



## Leveraging Communication Theory to Improve Interviews and Interrogations

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Those of us who have earned the CFI designation have made a commitment to continually develop our interview and interrogation skills while challenging ourselves to create new standards for success. Identifying new educational opportunities is a significant component of this commitment. Unfortunately the pervasive assumption throughout our industry is that there is a clear divide between academics and practitioners. The truth is academics and practitioners share many of the same goals and can benefit from shared learning as both the academics and practitioners want to see guilty people punished fairly and innocent people exonerated while discovering methods and strategies to improve communication skills.

An interview or interrogation is essentially a conversation between two people and the success of the conversation is largely reliant upon the interviewer's communication skills. Researchers have been studying communication for generations and publishing findings that can benefit interviewers. Exploring these theories provides interviewers with an opportunity to evaluate their techniques and identify opportunities to improve their communication skills by understanding how their subjects may be feeling and how their subjects may perceive them during their conversations. There are dozens of theories we can apply to interview and interrogation including Interpersonal Deception Theory, Uncertainty Reduction Theory and Social Bond Theory. The three theories we are going to apply to our industry here are Leon Festinger's Cognitive Dissonance Theory, Judee Burgoon's Expectancy Violation Theory and Walter Fisher's Narrative Paradigm. Each of these theories provides valuable insight into how our approach affects our subjects and how we can maximize our persuasive efforts.

### Cognitive Dissonance Theory

Leon Festinger initially published his Cognitive Dissonance Theory at Stanford in 1957 and many researchers have developed updated approaches to his theory from varying angles over the last 50 years. The term Cognitive Dissonance essentially refers to the mental discomfort people feel when their current actions or beliefs run contrary to the actions or belief systems they normally hold. An example of this could be when a New York Yankee's fan is watching a baseball game and finds himself cheering for the Boston Red Sox. He is fully aware that he normally disdains

the Red Sox, but today he would like to see the Red Sox defeat their opponent. The longer he supports the Red Sox the more uncomfortable he becomes. Another example of cognitive dissonance is the buyer's remorse a person may feel when he purchases a 90 inch television that was outside of his budget. People often experience feelings of regret shortly after making significant purchases. They may wonder if another television would have been a better value, and doubt the attributes of the television they purchased.

We will operate under the assumption that most of the people we speak with are good people who have made mistakes in their lives for the purpose of applying cognitive dissonance to interviews and interrogations. Assuming this is the case, the majority of people we speak with should likely experience cognitive dissonance in three places; when they first commit a dishonest act, at the beginning of the interview or interrogation and when they admit to their transgressions.

Most people understand that stealing, harassing, committing fraud and acts of dishonesty are wrong. As a result, when people act outside of these beliefs they experience dissonance. This dissonance can produce feelings of guilt which interviewers can later capitalize on. Unfortunately the prevailing stereotype of investigators is a negative. People typically assume interacting with investigators will be negative and confrontational experience, devoid of empathy and focused on the evidence. This creates a critical opportunity for investigators to use cognitive dissonance to their advantage. When investigators employ polite and professional introductions, take time to develop rapport with their subjects, show empathy with their physical and verbal communication and maintain a non-confrontational approach they create dissonance for their subjects as they attempt to reconcile their new reality with their previous beliefs. The most difficult decision our subjects make is the decision to be truthful. It is likely that they spent a significant amount of time convincing themselves they would never admit their actions to avoid any associated consequences. As the subject transitions from a state of evaluation into a state of submission their dissonance levels will increase as they prepare to tell the truth. It is also likely that our subjects could experience buyer's remorse shortly after verbalizing their first admission.

According to Festinger the level of cognitive dissonance that people feel is based on the importance of the issue and the amount of discrepancy between a person's normally held actions or beliefs and their current actions or beliefs. This explains why

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a customer may feel buyer's remorse after purchasing a vehicle but not after downloading an extra CD from iTunes. Interviews and interrogations create extremely important issues for our subjects. These conversations can result in our subjects being prosecuted, terminated, embarrassed or worse. The discrepancy between their belief that they won't confess and our preference for them to confess creates a significant gap. Interviewers can benefit from understanding the high level of dissonance subjects likely experience so they can capitalize on any opportunities it may provide.

Festinger clarifies his theory when he states that people hate feeling dissonance. People hate feeling dissonance so much it motivates them to create consistency between their normal actions or beliefs and their current actions or beliefs. An example of the need for consistency is when a man spends weeks summoning the courage to ask a woman on a date. After several weeks he finally sees an opportunity, asks her out to dinner and she turns him down. As the man walks away he immediately begins to convince himself that he never really wanted to go out with her anyway. When people seek consistency to avoid dissonance they must alter either their actions or their beliefs. According to Festinger, either the actions or beliefs could change based on which is least resistant to change. However, his research identified that it is more likely a person's beliefs will change because people put more effort into their actions causing their actions to become more entrenched.

In terms of an interrogation, taking action equates to making a confession. Subjects typically enter an interrogation believing they will not admit, or at worst they will limit their admissions to reduce any potential consequences. Interviewers can change their subject's beliefs by using an empathetic and non-confrontation delivery to convince them they are caught, offering an opportunity for the subjects to save face and transfer blame, creating a sense of urgency and using of soft accusations. Allowing subjects to save face, transfer blame and feel better about their actions is a critical component to the success of any interview or interrogation. These conversations should not focus on punishing the subject. These conversations should focus on allowing the subject to feel better about what they have done so they are willing to be honest about their actions. Festinger lists several ways that people trivialize their actions to avoid feeling dissonance. These include denying or minimizing negative thoughts, reminding themselves of the positive aspects of their actions, convincing themselves that the rules don't apply to them and deferring responsibility for their actions. In essence, he specifies ways that people rationalize their actions to fit within their self image. The level of dissonance subjects experience increases as they struggle to create an excuse

for their actions. By presenting rationalizations to their subjects, interviewers minimize the amount of dissonance subjects feel by providing them with an excuse to latch onto. Well crafted rationalizations speak directly to the subject's need to create positive reasons for their actions and use them as an excuse to be honest with the interviewer.

Festinger's theory continues to identify three mental mechanisms that people use to avoid feeling dissonance. The first mechanism is selective exposure. People employ selective exposure to avoid acquiring information that runs contrary to their beliefs. Consider for a moment how you watched the recent state of the union address. If you are an ardent democrat it is very likely that you only watched the President's speech. If you are an ardent republican it is very likely that you only watched the republican response. If you are loyal to one party and watched the opposite party's speech it is likely that you did so in an effort to confirm the negative biases you already possessed. The second mechanism is post decision dissonance, otherwise commonly referred to as buyer's remorse. Festinger believes the amount of post decision dissonance we feel is proportional to the length of time it took to make the decision, significance of the issue and how difficult it will be to reverse the decision. The final mechanism is minimal justification. Most people will use the minimal amount of justification to support their actions.

Interviewers can leverage these mechanisms to increase the amount of information they obtain during interviews and interrogations. If our subjects have their selective exposure barriers in place they may not hear a word we say. Interviewers should start their interviews with professional and polite introductions, build rapport, show empathy and maintain a non-confrontational approach to avoid being ignored. It is most likely that if our subjects feel post decision dissonance it will be shortly after their first admission. Interviewers can limit this dissonance by simply thanking the subject for being honest, supporting further admissions and continuing to rationalize through the development process to help subjects feel better about continuing to confess. Using minimal justification is another important consideration. Interviewers should avoid threats and promises from a legal and ethical standpoint. Threats, promises and excess justification should be avoided because they may gain compliance but they don't obtain commitment. It is important that our subjects tell us the truth with minimal justification so they own their statements and less likely to recant them later in the conversation.

Cognitive dissonance creates powerful persuasion opportunities  
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for interviewers. Interviewers can create favorable dissonance by focusing on the issue not the person and focusing on the resolution not the consequences throughout the interview or interrogation. When interviewers show empathy and build rapport they can limit the subject's selective exposure response and use the temporary bond they create to overcome any post decision dissonance. When interviewers use only the minimum required amount of justification our subjects are far more likely to own their admissions and are less likely to retract them.

### Expectation Violation Theory

Judee Burgoon published her Expectation Violation Theory (EVT) at the University of Arizona in 1978. EVT originally dealt with spatial relations people maintain when they communicate with each other. Burgoon has since expanded her theory to cover most forms of communication. Essentially Burgoon states that we all expect, or predict, that certain people will interact with us in certain ways based on our relationships and social norms. When those expectations are violated it could generate a positive or negative response.

EVT encapsulates Ed Hall's research into the study of proxemics, or how far people distance themselves from each other, based on their relationships, during communication. Hall stated that there are four communication zones. The intimate zone is from 0 to about 1.5 feet away. We are comfortable with lovers, friends, family, kids and people we find attractive in this zone. The professional zone is from 1.5 – 4 feet. This is where most professional business is conducted. Interviewers should typically space their chairs about 4 feet apart with no barriers in between to provide themselves with the best opportunity to identify if their subjects are being truthful. The social zone is from 4 – 10 feet and the public zone is 10 feet and beyond. Mr. Hall noted that people should avoid violating these communication zones as the violation would cause a negative response. Burgoon clarified that point by saying that when we violate people's spatial expectations it causes them to become mentally alert and focused on the violator as they try to interpret the meaning of the violation within the context of the situation. She continued to state that how the violation is perceived is largely based on how the violator is perceived. Violations are generally received favorably when they are committed by people who are held in high regard. As a result interviewers need to make the most out of the time they spend outside of the interview room. Interactions with employees and citizens should focus on building positive and supportive relationships. This improved perception will increase the probability that the expectations we violate will be received in a positive manner.

It should be safe to assume that our subject's expectations are violated when they enter a room and sit in a chair four feet from us to start a surprise meeting. This violation should cause the subject to become more mentally alert as they try to decipher the reasons for the room set up and for the meeting. This increased focus will help the interviewer maintain the subject's attention and could likely cause an increase in behavioral leakage as the subject's fear of detection begins to rise.

The three core concepts comprising EVT are expectancy, violation valance and communicator reward valance. Expectancy refers to what people expect to occur, violation valance refers to how attractive the violation appears to be and communicator reward valance refers to how attractive the rewards are for continuing to speak with the violator. When our subjects consider being interviewed or interrogated they likely expect us to be confrontational, show no empathy, use direct accusations and to confront them with evidence. Most subjects prefer to be confronted with evidence because it allows them to issue a direct denial, confirm what the interviewer knows and attempt to explain the evidence away. Violating these expectations creates advantageous opportunities for interviewers. Non-confrontational, rapport based, empathy driven interviews violate these negative expectations and create a more positive bond between interviewers and subjects. When interviewers avoid direct accusations and don't divulge any evidence they render the subject's initial defense strategy useless, avoid denials and interruptions, and increase their credibility.

The violation valance associated with the room set up and purpose of the conversation are low at the outset of the interview. Guilty subjects quickly realize that the end result of the current situation is likely negative for them. However, the violation valance regarding their communication expectations increases as the interviewer continues to show empathy and sincerity throughout the conversation.

An interviewer's communication reward valance is definitely low at the start of the interview. Rewards for continuing to speak with the interviewer include being terminated, prosecuted, embarrassed, fined or imprisoned. The interviewer must turn the violations around by showing understanding and offering the subject opportunities to save face and transfer blame for what they have done. Interviewers who appear to be judgmental, who focus on the consequences or who are perceived to be personally attacking their subjects will further decrease their communicator reward valance.

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There are several ways interviewers can capitalize on EVT to improve their relationship with their subjects during interviews. Interviewers should take an unbiased look at the perceived relationship they have with their subjects before any interview. When interviewers accurately understand the dynamics of the relationship they have with their subjects they can determine the best time and place for the interview, the best way to dress for the interview, the best witness to choose and the best approach to take. Interviewers should also anticipate any expectations their subjects may have and plan to violate negative expectations and confirm any positive expectations. Finally, interviewers should consistently work to improve their violation and communicator reward valances. Our subjects will typically not admit unless, in their mind, the perceived benefits of cooperating outweigh the perceived consequences of refusing to cooperate. The lower these valances become, the more difficult it becomes for the interviewer to complete a successful interview. Interviewers can improve these valances by showing genuine empathy, building rapport, and maintaining a non-confrontational approach with their subjects. It is very critical for interviewers to understand that the interview or interrogation is not about punishing the subject. The interview or interrogation needs to focus on making the subject feel better about what they have done or what they know. When our subjects feel better about what they have done or what they know, they are far more likely to be honest with us. This communication allows for the correct punishment to be handed down at the conclusion of the interview or interrogation.

### **Narrative Paradigm**

The narrative paradigm is a conceptual framework established by Walter Fisher in 1984. The narrative paradigm essentially states that human beings are story telling animals and we experience life through a series of stories. Take a moment to think about what makes you proud of your family. It is likely that a significant portion of your pride is derived from stories you have been told about your ancestors because you can personally identify with them and you are proud that their actions helped your family grow to where it is today.

Great stories provide depth and color, draw listeners in and cause listeners to feel the same emotions as the characters in the stories. Fisher believes that narratives involve character, motive and action. He states that stories should have a beginning, middle and end and narratives are delivered with verbal and non-verbal behavior. According to Fisher compelling stories are often more persuasive than confronting a person with evidence. People interpret stories based on how the stories relate to their own life experiences.

These assertions shine a light on how interviewers can improve their rationalizations. Interviewers should research their subject's personal background and the facts of the investigation to identify potential rationalization topics. Interviewers should choose rationalizations that their subjects can easily identify with based on their own life experiences. If the interviewer does not have an opportunity to learn more about the subject's background there are a multitude of experiences that all human beings can identify with. Rationalizations should be delivered with sincerity and empathy through our tone of voice, posture, eye contact, facial expressions, illustrators and emblems. It is generally not prudent to make up rationalizations on the fly considering the importance of sincerity and empathy. When interviewers make up stories they may come off as choppy, confusing and insincere and interviewers may have difficulty remembering the story correctly if they need to revisit it later in the conversation. Every interviewer has a wealth of life experiences they can draw from for effective rationalizations.

Fisher's narrative paradigm embodied a significant shift from the generally accepted rational paradigm. The rational paradigm held that people are rational, their decisions are based on arguments and the world is a set of puzzles people solve logically. Fisher contends that people are story telling animals, we make decisions for good reasons and the world is a set of stories that we recreate our lives from. The rational paradigm should not be ignored because people certainly employ different levels of logic when making important decisions. However, consider Fisher's point about redefining our lives based on stories. At one time in your life you likely thought of yourself as a son or daughter, then a boyfriend or girlfriend, then a husband or wife and then a mother or father. We are continuously redefining ourselves. Interviewers can capitalize on both paradigms by delivering well crafted rationalizations. These rationalizations can persuade those who rely on good reasons to confess and alter the mindset of logical decision makers by providing them with good reasons to make a logical decision to confess.

Narrative rationality is a significant component of the narrative paradigm. Fisher states that narrative rationality is derived from the levels of coherence and fidelity with in the story. Fisher clarifies that it is important for the stories to ring true, hang together, for the characters to behave as expected and show motive and action. According to Fisher people don't deliberate whether or not they should buy into a story. People buy into a story when they can identify with the story based on their life experiences and when the story provides good reasons for them to change future actions.

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Interviewers can choose stories that their subjects can easily identify with by considering everything they know about their subject and everything they know about the investigation. Once the interviewer is familiar with the subject's background and the case facts they need to ask themselves one question: Why would someone like this feel better about telling me they did something like this? Based on this question the interviewers should be able to identify 8 – 12 potential rationalization topics and prepare 3 or 4 to use during the interview.

Rationalizations are the engine that drive the interview and interrogation process as they allow our subjects to save face and transfer blame for their actions. When interviewers deliver rationalizations it is critical that they match the motive not the act. If a subject has stolen \$10,000 and the interviewer tells a story about another person who stole \$10,000 the interviewer may completely miss the mark. Interviewers should prepare for their interviews and interrogations by considering why the subject will feel better about telling them they took the \$10,000. If the interviewer believes that the subject will feel better if they can blame their actions on stumbling over an opportunity to fulfill a financial need then the interviewer needs to make this the focus of the rationalization. Personal stories and articles from the media make phenomenal rationalizations because people can relate to universal or famous challenges. Stories about other interviews can work great as well; however interviewers should not rely solely on these stories as they may not work in every scenario.

There are four components to effective rationalizations that need to be included to ensure coherence, fidelity and subject identification. First, the interviewer needs to state the topic of the story by saying something to the effect of "People do things they're not proud of for many reasons. Sometimes they just make an impulsive decision..." This allows the subject to focus on what they are about to hear. Next, the interviewer needs to tell a coherent story that sounds true, allows the subject to relate to it based on their life experiences, and provides good reasons for the subject to feel better about confessing. The interviewer needs to put a moral at the end of the story so the subject understands that the interviewer knows that many people have fallen prey to these types of circumstances. Finally the interviewer needs to link it back to the investigation by saying something similar to "That's why people like me come around. So we can have these conversations and understand why people sometimes do things that appear to be out of character for them." This statement brings the subjects attention back to the investigation and allows them to identify with the story based in the context of their current situation.

## Conclusion

Exploring Cognitive Dissonance Theory creates a better understanding of the mental discomfort our subjects feel during our interviews and interrogations. Expectancy Violation Theory helps us understand how our interactions can positively and negatively impact our interviews. The Narrative Paradigm illustrates how we can increase the effectiveness of our rationalizations. Together these theories provide a 360 degree view of how interviewers can consistently increase the amount of information they obtain. The most successful interviewers are those who continue to educate and challenge themselves while searching for unorthodox sources for valuable information.

Future editions of the CFI Insider will feature the "Academic Annex" where we can explore academic theories and research to confirm, challenge and expand our techniques.

## Original Theory Publications:

Judy K. Burgoon, "A Communication Model of Personal Space Violation: Explication and an Initial Test," *Human Communication Research*, Vol. 4, 1978, pp.129-142.

Leon Festinger, *A Theory of Cognitive Dissonance*, Stanford University, Stanford, CA, 1957.

Water R. Fisher, "Narration as a Human Communication Paradigm: The Case of Public Moral Argument," *Communication Monographs*, Vol. 51, 1984, pp. 1-22.

## Are You Carrying Yours?



## Quote of the Quarter

*There are powers inside of you which, if you could discover and use, would make of you everything you ever dreamed or imagined you could become.*

--Orison Swett Marden,  
American writer