WELCOME TO
ASSOCIATION OF LOCAL GOVERNMENT AUDITORS CONFERENCE

Scottsdale, Arizona
September 9, 2019
DISCLAIMER:

These seminar materials are intended to provide the seminar participants with guidance in Truth, Deception or Lies. The materials do not constitute, and should not be treated as professional advice regarding the use of any particular Interviewing Discipline or Technique or the consequences associated with any Interviewing Discipline or Technique.

Every effort has been made to assure the accuracy of these materials. Eide Bailly, LLP and the author do not assume responsibility for any individual's reliance upon the written or oral information provided during the seminar.

Seminar participants should independently verify all statements made before applying them to a particular fact situation, and should independently determine the particular Interviewing Discipline or Technique that works best for them before recommending the technique to a client or implementing it on the client's behalf.
THOUGHTS???

- What are your expectations for today?
- What will make this presentation worth attending to you?
- What will ruin it for you?
- Are there any “topics” you are hoping are discussed?
- Are there any questions you have before we start?
ALWAYS REMEMBER!!!!

No **SINGLE** word and/or gesture from this presentation is **PROOF** of **TRUTH** or **DECEPTION**.

The **INTERVIEWER** must take **EVERYTHING** they see and hear into account to determine if **DECEPTION** is present in the interview/conversation.
LETS GET STARTED!
COMFORT OR DISCOMFORT?

First impression,
What can they show you?

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WHAT CAN YOU OBSERVE NON-VERBALLY?

- Danger
- Emotions
- Thoughts
- Desires
- Insecurities
- Intentions
- Manners
- Skill
- Competence
- Trust

- Status
- Quality
- Compliance
- Personality
- Pathologies
- Performance
- Accessibility
- Responsiveness
- Respect
- Empathy
SELF COMFORTING; WE ALL DO IT
PURSING THE LIPS:
EYE BLOCKING:
MOUTH COVERING:
HEAD TILT:
STEEPLING:
POWER STANCE:

The dominant male

The dominant female

Body Language Project.com
STRESS RELIEF:
FEET DO TELL A STORY?
STANCE, DOES IT MATTER?

The body and feet position shows that these two are excluding a third person from their conversation.

The direction of the feet shows what’s in the mind of their owners.

www.wondersbook.wordpress.com
EXIT STAGE LEFT OR MAYBE STAGE RIGHT:
THEY WILL SHOW THE POINT OF INTEREST:

The body and feet position shows that these two are excluding a third person from their conversation.

Feet signalling what’s on the mind.
WHAT DO SITTING POSITIONS SHOW?
POWER POSITIONS:

High-Power Poses

Low-Power Poses
THE FBI TAKE.
JOE NAVARRO - "WHAT EVERY BODY IS SAYING"
JOE NAVARRO- “WHAT EVERY BODY IS SAYING”
JOE NAVARRO - "WHAT EVERY BODY IS SAYING"

- Hand-wringing: Stress, concern
- Steepling of Hands: Confidence
- Fingertips placed apart on surface: Confidence, authority
- Finger pointing: Very offensive
- Self-preening: Dismissiveness
JOE NAVARRO - "WHAT EVERY BODY IS SAYING"
GREETINGS: DO THEY REALLY MATTER?
HELLO, HOW ARE YOU, WHAT’S UP??

• How do you greet people?
• How do you prefer to be greeted?
• How does the situation/location change your attitude?
• Make sure you listen to understand and not to simply reply.
• How about?
  • Culture.
  • Age.
  • Gender.
• Does a proper greeting matter?
  • Is it just something to do.
WHAT CAN THE GREETING TEACH YOU?

• A persons stress level.
• A persons demeanor.
• A persons personality.
  • Dominate.
  • Submissive.
  • Indifferent.
• All of your characteristics.
• If you don’t care to be there, why should they?
WHO IS IN CONTROL?
TYPES OF HAND SHAKES:
HANDSHAKES OF DOMINANCE:

How Dominance and Control Are Communicated?

- Taking control
- The submissive handshake
- Communicating equality
HANDSHAKES OF CONTROL:

Handshakes of Control

The Wrist Hold

The Elbow Grasp

The Upper-Arm Grip

The Shoulder Hold
THE UPPER HAND:
 PALM DOWN OR UP?

"I want to dominate & control you!"

"I am submissive and I am afraid of you"
WHAT HAVE YOU SEEN?
DEFINITIONS:
DECEPTION, LIE, TRUTH

What is in a word?
WEBSTER DICTIONARY:

Definition of “Deception”:

➢ The act of making someone believe something that is not true: the act of deceiving someone.”

➢ “An act or statement intended to make people believe something that is not true.”
WEBSTER DICTIONARY:

Definition of “Lie”:

➢ “To make an untrue statement with “intent” to deceive.”

➢ “To make a false or misleading impression.”
WEBSTER DICTIONARY:

Definition of “Truth”:

➢ “The quality or state of being true.”

➢ “A statement or idea that is true or accepted as true.”
DECEPTION V. LIES:

❖ My experience has taught me, everyone is “deceptive” but not everyone “lies.”
❖ However, both are caused by stress.
❖ Very few people can actually identify a lie.
❖ Identifying deception helps you “drill down” through the stress and locate where lies might be hidden.
❖ There is no magic wand or spell to get someone to talk.
❖ Remember, stories or accounts cannot be destroyed unless they are told or explained.
TRUTH OR LIE; CAN YOU TELL?

- Research has shown most people have only a 50-50 chance of identifying a lie.
- How good are you at spotting lies?
- How good are you at telling lies?
- What technique(s) do you use to tell the difference between a lie and the truth?
- Why are some people better liars than others?
  - Some people feel no stress, any idea why?
- Has doing the right thing, telling the truth, become obsolete?
- Only one true way to keep a secret, don’t tell anyone.
THE STORY IS WRITTEN ON YOUR FACE:
UNDERSTANDING DECEPTION

When did the understanding start?
Ancient Hindu Scriptures called “Papyrus Vedas”, written in 900 B.C., describes the verbal and non-verbal behaviors of a person who commits the crime of murder:

“no quilt is incurred in giving false evidence in case the life of a man depends thereon”
King Solomon in the Old Testament of the bible, in the book of Proverbs (6-12-13) describes the behaviors of the deceptive person:

“A naughty person, the wicked man walketh with a froward mouth. He winketh with his eyes and speaketh with his feet and teaches with his fingertips.”
Sigmund Freud said:

“He that has eyes to see and ears to hear may convince himself that no mortal can keep a secret. If his lips are silent, he chatters with his fingertips; betrayal oozes out of him from every pore.”
In 1872 Charles Darwin determined that:

“repressed emotion almost always comes to the surface in some form of body motion.”
Sir Francis Bacon advised those who would endeavor to detect the physical signs of deception:

“Wait upon him with whom you speak with your eyes, for there be many wise men that have secret hearts and transparent countenances.”
King Solomon also described this phenomenon later in the Book of Proverbs 28-1:

“The wicked flee when no man pursueth but the righteous are bold as a lion.”
• **Galileo Galilei** (1642): “All truths are easy to understand once they are discovered; the point is to discover them.”

• **Abraham Lincoln** (1865): “No man has a good enough memory to make a successful liar.”

• **Mark Twain** (1910): “If you tell the truth you don’t have to remember anything.”

• **Franklin D. Roosevelt** (1939): “Repetition does not transform a lie into the truth.”
3 SIMPLE FACTS TO REMEMBER:

• A person can control what they say but not what they do.
• If a person said it, they thought it.
• Telling the truth is easier than lying.
WRONG TYPE OF INTERVIEW:

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www.orms.net
LARRY KING SAID:

“I remind myself every morning: Nothing I say this day will teach me anything. So if I’m going to learn, I must do it by listening.”
LYING IS HARD WORK:

- For most people, telling a significant lie is tough.
- Good interviewers can recognize a person’s struggling, evading, and laboring over a question.
INTERVIEW GOALS:

• To understand **WHAT** is taking place in the business.
• To locate the people that **TRULY** understand the business, organization or person.
• To understand the **PERSONS** and/or **COMPANIES** finances.
• To determine if the person is being “**UP FRONT**” with their answers.
• To identify “**RED FLAGS**” of deception.
• To identify if **SPECIALISTS** are needed.
INTERVIEWING DISCIPLINES

How do we learn to conduct interviews?
INTERVIEW/INFORMATION GATHERING METHODS:

• **Accusatory** - Used 66% of the time. Least overall productive style.

• **Inquisitory** - Used 33% of the time. Most overall productive style.

• University of Kent, England 1990.
COMMON INTERVIEWING NAMES:

• Information Gathering:
  ➢ Designed to gain as much information as possible.
  ➢ Normally has a friendly atmosphere surrounding it,
  ➢ Most interviews start here and may not progress any further,

• Admission Seeking:
  ➢ Designed to gain admissions of responsibility.
  ➢ Looking to identify intent.

• Interrogation:
  ➢ Normally used by Law Enforcement.
COMMON INTERVIEWING DISCIPLINES:

• The Reid Method taught by the Reid Institute:
  o Is taught by the John E. Reid & Associates.
  o Most widely known.
  o Teaches a 9 step process:
    o Starts with the positive confrontation.
    o Ends with elements of oral and written statements.
    o Provide 1 to 4 day training classes.
    o Can give the impression everyone can be interviewed the same way.

• Wicklander and Zulawski (based on Reid method):
  o Provides more private sector training.
COMMON INTERVIEWING DISCIPLINES-CONTINUED

• Kinesics:
  o Study of body language.
  o A person can control what they say, can’t control what they do.
  o Not easy to master.

• Cognitive:
  o Person being interviewed is key.
  o Requires intense concentration.
  o Technique can be learned in a short period of time.
  o Cognitive questions can be useful almost everywhere.
• Conversation Management:
  o Used extensively in Great Britain, Also known a **P.E.A.C.E.** training.
  • **P**-Preparation and Planning.
  • **E**-Engage and Explain.
  • **A**- Account, Clarify and Challenge.
  • **C**- Closure.
  • **E**- Evaluation.

• Investigative Hypnosis:
  o Involves trance.
  o Can tend to use leading questions.
  o Not admissible in court.
Common Interviewing Disciplines—Continued

• Extemporaneous, (where most people start):
  o Where most people start.
  o Seat of the pants.
  o Can feel like you’re being thrown under a bus or ran over by one.
Before starting an interview:

¿Before you walk in the room, ask yourself:

“What is the real cost of not knowing the truth?”

✓ You may get only 1 chance at this, what do you mind leaving on the table?
NEVER CHANGING STYLES IS:

Insanity: doing the same thing over and over again and expecting different results.

Albert Einstein 1879–1955
INTERVIEW CONTAMINATION

Does it really mean anything?
PICK THE CRIME

Ever been asked, “What does a criminal look like?”
Match the suspect to the crime

- Using a whizzinator for drug test
- Battery on law enforcement
- Attempted strangulation
- Embezzlement
- Burglary
Match the embezzlement suspect to the crime
INTERVIEW OR INTIMIDATION?

Have you ever had the cops in your face?
PRE-CONCEPTIONS AND WHAT THEY CAUSE:

- May be the biggest issue affecting an interview.
- “Pre-conceptions” is defined as:
  - The act of preconceiving.
  - A preconceived idea or opinion.
  - Bias
- Believing the person will lie to you, keeps you from seeing the truth.
- Believing the person will tell you the truth, keeps you from seeing the deception.
- In some cases, people are a willing participant in the deception.
  - Why does that happen?
THE PROBLEMS WITH “PRE-CONCEPTIONS”:

If you, INADVERTENTLY or DELIBERATELY, convey disbelief to the subject you will likely observe stress-related symptoms, but in this context you’ll be UNABLE to determine:

A. The physical manifestations are deception being generated internally or, (Good)

B. The physical manifestations are being generated by the interviewer. (Bad)
THE PROBLEMS WITH “PRE-CONCEPTIONS”:

If an interviewer has an automatic tendency to DISBELIEVE every subject and require “proof” of each truthfulness,
You might wish to remember what Seneca wrote about 2,000 years ago:

“It goes towards making a man faithful to let him understand that you think him so; and he does suspect I will deceive him, gives me sort of a right to do so.”
LISTENING SKILLS: ARE THEY REALLY NEEDED?

Short answer, **YES** they are!

- Will help a person be more productive.
- Help build rapport with co-workers, bosses, and clients.
- Shows support.
- Helps resolve problems.
- Finds underlying meanings in what others say.
LISTENING SKILLS:

Chinese proverb:

“If you wish to know the mind of a man, listen to his words.”
MEMORY

How does it really work?
MEMORY LABELING OR STORAGE:

- A true impact on the interviewing process.
- Being “left” or “right” brain dominate can determine where information is stored.
- What “data” did the person attach to the memory?
  - Number.
  - Smell.
  - Taste.
  - Feel.
  - Sight.
- Need to look for difference in retrieval methods.
LEFT V. RIGHT:

Brain Lateralization

**Left**
- Analytical thought
- Detail Oriented Perception
- Ordered Sequencing
- Rational Thought
- Verbal
- Cautious
- Planning
- Math/Science
- Logic
- Right Field Vision
- Right Side Motor Skills

**Right**
- Intuitive Thought,
- Holistic perception
- Random Sequencing
- Emotional Thought
- Non-verbal
- Adventurous
- Impulse
- Creative Writing/Art
- Imagination
- Left Field Vision
- Left Side Motor Skills
RETRIEVING INFORMATION:

• The more comfortable the person is, the better their recall is.
• Recalling some facts is very taxing on the person.
• The mind will protect itself from harm.
• Memory Failure is caused by three things:
  • Degradation- Insignificant information.
  • Repression- Ego Defense.
  • Selective- By choice or on purpose.
I cdnoult blveiee that cluod aulacity uesdnatnrd what I was rdanieg. The phaonmneal pweor of the hmuan mnid Aoccdrnig to rscheearch at Cmabrigde Uinervtisy, it deosn’t mttaer in what oredr the ltteer be in the rghit pclae. The rset can be a taotl mses and you can still raed it wouthit a porbelm. This is bcusese the huamn mnid deos not raed ervey lteter by istlef, but the word as a wlohe. Amzanig huh?
COMMUNICATION

How we get our message across
COMMUNICATION:

93% of all communication is:

NON-VERBAL
FORMS OF COMMUNICATION:

- Non-verbal cues account for about 65% of communication.
- Verbal cues account for about 7% of communication.
- Voice Quality accounts for about 12% of communication.
- Micro-signals account for about 16% of communication.
NON-VERBAL VS. VERBAL COMMUNICATION:

• A person can control what they say but not what they do.
• Verbal clues should “jump” out at you.
• Interviewer **CANNOT** react to the verbal clues.
• Subject being interviewed is hoping that verbal mistake(s) up was missed.
• Mistake(s) can be used later to increase stress in the subject being interviewed.
We establish a baseline for the subject’s verbal and non-verbal cues when we know she/he is responding truthfully to non-sensitive questions.

Later in the interview--when the questions move toward more sensitive issues--we compare the subject’s verbal and non-verbal cues to those observed during the early part of the interview.

This process, called setting a baseline or calibration.
FORMS OF DECEPTION:

- **Omission** - Deception by withholding the truth. (HARDEST to detect)

- **Embellishment** - Deception by altering or changing the truth (EASIEST to detect)
REASONS PEOPLE ARE DECEPTIVE:

- TO AVOID PUNISHMENT.
- TO BE REWARDED IN SOME MANNER.
- OUT OF THE FEAR OF THE UNKNOWN.
WHY DECEPTIVE SYMPTOMS APPEAR:

- THE **FEAR** OF BEING DISCOVERED LYING.
- THE **GUILT** FELT ABOUT LYING.
- THE **JOY** OF LYING.
Q. How can we determine whether or not someone is lying to us?

A. By evaluating their verbal and non-verbal responses to our questions.
THE NEED TO LISTEN, NOT JUST HEAR:

- To show your interviewee that YOU care.
- To HEAR what the person has to say.
- To KNOW the person said something.
- Not to ASSUME the person said something.
- To identify areas for follow-up questioning.
- To KNOW when you're in over your head.
- To KNOW when to ask for help.
INTERVIEW PRINCIPLE:

The *subject* being interviewed will be reading the *interviewers* behavior while the interviewer is reading the subjects behavior.
NON-VERBAL CLUES

Do they really help?
## NONVERBAL COMMON TO BOTH: TRUTHFUL AND DECEPTIVE SUBJECTS

<table>
<thead>
<tr>
<th>Strong Possibility of being Truthful</th>
<th>Strong Possibility of being Deceptive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Become <strong>less nervous</strong> as interview progresses</td>
<td>Become <strong>more nervous</strong> as interview progresses</td>
</tr>
<tr>
<td>Become <strong>less fearful</strong> as interview progresses</td>
<td>Become <strong>more fearful</strong> interview progresses</td>
</tr>
<tr>
<td>Genuine anger</td>
<td>Phony anger</td>
</tr>
</tbody>
</table>
**NONVERBAL BEHAVIORAL ATTITUDES:**

<table>
<thead>
<tr>
<th>Strong Possibility of being Truthful</th>
<th>Strong Possibility of being Deceitful</th>
</tr>
</thead>
<tbody>
<tr>
<td>Composed, rational</td>
<td>Anxious, confused</td>
</tr>
<tr>
<td>Concerned, realistic</td>
<td>Nonchalant, unrealistic</td>
</tr>
<tr>
<td>Cooperative, want to prove their innocence</td>
<td>Uncooperative, smart mouth, defensive</td>
</tr>
<tr>
<td>Direct, spontaneous</td>
<td>Evasive, hesitant</td>
</tr>
<tr>
<td>Open, helpful</td>
<td>Closed, unhelpful</td>
</tr>
<tr>
<td>Sincere, genuine</td>
<td>Insincere, phony</td>
</tr>
<tr>
<td>Confident, emotional</td>
<td>Defeated, unemotional</td>
</tr>
</tbody>
</table>
BODY POSTURES: *TRUTHFUL*

- Upright.
- Open and relaxed.
- Lean forward.
- Frontally aligned.
- Dynamic posture changes.
BODY POSTURES: **DECEPTIVE**

- Slouching, retreating.
- Rigid and immobile.
- Non-frontal alignment.
- Erratic posture changes.
- Head and body slump.
EYE CONTACT: GENERAL PRINCIPLES

• Normal eye contact occurs between 30 & 60 percent of the time between two people conversing.

• Deceptive subjects avoid eye contact when answering key questions.
EYE MOVEMENT MYTH:
4 PARTS OF A COMMON INTERVIEW:

- **Orientation:**
  - Rapport building.

- **Narration:**
  - Narrative based (open-ended) questions.
  - Interviewee does the majority of talking.

- **Cross examination:**
  - Interviewer clarifies information.

- **Resolution:**
  - Case facts are agreed upon.
  - Story is set.
VERBAL INDICATORS

Areas Where Deception Will Be Hidden.

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CONVINCE OR CONVEY:

• **Convince**- defined as causing someone to believe firmly in the truth of something. (Deceptive individuals)

• **Convey**- defined as to communicate; impact; make known. (Truthful individuals)
DO THE WORDS MATCH THE FACE?
**VERBAL RESPONSE CUES:**

“Did you (make accusation)?”

<table>
<thead>
<tr>
<th>Outright deception</th>
<th>“No I did not.”</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evasion</td>
<td>“Why would I risk doing that?”</td>
</tr>
<tr>
<td>Omission</td>
<td>Nonverbal shake of the head</td>
</tr>
<tr>
<td>Truth</td>
<td>“Yes I did”</td>
</tr>
<tr>
<td></td>
<td>“No I didn’t”</td>
</tr>
</tbody>
</table>
## Verbal Behavioral Cues:

<table>
<thead>
<tr>
<th>Strong Possibility of being Truthful</th>
<th>Strong Possibility of being Deceptive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Responds directly</td>
<td>Answers evasively</td>
</tr>
<tr>
<td>Answers question</td>
<td>Question not answered</td>
</tr>
<tr>
<td>Denies broadly</td>
<td>Denies specifically</td>
</tr>
<tr>
<td>Uses descriptive language (e.g. steal)</td>
<td>Avoids descriptive language</td>
</tr>
<tr>
<td>Confident denials</td>
<td>Bolster credibility of denials with oaths</td>
</tr>
<tr>
<td>Spontaneous response</td>
<td>Rehearsed responses</td>
</tr>
<tr>
<td>Less formal denial</td>
<td>More formal denial</td>
</tr>
</tbody>
</table>
**PARALINGUISTIC BEHAVIORAL CUES:**

<table>
<thead>
<tr>
<th>Strong Possibility of being Truthful</th>
<th>Strong Possibility of being Deceptive</th>
</tr>
</thead>
<tbody>
<tr>
<td>Answer questions on time, within .5 second</td>
<td>Early responses, or delayed responses &gt;1.5 seconds(^1)</td>
</tr>
<tr>
<td>Increasing rate, pitch and volume</td>
<td>Decreasing rate, pitch and volume</td>
</tr>
<tr>
<td>No erasures</td>
<td>Erasures(^2)</td>
</tr>
</tbody>
</table>

\(^1\) **Stalling tactics:** Repeat or change question.

\(^2\) **Behaviors occurring before or after that effectively “erase” the statement.** Examples: coughing, sniffing, laughing, clearing of throat.
KEY WEIGHTED EXPRESSIONS:

 Indicates a critical area of concern for the subject. The subject is trying to address the topic in a covert manner.

PAY ATTENTION TO THESE!

“By the way…”
“One more thing…”
“Incidentally…”
THERE IS ALWAYS THAT ONE TOUGH QUESTION:
MODIFIERS:

Words or phases used by a subject to respond to a question but in reality, devalues the real answer.

- Possibly.
- Rarely.
- Hardly Ever.
- Usually.
- Generally.
GUILT PHRASES:

- Unsolicited remarks that a subject may make that are stimulated by inner guilt.
- Admits to similar incidents/crimes.
- Talks about everyone blaming them.
- Agrees that they are a suspect.
- States you believe they are guilty.
WHEN QUESTIONS GO BAD:
Remarks made by the subject in response to evidence. The response suggests there is no support for the allegation.

• “WHY WOULD I DO THIS AND RISK GETTING CAUGHT?”
• “IF I TOOK THE MONEY, WHY DIDN’T I PAY MY BILLS WITH IT?”
• “WHY WOULD I RAPE HER WHEN I GET ALL I WANT AT HOME?”
CIRCUMLOCUTION:

- Indirect response to a question that has more information than necessary but yet is evasive.

- “LATER ON THAT DAY…”
- “AFTER A WHILE…”
- “THE NEXT THING I KNEW…”
- “ALL OF A SUDDEN…”
VOCABULARY SHIFTING:

- Vocabulary shifting occurs because the subject’s current verbal skills are not adequately defending him from the stress he is experiencing.

- A subject may initially use singular pronouns such as “he” or “she”, but may, within a short time frame, change to using “they” or “them,” indicating the existence of more than 1 person.
DISPLACEMENT:

➢ The defense mechanism of projection in which the subject uses third person terms to describe the crime.

• He or she.
• They.
• Them.
• Those People.
• Somebody.
STALLING:

* The person does not have a CLEAR line of THOUGHT.

* Gives them a CHANCE to FORMULATE an answer.

* Stalling behavior occurs more frequently with deceptive subjects than with those telling the truth.
SURGICAL DENIAL:

A) Deceptive subjects tend to **deny** accusations in specific terms.

B) Truthful subjects **deny** accusations in general terms.
MINIMIZING:

- A subject may use soft words to describe a crime in an effort to minimize the severity of their behaviors.

✓ THIS IS DONE TO AVOID THE HARSH REALITY!
Deceptive subjects use religious remarks in an effort to sound more believable and present themselves as honest.

- “I SWEAR ON THE BIBLE...”
- “AS GOD IS MY WITNESS...”
- “I SWEAR ON MY MOTHERS GRAVE...”
- “HONEST TO GOD...”
PERSONAL MORAL CODE:

➤ The subject may go to great lengths to assure you of their moral character.

• “I WAS RAISED BETTER THAN THAT.”
• “I AM AN HONEST PERSON.”
• “I WOULD NEVER STOOP TO SUCH ACTS.”
• “I’M NOT THAT KIND OF PERSON.”
EXCESSIVE COURTESY:

- The interviewer may find that the deceptive subject is extremely polite considering the circumstances.
The subject inquires about the punishment they may suffer for their actions.

- “WHAT AM I GOING TO BE CHARGED WITH?”
- “COULD I LOSE MY JOB?”
- “IS THIS GOING TO BE IN THE NEWS?”
- “COULD I GET COUNSELING?”
THIRD PERSON STATEMENT:

- The subject addresses the crime as a reality but their involvement is discussed from the third person's perspective.

  - “I DIDN’T DO IT BUT I’LL SAY I DID JUST TO GET THIS OVER WITH.”
  - “I WISH I COULD TELL YOU I DID THIS?”
  - “DO YOU WANT ME TO LIE ON MYSELF?”
  - “I CAN’T ADMIT TO SOMETHING I HAVEN’T DONE?”
The subject is inquiring about the possibility of buying their way out of the case by paying for the loss or damage.

- “I DIDN’T STEAL IT BUT I’LL HELP PAY IT BACK.”
- “I DIDN’T DO IT BUT I’LL HELP PAY THE MEDICAL BILLS.”
- “I KNOW MY KID DIDN’T DO IT BUT I’LL PAY HIS SHARE OF THE DAMAGE.”
- “I’LL JUST DROP MY CLAIM AND WE’LL FORGET THE WHOLE THING.”
TELL-TALE SIGNS OF DECEPTION

ACFE Fraud Magazine Article

By

Paul M. Clikeman, Ph.D., CFE
LACK OF SELF-REFERENCE:

- **Truthful** people commonly make frequent use of the pronoun “I.”

- **Deceptive** people commonly will substitute “you” for “I.”

**Example:**

“The safe was left unlocked” rather than “I left the safe unlocked.”
VERB TENSE:

• **Truthful** people commonly describe historical events in the past tense.

• **Deceptive** people commonly describe historical events in the present tense.
ANSWERING QUESTIONS WITH A QUESTION:

- Deceptive individuals will commonly avoid answering a question at all.
- Outright lies carry a risk of being uncovered.

Examples:

- “Why would I steal from my brother?”
- “Do I seem like the kind of person who would do something like that?”
EQUIVOCATION:

• The subject avoids an interviewer’s questions by filling his or her statements with expressions of uncertainty, weak modifiers and vague expressions.

Examples:

• Words such as: think, guess, sort of, maybe, might, perhaps, approximately, about, or could.
• Noncommittal verbs as: think, believe, guess, suppose, figure or assume.
OATHS:

• **Deceptive** subjects commonly use mild oaths to try and make their statements sound more convincing.

Examples:

Expressions such as: “I swear,” “on my honor,” “as God is my witness,” or “cross my heart.”
EUPHEMISMS:

• Statements that portray the subjects behavior in a more favorable light and minimize and harm the subject may have caused.

Examples:

Words such as: “missing” instead of “stolen,” “borrowed” instead of “took,” “bumped” instead of “hit,” or “warned” instead of “threatened.”
ALLUDING TO ACTIONS:

- Subjects sometimes allude to actions without actually saying they were involved or performed them.

- An attentive investigator will not assume the person conducted the actions they allude to.
LACK OF DETAIL:

• **Truthful** people normally makes statements that include specific data that had to be retrieved from long term memory.

• **Deceptive** people tend to keep statements simple and brief. The more information they give provides a chance for the investigator to uncover the truth.

• Identifying an individuals retrieval method helps identify either, “left brain” v. “right brain” individuals.
NARRATIVE BALANCE:

- A narrative consists of three (3) parts:
  - **Prologue:**
    - 20 to 25%
  - **Critical event:**
    - 40 to 60%
  - **Aftermath:**
    - 25 to 35%

✓ If one area is significantly longer or shorter, there is either information missing or padded with additional information.
MEAN LENGTH OF UTTERANCE:

- The average number of words per sentence is called the “mean length of utterance” or MLU.
- Most people tend to speak in sentences of between 10 and 15 words.

✓ If a sentence is significantly longer or shorter, the investigator should pay particular attention to the comment.
If a subject is asked to write out or has written out a statement about what they saw or what they did. There is a simple way to tell if the statement in truthful on its FACE.

• A normal statement is between a half page and a page and a half.
• If it is shorter, it is deceptive on its face.
  ✓ Lots left out.
• If it is longer it is deceptive on its face.
  ✓ Lots added.
FINISHING UP

Things to Remember
Dalai Lama said:

“When you talk, you are only repeating what you already know; but when you listen, you may learn something new.”
“A liar can choose not to lie. Misleading and misinformation is deliberate. The lie may or may not be justified and the liar may be a good or bad person, liked or disliked. The person who lies could choose to lie or to be truthful and knows the difference between the two”.
CHARACTERISTICS OF A GOOD INTERVIEW:

✓ It should be of sufficient length and depth to uncover relevant facts
✓ It includes all pertinent information and leaves out all irrelevant information
✓ It is aimed at gathering information in a fair and impartial manner
➢ Remember that silence works in interviews. Let the subject talk.
CHARACTERISTICS OF A GOOD INTERVIEWER:

✓ All good interviewers are “people persons.”
✓ They are the ones people wish to share information with.
✓ The good interviewer does not interrupt the answer being given by the interviewee.
✓ The interviewer must convince the interviewee that he/she is not “out to get them.”
✓ Be on time, dress professionally, and be fair in all dealings with the interviewee.
REASONS TO NOT POINT OUT POSSIBLE DECEPTION:

- They could change the behavior.
- They could argue about the symptoms.
- You are teaching the people what you are looking at in their behavior.
All deception signals are a form of stress but not all stress responses indicate that a person is being deceptive with you.

Don’t focus on just one area of the body, such as the legs, to make your determination of possible deception.

If a person moves or leans in toward you, is not necessarily a sign of acceptance. In fact, it may be a sign the person is trying to control or intimidate you.
THE TRUTH ABOUT LYING; OVERVIEW:

- The movement of a person’s body away from you is **NOT** a good sign.
- Legs and feet are very good indicators of stress.
- Only a very **small** number of hand and arm behaviors are associated with deception.
- Crying can occur with **ANY** emotion.
- Using eyes to identify deception is **UNRELIABLE**.
- **Never** be afraid to ask for assistance or suggestions.
A QUICK GUIDE TO A PERSON's STRESS LEVEL

Visual Signs of a Person’s Stress level.

EideBailly
CPAs & BUSINESS ADVISORS
STRESS LEVEL- 3 WHITES:
STRESS LEVEL- 3 WHITES:
STRESS LEVEL- 4 WHITES:
STRESS LEVEL- 4 WHITES:
AND FINALLY

Just a little extra to push your brain.
A QUICK REMINDER!

1. In your career you will interview MANY people.

2. Interrogations are conducted by law enforcement.

NOTE: any time that you are talking with someone, an interview is taking place. (3 foot rule)
T.M.M.A.T. QUESTIONS (SOFT DEMAND):

✓ T-ell
✓ M-e
✓ M-ore
✓ A-bout
✓ T-hat

**Example:** “a little earlier you mentioned (insert topic), tell me more about that.”
FIRST QUESTION?

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Eide Bailly LLP
Senior Manager
Fraud & Forensic Advisory Services
TRUTH OR DECEPTION??

➢ “Truth fears nothing but concealment.”
➢ “The truth never changes, Lies always do.”
➢ “Telling the truth is easier than lying.”
➢ “The only easy day (interview) was yesterday (the last one).”
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