

Making a **Difference** Canada

Communities Giving Voice to Sexual Assault Victims

FAIRNESS. OBJECTIVITY. DUE DILIGENCE.

This is what survivors of sexual assault should be met with.

MakingaDifferenceCanada.ca

Cognitive Interview Process

Arrest Script

The arrest script eliminates any questions as to the language used at the time of arrest. This serves to outline the formal charge(s) for which the subject has been arrested, which enables the subject to inform his/her legal counsel of the charges. The arrest script also advises the subject that they can be video or audio recorded at any time while in police custody. A copy of this script may be provided to the a subject.

I am Cst. _____ of the Vancouver Police Department.

(Name of Suspect) you are under arrest for the following offences:

(Name of Suspect) you have the right to retain and instruct counsel in private without delay. You may call any lawyer you want.

There is a 24-hour telephone service, which provides a legal aid duty lawyer who can give you legal advice in private. This advice is given without charge and the lawyer can explain the legal aid plan to you. If you wish to contact a legal aid duty lawyer I can provide you with a telephone number.

Do you understand?

Do you want to call a lawyer?

(Name of Suspect) you are not obliged to say anything but anything you do say may be given in evidence.

Do you understand?

Lastly, (Name of Suspect) you will be subject to audio and video recording at any time while in police custody except while speaking to legal counsel.

Do you understand?

Date: _____

Time: _____

Officer: _____

Did you understand the advice you received from your lawyer?

Interview Structure

The interview structure/script is generic in nature but tailored for each subject. The following represents the structure adhered to by FIT:

- Introduction and rapport building with subject
- Charter and Secondary Warning
- Background questionnaire and rapport building
- Pure Version Statement
- Behavioral Questions
- Interrogation

INTERVIEW PREPARATION CHECK LIST

1. Interview plan
 - 2 copies (1 for interviewer and for video room)
2. Check the interview room
 - DVD/VCR proper working order
 - pre-record the introduction
 - Name
 - Date/Time
 - Incident number
 - Subject's name
 - Offence
3. Interview aides/binder
4. Subject Background question sheet
5. Basic human necessities
 - Food
 - Water
 - Change of clothing

Interview Plan

- Incident #:
- Offence:
- Suspect:
- Arrest Location:
- Police Personal/Role:
- Primary Interviewer:
- Monitor:
- Transport to interview:
- Interview location:

Primary interviewer:

- Personal introduction – Rank/First Name
- Explain who you are and how you fit into the investigation
- Objective/ fair/ reputation
- I am an interviewer with the Vancouver Police Department/ not the primary investigator in this investigation
- Truth seeker
- Won't take sides
- This is not an American cop show/ you will not be mistreated
- I'm sure there are a lot of questions on your mind and there is a lot of information that I will share with you and we can go through together
- Assess files determine who needs to be interviewed
- I will be 100% truthful with you
- Countless police investigators and police agencies have been involved

PURPOSE

- Do you know why you are here?

Secondary warning

- How have you been treated?
- Has anyone promised you anything
- Made any threats
- Has anyone told you that you have to talk to me.

“I want you to clearly understand that anything said to you before you came into this room that influenced you or made you feel compelled to say anything doesn't apply now. Whatever you may have felt influenced or compelled to say before you don't have to repeat in fact you don't have to say anything but what ever you do say may be given in evidence. Do you understand?”

You have been arrested for:

Summary of case facts**Investigators' believe.....**

“I have already interviewed a number of witnesses who have provided us with detailed statements

“Countless exhibits have been collected and extensive forensic analysis has been conducted”

Most Important Question (MIQ)

“Did you-----?”

BACKGROUND INFORMATION

										TIME		DATE			
Category of examinee										LOCATION					
Victim															
Witness															
Suspect															
Accused															
Informant															
Name of examinee										Age		DOB		Birthplace	
Address															
Male		Female		Height		Weight		Hair		Eyes		Build			
Marital Status								Children (name)				Age			
Spouse's Name						Number of years									
Education completed															
Gen. physical condition															
Time Last Ate				Time Went to Bed				Time got up				How slept / Hours slept			
Raised by Father		Living		Dead		Remarried		Subject get along with his father now				As a child			
Raised by Mother		Living		Dead		Remarried		Subject get along with his mother now				As a child			
Brothers				Sisters											
Personal Interests															
Qualities most respected								Qualities most disrespected							
Worst thing happened- physical/ emotional						Ever falsely accused				Best thing happened					
Self assessment								Honesty		%		Honest today		%	
Arrested / charged		Yes	No	What for								Treatment by Police			
Parole / Probation		Yes	No	Finished											
Present place of employment						Occupation						How long			
Loans/Debts		What For				Amount				Worried		Behind on Payments			
How has society treated the subject								How has subject treated society							

Pure Version Statement (PVS)

“Tell me everything from the beginning.”

“Tell me from the beginning everything you can remember from the moment you got up until you went to bed. No detail is too small.”

Behavioural Questions

1. Why do you think -----?
2. What should happen to someone who -----?
3. Do you think that the person who-----had a good reason for doing it?
4. Do you think someone who----- deserves a second chance?
5. Witnesses are often reluctant to come forward at the time of a criminal investigation. This is especially true in a crime such as this. However, with any on going investigation the police will go back and re interview potential witnesses. Witnesses who realize that they must assist the police because it's the right thing to do. In short they tell the truth. If I were to tell you that the police have interviewed a number of witnesses from -----that were present the night of the crime, is there any reason why you can think of why someone would identify you in a photo pack as leaving the very scene of the crime?

Detailed Case Facts

Hold back

INTERVIEW AIDES

- Photo Packs
- Forensic reports
 - DNA report
 - Blood Spatter Analysis
 - Finger prints
- Witness statements – written, video and audio
- Profiler Analysis
- Victim Profile
- Suspect background information/relevant histories
 - Lifestyle
 - Religious orientation

- Familial relationships
- Stressors – family, finances, health
- Summary of previous suspect interviews
- Video excerpts
 - Surveillance
 - Security footage
- Part VI intercepts
- Media releases
- Co accused statements – written, video and audio
- Related police reports

Themes

- You can leave the country but you cant leave behind the truth
- Confrontation she initiated attempting to get into the building
- Your just doing your job –dealing with drug addicts and prostitutes
- Thankless job
- Just got out of hand – not planned
- She fought like a man
- Witnesses heard and saw the confrontation
- You were unable to control her or what the witnesses saw
- Did she start assault - reacted

Analogies

- Eating you up inside like a cancer
- What has your religious upbringing taught you
- Serious criminal matter and serious sin
- How do you make amends for such an action – by asking for forgiveness from God. How do you address such an issue on earth – by telling the truth
- Your wife knows the truth – she has stayed with you she will understand, she wants to know the whole truth she deserves to know the whole truth
- Do you're children know the truth. They will want to know the truth from your own mouth
- Things get out of hand – arguments with wife
- Stress of job building up like water in a glass
- No one to assist you
- Trying to satisfy too many people
- But the evidence is overwhelming
- No expense has been spared
- This is not going away
- Just like the moon sets and the sun rises every day you are going to face this until the whole truth is known
- Out of control Train

