Detecting Deception in a Corporate Environment

Robert Cockerell – KordaMentha Forensic

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Sherlock Holmes through Arthur Conan Doyle claimed:

“.........a momentary expression, a twitch of a muscle or a glance of an eye to fathom a man’s most innermost thoughts. Deceit according to him, was an impossibility in the case of one trained in observation and analysis.”
Advanced interview techniques

Agenda

Telling the truth
- Simplicity of question to detect deception
  - Open
  - Probing
  - Direct

Detecting deception
- Importance of verbal and non verbal cues

Analyses of words
- The importance of the actual words used by the subject
May 2nd Announcement by President Obama regarding Bin Laden.

“Today, at my direction, the United States launched a targeted operation against that compound in Abbottabad, Pakistan. A small team of Americans carried out the operation with extraordinary courage and capability. No Americans were harmed.

They took care to avoid civilian casualties. After a firefight, they killed Osama bin Laden and took custody of his body.”
“I counted the money, put the bag on the counter, and proceeded to go home.”

“I was in the living room. I heard a shot. I went to see what happened and I found that he was dead.”

A decisive majority (above 90%) don’t lie; they just don’t say everything.
Most people do not lie directly, instead they might:

- Avoid the issue
- Omit crucial facts
- Feign forgetfulness
- Pretend ignorance

Methods other than directly lying
President Clinton interviewed by Jim Lehrer, 21 January 1998

**Lehrer** The news of this day is that Kenneth Starr, independent counsel, is investigating allegations that you suborn perjury by encouraging a 24-year-old woman, former White House intern, to lie under oath in a civil deposition about her having had an affair with you. Mr. President, is that true?

**Clinton** That is not true. That is not true. I did not ask anyone to tell anything other than the truth. There is no improper relationship and I intend to cooperate with this inquiry, but that is not true.

**Lehrer** No improper relationship, define what you mean by that.

**Clinton** Well I think you know what it means. It means that there is not a sexual relationship, an improper sexual relationship or any other kind of improper relationship.

**Lehrer** You had no sexual relationship with this young woman?

**Clinton** There is not a sexual relationship. That is accurate. We are doing our best to cooperate here, but we don’t know much yet, and that’s all I can say now. What I’m trying to do is to contain my natural impulses and get back to work. It’s important that we cooperate. I will cooperate, but I want to focus on the work at hand.

**Lehrer** Just for the record, make sure I understand what your answer means and there is no ambiguity about it –

**Clinton** There is no ambiguity.

**Lehrer** You had no conversations with this young woman, Monica Lewinsky, about her testimony, possible testimony, before -- in giving a deposition?

**Clinton** I did not urge anyone to saying anything that was untrue. I did not urge anyone to say anything that was untrue. That’s my statement to you.

Jeremy Paxman (BBC) and Michael Howard
No One Can Lie Twice means that it is impossible to lie on two different layers of deception in regard to one issue.

Question: Did you take the car?
Answer: No.

If the answer No is a lie, it is a lie about reality. The next question is about the statement itself.

Should I believe you?

The statement No One Can Lie Twice means it is almost impossible for a deceptive subject to say “I told you the truth” or words similar.

Examples of no commitment:

“I think so” “I guess so” “I hope so” “Its up to you”
Advanced interview techniques - Things to Look out For

- Answers the actual question asked
- First person active past tense
- Would, probably, could
- Level of Introduction
- With
Advanced interview techniques - Things to Look out For

- We
- Certain
- I deny that
- I’ve done nothing wrong
- If you don’t understand the response seek clarity
Sunday 16th January

I woke up at about 10:30 and went downstairs to have breakfast (hot cross buns & a smoothie). I ate my breakfast in front of the TV & watched TV for about an hour. Mum & James were at work & dad was clearing the house & garden. At around 11:30 am Dad & I washed the dog. This took about 45 minutes as I had to blow dry her. I then went upstairs to take a shower & then get dressed. I then looked up a store on the internet that Mum wanted to go to with me to check if they were open. Mum came home at about 1:30 pm & I talked to her about going to this shop. She said she could buy some clothes & we decided we would go. She looked at some of the clothes online for a bit while I ate some snacks. When we were ready, we drove to the shop in Canterbury. Mum tried on lots of clothes & we were in the store for about an hour & a half. I helped her choose some things to buy as she doesn’t like buying clothes by herself. We left just after 4 & took then had a quick look at a few other stores before driving home. At home I messed around on my computer & watched a bit of TV before dinner. After dinner, I watched some TV then talked to my friend online for a while. We spoke with my brother before speaking to my friend, Rachel, for a bit. I then got ready for bed & read a book for a while before going to sleep.
Our tendency is to look at the person’s smile and dismiss the text.

However we should dismiss the smile and consider just the text.
Advanced interview techniques
Connections – Missing Information

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May 2\textsuperscript{nd} Announcement by President Obama regarding Bin Laden.

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They took care to avoid civilian casualties. After a firefight, they killed Osama bin Laden and took custody of his body.”
After a firefight, US Navy Seals entered a building and ran upstairs towards the third floor.

As they ascended the stairway they shot Bin Laden’s unarmed son, who was coming down the stairs.

They fired upon Bin Laden, who then ran into his bedroom.

They then entered the bedroom, shot Bin Laden’s wife in the leg and they killed Osama bin Laden.

“Killing Bin Laden” – Discovery Channel
Staircase - Re-enactment
Emotional – Fear of Detection

Activation of the Sympathetic Nervous System

“This activation drives a number of potential innate verbal, non verbal and paralinguistic behavioural responses designed instinctually as a component of the fight and flight system typically activated in terms of stress”.

(de Turck & Miller, 1990)
• Formulate a question to elicit the lie.

• Listen to the response to ensure the subject has answered the question.

• The polygraph measures various aspects of the body’s response to stress.
The poodle has 9 puppies.

The collie has 5 puppies.

**How many more puppies does the poodle have?**

*Gordon B Willis 2005 Cognitive Interviewing A Tool for improving questionnaire design*
We should be looking for significant changes in body language, such as:

- Non Verbal Cues
  - Eyes
  - Mouth
  - Blood flow
  - Micro Expressions
  - Neurolinguistic behaviour
Eye cues not indicative of memory:

**Visual Constructed:** eyes up and to the speaker’s right indicated they are creating or adding information to something they are attempting to visualise.

**Hail Mary:** eyes looking straight up indicated someone seeking divine help. This eye positioning is not consistent with memory.

**Auditory Constructed:** eyes to the speaker’s right indicated they are in auditory mode; however, they are creating or adding information to something they have not heard.

**Kinesthetic:** Speaker’s eyes down and to their right are indicative of someone experiencing body sensations. It is not indicative to recall but someone experiencing emotions. During an interrogation it may indicate the person is close to confessing.

Person’s eyes focused straight down are indicative that the person cannot recall information.
Eye cues indicative of memory:

**Visual Remembered:** eyes up and to the speaker's left indicated they are looking for a picture already seen.

**Auditory Remembered:** eyes to the speaker's left indicate they are in an auditory mode trying to hear sounds previously heard.

**Auditory Digital:** eyes down and to the speaker's left indicates they are talking to themselves.

**Defocused:** If the person's eyes are staring straight ahead, apparently not focused on anything, it indicated they are seeing a bunch of visual information at the same time.
In closing

**Questioning:**

- Simple questions
- Ensure the subject has answered the actual question asked
- Most people do not lie directly, they just don’t say everything (Clinton)
- If they do lie, “No One Can Lie Twice”

**Things to look out for:**

- Use of first person past tense
- Use of words like “my”
- Use of words to describe leaving, for example “left”
- Changes in body behaviour
- Where a person looks (neuro-linguistic)
Contacts

KordaMentha Forensic

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- Fraud, corruption and ethics awareness training

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