

Example of Crossing the Investigator (Agent Sam Smith)

BACKGROUND

- Federal Agent for 12 years
- Received training from the Federal Law Enforcement Training Course (FLETC)
- Extensive experience in criminal investigations
- For the last three years you work exclusively in investigating sex crimes
- Have interrogated hundreds of subjects suspected of committing an offense
- Hundreds and hundreds of on-the-job training hours

TECHNIQUES

- Throughout your training and experience, you learned about effective interrogation techniques
- These techniques offer a variety of psychological tactics that assist you in an interrogation
- Because your goal in an interrogation is to get the subject to talk to you
- And these techniques help accomplish that
- What I'd like to do is ask you about several different techniques and whether you applied them in your interrogation of SSgt Jones
- One technique is called rapport building
 - This is a tactic that you use at the very start of interrogations
 - Before you read the subject his or her rights
 - The purpose of rapport building is to find commonality with the subject and lower the tension in the room
 - When you are rapport building, you want the subject to be relaxed
 - At ease
 - Guard down
 - In your interrogation of SSgt Jones, you used rapport building
 - Specifically, you used it on SSgt Jones before you read him his rights
- Another technique that you use for interrogations is confrontation
 - When you use the confrontation technique, you confront the subject of the investigations with the allegation
 - You present the allegation as though it is the truth
 - You infer in your questioning that you know the allegation is true and that the subject committed the offense
 - Psychologically, this technique is designed to increase pressure on the subject
 - You used this technique on SSgt Jones in your interrogation of him
 - You used this technique only after SSgt Jones waived his right to remain silent
- Another technique that you use for interrogations is Maximization
 - When you apply this technique, you tell the subject how serious the crime is that he committed
 - You also tell the subject how important decision makers, like his commander, will be reviewing the evidence in this case
 - You infer that it is crucial for the subject to tell his story needs to counter the allegations lodged against him
 - Psychologically, this technique is designed to increase pressure on the subject

- Another technique you use is to suggest that the subject will face consequences if he doesn't admit the essential facts of the allegation.
 - Psychologically, this technique is designed to increase pressure on the subject
 - You used that technique on SSgt Jones in your interrogation with him only after he waived his right to remain silent.

INTERROGATION WITH THE ACCUSED

- You used these interrogation techniques over the course of several hours with SSgt Jones
- To be fair, there are stretches of time where you leave SSgt Jones alone in the room
- It took place in a small interrogation room here at Great AFB
- Where there are no windows
- No pictures on the wall
- Just three chairs and a desk

ALLEGED VICTIM INTERVIEWS (BIAS – 608©)

- You also interview alleged victims of crimes
- You've conducted hundreds of interviews of alleged victims
- You have never use any of the techniques you just testified to in any victim interview
- You do not want to increase pressure on alleged victims
- Your interview style is completely different from how you approach someone accused of a crime
- In this case, you interviewed A1C Mary Marigold
 - You did not use confrontation techniques on her to determine if she was being truthful in her accusation
 - You did not use the maximization technique on her regarding the seriousness of the accusation
 - You did not use the technique of suggesting consequences for not telling the truth
 - You didn't used minimization techniques regarding her allegations.
- You didn't use the room you interrogated the accused in this case.
 - In fact you interviewed A1C Marigold in the "soft room".
 - It has a comfortable couch.
 - Pictures on the wall.
 - She had her SARC support in the room with her?
 - So she wasn't feeling pressured

DIVERSITY TRAINING

- In the hundreds of hours of training you received, you never received training regarding how to approach men of color.
- This includes young African American men accused of a crime.
- You are aware of the studies that show that young African American men are disproportionately punished in the Air Force than any other demographic? (EFFECT ON THE LISTENER...IF HE BELIEVES THIS IS TRUE, THEN WHAT STEPS DID HE TAKE TO STEM THIS ISSUE IN HIS LINE OF WORK)
- Despite this, you approach this subject interview of an African American man in his twenties with an intent to put pressure on him

FOLLOW UP

- Following the interrogation, SSgt Jones brought back documents for you to look at pertaining to this case
- Items pulled from his phone, corroborating some of what he told you in the interview
- He didn't have to do that
- But he did