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# **FINDING THE TRUTH: EFFECTIVE TECHNIQUES FOR INTERVIEW AND COMMUNICATION**

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Association of Certified Fraud Examiners

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### III. COMMUNICATION ANALYSIS

#### Overview

The ability to analyze communications is critical to the success of an effective interviewer.

Communication analysis is a means to (1) understand what the subject is saying, (2) understand what the subject is *not* saying, and (3) prepare follow-up questions. Performing a communication analysis helps an interviewer locate places in a statement that suggest the subject is sensitive. The person may dodge a line of inquiry, resist the interviewer's request for detail, or deploy obscurities and jumbled time sequences to throw the interviewer off track.

Communication analysis does not provide the interviewer with evidence of either truthfulness or deception on the part of the subject. However, it does provide the interviewer with clues to more effective communication. One word or phrase does not reveal that the subject is lying. But a communication analysis can reveal clusters of phrases in which the subject exhibits sensitivity. These areas can become the focus of the interviewer's amplifying questions.

#### Video



#### Identifying Patterns

As with a jigsaw puzzle, no single piece of information in communication analysis completes the picture.

An effective interviewer looks at all of the components of verbal and nonverbal communication, such as tone and body language, as well as the subject's words. The interviewer might notice an individual crossing their arms over their chest. While the interviewer might interpret this activity as a defensive posture, the individual might simply be tired and looking for a more comfortable position. It is important that the interviewer listens to the tone of the subject's words and the words themselves to see if there is more than one clue to the subject's attitude. Is the subject's tone consistent with being tired or is it more defensive in nature? With the crossing of the arms and the defensive tone, have the subject's words become defensive in nature?

One clue does not make a case. A single indicator is not conclusive of an individual's attitude, willingness to talk, or truthfulness.

### Deviations

When we read a newspaper article or a book, we expect the text to be grammatically correct and organized. The words of the text are all we have guiding us through the story. Change the words of the text and you change the story, however slightly. For example, referring to one's male parent as *my dad* is one thing; calling him *Old Goat* is another. Grammatical choices also play a huge role in how an individual's statement comes across. When someone who normally speaks with proper grammar says, "I ain't the one," the deviation is no doubt significant. Perhaps the subject is trying to inject some humor into the interview. Perhaps the statement is meant to be aggressive—a verbal bearing of the subject's teeth, so to speak: "I ain't the one ... and you better back off." At any rate, a change in word or grammatical choice makes all the difference. People do not simply describe "the same thing with different words." If they use different words, they are offering a different description.

When we speak with someone, we normally recognize when that person deviates from the rules of grammar or speaks in an unorganized manner. We recognize when a person uses different words to describe the same person. Generally, we gloss over these anomalies, telling ourselves that they are "simply" part of a normal conversation. We tell ourselves that the rules of grammar, with respect to complete sentences, use of nouns, pronouns, verbs, and other parts of speech, do not apply equally to the spoken word as they do to the written word. However, what we do not often recognize is that, with written communication, the writer has had many opportunities to "re-edit" their communication. In spoken communication, the speaker has "edited" their communication, but perhaps not as completely as with written communication.

Everything a person tells us is important. The manner in which that individual conveys that information is equally important. Our culture, which often prefers politeness to clear communication, can make it difficult to recognize word choices and grammatical deviations as indicators of concealment, deception, or sensitivity. A vigorous communication analysis holds these deviations up to the light.

### Missing Information as a Form of Concealment

What an interview subject does *not* say warrants examination as well. A subject might skip a block of time within a narrative—perhaps hours, days, or even months. The interviewer should inquire whether these lapses are meant to conceal actions that occurred during the omitted time. Deceptive subjects tend to omit relationships among key players in an event (e.g., an individual fails to mention that the controller is his brother-in-law), root causes of an event (e.g., the clerk was angry because he'd been scolded by management the day before), and important steps in an event (e.g., moving from the prologue of a narrative to the aftermath in a sentence or two). When a subject drops words from their sentences, they might also be attempting to conceal information or evade responsibility. The most common form of this type of omission is the subjectless sentence: *Went to school. Drove back home. Stopped*

*by the office.* By leaving themselves out of the sentence, the subjects might be indicating that they are unwilling to acknowledge their role in the events. The subject might also omit verb phrases: *As for John Doe. Hmm, big man. Not so nice though. Greedy, you might say.*

Analyzing statements for missing information requires the interviewer to think outside the subject's words and consider some of the following questions:

- Where are the points where we should expect to find details that are not present?
- Are there gaps in the time sequence of the statement?
- Has the subject adequately explained the relationships of the key players?
- Do events in the statement seem to arise out of nowhere?
- Are words missing from the subject's sentences that make the statement appear clumsy or evasive?

Pressing the subject for missing information and observing their reaction during this phase of the interview often exposes someone who intends to deceive. On the other hand, pressing the subject might help them recall details he has forgotten. The subject might simply need some guidance from the interviewer in order to provide a well-rounded statement.

**Video**



**Resistance Analysis**

The term *deception analysis* is important for two primary reasons: to set aside the concept of *deception* and its analysis, and to substitute the concept of *resistance* and its analysis.

First, to maintain objectivity, the interviewer must methodically collect evidence, develop leads, and not jump to conclusions. If the interviewer enters an interview looking for signs of deception, the interviewer narrows their field of view. The perception or judgment that the subject will be deceptive in their responses removes objectivity. Resistance or sensitivity in a subject's responses might indicate deception, or it might indicate discomfort with the subject matter. It is the responsibility of the interviewer to identify areas of resistance or sensitivity and determine whether deception might be present, or if another issue is prompting the indicators.

Second, if the interviewer recognizes areas where the subject is not answering their questions, it might be for a number of reasons. The question the interviewer posed might have been constructed in such a manner that the subject recalls an incident similar to the one the interviewer is asking about. The unrelated incident might trigger emotions that indicate sensitivity to the question, or the question might have not been clear to the subject. It is the responsibility of the interviewer to explore various ways of interpreting a subject's statement.

A subject's choice of words, sentence construction (syntax), and the manner or tone in which they deliver their words are all critical. If they were not critical, we could load a dictionary into a computer and program it to write the "great American novel."

Recognizing that a person's words may account for less than one-fifth of the total communication process tells us that in an interview, the subject is transmitting information to us by tone, body language, and words all at the same time. However, while a person's words account for a small part of the communication process, analyzing the words of a statement can often give us the greatest insight into what he is telling us. Gestures and tone occur in the moment and then pass. Words are, by their nature, more stable than actions—a transcript or written statement contains the words of the subject in a fixed, definite form.

### **Question Construction**

A subject's statement is generally prompted by a direct or indirect question from the interviewer. Therefore, it is critical to construct one's questions properly.

#### ***Direct Questions***

With a direct question, the interviewer asks the subject a series of questions to which the interviewer is seeking a specific answer. The interviewer does not want a story—they are searching for facts. The benefits of using direct questions include:

- When time is critical, direct questions get to the point.
- The interviewer gets the subject "on record" with regard to certain facts.
- A well-formed direct question limits the subject's ability to avoid responding or to shade their answer.

The disadvantages of direct questions include:

- The interviewer may provide the subject with details about the inquiry with each question (asking about a locked door or a piece of equipment reveals that the item is a focus of the inquiry).
- The subject may tailor their response to the question.
- The interviewer has limited the information he can obtain from the subject's answer.

- Certain questions may introduce an element of suspicion into the interview, increasing the subject’s tendency to resist the inquiry.
- Information that comes in response to a direct question is often less reliable than a statement prompted by an indirect or open-ended question.

***Indirect Questions***

Indirect questions allow the interviewer to ask for “open-ended” responses. Instead of asking whether the computer room door was locked, the interviewer may ask the subject to describe their activities on a certain morning. At some point in the response, the subject should refer to the door and whether it was locked. If the subject leaves the door out of their response, or does not mention the lock, the omission might be significant. The interviewer may press for that information with a direct question, or they might construct a second indirect question to steer the subject toward the issue of the door.

The benefits of indirect questions include:

- Indirect questions allow the subject to speak freely, choosing their own pace, focus, and detail.
- Indirect questions do not limit the information that the subject may give the interviewer.
- Indirect questions help secure reliable responses from the subject by reducing the influence of the interviewer’s words, tone of voice, and body language.
- Indirect questions are less likely to communicate an interviewer’s suspicions and aims.
- A subject responding to an indirect question must anticipate what the interviewer already knows, reducing the likelihood of outright fabrication.

The disadvantages of indirect questions are:

- The interview process takes more time.
- The form, content, and timing of the question may be more difficult to control than with direct questions.
- The subject has more freedom to evade issues and omit facts.
- The subject may claim not to understand the question.

***Using Statements to Elicit Information***

A request for information does not necessarily have to come in the form of a question. At times, it is advisable for the request to come in the form of a statement. In this question, the interviewer has asked if the subject *can* tell them what happened. As we will learn, the subject who uses the term *can* in their response, such as in “I cannot tell you,” might be saying “I am unwilling to tell you.”

Interviewer:	<i>Can you tell me what happened?</i>
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Another option for the interviewer is:

Interviewer:	<i>Tell me what happened.</i>
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Ideally, the interviewer begins the interview by asking an open-ended question that allows the subject the greatest range of freedom for fashioning their response. In a typical exchange, the subject constructs their statement with details and events that are important to them when responding to an open-ended question. The less restrictive the question, the more likely that the subject's response reflects of their own aims and remains unswayed by the interviewer's prejudices.

Interviewer:	<i>What did you do the day you reconciled the checkbook?</i>
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In this question, the interviewer limits their inquiry to what the subject *did* on *the day* the checkbook was reconciled.

Interviewer:	<i>What went on the day you reconciled the checkbook?</i>
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In this version, the interviewer asks the subject what occurred on the day the checkbook was reconciled. This version asks the subject about *all* the events of the day, not just those in which the subject was a participant. The subject might relate events besides their own actions and beyond those things, what they observed directly. The interviewer might learn a great deal about the procedures and politics of an office setting by constructing the question in this manner.

Interviewer:	<i>Tell me what occurred the day you reconciled the checkbook.</i>
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In the last version, the interviewer does not ask a question. Because a question is a weaker prompt than a statement, the interviewer styles their inquiry as a statement, putting more pressure on the subject to respond with complete and accurate information.

If we accept the premise that the majority of people do not fabricate an event in response to an open or indirect question, then the interviewer's belief in the subject applies only to the first uncontaminated version of the subject's statement. Once the interviewer starts to ask the subject questions about their statement, the reliability of the answers decreases, since the follow-up questions provide the subject with information.

Communication analysis is not a “silver bullet” or a magic formula. Only through constant study of all aspects of the subject’s communication, both verbal and nonverbal, and the recognition of patterns can the effective interviewer begin to understand what the subject is communicating.

### **Collecting and Preserving the Material to Be Analyzed**

An interview is like a crime scene. The interviewer who analyzes a statement, like any good detective, must collect, preserve, and examine the information he gathers in the most controlled and objective manner possible.

The interviewer gathers the most reliable information by limiting the stress of the communication process. The greater the stress placed on the subject by the interviewer, the greater the possibility that the subject will recant all or part of the information he gave during that interview. Conversely, the greater the rapport established between the interviewer and the subject, the greater the chance that the subject will provide the interviewer with relevant information.

Like a good detective, the interviewer collects information and preserves it for later analysis, away from the crime scene. The analysis should take place in an environment free from contaminants, such as stress and distractions. Because everything the subject says carries import, the interviewer should not pick and choose what is important while gathering information. Instead, the interviewer should note clues, indicators, and patterns during the gathering stage and return to these points in the later analysis.

Interviewers must often decide whether to question subjects orally or to ask for statements in written form. If the interview is conducted orally, a number of things happen. The information begins to decay immediately because it depends on the interviewer’s memory. Very few of us have memories that enable us to recall verbatim every word a subject tells us. If we do not have the original words, syntax, and punctuation exactly as the subject gave them to us, we simply do not retain all of the subject’s original responses or comments. The communication begins to decay as it passes from the subject to the interviewer. If the interviewer takes notes, the notes will be incomplete. Also, taking notes can slow the process of communication between the interviewer and the subject, and might cause the subject to feel apprehensive—their words and gestures are being recorded as they speak, a slightly discomfiting situation at best. On the other hand, in those circumstances where the interviewer asks the subject to write down what happened, they relay what they want the interviewer to know, what is important to him, and what they believe will satisfy the interviewer.

Another advantage of the written statement is that it does not decay. It can be copied and, with the exception of certain aspects of handwriting and document examination, the copies suffice for most

purposes. With copies, each copy can be marked, colored, cut, and pasted, and the original will not be destroyed. The original is always available for examination or further copying.

When a subject provides a written statement, the interviewer should provide the subject with unlined paper with four or five blank pages beneath the page on which the subject is writing. These two elements provide for further handwriting testing and examination procedures in addition to the analysis of the statement's content.

### Beginning the Analysis

We begin an analysis with the premise that the subject has told the truth. However, this does not, eliminate the possibility that the subject might be concealing information. We must ask two questions: “What did the subject say?” and “What did the subject *not* say?”

There are two ways to analyze the statement: through an examination of the *content* (the words and phrases) and through an examination of the *structure* (the beginning, middle, and end of the statement).

When a person communicates information about an event that has occurred, that person:

- Uses words or a *vocabulary*
- Uses those words in various forms called *parts of speech*
- Arranges those words in a sentence in a manner referred to as *syntax*
- Arranges their sentences to tell a story, called a *narrative* (the terms *narrative* and *statement* will be used interchangeably in this section)

These four areas—*vocabulary*, *parts of speech*, *syntax*, and *structure*—form the basis for a communication analysis.

### Vocabulary

We have a vocabulary of thousands of words. When we use the words *girl*, *woman*, *lady*, or *female* to describe the same person in a narrative, it is because each term is a reflection of how we perceive that individual at that particular point in the narrative. When we use different words or terms to describe different individuals, all of whom are of the same gender, age, and relationship to us (e.g., coworkers, aunts, uncles, classmates) in a narrative, it is again because each term is a reflection of how we perceive those different individuals. Changes in vocabulary within a narrative to describe the same person, place, thing, or action denote important shifts. Changes in vocabulary are indicators of a change in the