

Evaluating Exaggeration Within a Response (Reid – January 2009)

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During a recent congressional hearing a CEO of one of the big three auto makers was asked, "Isn't it true that you have been trying to sell your company for several years?" The response to this question was, "I don't get up every morning and spend the day trying to sell the company." On the literal level this exaggerated response was undoubtedly the truth, but it certainly did not mean that the CEO had not been trying to sell his company. An exaggerated response like the one above allows a suspect to imply non-involvement without lying. As a further benefit to the liar, the sarcasm within an exaggerated response often discourages further questioning. The above mentioned CEO was never again asked about efforts to sell his company.

Occasionally, a suspect will use sarcasm to offer what might be called a pretend confession. As an illustration, the suspect may be asked, "Did you steal the missing deposit?" The suspect's response is, "Right. I took the money and was also involved in assassinating President Kennedy." Because part of his response is obviously false (being involved in the Kennedy assassination), the suspect is hoping that the investigator will assume that the other part of his response is also false.

A sarcastic response often allows the guilty suspect to answer the investigator's question without lying. An investigator should respond to an exaggerated, sarcastic response like any other evasive response. That is, the same question should be repeated in a non-accusatory manner, e.g., "Sam, I'm not investigating Kennedy's death. What I need to know is whether or not you stole the missing deposit."; "Sir I'm not asking about what you do every morning. Have you attempted to sell your company in the last several years?"

Another tactic involving an exaggerated response is illustrated in an interview we critique during our Advanced course. The subject is a teacher accused of sexual assault. The victim alleges that the teacher kissed her, placed his hand on her breast and moved his hand down to her stomach and eventually placed his fingertips under the top of her jeans. When the teacher was asked at the beginning of his interview, "Tell me what (the victim) is saying you did to her?" the suspect responded, "She said that I kissed her, fondled her breast and put my hands down the front of her pants." This, of course, is a distorted description of the allegation but allows the teacher (who later confesses) to tell the truth when he denies *fondling* her breast or putting *both hands* down her pants.

Innocent suspects will typically offer an accurate description of the allegation against them.

This same principle applies to guilty suspects who may attach their own exaggerated definition to legal or descriptive language. For example a suspect who is asked, "Tell me why you wouldn't have sexual contact with a child?" may respond, "Because I'm not a child molester." Under this circumstance, the investigator should ask the follow-up question, "Define for me what a child molester is?" A guilty suspect is likely to offer an exaggerated definition such as, "Well, that's someone who abducts little children from their homes and drives them out to the country where he forces them to engage in perverted sex." An innocent suspect will offer a proper definition of the term, "That's any adult who has sexual contact with someone under the age of 18."

While the very concept of exaggeration involves distorting reality, and therefore represents a falsehood, not all exaggeration necessarily means that a person is lying. It is

not uncommon for legitimate victims to exaggerate some aspect of an allegation. Consider the following statement taken from a harassment victim:

"He never showed me any respect and was always putting me down in front of other employees. He would constantly talk about how sexy I looked and every time I was in his office he would find some excuse to touch me."

There is no question this statement is not true on the literal level. Certainly there were occasions when the accused showed the complainant respect and times when he did not put her down. It is implausible to believe that 100% of the conversations between the accused and complainant centered around how sexy she looked or that she never had an incident where he did not touch her while she was in his office. Legitimate victims who are upset, frightened or angry when they report an offense will often exaggerate such things as the frequency or length of an occurrence. This is a natural product of emotions affecting the accuracy of a person's recollections.

When taking a statement from a person who is relating an emotional event, the investigator needs to recognize the possibility of exaggerated recollections and direct his or her questions toward objective assessments. The following examples illustrate this:

V: "He was always threatening to hurt me or my kids."

I: "When is the last time he threatened you?"; "What specifically did he say?"

V: "He kept hitting me."

I: "Approximately how many times do you remember him hitting you?"; "What did he hit you with?"

V: "He was a big guy and pulled out this knife with a really long blade."

I: "As I stand next to you, was he taller or shorter than me?"; "Show me on this flashlight handle how long the blade was."

In conclusion, exaggerating some aspect of a response often allows a guilty suspect to answer the investigator's question without lying. Because many of these responses also incorporate sarcasm, the interviewer may believe that the suspect was offended by the question and not pursue the area further. Exaggerated responses are evasive responses and the proper interviewing tactic is to re-ask the same question in a non-accusatory manner. It is a common ploy for guilty suspects to exaggerate the nature of an allegation against them or to exaggerate the definition of legal terms such as a child molester, arsonist or thief. On the other hand, witnesses or victims who are relating an emotional event may naturally exaggerate aspects of the event. Under this circumstance, the investigator should ask questions that elicit objective information.

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