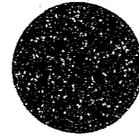


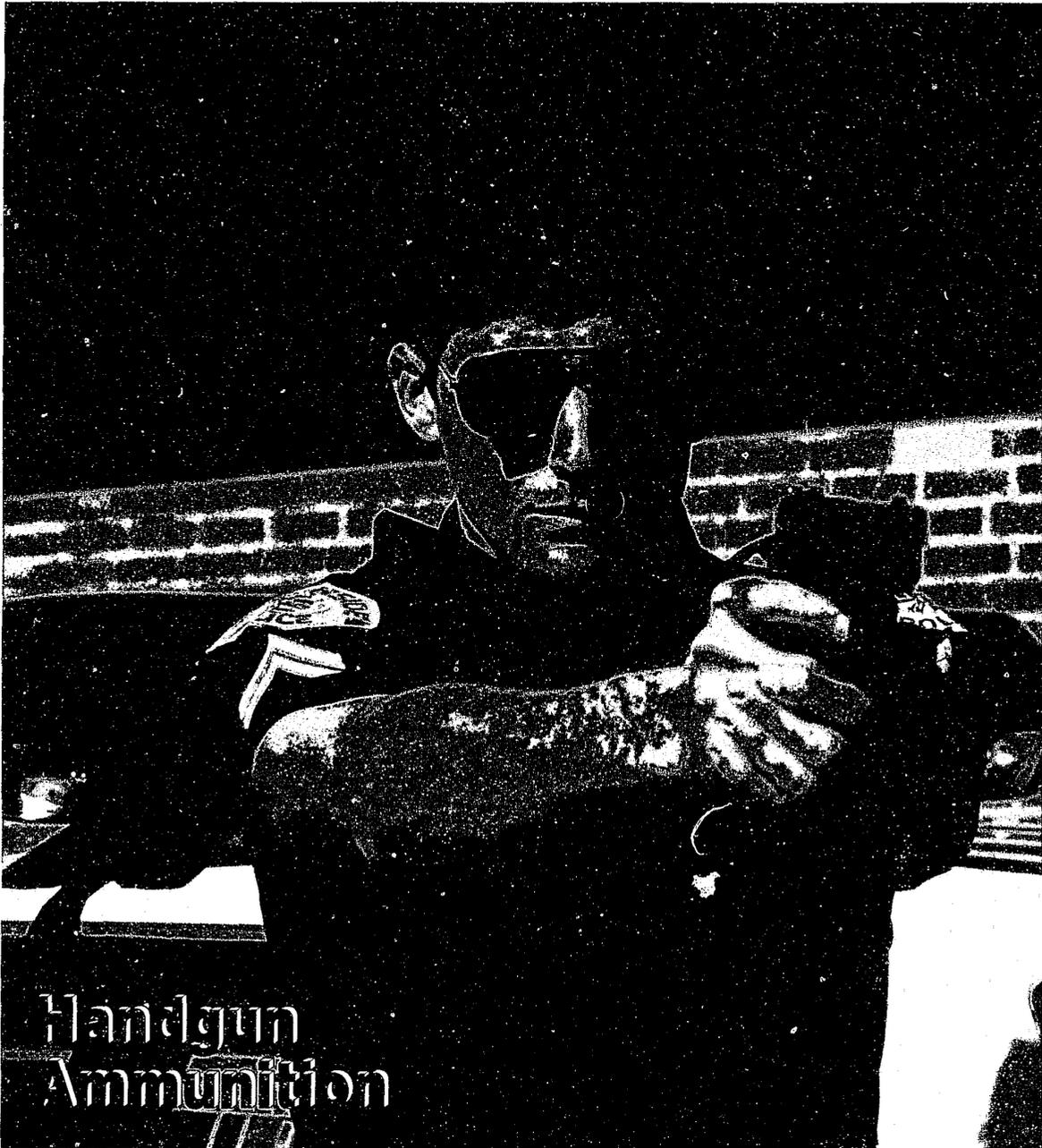
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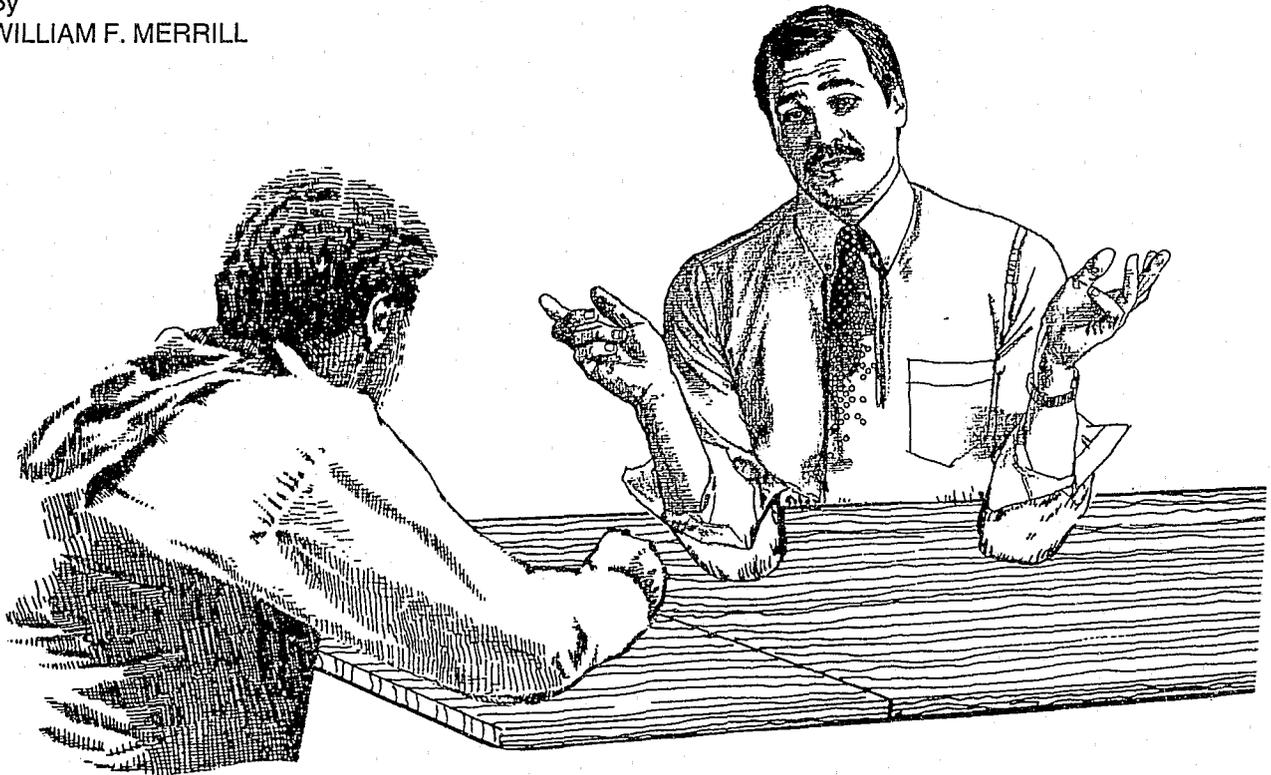
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The Art of Interrogating Rapists

By
WILLIAM F. MERRILL



In old movies and television series, unrelenting police detectives put suspects under a single, glaring light bulb. "Where were you on the night of February 14?" they demand. Even the most hardened criminals crack under the pressure of this brutal interrogation.

In the real world, interrogations rarely are that simple. Today's law enforcement officers must rely on experience and finesse to extract information from tight-lipped suspects. Understanding what motivates criminal behavior can help officers to conduct successful interrogations, especially in violent crimes such as rape. This article

addresses two general categories of rapists—the contact rapist and the sexual aggressor rapist—and suggests methods that investigators can use to approach each type in order to elicit the most information.

CONTACT RAPISTS

The term "contact rapist" was coined only recently, but according to surveys of rape victims, these offenders commit their crimes with relative frequency.¹ Yet, their crimes seldom are reported to police. The reason most likely stems from the fact that the victims know their offenders, through either a casual or business relationship. In

addition, in the past, society has blamed the rape victim. Fortunately, the trend of not reporting contact rape—also known as date rape or acquaintance rape—is changing, as society becomes more informed of the frequency and severity of these crimes.

Personality Development

Contact rapists adopt attitudes and behaviors from the world around them. They often view men and women in traditional social roles. They believe men should be independent, aggressive, competitive, strong, and brave. On the other hand, they think women should be

passive, dependent, accepting, and polite. For them, it is acceptable for men to become sexually active at an early age, while women need to learn to value chastity. Contact rapists believe that women set the sexual limits in relationships; it is the woman who must be the one to say "stop."

Clinging to these sexual stereotypes, the contact rapist believes that even though a woman appears reluctant, she actually wants him to overcome her objections and to "sweep her off her feet." In what he considers the heat of passion, he may disregard a woman's signals of unwillingness, misinterpret her resistance as playfulness, or decide that she has no right to refuse him. Sometimes, the false assumption that a woman does not know her own mind leads some men to use force or emotional blackmail to gain submission.

Contact rapists are not conspicuously deviant in either personality or sexuality. They do not consider themselves guilty of any great harm, and they attempt to conform to their view of society, however antiquated that view might be.

Motivation

For the contact rapist, sexual conquest becomes a prime motivator. Rape merely represents completion of initiated sexual contact. The contact rapist does not view emotionally coerced sex as a crime; however, he may step over the line between emotional coercion and physical force. He often uses alcohol or other drugs to lower the defenses of his victim. This allows him to assign equal or almost equal responsibility for what happens to her.

SEXUAL AGGRESSOR RAPISTS

In contrast to contact rapists, sexual aggressor rapists usually do not know their victims.² They demand sex with force or threat, often hitting victims who resist. Serial rapists generally are classified as sexual aggressor rapists.

Personality Development

Sexual aggressor rapists usually are more aggressive, uninhibited, impulsive, and antisocial than contact rapists.³ Early in life, they develop a pattern of committing deviant acts against society.

Many sexual aggressor rapists have been victims of sexual abuse themselves. When a young man experiences sex as a method of control or assault, he learns to cope with feelings of helplessness by becoming a victimizer.⁴ However, attempting to cope with prior sexual abuse is not the only motivation for these rapists.

Motivation

Sexual aggressor rapists do not rape for sexual pleasure, but for power and control over their victims. In fact, most of these rapists have sexual relationships with other women at the time they commit rape. They even speak poorly of the act itself, describing it as "lousy sex."⁵

Unlike contact rapists, who see men and women in traditional social roles, sexual aggressor rapists note the increasingly dominant role of women in society. As women gain more control, sexual aggressor rapists become increasingly angry and hostile and view rape as a way to remain dominant over women.⁶

BEFORE THE INTERROGATION

Before interrogating rape suspects, investigators must conduct a comprehensive analysis of the crime and the crime scene. Intelligence-gathering should be

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Understanding what motivates criminal behavior can help officers to conduct successful interrogations....

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completed rapidly to prevent the suspect from learning the nature of the investigation and attempting to destroy evidence or to intimidate victims and witnesses.⁷

The facts of the case and the statements of the victim(s) and witnesses should provide numerous clues to the subject's personality. As a result, the investigator should be able to identify the type of rapist involved.⁸ When investigators determine the type of personality with which they are dealing, they can tailor the interrogation accordingly.

INTERROGATING RAPE SUSPECTS

The purpose of an interrogation is to elicit a confession from the suspect. Regardless of investigators' personal feelings toward the criminal or the crime, they must

employ the best techniques to obtain the information they seek. Expressing shock or scorn toward the suspect will serve only to alienate him.

Interrogating the Contact Rapist

Contact rapists believe they are healthy, sociable men, with normal needs and desires. Although they do not believe they have committed a crime, they usually feel some remorse for their actions. For this reason, emotional appeals work well with them.

To encourage suspected contact rapists to disclose information, investigators should establish a rapport with them. A simple technique to begin the interrogation would be to condemn the victim, that is, to place some degree of moral responsibility for the crime on her.⁹ To do this, the investigator would allege

that the victim initially showed willingness and then gave the wrong signals to communicate her desire to stop. This approach works best when initiated by a male interrogator.

"Blaming" the victim also reduces feelings of guilt the subject may have. Other techniques that accomplish the same goal include minimizing the moral seriousness of the offense¹⁰ and suggesting to the subject that someone in similar circumstances might have done the same thing.¹¹

In short, interrogators should use a "common man" approach with contact rapists. That is, they should emphasize that the suspect, a healthy man with normal needs and desires, simply allowed the situation to escalate beyond his control. By not condemning the suspect, the interrogator allows him to save face and to place some of the blame for what happened on the victim.

Interrogators should take care not to alienate the contact rapist by treating him too harshly, as he feels he has done nothing criminally wrong. Still, they must persuade the offender to admit that the victim gave the "no" signal, whether he interpreted it correctly or not. Interrogators who treat the rape as a predictable result of the suspect's natural sexual desire rather than as an act of violence may find that the offender confesses readily.

Interrogating the Sexual Aggressor Rapist

Investigators may find that sexual aggressor rapists do not respond to the interrogation techniques that work with contact rapists. As a group, sexual aggressor rapists have

Contact Rapists

Personality Profile

- Usually know their victims
- Believe in traditional social roles
- Are motivated by sexual desire
- Feel no criminal culpability
- Suffer some degree of remorse

Interrogation Techniques

- Use "common man" approach
- Minimize the moral seriousness of the offense
- "Blame" the victim
- Emphasize suspect's normal, healthy response

complex, multifaceted personalities. They may be selfish or unselfish,¹² emotional or unemotional.¹³ To gain control over their victims, they may try to outsmart them mentally or simply to overpower them physically.

Interrogators must consider the personality traits of sexual aggressor rapists when formulating interrogation themes and techniques. To simplify the process, investigators can consider three of the most common types of sexual aggressor rapists: Power reassurance, power assertive, and anger retaliatory.¹⁴

The Power Reassurance Rapist

The power reassurance rapist usually surprises his selected victims. Considered a gentleman, his personality may be categorized as unselfish. That is, he acts self-deceiving, personal, apologetic, complimentary, and reassuring toward his victims.¹⁵

As with contact rapists, investigators may find that an emotional appeal often works best with the power reassurance rapist. Minimizing the moral seriousness of the offense and justifying the suspect's actions serve to relieve some of his guilt. This allows him to blame the victim while still admitting to the crime. Investigators can help further by emphasizing the suspect's positive treatment of the victim.

The Power Assertive Rapist

The power assertive rapist can be recognized by his use of moderate to excessive force. His words and actions tend to show dominance over women in support of his own masculinity. Yet, he interacts well with women and often uses a "con"

Sexual Aggressor Rapists

Personality Profile

- Usually do not know their victims
- Are angered by changing social roles
- Are motivated by need for power and control
- Usually feel no remorse

Investigative Techniques

- The Power Reassurance Rapist
 - Appeal to emotions
 - Minimize moral seriousness of the crime
 - "Blame" the victim
 - Justify the suspect's actions
- The Power Assertive Rapist
 - Appeal to ego
 - "Blame" the victim
 - Flatter suspect
 - Invite bragging
- The Anger Retaliatory Rapist
 - Appeal to logic
 - Emphasize investigative evidence, futility of resistance
 - Change subject when necessary
 - Pursue confessions for multiple offenses

approach with his victims, perhaps impersonating a police officer¹⁶ or feigning car trouble and requesting assistance. Then, with the victim under his control, he suddenly may turn aggressive and "selfish," that is, threatening, profane, demeaning, demanding, impersonal, offensive, and abusive.¹⁷

The power assertive rapist sees women as insignificant and himself as a "man's man." The key to

interrogating this type of offender is appealing to his ego. Effective tactics include condemning his victim,¹⁸ flattering him, and getting him to brag about himself and his exploits.¹⁹

The Anger Retaliatory Rapist

The anger retaliatory rapist manifests the intense rage he feels through excessive force and inappropriate displays of anger. He most

often uses a "blitz" approach with his victims, subduing them with a direct, injurious physical assault.²⁰ A selfish rapist, he uses sex as a weapon to punish his victims.

Interrogators should consider using unemotional themes with this type of offender. Although emotional appeals often prove successful with power reassurance and power assertive rapists, the anger retaliatory rapist generally feels no remorse for his crime and may respond best to appeals to logic.

The most effective tactics convince the suspect that the investigation has proved the suspect's guilt, and as a result, he has no choice but to admit to the crime. However, because anger retaliatory rapists often commit multiple offenses, investigators should take care not to limit the suspect to a single confession if he has, indeed, committed other crimes. A thorough investigation should uncover other acts the suspect may have committed, and investigators should attempt to obtain confessions for each one.

When confessions are not forthcoming, a useful technique involves having the subject admit to being at the scene of the rape or in contact with the victim, even if he denies the act itself. The investigator can then work toward an admission of guilt, continuing to emphasize the futility of the subject's resistance to admitting the truth. If necessary, the interrogator should change the topic of conversation and return to it later, a technique known as "looping."

Overall, the investigator must take control of the interrogation, keeping the upper hand by present-

ing facts that link the offender to the crime. As the evidence mounts against him, the offender most likely will offer behavioral cues as his anxiety level increases. If lying, he may avoid eye contact or swallow incessantly. By paying careful attention to the subject's nonverbal behavior, the investigator can assess the veracity of his statements and keep him on the right track.²¹

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Unlike contact rapists, who see men and women in traditional social roles, sexual aggressor rapists note the increasingly dominant role of women in society.

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CONCLUSION

Rapists have varied motives for committing their crimes. Most reported rapes occur for reasons other than sexual gratification.

Rapists may leave not only physical evidence at the scene but also clues to their personalities. By conducting a comprehensive investigation, investigators can determine what type of individual committed the crime. Armed with this information, interrogators can use appropriate tactics to obtain a confession. Suspects have the right to

remain silent; they also have the right to confess. ♦

Endnotes

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⁹ Fred E. Inbau and John E. Reid, *Criminal Interrogation and Confessions* (Baltimore, MD: The Williams and Wilkins Co., 1967), 47.

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¹¹ *Ibid.*, 40.

¹² Hazelwood and Burgess, *supra* note 8, 170.

¹³ *Supra* note 9, 25.

¹⁴ Groth, Burgess, and Holstrom, as reported by Hazelwood and Burgess, *supra* note 8, 175.

¹⁵ *Supra* note 9, 172, 176-177.

¹⁶ Hazelwood and Warren, *supra* note 8, 12.

¹⁷ *Supra* note 9, 174.

¹⁸ *Supra* note 9, 70-71.

¹⁹ Ekkehard Othmer and Sieglinde C. Othmer, *The Clinical Interview Using DSM III-R* (Washington, DC: American Psychiatric Press, Inc., 1989), 86-87.

²⁰ *Supra* note 9.

²¹ *Supra* note 19, 79.