

THIRD DEGREE COMMUNICATIONS, INC.

Studying Liars: Tips for Detecting Deception **By Paul Francois & Enrique Garcia**

Introduction

Any article of this nature, must begin by acknowledging that no article, or book for that matter, is all encompassing when it comes to detecting deception in human beings. The human brain is so complex, there's no way to contain its vastness on the written page. After having conducted several hundred criminal interviews and interrogations, however, we would like to recount some of the more common deceptive indicators we have seen over the years. While not an exhaustive list, these verbal and non-verbal signs of deception are more common than some of the others we've seen.

Premise

In any evaluation of deception in human subjects, there are a couple of important ground rules to establish. The first, is that you must clearly ascertain the subject's baseline of behavior when he is telling the truth. What does he look like and sound like when asked and responding to non-threatening questions such as his name, address, work history, and other such personal and biographical information. Secondly, because it is a stressful situation for the subject to lie to the interviewer (because he risks getting caught, losing his job, going to jail, embarrassment, etc.), we must train ourselves to look for the stressful indicators. We want to look for these indicators within 3-5 seconds of the stimulus, i.e. the question or conduct on the interviewer's part that causes the subject to react. It is within this small window that the verbal and non-verbal indicators of deception are most reliable for evaluation. Finally, we are looking for clusters of two or more of the following deceptive indicators when evaluating the response. Because this is not an exact science, requiring two or more deceptive indicators to safely rule an answer deceptive is our safeguard against false indicators.

Verbal Indicators

The skillful interviewer knows that the verbal part of the lie is the easiest part of the lie to project. It can be rehearsed and practiced repeatedly prior to the interview and can therefore be more difficult to spot. Because the subject is under the extreme stress of getting caught in his lies, he will subconsciously reveal his stress to us in certain patterns, as follows:

No Response/Non-Responsive

You ask the subject a question and he offers no verbal response whatsoever. He does not want to bog himself down by committing to a particular answer and therefore avoids the question entirely. Another, more crafty variation of this, is offering an answer that is non-responsive to the question. For example you ask the subject, "Why did you kill that old man?" and he responds, saying, "You guys are all the same. You think just because I've served some State time that I'm good for this too." Not only did the subject completely avoid answering the question directly, his response also lacked a strong, affirmative denial.

Delayed Response

You ask the subject a question and he goes outside of his normal baseline and delays in answering you. It is the deceptive subject, not the truthful one, who requires more time to think of his response.

Repeating the Question

When asked a question, the subject repeats it—often verbatim. Here, the subject clearly heard what you said, as evidenced by his duplication. He is buying himself time to ponder his next move and his best response. Again, it is the deceptive person who must calculate his answers. The truthful person does not take such pains as he inherently recognizes that the truth is its own defense.

No Denial

You ask a pointed and accusatory question and the subject fails to deny his involvement. This can be done in very cleverly subversive ways. For example, you ask the subject, “Joe, if you had anything to do with this you should tell me now,” and he responds, “If I had anything to do with this I would tell you.” Notice that the subject’s response lacks an important component—a denial of involvement. The truthful person would more likely respond by directly stating, “It wasn’t me. I’m innocent.”

Overly Specific/Overly Vague

If we were to ask you what you did last night after dinner, chances are your response would be fairly bulletized: I ate dinner, watched T.V., responded to a few emails, and went to bed. Notice that we didn’t voluntarily expound in great detail on any of these topics by saying, “I ate a frozen dinner of Salisbury Steak, mashed potatoes, gravy, and green peas. It wasn’t very good though as I didn’t heat it up enough. They used to make those things better than they do nowadays. After that, I watched Everybody Loves Raymond. It was the one about. . .” This subject has thought about his alibi in great detail and wants to get it out. Also, providing more information than the question called for allows the guilty subject to talk at length about what *he* wants to talk about, thereby avoiding the real subject. The overly vague subject does just the opposite—he can’t remember *anything* about *anything*.

Protest Statements

Protest statements are statements the subject makes to convince you of his innocence rather than to provide you with meaningful, relevant, and pertinent information about the crime. For example, you ask the rape suspect if he had forced sexual intercourse with the victim and he responds saying, “Look man, I’m married. I’ve got kids. I’ve got too much to lose to do something like that.” The deceptive subject would rather tell you what a great human being he is than answer your pointed question directly. In addition, this subject is also giving you great insight into what his barriers to confessing are likely to be: what his wife and children will think if he admits guilt.

Some additional protest statements you might hear are as follows:

- I’m a devout _____ (insert any religious affiliation here)
- I’m happily married
- I love kids—I would never do anything to hurt a child
- I’m an upstanding member of my community—I’m a member of (insert any charitable or reputable organization here)
- You can’t take money from that place—it’s locked up like Fort Knox
- No one molested that kid—she’s a pathological liar you know

Non-Verbal Indicators

As we stated earlier, the easiest part of the lie to control is the verbal content, what the subject actually says. It is much more difficult for the deceptive subject to conceal his stress in the non-verbal indicators he reveals to us. The anxiety of getting caught in the lie will build in the subject over time and will need to be released in some manner. One of the most common ways for the deceptive subject to rid himself of this negative energy is through muscle movement.

Anchor Movements

As you are seated, you are “anchored” in position by your feet/legs, hips/buttocks, and elbows/arms. When a subject is under stress, as he is likely to be when faced with an interviewer who might uncover his deception, he will react to threatening questions by exhibiting muscle movement that reveals his stress. For purposes of this example, let’s use a particularly pointed question like, “Did you break into the safe at Third Degree Communications?” A deceptive subject will often exhibit an anchor movement as he answers this question, and within 3-5 seconds of this stimulus will do one or more of the following: Cross his legs (or uncross them), tap his foot, slide one leg out in front of his body, adjust his buttocks in the chair, swivel the chair from side to side, lift his buttocks up out of the chair temporarily, cross or uncross his arms, begin tapping his fingers on the table, and/or reach back and scratch his shoulder. Any of these movements, and there are plenty more, suggest a nervous energy being released from the subject while answering (or avoiding) the question.

Non-Verbal Denial Only

You ask the subject a direct and pointed question and his only response is to shake his head from side to side with no verbal indication of denial at all. This subject lacks the confidence to deny directly and adamantly. This is *not* how the truthful person typically denies.

Hand to Face Gestures

The deceptive subject will often engage in hand to face gestures that reveal what he is really thinking:

- Hand to nose—can’t stand the smell of his own lies
- Hand to eyes—I don’t want to be here right now, this is stressful
- Hand to ears—I don’t want to hear what you are saying to me
- Hand to mouth—be careful what you say, don’t let the truth slip out

Hand to face gestures, like any deceptive indicator, must be clearly evaluated in light of the subject’s baseline behaviors. A lady at a party might nervously play with her earring, but it is not grounds to dismiss everything she says as a lie. It might be her custom and habit. These indicators will likely recede over time spent in the interview room as the subject becomes more comfortable with the professional interviewer.

Wringing Hands

The deceptive subject will often unconsciously wring his hands, folded or not, to disseminate negative energy that is building up in him. The working back and forth of the hands in a wringing fashion alleviates this pent up negative energy.

Escapism

Under intense stress, the deceptive subject may engage in something called “escapism.” He will lean his head back, scoot his chair back, or shield his eyes with either his hands, arm, or a hat. This subject is trying to put distance between himself and the interviewer. The pressure is too intense for him to withstand and he psychologically withdraws in order to protect himself.

Defeatist Posture

This is the label we have given to the posture that indicates to the interviewer that the subject has given up and resigned himself to defeat. The defeatist posture is comprised of hanging the head, slumping the body forward and downward, and is very often accompanied by crying (see illustration). When the subject does this, you have said and done things correctly and it is now time to move in for the first admission. The subject is telegraphing to you that he is ready to succumb.

Remember that the skilled interviewer NEVER hangs his hat on just one or two questions. We must cumulatively evaluate the subject's responses as a whole to come to an informed decision about culpability. Successful interviewers take the information that they've learned from deceptive subjects, and elicit truthful statements from them—in fact, ***Nothing But the Truth!*** This is just a portion of the information we cover on detecting deception in our 3 Day POST Certified Course on Interviewing and Interrogation. For more information, or to register online, please visit us on the web at: www.tdcorg.com

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Paul & Enrique have been team teaching Interviewing & Interrogation together for the past 10 years. They are the principals of Third Degree Communications, Inc.

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