Commentary

Detection of deception researchers needs to collaborate with experienced practitioners

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In their research report entitled, “Eliciting cues to deception and truth: What matters are the questions asked” authors Aldert Vrij and Par Anders Granhag state that future detection of deception research efforts should be conducted in a way that “better mirror the situations in which practitioners assess veracity” than they have in the past, and that “deception researchers should collaborate with experienced practitioners.” I agree.

The authors accurately point out that in traditional detection of deception research (which typically involves students committing mock crimes) “…most verbal and nonverbal cues do not appear to be related to deception at all and that those that are only show a weak relationship with deception, we conclude that cues to deception are faint and unreliable.”

Laboratory detection of deception research studies do not produce helpful results for a number of reasons: (a) the subjects had low levels of motivation to be believed (in the case of innocent suspects) or to avoid detection (in the case of guilty suspects); (b) the interviews of the subjects were not conducted by investigators trained in interviewing criminal suspects; (c) the studies did not employ the type of structured interview process that is commonly utilized by investigators in the field; (d) in most studies there was no attempt to establish behavioral baselines for each suspect so as to identify unique behaviors within a particular individual; (e) the research was based on the faulty premise (as mentioned above) that there are specific behavior symptoms that are unique to truth or deception, and (f) there was little consideration given to evaluating behaviors in context, e.g., identifying whether specific nonverbal behaviors are appropriate given the verbal content of the suspect’s response, identifying the consistency of a suspect’s statements across time and with known evidence, and so on.

On the other hand, when researchers attempt to design studies that more closely approximate the setting of real life field interviews, they show a marked increase in the ability of researchers to detection deception: (a) high-stake lies are detected at higher accuracy rates than low-stake lies (O’Sullivan, Frank, Hurley, & Tiwana, 2009); (b) when an investigator understands the context in which an interview is taking place (for example the case facts and background information) accuracy in the assessment of a subject’s behavior symptoms greatly increases (Blair, Levine, & Shaw, 2010); (c) accuracy in detecting deception with real-life suspects is significantly higher than suggested by studies that use subjects in a mock crime scenario (Mann, Vrij, & Bull, 2004), and (d) training and experience in the field of behavior symptom analysis significantly increases the ability to detect true and false statements (Hartwig, Granhag, Strömwall, & Kronkvist, 2006).

In discussing “The Solution: Theoretically Sound Techniques that Elicit and Enhance Cues to Deception” the authors recommend using an interview technique that tests the subject’s “cognitive load” by asking them to tell their story in reverse order, by asking questions that the subject does not anticipate, and by the “Strategic Use of Evidence” (i.e., questioning the subject about possible evidence that links him or her to the crime). Certainly given the appropriate circumstances these are valuable techniques that can and have all been used extensively in the field for decades. The Cognitive Interview technique has been used by investigators for many years and has been particularly helpful in generating additional
details/information from cooperative subjects such as victims and witnesses by having them relate their story in reverse sequence or from a different perspective. Asking subjects questions that they do not anticipate (details of their activities, etc.) and questions that suggest the presence of evidence implicating them are essential elements of good field interviewing techniques—in fact, they were both discussed over 45 years ago (Inbau & Reid, 1967).

These concepts and others served as the foundation of the Behavior Analysis Interview (BAI) process developed by John E. Reid and Associates, the only practitioner-developed protocol that has been empirically validated. Interestingly enough, however, the authors completely dismiss the BAI as an invalid interview process, mistakenly stating that it is only based on the premise that “liars are more afraid or anxious that truth tellers.”

The authors display a lack of understanding and knowledge about the structure of the BAI, mistakenly stating that “the BAI protocol…consists of 15 questions to which it is thought that liars and truth tellers will display different nonverbal responses.” This same lack of understanding occurred in previous research (Vrij, Mann, & Fisher, 2006).

The BAI is much more than a list of 15 questions as described by Vrij and Granhag (2012), but rather a complex interview process involving three types of questions: (1) non-threatening questions, (2) investigative questions, and (3) behavior-provoking questions. The goal of the BAI is to develop specific investigative and behavioral information to allow the investigator to (1) eliminate innocent suspects and (2) focus the investigation toward suspects who cannot be eliminated.

The interview starts with a series of nonthreatening questions, background information about the subject, and casual conversation. This is designed to accclimate the subject to the interview process and to develop a behavioral baseline or norm for the subject as well as to develop rapport with the subject.

The investigative questions are designed to develop information from the subject relevant to the issue under investigation such as his activities at the time in question, his relationship to the victim, his current financial status, etc. This segment can be quite extensive depending on the complexity of the issue. Not only will the investigator ask a general question about “what happened” but will then ask a series of questions (many unanticipated) to clarify the details of the subject’s story and to develop additional investigative information. Part of the investigation process will then involve attempting to verify the accuracy of the information provided by the subject in response to the investigative questions.

Behavior-provoking questions (all of which are unanticipated by the subject) are questions that most innocent subjects tend to answer in a manner different than how most guilty subjects tend to answer the same question. The investigative questions are intermingled with the behavior-provoking questions (see Horvath, Blair, & Buckley, 2007 for a more detailed description of the BAI).

The “bait” question is one of the standard behavior-provoking questions in the BAI—it is non-accusatory in nature but at the same time presents to the subject a plausible probability of the existence of some evidence implicating her in the crime. Its intended purpose is to entice a deceptive subject to change, or at least to consider changing, an earlier denial of opportunity or access to commit the crime. As mentioned above the use of a “bait” type of question was discussed over 40 years ago (Inbau & Reid, 1967).

Two studies have demonstrated the value of the BAI interview process. In these two studies a total of 80 videotaped BAI interviews of actual suspects were prepared for evaluation by trained investigators under different conditions. This permitted trained evaluators to evaluate the subject’s verbal, paralinguistic, and nonverbal behaviors separately and together. When evaluators were exposed to all three channels of communication together, their average accuracy, excluding inconclusive opinions, was 86% for truthful suspects and 83% for deceptive subjects (Horvath, Jayne, & Buckley, 1994).

The BAI is strictly a non-accusatory interview process—this is particularly relevant in view of the fact that Vrij and Granhag report that from analyzing audio taped police-suspect interviews in England and Wales they identified two interview styles—“an information-gathering style in which the suspects are invited to give their account through a series of open-ended questions, and an accusatory style in which interviewers confront suspects with accusations.” The authors report that the information-gathering questions yield better verbal and nonverbal cues to deceit, yet they fail to understand that this is precisely what the BAI is. There is no place for any accusations during the BAI—the investigator must remain neutral and objective.

In view of the authors’ inaccurate description of the proper interviewing techniques that are used in the field, it becomes paramount that any future research efforts that try to “better mirror the situations in which practitioners assess veracity” involve collaboration with experienced practitioners. We are interested and willing to work with the authors or other researchers to design projects to investigate the BAI process. We are confident that when applied properly, in the appropriate conditions, the BAI is very effective in helping investigators to develop the information they need to determine the subject’s status.

References


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