



Magic Words to Obtain Confessions

By MICHAEL R. NAPIER
and SUSAN H. ADAMS, M.A.

Investigators often ask, “Do any magic words exist for obtaining confessions?” The answer is an unequivocal yes. Certain words and phrases, such as “*accidents happen...*,” “*anyone in this situation could have...*,” “*everybody makes mistakes...*,” can give offenders a dignified way to admit their involvement in a crime and provide investigators with a proven approach to obtaining confessions. After identifying the appropriate words to use to obtain confessions, any investigator can become adept in using the magic words of interrogation.

Where do these magic words come from? Before interrogating suspects, investigators conduct in-depth interviews to gain insight into suspects’ backgrounds, thoughts, and feelings. Experienced investigators know that by nature, everyone uses an often-unconscious mental process to justify their behavior or cope with personal problems. Criminals frequently employ these defense mechanisms to rationalize their actions, to project blame onto someone or something else, and to minimize their crimes. While offenders do not blatantly reveal these devices, they do give

clues when investigators ask them about their backgrounds, attitudes, beliefs, and values during the initial interview. By listening attentively to suspects, investigators can discover important information that leads to developing the magic words that they can use later to obtain confessions.

Magic words come from three commonly used defense mechanisms—*rationalization, projection, and minimization*. Investigators call these three defense mechanisms the RPMs of interrogation and use them to help suspects maintain their dignity, or save face,

which often pays significant dividends in the form of confessions. In offering face-saving statements, investigators employ the same defense mechanisms used by the suspects to justify their crimes. After listening intently during the interview, alert investigators feed back to suspects the same magic words of rationalization, projection, and minimization.

Equally important, RPMs make moral and psychological, not legal, excuses for suspects' actions. Therefore, offenders remain accountable for their behavior.

A recent homicide case illustrates four techniques of developing magic words and an effective style of delivering them. In this example, the investigator uses the information gained in the initial interview with the suspect to develop the RPMs and obtain a confession.

The Case

Valerie, a petite but strong-willed 16-year-old, was reported

missing by her mother and stepfather. Because the girl had run away from home twice before, investigators lacked clear evidence of a crime. However, the mother suspected foul play, even though the daughter's body had not been found. First, investigators determined that Valerie's mother and stepfather had separated a few days before the girl's disappearance and only 6 months after their wedding. Second, they discovered that Valerie and her stepfather had been alone in the residence immediately before her disappearance. Soon, the stepfather, Brad, became the prime suspect. If harm had come to Valerie, resolution of the case hinged on the investigators' skill in obtaining a confession from Brad.

While sitting knee-to-knee with an investigator, Brad vehemently denied any involvement in Valerie's disappearance but seemed to lack concern for her safety. A glib, self-confident truck driver, Brad projected the image of

a con man who relished outwitting opponents. Immediately, the investigator realized that in this contest of wills, Brad could be a formidable adversary. To induce a confession, the investigator would need a complete reserve of face-saving magic words to rationalize Brad's actions ("*I understand how you might...*"), to project the blame onto someone else ("*teenagers can be difficult to deal with...*"), to minimize the crime ("*accidents like this happen...*"), and to provide reasons to confess ("*only you can tell your side of the story...*").

Rationalize Suspects' Actions

Rationalization offers plausible explanations for suspects' actions that reflect favorably on them by presenting their actions in a positive light. Many individuals rationalize their actions to excuse errors of all kinds and degrees. Competent investigators comprehend this psychological process and convey empathy by indicating that they understand suspects' frames of reference. When delivered in a gentle, sincere manner, this empathetic approach projects acceptance of suspects as "good" individuals who have experienced devastating events.

By asking open-ended questions during the in-depth interview with Brad, the investigator learned of Brad's strong need to control his new wife and teenage stepdaughter. His attempts at control had resulted in his wife's telling him to pack up and move out. During the interrogation that followed the interview, the investigator rationalized Brad's actions.



Special Agent Napier is a profiler for the FBI's National Center for the Analysis of Violent Crime.



Special Agent Adams is an instructor in the Law Enforcement Communication Unit at the FBI Academy.

Brad, being suddenly placed in the situation of having a wife and teenager in your home must have been *stressful*. Any man would have seen the need to define the rules for a teenager, like curfews, use of the car, whom she dated. Constant tension existed in the house, ending with your wife's taking her daughter's side and forcing you out of the picture.

The persuasive act of rationalization plays to the psychological natures or desires of the suspects to explain or justify their behavior. Investigators seemingly get inside the suspects' minds and tell the suspects why they acted as they did, thus conveying a capacity to understand.

Project the Blame onto Others

Projection excuses an act by placing the blame on something or someone else. In Brad's interrogation, the investigator projected the blame onto Valerie's mother for her failure to cooperate, onto Valerie for her arrogance and challenging demeanor, and onto the tension in the house.

Brad, if only *Valerie's mother* had set clear rules when Valerie was growing up, she wouldn't be such a defiant teenager. If her mother had backed your reasonable rules for Valerie, maybe Valerie would have understood. If *Valerie* hadn't openly ridiculed and taunted you, you would have held your temper as you usually do. It was *Valerie* who started this.

Minimize the Crime

Minimizing the offense helps suspects reduce, to their psychological satisfaction, their roles in or the seriousness of their crimes. By carefully using such soft words as "mistake" and "accident," which minimize the gravity of the situation, investigators can decrease suspects' resistance to persuasion. Careful wordsmithing minimizes

“
...investigators should deliver their magic words with a 'feather approach,' revealing sincere understanding and empathy...
”

the impact of criminal acts in suspects' minds. Conversely, such emotionally charged harsh words as "rape" and "murder" may cause suspects to focus on the consequences of listening to the investigators and making admissions. Harsh words also may make suspects feel ashamed of some aspect of their crimes, and therefore, should be avoided. In interrogations, investigators must reduce suspects' hesitation to confess by minimizing the crimes. If investigators do not minimize the crimes, they do not create incentives for suspects to confess. However, while investigators downplay the seriousness of crimes to garner

confessions, they never lessen the impact that these criminal acts have on society.

During Brad's interrogation, the investigator diminished the attack on Valerie by calling it an accident and something that Brad normally would never do.

I have looked at this case very carefully, Brad. This was probably an *accident*. You *didn't intend to do this*. You wish you could change it and would change it, if possible. It was *not a planned, intentional act; it just happened*. This is *not like you*. You normally don't act this way.

Provide Reasons to Confess

To improve the possibility of obtaining confessions, investigators must provide suspects with reasons to confess after employing the techniques of rationalization, projection, and minimization. This approach involves giving suspects good reasons why confessing their crimes will work to their advantage. Some investigators use the term "themes" for the combined approaches of using RPMs and providing reasons to confess. Investigators develop effective reasons to confess from the extensive, preliminary "getting to know you" interview. By understanding suspects' situations, motivations, and pressures in their lives, investigators can offer possible solutions.

Why should offenders confess? For the mother who abuses her children, the chance of receiving psychological treatment and ending the cycle of abuse might give her a reason to confess. For the

hit-and-run driver who injures a cyclist, confession may bring relief through lifting the burden and easing the guilt associated with such an act. For the woman who kills her spouse, the chance to tell her side of the story—the years of abuse by her husband—may prove reason enough for her to tell the truth. For the repeat burglar, knowing that continuing to break into homes could result in being killed or wounded by a homeowner armed with a firearm may constitute a reason to confess. The investigator used similar reasons to encourage Brad to tell the truth about Valerie.

What I have seen in situations like this, Brad, is people asking themselves later, ‘Where would I be if I had taken the opportunity to tell my side when I had the chance?’ Today is your opportunity; don’t let it pass. Your story will never sound better than it does right now. If you wait, the story will be in the newspapers and on the radio, and it won’t be your side of the story. Brad, I am prepared to write my report. The prosecutor is certain to ask about this interview, particularly whether you were sorry, if you wanted to make amends, and if you cooperated when you knew all the facts. I’m giving you the *opportunity to determine your future*. You can help me write the end to my report.

While encouraging suspects to confess, investigators must take care when making promises. A

promise of lenient treatment by the judicial system could make confessions inadmissible in court by denying suspects the right to due process of the law.¹

Deliver RPMs Effectively

Once investigators develop their magic words and reasons to confess, they must ensure that their style of delivery corresponds with the overall empathetic approach. Magic words alone cannot obtain a confession; they can lose their effectiveness if delivered inappropriately.

“
...RPMs make moral and psychological, not legal, excuses for suspects’ actions.
”

Investigators should avoid high-pressure approaches to interrogating suspects. Rapid, machine-gun delivery of RPMs causes the presentation to sound false. Rather than using a heavy-handed, “sledgehammer” approach that verbally bullies suspects, investigators should deliver their magic words with a “feather” approach, revealing sincere understanding and empathy for suspects’ dilemmas. Because the genuine feel and sound of sincerity represent the most important aspects of persuasion, investigators must demonstrate their sincerity by decreasing the volume and speed of their speech.

RPMs and reasons to confess take on added impetus when delivered with the feather touch because the essence of the approach involves investigators’ attempting to get inside suspects’ thought processes, virtually reading their minds.² For its full impact, investigators should use the feather touch to explain suspects’ psychological states before offenders have the opportunity to address these issues themselves, as illustrated in the following examples contrasting the sledgehammer and feather approaches with Brad.

Sledgehammer: Brad, you have lied to me from the beginning. You’re not fooling me with that story, and I’m going to shove it down your throat. You’ll be sorry.

Feather: Brad, I have some problems understanding your story. I’ve seen this happen before and realize you are uncertain about what you can tell me. That’s natural, but I’m really concerned with how you got into this mess. Let’s keep this simple and honest. Let’s not make this any worse than it is.

Sledgehammer: You strangled Valerie. Why don’t you just say you did it?

Feather: Brad, my experience in similar cases is that the person sitting in your chair has a lot on his mind. He is asking himself, ‘What is going to happen to me? Who is going to know that I did this thing? Am I better off telling the entire story and my

version of how this thing started?' Let's handle these questions one at a time, keeping each concern in its proper perspective and not letting it run wild.

The ability of investigators to demonstrate warmth and sincerity proves paramount in obtaining confessions.³ If investigators' delivery styles lack spontaneity and feeling, any attempt to persuade will not garner the trust that allows offenders to confess.

Reap the Rewards of RPMs

Today, even with the presence of such scientific evidence as DNA profiling, RPMs and reasons to confess prove significant because investigators still must rely on confessions to solve many crimes. Recognized as a complex process and often regarded as an art form, interrogation has been the lifeblood of investigations and considered "the nerve center of crime detection."⁴ Because RPMs play an important role in the interrogation process, investigators may need to repeat them many times because suspects, as if in shock, are reacting and adjusting to being confronted directly with the crimes. At this point, investigators should amplify, combine, and alter the RPMs to determine which process resonates with the suspect. The final phase of Brad's interrogation shows the value of the investigator's well-developed RPMs and reasons to confess.

After the investigator used the techniques of rationalization, projection, and minimization, he then offered Brad several

reasons to confess. Remaining quiet for a long time, Brad finally spoke. He blamed his wife for setting the stage for the confrontation with Valerie. He blamed Valerie for attacking him verbally, demeaning him, and not backing away. He said he struggled with her, ended up with his hands on her throat, and before he knew it, she was dead. He drove his truck to a lightly traveled bridge, parked it, removed Valerie's body from beneath a tarp, and dumped it over the railing into the muddy river below. Then, he disposed of her personal belongings to set the stage for a runaway scenario. Months later, a body washed up on shore; it was identified as Valerie.



Conclusion

Brad confessed because the investigator offered him face-saving options. The investigator brought the RPMs to life in the interrogation room and provided Brad with a

respectable way out. The investigator rationalized Brad's actions by focusing on the stress and tension in the house, projected the blame onto Valerie's mother and Valerie herself, minimized the homicide by calling it unplanned, and provided viable reasons for a confession by encouraging Brad to tell his side of the story as an opportunity to determine his own future. By employing the feather instead of the sledgehammer approach, the investigator maintained the necessary sincerity to persuade Brad to tell the truth. The investigator's magic words and effective style of delivery led to a confession.

Suspects do not give up their secrets easily. Persuading suspects to admit their involvement in crimes requires a variety of skills and techniques. However, investigators who can rationalize suspects' actions, project the blame onto others, minimize their crimes, and provide viable reasons for suspects to tell the truth are well on the way to obtaining confessions. ♦

Endnotes

¹ *Miller v. Fenton*, 106 S. Ct. 445 (1985).

² Warren D. Holmes, "Interrogation," *Polygraph* 24 (1995): 258. Holmes refers to this approach in a similar manner, characterizing it as taking the wind out of the suspect's sails.

³ Charles Yeschke, *Interviewing: A Forensic Guide to Interrogation* (Springfield, IL: Charles C. Thomas, 1993), 36; and Fred E. Inbau, John E. Reid, and Joseph P. Buckley, *Criminal Interrogation and Confessions* (Baltimore, MD: Williams and Wilkins, 1986), 52.

⁴ Quoted in the dissenting opinion of *Miranda*, in Fred E. Inbau, John E. Reid, and Joseph P. Buckley, *Criminal Interrogation and Confessions* (Baltimore, MD: Williams and Wilkins, 1986), 319.