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Exercise Solo Flight

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Conducting an effective interrogation can be a powerful and necessary tool used to gather evidence and confessions from criminal suspects, prisoners of war, witnesses, or accomplices. Interrogation uses a variety of techniques and takes advantage of cognitive processes, such as perception, memory and reasoning, in order to extricate information from subjects. However, this powerful tool has the potential to be corrupted and should be performed by a highly qualified individual and monitored by an impartial observer not only to ensure the interrogation is conducted in accordance with official regulations and laws but also to ensure that the subjects are not exploited and their rights are preserved.

There are far more effective techniques for eliciting intelligence from prisoners than torture. In fact, torture and coercive techniques, such as the Reid Technique referenced in this essay, are ineffective in producing information during interrogations and more often than not produce false information. Furthermore, contravening laws and sacrificing ethics undermines legitimacy and contaminates any information gained through torture.

The purpose of this essay is not to argue that psychologists should be involved in torture but that psychological techniques should be used as an alternative to torture. It will draw parallels between torture and interrogation, of witch-hunts during the Inquisition and the recent outrage of government-sanctioned torture by US agencies and military forces against Muslim detainees. These arguments will become evident through the examination of several case studies. They will indicate the general psychological processes involved in interrogation and how effective techniques can be better understood, extrapolated and used to improve the interrogation process. Additionally, they will emphasize the areas where exploitation is likely to occur and potential means of avoiding such conduct. Finally, discussion and examples of torture will argue that it fails

to produce reliable intelligence, is unnecessary and undermines the rectitude of the institution conducting the investigation.

Conducting an interrogation can be like walking a tight rope; sometimes the necessity of eliciting information overpowers an individual's morals or society's ethics. Knowing when to draw the line is of paramount importance and can be the difference between torture and interrogation, innocence and guilt or, ultimately, life and death. Interrogations can vary along a spectrum from eyewitness testimony, suspect questioning, coercive interrogation, to torture. Some overlap is to be expected along this spectrum. There are techniques, limitations, and perils within each. The difference between coercion and manipulation is subtle, yet of paramount importance. Coercion typically involves a certain level of force or threats whereas manipulation is convincing one to comply willingly. The objective of every interrogation should be to learn the truth, but far too often subjects are coerced into providing corroborating evidence for a pre-existing suspicion or theory whether it is true or not. This circumstance will be explored in the Eric Morgan case study.¹

Standard police interrogations use a number of techniques. Case studies and experiments have shown that coercive techniques, such as the Reid technique, frequently lead to unreliable information, false testimony and false confessions.² The Reid technique is one of the better known and frequently used. Though controversial, police normally use this technique during interrogations against suspects who are believed to be lying or

¹ "Eric Morgan Acquitted of 2006 Murder, Sues Peel Police for \$25M," *CBC News*, 21 November 2014, <http://www.cbc.ca/news/canada/toronto/eric-morgan-acquitted-of-2006-murder-sues-peel-police-for-25m-1.2845523>

² Danielle M. Loney and Brian L. Cutler, "Coercive Interrogations of Eyewitnesses Can Produce False Accusations," *Society for Police and Criminal Psychology* (2015), 1.

withholding evidence. The foundation of this technique is grounded in profiling based on gender, race, social status, occupation, marital status and age, hidden behind the thin veil of clever deductions made by examining evidence and through observation based on a Behaviour Analysis Interview (BAI).³ During a BAI, the guilt of an individual is based upon the expected responses of guilty or innocent people. The interrogator judges the subtle differences between possible responses as being likely or unlikely to be true.⁴

The BAI results based on the overall assessment of responses are completely subjective, and will determine whether a suspect will proceed to the interrogation component. Subjects who reach the third component of the process, the interrogation, are strongly believed to be guilty and are treated as such through accusatory statements and impertinent attitudes shown by the interrogator. During the interrogation the individual is subject to forceful accusations of guilt, lying or withholding information. They are repeatedly accused of having committed the crime, being implicated in the crime or in the process of committing a crime by not revealing the truth.⁵ The interrogator himself is at liberty to lie or continue the questioning for many hours, eroding the subject's cognitive abilities with the objective of confusing or tricking the suspect into giving away information. While there are some credible tactics used in the Reid method its design is far too easily corruptible by interrogators focussed on coercing subjects into providing the information they desire. Such an injustice ruined Eric Morgan's life and stands as an illustration of police abusing their authority and corrupting an interrogation.

³ John E. Reid & Associates. "The Investigator Anthology." Last accessed 4 May 2015.
http://www.reid.com/educational_info/critictchnique.html

⁴ *Ibid.*

⁵ Danielle M. Loney and Brian L. Cutler, "Coercive Interrogations...",1.

The criminal charges levied against Eric Morgan in 2010, for a murder committed in 2006, were unjust and a result of police forcing witnesses under duress to support their version of events. Over a series of witness interviews police interrogators used the Reid technique to coerce witnesses into providing false information implicating an innocent man, Morgan. Two witnesses to the murder, when initially questioned, were certain that Morgan was not involved in the murder and provided solid alibis for him. Four years later when questioned again, both witnesses initially responded with consistency. Then over many hours, and subject to harsh coercive techniques, these two witnesses ambiguously agreed that Morgan might be a likely suspect. Morgan was charged 4 years after the murder, imprisoned while awaiting trial and subsequently found not guilty three and a half years later.

Incidentally, both eyewitnesses later retracted their damning evidence, citing that police coerced and intimidated them, and that they agreed with police statements of Morgan's guilt, only to escape the ordeal.⁶ The presiding judge, Justice Fletcher Dawson, is quoted as saying, "The police conduct during this witness interview was vexatious and oppressive to a degree that I find surpasses community standards of tolerance..." Dawson directed the jury to come back with a not-guilty verdict and stated, "The police misconduct was calculated to undermine the strongest witness in support of Eric Morgan's alibi."⁷

It is clear that coercive techniques are not effective at finding the truth and should certainly not be used against compliant eyewitnesses, but whether coercive techniques are

⁶ Eric Morgan Acquitted of 2006 Murder...

⁷ "Man Acquitted of Murder Suing Peel Police for \$25M," *Toronto Sun*, November 20, 2014, <http://www.torontosun.com/2014/11/20/man-acquitted-of-murder-suing-peel-police-for-25m>

effective against hostile suspects remains to be seen. More importantly what techniques are successful? A study out of the University of Albany polled 152 interrogators from the FBI, U.S. military, state and city police, and the Department of Homeland Security. They asked what techniques they most frequently used and which they believed were more effective. A total of 67 different techniques were given and were subsequently divided into six categories: rapport and relationship building, context manipulation, emotional provocation, confrontation/competition, collaboration, and presentation of evidence. Between confrontational techniques and rapport and relationship building techniques, the latter was more commonly used and widely believed to be more effective by these experts.⁸

One intelligence gathering technique that benefits from the rapport and relationship building method is the Scharff technique. It is based on four critical tactics 1) a friendly approach, 2) not pressing for information, 3) the illusion of knowing it all, and 4) the confirmation/disconfirmation tactic.⁹ It “promotes egalitarian conversation in contrast to emphasizing authority over the source.”¹⁰ The tactics above, in part, attempt to diminish the effectiveness of the source’s resistance strategies. The idea of this technique is to win over the source, not be threatening, persuade them to relax, and open up. By not pressing for information the interrogator is creating a non-threatening environment. It also sets the stage for the third tactic, which is creating the illusion of knowing all or at least

⁸ Allison D. Redlich, Christopher E. Kelly and Jeanee C. Miller, “The Who, What, and Why of Human Intelligence Gathering: Self-Reported Measures of Interrogation Methods,” *Applied Cognitive Psychology* 28, (2014): 817–828.

⁹ Eric Horowitz, “The Nazi Interrogator Who revealed the Value of Kindness,” *Pacific Standard*, July 3, 2014.

¹⁰ Par Anders Granhag, Simon Oleszkiewicz, Leif A. Stromwall and Steven M. Kleinman, “Eliciting Intelligence with the Scharff Technique: Interviewing More and Less Cooperative and Capable Sources,” *Psychology, Public Policy, and Law*, Vol. 21, No. 1 (2015): 100.

enough that the subject is less resistant to revealing further intelligence. The confirmation/disconfirmation tactic builds on this by making a statement that is close to the truth and fishing for more precise information.

A compelling example comes from Scharff's own life. During World War II Scharff was interrogating an Allied pilot. They took frequent walks and had pleasant conversations; Scharff provided baked goods and charismatically won over the pilot. On one occasion Scharff mentioned the idea that American tracer bullets changed from red to white due to a shortage of chemicals. The pilot quickly and naively corrected Scharff stating that this was not due to a chemical shortage but that it was used as a signal to pilots that they would soon be out of ammunition.¹¹ The obvious advantage this knowledge gave to the Germans was pronounced. Several studies on the Scharff technique have shown that not only does the source not realize to what degree they have given up actual intelligence but "it frequently outperformed the direct approach on several critical efficacy measures, specifically when interviewing the less cooperative sources." Furthermore, "the Scharff technique was superior in terms of the amount of new information elicited while masking the interviewer's information objectives."¹²

The Reid and Scharff techniques are only two of many examples of interrogation techniques that are permitted under international and most national laws. The interrogator builds a relationship with the subject, a relationship that can be based on trust, fear, friendship, or any of a range of human emotions. Still, some aspects of the Reid technique push the boundaries to their limits and many methods are subject to corruption that can

¹¹ Eric Horowitz, *The Nazi Interrogator...*

¹² Par Anders Granhag, Simon Oleszkiewicz, Leif A. Stromwall and Steven M. Kleinman, "Eliciting Intelligence with the Scharff...", 109.

result in abuse. Along the spectrum of interrogation there are techniques that are successful at gathering reliable information and some that more often than not lead to fabricated testimony and false confessions. Coercion or some sort of discomfort, which at times borders on torture, typically produces the latter result. When interrogations are met with resistance, result in frustration due to a lack of results, or are conducted by people of weak moral fortitude or sadistic personalities, many times torture becomes the inevitable product. A common tendency of interrogators is to press hard for specific information whether the subject knows the answer or not. When the subject cannot provide particular information or is exceedingly uncooperative interrogators may feel that escalation in tactics is required. Escalating to violence, other coercive techniques, or altering easily corruptible techniques like the Reid technique is a short road to torture.

Torture as defined by the Geneva Conventions is “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person....” And that torture cannot be used to “intimidate or coerce for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”¹³ The purpose of this framework is to ensure that torture cannot be used as punishment or as a means to extract information or a confession.¹⁴ Even with such international law and supporting national law torture still occurs and these laws are occasionally circumvented in order to achieve specific objectives regardless of consequences.

¹³ “The Geneva Conventions of 12 August 1949.” *International Committee of the Red Cross*. March 5, 2005, accessed 4 May 2015, https://www.icrc.org/eng/assets/files/publications/i_crc-002-0173.pdf.

¹⁴ *Ibid.*

The terms used to describe offences are a bit vague as it is unreasonable to transcribe or definitively define what pain and suffering is. Yet, lawyers of the U.S. Justice Department, in 2002, exploited this vagueness by ignoring the spirit of the law and essentially legalizing torture within the confines of U.S. law by declaring al Qaeda and Taliban outside the classification of enemy combatant as written in the Geneva Conventions and by over complicating its definition of torture.¹⁵

As Secretary of State Colin L. Powell points out, declaring the conventions inapplicable would "reverse over a century of U.S. policy and practice in supporting the Geneva Conventions and undermine the protections of the laws of war for our troops." Furthermore, it would "undermine public support among critical allies."¹⁶

Torture is not new; it has been around for ages. There are countless examples of horrible evils committed by people throughout history, well beyond the scope of this paper and perhaps beyond imagination. Some of the most infamous examples of torture enveloping society are witch-hunts, trials and the Inquisition. Because of witch hunts alone, for hundreds of years terror reigned throughout Europe, and even in North America, as hundreds of thousands of people, mostly women, were accused, interrogated, tortured, and executed for being witches.¹⁷ Torture throughout this period is a manifestation of power of the masses and inspiration of fear with the goal controlling and cowering society. Furthermore, it was used as an instrument for eliminating dissidents.

¹⁵ Paul Lauritzen, *The Ethics of Interrogation: Professional Responsibility in an Age of Terror*, (Georgetown: Georgetown University Press, 2013), part 1 Ch 3.

¹⁶ Neil A. Lewis, "A Guide to the Memos on Torture," *New York Times*, accessed on 6 May 2015. http://www.nytimes.com/ref/international/24MEMO-GUIDE.html?_r=0

¹⁷ Heinrich Kramer and James Sprenger *Malleus Maleficarum* (Speyer, Germany, 1486) <http://www.malleusmaleficarum.org/downloads/MalleusAcrobat.pdf>

The *Malleus Maleficarum* is a treatise on the prosecution of witches, written in 1486 by Heinrich Kramer, a German Catholic clergyman. It became the field manual for finding, accusing, and interrogating suspected witches.¹⁸ Unexplained illness and misfortune experienced by society was blamed on magic and consequently on pariahs or those that were believed to be threatening. This phenomenon can be compared to the contemporary circumstance where unexplained hate and radicalism against the West is being blamed, by some groups, on the religion of Islam as a whole. Much like the interrogations during the wars in Afghanistan and Iraq, when the witch hunters grew frustrated by their inability to force confessions out of the accused they often resorted to torture.¹⁹ One such method of attempting to determine whether there was truth to the accusation, not dissimilar to waterboarding, was throwing the accused witches, bound with rope, into a body of water. If the individual floated they were a witch, if they sunk, they were innocent, but possibly also drowned.²⁰ There are innumerable examples of torture and interrogation of suspected witches where the results were completely arbitrary and seem today nothing more than senseless violence.

What is frightening is that since the Inquisition, and more recently since the torture and horrible treatment of POW during wars, torture has been renounced and abolished almost worldwide and International Law forbids it. Yet, the U.S., who claims to be a beacon of hope against human rights violations, considers itself to be above the law and well within its rights as the world's only superpower to subject people to torture,

¹⁸ Brian P. Levack, *The Oxford Handbook of Witchcraft in Early Modern Europe and Colonial America*, (Oxford: Oxford University Press 2013), 17.

¹⁹ Larry C. James, *Fixing Hell: An Army Psychologist Confronts Abu Ghraib*, (New York: Grand Central Publishing, 2008), Ch.2.

²⁰ M. Hopkins, *The Discovery of Witches (2007 ed)*, (Brighton: Puckrell Publishing, 1647), 6.

abuse and wrongful detention. Once again torture is being exploited as a means to project power over individuals forcing them to comply with a nations will. The U.S. decided torture was a legitimate means to treat detainees. This was not always the case, or at least it was not prior to 9/11. The U.S. Army Field Manual 34-52 (1992), which was in effect until 2006, states that, the “use of torture by US personnel will bring discredit upon the U.S and its armed forces while undermining domestic and international support for the war effort. It also may place U.S. and allied personnel in enemy hands at a greater risk of abuse by their captors.”²¹ Moreover, “Use of torture and other illegal methods is a poor technique that yields unreliable results, may damage subsequent collection efforts, and can induce the source to say what he thinks the interrogator wants to hear.”²²

Torture is the most controversial method of gathering intelligence. It is controversial both for the obvious harm it causes, but also because of the validity of the information gained by many of the techniques used. The argument that “everybody talks” may have its merits. But what is said? Reality severely complicates such a simple statement. In many instances torture is persistent and will continue until the subject confesses or gives information, but what if the subject does not possess any relevant information or is innocent of wrong doing? Any information or confession given would be useless and is only given in an effort to escape the torture. This is especially problematic when the interrogator is probing for very specific information and is convinced the subject possesses it. In some cases detainees do in fact possess actionable intelligence, but will do everything it takes to avoid giving it to the enemy. Lying is an

²¹ United States of America. Department of the Army. Field Manual 34-52 Intelligence Interrogation. Washington, D.C, 1992. 1-8.

²² *Ibid.*

obvious method to avoid further torture, especially when verification of the false information is impossible or at least would take time to verify thereby further delaying torture.

Another situation that confounds the justified use of torture is the ‘ticking bomb’ argument. This argument postulates that an imminent, planned attack that will kill a large number of people is known to exist. The terrorist is in custody and has information that could prevent the attack. Many utilitarian arguments suggest that anybody of moral standing would commit torture against the perpetrator in order to save more people.²³ There are several problems with this scenario. First, the idea that the attack is imminent cannot be quantified. There cannot be a definitive, specific amount of remaining time at which torture should be permitted. Similarly, one could not reasonably delineate a minimum number of people at risk required to permit torture. Further complications include the level of certainty to which the authorities know they have the actual perpetrator in reality is unlikely, as is the certainty that he has information and that he would give it up in time or at all. These unquantifiable characteristics only open the door to exploitation for use of torture in other scenarios. Using the foot in the door technique and suggesting that this one unlikely scenario justifies torture, even if the argument was valid, does by no means justify the commission of torture in any other circumstance.

Beyond these weaknesses, ethics and morality of individuals and nations must be upheld. From a deontological standpoint and as stated by Colin Powell above, committing torture for any reason undermines what most governments stand for, validates the atrocities committed by terrorists and potentially generates more malcontent radicals with

²³ Paul Lauritzen, *The Ethics of Interrogation...* part 1 chap 4.

an increased likelihood to become terrorists themselves. This would not only legitimize what terrorists are doing, but reinforce a desire to rise up against the oppressors.

Senator John McCain, a former POW in Vietnam, agrees with Colin Powell. He believes that intelligence collected must be “reliable and acquired humanely, under clear standards. To do differently not only offends our values as Americans, but undermines our war effort.”²⁴ He addresses American values and renounces U.S. involvement in torture, “although the enemy we fight has no respect for human life or human rights...this isn’t about who they are. This is about who *we* are. These are the values that distinguish us from our enemies, and we can never allow our enemies to take those values away.”²⁵

After 11 September 2001, when the attacks on the World Trade Center and Pentagon occurred, the United States went to war in Afghanistan, followed quickly by Iraq. With these two specific wars and the general “Global War on Terror,” prisoners and detainees began to accumulate. The real-world imperative, arguably under the guise of the ‘ticking time bomb’ justification, put tremendous pressure on soldiers, contractors and government agencies to uncover actionable intelligence. It did not take long for things to get out of hand with Guantanamo Bay in 2002, Abu Ghraib in 2003, and the fallout of the torture memos over the next 10 years. It seems that the U.S. was not cautious in its aggressive stance of ‘anything to get the mission done’.

The claims that torture was necessary, did not breach national and international law and that the CIA was well equipped and well trained to conduct such harsh interrogations was not true. The CIA’s claim that it had a “seasoned corps of veteran

²⁴ John A. Walquist, *Interrogation: World War II, Vietnam and Iraq* (Washington, DC: National Defense Intelligence College, 2008), 15.

²⁵ *Ibid.*

interrogators” was a fabrication. According to investigative reporter Jane Meyer, “the CIA had no experience really in interrogating prisoners. They had never really held prisoners before. And so, they really had no idea how to go about getting information out of people.”²⁶ Furthermore, the training they claimed to have was based upon the work of two psychologist who, according to Senator Carl Levin, during hearings before the Senate Armed Services Committee on 17 June 2008, were hired by the CIA to reverse engineer their enhanced interrogation techniques from the United States Air Force Survival, Escape, Resistance, and Evasion (SERE) school in Washington state. This course was designed for aircrew personnel to provide them with the tools to resist interrogation and torture in the event enemy forces captured them. The techniques used included waterboarding, stress positions, sleep disruption and other abusive treatment. The instructors on this course were not trained interrogators nor were the two military psychologists, James Mitchell and Bruce Jessen, who were paid an absurd amount of money to develop the techniques. Puzzlingly, they based the development of their enhanced techniques on sociologist Albert D. Biderman’s study on Chinese interrogations that ironically concluded, “Coercive methods primarily produce false confessions.”²⁷ He goes so far as to say, “I have omitted torture from the outline to emphasize that inflicting pain is not a necessary nor particularly effective method of inducing compliance.”²⁸

Contrary to the belief that the CIA was well prepared and that torture resulted in invaluable information there little to no oversight, the methodology in creating torture

²⁶ *Ibid.*, 10.

²⁷ *Ibid.*, 10-11.

²⁸ Albert D. Biderman, “Communist Attempts to Elicit False Confessions from Air Force Prisoners of War,” *Bulletin of the New York Academy of Medicine* 33, no. 9 (September 1957) 618.

techniques flawed, the interrogators untrained, and the output of actionable intelligence was circumspect if not completely nonexistent. According a Senate Intelligence Committee report, the preponderance of intelligence collected regarding Abu Ahmed al-Kuwaiti, the al Qaeda courier whose phone call led to Bin Laden's location and subsequent termination, "was originally acquired from sources unrelated to the C.I.A.'s detention and interrogation program, and the most accurate information acquired from a C.I.A. detainee was provided prior to the C.I.A. subjecting the detainee to the C.I.A.'s enhanced interrogation techniques."²⁹ Additionally, Special Agent Dan Coleman, the FBI lead investigator on Osama bin Laden was extremely critical of the enhance interrogation tactics. In regard to the interrogation of Abu Zubaydah, a high profile terrorist, he said, "I don't have confidence in anything he says, because once you go down that road (waterboarding), everything you say is tainted... He was talking before they did that to him, but they didn't believe him. The problem is they didn't realize he didn't know all that much."³⁰

What about the idea that without the threat of torture the 'soft' techniques may be ineffective? Although an interesting debate topic, there is an overabundance of successful examples in police interrogations where the threat of torture does not exist. Use of psychological techniques have been proven to be quite effective and do take into consideration that even the threat of torture is in contradiction of international and national law.

²⁹ Charlie Savage and James Risen, "Senate Report Rejects Claim on Hunt for Bin Laden," *New York Times*, 9 December 2014 accessed 14 April 2015 <http://www.nytimes.com/2014/12/10/world/senate-report-raises-doubts-about-cia-claims-on-hunt-for-osama-bin-laden.html>

³⁰ John A. Walquist, *Interrogation: World War II...*, 12.

Not only are psychological techniques effective in police interrogations, they have proven to be just as useful in war situations as well. Colonel Larry James, a U.S. Army psychologist implemented a series of incentive and respect based interrogations techniques in Guantanamo Bay and Abu Ghraib following their respective scandals in 2002 and 2004. In Colonel Larry James' book *Fixing Hell* he describes a situation he confronted in Guantanamo Bay in 2002. According to James when things got out of control in Guantanamo Bay it was he, an Army psychologist, who was called in to set things right. In one particular incident he witnessed three men, one interrogator and two military police, wrestling with a prisoner in an interrogation room. They had succeeded in removing his clothes, forcing him to wear ladies underwear, lipstick, and were attempting to put on a negligée. James interrupted the ridiculous scene and invited the interrogator for coffee. After reviewing the prisoner's case and hearing from the interrogator, it was clear this individual was a definite terrorist and extremely resistant and insulting. James asked the interrogator to approach the questioning in a different manner. Over the next week the interrogator spent time with the prisoner all but ignoring him. He simply ate a sandwich, drank some tea, and read the Sport Illustrated Swimsuit Issue. After several days the interrogator brought in an extra sandwich and offered it to the prisoner and continued to do so over a period of time. Eventually, he allowed the prisoner to take the magazine back to his cell, under the illusion of breaking some rules. By doing this, the interrogator established a relationship with the prisoner and over time, the prisoner began talking, revealing many helpful pieces of information.³¹ This was not dissimilar to the

³¹ Larry C. James, *Fixing Hell*..., Ch 2.

Scharff technique mentioned at the beginning of this paper utilizing rapport building in order to gain the trust of the prisoner.

This type of process is more in line with the U.S. Army Field Manual, which expressly forbids torture and outlines similar techniques. “While seemingly out-dated, practices like ‘good cop, bad cop’ – may still be used with special permission, the manual states that “in most cases, either initially or after the interrogation source has began answering questions, the HUMINT collector will adopt a more relaxed or even sympathetic posture.... The HUMINT collector must control his temper at all times.”³² The ‘good cop, bad cop’ technique uses the rapport building approach by creating a dissonance between the two personas manipulating the subject towards bonding and sharing with the more appealing option.

“Good cop, bad cop’, the Scharff technique and a number of other psychologically effective techniques were used masterfully in the investigation of two murdered women and two sexual assaults in Tweed, Ontario in 2010. Russell Williams is a former member of the Canadian Armed Forces. He was a pilot and as a colonel he was the Wing Commander of the largest Air Force base in Canada. He was also a murderer. His interrogation by Sgt. Jim Smyth of the Ontario Provincial Police is a textbook example of a successful interrogation leading to confession. The techniques used were carefully planned out and in the end a smart man was beaten by a smarter man.

Williams was lured to the police station under the pretence of providing information to the police as a witness and was ensnared by Smyth’s rapport building and casual manner. Over the next several hours Smyth used mirroring and asked set up

³² Eric Horowitz, The Nazi Interrogator...

questions. For example, whether there was any reason Williams would have been in or around the victim's house. Mirroring is a rapport building psychological approach that can subtly facilitate a feeling of comfort between two people and allow an interrogator to lead a source to open up.³³ Furthermore, by providing opportunities for Williams to deny the truth or to lie lay a foundation that Smyth could later utilize in confronting him with evidence. Once the rapport had been built Smyth switched from good cop to bad cop and began to present piece after piece of evidence slowly creating a sense of doom and futility with the hope of encouraging Williams to confess. Smith was guided to each subsequent step in the process by studying Williams' body language and eye contact. It enabled him to deduce his truthfulness and mind-set.³⁴ The only possible criticism of the interrogation was its length, being precariously close to being unreasonable. However, in this instance, unlike in the Morgan case, there were three important distinctions. First, there was hard evidence against Williams; second, he was not a witness, but a suspect; finally the questioning led to hard evidence that could be verified and which supported the confession.

During the recent wars in the Middle East there has been a major focus on gathering intelligence from terrorists and suspected terrorists. There has been much controversy as to the methods used to extract intelligence as well as the quality of the intelligence collected through controversial methods. The Field Manual 34-52 is a proponent of psychological techniques and was developed from decades of experience

³³ Jeff Thompson, "Mimicry and Mirroring Can Be Good... or Bad," *Psychology Today*, Sep 09, 2012, accessed 6 May 2015, <https://www.psychologytoday.com/blog/beyond-words/201209/mimicry-and-mirroring-can-be-good-or-bad>

³⁴ Col Russell Williams Full Interrogation and Confession, accessed on 30 April 2015, <https://www.youtube.com/watch?v=bsLbDzkIy3A>.

gained during the Cold War, Vietnam, Korea and both World Wars. To simply have ignored that experience and proceeded with the methods used during the Global War on Terror was a catastrophe. It seems that once again the lessons learned from history have been forgotten, though it is more likely that they have been completely ignored. Laws, regulations and doctrine like the Geneva Conventions and U.S. Army FM 34-52, have been created specifically for the purposes of protecting human rights and to facilitate extraction of valid information.

Presently the American Psychological Association is “divided and convulsed” by the revelations of members’ such as Colonel Larry James’ participation in the interrogation program. “Debates over psychologists’ role at the base in Guantanamo Bay and so-called black sites have raged for years within the association.”³⁵ Though many psychologists are opposed to any participation or interference by psychologists in interrogation programs, their expertise is invaluable in providing alternative and more effective techniques to torture while also offering the option of providing oversight in order to prevent a creep toward corruption and escalation. While there may exist a potential conflict of interest of professional psychologists using their training and knowledge to manipulate sources, this need not be the case and the reasons for psychologist’s participation to help prevent misconduct, misinterpretation, and misuse, should be a priority.

Torture is irresponsible, ineffective and inhumane. It is globally condemned and should never be used by any organization from government organizations, militaries or

³⁵ Benedict Carey, “Architects of C.I.A. Interrogation Drew on Psychology to Induce Helplessness”, *New York Times*, 10 December 2014 accessed 14 April 2015
http://www.nytimes.com/2014/12/11/health/architects-of-cia-interrogation-drew-on-psychology-to-induce-helplessness.html?_r=0

local police. Centuries of learning from the Inquisition to the Global War on Terror have proven the futility and unreliability of such methods. No human should have to endure the adversity suffered by Eric Morgan. Psychological techniques and rapport building techniques such as the Scharff technique are proven methods that are effective within the bounds of law and ethics. It is these that should be the foundation of interrogations. If the objective cannot be achieved through these techniques, integrity, ethics and humanity should triumph over any inclination to resort to torture and the legitimacy of governing organizations should prove unshakable. After all, the purpose of government is to enforce laws when morality fails not contravene them for their own gain.

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