



Interviewing and Interrogating

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The interview is a focused process of communication by which you gather information to assess the interviewee. It is a structured and purposeful method of getting to know another person. Any interview, regardless of the context in which it takes place, is designed to help the interviewer make decisions, usually about the interviewee (Is he or she suitable for the job, eligible for benefits, serious about this task, a good candidate for treatment?). Correctional workers spend a large portion of their time conducting interviews with offenders, victims, police officers, and many other people involved in some way with offenders' activities. Surveys of probation departments in Canada and the United Kingdom revealed that despite variations in political and structural contexts, interviewing and interpersonal skills were the most important skills for community corrections work (Braken, 2003). Thus, it is necessary that you become informed about the basic principles of effective interviewing.

Interrogation is also part of the correctional worker's task. Like interviewing, interrogating involves information gathering, but the focus is more sharply delimited. As Vessel (1998, p. 1) puts it: "Obtaining information that an individual does not want to provide constitutes the sole purpose of interrogation." You conduct an interrogation either to get an admission of guilt from a person or to eliminate that person from suspicion. The ability to conduct an effective interrogation is also a necessary part of your professional development.

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3.1 Purpose of the Criminal Justice Interview

3.1.1 The Offender

Interviewing offenders is a diagnostic tool that will enable you to arrive at a preliminary understanding of them and their problems and to recommend and implement effective treatment modalities. A well-conducted interview also is the first step in the counseling process if it creates an arena in which offenders can formulate an honest picture of their problems and if they gain an understanding of the motives and resources of the correctional worker.

As criminologist and prominent correctional administrator Paul Keve put it: “The most important step in the investigation process is the first interview with the defendant, and if you handle it skillfully, you not only have the basis for a truly competent report, but you also have gone a long way toward launching the treatment job that must develop later” (quoted in Hartman, 1978, p. 309). The implication is that the interview can be the beginning of the rehabilitative process or it can be merely a ritual in which uninterpreted demographic data is gathered and reported. The principles of interviewing are the same regardless of the specific purpose of the interview: preparing a presentence investigation report (PSI), meeting a newly assigned probationer or parolee, or conducting an intake interview for a new arrival at an institution.

To explain the interview process from beginning to end, it is useful to introduce an investigative interview model recommended for use to the British police and designed by psychologist Gisli Gudjonsson (1994). This model uses the mnemonic PEACE, which stands for:

- **P** = Prepare and plan
- **E** = Engage and explain
- **A** = Account
- **C** = Closure
- **E** = Evaluate

We will now elaborate on each of these stages of the model.

3.1.2 Prepare and Plan

3.1.2.1 The Physical Setting

The results of your interview probably will have a significant impact on the offender’s future. Due to the importance of this process, give the offender your undivided attention during the time you are together. Although the physical facilities in many criminal justice agencies may not be ideal, it is important that the interview setting be as private and free of distractions as possible. Instruct the administrative assistant to hold all nonemergency telephone calls, and display a “Do not disturb” sign on your office door. Some interruptions may be inevitable, but they must never be of the personal or frivolous kind. You must convey to offenders that this time belongs to them and that they are the only topic of importance to you during this period.

3.1.2.2 Familiarity with the Case

Before interviewing the offender, thoroughly familiarize yourself with the case materials obtained from police and prosecutor's files, as well as institutional records if the offender is on parole. Based on these materials, formulate the questions that you plan to ask. See a comprehensive semi-structured interview schedule used in probation and parole agencies nationwide in Chap. 5. This is an excellent tool for the beginning interviewer because it covers everything of importance for interviewing a typical offender.

While the schedule begins by asking questions regarding offenders' attitudes toward the offense and offense patterns, questions pertinent to the crime and to offenders' criminal history are best left until last because these are the questions most likely to threaten the offenders and may require the use of interrogation rather than interviewing techniques (Navarro, 2003). Offenders will answer questions about the offense and about any prior offenses more easily after you establish a friendly rapport, and they feel less threatened by the situation in which they find themselves.

Most probation departments use an intake form, which the offender fills out prior to meeting the probation officer. This form should request basic demographic data such as name, place and date of birth, current address and telephone number, names and addresses of family members and places of work, schools attended, and the offender's financial situation. It also should ask offenders for pertinent medical information and a recitation of prior involvement with the law and should include a section that asks them to write out their version of the offense.

The use of such a form serves a number of functions:

1. It gives structure to the interview.
2. It sensitizes the offender to the type of questions you will be asking in more detail.
3. It provides the offender with an opportunity to decide in private if he or she is going to be honest with you.
4. It gives you the opportunity to determine if the offender indeed has been honest with you by checking the written statement against "the record."
5. It gives you some insight into the offender's level of communication skills.
6. It minimizes the recording of factual information (age, phone numbers, addresses, and so on) during the interview, which would detract from its smooth flow. A discussion of a typical social history questionnaire is included in Chap. 5, and an example is included in Appendix A.

3.1.3 Engage and Explain

3.1.3.1 Initiating the Interview

A criminal justice offender's first contact with a community corrections agency is usually the result of a referral to a probation department for a presentence investigation report (PSI) after being found guilty of a crime or having pled guilty to one. Because the PSI interview is perhaps the most important interview the offender will

experience, we will assume in the following discussion that we are conducting such an interview. Given the circumstances of the PSI referral, it is necessary to realize that the offender probably will view it as punitive rather than as an opportunity to receive help and guidance. In light of the involuntary nature of the offender's presence and in light of the offender's possible mistrust and disregard for authority, it is particularly important that the interview get off to a good start.

3.1.3.2 Meeting the Offender: Respect and Rapport

Your first contact with the offender is crucial. The offender may be anxious and nervous, and you should convey your respect and concern. First impressions certainly will color much of what will follow between you and the offender. It is essential, then, that you establish positive rapport at this time. Greet the offender by looking him or her straight in the eyes and offering a smile and a firm handshake.

First names should not be used at the first meeting, especially with older offenders. Traditionally, the superordinate individual addressed the subordinate individual by first name, whereas the person in the inferior position was expected to use the presumed superior's full title and last name. This convention, designed to emphasize social distance, is something you definitely wish to avoid. However, you should establish a more informal first-name relationship as soon as you perceive that the offender is amenable to it. Your initial greeting should be something like, "Good morning Mr. Smith. My name is Joyce Williams and I will be your probation officer." If you do not put the offender at ease, the nonverbal behavior he or she demonstrates (fidgeting, feet jiggling, sitting tensely, and so forth) may lead you to view it as signs of deception when, in fact, it may be simple nervousness (Navarro, 2003).

You now have introduced yourself and your role. Although your offenders may be troubled individuals, whom you are seeing because they have committed some crime for which they may be deeply ashamed, there must not be any hint of a patronizing, condescending, or judgmental attitude in either your voice or your nonverbal behavior. You may have extremely negative feelings about the type of behavior that has brought the offender to you. Any attempts to deny to yourself that your offender's behavior elicits those feelings in you will result in an artificial, stilted, and unproductive interview. Instead, acknowledge to yourself that these feelings exist and that they are normal and expected. However, also recognize that the expression of those feelings in a professional, goal-oriented setting is inappropriate. If you reveal your anger or embarrassment, even subtly or unconsciously, the offender will pick up on your cues and perhaps respond with his or her own anger and/or embarrassment.

Negative emotions, either yours or the offender's, are not conducive to an effective interview. Professional recognition and control of personal feelings rather than denial and repression of them is a goal for which you should strive.

Early in the probation career of one of your authors (Walsh), he had a female offender whose appearance and crime had a very negative effect on him. She had paid a number of neighborhood boys to have sex with her over a period of several months. Although he struggled to rid himself of the sexist attitudes acquired through socialization, he could not free himself of the notion that women simply "were not

supposed to act that way.” Consequently, he perceived her crime as much more detestable than he would have if she had been a man convicted of similar behavior. Furthermore, when he met her, she had a body odor too strong to ignore.

He tried hard to respond positively to her, but, on later reflection, he realized how completely artificial he must have seemed to her. He ran through the interview and approached the embarrassing (both to her and to himself) question of her offense with insensitivity. In other words, he let his attitudes and feelings about the offender obscure her basic humanity. The interview was a simple ritual. She was placed on his probation caseload, but their relationship never did manage to overcome that disastrous first encounter. First impressions are indeed vital! He learned a lot about himself and his attitudes through that encounter and tried hard to not make the same mistake again.

His experience with this woman underscores the desirability of examining your attitudes and prejudices relating to various kinds of people and their behavior before ever dealing with them in a field situation. Treat each person as a unique individual, not as a member of some larger group from whom you expect or do not expect certain ways of behaving. A colleague had a saying on her office wall, which she said she read at the beginning of every day: “There is so much good in the worst of us, and so much bad in the best of us, that it ill behooves any one of us to find any fault with the rest of us.”

3.1.3.3 Explaining the Purpose of the Interview

The actual interview should begin by asking the offender if he or she knows the purpose of the interview. If an offender does not know—and many do not—then you should fully explain the purpose. You should inform the offender of the type of information you wish to obtain, its use, and who will have access to it. Although an explanation of the uses to which a PSI report will be put (to aid in sentencing decisions, and, if the offender is incarcerated, in prison classification and parole hearings) can raise the anxiety level of an offender, the offender will appreciate the honesty.

It is a good idea at this point to ask offenders if they understand what they have been told so far and if they have any questions. It is very important, however, not to respond with any opinion to such questions as “What do you think I’ll get?” or “What are my chances?”. Remember, you do not make the final sentencing decision, and you do not wish to raise false hopes or to generate needless anxiety. If you tell an offender that you are “sure” he or she will receive probation and the offender is incarcerated instead, that person surely will feel bitter and betrayed. One such incident may have a lasting negative affect on any subsequent dealings that offender may have with you or with any other correctional worker. Conversely, if you tell an offender that he or she is as good as on the bus to prison but the offender actually is placed on probation, his or her attitude toward you could be one of smug contempt: “The judge didn’t buy your recommendation. Just goes to show how valuable your opinion is, doesn’t it?”

Some authorities disagree on this point, feeling that if incarceration seems probable, it is a humanitarian gesture to prepare the offender for it. This is rather like the

physician's dilemma when asked: "How long have I got?" An honest appraisal in either case, so the argument goes, gives the individual the opportunity to prepare for it by saying goodbyes and putting personal affairs in order. However, in the case of an offender who is told that he or she will probably be sent to prison, the goodbyes may well be out of the jurisdiction of your state. If you do offer the offender an opinion that turns out to be wrong or if it leads the offender to abscond, you have only yourself to blame for the consequences. Instead, politely reply that you do not engage in second-guessing judges and that it is not your place to speculate. You now are ready to begin the interview proper.

3.1.4 Account

3.1.4.1 The Interviewer's Language and Demeanor

The account stage begins the actual interview with the offender in which he or she responds to your questions. If you are using an offender intake form, the interview is to clarify and elaborate on the information the offender has written down. When questioning an offender, you are making contact with another human being. Gear your questions both to the offender's vocabulary and to his or her pace. Avoid legalistic or sociological jargon, street slang, and "ten-dollar words." The use of fancy terminology will embarrass the offender whose vocabulary is limited and will not impress a person who is as articulate as you are. Either way, it will distance the offender from you. Similarly, the use of street slang is unprofessional. It will give the offender the idea that you are either patronizing or playing buddy-buddy. Use conventional and easily understandable language. Just as importantly, do not adopt street mannerisms such as an artificially laid-back posture or fist bumps. Do not say or do anything that is artificial to you; it will be blatantly visible to those who may be used to being treated dishonestly.

3.1.4.2 The Use of Authority

A final concern is the officer's proper use of authority. Experts in the counseling field disagree on the issue of whether the use, or even the possession, of authority is detrimental to the helping process. Authority and helping can be incompatible, however, if you use and abuse it to emphasize the moral distance between you and your offender and to puff yourself up with your own importance. The pretentious "big stick" approach only will alienate offenders. They immediately will type you as "just another cop in social workers' threads" and will scoff at your insistence that you only want to "help" them.

Yet, authority comes with the job and you cannot deny it. Offenders will view your failure to use your authority, when appropriate, as weakness. Many offenders value strength and are adept at manipulating perceived weakness. Like feelings, officers' authority must be recognized and accepted but used with professional restraint. The accouterments of force, such as guns or handcuffs, should not be on display at the first meeting with the offender.

3.1.4.3 Dealing with Awkward Offenders

Some offenders will be fearful or angry and thus will act with hostility or refuse to answer certain questions. They may be trying to maintain a sense of dignity and control in the only way they know. When such an attitude becomes apparent, do not continue with the interview as if you hoped that ignoring it would make it go away. Say something such as: “Mr. Jones, I know that this is unpleasant for you and that you must be feeling a little uptight. It’s quite natural for you to feel that way. Lots of people do. Why don’t we agree to be civil to one another? What do you say?” This lets Mr. Jones know that you are aware of his feelings, that others have felt that way, that you accept his feelings as natural, and that you are willing to start over again on a new footing.

In those rare instances when offenders continue to refuse to answer questions or when they continue to respond in a sarcastic, rude, or abrupt manner, let them know in no uncertain terms that this type of attitude is simply unacceptable. Inform them that if they continue in such a way, then you will terminate the interview and that it will be necessary for them to return to your office to try again after they have rethought their approach. You also may indicate that you will convey such an attitude to the sentencing judge if it continues. If this tactic does not work, try a phone call to the offender’s attorney outlining the problem. This never fails to bring about a change in the offender’s demeanor.

Most often, however, offenders are anxious to be cooperative and to convey a positive impression during the initial interview. They are feeling you out just as surely as you are feeling them out. Most offenders are aware that their attitudes will be reported to the judge and that they may influence your recommendation. Reluctance and uncooperativeness are much more common among offenders under actual supervision than they are prior to formal supervision. The presentence investigator and the parole board usually see offenders at their best. It is the supervising probation and parole officers who are most frequently confronted with uncooperative offenders. For this reason, it is of the utmost importance that you lay the groundwork for the development of a trusting relationship at the initial interview, a period in which the offender’s frame of mind is most conducive to it. (The problem of the reluctant offender is addressed in more detail in Chap. 8).

Regardless of the offenders’ level of cooperation, their overall demeanor will provide valuable clues for your assessment. Someone who comes to the interview smelling of alcohol or under the influence of drugs is not taking the process very seriously and obviously will be difficult to supervise if placed on probation. A servile or arrogant manner also will provide clues to character assessment and possible supervision strategies.

These initial observations will assist you in designing a preliminary plan of treatment and will help you to decide if a referral to specialized treatment is in order. When you decide a referral is advisable, discuss the matter with the offender and explain your reasoning. Do not antagonize offenders or put them on the defensive by flatly stating that they have a problem. Try to steer offenders toward that conclusion themselves by asking them how the problem you perceive them as having affects their relationships with others and how they would feel if they could find

support in controlling the problem. You then may discuss the services provided by the agency in question and the benefits they may derive from talking with a counselor there. Remember, the initial interview is positively your best opportunity to get your foot in the door to obtain offenders' cooperation and compliance.

3.1.5 Closure

The interview should be terminated in a planned way so that the offender can anticipate it rather than ending it in an abrupt way. At the end of the interview, summarize with the offender everything that you talked about during it. Your summary provides the opportunity to determine if anything important has been overlooked and gives the offender the chance to change, clarify, or add to the information he or she has provided. Ask offenders if they have anything to add or anything else to ask. If not, you may conclude the interview, shake the offenders' hand, inform them what will happen next in the sentencing process, state that you will be in touch in the near future, and then walk them to the door.

3.1.6 Evaluate

Once you return to your office, immediately go over your notes, and write down additional impressions while they are fresh in your mind. Like dreams, we start forgetting specific details from interviews soon after they end. Review what went on in the interview within the context of the legal case against the defendant, and determine what, if any, collateral interviews will be necessary.

3.2 Techniques of Interviewing

The goal of interviewing is to gather information given voluntarily. It is not as difficult as you may think to obtain voluntary information from offenders. Most people like nothing better than to talk about themselves and share their story. Even reluctant, angry, or embarrassed offenders probably will succumb to the temptation to talk if they perceive that you are genuinely interested in them. For this reason, the development of genuineness, caring, and empathy is essential. Too much emphasis on technique detracts from the humanness of the interviewing process and can be painfully transparent if not developed properly in a training situation. This does not mean that techniques are not valuable; they are extremely valuable. This section discusses some of the techniques used by skilled interviewers.

3.2.1 Active Listening

The most valuable of these techniques is active listening. Active listening (the opposite of passive listening) is the key to effective communication. Active listening is different from hearing (or passive listening), which is simply the physiological registering of sound not requiring any intellectual effort on the part of the receiver (Gorden, 1992, p. 82). Active listening means paying complete attention (intellectually focusing on the sounds) to the information being offered by the offender and conveying your attention to the offender in verbal and nonverbal ways.

In other words, you must make a conscious decision to attend to the speaker. People want to be listened to and always have. Note the plea from the biblical Job: "Listen to me, but do listen, and let that be the comfort you offer me; bear with me while I have my say." Note also that Job is saying that simply to be listened to is to be offered comfort.

Maintaining eye contact communicates to the offender that you are actively listening. In addition to conveying interest, eye contact enables you to observe the offender's nonverbal responses to uncomfortable questions. When does the offender avert his or her eyes, and when does he or she flush, smile, or sneer? You cannot determine this if you are not watching. There are, however, certain subcultural differences attached to the meaning of eye contact. Middle-class people tend to view frequent eye contact as a sign of honesty and the averting of the eyes as indicative of furtiveness. In some American Indian cultures, individuals are taught that it is impolite to gaze directly at someone else. Additionally, inner-city residents often feel that too much eye contact is a nonverbal challenge, so it may provoke hostility. Be very careful that your efforts to maintain eye contact do not inadvertently turn into an attempt to stare down the offender.

When you are listening to the offender, you should be sitting about two arm lengths apart. If possible, do not have a desk or other physical objects between you. Maintain a slightly forward-leaning posture. Leaning forward at certain points during the interview conveys an intensification of interest. Do not get so close to offenders that you are invading their personal space; this will make them feel uncomfortable.

It is all too easy to convey unintended messages of a sexual nature this way. One of the authors (Walsh) once had a female offender who started to cry during the PSI interview. He offered her a tissue and placed a comforting hand on hers. She took immediate advantage of this gesture of sympathy to grasp his hand and say: "I'll do anything to get out of this." This obvious sexual invitation was disquieting. Offenders who make such offers expect something in return (a favorable sentencing recommendation, easy supervision conditions, a blind eye to certain violations, and so forth). Had he succumbed to her invitation, he may well have found himself paying the \$700 in restitution she owed, violated his professional code of ethics, and, not the least, opened himself to a criminal charge. You must be very careful that your behavior is not open to this kind of misinterpretation.

3.2.2 Be Alert and Flexible

Evaluating responses to questions requires active listening, and active listening requires a lot of practice. Some people are easy to listen to and some are difficult. Prejudices and biases on the part of the officer will interfere with actively listening to the offender, as will poor communication skills on the part of the offender. When either of these conditions is present, it is especially important to make an extra effort to listen to what the offender is saying. Active listening requires much alertness and flexibility. Be especially alert to any recurring thoughts or concepts that the offender presents, and mentally flag them so that you can raise them later for deeper discussion. Be flexible enough to deal with issues as the offender presents them. If you insist only on dealing with topics when you are ready to discuss them, you may miss some vital information because offenders may no longer feel as disposed to discuss these issues as they were at the time they first broached them. In short, active listening implies what psychologist Theodor Reik (1956) calls “listening with the third ear.” This does not require the mere auditory recording of the offender’s actual words so much as listening to what he or she is trying to tell you.

Offenders may be telling you things that they have no conscious intention of revealing. Does the offender reveal self-centeredness by the overuse of personal pronouns? Does the offender reveal overdependence or a lack of responsibility by constantly blaming others for every little misfortune? Does the offender bemoan his or her sins as vigorously as they are committed, thus perhaps revealing false remorse? What do the adjectives the offender uses to describe significant others reveal about the state of his or her interpersonal relationships? What type of defense mechanisms (to be discussed later), such as rationalization, projection, and displacement, does the offender use to distort reality?

This third-ear listening will tell you a lot more about the offender than face value responses of the “what he did to me and what I said to her” type. However, you must refrain from playing Dr. Freud by reading too much into nonspecific responses at this stage. You simply do not yet have sufficient knowledge of the offender to make unsupported speculations in a report that has so much importance to his or her future. Third-ear insights should be noted for your future use, but they should not be relayed to the sentencing judge as facts. When you begin to develop an empathetic understanding of the offender and when a positive relationship has formed between you, then you may broach such issues. Of course, if you perceive something about an offender’s responses that has direct applicability to the present offense (such as rationalizing or intellectualizing about the crime) and that has implications for sentencing and supervision, such responses should be explored with the offender immediately.

3.2.3 Questioning and Probing

Although the purpose of the interview is to listen to what the offender has to say, your job is to guide the communication toward relevant topics. You are interested in

gathering information about offenders' backgrounds and lifestyles, about their attitudes toward the offense, and about concerns and problems that may have led to it. To get this information, you have to ask questions. As Colwell, Hiscock, and Memon (Colwell, Hiscock, & Memon, 2002, p. 289) advise as to the progress of the interview: "The steps of the interview begin with the most open, least leading forms of questioning, and then progress to more specific questioning as circumstances require. The initial goal is to provide the offender every opportunity to give a free narrative account before more specific questions are used. After the free narrative is provided, the participant [the offender] is prompted to elaborate on details mentioned in the narrative through the introduction of open-ended questions."

We will discuss two types of questions here: *open* and *closed*. According to Ivey (1983):

Open questions are those that can't be answered in a few short words. They encourage others to talk and provide you with maximum information. Closed questions can be answered in a few short words or sentences. They have the advantage of focusing the interview and obtaining information, but the burden of talk remains with the interviewer. (p. 41)

Offenders often will be unwilling to explore their personal lives and feelings with you. It is rare, however, that they outright will refuse to answer your questions. With reluctant offenders, it is necessary to encourage sharing through the use of probes. Probes are indirect open-ended questions that encourage the offender to explore some point to which he or she has alluded. Probes are verbal tactics for prompting offenders to talk about themselves and to share their thoughts, feelings, and concerns with you in a specific and concrete way.

For example, if Debbie indicates to you that her marriage is an unhappy one and that she "wants out," do not be content with that information. Explore. Say something such as "So you feel terrible about your marriage and feel trapped. About what do you feel worst?" You are encouraging Debbie to clarify her general statement by relating specific and concrete instances that give rise to her generalized feelings of dissatisfaction. Your probing may give Debbie the first real opportunity she has ever had to really explore and vent her feelings with regard to her marriage. Furthermore, Debbie's trouble with the law may be a direct or indirect consequence of her poor marital relationship. If this turns out to be the case, you will have discovered a starting point for your later counseling sessions with her if she is placed on probation.

Probing questions should be open-ended, meaning that they cannot be answered by a simple yes or no. Questions should be of the type: "Now that you know what the problem is between you and your husband, what do you plan to do about it?" They should not be of the type: "Now that you know what the problem is between you and your husband, do you plan to do anything about it?" A response of yes or no to this question will lead to further questions, giving Debbie the impression that she is being grilled. Using open-ended questions reduces the number of questions you ask and gives the offender some sense of control.

It obviously is desirable in some cases to use closed questions, which require simple answers, such as "What was the last school you attended?" Closed questions

probably will be used most often in your follow-up to offender responses to open questions and in dealing with factual information such as whether an offender is married. Closed questions sometimes have to be used when open-ended questions would be preferable, such as when working with adolescents and with developmentally stunted offenders who verbalize poorly. Sometimes you will run into street-wise offenders who make it a practice of not volunteering any information that is not specifically requested, which means that to get the information you want, you will have to rephrase your open question as a closed one. You never should stop trying, however, to get the offender to speak freely about himself or herself by using open questions.

Regardless of the type of question used, you should not rush offenders by throwing questions at them in rapid succession. Your tone of voice and rate of speech indicate clearly how you feel about another person and whether you really have been listening to previous replies. Think of the many ways that you can say “I’m really interested in you.” Give offenders ample time to think through their answers to your questions. Do not be embarrassed by silence or attempt to fill it in with small talk. The offenders may be groping for ideas during such breaks in the conversation, and small talk will interrupt the flow of thought. If the silence becomes overly long, continue the interview by asking the offenders to tell you more about the last point you covered. Do not attempt to break the silence by putting words into their mouths. They may grasp at your idea and agree with it in an effort to please you or to avoid saying what was really on their mind. Either way, you will be recording and evaluating offenders’ response as theirs when they are actually your own. “A good criminal justice interview permits silence” (Alexander, 2000, p. 103).

3.2.4 Resist the Temptation to Interrupt

Have you ever noticed while conversing with someone that instead of truly attending to what the other person is saying, you were thinking of the next thing you wanted to say or that you interrupted that person in midsentence? Have you ever noticed how annoying this can be when others do it to you and how it causes you to lose your train of thought? When you are interviewing an offender, you are not engaged in a debate in which your objective is to score points.

It is all too easy to interrupt offenders when you perceive their verbal responses to your inquiries to be off the track. Do not let yourself become irritated and impatient with offenders’ digressions. They may be approaching the topic you brought up in the most direct way they know how. There are limits, of course, to the amount of digression that you may tolerate, but an interruption made too soon may prevent the emergence of significant information. Some people simply need more time to arrive at their destination. Although side excursions can be time-consuming, a little extra time allowed during the initial interview actually can conserve time when you are attempting to establish a working relationship with an offender.

3.2.5 Keeping the Offender in the Foreground

Give the offender the lion's share of the "air time" during the interview. Unfortunately, in probation interviews, probation officers outtalk offenders in terms of word count by about three to one (Clark, 2007). This is exactly the opposite of how it should be. Goyer, Redding, and Rickey (Goyer, Redding, & Rickey, 1968) have suggested that if you find yourself talking uninterruptedly for as little as 2 min during an interview, you are failing to get through to the offender. It follows that it is a good idea to reduce interviewer talk time as much as possible. After all, we have agreed that the time is theirs. You must resist the temptation to thrust your opinions and advice onto offenders and talk them into a coma. Many offenders will be only too happy to allow the interviewer to babble on as a tactic to avoid exploring their own problems. Talk only when necessary to elicit information or to refocus or channel the interview in fruitful directions.

3.2.6 Some Further Impediments to Active Listening

You should guard against certain other impediments to active listening. These are daydreaming, detouring, arguing, and rehearsing. We all are guilty of each of these errors at one time or another. It is important in your chosen field to be aware of them and to take steps to reorient yourself to the content of offenders' communication when you perceive yourself to be drifting away from it.

Daydreaming occurs when you are bored with what you are hearing or when you have pressing needs unrelated to the present concerns. You may veer off on your own personal track and leave the offender behind, forgetting that the interview time belongs to the offender. You must never daydream during offender interviews. It soon becomes apparent to the offender that you are not interested in his or her problems, and you will experience failure in your efforts to establish a positive relationship. Frequent daydreamers are out of touch with their present reality. They fail in many tasks because they focus more on a future "could be" than on what is actually going on now.

Detouring occurs when some piece of communicated information reminds you of something not immediately relevant. You then may tend to let your thoughts wander off on tangents, coming back now and again to touch the actual line of communication. By the time your thoughts again make contact with the offender's, you never can be sure that the track you are on accurately corresponds to the offender's track. Most of the time, it will not. Whether on the highway or in an interview, detours can get you lost. Frequent detourers are inclined to be scatterbrained; they have difficulty focusing on the problem at hand.

Arguing occurs when an offender makes a statement that irritates you in some fashion and you cut off the offender's line of communication to present your opinions. You are forgetting that it is the offender's opinion and not yours that is the present concern. Allow offenders to express and explore their feelings fully without debating them. Do not argue with offenders, either by actually voicing your

opinions or just by debating the offender in your mind. Arguers tend to be either self-righteous or contentious individuals who are overly concerned with their own viewpoints.

Rehearsing occurs when, instead of continuing to attend to the offender, you pause to consider how you will respond to an earlier statement. Rehearsers tend to be either unsure of themselves or perfectionists. They feel that responses are never adequate if they are not well formulated before delivery. They seek just the right word or example to make a point. The trouble is that, while you are thinking of that “perfect” response, you will have missed what else the offender says, including things that might make your response irrelevant.

Regardless of counseling orientation or the purposes of an interview, the most crucial skill of all is listening. Listening is the prerequisite for all other skills. After all, if you have not really listened to what the offender has been saying, you cannot formulate meaningful follow-up questions, you cannot develop rapport, you cannot even begin to understand the offender, and your assessment will be sloppy at best. Poor listening will frustrate and alienate offenders, and you may become part of their problem rather than part of the solution.

3.2.7 Responding: Guiding the Offender’s Disclosure

No matter how hard you have been listening, it often is necessary to verify an offender’s message so that you do not jump to wrong conclusions. When you perceive a response to be somewhat ambiguous, you should ask for clarification. Clarification involves a question of the type “Are you saying that ...?” or “Do you mean that ...?”. Your request for clarification gives the offender the opportunity to confirm your understanding. Paraphrasing, a simple restatement of the offender’s message in your own words is similar to clarification. Paraphrasing is used to restate a message with factual content, such as a description of a person, place, event, or situation, to clarify the message, to let offenders know that you have been attending, and to encourage them to focus on the content more deeply.

In contrast, reflection is a rephrasing of the emotional content of the offender’s message. Reflection is useful when you want to identify the offender’s feelings about the factual message presented to you. People do not always express feelings verbally but may be identified by nonverbal cues such as rigid body posture, reddening of the face, pursed lips, tone of voice, and so forth. The purpose of reflection is to help offenders to become fully aware of their feelings and to encourage them to explore them.

A hypothetical dialog illustrates these techniques. A 30-year-old single mother of three children, Roxy, has been found guilty of child endangering. Her oldest son, Jason, age 9, was hospitalized with a broken arm. A physical examination revealed that he frequently had been physically abused. You ask her to explain why she abuses Jason. Some possible interviewer responses follow her reply. Try to think of some of your own replies by imagining what it would be like in Roxy’s shoes.

Offender: I don't really know why I do these things to Jason. I do love him. I'd do anything to change things. I'm not proud of what I did. He's a beautiful boy. I guess I just get so frustrated having to bring three children up on what the child support pays you. You know, it's no easy task trying to raise three kids. I can't get work because the kids are all so young. I just sit at home thinking about the future. I find myself drinking more heavily as time goes on. All that sitting and drinking hasn't done much for my figure. I weigh about 230 right now. Who would want to hire a slob like me? If only I could get a job I know things would be better for us all.

Interviewer [Clarification]: Are you saying that one of the hardest things facing you right now is your inability to get work, which would enable you to make a better life for yourself and your children? Do you mean that your situation leads you to do these things to Jason?

Interviewer [Paraphrase]: You love Jason, but your responsibility for raising your family by yourself is very difficult for you. You are having a tough time of it.

Interviewer [Reflection]: You feel frustrated and angry about your inability to take care of your children as you would like. You feel terribly guilty about doing what you did to Jason. You feel embarrassed about your weight.

3.3 The Victim

A growing, but long-overdue, awareness of the victim as the “forgotten party” in the criminal justice system has prompted a number of states to require that victims have a more active role in the sentencing process. For instance, most states require that a “victim-impact statement” be included in each PSI and that the judge must consider statements contained in the victim-impact statement when making the sentencing decision. This requirement demands something more than the perfunctory telephone call to ascertain financial losses that used to be the norm. A telephone call will suffice, however, when the victim in a case of theft, burglary, or forgery is a business establishment (where no one individual has been personally victimized) and you merely wish to determine restitution figures.

In the case of personal victimization, however, victims should be given the courtesy of a face-to-face meeting with you. Both you and the victim can benefit from such an interview. You gather information that will help you to evaluate the offender; the victim can receive assurances of safety and a feeling that he or she has not been forgotten or ignored by the criminal justice system.

3.3.1 Interviewing the Victim: Preparation

With the ascent of the restorative justice philosophy in criminal justice, a concern for victims' needs and feelings finally has emerged. Victims' input in plea bargain negotiations and sentencing and parole hearings may restore some of the confidence they may have lost in the criminal justice system and also may restore some sense of control over their lives. Remember, under the philosophy of restorative justice, the victim is also your client, and you should do everything you can to make this component of the philosophy as meaningful and successful as possible.

Your first approach to the victim should be a phone call to make an appointment. Explain the reason for your wish to meet personally with the victim and set up a time at his or her convenience. To relieve victims of any further inconvenience and as a courtesy, the meeting should take place in the victim's home unless he or she wishes otherwise. When you meet with the victim, identify yourself as an officer of the court by presenting your credentials. You then may go over the purpose of the interview again. Some victims welcome the opportunity to speak about the crime again in the informal and familiar setting of their own homes, but for others, it is a nuisance that they rather would avoid. Let the victim know that your presence indicates the concerns the legal system has about their experience and that it is an opportunity to have some input into the sentencing process. This assurance tends to ease some of the pain and anger of all except the most cynical, and it returns a sense of control to those victims who feel that they have lost much of it by their victimization.

Criminal victimization is an intensely negative experience. Even if the crime is a nonviolent one in which the victim never had to confront the offender, the experience can leave a person with feelings of complete helplessness and violation. These feelings quite naturally tend to generate anger and a certain measure of self-blame, especially among victims of sexual assault. The typical experience of the victim as the case progresses through the courts sometimes involves interminable delays and postponements, which do nothing to mitigate these feelings.

The victim may displace some of that anger and self-blame onto the presentence investigator. Be prepared to encounter such a natural reaction and deal with it in a sensitive manner. Your most trying experiences in the field may be to conduct interviews with parents who have lost a child to a drunken driver or with relatives of loved ones who have been brutally raped or murdered. Extreme sensitivity and understanding are absolute musts in such instances. In no case should you imply sympathy for the offender or make any suggestion that the victim may have contributed to his or her own victimization even if you think it, and never argue with a victim or the victim's survivors. Investigators should possess a self-concept strong enough to allow victims or their survivors to vent their anger on them without retaliation.

3.3.2 When Not to Interview

The matter of interviewing child victims of sexual abuse is entirely different. Avoid any contact with such victims. It is not merely uncomfortable for a child to recount the episode; it may add to the psychological damage the child suffers. Henry Hartman, a criminal psychiatrist with many years of experience, puts it this way: "Intense emotional reactions on the part of the parents, repeated questioning by police, unpleasant appearances and cross-examination in courtrooms may all be as traumatic or even more traumatic than the offense itself" (Hartman, 1978, p. 217).

There is no point in risking further trauma for the sake of a little additional insight into the offense. There are children who, even after long-term sexual

victimization by adults, have suffered no ill effects until the relationships were discovered and the children subjected to responses like those Hartman names. Such social reactions lead children to believe that much or all of the blame for what transpired belongs to them. Certainly, it does not, and the investigating officer should not call up the child's residual feelings of guilt and shame in the pursuit of a "complete" PSI. Instead, you should interview parents or guardians of the children and allow them to discuss the effects of the offense on their children.

3.3.3 Conducting the Interview: Asking for Details of the Offense

It is not advisable to request the details of the offense from victims in all cases. They have already recounted them numerous times to other officials, and the retelling may be quite painful for them. However, offer them the opportunity to speak about the offense if they desire to do so. Say something like "I know this has been an awful experience for you and you would probably like to forget it, but is there anything at all that you would like to add that you didn't tell the police or the prosecutor?" In posing the question this way, you have conveyed to the victim your recognition of his or her ordeal, and you have given the victim the option of elaborating. The decision must be entirely the victim's, and the officer should not press the issue in the face of obvious reluctance.

3.4 Reassuring the Victim

One of the things that crime victims need most is reassurance of their safety. Many victims fear retaliation or worry that a burglar will come back. In one author's experience as a police officer and as a probation officer, he has never known perpetrators to retaliate against the victim after the case had been adjudicated or a burglar to hit the same house twice. This is not to say that such things do not happen, but they are extremely rare. Make a clear statement to this effect to frightened victims. In the event that the victim and offender are known to each other, you even may indicate that in the event that the perpetrator is placed on probation, you will make it a condition of probation that he or she is to have no contact of any sort with the victim. Victims need to hear such reassurances.

3.4.1 Promises to the Victim

It is important that you not make any promises to the victim that you cannot keep or make statements regarding the defendant's probable sentence. Some states have made provisions for victims to have input into the sentencing of those who have offended against them. If your state has a statutory provision for a victim's recommendation for sentencing, you, of course, should request one. Whether these

recommendations actually have an impact on sentencing decisions is a question that has not been settled.

One study found a statistically significant relationship between victim's recommendations and sentences imposed in sexual assault cases, but the relationship disappeared when the researcher controlled for the effects of seriousness of crime and the offender's prior record (Walsh, 1986). More recent research has yielded mixed results. Some studies have found that the inclusion of victim recommendations increases sentence severity, while others concluded the recommendations had little or no impact (Englebrecht & Chavez, 2014). Whatever the case may be, do not lead the victim into the belief that his or her recommendation necessarily will be heeded. Be as honest with victims as you are with offenders. Do not risk victims' future anger and disrespect for the sake of their momentary peace of mind and satisfaction. Specific questions that you should ask the victim are listed in Chap. 4 on the PSI report.

3.4.2 Terminating the Interview

Terminate the interview with victims by reiterating your assurances and thanking them for their cooperation. Give victims your card and tell them that they are welcome to call you with further concerns at any time in the future. The victims may view this invitation as a further indication that they are not the forgotten party in the criminal justice process. Finally, if it is not the practice of the prosecutor's office in your jurisdiction to apprise victims of sentencing dates, tell victims that you will notify them personally. At the very least, inform the victim of the final disposition of the case.

3.5 Interrogating the Offender

Many jurisdictions legally define their probation and parole officers as law enforcement officers. As a law enforcement officer, you are responsible for monitoring the behavior of offenders. When offenders break the law or violate some condition of their supervision—or are suspected of doing so—it is your duty to question them. As you will see, your questioning under such circumstances will require a different strategy from that used in interviewing. This type of questioning is interrogation.

To those who enter the community corrections field with the notion that their only role is that of a helper, this definition is sometimes distasteful, probably because they associate interrogation with the third-degree tactics of the past. Do not lose sight of the fact that you are functioning both as a law enforcement officer and as a counselor, but those two roles do not necessarily conflict. As a law enforcement officer, you sometimes may have to use the techniques of interrogation. For instance, you may need to learn the truth about acts committed by offenders that place them in violation of their probation or parole. Offenders do not readily admit to

violations. You are not doing justice to your role, or ultimately to offenders, if you do not learn and deal with details of their violations.

You also may need to interrogate offenders during a presentence investigation interview if they flatly deny having committed the crimes of which they have been convicted. This is not unusual. An unpublished study at one of the author's probation department found that 18% of a sample of 416 offenders denied their crimes during the PSI interview. Since denial has implications for decisions about sentencing and treatment, it behooves the investigating officer not to report simply that the offender denies the crime and leave it at that. Many offenders will tell you that they are innocent and that they pled guilty on their lawyer's advice or that they did so to obtain a plea bargain agreement.

Although it is not unknown for innocent offenders to plead guilty because their lawyers have considered the case against them to be too strong, the fact that the offender has been convicted and the case is now before you makes the possibility rather remote. Given the legal restraints on police questioning (restraints that you do not have in the presentence investigation situation) and the defendant's privilege of silence in court, your interrogation may be the first opportunity to get to the truth of the matter. Probably about one out of every four offenders who initially denies their guilt finally admits it under questioning, and at least two of the others make statements that are sufficient to dispel doubts of guilt.

3.5.1 Distinguishing Between Interviewing and Interrogation

You conduct a thorough investigation of a specific allegation brought against a suspect through systematic and formal questioning. There are two basic differences between interviewing and interrogation. The first concerns your relationship with the offender. During an interrogation, you must temporarily discard the helping attitude of the counselor and adopt the skeptical manner of the law enforcement officer. The second concerns purpose. Interviewing has the broad goal of gathering general information, whereas interrogation involves the drawing out of specific information which the offender may be highly motivated to keep hidden—namely, whether the offender did or did not commit the act that you, the police, or some other party accuse him or her of committing (Vessel, 1998).

The interrogation is also different from the interviewing process in that it requires that the interrogator, not the offender, control the flow of activity. You must control the timing, content, and wording of your questioning with your singular purpose in mind. Offenders must be given only enough initiative and control to allow them to relate their stories. They must come to understand that you mean business and that for the moment you are not interested in anything else but the question at hand (Navarro, 2003).

On a legal note, if the matter for which you are conducting the interview involves a new offense and if what you learn from the offender is to be used in a court of law for evidentiary purposes, you must inform the offender of his or her Fifth Amendment rights as required by *Miranda v. Arizona* (1966). In *United States v. Deaton* (1972),

the Court ruled that a probationer or parolee is under more pressure to respond to his or her probation/parole officer than to a police officer, and therefore the Miranda warnings must be given.

3.5.2 Being Confident by Being Prepared

Preparing yourself for an interrogation is both different from and similar to preparing for an interview. The major difference is that an interrogation is often a battle of wits and the atmosphere can be quite charged because the offender is aware of that fact. If you are to conduct an effective interrogation, one that will lead you to the truth regarding the matter at hand, you have to approach the task with confidence. Convey an impression of confidence to the offender. To achieve this level of confidence, be fully prepared. This means that you must be completely familiar with all of the evidence supporting the offender's guilt, as well as any evidence that might indicate otherwise. Depending on the situation, such evidence might include police reports, victim statements, or information from an informant. Not having all the information that is available to you will put you at a serious disadvantage once the interrogation begins.

3.5.3 Conducting the Interrogation

The interrogation may take place in your office, or it may take place in a cell at the county jail. In any case, as the offender's supervising officer, unlike a police officer, you will have had an ongoing relationship with him or her. Consequently, you are able to dispense with the usual police lead-ins to interrogation such as requests for demographic information including name, address, and place of employment. You should greet offenders in a friendly but businesslike manner and inform them of your purpose by saying something like, "Jim, I've asked you to come to see me (or, I've come to see you) to get to the bottom of this matter that has come to my attention." Then you may begin your questioning.

As indicated previously, confidence in your professionalism and in your preparation is of the utmost importance. A lack of confidence is reflected by frequently referring back to reports, hemming and hawing around, squirming in your chair, or acting impatiently. This will convey the impression to the offender that perhaps the evidence against him or her is not all that strong. Demonstrate to offenders that the evidence that is in your possession leads you to the firm conviction that they are guilty. This conviction should be stated in a nonemotional and clinical manner. The credibility of the interrogator depends on these two points: his or her thorough knowledge of the matter under discussion and the offender's perceptions of him or her as a competent professional. Do not "blow" the positive relationship with offenders that you have worked so hard to gain by becoming frustrated and angry because you feel that you cannot break down their defenses.

3.5.4 Style

Differences exist between interviewing and interrogation, but much that was said about interviewing also applies to interrogating. First and foremost, you must approach the task in a completely professional manner. Any attempts to borrow the techniques of the movie detective will prove disastrous. Do not put up a “tough guy” front. The typical criminal will see through this and match you verbal blow for verbal blow, a competition that could well end up being decided in favor of offenders who rely on such tactics to survive every day of their lives. If this happens, you reveal yourself as a phony, and you can forget about any respect that your offender may have had for you.

Clifford Unwin (1978), an experienced British police inspector, indicates that although the interrogator must control the psychological situation, it is not wise to adopt a role of complete psychological domination. He writes:

The problem is that if the interrogator limits himself [or herself] to displays of power he [or she] may find in certain situations that he [or she] is running the risk of doing exactly the opposite. It may cause the suspect to confirm his [or her] beliefs that the interrogator is the enemy and is someone to be defied, particularly with a hardened or seasoned criminal. (p. 1875)

As implied by Unwin, never adopt the attitude of “NIGYYSOB” (“Now I’ve got you, you son-of-a-bitch”) described by Eric Berne (1964) in his book *Games People Play*. If you project such an obviously self-satisfied attitude to offenders undergoing interrogation, in effect, you are issuing a challenge and inviting resistance. You also imply that your objective all along has been “to get” offenders rather than to help them.

There is quite a bit of experimental evidence to suggest that alternating questioning styles produces better results than a single style (Vrij, 2006; Vrij, Mann, & Fisher, 2006). Using this strategy, the officer begins an interrogation with interview-like information gathering using open-ended questions (“What did you do that particular evening”), then switches to an accusatory interrogation style (“Hey, I know you’re hiding something from me”), and then back again to information gathering (“Tell me again what happened on that evening”). Of course, only experience will inform you of the optimum times to switch back and forth and ultimately with what type of style works best with certain types of offenders.

3.5.5 Ask Leading Questions

Questioning within an interrogation context often will be of the leading type. A leading question is one in which the wording strongly encourages a specific answer (this kind of question should never be used in an interview). For example, suppose you receive a complaint from Jeff’s estranged wife that he was drinking last night and that he went over to her home and assaulted her. Jeff’s parole conditions include maintaining sobriety and staying away from his wife. You may confront Jeff with:

“You were in the Western Bar drinking last night weren’t you? Isn’t it also true that you became drunk and went over to your wife’s home and assaulted her?” Such questions, asked in a businesslike tone, have the psychological effect of making it more difficult to deny than a simple “Were you drinking last night?”

3.5.6 Reveal a Little Information

Reinforce both your confidence and the offender’s anxiety by revealing some of the evidence you have indicative of guilt, or in a PSI situation, some of the evidence gathered by police agencies, taking careful note of how the offender deals with this information. However, do not reveal all evidence in one giant salvo. If the offender successfully weathers the initial attack, the officer has nothing left in reserve with which to surprise him or her. Always keep offenders on the defensive by letting them guess at the extent of the evidence in your possession. Point out inconsistencies in their stories and ask them to account for them (this cannot be done if you have not thoroughly assimilated the “official” version and paid complete attention to the offender’s version).

Some offenders will respond to a straightforward statement from you indicating that alibis or protestations of innocence are “bullshit.” On more than one occasion, two of the authors (Walsh and Gann) have been confronted with a knowing smile, followed by the real story, after such a remark. This usually works with an offender who has been through the system before and who tends to look upon what is going on between you as some sort of “game.” This, of course, depends on the seriousness of the consequences to the offender of making such an admission. Other offenders will react defensively to a direct statement such as the above. With such offenders, it is preferable to state: “You haven’t told me the whole truth,” than to say: “You’ve been lying to me.” The difference is a subtle one, but a real one, nevertheless. Only experience will tell you when either approach is preferable. Usually, however, the latter method works best with the more “respectable” and less “streetwise” offenders.

3.5.7 Letting Offenders Damn Themselves

John E. Reid and Associates, a respected trainer of law enforcement personnel in the art of interviewing and interrogating, claims that interrogators can achieve their goal (arriving at the truth of the matter) with 85 percent accuracy by watching carefully for various verbal and behavioral cues (Kassin et al., 2007). Every month, this company offers Web Tips to members. Some of these tips are free to all and often come with interesting illustrative cases. These tips can be viewed by going to www.reid.com/educational_info/r_tips.html.

It is often a good ploy to allow the offender to make statements that you know are lies and for you to give the impression that you are accepting them at face value. The awkward thing about a lie is that it requires additional lies to support it. Eventually, this compounding of falsehoods should paint offenders into a very uncomfortable

corner from which only truth will remove them. If the interrogator allows offenders to get themselves into such a psychologically uncomfortable position and then points out a series of inconsistencies, he or she has created a strong motive (the removal of psychological discomfort) for them to “come clean.”

3.5.8 Taking Advantage of Offender Discomfort

If this does not provide the desired admission, be cognizant of any signs of guilt, such as confusion, stammering, nervous sweating, active Adam’s apple, refusing to maintain eye contact, and other emotional reactions. Point out to the offender that you take these signs as indicative of guilt. Take advantage of such signs of physiological discomfort by looking squarely into the offender’s eyes and repeating some of your most threatening questions. You also may ask the offender to repeat his or her story three or four times at different points in the interrogation. It is easy to be consistent if the story is true, but it is very difficult to remember little details used to support a falsehood. That is, you can tell the truth in a dozen different ways, but it is hard to do the same with a lie. Knowing that you are aware of their discomfort often prompts offenders to unburden themselves by making a confession.

Often, the use of morally neutral words—rather than negatively or emotionally loaded ones—will help guilty offenders unburden (Inbau & Reid, 1985). Think of the emotional differences between the statements given below:

Neutral	Emotionally Loaded
“John, I want you to tell me the truth.”	“John, I want you to confess”
“Alice, did you take those items?”	“Alice, did you steal those items?”
“Did you shoot Mr. Brooks?”	“Did you kill Mr. Brooks?”

You will not be as far along in the interrogation as you may want to be if you ask “Did you have sex with Kathy?” as opposed to “Did you rape Kathy?” But the greater likelihood that the offender will answer affirmatively to the more emotionally neutral question gives you a further advantage.

3.5.9 Bluffing

Bluffing is a weak form of interrogation. Bluffing means conveying to offenders the impression that you have access to information which is damaging to them when, in fact, you do not. For instance, you may be interrogating Garrett on the basis of police information that he has been trafficking in drugs. You may indicate to him that you have “accurate” information from “confidential informants” that he has been selling drugs. Bluffs such as this may pay off large dividends, but they are more likely to be “called.” If Garrett calls your bluff, all you can do is withdraw as gracefully as possible. What if he really is not guilty of trafficking? Your crude “poker” tactics will offend him sorely and perhaps do irreparable damage to the supportive relationship you have been seeking to develop with him. The cost/benefit

ratio of such tactics does not recommend their use. Be honest with offenders. It is always the best policy.

3.5.10 The “Back Door” Approach

Some authorities on police interrogation advocate a “back door” approach to interrogation (Napier & Adams, 1998; Unwin, 1978). That is, prompt a confession from a suspect by downplaying the seriousness of the offense the individual is suspected of committing, conveying sympathy and “understanding” of why such a crime would be committed under the circumstances, placing the burden of blame on victims or accomplices, or intimating that the act was perhaps accidental. Although such an approach may be used successfully by police interrogators, it is not advocated for the corrections worker. Confessions using this psychological ploy are obtained by lessening the guilt felt by the suspects by conveying to them that their actions were not really that bad, that others would do the same thing in their shoes, and by blame-sharing. While this suits police purposes by “clearing” crimes, it is counterproductive to the correctional goal. Rehabilitation is not accomplished by providing offenders with easy rationales for their actions. Correctional workers always must be aware of their dual role and should not compromise one aspect of it to satisfy the immediate requirements of the other.

3.5.11 Terminating the Interrogation

The way that you terminate the interrogation will depend on the circumstances. If the interrogation was necessitated by a technical violation of supervision conditions, such as associating with known criminals, continuing substance abuse, failing to report to you, or any other violation of this kind, the action you take may be discretionary. You may feel it necessary to initiate formal proceedings for the revocation of probation or parole, or you may decide to resume your helping relationship.

If the interrogation resulted from an arrest for a new crime, any further action on your part has to await formal adjudication. In any case, the offender should be informed of your next step as soon as you have decided what it is to be. You may be able to inform the offender of your decision then and there, or you may feel it necessary to investigate further and think the matter over before declaring your intentions. In any case, explain your decision to the offender and give your reasons for making it. Regardless of what that decision might be, make every effort to reestablish your working relationship with the offender. Even if you have decided to initiate revocation proceedings, most offenders realize that you are only doing your job and will not permanently alienate themselves from you if you have dealt fairly, honestly, and professionally with them.

3.6 Summary

This chapter introduced the techniques of interviewing and interrogation. Prepare for both tasks by thoroughly familiarizing yourself with all the pertinent information available. An effective interview must begin by establishing rapport. This is particularly important in criminal justice where offenders are not exactly enthusiastic about being in your office. Offenders are convicted criminals, but they are also human beings who are deserving of consideration and respect. Make them as comfortable as possible, and show that you are concerned and are willing to listen to them.

Listening, really listening, is the most important aspect of an effective interview. Give the offender the “air time,” and resist interruptions and debates—the interview time belongs to the offender. Offenders must be encouraged to explore themselves and their behavior. Encourage this exploration through the frequent use of probes and open-ended questions. Make sure that you understand what offenders are trying to tell you by using paraphrasing, clarification, and reflective techniques. Even the most awkward offenders will settle down and provide you lots of valuable assessment information if you treat them with patience and respect, but also with firmness when it is required.

Interviewing victims requires a special sensitivity to their victimization. Any reluctance on their part to be interviewed or to approach certain subjects should be respected absolutely. Do not dig for details of sexual offenses (they are in the official record, anyway). You should not interview child victims of sexual assault. Never argue with victims about anything, and do not upset yourself if they sometimes use you as a convenient target for their verbal anger. Finally, reassure victims as much as possible, but, as with offenders, do not make any promises that are not within your power to keep.

Sometimes interrogation techniques are required. Any interrogation should be approached in a calm, clinical, and professional manner. Unlike the interview in which the purpose is to gather large amounts of general information, the interrogation is geared to one specific aim—“did you do it?” Also, unlike the interview, you—rather than the offender—will control the content and pace of the interrogation. Know the evidence supportive of your offender’s guilt, but do not jeopardize your relationship with the offender by acting like the movie detective. Interrogation techniques such as letting offenders damn themselves and taking advantage of offender discomfort are useful. Use these recommended techniques when it is necessary for you to interrogate, but above all, be honest and fair with the offender and be yourself.

3.7 Exercise in Listening and Interviewing

This is an exercise in listening using the Client Management Classification (CMC) semi-structured interview schedule reproduced in Chap. 6. Although this exercise will familiarize you with the type of questions asked in a typical PSI interview, its

main purpose is to provide experience in listening. Divide students into groups of two, with one student taking the part of the interviewer and the other the interviewee. Rather than role-playing, the interviewee should relate to the interviewer actual aspects of his or her life. For instance, when asked “How do (did) you get along with your father?”, the interviewee should respond accurately with reference to his or her own father.

The main purpose of this interview exercise is to develop your ability to listen actively. Did you ever buy a lottery ticket or bet on a ball game and then wait for the results on the TV? Think back to that time and how you waited the results. You sat close to the TV and faced it with intense interest. You leaned toward it, and you were impervious to all other stimuli surrounding you. That is how you should proceed with this exercise—with intensity and interest. Ask the questions provided in the schedule, but you should use, when appropriate, probes and open-ended questions, ask for clarification, paraphrase responses, and reflect feelings.

Based on the information obtained during the interview, you should write a brief social history of your partner (a PSI without offense, criminal history, and evaluation and recommendation material). After writing this history, give it to the interviewee for evaluation. The interviewee should evaluate the history and your interviewing performance according to the following criteria:

1. Eye contact was maintained without gazing or staring.	Yes	No
2. Body posture was appropriate (relaxed, slight forward lean).	Yes	No
3. He/she made me feel comfortable and relaxed.	Yes	No
4. He/she made me really think about things which I have not thought about for some time by the use of probes.	Yes	No
5. He/she seemed to be genuinely interested in me.	Yes	No
6. He/she delivered questions without hesitations.	Yes	No
7. He/she often asked for clarification and paraphrased often.	Yes	No
8. I felt that I could tell him/her just about anything he/she asked about my personal life.	Yes	No
9. He/she accurately reflected my feelings.	Yes	No
10. On a scale of 1 (low) to 10 (high), I would rate his/her reported accuracy of my social history as:		

1 2 3 4 5 6 7 8 9 10 (circle one)

After each student has taken a turn at being both the interviewer and interviewee, share these ratings with one another. Ratings should be the honest evaluations of the rater and not designed to ignore poor technique in the name of “smooth sailing.” Constructive feedback should be viewed by the interviewer as just that. Think of it as another exercise in self-disclosure in which your partner has revealed something of your “blind self;” in this case, your ability to conduct an effective interview. The benefits of these exercises will be enhanced greatly if you have access to a video recorder so that you will receive visual and audio feedback of your interview behavior. Lastly, do not forget that it is your first attempt. Learn from it.

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