

TRAINING TASK: INTERVIEW AND INTERROGATION

TASK # 12

Purpose

To gather information or obtain a confession

Preceding Task:

Preliminary Investigations

I. Statute and City Ordinances

None

II. Policy and Procedure

- A. G.O. 1.2.3 Constitutional Requirements
- B. G.O. 1.2.3 Field Interviews
- C. G.O. 44.2.3 Custodial Interrogation of Juveniles
- D. Training Bulletin: The Law #7: Miranda Warnings on Misdemeanors

III. Operational Procedure

- A. Victims and complainants
 - 1. Remain professional, courteous, show empathy when necessary, and try to calm victim
 - 2. Determine nature of complaint, i.e., criminal, civil, in progress or just occurred,
 - 3. Determine the facts
 - a. Who, what, when, where, why, and how
 - b. What action does victim need to take
 - c. Do not make promises which cannot be kept
 - 4. **Goal is to gather information**
- B. Witnesses- Interview
 - 1. Separate then interview
 - 2. Same items as listed under A above
- C. Suspects- Interrogations
 - 1. **Goal is to obtain CONFESSION**
 - 2. Know as much about incident as possible prior to interrogation, i.e., witness statements, evidence, criminal history of suspect, etc...

3. Location
 - a. Officer maintains control. Try to conduct on Officer's terms!!!!
 - b. No distractions, avoid interruptions, i.e., phone calls, radio calls, etc...
4. Miranda Warnings
 - a. Only necessary when suspect is in custody under arrest: Courts have ruled that if offender could have believed he was under arrest Miranda must be given, i.e., placed in the back of cruiser, handcuffed, or not permitted to leave
 - b. Rights understood by suspect and waiver must be voluntary
 - c. Obtain in writing whenever possible - Use Rights Form
5. Establish rapport prior to Miranda and actual interrogation:
 - a. Obtain background Information.
 - b. Be positive, demonstrate confidence, i.e., body language
 - c. Be friendly with suspect, try to be his/her friend. Avoid making threats to suspect, i.e. he is going to go to jail for a long time.
6. Try and accomplish the following:
 - a. Let offender talk and give his side of story. Try and get alibi.
 - b. If offender begins to lie, let his/her lies accumulate before refuting with known facts you may be aware of
 - c. Rationalize offense, give offender an out, i.e., lessen the offense, give logical explanation for occurrence
 - d. Consider planting ideas in suspect's mind, i.e., would someone identify him/her as offender, would their fingerprints be at crime scene, would their vehicle have been seen at crime scene
 - e. Question on known facts and evidence that only offender would know
7. Written statements
 - a. Request written statement in suspect's own words - Have suspect write it
 - b. Have suspect initial corrections on statement
 - c. Observe suspect write and sign statement
 - d. Officer and suspect sign each and every page

I acknowledge that I received training in the skills and knowledge necessary to perform in the above Training/Task Topics, and I am able to perform at an acceptable level.

Probationary Officer Date

Supervisor Date

FTO Date