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FBI Counterintelligence Division's Behavioral Analysis Program:
A Unique Investigative Resource
By **Robin K. Dreeke**



**Special Agent
Dreeke manages
the Behavioral
Analysis Program
in the FBI's
Counterintelligence
Division.**



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The FBI's numerous investigative programs present many challenges, but one goal remains constant. According to its mission, the agency strives "...to protect and defend the United States against terrorist and foreign intelligence threats and to enforce the criminal laws of the United States."[\[1\]](#) This holds true for every program in the bureau.

Part of the FBI's National Security Branch, the Counterintelligence Division (CD) protects the United States against the foreign intelligence threats defined in the agency's mission. As with any of the bureau's divisions, CD encounters challenges and often employs its own unique investigative techniques to address them. "It's not just the more traditional spies passing U.S. secrets to foreign governments... It also involves students and scientists and plenty of other persons stealing the valuable trade secrets of American universities and businesses—the ingenuity that drives our economy—and providing them to other countries. It's nefarious actors sending controlled technologies overseas that help build bombs and weapons of mass destruction designed to hurt and kill Americans and others."[\[2\]](#)

One universal factor generally holds true across all divisions and programs: The FBI accomplishes its challenging mission by developing human sources. To this end, a unique, sophisticated resource exists—the National Center for the Analysis of Violent Crime (NCAVC)—to bolster the agency's criminal and terrorism investigations. The center strives to "...provide behavioral-based operational support to federal, state, local, and international law enforcement agencies involved in the investigation of unusual or repetitive violent crimes, communicated threats, terrorism, and other matters of interest to law enforcement and national security agencies."[\[3\]](#) NCAVC consists of special agents and other professionals who provide advice and support for cases, including those involving child abductions or mysterious disappearances of children; serial, spree, mass, and other murders; serial rape; extortion; threats; kidnaping; product tampering; arson and bombings; weapons of mass destruction; public corruption; cyber crime; and domestic and international terrorism.[\[4\]](#)

Similarly, CD has its own behavioral team—the Behavioral Analysis Program (BAP), which supports the division's strategic goals by providing direct operational support to counterintelligence investigators. The program provides consultative services from a team of trained and experienced BAP members who review and analyze pertinent behavioral information and develop cogent suggestions and strategies for the interaction between investigators and subjects. The assessment and engagement strategies devised merely result from the thoughtful process of creating a positive interaction and possible relationship between two individuals, whether the goal is an interview, confession, or development of a confidential human source.

Background

Years ago a newly formed cyber crime task force recruited Clark—a senior agent—because of her expertise in developing confidential human sources while resolving terrorism cases. Prior to her assignment on the cyber squad, she developed substantial proactive source-development and rapport-building skills that have served her well throughout her career.[\[5\]](#) Once again, Clark has found herself in a unique learning situation.

Following a recent regional InfraGard meeting, one of Clark's program outreach contacts informed her that the company where she works had an attempted cyber intrusion.[\[6\]](#) The contact's information security officer stated that the attack originated from overseas and has a possible foreign-government nexus from a country hostile to the United States. Clark thanked the contact and promised that she would look into the matter and be back in touch with her if that was OK. She noted that the contact's shoulders became relaxed and that her facial tension

seemed to melt away with the response. The contact thanked Clark and offered to assist in any way possible.

Clark returned to her office, excited about the possibility of a new case—specifically, one with a possible foreign nexus. She had handled many international terrorism cases before beginning her current assignment. Although she relished the cyber task force investigations, Clark sometimes missed the unique challenges of working cases with international implications. Because this was the first time while on the cyber task force that Clark had a lead on a case with a possible foreign-government nexus, she was unsure where to start. She sat in her cubicle, leaned back in her chair while folding her hands behind her head, and stared blankly ahead, pondering her first investigative move. While Clark contemplated her course of action, Smith walked by, noted this familiar look of Clark's, and said, "Hey, what's up?"

Smith—a squad member and friend—and Clark worked together for most of their careers on the terrorism task force before Clark accepted the transfer to the cyber task force. Since then Smith had moved to a counterintelligence squad. He was an experienced agent well-known throughout the division as an effective confidential human source developer and overall

behaviorist. Smith is easygoing and has a humility that naturally has people gravitate toward him and tell him their life stories. Since he moved to the counterintelligence squad, the CD BAP team sought him out to be a field assessor/team member because of his background and skills.

Startled from her thoughts, Clark swiveled in her chair and smiled when she saw her friend Smith. "Hey, it's good to see you. How could you tell something was up?" Smith returned the smile and said, "I've seen you with that look hundreds of times in the past. Can I help at all?" Clark pulled up a chair for Smith and explained the potentially exciting new case she had. She also described her uncertainty of where to begin and stated that she was glad he came by. As Clark recounted the situation, including the potential foreign-government connection, Smith nodded his head as he listened intently. When she finished her explanation, Smith offered, "This sounds like a great case. I recently had a similar one, and I found the National Cyber Investigative Joint Task Force (NCIJTF) a great place to start. It may be for you, as well. It is a multiorganizational task force that assists in situations, like yours. In my last case, it leveraged its participating agencies to jointly identify the person at the other end of the attempted cyber penetration, and we used the resources of the BAP team I am on to create an effective source-development plan."^[7] Immediately intrigued, Clark asked her longtime friend and mentor how the BAP creates its strategies.

Behavioral Process

Smith smiled and slightly chuckled as he grabbed a piece of paper from Clark's desk and said, "Just like when we broke down the proactive source development model, as well as rapport-building steps, the process is simple and something you have done your entire life without realizing it. We will take the relationship-development 'art form' and make it a 'paint-by-number' five-step process that you can use proactively in any situation."^[8] Clark returned the smile and leaned in to see what Smith was writing.

Step One

Smith began by identifying two important—simple, yet sometimes hard to answer— questions that the BAP starts with: 1) *What* do you want the person to either do or tell you? and 2) Why should *they* do it or tell you? Regarding the first question, he explained that if investigators do not understand their exact objective, they should not start at all. Then, Clark asked Smith why he had emphasized “they” in the second sentence. Smith explained that to truly understand the question, investigators have to understand why the *other persons* think they should do or tell you something, not why *you* think they should.

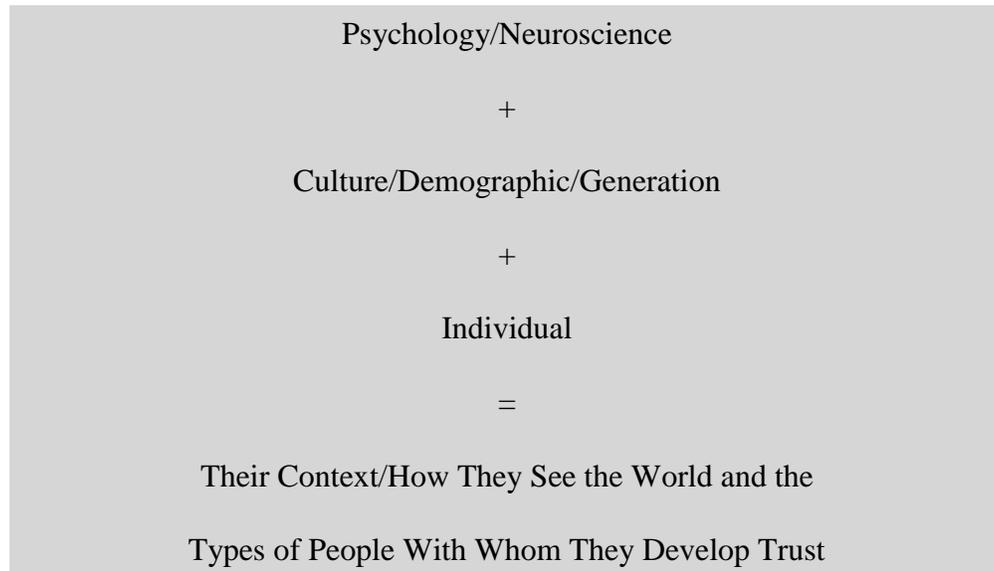
He could see Clark’s brow furrow and that she needed a clearer explanation, so he added, “For example, we once had a case involving an agent who had arrested an espionage subject. The individual admitted to the crime and faced 15 years in jail. He negotiated a plea agreement and agreed—in exchange for a lighter sentence—to cooperate and talk with the FBI openly and honestly about everything he had done. The agent informed the BAP team that, indeed, the subject was ‘talking,’ but he wasn’t saying anything of value and that he hoped the team could help with a strategy. The team started out just like I wrote down here by asking the agent what he wanted the subject to tell him. The agent had a well-planned-out list of information he wanted details about. Team members then asked the case agent why the subject should tell him those things. The agent replied that the individual would serve his full sentence if he didn’t. The BAP team then asked how that was working. The agent replied that it wasn’t. The team replied, ‘Then, we haven’t identified why *he* thinks he should tell you. You have identified why *you* think he should tell you.’”

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Nodding, Clark said, “You have to get an understanding of the other individuals and why they think they should speak with you from their perspective and in context of how they see the world.” Smith said, “Exactly! That’s what the BAP team works on for the case agent.” Clark nodded and asked, “OK, so what is the secret?” Smith shook his head and replied, “This is no big secret. The process is the same as what most people use everyday unconsciously when they get a friend to tell them something or do them a favor. The BAP team focuses on the application of psychology combined with practical experience to create influence/leadership strategies, not manipulation.”

Clark asked how influence and manipulation differ. Smith explained, “The BAP team regards influence as inducing someone to want to do something they may not otherwise have desired to do. These persons also will continue to have positive feelings about both what they did and the individual for whom they did it. Manipulation is similar in that you induce people to do something they may not otherwise have done, but it differs in that they later will regret having done it and will have negative feelings toward you for inducing them to do it. The team believes in crafting positive engagements with individuals so that even if the person we seek cooperation from declines, they still will walk away from the engagement feeling better for having met the agent.”

Clark agreed that it sounded great and said, “OK, show me how, please.” Smith took a second piece of paper and wrote out the next step.



Step Two

Smith explained that to answer the second question in step one, “Why should they tell you or do it for you?” we need to understand as much as we can about the individuals’ motivations. This may include persons’ needs, wants, desires, aspirations, and dreams—what makes them want to get up in the morning and live for tomorrow. Once we ascertain as much of this information as we can, we then can begin to think about how to craft encounters that focus 100 percent on them and not us.” He then wrote out the next course of action.

Step Three

Smith explained that the third step involves ascertaining the individuals’ context and how they see and experience the world, as well as what types of persons they prefer to develop trust and rapport with and how. “Team members start with the psychology and neuroscience behind how human beings prefer to interact, develop trust, and build relationships. Overall, we focus on how to get individuals’ brains to reward them for engaging with us. These universal strategies apply to all human beings who fall within the normal range of social development. The team then adds the knowledge of the culture, demographic within that culture, and generation to gain a more specific understanding of how they experience the world and the types of people within their world they prefer to interact with. Finally, the team adds information more specific to the individuals from the second step. Generally, there is a great deal more specific information other than the motivations from step two. Finally, the team assembles the information to better understand the persons’ context and perception of the world. Additionally, this knowledge gives us insight into the types of individuals people prefer to develop trust with and how they prefer to be interacted with.”

Clark was riveted to Smith's description of the process of what she immediately recognized herself doing in many situations without even realizing it. Smith next wrote out the fourth step.

Step Four

Ensure Interviewees Feel Better for Having Met You

- 1) Make it all about them.
- 2) Put their wants and needs ahead of yours.
- 3) Empower them with choices that will satisfy their wants and needs.
- 4) Suspend your own ego and validate them.

Smith explained that they would keep referring to step four throughout the entire strategy session. With every idea the team comes up with, they refer to these concepts to ensure that the subjects will feel better for having met the agent and feel that the focus is on them. Smith explained that these strategies are techniques that trigger the normal human brain to think positively about the encounter. Clark again nodded as Smith wrote the last step.

Step Five

Smith explained that the final step simply combines all that they learned about the individual to craft the engagement. The team considers the best person to conduct the encounter, the best location, the best time, and, finally, the best way to conduct it. Clark chuckled when she thought about the list and said to Smith, "Yes, simple enough, and I just did this yesterday. My next-door neighbor's dog has been barking at night. I didn't want to just go over and bang on the door in the middle of the night. I didn't want to cause hard feelings and issues for years to come with my neighbors. I knew I couldn't push this off on someone else to do. I thought that speaking to them while they were gardening might be a better time. I thought I would bring up the conversation by first complimenting their dog and ask them what kind of challenges they have in raising such a great dog. I was hoping that they would bring up the topic for me." "Perfect!" Smith said. "That is exactly the same process the team does when consulting on cases."

Clark thanked Smith for stopping by and talking to her about her dilemma. She was excited about contacting the NCIJTF and, hopefully, the BAP team with her case.

Craft the Engagement

- 1) Who
- 2) Where

3) When

4) How

Conclusion

Regardless of the investigative program, human interaction always will prove crucial for success in the FBI. Whether the interaction is between law enforcement partners, bosses, peers, or the FBI and its confidential human sources, a positive engagement that leaves the other person feeling positive about the encounter, ultimately, will lead to success. No greater resource aids the FBI in its challenging mission than human beings willing to assist. Regardless of the mission, responsible organizations take the time and consideration to focus on the human element and the great resources available to create positive interactions if they hope to succeed.

Additional Resources

Tony Alessandra and Michael J. O’Conner, *The Platinum Rule: Discover the Four Basic Business Personalities and How They Can Lead You to Success* (New York, NY: Warner Books, 1996).

Terry Burnham and Jay Phelan, *Mean Genes: From Sex to Money to Food, Taming Our Primal Instincts* (New York, NY: Penguin Books, 2000).

Dale Carnegie, *How to Win Friends and Influence People* (New York, NY: Pocket Books, 1990).

Robin Dreeke, *It’s Not All About Me: The Top Ten Techniques for Building Rapport with Anyone* (Virginia: People Formula, 2011).

Robin Dreeke, “It’s All About Them: Tools and Techniques for Interviewing and Human Source Development,” *FBI Law Enforcement Bulletin*, June 2009, 1-9.

Robin Dreeke and Joe Navarro, “Behavioral Mirroring in Interviewing,” *FBI Law Enforcement Bulletin*, December 2009, 1-10.

Robin Dreeke and Kara Sidener, “Proactive Human Source Development,” *FBI Law Enforcement Bulletin*, November 2010, 1-9.

Sam Gosling, *Snoop: What Your Stuff Says About You* (New York, NY: Basic Books, 2008).

Christopher Hadnagy, *Social Engineering: The Art of Human Hacking*

(Indianapolis, IN: Wiley Publishing, Inc., 2011).

Aye Jaye, *The Golden Rule of Schmoozing: The Authentic Practice of Treating Others Well* (Naperville, IL: Sourcebooks, 1997).

Joe Navarro, *What Every Body is Saying: An Ex-FBI Agent's Guide to Speed-Reading People* (New York, NY: Harper Collins, 2008).

John Nolan, *Confidential: Business Secrets: Getting Theirs—Keeping Yours* (Medford Lakes, NJ: Yardley Chambers, 1996).

Endnotes

¹ Federal Bureau of Investigation, http://www.fbi.gov/about-us/investigate/what_we_investigate (accessed April 25, 2013).

² Federal Bureau of Investigation, http://www.fbi.gov/news/stories/2011/november/counterintelligence_110411 (accessed April 25, 2013).

³ Federal Bureau of Investigation, http://www.fbi.gov/about-us/cirg/investigations-and-operations-support/investigations-operations-support#cirg_ncavc (accessed April 25, 2013).

⁴ Ibid.

⁵ Robin Dreeke and Kara Sidener, “Proactive Human Source Development,” *FBI Law Enforcement Bulletin*, November 2010, 1-9; and Robin Dreeke, “Mastering Rapport and Having Productive Conversations,” *FBI Law Enforcement Bulletin*, October 2012, 8-17.

⁶ InfraGard, an FBI program that began in the Cleveland, Ohio, office in 1996, began as a local effort to gain support from the IT industry and academia for the FBI's efforts in the cyber arena. The program expanded to other FBI offices, and in 1998 the bureau assigned national program responsibility for InfraGard to the former National Infrastructure Protection Center (NIPC) and the Cyber Division in 2003. InfraGard and the FBI have developed a relationship of trust and credibility in the exchange of information concerning terrorism, intelligence, criminal, and security matters. For additional information, see http://www.fbi.gov/news/stories/2010/march/infragard_030810 (accessed April 25, 2013).

The program is part of the FBI's CI Strategic Alliance Partnership, which strives to “protect U.S. sensitive information, technologies, and, thereby, competitiveness in an age of globalization” and “to foster communication and build awareness through partnerships with key public and private entities by educating and enabling our partners to identify what is at counterintelligence risk and

how to protect it.” For additional information, see <http://www.fbi.gov/about-us/investigate/counterintelligence/strategic-partnerships> (accessed June 4, 2013).

⁷ In 2008, a U.S. presidential mandate made the NCIJTF the focal point for all government agencies to coordinate, integrate, and share information related to all domestic cyber threat investigations. The FBI develops and supports NCIJTF, which includes 19 intelligence and law enforcement agencies working side by side to identify key players and schemes. It strives to leverage the authorities of the participating agencies to most effectively protect the nation from cyber threats. For additional information, see <http://www.fbi.gov/about-us/investigate/cyber/ncijtf> (accessed April 29, 2013).

⁸ Dreeke, “Mastering Rapport and Having Productive Conversations”; and Dreeke and Sidener, “Proactive Human Source Development.”
