Whether you grew up watching *Gunsmoke*, fantasizing about driving a Ford Gran Torino like the leads in *Starsky & Hutch*, or working cases like the *Law & Order* crew, being a “good guy” meant getting the “bad guys.” But one of law enforcement’s most common tools—the suspect interview—can sometimes result in a good guy’s worst nightmare: putting an innocent person behind bars.

The need to find a more consistent and reliable way to interview suspects was the impetus for the Inductive Interview System (IIS). Developed by retired Dorchester County (South Carolina) Sheriff Ray Nash in collaboration with Calhoun County (South Carolina) Sheriff’s Office Chief Deputy Tim Stephenson, IIS is an innovative program enriched with real-life case studies and actual suspect interviews to help law enforcement gain the skills they need to help take a case from confession to conviction.

Justice Clearinghouse (JCH) will present a four-part Special Workshop Series, starting Oct. 16 with Sheriff Nash presenting the foundational concepts and skills involved in IIS, including:

- The Six Phases of the Inductive Interviewing Process
- The 10 Types of Lies
- Why People Lie
- Behavioral and Verbal “Leakage”
- Specialized Questioning Techniques
- Managing Denials, Rationalizations, and Minimizations
- Implementing Induction Techniques
- Creating Divergencies
- Recognizing Signs of Surrender
- Developing Admissions Into a Confession
- Preventing False Confessions
- Documenting the Interview

Justice Clearinghouse recently spoke with Sheriff Nash for a short preview of what workshop attendees will learn. Here’s what he said:

**JCH:** Ray, for those who may not know you from your many webinars with Justice Clearinghouse, tell us a bit about your background.

**Sheriff Nash:** Well, I’ve been at this a while—41 years! I started out as a police dispatcher while I was still in high school, so I started young. Since then, I’ve had the opportunity to be police chief of two agencies in South Carolina—the first one when I was only 23! It was a teeny-tiny agency with teeny-tiny police
cars—we actually drove Volkswagen Bays, if you can believe that! In between stints as police chief, I was on staff at the Institute of Police Technology and Management at the University of North Florida as a training specialist.

In 1996, I ran for sheriff in Dorchester County (South Carolina), and to everyone’s surprise (especially mine), I won! Along the way, I developed a character-based leadership program for law enforcement and founded the Police Dynamics Institute. The program went international, and I’ve had the privilege of training more than 15,000 law enforcement and government leaders from around the world over the last 20 years or so.

After serving three terms as sheriff, I had my time in to retire, so I tuned in my paperwork and did something really crazy: I went to Afghanistan for three years as part of an international police reform effort. I served as the criminal justice adviser to the U.S. Embassy and represented the U.S. on the International Police Coordination Board. During this time, I partnered with a team of federal prosecutors to present a forensic interviewing course to the Afghan prosecutors. [There,] most suspect interviews are conducted by the prosecutors, not the investigators.

More recently, I partnered with a colleague of mine to develop the Inductive Interview System. We coupled my expertise in training and curriculum development with our combined field experience to come up with a genuinely novel approach to forensic interviewing. ( Legendary martial artist) Bruce Lee is quoted as saying, “Absorb what is useful, discard what is not, and add what is uniquely your own.” That’s been our approach. Many of the techniques have been around for a while and are time-tested. But a lot of it is unique and quite innovative. We spent three years packaging it into a highly interactive training program that has been extraordinarily well-received everywhere we have presented it.

**JCH: Why is there a need for a different approach to interviewing suspects?**

**Sheriff Nash:** As I stated, many of the forensic interviewing techniques widely in use by law enforcement are time-tested. However, some of the approaches—in fact, those that are probably most widely implemented—have probably resulted in false confessions.

Advances in forensic technology, particularly DNA analysis, have proven that some suspects, under the right circumstances, will confess to crimes they didn’t commit. I am personally involved in such a case, where the defendant, who is serving a life sentence, was convicted based on a coerced confession that is probably false.

That case got me started down this road, researching the phenomenon of false confessions and looking critically at the methodology officers are being trained in. Some of the most widely utilized techniques are being discarded by law enforcement agencies and training institutions due to their overly coercive nature and resulting false confessions. This created an opening in the marketplace that my colleague and I wanted to see filled.

**JCH: Help us understand: Why would anyone confess to something they didn’t do?**

**Sheriff Nash:** Clever psychological trickery can produce false confessions, particularly among those with mental health issues and juveniles. But even normal and well-adjusted people can, when placed under the right amount of stress by officers (who may be well-intentioned but improperly trained) will confess to things they didn’t do. They may even begin to doubt their own memories when subjected to highly coercive and manipulative interviewing techniques. This has been well-documented in the research.

Moreover, judges and jurors have an increasingly negative image of police interviews as being overly coercive due to popularization in the media. But we know from research that these techniques are not the best, and some need to be discarded altogether. Dr. Saul Kassin and Bruce Frickin, among many others, have studied this phenomenon, and we have incorporated some of their research into the Inductive Interview program. Every professional interviewer needs to understand the psychology behind false confessions and take steps to guard against them. This is a major focus of our course.

**JCH: Is this really any different from the other methods for interviewing?**

**Sheriff Nash:** In a word, yes! Many of the techniques being taught in the law enforcement marketplace tend to be too restrictive. Some of them came out of corporate America and focus on things like
As long as time permits, rapport is strong, and there is no shutdown, you might be surprised just how much [a suspect] will confess to.

embezzlement and employee theft. Although the interviewing principles are similar, cops want exposure to more hardcore cases, such as murders, serial sex offenses, child molestation, internal affairs cases, serious assaults, and other predatory crimes. Our course relies heavily on actual case studies of these types of offenders. We use video from actual interviews but have edited them for training purposes, so you don’t have to watch a two-hour interview to get 10 minutes of relevant material.

Also, most training programs on this topic cater to detectives. But we have a mantra: “Every contact is an interview.” An interview is a conversation with the purpose of deriving credible and actionable information. So from that context, every officer, from the moment they first hit the streets, needs to know how to conduct an interview and detect deception. Every car stop, every call for service, every witness or victim interview, every arrest, every traffic investigation, essentially every contact is a quest for credible and actionable information.

And not only that, probation officers, detention and correctional officers, victim advocates, defense attorneys, prosecutors, mental health practitioners, and many others can benefit from this training. Even parents!

Lastly, we wanted to develop a program that is easily learned, highly effective, and nonlinear. Let me tell you what I mean by that: Other interview systems typically follow a linear pattern with a very complex flowchart. It’s easy to get lost in them and feel overwhelmed. Plus, real interviews don’t follow a flowchart. They backtrack, skip around, and generally go all over the place. So, the Inductive Interview System gives the interviewer a great deal of flexibility to transition freely back and forth among the various phases of the interview. In fact, we encourage it.

A forensic interviewer has to constantly be on the lookout for signs of a shutdown. This occurs when there is no additional useful information coming forth, or the suspect invokes his Fifth or Sixth Amendment rights under Miranda. Transitioning to previous phases of the interview (especially the “rapport” or “narrative” phases) relieves tension and reduces the likelihood of a shutdown. Conversely, if the interroger sees signs of surrender or other indicators that the subject may be ready to confess, the interviewer can skip over some of the preliminary phases and go right into one of the induction techniques we teach.

JCH: Can you share with us an example of how inductive interviewing has worked successfully for law enforcement?

Sheriff Nash: We have a dozen or so case studies that we use for training purposes, and our team is utilizing these techniques on a daily basis; we have many, many success stories. One that comes to mind is a suspected child sex offender. He was in complete denial and had been for a while. The detectives assigned to the case were unable to get anything from him. My colleague and I had an opportunity to interview him and had a full confession within about five minutes.

We started by building rapport, an often overlooked and neglected phase of the interview. We then shifted directly into an induction technique (in this case, it was a presumptive question), and it worked. We teach that forensic interviewing is a lot like fishing. It’s all about the timing and presentation of the bait. Interestingly, this particular suspect was an avid fisherman, but he took our bait!

Another principle we teach is that “The truth comes incrementally.” By that, I mean a guilty person will rarely give a full confession the first time around. They are testing the waters to see what the minimum amount of disclosures they can make is to satisfy the interviewer. Many less-experienced or poorly trained interviewers will terminate the interview after just the first or second disclosure, but we teach our students to press on for additional disclosures.

As long as time permits, rapport is strong, and there is no shutdown, you might be surprised just how much they will confess to. Some of our case subjects gave up 10 or more disclosures before the interview was terminated. Some of them disclosed previously unknown victims.

Just the other day, we had the opportunity to interview a convicted child sex offender. He had taken an Affidavit plea but continued to maintain his innocence. After serving a 10-year prison sentence, he was released on parole. As a condition of his release, he was mandated to undergo a sex offender treatment program, but he remained in complete denial. The mental health treatment provider felt that he was untestable unless he took some degree of responsibility for his acts, so he sent him to us. Over the course of about a two-hour interview, he made 10 progressively more serious disclosures, including the sexual assault itself.

Visit justiclearinghouse.com/inductive-interviewing-for-justice-professionals to learn more about Sheriff Nash’s four-part workshop series Inductive Interviewing for Justice Professionals.

Christina McCale is editor in chief of the Justice Clearinghouse, which promotes an interdisciplinary approach to understanding and resolving the challenges affecting our justice and public safety arena through information-sharing.