detection Accuracy: The Effect of Lie Scenario*. 33 Law & Hum. Behav. 530 (2009).

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Walters, Stan B. Principles of Kinesic Interview and Interrogation, Second Edition.  
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