Course Learning Outcomes for Unit III

Upon completion of this unit, students should be able to:

3. Examine the process for obtaining information, including interviews, interrogations, and surveillance.
8. Describe the relationship between criminal investigation and the courtroom process.

Reading Assignment

Chapter 5: Interviewing and Interrogation

Chapter 6: Field Notes and Reporting

Chapter 22: The Trial Process and the Investigator as a Witness

Unit Lesson

There are many roles in the criminal justice system. While the law enforcement officer seems to be the one that gets the most attention, let’s not forget the other roles that make up the system. Some of the other roles in the criminal justice system include correctional officers, probation officers, social workers, investigators, and interviewers, most of whom work for both the public defender and the state attorney offices, to name a few. The one thing that all these roles have in common is that they all deal with interviewing convicted criminals, suspects, victims, witnesses, and bystanders. As professionals, we encounter many people that seem normal and not criminal. We also encounter mentally ill or criminally-deviant people that specifically want to kill themselves and those that may or may not want to kill us. These encounters, interviews, and interrogations are conducted in public, at crime scenes, in cell blocks, and in interview rooms. As criminal justice professionals, we will ultimately talk to people during stressful situations and encounters where some of these people may be less than excited about cooperating with us.

When criminal justice personnel conduct these interviews, we need to be aware of the concept of non-verbal and verbal communication. Safety is the number one concept we need to consider, and based on the nature of the work in this field, it is not always possible to interview someone in an interview room. While it is important to listen to what people are saying when they speak, there are times when it becomes even more important to watch their non-verbal indicators.

Let’s face the facts about the criminal justice profession. Cursing is a form of verbal communication. Criminals and deviants use it to display anger, to posture themselves when being interviewed, and use it in general conversation. We encounter people that curse and swear as a method of communication when talking in a general conversation or when we are interviewing a person that is angry. Also, we encounter citizens or criminals that are not excited about making contact with us in the course of our shift. As professionals, we need to understand that there is a difference between communication expressed out of frustration and that which is directed toward us. When we dissect the verbal communication directed toward us, we need to break it further down into what is simply offensive and what is life threatening to us in that situation.

Criminal justice professionals are not supposed to curse in public; however, are there situations where cursing and foul language are an acceptable form of communication? Does the meaning change when asking a person at a traffic stop to exit their vehicle and keep their hands above their head. The initial statement, “Sir, get out of your vehicle with your hands in the air” seems both professional and as polite as it is going to get in that situation. However, if this person exits the vehicle and produces a weapon, does the officer's demeanor...
change when saying, “Sir, please place the weapon on the ground?” At this point, profanity is the form of communication an officer at that scene conveys to address the seriousness of the situation as viewed by the public, other officers on the scene, or as heard on the radio. In every encounter as criminal justice professionals, there is always time to be polite and handle your business. It may not be academic in nature, but profanity as a form of verbal communication sometimes does have its place in this profession.

Now, let’s look at various forms of communication with specific groups of people. The first group of people we encounter are the mentally ill. Law enforcement, corrections, and social workers encounter people with mental illness all the time. Consider this example of an encounter that happened in a jail cell block between a correctional officer and an inmate. The inmate was walking around the cell block in circles and yelling at the television. Every time the news would come on the channel, the inmate would point his index finger at the television and pretend to shoot the news anchor. The other inmates in the pod alerted the floor officer to this behavior.

Officer: “Hey man, what’s going on today?”
Inmate (yelling): “Nothing”
Officer: “Can I ask you a question?”
Inmate: “I don’t have a choice in here, do I? So sure, ask me anything you want”
Officer: “Why are you yelling at the television and shooting it with your finger?”
Inmate: “The television keeps saying my name. I am a high ranking CIA operative, and my father was in the army, and we are both going to be assassinated in the next week if the news guy keeps saying my name!”

Now, consider this interaction when a local law enforcement officer was called to investigate a suspicious person.

Officer: “Hey buddy, can I talk to you real quick?”
Suspect: “No, not really. I do not have the time to talk right now.”
Officer: “Well, I got a call of someone loitering in this area, so I am checking with people to make sure that everything is alright.”
Suspect: “Sir, I am fine. I do not have the time to talk to you right now!”
Officer: “Ok, you mentioned that, can I ask why?”
Suspect: “Because I am waiting for a ride. My friends from planet Zardon are going to pick me up, and the voices said I needed to wait right here for them to arrive.”

Each of these incidents illustrates some mental crisis is going on, either in a semi-controlled environment or uncontrolled environment. How you interact with each of these individuals ultimately determines whether you get cooperative compliance or wind up having to use force.

How do we communicate with these individuals? The officers in both of these situations needed to pat down the inmate or the suspect and possibly place them in handcuffs for their safety. Will abrasive language and condescending verbal communication gain compliance? While it is never advisable to feed into their mental crisis by antagonizing them or verbally degrading them, you still need to get some result from the situation. In the first situation, the desired goal is to get the inmate to cooperate and move to another area of the jail that houses mentally ill inmates and away from the general population. The second situation requires the person to either move to another location or to a shelter for the evening. As professionals, we need to remember that our communication skills will be tested with the mentally ill population. One interesting thing to remember is that your non-verbal communication is judged when dealing with this type of individual. They tend to be hypersensitive to minute details like stance, hand motions, and voice inflection, whether their perception is correct or incorrect.

When we discuss interviewing and interrogating criminal suspects, we need to remember that many times it is not what a criminal says alone, but also how he or she acts while saying it. Everyone displays non-verbal cues, whether they mean to, or that they are unconsciously displaying. While a noticeable non-verbal cue may be a person taking an aggressive fighting stance, one that is less noticeable is when a person points his or her head down but his or her eyes are looking up at you as an officer. This is a good indication that the person is not happy with your presence and may be thinking about attacking you. The use of accessory muscles in the neck, veins in the head and face, nostril flaring, and clinched fists are signs that you are dealing with a person who is upset or thinking of killing you. When we are interviewing people in the field, it is important to understand that we need to pay attention to those emotions that do not match what they are saying. A good example of this would be parents or caretakers accused of crimes against their children or
those that are under their care. They may try to appear sad or hysterical with grief, but their emotions and body language do not match. This may be because they already know that they are trying to cover up the crime and look as though they are sad and shocked that this happened to their child.

Every component of the criminal justice system will come into contact with various ethnic groups and races. It is important to remember that with each ethnicity there are different non-verbal cues that mean different things. Culturally, things like eye contact vary as it relates to authority. In America, we are taught to look a person in the eye and shake hands when we meet for the first time. In other cultures, making eye contact with someone in authority may be seen as disrespectful. As you go through your training and education, it is always a good idea to obtain any additional training in cultural diversity that is available to enhance your skills.

The issues discussed in this lesson are only a few of the important aspects of this topic. Chapter 5 in the textbook does a great job of discussing interview and interrogation principles and techniques. Students are encouraged to browse the CSU Online library for additional information regarding non-verbal communication skills for criminal justice professionals.

**Suggested Reading**

Follow-up on the lesson content that was discussed by accessing the following article in the ProQuest Criminal Justice database in the CSU Online library:


The following interactive tutorial is a great resource to supplement the textbook reading for learning more about interviews and interrogations.

Access this link for the “Interviews, Interrogations, and Informants” tutorial:
http://www.pearsoncustom.com/mct-enterprise/asset.php?isbn=1256689785&id=14664

**Learning Activities (Non-Graded)**

View the following simulation and practice between being an interviewee and an interrogator. Then write a one-page narrative to determine the difficulty in being an interrogator.

You will need to load Adobe Shockwave Player to view this simulation. This is a free download. Copy and paste the link below into a web browser other than IE Explorer for the “Interviewing the Suspect” simulation:

Non-graded Learning Activities are provided to aid students in their course of study. You do not have to submit them. If you have questions, contact your instructor for further guidance and information.