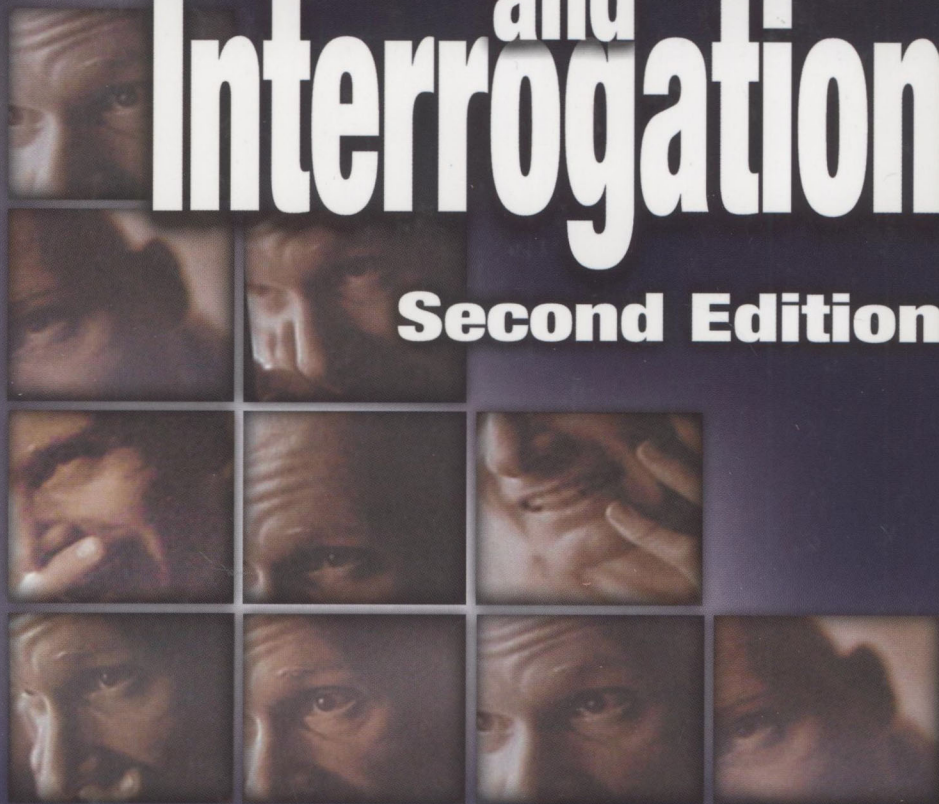


Practical Aspects

**of Interview
and Interrogation**

Second Edition



David E. Zulawski
Douglas E. Wicklander

CRC PRESS 



Practical Aspects of Criminal and Forensic Investigations Series

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**David E. Zulawski
Douglas E. Wicklander**

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Dedication

To my wife, Annette, children Jennifer, Jonathan, Patrick, Katherine and Kelly, and, of course, Mom and Dad.

—David E. Zulawski

To my wife, Debbie, children Matthew, Andrew and Ann, and to my mother, Callista, O.G.M. Not enough can be said about their love and support.

—Douglas E. Wicklander

Preface

Since the first edition of this text was published a decade ago, interrogation has come under attack as its opponents focus on the possibility of false confessions. It is disconcerting to interrogators that false confessions exist. Why would individuals confess to crimes they did not commit? It boggles the mind that this could occur; however, with the advent of DNA evidence, it is clear that, in a number of capital cases, an innocent person was convicted.

Critics of interrogation point to these injustices and then completely condemn interrogation tactics without offering an alternative. If one examines criminal cases at random, it is clear that most cases are resolved by confession, not forensic evidence. Most interrogation critics have never questioned a suspect, much less tried to obtain the truth. Instead, to prove impropriety they blindly accept what the suspect says happened during the interrogation. They then point to experiments with college students to confirm their belief in coerced confessions.

There is no doubt that false confessions exist. However, common factors are present in most false confessions. The extreme level of threats, length of interrogation, or mental condition of the subject, are a few of the most common. Very compliant individuals may give false confessions — but they may also confess when they are actually guilty.

Thoughtful criticism is always of value, as it causes one to examine long-accepted positions and attitudes. Many avenues have been opened when the proper questions have been asked. Because of such questions, we have rethought our positions and tactics. We are committed to understanding why false confessions exist. Besides reviewing the literature, we have begun to talk with those who have falsely confessed to a crime. The edited interview granted by Christopher Ochoa in Chapter 4 is one example that we wanted to share with the reader. He confessed to a murder and rape, then implicated his roommate in the crime. Ochoa was exonerated by the efforts of the University of Wisconsin Law School Project Innocence, a confession from the real killer, DNA testing and the State of Texas, which re-examined the evidence in the case.

In the coming years, we intend to continue to broaden our understanding of the interview and interrogation process by examining what we do and why. We intend to encourage change where it is warranted and to defend the process against self-proclaimed experts who have never had to seek the truth

in real life. Valid criticism is always welcome, but the blanket condemnation of a process without the offer of a solution should similarly be condemned.

David E. Zulawski

Douglas E. Wicklander

Downers Grove, Illinois

March 2001

Acknowledgments

Entering our 19th year in business does not happen without the help of family, friends and valued business associates. We have been fortunate over the years to have enjoyed all of the above. Sharing insights, experiences and dreams has helped us be better teachers and investigators.

When one believes that he understands it all and has every answer, he truly becomes ignorant. Fortunately, we are not there yet. Each day brings new awareness and understanding of things that we had thought we understood. We have been fortunate in the generosity of our friends, both professional and personal, who have shared their insights, concerns, and questions. As a result, we have found there is much we did not know or understand. For this, we thank them.

We have been joined in our professional adventure by a group of very special co-workers who have become our friends. Their willingness to help out at Wicklander-Zulawski & Associates in getting the job done with a smile has been the foundation of our business. These associates are the base upon which we built our reputation. We thank each of you for your efforts and friendship.

Special thanks must go to our partners Wayne Hoover, Shane Sturman, and Kate Zovnic for their suggestions and efforts to make this text and Wicklander-Zulawski & Associates a success. We especially appreciate the work Jennifer Roder and Connie Holroyd did to prepare the manuscript for our editors — almost always with a smile. We also acknowledge the contributions of Brett Ward, Chris Norris, Lou Tessmann, W. Michael Floyd, Stan Slowik, John Guzman, and Dennis Nebrich, who have shared so generously with us. Cheryl Blake contributed to our knowledge of telephone interviewing, offering experience and insights unselfishly. Again, thank you for your special efforts.

We also wish to offer a special thank you to Mark Mennis, Greg Sun, and Al Barry, who have stood by us since the beginning of our business. Each has offered invaluable skills and advice that helped to carry us to where we are today.

Last, but not least, we want to thank our families and spouses for the tolerance they have shown. Their observation that between the two of us we make one good man, was both comforting and frightening.

If we have inadvertently left anyone out, know that it was because we owe so much to so many. Thank you all.

David E. Zulawski
Douglas E. Wicklander

Cause of Crime

Hey, Mom. Why do bad people do bad things? I know! Their Moms and Dads didn't love them. If they came in my house I would tell them I loved them. And their parents were mean.

—Mitchell Zovnic, age 5

Mitchell, if it were only that simple. Perhaps one day.

The Authors

David E. Zulawski is a 1973 graduate of Knox College, Galesburg, Illinois, from which he received a B.A. degree. After graduating, he spent 2 years with the Chicago & Northwestern Railroad as a special agent. During that time, he investigated thefts from interstate shipments in transit.

Mr. Zulawski left the railroad to accept a position with the Barrington, Illinois, Police Department. As a police officer, his duties included patrol, investigations, and working as an evidence technician. In addition, he presented seminars on crime and rape prevention to groups in the Barrington area.

In 1978, Mr. Zulawski left the police department to attend the Reid College of Detection of Deception to become a polygraph examiner. He then joined the staff of John E. Reid & Associates as a polygraph examiner and later became the director of the Police and Fire Applicant Screening Division of the company. Mr. Zulawski also instructed at the Reid College and the Criminal Interrogation Seminar, which is presented to law enforcement and private security personnel.

In October, 1980, Mr. Zulawski joined Reid Psychological Systems, an affiliate of John E. Reid & Associates that markets paper-and-pencil honesty tests, as a sales representative. With Reid Psychological Systems, Douglas Wicklander and David Zulawski co-authored Reid Survey III, a paper-and-pencil honesty test to investigate theft, drug and organization problems within companies.

Mr. Zulawski is a licensed polygraph examiner in Illinois and Indiana and has personally conducted more than 9,000 interviews and polygraph examinations. He is a certified fraud examiner and member of the American Polygraph Society, the Illinois Polygraph Society, the Special Agents Association, and the American Society for Industrial Security.

Douglas E. Wicklander received his B.S. degree from Athens College, Athens, Alabama, in 1971 and his M.S. degree in the detection of deception from Reid College in 1972.

Mr. Wicklander was employed by John E. Reid & Associates from June 1971 to October 1980 as a polygraph examiner and instructor at the com-

pany's school of polygraph and criminal interrogation. During this time, he was named director of the company's Behavioral Analysis Interview Division. In this capacity, he worked extensively with the late John Reid in the development of this division. In October, 1980, he was assigned as a sales representative with Reid Psychological Systems.

Mr. Wicklander is a licensed polygraph examiner in the states of Illinois and Indiana. He has personally conducted more than 10,000 polygraph examinations and interviews. He is a certified fraud examiner and member of the American Society For Industrial Security, Special Agents Association, American Polygraph Association, and the Illinois Polygraph Society.

In May, 1982, Mr. Zulawski and Mr. Wicklander formed their own company, Wicklander-Zulawski & Associates, Inc. Through the use of interview, investigation, and polygraph techniques, the firm specializes in the investigation of internal losses. In addition, the firm conducts loss prevention surveys, pre-employment background investigations, and training seminars. It is nationally recognized as the standard of the industry in conducting seminars on interview and interrogation techniques.

Mr. Zulawski and Mr. Wicklander produced an audio cassette program entitled Interview and Interrogation Techniques. In addition, they served as subject-matter experts in the development of a comprehensive interactive computer-video-training program entitled The Art of Interviewing — The Integrity Interview. This training program instructs the loss-prevention or security professional on the complexities of interview and interrogation techniques. Furthermore, they wrote an in-house-training program that companies use to train their own staffs in interview and interrogation techniques. They also developed and wrote a VHS tape and CD-ROM review on the accusatory interview. Both have written extensively on the topics of interview, interrogation and loss prevention over the past 15 years.

Since 1982, Wicklander-Zulawski & Associates, Inc. has trained tens of thousands of individuals in interviewing and interrogation techniques. These seminars address the proper way to obtain legally acceptable confessions, and the content and form a written statement should take. They and members of their firm have lectured on these topics to professional and civic organizations throughout the country.

Wicklander-Zulawski & Associates, Inc. has been licensed since 1984 by John E. Reid & Associates, Inc., originator and developer of the method, to teach the Reid Method of Criminal Interviews & Interrogation. Since that time, the updates for the seminar have been developed by Wicklander-Zulawski using the latest information from legal, psychological and interrogation research.

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