

## Interrogation In Investigation Of Crimes

Mahesh Dixit, IPS  
Joint Deputy Director,  
Intelligence Bureau.

### ***1. Interrogation as a communication event***

1.1 Interrogation is a special form of communication that is intended to elicit information from the subject. As in every communication process, factors like the attitudes of the interrogator and the subject, non-verbal signals, rapport, 'signal' quality, its form and content, the setting- all play a significant role in taking the process to its logical conclusion. Interrogation as a communication event has a number of established goals:

- Gather data or information from the subject,
- Determine specifically, if he is truthful and if not, identify the form of the deception.
- Change the subject from deceptive to truthful.

In crime investigation, the logical conclusion for the interrogation process is unravelling the exact truth regarding knowledge of the crime the subject possesses.

1.2 We communicate continuously. Communication with friends, relations, spouse, boss, subordinates; each is a distinct type of the process. One may be fluent in some of these types and deficient in others. Similarly, one may be a natural interrogator, while others may have to train hard to be one. Whether one is a natural or not, every interrogation event needs immense preparation similar to what one would do for an important interview.

1.3 While the *setting* of the process may invoke within the interrogator a subjective sense of dominance over the subject, it is important to understand that he may have to play an equally opposite role to achieve his objective. Essentially, the process assumes that the interrogator is conversant with role-playing. His real identity, self esteem, ego etc have no role to play in this process. To summarize, the process is this:

- Can we cause people to talk to us?
- Once they begin talking, can we determine if they are telling the truth?
- If the person is deceptive, can we persuade them be truthful?

1.4 Interrogation is a skill, in a manner of acquiring an art. While some take to it like fish to water, others have to train hard to obtain it. Above all, it is an extraordinary professional skill, with the interrogator taking utmost pride in utilizing it for furthering his professional goals. In full congruence with our adversarial criminal justice system giving benefit of doubt to the accused, the professional interrogator approaches the process logically and scientifically, using his knowledge of psychology and the communication process. A first-rate interrogator knows how to get the information using words, gestures and effective psychological techniques. Not using physical violence is a matter of professional pride. The manner in which an investigator approaches

interrogation symbolizes the ultimate reflection of the professional values of the department. "Casual values" appear as a "casual attitude," which translates into matching behaviour and may also reflect a "casual approach" to law enforcement at all levels. All aspects of law enforcement must reflect regard to the highest policing values, perhaps nowhere more important than during interrogation where the subject is in 'custody'.

## **2. *Qualities of an interrogator***

2.1 Interrogation is a tedious process and a positive attitude is essential. There is no place for anger or hostility towards the subject. Even when one is dealing with a notorious criminal or a high profile subject, even maybe your own senior (nowadays not a rarity), the interrogator must learn to exude easy self-confidence (not superiority) that the suspect will recognize. Patience is the key and be willing to take the time necessary to win, it may take two or more hours just to gain a subject's willingness to talk to you.

*Case study 1: Circumstantial evidence had revealed little in a case of murder of an old woman who stayed alone. However, a clear financial motive was apparent and the suspect (her nephew) was picked up for interrogation. Despite definite and clear financial motive, the interrogators failed in eliciting any culpable evidence as the suspect was subjected to cursory interrogations lasting for not more than ½ hour by multiple interrogators. Due to preoccupation with other duties, the investigating officer himself could interrogate the suspect only once. All the interrogators failed to apply any psychological technique and the case had to be referred as undetected.*

2.2 The interrogator basically needs to identify techniques and strategies most suitable to his personality and own interviewing style and strengthen their effectiveness. A flexibility of style with regard to the communication strategy to be employed should be cultivated. Calibrate the communication style depending on the response of the subject. The interrogator should be able to build rapport quickly and effectively with all kinds of subjects; suspects, witnesses, and victims. He should assess the subject's strategy for processing information so as to maximize subject's ability to recall details/descriptions regarding the crime.

2.3 To reach his objective, the interrogator must have the ability to question. A question is an activating event. If the questioning strategy employed is not productive, then the interviewer must have the ability to use additional approaches until the strategy most appropriate to the subject is found.

2.4 Once the subject begins to talk, the interrogator must be able to detect deception. The form of the deception and the specific elements of deception have to be identified. The interrogator must know specifically where and how in the discourse, the subject is deceptive and direct the questioning accordingly. This knowledge will lead the interviewer to the last necessary skill.

2.5 If deception is detected, the interviewer must have the ability to gain compliance. The interviewer must then be able to change the demeanour of the subject from deceptive to truthful.

### **3. *Preparation***

#### **3.1 Principle 1: Know The Suspect.**

The most productive interrogations are planned well in advance. Except in exceptional circumstances, interrogators must invest time in the initial information-gathering process. One should possess whatever information is available regarding the subject, his organization/gang (if any) and the nature of the crime he has committed. Information like his date of birth, address, occupation, prior criminal record, all helps to form an initial assessment. Information could also be gathered from parents and other relatives.

3.2 Principle 2: Obtain and evaluate factual information related to the crime or incident in detail. Develop the case facts and thoroughly evaluate case solution possibilities. Evaluate possible motives for the crime.

#### **3.3 Principle 3: Plan the approach based on the subject's personality.**

Investigators can design the initial, low-key 'interview' phase to obtain "norming" information about how subjects normally respond, both verbally and nonverbally. This also presents an opportunity to gather information from subjects about their education and language ability, difficulties in life, and the foundation for their successes in life. By learning details about all aspects of a subject's life and lifestyle, interrogator is well equipped to handle subsequent problems.

3.4 Learning previously about the subject's weakness or vulnerability gives an immense leverage during the process of interrogation. Such vulnerabilities could be reduced mental capabilities, addictions, and his ability to withstand pressure, bereavement, mental illness, age, or other personal traits that may increase his suggestibility. Certain individuals possess traits that make them overly susceptible to police interrogation techniques. These traits have sufficient strength to affect the suspect's decision-making process, mental alertness, and suggestibility and can be exploited. Interrogators should place the subject's vulnerability in context, adapt the investigative approach, and fully analyse beforehand to exploit the vulnerability.

### **4. *The interrogation setting***

4.1 Privacy is vital. The interrogation room needs to be sufficiently isolated, 'sound proof' and minimalist. Avoid extra furnishings, decorations that could distract the subject. The setting should be bare, with the process conducted without interruptions. The interrogator needs to conduct the proceedings completely on his own terms, setting the break times as per his wishes. No phone calls (unless used as a device to facilitate breakdown of the subject), no assistants barging in unannounced.

4.2 Modern interrogation rooms also carry a one-way mirror for other investigators to watch the proceedings. Discreet audio or videotaping can be done routinely. Sometimes overt audio or videotaping can also be of help in breaking the subject.

## 5. *Psychological principles behind interrogation*

### 5.1.1 Principle 1: Use Psychology rather than Coercion.

Every individual uses certain defence mechanisms to reduce psychological conflict. Our needs, desires, actions all can create conflict within our mind. A criminal also uses defence mechanisms to reduce the psychological impact of the crime on himself and to justify and place their abhorrent behaviours in terms that assuage their conscience. Normally these mechanisms could be rationalization, projection, and minimization. Rationalization attempts to 'explain away the conflict 'creating idea' through rational thought, projection: to shift the focus of blame on others and minimization-to view the action/crime in a larger context so as to reduce the impact.

5.1.2 Interrogators can use these same defences to break down subjects. Thus, these psychological techniques serve two purposes. They allow investigators to protect society by identifying guilty suspects. And, they also provide face-saving opportunities for suspects to make it easier for them to confess. Most offenders are not proud of their violence and recognize that it was wrong. These techniques initially downplay the suspects' culpability by omitting their provocative behaviour, blaming others, or minimizing their actual conduct. In certain circumstances, interrogators might need to suggest that the suspect's criminality was an accident or the result of an unexpected turn of events, which the victims might have provoked. From the original admission of guilt, experienced interrogators refine their techniques by using all of the case facts to point out the flaws and insufficiencies in the original admission and to obtain a fuller, more accurate description of the subject's criminal behaviour.

*Case Study 2: The suspect was picked up for his alleged involvement in a sensational murder case of a senior political leader. The suspect, a young Muslim, had since his young age evinced keen interest in orthodox Muslim thought. It was known that he had associated with outfits having fundamentalist leanings. Using the techniques of rationalization and projection and bringing in the context of the Gujarat carnage, the suspect was systematically broken down and he went on to describe in vivid details how he went about planning and assassinating the political leader. The interrogators worked on him by identifying with his reactions to the Gujarat carnage and continuing along the line, rationalized his actions. The preparatory knowledge regarding the suspect's youth and his associates had given an indication regarding his attitude to the interrogators.*

5.1.3 Attempts can be made to manipulate the interview conditions to make the subject psychologically vulnerable. The atmosphere can be created so as to induce paranoia in order to increase the chances of the subject coming clean. Small "breakthroughs" can be exploited in order to drive a wedge to extract a fuller account of the subject's knowledge.

5.1.4 Interrogators must use their entire breadth of creativity and experience in interviewing subjects, as any coercive interrogative acts are offensive to the skilled professional. Successful interrogation does not hinge on coercive techniques because talented interrogators have a ready reservoir of productive, acceptable, and

psychologically effective methods. Blatant statements by interrogators depicting the worse case scenarios facing a suspect who does not accept a lesser responsibility are, by and large, coercive and unnecessary.

#### 5.2 Principle 2: Conduct the process with dignity.

Underpinning the entire process involves the concept of dignity. All individuals are entitled to maintaining their personal dignity and self-worth. Studies on convicts report that they are more likely to confess to an interrogator who treated them with respect and recognized their value as a person. Allowing suspects to maintain dignity, even in adverse circumstances, is professional and increases the likelihood of obtaining the full truth.

### 6. *Sizing up*

6.1 This process is pivotal to the process as it decides on the approach the interrogator would take during the interrogation. This also is the most 'un-trainable' aspect of the technique. Sizing up entails one to make a quick judgement about the subject, and perhaps unfairly, some have a natural gift for the same. Even as the process helps the interrogator to form an initial assessment regarding the subject, it also helps in developing a rapport between the two.

6.2 Reading the subject's behaviour or a sort of pre-judgement involves observing the behaviour of subjects and selecting specific aspects for more intensive investigative inquiry. Care must be taken not to place excessive reliance on "hunches" and "on-the-spot reading" of verbal and nonverbal characteristics, using methods that are neither scientifically valid nor reliable. The focus may shift on the wrong person because techniques sometimes do not distinguish between stressful responses caused by deception and responses to stress caused simply by interrogation process.

6.3 Sizing up involves gaining an impression of the subject's personality. His bearing, the way he walks, his body language, the way he is clothed. Enormous information is also available through what are called non-verbal signals. The unfortunate aspect of non-verbal behaviour reading is that the more one tries to consciously read it, the more it gets elusive. Non-verbal signs are largely ingrained into us unconsciously. There is no easy training for reading of non-verbal clues, some are natural at it, and others can develop the art through experience. Hand over his own eyes or mouth, touching his nose, rubbing his ear, going out of his way to look you in the eye, looking at his fingers, thread pulling, smoothing a crease, stroking hair, inspecting or biting fingernails, drumming finger tips, knuckle cracking, sighing, yawning, tapping a foot and other nervous gestures to relieve tension, arms crossing and uncrossing, sitting on the edge of the chair, head drooped forward, body slumped in the chair, shrugging of shoulders, each gesture has to be taken within context and not viewed in isolation.

### 7. *The interrogator's attitude*

7.1 Watch your own non-verbal signals - do not look at your watch and do not yawn. Your face should, at least initially, be a blank slate. The subject should not read you. Or at least, he should be allowed to read in you, only the thing you want him to read. The interrogator should not show disapproval when he talks about disgusting things like say child abuse.

7.2 During the interrogation, one may find unable to obtain factual information or a confession after having used several techniques. The interrogator may tend to become fatigued. That may cause the suspect to persist in lying or denials resulting in the interrogator losing control of the interrogation. In such cases, a second interrogator can continue the interrogation and use techniques not previously used by the first interrogator. During the interrogation by either one, patience and perseverance are the key elements.

## **8. *Interrogation proper***

8.1 Interrogation does not mean formulating a judgement based on the verbal responses. It also entails, as emphasised above, making a comprehensive assessment based on the form and content of the subject's language and non-verbal behaviour. It is important to take into account the words he uses, the connotative meanings-what is called the paralinguistic behaviour.

8.2 Principle 1: Follow the Facts.

Some investigations do not elicit clear evidence to follow on the path to the case solution. Investigators, therefore, rely on investigative experience to identify responses consistent with known deceivers or individuals with guilty knowledge. While sizing up has its place, interrogators must place "gut instincts" in context, by comparing them with investigative and evidentiary facts, which take precedence over instincts. If the interrogators' hunch or the supposition does not align with known facts, he always should follow the facts.

8.3 Common sense dos and don'ts.

### **8.3.1 dos**

- Ask one question at a time and make sure that your question has been answered.
- Rephrase questions.
- Ask both specific and general questions.
- Try indirect questions.
- Be thorough in your questioning.

### **8.3.2 don'ts**

- Above all, do not interrupt his account of what happened at the time of the crime.
- Avoid ambiguous questions.
- Avoid questions that can be answered yes or no.
- Avoid leading questions.

#### 8.4 Ground rules

8.4.1 Do not upset the subject. At least not until you decide to confront him. Avoid harsh words such as armed robbery, aggravated assault, rape and murder.

8.4.2 Flatter his ego. Compliment the subject on his skills, even skills in his chosen, unlawful profession. For example, his knowledge of security measures in banks and jewellery stores as well as the local availability of reliable fences. If he is an expert in a more civilized area, one may ask him to share some of his expertise. Subtle flattery should be the rule.

*Case study 3: A senior District Committee Secretary of the PW had surrendered to the police. The subject was completely uncooperative and refused to divulge any information relating to his long years spent as underground cadre. He maintained that he had come out of the organisation only on account of ill health. Interrogation was recommenced after a thorough discussion within the interrogators and collecting some more background information on the subject. It was felt during discussions that the subject had received “slow promotions” within the organisation in contrast to his more than 15 years commitment to the organisation. During the interrogation, an appeal was made to his excellent organisational capabilities, his recruitment abilities and his successful ‘actions’. Subtly, he was drawn into discussions about his colleagues who had been recruited by him and had now reached full time State Committee stature and even Central Committee status. The ego flattery finally got the breakthrough with the subject discussing injustice within the organisation, its policy of promotions, etc. The wedge opened a window and finally he rattled off on all aspects of the organisation.*

*Case study 4: A police combing party apprehended a person in a remote inaccessible forest area of Warangal. The person was thought to be either a militant or sympathizer of PW and the team commenced interrogation at the spot. As no telltale indications emerged from his possessions or from his clothes, he was inspected thoroughly. A name was found tattooed on the inside on his left wrist. Because a militant with the same name was operating in that area, the interrogators started questioning on those lines. To the utter surprise of the interrogator, after being labelled as only a militant, the suspect, with great consternation asked the interrogator himself whether he did not have the ability even to identify a DCM. The suspect in question turned out to be a recently “promoted” DCM of the PW operating in the area. Thus, the interrogation turned out to be a case of “reverse flattery” where the suspect’s ego was hurt for being identified as the lowest cadre of the organisation.*

8.4.3 Ask about possible excuses. These could be,

Provocation by the victim  
Recent stresses in life, emotional problems  
Childhood abuse  
Physical or mental handicaps  
Other Excuses for the crime.

8.4.4 The Value of Surprise. As far as possible, catch the suspect, by surprise. Be prepared to take advantage of any emergent situation that takes both you and the suspect by surprise. You have to think quicker than he does at all times.

8.4.5 Confrontation.  
Delay confrontation unless immediate massive confrontation has been planned. Collect a number of examples of contradictions in his statements made to you or to others and go over them carefully, one by one. Initially the subject may conjure up explanations fast but when he becomes fatigued, often he will acknowledge the truth.

## **9. *Approaches to interrogation***

9.1.1 Depending on the initial assessment made by the interrogator through information available from records and the subject's history as well as the sizing up process, the interrogator can then decide on the approach to be taken during interrogation. A variety of interrogative techniques are discussed by various authors, however, techniques differ in name (labels) only. An interrogator must also try only those that fit his own personality. While standard and detailed studies on interrogation techniques elaborate on several techniques, by and large, all the methods can be crystallized into following approaches:

9.1.2 *The narrative method* allows the subject to state the information in his or her own words as desired. That is ideal if the person is cooperative (obviously), articulate and does not come up with a mass of irrelevant information. The narrative is more often of use with a witness than with a victim or suspect.

9.1.3 *In the question-and-answer method*, the interrogator can limit the information presented to that which is pertinent. Two disadvantages of using this method are (1) it is time-consuming for the interrogator and, (2) it may suppress some valuable information that might have been volunteered had the narrative method been used.

9.1.4 A combination of the above two methods normally produces the best results. The person being questioned is first allowed to tell his or her story and then the interrogator elicits specific information previously omitted. This method or the question-and-answer method is of more use when taking a statement from an accused or a suspect.

9.1.5.1 *Psychological approach*. This approach is designed to focus on the thoughts and emotions of the suspect by emphasizing the moral aspects of the crime and thus attempting to bring about a realization that a wrong has been committed. One can

begin this type of interrogation by discussing the moral seriousness of the offence; by appealing to the suspect's civic-mindedness or to responsibilities of citizenship; or by emphasizing the effects of his or her acts on the suspect's family or close relatives. From this beginning, one can proceed to such matters as the sorrows and suffering of the victim and the victim's relatives and friends. Depending on the subject's vulnerability, he may tend to become emotional when discussing his parents; childhood associations; early moral and religious training; and persons held in very high esteem. This tendency is particularly true when a suspect is guilty of a crime that he or she feels violates the moral values that are associated with these people. The psychological approach is often successful with a young person and with a first time offender who has not had time to become a hardened criminal or to develop a thinking pattern typical of a hardened criminal.

*Case study 5: A young person (17 years) was suspected in a petty theft with the circumstantial evidence clearly pointing towards him. The skilled interrogator recognizing the sensitiveness of the boy and his close relationship with parents and their values worked upon him and within 10 minutes had a full story of the crime out in the open. A coercive or confrontationist approach would definitely have either prolonged the interrogation or forced the suspect into a denial.*

9.1.5.2 Great skill and patience is required in using this approach. The basic emotions and motivations most commonly associated with criminal acts are hate, fear, love, and desire for gain. By careful inquiry into the subject's thinking, feeling, and experience, one is likely to touch upon some basic weakness and thereby induce in the suspect a genuine desire to talk. An attempt to think along the same lines as the suspect can be made. It is important to assist the suspect to construct a "face saving" rationalization of the motives for committing the criminal act, and thereby make talking about the crime easier.

9.1.6 *Logic and reasoning.* The habitual criminal who feels no sense of wrongdoing in having committed a crime must be convinced that guilt can be easily established or is already established by testimony or available evidence. It should be pointed out to him the futility of denying guilt. He should be confronted at every turn with testimony and evidence to refute alibis, that his or her guilt is definitely a matter against which no lies will defend.

9.2.1 *Other techniques.* Should psychological, and logic and reasoning techniques appear inappropriate, or fail to produce results, techniques of a more subtle nature may be used. One should be careful not to jeopardize the success of further interrogative effort by disclosing to the suspect just how much or how little information has been obtained.

9.2.2 *The hypothetical story.* Relate a story of a fictitious crime that varies only in minute details from the offence that the subject is believed to have committed. After some time, the subject can be asked to write details of the crime that has been related. If guilty, the subject is likely to include details that are identical with the actual offence and

that were not mentioned in the fictitious crime. When confronted with this fact, he may be influenced to make an admission or confession or may be forced to lie some more to extricate himself from a difficult position.

9.2.2 *The "cold shoulder"*. The subject is summoned and the interrogators continue to go through motions of investigation without referring to each other or saying anything to the subject simply awaiting a reaction. This technique permits the suspect, if guilty, to surmise that you may have adequate evidence to prove guilt, and may induce him or her to make an admission or confession. If witnesses whose identities are known to the subject are available, they may be requested to walk past the crime scene without saying or doing anything to indicate to the subject that they are aware of his or her presence. This procedure serves to intensify the suggestion that the facts of guilt are already established. Similar is the 'dossier technique', where the interrogator sits with a fat file/folder in front of the subject, creating an impression that he has all the available material against the subject.

9.2.3 *Playing one suspect against another*. This technique may be used if more than one person is suspected of having been involved in the commission of a crime. One suspect is played against another by purposely encouraging the belief of one suspect that his accomplice in the crime is cooperating or has talked about the crime and has laid the blame on the suspect you are interrogating. The suspects normally are separated and are not allowed to communicate with each other. Periodically, they may be allowed to glimpse or to observe each other from a distance, preferably when one is doing something that the other may construe as cooperation and as prejudicial to the observer's interests. One suspect may be cordially treated, or even released while the other may be given the cold shoulder.

9.2.4 *Creating False Reality*: Creation of a false reality for suspects by limiting their ability to reason and to consider alternative options can force them into revealing facts that otherwise he would like to hide. Intentionally presenting only one side of the evidence or options available to suspects, namely only the ones that benefit the interrogator may lead the subject to accept the narrowed option. However caution must be exercised as the subject can be coerced into a false confession out of fear of the police and possible prosecution. The traditional 'good cop – bad cop' method also attempts to create an illusion within the subject that he can 'escape' a worse scenario by cooperating with the 'good cop'.

9.2.5 A popular technique described is called the Reid technique that elaborates nine steps of interrogation. The technique describes in various stages ways to overcome the defences of a recalcitrant subject.

Step 1 – The Direct, Positive Confrontation: Subject confronted for his knowledge or complicity in crime.

Step 2 – Theme Development: Using all available information including motive, theme of the crime is presented with the subject's culpability at the centre.

Step 3 – Handling Denials: Denials are presented with concrete evidence & information to the contrary.

Step 4 – Overcoming Objections: Objections are refuted through logic under weight of facts.

Step 5 – Procurement and Retention of a Suspect’s Attention: Interrogation is sustained through continued theme building with possible help of several interrogators.

Step 6 – Handling the Suspect’s Passive Mood: Subject is played upon psychologically and given options. Defences like rationalization, projection and minimization are used.

Step 7 – Presenting an Alternative Question: Building a model of the crime/situation enactment leaving no alternative for him but to state truth.

Step 8 – Having the Suspect Orally Relate Various Details of the Offence: Working on break-throughs to get fuller details.

Step 9 – Converting an Oral Confession into a Written Confession: If the subject is a suspect, converting the admission into a legally admissible form.

*Case study 6: A middle aged (45 years) suspect was picked up for having links with a fundamentalist jihadi organisation. Before he was picked up, the investigators had kept tab on his doings in great detail including visits to various areas, association with certain persons and transactions (including financial) with certain organisations. The interrogators had in their possession almost day to day record of his living for the past 6 months. Initially the suspect went into a full force denial, however, available evidence was presented to him at every turn and confrontation mounted through reasoning. Every alibi was refuted with logic. A theme was built upon where full details of his criminal activities were presented under weight of facts. Interrogation was sustained by alternate interrogators for 2 complete days giving the subject little rest. Even as logic and reasoning was applied, subtle psychological techniques including rationalization and minimization were used. With the persistent and sustained interrogation, glimmers of his involvement were widened to get fuller and complete details.*

## **10. Recognizing Deception**

10.1 The interrogator should try and identify the verbal, vocal, and non-verbal indicators of deception involved in interpersonal communication. These could include:

- Brief answers.
- Excessively detailed answers.
- Repeating the question.

- Rephrasing the question.
- Hesitation in answering.
- Memory problems.
- Qualified answers.
- References to honesty and religion.
- Softening terms of violence.
- Speaking in the third person.
- Over-politeness or irritability, short-lived anger.
- Above all, watch out for things that don't make sense.

## 11. *Common fallacies*

11.1.1 Contamination: Some interrogators inadvertently contaminate the process by relying on questions that contain crime scene data and investigative results. Inadvertently, the interrogator might, in fact, "educate" suspects by providing knowledge that suspects simply repeat in an effort to escape the intense interrogation pressure. As a result, suspects appear to offer a valid account of the crime.

11.1.2 To avoid contamination, interrogators should initiate the criminal involvement phase of questioning by using only open-ended questions, which avoid the pitfalls of leading or informing suspects. These questions begin with such phrases as "Describe for me...", "Tell me about..." and "Explain how..." These questions force the subject to commit to a version of events instead of simply agreeing with the interrogator; they also prevent disclosing investigative knowledge. Because suspects may provide a wealth of information in this free narrative form, open-ended questions make successful lying difficult. Even if the subject decides to lie, open-ended questions help interrogators because every lie forecloses avenues by which suspects may later try to defend themselves.

*Case study 7: A young boy around 20 years had been picked up on suspicion of having undergone training with a militant group. The suspicion had been aroused as the boy had been absent from home for 3/4 months and had informed his parents that he had been undergoing training with a uniformed force whereas enquiries had revealed that no such person existed on the rolls of that force. Prejudiced interrogators started interrogation with leading questions and an astounding story of a militant training camp where the boy had undergone training was built up. One question led to another and the boy led the interrogators on a garden path describing in detail his recruitment, training and his tasking. As the interrogating team themselves had helped (albeit unconsciously) build up the story, they had developed stakes in the interrogation conclusions, whereas even a cursory look by an objective outsider could make out that this story was highly ridiculous. Re-interrogation by different set of interrogators with open-ended questions exposing contradictions and using the psychological technique of rationalization came up with the true story. Under immense pressure of seeking employment, the boy had conjured up his story of recruitment by the uniformed force only to escape his parent's wrath.*

11.2 Interruptions/pre-judgment: Interrogators must receive answers to open-ended questions without any type of judgment, reaction, or interruption. By allowing suspects to tell their stories without interruption, interrogators fulfil the basic purpose of interrogation - that is to obtain information. Additionally, it commits the subject to a particular position, which may contain information that later becomes evidence of guilt or provides a connection to the crime, crime scene, or victim. The questioning process does not become contaminated when investigators initiate the interview with open-ended questions. After listening to the narrative responses to the open-ended question, interrogator can probe with additional open-ended questions and ask direct, closed questions later.

*Case study 8: The State police had identified after thorough interrogation, 2 persons as terrorists belonging to a dreaded Kashmiri terrorist outfit. They had confessed to a plan of assassinating the Chief Minister of J&K and his son, the then Union Minister. After being handed over to a central agency, the interrogators faced the suspect with an open mind. Starting with open-ended questions, the theme of their story was built up. Gross contradictions emerged. However, rather than exploring the contradictions at that time as that would have involved a confrontation between the State police interrogators and the interrogators of the central agency, the “cold shoulder” technique was employed. The interrogators went about discussing details of the conspiracy within themselves and the 2 suspects, after a time, were left alone in a room that was discreetly bugged. The recordings revealed the suspects discussing among themselves the contradictions in their story and possible ways of getting over it. The interrogation was continued on the next day and with patience and persistence, the contradictions were exposed. It turned out that the 2 persons were innocent with the story of their conspiracy built up through coercion, contamination and pre-judgement.*

## **12. Concluding the interrogation**

12.1 Occasionally, even an experienced interrogator with his vast repertoire of techniques, seems to reach a dead end. Before deciding to quit or hand over the subject to another interrogator – continue for another ten minutes.

12.2 This exercise in patience also needs to be concluded at the appropriate time. Taxing the subject with unnecessary or irrelevant questions, repeating the same questions, repeating the interrogation by another interrogator are all exercises that tire out the subject and destroy the rapport. It is also a fruitless exercise that wastes lot of time and reflects poorly on the professional ability of the law enforcing personnel. The time spent with the subject should be commensurate with the information gained.

12.3 While coming to an end of the process, the interrogator must review it in entirety and ensure:

- That he has completely ‘milked’ the subject and has not confined to a small admission. Guilty subjects seldom tell everything.

- Guilty subjects normally omit details that cast them in a harsh, critical light.
- Offenders usually confess to obtain a position they believe to be advantageous to them.

The same review is applicable for interrogating possible witnesses. The process should end with the interrogator getting every detail of the knowledge of the subject with regard to the crime.

### *13. A final word*

13.1 Even though the theory and practice of interrogation has been elaborated above, through ground rules, techniques and case studies, it can be safely assumed that at least half of the readers would be sceptical of “breaking” their suspects by these techniques. However, it is reiterated that in this era of professionalism and pride in the highest human values, as well as our obligations to the constitution, it is imperative for any police professional to approach the investigation of a criminal case from purely scientific outlook. At least a start towards this process can be made if unit officers could make following logistical/infrastructure changes in their set-ups.

- A dedicated interrogation team needs to be identified, say one per every Sub-Division, inclusion of the team members depending on the qualities mentioned earlier. Initially, two-person teams could be formed.
- A dedicated room (setting) sufficiently private secluded and without much disturbance needs to be identified.
- The team should be kept completely free of other work, whenever a case is handed over to the team for interrogation.
- The team should be guided only by one motive – to seek the truth. They should be provided with all background material of the case and the suspect, without pre-judgement.
- In case a supervisory interrogation is deemed necessary, it should follow scientific techniques that should either corroborate or contradict the primary interrogation teams’ conclusions without prejudice.
- Facility for audio taping of at least the key portions of the interrogation should be made available.
- If possible, a “watch over facility” (one way mirror, etc.) may be installed in the interrogation room for the teams’ convenience.

13.2: It is felt that the unit officers could review the functioning of such teams in 6 months after providing them with these basic logistical infrastructure facilities. The results gained thereof would themselves ensure that such teams get ingrained within the organisational set-up.

\* \* \*