Successfully Investigating Acquaintance Sexual Assault
A National Training Manual for Law Enforcement

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## Suspect Materials

## Typology

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Suspect Typology

In 1979, Dr. Nicholas Groth and H. Jean Birnbaum developed a profile of several types of assault, drawn from their work with people who had been arrested, convicted and incarcerated for crimes of sexual violence. The following section is an adaptation of this work to assist law enforcement officers in developing appropriate investigative questions and to determine patterns of offenders in a given community.

It is important to recognize the limitations of the following typology as it is based on research with incarcerated sex offenders; moreover it is usually applied when investigating an unknown rapist. In addition, investigators must recognize that a sex offender may not fit neatly into one typology, but instead may exhibit characteristics from multiple typologies or none at all.

Investigators should review all available information to assess an offender's typology, including: victim/witness statements, any suspect statements made to the responding officer, evidence, modus operandi, reports of previous offenses, and the suspect's criminal history. This assessment will help you organize your investigation, prioritize your leads, support a search warrant and determine how best to investigate a particular offender. However, experienced investigators know that a suspect should never be eliminated solely because he doesn't fit a typology.

Power Rapist

There are two types of Power Rapists, the Power Reassurance Rapist and the Power Assertive Rapist. These men are convinced of their sexual prowess. Power rapists show less aggression in both sexual and non-sexual situations than other kinds of rapists. They do not use unnecessary force beyond what is necessary to achieve the rape. They exhibit anger only in response to victim resistance, but will use any amount of force necessary to accomplish their goal. This may include verbal intimidation, use of a weapon, or actual physical force. However, they will sometimes run away if the victim screams or fights back. They do not want to harm the victim physically, but rather to own her sexually and achieve sexual submission. In cases where such power rapists know their victims, they use the relationship to satisfy their immediate needs, without caring how this will affect the victim.

Opportunistic Rapists often fall under this category of Power Rapist. (e.g. Burglars who sexually assault a victim during a robbery. This rapist usually does not intend to physically harm the victim.)

Additional characteristics of the two types of power rapists may include the following:

Power Reassurance Rapist (Gentleman Rapist)

Style of Attack

- The assault is premeditated and preceded by persistent rape fantasies. His fantasy is that the victim wants him and he may instruct her to tell him this during the assault. These suspects often

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give the victim information about them such as a pager or phone number to contact them to arrange for another "consensual" sexual encounter.

• The offender's language is instructional and inquisitive: giving orders, asking personal questions, and inquiring as to the victim's response.

• The offender uses limited force/threats necessary to gain control and overcome resistance of the victim. The victims may be unharmed and any bodily injury would most likely be inadvertent rather than intentional.

• He will rely on the threat of a weapon but often times will not have one. Weapons frequently employed and brought to the scene are for the purpose of threat or intimidation more than injury. If the offender uses a weapon, it is often unintentional.

• He will sometimes advise the victim he has an accomplice.

• This type of offender is referred to as a "gentleman" rapist. He generally spends a short time with his victims since he does not have the confidence or social skills to interact with a woman for any length of time. However, if the victim is "compliant," he may spend a considerable amount of time during which he might act out his fantasies by attempting to engage the victim in "pillow talk" after the assault. Possibly he will tell her his life story or to caution her about locking her doors to prevent anyone from harming her after he leaves.

Investigating officers need to be sensitive when interviewing victims of a suspect with this profile. Victims may feel guilty about not "fighting" their "gentleman" attacker. Investigators should use techniques to validate what a victim did to resist such as saying, "You survived the incident. You did the best you could do considering the circumstances."

• He will be complimentary to the victim and attempt to sexually satisfy her.

• He will normally commit his crimes in close proximity to where he lives or works. This is the area where he is most comfortable.

• The offender's victim selection will be made in advance of the attack, normally through surveillance or peeping. Victim selection is determined by vulnerability. He will target persons of the same age or younger.

• He will likely select many targets and if one is unsuccessful, he will move on to the next one on the list. This explains why you might have an attempted rape, followed by another attack in the same neighborhood. The victim will usually be alone or in the company of small children.

• The offender will usually have the victim undress herself and may have the victim undress him. To do so fuels his fantasy of a consensual relationship.

• His mood is one of anxiety. An insufficient erection and premature ejaculation are signs of performance anxiety.
• The offender may take a souvenir from the victim or scene to use at a later time to relive his fantasy.

• He may keep records in the form of a diary, charts, or computer records.

• The offender may reconnect with his victim to relive the fantasy. For example he may attempt to contact the victim to apologize, or to attempt a second assault.

• These offenses are repetitive and may show an increase in aggression over time.

• The offender's prior criminal record may include crimes of exploitation such as theft, breaking and entering, robbery and/or prior sex offenses.

Profile

• This offender has low self-esteem that permeates his life. He is probably seen as an underachiever.

• Employed in menial work.

• Described by those who know him as gentle, quiet, and passive.

• Non-athletic.

• This offender is considered a loner. His solitary pastimes include, reading, watching television, and surfing the Internet. He may be a member of several online chat rooms.

• He has little or no social contact.

• He is nocturnal and is more comfortable in hours of darkness.

• This offender is usually single. If he is dating, he is usually involved with significantly younger girls. He lives alone or with a parent.

• He takes little pride in his personal appearance.

• Prior arrests may include nuisance sexual offenses, such as indecent exposure, or peeping.

**Power Rapist (Power Assertive)**

Style of Attack

• This category of Power Rapist focuses his anger to prove his virility and his power over women. He sees himself as a macho man.

• The assault is more impulsive, spontaneous and unplanned. He often meets his victim on the same evening as the assault at bars, clubs, and parties, etc. Many offenders of acquaintance rape fall under this category.
• His language is abusive. He uses a lot of obscenities.

• Level of force is moderate. The offender feels no need to harm his victims but he will use enough force to get what he wants.

• He relies on his fist for a weapon. Because there is no pre-planning he will not have a weapon unless he usually carries one.

• The assault is of relatively short duration.

• The offender will attack away from his work and residence since he has the confidence to leave his immediate area.

• The victim tends to be of the same age or older than the offender.

• The offender may commit multiple assaults during the same evening to prove his masculinity.

• The offender's mood is one of anger and depression. The most often experienced sexual dysfunction is retarded ejaculation due to hostility and anger.

• The offenses are episodic.

• The offender's prior criminal record may include crimes of aggression such as reckless driving, assault and battery, and breach of peace.

Profile

• This offender has a macho image and the most important thing to him is to have others see him as a "man."

• He is very self-centered and does not like to be under the control of others, even in the workplace.

• He dresses according to his macho image, drives a macho car and has a macho job (e.g. heavy equipment operator, police officer, or construction worker).

• He drinks a masculine drink, no fruit drinks or umbrellas, and he hangs out at clubs, bars, and locations where he finds his victim.

• This offender is athletic with an athletic build (body builder). He exercises regularly and takes pride in his appearance.

• He may have been married more than once. It is very difficult for a woman to stay with him but his ego dictates that he remarries.

• There is a history of conflict with women because of his selfish behavior.
**Anger Rapist**

Anger rapists focus their anger exclusively at women or can be aggressive with men as well. This type of rapist is unpredictable: the rage displayed in these assaults range from verbal abuse to murder. Although relative to other types of assault these attacks tend to be brief, the amount of force and violence used by anger rapists is excessive in cases where the victim does not resist. Should the victim resist, this will probably further intensify the level of aggression. Anger rapists often cause significant physical injury in addition to the rape itself.

Anger rapists want to humiliate and degrade the women they assault, and insults and abusive, derogatory language will usually accompany the attack. The anger rapist typically thinks that women are dirty and cannot be trusted. There is no evidence with this type of rapist that their aggression is erotisized or that they are preoccupied with sadistic fantasies.

In many cases, this type of rapist is displaying misplaced anger at a randomly chosen woman because another woman has, in his mind, wronged him. Often the rapist has had a fight with his girlfriend or wife not long before, and this triggers the assault.

**Style of Attack**

- The attack is unplanned and there is no set timing. The attack is precipitated by events in the offender's life. He attacks spontaneously and out of anger.

- His language is abusive. He uses a lot of obscenities.

- The force used by this offender is excessive and will exceed that necessary to control the victim. The victim will be battered.

- Since the attack is spontaneous, the use of a weapon will depend on the offender's access and opportunity. If a weapon is employed, it is used to hurt and not to threaten the victim.

- The offender spends a short period of time with the victim.

- His sexual behavior is selfish since his purpose is to punish.

- His approach is a "blitz" attack. This offender attacks anytime, day or night.

- The victims chosen are often symbolic of an individual with whom the offender wants to get even.

- Victims tend to be in the same age range or older (not elderly) as the offender.

- The victim's clothing may be torn.

- The offender's mood is one of anger. The most common experienced sexual dysfunction is retarded ejaculation due to anger.
• These offenses are episodic.
• The offender often drinks alcohol to release his inhibitions.
• The offender's prior criminal record may include crimes of aggression such as reckless driving, assault and battery, and breach of peace.

Profile
• His personality is explosive. This may have resulted in prior arrests for assault.
• He acts impulsively.
• This offender has an action-oriented job allowing him to work off some of his aggression.
• Personal acquaintances often report a "dark side" to the offender's personality or lifestyle.
• The offender may be a high school drop out.
• Capable of socializing but prefers to be alone and is considered a lone wolf.
• Does not use pornography (no fantasy).
• His relationships are often superficial, and he may abuse alcohol.
• May have been married more than once. There is a history of physical conflicts with his wife, possibly including emergency calls to the police reporting domestic violence.

Sadistic Rapist/Ritualistic Rape

Sadistic rapists, an extreme and rare category, display sexual aggression fueled by erotic, destructive fantasies. For them, sexuality and aggression are totally merged. Aggression itself becomes eroticized. Their motive is to achieve sexual gratification through causing mental and physical pain and suffering. They increase the violence to achieve further arousal. Sexual areas of the victim's body become a specific focus of injury and abuse. Object rape and anal rape are common with sadistic rapists, as are bizarre acts (e.g., giving victims an enema). Dismemberment, postmortem coitus, and other such acts occur in extreme cases.\(^2\)

Sadistic rapists are opportunistic, attacking suddenly and often kidnapping their victims. This group shows low social competence. Other sadistic rapists act out their fantasies symbolically (bondage, shaving) or having sadistic fantasies that they do not act out. This group has a high social competence.

All sadistic rapists inadequately distinguish between sexual and aggressive urges. Additional characteristics of the sadistic rapist may include the following.

\(^2\)A. Nicholas Groth & William F. Hobson, The Dynamics of Sexual Assault, in Sexual Dynamics of Anti-Social Behavior 161 at 14 (Louis B. Schlesinger & Eugene Revitch, eds. 1963)
Style of Attack

• The assault is calculated and preplanned. This is the most premeditated sexual crime, practiced over and over in his mind before it is attempted. The approach to the attack is confident. His voice is non-emotional and practiced. The victim suffers physical trauma to sexual areas of her body. In extreme cases she is murdered and mutilated.

• His language is commanding and degrading, alternately reassuring and threatening.

• Physical force and aggression are eroticized. The favorite weapon is a knife.

• Weapons are generally employed to capture the victim. In addition, instruments for restraint and/or torture may be used.

• The assault may be for an extended duration in which the victim is abducted, held hostage, assaulted and disposed of.

• The offender's sexual behavior is selfish. He is fixated on anal sex because it is seen as degrading.

• Victim selection is determined by specific characteristics or symbolic representation; and are usually complete strangers. The age of the victim does not matter.

• The victim's clothing may be torn or cut off.

• The offender's mood is one of intense excitement. Retarded ejaculation is a common result of his heightened anxiety.

• The offense is ritualistic, typically involving bondage, torture or bizarre acts and is interspersed with other, non-sadistic acts.

• There is no pattern to the attacks. He attacks when he wants to.

• There is usually no prior criminal record, but if he has a criminal record it may include bizarre ritualistic or violent offenses.

• Dynamics: Symbolic destruction and elimination

Profile

• He is usually a white male, outgoing, and well liked.

• Above average IQ, at least some college education.

• White-collar job

• No history of mental health care.

• Compulsive.
• The offender may subscribe to bondage pornography, Soldier of Fortune or various detective publications.

• He is an outdoorsman, a survivalist and would do well in the military.

• This offender does not abuse drugs. He might use some drugs in moderation, but losing control is avoided.

• He is often happily married. His wife will be firmly under his control and is often a victim herself.

• If the offender has a girlfriend she will not be under his total control and he will not act out against her.

• May own a family type vehicle (e.g. a Volvo or station wagon.)

**Conclusion**

Recent efforts to elaborate on these profiles has resulted in the development of additional behavioral measures to apply to rapists. Raymond Knight and Robert Prentky, from Brandeis University and the Massachusetts Treatment Center offer the following criteria to use when developing an offender profile:

• Degree of aggression used to force compliance

• Was the attack sexually or opportunistically motivated?

• Pervasiveness of other antisocial behaviors\(^3\)

As research in this area continues, a clearer profile of offenders may emerge to aid police professionals in responding to crimes of sexual assault.

**References**


Groth, Nicholas A. & Hobson, William F. The Dynamics of Sexual Assault, in *Sexual Dynamics of Anti-Social Behavior* 161 at 14 (Louis B. Schlesinger & Eugene Revitch, eds. 1963).


**Resources**

John E. Reid and Associates 250 S. Wacker Dr. Suite 1100 Chicago, IL. 60606 (312)876-1600

\(^3\)Knight and Prentky (1990)
John E. Reid and Associates was established in 1947 to offer detection of deception services to private industry, law enforcement and the legal community. These services included polygraph examinations, behavior analysis interviews and interrogations. Through research, experience and innovations in the field of detection of deception, they produced a procedure that has come to be known internationally as "The Reid Technique."

In 1974 Reid and Associates first offered seminars to teach law enforcement, government and private security investigators the Reid Technique of Interviewing and Interrogation. Since then more than a hundred thousand investigators have attended these seminars and used the techniques with notable success. The three-day basic course seminar and two-day advanced seminar are offered in various cities across the United States.

In addition to the training seminars, Reid and Associates has produced a variety of products to allow investigators to enhance their interviewing and interrogation skills. The following lists a few of these that would be beneficial in resolving sexual assault crimes:

Criminal Interrogation and Confessions 3rd edition: A textbook written by Fred Inbau, John Reid and Joseph Buckley which offers a detailed description of interviewing and interrogation along with the laws that govern permissible tactics and confession admissibility.

The Investigator Anthology: A book written by Brian Jayne and Joe Buckley that offers advanced training in the use of the Reid Technique. Chapter nine (41 pages) is devoted to sexual assault investigations.

Sexual Assault Interrogations: This 2 hour, 20 minute audio-cassette course offers in-depth training on the interrogation of sexual assault suspects. Following initial instruction in the Reid Nine Steps of Interrogation and on profiling a suspect for interrogation, six scenarios are presented and the investigator hears the interrogation of these suspects.

The Reid Technique: A four-part video tape presenting and illustrating behavior symptom analysis, interviewing and interrogation techniques.

Ordering Information

To learn more about our training seminars or the above mentioned products, John E. Reid and Associates can be contacted by phone (800) 255-5747 or visit our web site at reid.com.

**Interviewing and Interrogating Sexual Assault Suspects**

Brian C. Jayne

**Preparation**

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*Mr. Jayne holds a Masters of science degree in detection of deception and served as the Dean to Reid College from 1983 - 1988. Presently he is director of research and development for John E. Reid and Associates. In this capacity he has published extensively in the field of detection of deception and lectures across the United States.*
Before conducting an interview or interrogation of a sexual assault suspect, there are a number of preliminary issues the investigator should consider. The first involves the completeness and accuracy of the victim's statement. If the victim has offered a vague description of the assault with little detail, it will be difficult to conduct an effective interview of the suspect. Examples of information that needs to be known about the assault include:

1. What the victim did before and after the assault
2. The exact time and location of the assault
3. An exact description of all sexual acts of the assault
4. An accurate description of weapons used or threatening statements made
5. The results of any forensic tests conducted
6. Any unusual behaviors the perpetrator engaged in

A victim should be carefully questioned about her activities surrounding the time of the assault. For example, it is not uncommon for a legitimate rape victim to withhold the fact that she engaged in friendly conversation with the suspect in a bar and consensually kissed him prior to the assault. The reason a victim may not initially acknowledge these facts is a fear that people will not believe that she was raped. Yet, withholding this information from the investigator may decrease the chances of eliciting the truth during an interrogation of the suspect.

In addition, it is often beneficial to have some background information about the suspect. Aside from the standard biographical information, it would be useful to know if the suspect has prior arrests or convictions, especially in the area of sexual assault. The suspect's past experiences with sentencing (prison, probation) will influence his decision to tell the truth in the current investigation. If the suspect has confessed to previous sexual assaults it would be helpful to read those confessions and perhaps talk to the investigator who obtained them. Like many offenders, sexual assault offenders will follow a pattern, not only with respect to their crime but also in their response to certain interrogation techniques.

To effectively interrogate a sexual assault suspect, the investigator must appreciate that every offender will have justified or rationalized his crime in some way. Psychologically, these excuses are called defense mechanisms. Gaining insight to the suspect's distorted perception of his crime is central to the interrogation process. Some suspects will blame the victim for leading him on in a sexual way, others may blame alcohol for affecting their judgment or a wife may be blamed for not fulfilling the suspect sexually. The circumstances surrounding a sexual assault may suggest possible defense mechanisms the guilty suspect used. In addition, during the interview process a guilty suspect often reveals the defense mechanism he used to justify his assault.

Finally, the proper environment for an interview or interrogation should be considered. The single most important psychological characteristic contributing to a successful interview or interrogation is privacy. The interview room should be located in a relatively quiet area so the suspect is not
concerned about an outside party overhearing his statements. In addition, there should only be one investigator conducting the interview or interrogation. Having two or more investigators in the room makes it much more difficult for the suspect to tell the truth. If a third person must be present, he or she should sit in a secluded corner and instructed to serve only as a witness, and not become involved in the questioning process.

Chairs within the room should be positioned directly facing each other, without any barrier (desk, table) between them. The reason for this is that a deceptive suspect will use the barrier as a psychological shield that protects him from the investigator. By removing such a barrier, the deceptive suspect feels much more vulnerable and exposed. Consequently, he will experience more anxiety when he lies. Diagram 1 illustrates a possible arrangement for an interview room, where the witness would sit in the upper left hand corner, behind the barrier.

![Diagram 1](image)

**Conducting the Interview**

Once a suspect has been identified in a sexual assault investigation, the suspect should be interviewed. If the suspect is in custody he must first be advised of, and waive, his *Miranda* rights. When there is strong evidence implicating the suspect, it is tempting to immediately conduct an interrogation. However, for a number of reasons, an interrogation will be more likely successful if it is preceded by an interview. The exception to this rule is when a suspect has been caught shortly after the assault and clearly exhibits behavior indicating to the investigator, "Okay you?ve got me."

An interview is a non-accusatory question and answer session with a suspect, witness or victim. It is important that the investigator maintain a non-accusatory and non-judgmental tone throughout the interview. On the other hand, if the interview becomes accusatory the suspect will become guarded and less information will be learned. Similarly, a judgmental attitude toward the suspect inhibits the truth-telling process, e.g., "I deal with skum like you everyday and I'm going to enjoy putting you away!" In addition, it is important for the investigator to keep his answers short and to the point. During an interview the suspect should be talking about 80 percent of the time and the investigator 20%. The investigator should keep in mind that it is his role to learn information from the suspect, not to relay information about the investigation to the suspect.
A golden rule of interviewing is to never tell a suspect what you know about him or the crime about which he is being questioned until you have asked a question about it. For example, if you know that the suspect owns a 1998 Pontiac Transport, which matches the description of the vehicle, described by the victim, the investigator should simply ask, "What vehicles do you drive?" "Do you know anyone who owns a Pontiac Transport?" "Last Friday night did you drive a Pontiac Transport?"

In other words, during an interview the suspect should be allowed to freely lie to the investigator, without challenge. These accumulated lies can later be used to discredit the suspect's denials during a subsequent interrogation.

The purpose for conducting an interview is to develop information (not to elicit a confession). A portion of the interview should address specific investigative information such as the following:

1. The suspect's alibi or description of the incident that led up to the allegation
2. The suspect's relationship with the victim/crime scene
3. Whether the suspect has access to a weapon or vehicle used in the assault
4. Whether the suspect did or said any of the things alleged by the victim
5. The suspect's explanation for any incriminating evidence

With respect to developing an alibi it is common for television detectives to ask, "Where were you last Friday night at 9:20?" A guilty suspect is certainly going to provide a ready response to this question. A more productive manner to elicit an alibi is to ask the suspect to relate everything that he did two hours before the assault until two hours after it, e.g., "Please tell me everything you did last Friday night between 7:00 and 11:00." Among other characteristics, the truthful account will have similar detail throughout the time period. The deceptive suspect, on the other hand, not only has to relate his false alibi but create non-incriminating activities prior to and after the assault. This often results in an account that contains sketchy details around the time of the offense.

In addition to these investigative questions, the investigator should ask questions to develop the suspect's propensity to commit an assault. Affirmative answers to any of the following questions suggest that the suspect may possess the psychological make-up to assault women:

"Have you ever just fantasized about forcing a woman to do something sexual with you?"

"Have you ever been accused before this of forcing a woman to have sex, even if the charges were false?"

"Have you ever been questioned before concerning an allegation like this?"

The primary difference between an innocent or guilty suspect during an interview is the suspect's expectations toward the interview. An innocent suspect approaches the interview with an expectation of being believed whereas the guilty suspect experiences fear of having his deception detected. Because of this, the innocent suspect displays attitudes and behaviors that are significantly different from those of a guilty suspect. Specific questions called behavior-provoking questions have been
developed to draw out these attitudes. The following lists several of these questions along with the model of a truthful and deceptive response to the question.

Q: "How do you feel about being interviewed concerning this allegation against you?"

TRUTHFUL: Generally express positive feelings and a willingness to fully cooperate, e.g., "This mess has got to be cleared up and I'm willing to do whatever it takes to show that I didn't rape anyone!"

DECEPTIVE: Generally express negative feelings, e.g., "I don't like it - it makes me nervous. I don't know why you're questioning me. It could have been anyone."

Q: "Once we complete our entire investigation how do you think it will come out on you?"

TRUTHFUL: Express confidence in being exonerated, e.g., "It better show I had nothing to do with this because I've never seen that lady before in my life!"

DECEPTIVE: May qualify their confidence in being exonerated or avoid a direct answer, e.g., "How would I know? I don't have any control over your investigation."

Q: "Do you think that Mary was really forced to have sex?"

TRUTHFUL: Will acknowledge that the victim probably was assaulted, e.g., "I can't imagine a woman making up a story like that so I think she was raped - but not by me."

DECEPTIVE: May evade a direct opinion; may suggest that the victim is making up the story, e.g., "It's hard to tell. I mean, you always read stories about women who make things like this up."

Q: "What do you think should happen to the man who did do this to Mary?"

TRUTHFUL: Will offer a harsh judgement against the guilty, e.g., "After what I've gone through I hope the guy gets sent off to prison for a long time."

DECEPTIVE: Will offer a more lenient punishment or evade offering a personal opinion, e.g., "I'm not really sure. Maybe counseling or some sort of reprimand."

Q: "Under any circumstances do you think the person who did this to Mary should be given a second chance or some consideration?"

TRUTHFUL: Will not want the guilty to be given any consideration, e.g., "No. There's no excuse for what he did and I don't think he deserves a second chance - he'll just go out and rape again."

DECEPTIVE: May consider giving the guilty some consideration, e.g., "Well, depending on circumstances I think everyone deserves a second chance - if they're sorry for what they did."

In addition to the previously listed behavior provoking question, an investigator should consider asking a "bait" question during the interview of a sexual assault suspect. This question plays on
the fear that all guilty suspects harbor - that they left some type of evidence at the crime scene that will prove their guilt. The bait question implies the possible existence of evidence which could implicate the suspect and is asked to assess the suspect's confidence. Consider a situation where a woman was raped by a stranger in a park and immediately reported the assault to the police. Even though no transfer evidence was actually found, under this circumstance the following question may be presented to the suspect:

Joe, as you may know, after an assault of this nature the victim is given a very thorough medical exam. During this examination various biological evidence is collected such as pubic hairs, DNA testing of sperm or skin found under the victim's fingernails. In this case male pubic hairs were found and they are in the process of having those typed and analyzed. I expect to get those results back shortly. Hair fibers are as unique as fingerprints and they have ways to classify them to tell exactly whose hair it is. What I'm wondering is whether or not there would be any reason why those pubic hairs would be yours? - I'm not saying that you raped this woman. But if you had consensual intercourse with her that would explain why your pubic hairs turned up in the lab sample. Do you think the lab may find that some of those pubic hairs were from you?"

A truthful suspect will offer an immediate and emphatic denial to the suggestion that evidence might link him to the crime. This verbal response will be reinforced nonverbally with direct eye-contact, and perhaps a forward lean in the chair. However, a bait question presents a dilemma to the deceptive suspect. He must decide whether to feign confidence and reject the investigator's implications or perhaps try to excuse away the incriminating evidence. This process takes time which explains the most frequently observed response to the bait question by a deceptive suspect - a delayed response. This delay may be disguised by various nonverbal behavior, repeating the question or asking for the question to be clarified, but the deceptive suspect generally does not offer an immediate denial to the bait question. The suspect's final response to the question often includes a qualifier of some sort, for example, "I'm pretty sure I've never had sex with that woman." In about 20% of the cases, a deceptive suspect will actually accept the investigator's explanation for the evidence, e.g., having consensual intercourse. However, in the majority of cases the deceptive suspect will deny that the evidence could exist but their lack of confidence will be evident by observing their accompanying behaviors.

When asking the bait question, the investigator should credibly explain how the evidence was collected and analyzed. The question should always be phrased as a hypothetical question, talking about the future development of the evidence, i.e., "Is there any reason why...; "Do you think that perhaps..." On the other hand, if the investigator specifically states that the evidence does implicate the suspect, the innocent suspect would predictably become very upset at being framed for a crime he did not commit. The guilty suspect may demand to see the lab report which, of course, the investigator will be unable to produce.

The bait question is most effective when the investigator introduces a possible innocent explanation for the evidence existing. In the above example the innocent circumstance was the suggestion that the intercourse was consensual. In this regard, it is important for the investigator to elicit a full denial from the suspect within the area addressed by the bait question before asking it. Assume that a woman was raped in her apartment and a bait question was asked, "Is there any reason we would
find your fingerprints inside that lady’s apartment?” If the suspect had not previously denied ever being inside the victim’s apartment his acknowledgment that his fingerprints would be found inside the apartment because he helped the victim hook up a VCR has little investigative meaning. However, if the suspect had previously denied ever being inside the victim’s apartment and, upon being asked the bait question now recalled being inside the apartment, it would certainly support belief in his involvement in the offense. The following table lists possible evidence that could be considered as the basis for a bait question:

To summarize, the investigator should always maintain an objective, non-accusatory tone during an interview. The information developed during an interview, both investigative and behavioral, should assist in the decision as to the suspect’s probable involvement in the sexual assault. There are a number of benefits to conducting an interview prior to an accusatory interrogation. These include a period of time during which rapport can be established with the suspect as well as an opportunity for the suspect to explain his side of the story or voice his denials (during an interrogation the investigator does not want the suspect to offer lengthy explanations or denials). Finally, information learned during an interview offers insight to the suspect's personality and perception of the crime that will greatly assist in conducting the interrogation.

Interrogation

An interrogation is an accusatory monologue during which the investigator attempts to persuade a suspect to tell the truth concerning the issue under investigation. To ensure that any confession obtained will be legally admissible, the investigator must be cautious not to promise leniency in exchange for a confession, e.g., "If you tell me you did this I will talk to the DA and have him work out a deal for you in court." In addition, the investigator cannot threaten the suspect either with physical injury or with an inevitable consequence, e.g., "With all the evidence we have against you there is no doubt you’re going to prison on this thing. The only question is for how long." There are, however, legal techniques that have proven to be effective in eliciting the truth from suspects during an interrogation.

The subsequent discussion will offer an overview of The Reid Nine Steps of Interrogation. This approach to interrogation is divided into steps because the process of persuading a person to tell the truth occurs in stages and the investigator needs to monitor the suspect’s progress through these stages, and respond appropriately. The following table lists each of the nine steps. The remainder of this article will offer some of the important parts of this process, with the corresponding step highlighted.

At the conclusion of the previously discussed non-accusatory interview, the investigator should excuse himself from the room under a pretense, perhaps of checking on results from the crime lab or to speak with another investigator on the case. After a few minutes, the investigator should return to the room and start the interrogation (The direct positive confrontation). An interrogation should begin with a confrontation directly accusing the suspect of involvement in the offense. The statement is made while standing directly in front of the suspect, for example, "Mike, after reviewing all of the evidence in this case there is no doubt that you were the person who had sex with Kim." The guilty suspect, anxious to escape consequences for his crime, will carefully monitor the investigator's
confidence in this statement. If the investigator displays any uncertainty as to the suspect's guilt, obviously the suspect will not be motivated to clarify that uncertainty by confessing. Thus, a poor confrontation statement is, "Mike, after talking to you and reviewing the evidence I think you may be the person who had sex with Kim."

During the confrontation statement the investigator should avoid using legal or descriptive language such as, "rape", "assault" or "brutally beat" since these terms will only invoke a strong denial from the suspect. In fact, throughout the interrogation the investigator's conduct should serve to reduce perceived consequences the suspect is facing. These consequences often involve the suspect's fear of how others will perceive him for committing the offense. To this end, the investigator's demeanor should express compassion and sympathy toward the suspect's position as well as a willingness to work with the suspect so that the truth can be told. For legal and psychological reasons, the investigator should not discuss possible punishment for the suspect's crime, but rather focus the suspect's attention on the circumstances that led up to him committing it. Immediately following the previously offered confrontation, the investigator should sit down about three feet in front of the suspect and state something like the following, "Mike, I've got to turn my report in at 5:00 this afternoon but before I do that I wanted to sit down with you to find out the circumstances that led up to this thing happening. Right now all we've got is this woman's version of things and I think I owe it to you to give you a chance to tell your side of the story."

At this point the investigator has set the stage for an interrogation theme (Theme development). A theme is a monologue presented by the investigator in which moral excuses or justifications are offered to allow the suspect to feel more comfortable discussing his crime. As earlier stated, every guilty suspect will utilize defense mechanisms to help reduce feelings of guilt or anxiety associated with his crime. The interrogation theme simply reinforces these underlying mechanisms which already exist in the guilty suspect's mind. In our present case the investigator may continue on by stating:

"When I look at all of the facts in this case I have to admit that I think that Kim is at least partially to blame for what happened. She went out to that singles bar obviously looking for male companionship. She had on a low cut top that exposed her breasts and put on perfume before she went out that night. She didn't do that for her girlfriends - she did that to find a guy. Now you happened to be in that same bar and you did what I would have done, you bought her a drink. When she sat down with you she was probably sending all sorts of nonverbal signals to you that she was interested in going out with you. Things like batting her eyes and sitting close to you. Under that circumstance any normal man will conclude that this woman is interested in some sort of sexual relationship. So the evening continues and you eventually invite her out to your car to give her a ride somewhere and she comes willingly. Once she gets in your car, though, things start to change. Here she led you on all this time and you spent all that money buying her drinks and time talking to her but when you started to take it to the next obvious level, kissing and touching, she started to resist. I'll bet at that point you got angry with her. I know I would have. You got angry and lost control and this thing happened."

Most criminals utilize basically two defense mechanisms to help justify their crime. The first one is projection. The guilty suspect will project blame away from himself and onto other people or
things. When appropriate, the victim's attire, behavior or reputation should be blamed for arousing
the suspect sexually to the point of no return. Other people in the suspect's life may also be blamed
for the rape such as a wife who has failed to provide the suspect with adequate sexual fulfillment,
the strict parent who wrongfully restricts the teenager from enjoying a sexual experience, or an
accomplice, when the rape involves multiple suspects. Within the category of external influences
that are blamed for assault, alcohol or drug use ranks number one. The suspect blames his affected
judgment as a result of the intoxicant for causing him to act out of character and doing something
he normally would not do. In addition, hormones may be blamed for teenage rapes or drugs like
viagra may be blamed for rapes committed by some suspects. Not to be excluded from possible
projection themes are mental disorders such as attention deficit disorder, obsessive compulsive
disorder or hyperactivity.

Another defense mechanism that many rapists utilize is minimization. This thought process allows
the suspect to feel better about his crime by comparing it to something worse. For example, it is
typical for the rapist to convince himself that the victim was not really injured in any way by his
assault. This explains why so many rapists and child molesters accuse the victim of lying. In their
mind the sexual activity with the victim did not result in any physical injury and, therefore, no harm
was done. Consequently, it is often beneficial during an interrogation to remind the suspect that
the victim was not harmed, e.g., "You had normal intercourse with her like she would have with
her boyfriend or husband - it's not like you killed her or mutilated her where she could never have
sex again." A defense mechanism often tied in with minimization is identification, a false belief
that others share our attitudes. Rapists experience moral relief by believing that many other people
have done the same thing they did. This distorted thought process can be used effectively during
a theme by suggesting that nine out of ten women would never have turned the suspect in because
almost every guy has used some force during intercourse and most women accept that. The theme
continues by describing a situation in which he was just unlucky that he happened to pick a woman
who was overly sensitive.

During theme development most suspects will not passively sit back in the chair and allow the in-
vestigator to dominate the interrogation. They may offer a denial or make some other statement in
an effort to dissuade the investigator's confidence (Handling denials; Overcoming objections).
If the suspect's denials are strong and persistent the investigator may consider stepping down the
interrogation and re-assess the suspect's involvement in the assault. However, if the denials are
weak or apologetic the investigator should simply re-state his confidence in the suspect's guilt and
continue on with theme concepts. The deceptive suspect's denials will eventually stop and often
the suspect will attempt to tune out the investigator's theme by psychologically withdrawing.

At this stage of the interrogation the investigator needs to keep the suspect emotionally and intel-
lectually involved in the theme (Procuring the suspect's attention). One way to do this is to move
physically closer to the suspect. This should be done in small increments and the investigator should
monitor the suspect's response to the closer proxemics. If the suspect appears uncomfortable with
the investigator's more intimate position, the investigator should back off and attempt to move
closer later during the interrogation. Another tactic that may be effective at this stage of the inter-
rogation is to ask the suspect hypothetical questions. Examples include, "Do you want everyone
to believe whatever that woman says without understanding why this thing happened?" or, "When
you make decisions about something don't you think it's important to know all of the facts. When you buy a car you don't make that decision just because you like the color, you want to know as much as you can about that car, don't you?"

If the suspect responds to these tactics he may start debating in his mind whether or not to tell the truth. This is called being in a **passive mood**. Behaviors typical at this stage include little or no eye contact with the investigator, an opening up of the posture sometimes to the point where the suspect assumes a defeated posture where he slumps forward in the chair. Some suspects may start to cry at this stage. When the investigator identifies the suspect's passive mood an alternative question should be asked (**Presenting the alternative question**).

An alternative question presents the suspect with two incriminating choices concerning some aspect of his crime. Accepting either choice will result in the first admission of guilt, but the choices are presented in such a way as to make one sound more acceptable than the other. The following dialogue illustrates this stage of the interrogation:

"Mike, what I would like to believe is that this is not something that you planned out long in advance. I don't think you had this carefully calculated out where you spent weeks or even months planning exactly what you were going to do. I think it happened pretty much on the spur of the moment because of the circumstances I talked about. I think once you got out to your car and she had that change of mood you just lost control for a short period of time. Was this something you planned out long in advance or did it just happen on the spur of the moment? It was the spur of the moment wasn't it?"

Once the positive and negative alternative questions are presented and discussed, the investigator would offer one of them (usually the positive) in a leading manner. This allows the suspect to make his first admission by simply nodding his head or responding, "yes." Other alternative questions to consider in sexual assault cases are:

"Have you done this to dozens of women or was this just the first time?"

"Is this typical of you or were you acting out of character because of the alcohol?"

"Was this whole thing your idea or were you just going along with your friends?"

"Were you trying to kill her or did you hit her just because of her attitude?"

"Did you engage in perverted acts with her or just have normal intercourse?"

When offered an alternative question, all suspects have a third option which is to say that neither choice is true. However, the alternative question represents the easiest way for a guilty suspect who has decided to tell the truth to offer his first admission of guilt. Once a suspect agrees with the positive alternative choice, the investigator needs to develop a confession (**Developing the verbal confession**). This is done by returning to the interview format where the investigator asks questions about the suspect's crime.
If the suspect accepts the alternative question, the investigator should immediately reward his decision to start telling the truth by making a statement such as, "I thought all along that was the case." It should be appreciated, however, that the suspect at this stage will probably not be willing to offer a full confession. Therefore, the first questions asked of a suspect following the acceptance of an alternative question should elicit short answers that are non-threatening. Once the suspect is committed to his admission the confession should be developed by eliciting a narrative account of the crime. It is important at this stage to allow the suspect to talk about his crime at his own pace. If the suspect offers information that is inconsistent with the victim's account or crime scene analysis, he should nonetheless be allowed to continue to tell his whole story. The investigator can always go back and question the suspect about discrepancies but it is legally important that the suspect offer a free-flowing narrative response of his crime. The following dialogue picks up the previous interrogation:

I: "Was this something you planned out long in advance or did it just happen on the spur of the moment? It was the spur of the moment wasn't it?"

S: "Yeah"

I: "Good. That's what I thought all along. Mike have you told anyone else about this thing?"

S: "No."

I: "That's fine. I really respect you for telling me the truth. I bet you felt bad after this happened."

S: "Yeah, I was scared. I don't know why I did it."

I: "Believe me you're not the first guy whose been in that situation. Let's walk through exactly what happened. Now that night you met Kim at the bar and then what happened?"

S: "Well, I bought her some drinks and we were at a table talking and stuff. She had just broken up with her boyfriend and we were just talking."

I: "Okay."

S: "So eventually I asked her if she would like a ride home and she seemed fine with that so we left the bar."

I: "And then what happened?"

S: "Well, we walked to my car and were talking and kissing and stuff."

I: "Alright, what happened next."

S: "I don't remember."

I: "What is the next thing you do remember?"
S: "She was screaming and her jeans were off and her shirt was ripped and she was just acting crazy. I pushed her out of the car and took off and went straight home and went to bed."

I: "Tell me more about what happened once you were in the car?"

S: "Well, I was kissing her and then I put my hand on her breast and she seemed to accept that. When I put my hand under her jeans she just went crazy and I guess I was aroused because I pushed her back and pulled the jeans down and then it happened."

I: "Please continue."

The investigator's questions at this stage of the interrogation should simply offer support for the suspect to continue talking about his crime. The statement from a suspect that he cannot remember what happened next is very common. This indicates that the suspect is not yet ready to talk about that portion of his crime. To force a suspect to prematurely reveal this information through threats or a challenge may produce invalid information. The investigator should simply ask the suspect about the next thing he does remember or perhaps ask him what he was feeling at that time.

Once a suspect starts making incriminating statements, many investigators are too anxious to elicit a full and complete confession and consequently ask the suspect leading questions in an effort to efficiently elicit "the truth". Unfortunately, the investigator's presumptions about the details of the crime may not be the truth and the resulting confession could be attacked in court as flawed. The following is an example of an improper way to develop a confession:

I: "So you and Kim went to your car?"

S: "Yeah."

I: "And then you kissed her and maybe touched her breasts?"

S: "Yeah."

I: "And at some point you decided you wanted more so you pulled down her jeans?"

S: "I suppose."

I: "And after you had her undressed you penetrated her, isn?t that right?"

S: "I must have."

I: "And after raping her you pushed her out of your car and drove home?"

S: "I went straight home after leaving the bar, that?s right."

Only after the suspect feels comfortable discussing his crime in full detail should it be documented for court purposes (Converting oral confession to a court admissible document). This may involve the suspect writing out his own confession, signing a confession written out by the investigator or
by going through a re-enactment of the confession which is recorded by a stenographer or electronically. The investigator should realize that this is the document a defense attorney will scrutinize and consequently, it should be free-flowing (not responses to leading questions), cover all elements of the crime and include information that only the guilty person would know.

In summary, ninety percent of an interrogation consists of the investigator attempting to persuade the suspect to make his first admission of guilt. This starts with a direct confrontation, where the suspect is told that there is no doubt as to his guilt. The investigator then presents an interrogation theme that reinforces existing defense mechanisms the guilty suspect has used to justify his assault. To elicit the first admission of guilt, the investigator offers the suspect an alternative question. These techniques are clearly persuasive in nature but would not be apt to cause an innocent person to confess. If the suspect does accept the alternative questions, active persuasion stops and the suspect is encourage to reveal the details of his crime by asking questions that require a narrative response. The Reid Nine Steps of Interrogation has been used successfully to learn the truth from criminal suspects for more than 50 years. Certainly there are some guilty suspects who will never tell the truth about their crime, but when the techniques presented in this article are used properly many guilty suspects will offer a trustworthy and voluntary confession.