

The Arrogant Chameleons: Exposing Fraud-Detection Homicide

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Abstract

This study is the second in a series devoted to understanding red-collar criminals. The first study, "Fraud Detection Homicide: A Proposed FBI Criminal Classification" (Perri & Lichtenwald, 2007) advanced the proposition that there is a sub-group of white-collar criminals who are capable of vicious and brutal violence against individuals whom they believe have detected their white-collar crimes. The sub-group is referred to as red-collar criminals.

This study examines why red-collar criminals are not capable of committing violence against their victims without exposing both their white-collar crime and the violent crime. The descriptive data suggests that the evidence trail left by the red-collar criminal both illustrates the red-collar criminal's failure in avoiding detection and reveals his or her motive for the murder. Further, the findings related to red-collar criminals correlate with the behavioral traits of psychopathy.

The authors analyze the law enforcement interrogation of Christopher Porco and offer suggestions as to how investigators should approach interviews with psychopathic defendants. The transcript is a critical tableau demonstrating that traditional methods of interrogation may not suffice when it comes to the interrogation of red collar criminals and that an alternative approach may be required.

Key Words: red-collar crime(s), white-collar crime(s), fraud, motive, detection, homicide, murder, psychopath, chameleon, Perri's Red-Collar Matrix, interrogation, interview

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(ACFE) The American College of Forensic Examiners International provides this continuing education credit for Diplomates.

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After studying this article, participants should be better able to do the following:

1. Understand the psychological characteristics of red-collar criminals.
2. Assist law enforcement and attorneys in their interviews and investigations as to possible murder suspects.
3. Consider forensic accountants and fraud examiners as members of a homicide investigation team to uncover a motive to commit murder.

The story of Timothy Wicks is a story of friendship, betrayal, and murder. His friend, Dennis Gaede, worked various jobs—including tax preparer. While preparing Timothy Wicks' taxes, using information Wicks had disclosed for his return, Gaede fraudulently obtained Wicks' identity. With this information, Gaede left his home in Milwaukee and moved to North Dakota with his wife, Diana Fruge, and his new identity—representing himself as Timothy Wicks in the hopes of avoiding a felony sentencing in Wisconsin.

Gaede stayed in contact with the real Timothy Wicks, and shortly after moving to North Dakota, Wicks contacted Gaede and confided in him that someone was fraudulently using his identity and committing credit card fraud. As fraud detection closed in, threatening to expose Gaede's new identity, Gaede lured Wicks to North Dakota from Wisconsin with the promise that they could play

together in a band. While Wicks was staying with Gaede and Fruge, in their home, Gaede shot Wicks.

Fruge later testified that after Gaede shot Wicks, he suffocated Wicks, who was still breathing, by putting a garbage bag over his head (Barton, 2006). Subsequently they decapitated Wicks and cut off his hands to prevent identification of the body. Then Gaede and his wife dumped the naked body over the side of a bridge in Michigan, and they dumped the victim's head, which was later discovered, in a river in Wisconsin. After the murder, they emptied out Wicks's bank account and used the \$17,000 to buy a vehicle. However, Wicks was eventually identified through dental records.

Shortly after the murder, Gaede stopped showing up for work and his employer discovered money missing from the business where Gaede worked as bookkeeper and office manager.



When the employer confronted him about the fraud, Gaede failed to give an explanation for the financial anomalies. The employer contacted the authorities about his bookkeeper, referring to him as Timothy Wicks, and was informed by police that the real Timothy Wicks was dead. Eventually, Gaede was found guilty of murder and the prosecution argued that the fraud detection initiated by Wicks himself had been the motive for Gaede to kill him (Barton, 2007).

A unique aspect of this study is that it builds upon findings drawn from homicide cases where white-collar criminals became violent and turned into red-collar criminals when their victims detected their fraudulent behavior. In a previous study of fraud-detection homicide, Perri and Lichtenwald (2007) examined the available data from 27 criminal cases, organizing the data into a matrix referred to as Perri's Red-Collar Matrix (the Perri-RCM). Here, the authors analyze case-specific murder evidence derived from the previous study for identifiable psychological traits or behavioral tendencies typical of identified red-collar criminals. The hypothesis is that identification of psychological traits and/or tendencies of red-collar criminals might be beneficial in proposing an explanation of how red-collar criminals, who have engaged primarily in white-collar crime, come to believe they are able to successfully engage in murder and escape detection.

Further, if there is a set of behavioral tendencies, then awareness of that set might be of benefit to forensic examiners during their interviews and investigations of future red-collar crimes.

The Arrogant Chameleon Syndrome: A Behavioral Profile

A chameleon is a reptile that has the ability to change color to match its surroundings in order to avoid detection. White-collar criminals thrive on being able to avoid detection in order to carry out their fraud schemes; they have the ability, like a chameleon, to adapt to a given environment. What happens, then, when white-collar criminals attempt to become violent criminals? Do they have the ability, like the chameleon, to change their complexion to avoid detection? Or do they fail—exposing their true colors because their white-collar criminal skill set is inadequate when applied to violent criminal acts?

The murder case data reveals certain behavioral traits that explain why red-collar criminals think their white-collar crime skill set can be duplicated as violent criminals. The behavioral

traits are the effect of their psychopathic characteristics (Perri & Lichtenwald, 2007). Although psychopaths try to “blend in,” the deficits in their psychopathic natures, i.e., grandiosity, poor impulsive controls, etc., hinder their ability to accurately foresee the consequences of their behavior. Psychopaths have difficulty projecting into the future, which is to say they have trouble understanding how their actions play out in (real) life, and they also have deficits in reflecting upon their past; “[t]hey are prisoners of the present” (Meloy, 2000). The red-collar criminal's inability to think through a plan that would take into account the potential risks of being caught, and the evidence trail left behind, is another hallmark of their behavior (Meloy, 2000).

The descriptive data is consistent with Dr. Hare's conclusion that because of these deficits, the red-collar criminal's self-perceived reality is distorted (Hare, 1993). Put another way, as Edelgard Wulfert, forensic psychologist and professor at the University of New York at Albany, stated, “A psychopath invents reality to conform to his needs” (Grondahl, 2006). The red-collar criminal's grandiose belief that having committed murder, he or she will somehow avoid detection is proven false. In fact, the data reflects the exact opposite. The egocentrism characteristic of these chameleons produces an overconfident view of their ability to avoid detection, thus they do not bother to conceal incriminating evidence.

Robert Petrick Case

Janine Sutphen underestimated her husband; Robert Petrick was, in fact, capable of harming her financially, emotionally, and physically. After Sutphen became aware of Petrick's fraudulent schemes affecting her bank accounts, Petrick began to plan her murder. According to the prosecution, Petrick killed his wife after she'd detected his fraud schemes and subsequently reported her missing as a way to divert attention away from him (Lewis, 2005). Janine Sutphen was found near her home, wrapped in a tarp, sleeping bag, blankets, and chains, and floating in Raleigh's Falls Lake. She'd died of asphyxiation.

The prosecution offered evidence of a murder plan recovered from the defendant's computer searches. The defendant had searched under “22 ways to kill a man with your bare hands,” and other Google searches included the words “neck,” “snap,” and “break” (Jones, 2005). It is interesting to note that the defendant was, allegedly, a computer consultant who should have known that searches are saved and retrievable. Petrick's response to the prosecution's use

of this evidence was that his wife had martial arts training, and she could have been searching the Internet. There were other searches regarding the water level in the lake where Sutphen's body was found, and he appeared to have no good explanations for those searches. Nor did he appear to have any credible reasons for Google searches on the topic of “body decomposition,” “rigor mortis,” and other websites that explain how the human body deteriorates (Lewis, 2005c). According to detectives, the Google searches occurred several weeks before Petrick reported his wife missing and one day after she was last seen by witnesses.

Moreover, a cadaver dog detected smells of human remains in both the bedroom and the trunk of the defendant's car. Of further ominous inference, the defendant ordered a stun gun prior to his wife's disappearance.

During the period of time that his wife was allegedly missing, one witness, a man befriended by Petrick, recalled that when asked about his wife, Petrick appeared upset and indicated that she died of cancer (Lewis, 2005a). Petrick fooled people with outward signs of emotions learned by watching others, and apeing how they behaved, emotionally, in a given set of circumstances (Meloy, 2000). The prosecution found another woman known to Petrick who claimed that he had fraudulently emptied her bank accounts in order to buy computer equipment. Another female witness testified that she and Robert had been going through pre-marital counseling and had set a wedding date—even before he'd killed his wife (Lewis, 2005b). Mary Grigolia, a minister at the Eno River Unitarian Universalist Fellowship Church in Durham, North Carolina, testified that while visiting Petrick in jail, he was told that the police were searching a small lake near his home for Sutphen's body. She says he stated with “great disdain and arrogance, ‘they'll never find her’” (Lewis, 2005c). Although Petrick was charged with (and found guilty of) murder, he'd decided to represent himself.

Irwin Margolies Case

Irwin Margolies, head of now bankrupt Candor Diamond Company, was found guilty of murder for the deaths of his controller, Margaret Barbera, and her co-worker Jenny Chin, by murder for hire. Chin's body was never found, though she was presumed murdered.

According to Barbera, Margolies generated fictitious invoices to create the appearance of revenue in order to get advance payments on bills from a financing company (Raab, 1982b). According to the reports, fraud proceeds were laundered to foreign countries, and the amount

of embezzlement was estimated at \$6 million (Raab, 1982a). Barbera had pleaded guilty to fraud and had agreed to testify in a fraud inquiry involving the diamond company. According to the prosecutor, Margolies conceived the scheme to have Barbera and Chin killed in order to “silence witnesses” (Raab, 1983a). Margolies wanted Barbera killed first because she had the records that verified the fraud he’d committed, though according to witnesses, Margolies wanted to “get rid of two people” (Chambers, 1984b). Margolies’s attorney, Henry Oestricher, received prosecutorial immunity when he agreed to testify against his client; according to Oestricher, Margolies ordered the murders of Barbera and Chin, adding that he had helped Margolies hire the “hit man,” Donald Nash, whom Margolies had paid \$2,000 to kill Barbera (Chambers, 1984a).

Prior to the murder, Nash stalked the federal witness for 4 months learning her routine. Barbera’s brother indicated that she had been terrified for her safety the last 3 months of her life. Barbera was abducted, and three civilians who attempted to come to her aid were killed. Barbera was found dead in an alley in lower Manhattan with bullet wounds to the back of her head. Fortunately, Nash left behind an extraordinary amount of forensic evidence, including, but not limited to, DNA, as a result of blood retrieval, ballistic tests, telephone records, shell casings, tire tracks, license plates, and other incriminating evidence that led to his murder conviction (Raab, 1983b).

Exposing the Red-Collar Psychopath

The Hare Psychopathic Checklist is an essential tool for an interviewer, not only in the investigation of white-collar crimes, but also of red-collar crimes. Investigators exposed to Hare’s findings can focus on both the tangible aspects of murder investigations and the intangible qualities of psychopathic behavior that may surface during an interview, the detection of which will require a trained eye. An interviewer familiar with the traits can ask questions, evaluate answers, and observe behavior to determine whether the interview should be shaped to accommodate a psychopathic mindset. The interviewer must be cognizant of the fact that the red-collar criminal is investing mental energy in understanding what the investigator represents.

One’s ability to interpret psychopathic behavior is increased if the interviewer is not seen as a threat to the red-collar criminal. During the first interview, an interviewer may not have the time to explore these psychopathic traits: a) the need for stimulation, b) shallow affect, c) callousness, d) poor behavioral controls, e) early behavioral prob-

lems, and f) juvenile delinquency; therefore, the authors recommend the use of an Identification Grid as a tool for assessing whether the interviewer is in the presence of a psychopath by revealing those traits that are probably most crucial.

Interviewing the Chameleon

Among the most devastating pieces of evidence that defendants can reveal about themselves are statements made to law enforcement or third parties. Obtaining a statement is critical because the defendant may reveal his or her motives, state of mind, “facts” inconsistent with the physical evidence, and other implausibilities. In the majority of the American murders, the defendants gave statements that are incriminating, implausible, and inconsistent, or some combination thereof. Although the strength of the psychopath is his or her ability to talk and appear charming in order to exert manipulative behavior, this strength is also a weakness in the investigation of a murder.

The “chameleonesque” red-collar criminals believe because of their embellished views of their own manipulative abilities that they are capable of creating factual scenarios that others will accept. The fact that they are talking to a trained investigator does not diminish the psychopath’s self deceit, and they may enjoy the interview and attempt to be charming. However, red-collar criminals begin to lose their ability to blend in and avoid detection when the evidence begins to point to them as the murderer.

The fact that red-collar criminals will not be truthful is not as important as getting these “chameleons” to talk. However, interviewers must be aware that interviewing the psychopath may prove to be challenging if the interview is not advanced with the goal of eliciting inconsistent, implausible information as opposed to getting the “chameleon” to speak the truth. As one interviewing expert stated, “When dealing with the pathological interviewee, give him the facts and details that will refute his assertions, but don’t expect him to acquiesce or recant previous statements. . . . Confronting the pathological person with facts and details that are contrary to his assertions is like nailing Jell-o to a wall” (Rabon, 2006).

Furthermore, even if the suspect is confronted with evidence that contradicts his assertions, do not expect the pathological suspect to display anxiety or emotional discomfort. Such outward displays of emotion that a non-psychopath would exhibit if confronted with incriminating evidence is not characteristic of psychopaths (Hare, 1993). Yet, by getting the psychopath to talk, a trail of statements that make no sense will come forth and produce a powerful image of deception and lack of credibility at trial.

Exposing the Psychopathic Trait Identification

Superficial Charm

Assess the suspect’s interpersonal style. He may be friendly and straightforward, with very little useful information. He may give the impression that he is answering a question, when in fact he says nothing. He may appear at ease, showing few, if any signs of anxiety, embarrassment, or discomfort.

Lack of Remorse

Look for evidence of past remorse in situations that may not be connected to the reasons for the present interview. Ask questions about past relationships. Assess whether there is any capacity for remorse, concern about how others are impacted by his behavior, and whether such impact is of relevance to him. The interviewer must be careful to distinguish between whether the suspect is simply stating what should be said or whether his actions back up his statements.

Pathological Lying

Assess whether the suspect continues to lie even after confronted with the truth. The interviewer will find it remarkable that even after the suspect has been caught in a lie, the truth seldom appears to embarrass the suspect. He simply goes on to another lie or attempts to shape a lie as consistent with the truth.

Manipulation

Look for signs of fraudulent behavior, both financial and non-financial. In addition, look for signs of taking advantage of family members, organizations, impersonations, and identity theft.

Irresponsibility

Assess whether the suspect has little or no sense of duty or loyalty to family or friends, displays behavior that puts others at risk, fails to maintain promises and obligations, fails to take to responsibility for his or her own actions, blames others or the system for their misfortunes, and feeds on others to support his needs.

Grandiosity

Attempt to explore his self-perception and self-image. He may appear self-assured and cocky during an interview. His inflated ego and exaggerated regard for his own abilities are remarkable.

Impulsivity

Ask the individual whether he or she generally thinks before acting, and ask him to describe the circumstances leading up to an offense. Attempt to elicit his views on planning and spontaneity. This trait is extremely important in observing impulsivity in crimes and is one of the reasons that red-collar criminals are not apt to successfully conceal their crimes.

The Christopher Porco Case

One case that exemplifies this point is the Christopher Porco homicide. In this case, the defendant, Christopher Porco, used a fireman's ax to cleave his father to death while he was sleeping. The son murdered his father, who had both discovered his son's fraudulent behavior and had confronted his son. He attempted to murder his mother who had been sleeping next to her husband as well, but she lived. The police interrogated Christopher Porco in an attempt to elicit the truth; yet, during the 6-hour interrogation, he showed no emotion, never flinched, and never confessed to the murder. The inconsistencies elicited were important, but the interviewers never properly exploited them.

There were warning signs of Christopher Porco's psychopathic qualities: He'd left a trail of deceitful behavior, he'd fraudulently obtained loans using his parents as co-signers without their knowledge, and there were several email correspondences between Porco and his parents demonstrative of the tension between the parties. His parents eventually confronted him concerning his fraudulent behavior and threatened to go to the authorities to take action against him. In one email, his father wrote: "Did you forge my signature as a co-signer? What the hell are you doing? You should have called me to discuss it. . . . I'm calling Citibank this morning to find out what you have done and I am going to tell them I'm not to be on it as co-signer."

Amazingly, the next day, Citibank notified Peter Porco that his son had also obtained a line of credit to purchase his new Jeep Wrangler. Again, Christopher had used his father's name as co-signatory to secure the auto loan. The parents tried to contact Christopher via the phone, but Christopher would not talk to them. In another email, the father wrote, "I want you to know that if you abuse my credit again, I will be forced to file forgery affidavits in order to disclaim liability and that applies to the Citibank college loan if you attempt to reactivate it or use my credit to obtain any other loan."

Behavioral Assessment

"Christopher Porco fits the profile of a psychopath" (Grondahl, 2006). Several Albany, New York, area psychologists and mental health professionals familiar with the case focused on Porco's continued pattern of lying and deceit and stated that Porco's behavior was consistent with that of a psychopath (Grondahl). Furthermore, these professionals pointed to his pattern of grandiose perceptions of himself as a member of a wealthy and influential family.

Porco was known to have lied to friends and acquaintances about a fictitious inheritance worth millions of dollars from his grandmother. Even his father was reported to have told a co-worker that his youngest son was a sociopath (Lyons, 2006c).

Having made bail, and out of police custody, many people found Christopher Porco's behavior strange given the gravity of the murder charges against him. While awaiting trial, he was found to be arrogant, drinking in bars, attending concerts, going out to entertainment establishments, and driving around the yellow Jeep that witnesses state was used to drive to his parent's home on the night of the murder. This behavior fits the traits of a psychopathic individual in need of grandiosity and embellishment (Grondahl, 2006). Forensic psychologist Wulfert stated: "There's an overlap between psychopathic and narcissistic tendencies. . . . He [Porco] believes that the rules do not apply to him, and he has a need to show off in front of people" (Grondahl, 2006).

It is interesting to note that during an interview with CBS, in response to a question about visiting his mother at the hospital, Porco stated: "I saw her—she was swollen and covered in tubes, and my reaction was, I burst into tears. I fell on the floor right there" (Bell, 2007). Yet, the former youth minister, Joseph Catalano, who had gone to the hospital to be with Porco claimed to be "struck by Christopher's odd behavior, because he did not seem to exhibit any grief" (Bell). The psychopath's use of the "chameleon strategy" is not surprising in that he or she will attempt to read a situation and determine the appropriate or expected emotional response to appear to be properly sympathetic to others (Perri & Lichtenwald, 2007). When Porco was interviewed by the police one day after the homicide, he showed no emotion at all, which is remarkable given that the interview was more than 4 hours long. It is fortunate someone was present to observe his true behavioral response.

The Interview and Interrogation of Porco

The Porco case is an important illustration of how not to conduct an interview when the suspect is a red-collar criminal. Although there were aspects of the interview that proved useful, the investigator's approach did not match the interviewee's psychological makeup. Too often, violent crimes investigators attempt to overwhelm the suspect by playing into his or her emotional mindset. This approach is extremely effective, especially with a non-psychopathic suspect. It is not transferable to a true red-collar criminal.

Throughout the interview, the investigators elicited testimony that, to a trained interviewer, would have revealed psychopathic traits. For example, during the interview, Porco admitted that he was impulsive, irresponsible, a liar, had an inflated view of himself, engaged in grandiosity, and enjoyed impressing others with fictitious facts. Most important was the lack of any exhibition of emotional affect. Many non-psychopathic murder defendants break down emotionally because of a need to bare their souls, crying, shaking, and displaying other kinetic attributes expected of someone thrust into such a scenario. Yet, this was not the case.

Assuming that it was not late to do so, once the interviewers suspected that their suspect had strong characteristics of a psychopath, their strategy should have reflected a non-confrontational approach. One observes the interviewers attempting to turn "up the heat" on Porco with a barrage of questions aimed to break him down emotionally so that he will confess to the murder. Though the questions and answers outlined here do not reflect the order in which they were asked, they illustrate how the investigator's strategy was not as efficient as it could have been.

Investigator: Listen to me. It's not—it's not—it's a crime of passion, okay? Like an emotional thing. You know, that's what it is.

Porco: That's not the (inaudible one word)—

Investigator: An emotional flare up or something, you know, maybe. That's what I'm looking for. Give me something to grasp here. Let me get through the night.

Porco: Nothing happened.

Investigator: And you understand what I've been telling you, that this is not a robbery. This is a crime of emotions.

Porco: I know what you are telling me. I—I don't know. I have absolutely no idea.

Investigator: I mean, like I told you, in my estimation, that situation, the way I'm seeing it, was something that happened out of a passionate moment.

Porco: You told me they were in bed, so I don't know how passionate that could be, honestly.

Investigator: And then afterwards, those emotions subside and the thought is, what's happened? What have I done? What has happened here? What an awful thing.

Porco: I agree it's an awful thing.

Investigator: Sometimes your emotions get the best of you, overtake you.

Porco: True.

Investigator: Your stomach is going to burn a hole in it. The only way to stop it is to be a man.

Porco: I can't help you.

The investigator attempted to play into Porco's emotions and manhood as a strategy to elicit a confession, but the strategy got him nowhere. Porco gives bland answers, absent of emotion;

neither do his responses offer any insight into the murder itself. The investigator did ask questions about the fraud Porco had committed, but he failed to press for greater detail, which is precisely the area that should have been thoroughly examined in order to reveal the defendant's true motive for the murder. The investigator should have confronted him about the email correspondence with his father that exposed his fraudulent behavior shortly before the murder.

The goal of the investigators, in this case, should have been to expose the inconsistencies and implausibilities of Porco's responses. Instead of attempting to get him to feel guilty about his actions in the hope of a confession, the investigator should have remained calm, like Porco, to ask questions. When Porco's responses did not match the evidence collected, the investigator should have—calmly—confronted Porco about the inconsistency and further allowed him the opportunity to bury himself with more lies. Each investigator incorrectly transferred a non-psychopathic explanation onto the murder by attempting to inure an emotion to the killing to suggest that somehow Porco's anger was the impetus for the killing. The investigators failed to understand that the issue was not about anger or any other emotion, but about using murder as a solution to a problem. Porco did not engage in an internal moral debate about whether murder was an option. The horrific manner in which he performed the murder does not necessarily correlate to the amount of anger Porco felt. Yet, throughout the interview, the investigator tried to attach Porco's emotions to the murder.

About midway through the interview, a detective from the New York State Police was brought in. He was very matter of fact in his inquiry, and non-threatening in his approach. He questioned Porco about his trait of grandiosity.

Detective: I'm still not quite understanding why you go around telling people that you have all this money. That kind of baffles me.

Porco: No, I—

Detective: —you put on this façade.

Porco: It is. And I've done it for a couple of years now.

Detective: What does that say about your character—

Porco: Exactly.

Detective:—Chris? Seriously. What—no tell me, what does it say about your character?

Porco: I guess it's insecurity in a way.

Detective: Does it tell you that you're an honest person?

Porco: Not in that respect, no.

Detective: Trustworthy?

Porco: I think of myself as trustworthy, I guess. If we're going to respond in reference to this, no, I guess I'm not.

Detective: I mean, if I—if I'm a student and I meet you and you're telling me you're going to buy a house because you've got millions of dollars from your grandmother.

Porco: True.

Detective: You're basically lying to these people, right?

Porco: Well, it kind of steamrolled away.

Detective: No, let's not color code it.

Porco: I know it's wrong.

Detective: Do you consider it lying?

Porco: Oh, definitely, yeah. You know, I'm telling them something that's not really true.

Detective: Are you a pathological liar?

Porco: I don't think so. I mean, maybe in that respect.

Detective: What other things have you lied about?

Porco: Really one thing. I'm trying to think of anything else. Just money. I don't really know why I got started on it. It was in high school.

This is the style the detective should have continued with Porco. The detective did not have to browbeat Porco into the admission that he lies. Yet, as the interview progressed, he, too, fell into the same strategy the other detectives followed, which was to use an emotional and confrontational approach. When he inquired into the forgery issue, he did not go to any depth that would have been fertile ground for Porco to bury himself. The lead author had the opportunity to speak to retired FBI profiler John Douglas at the ACFEI's annual convention and Mr. Douglas indicated that it is important to approach the interview in a relaxed, non-threatening manner given that psychopaths come in different packages.

Think of how a prosecutor could use that admission in a trial for impeachment purposes during cross examination of a defendant who is professing innocence. If a defendant is willing to lie about the most mundane and innocuous facts, what is he willing to lie about when it comes to important facts about a murder? The investigator must keep in mind that catching a red-collar criminal in a lie will not emotionally unhinge the red-collar criminal so as to cause a confession. The red-collar criminal will simply go on to another lie. Contrary to the usual investigative strategy, remorse, emotion, and passion are irrelevant, and the interviewer must skillfully exploit this psychopathic attribute. The investigator should be able to visualize how the psychopath's illogical, inconsistent answers will play out in a court of law for the benefit of the prosecution. Yet, the red-collar criminal is not thinking in advance about how his or her responses will be perceived; the criminal is too narcissistic to be sufficiently introspective, or to consider how others will perceive their answers.

Red-collar criminals are not good planners, an observation derived from the amount of direct, physical, and circumstantial evidence they leave behind. An investigator should seize the opportunity to confront the suspect with evidence in order to lock the suspect into a story, an opportunity the investigator may not have again, especially if the suspect requests a lawyer. Therefore, it is crucial that the investigator understand what kind of person he or she is interviewing and construct an effective strategy. Unfortunately, Porco's statement to the investigators was not used in court because the interviewers violated his constitutional right to have an attorney represent him upon his request for one.

Modification of the Interview Strategy

Many law enforcement agencies in North America use the Reid Technique as a method of interviewing and interrogating suspects. Supporters of the technique argue that it helps to extract information from unwilling participants. The technique detectives used in the Porco case appears to be the Reid Technique, and although generally useful, there are limits to its success depending on the type of individual being interviewed. The Reid method includes nine steps of interrogation, but some of these techniques can backfire when dealing with psychopathic personalities. Techniques are often anecdotally endorsed by those who can point to success stories, however, there are times when a technique can fail, actually curtailing the investigation of a very serious charge.

One of the premises of the Reid Technique is that the interviewer should be in control of the interview, preventing the suspect from denying guilt by cutting off unsatisfactory explanations and ultimately working toward a confession. The interrogator offers two contrasting motives for some aspect of the crime, sometimes beginning with a minor aspect to seem less threatening to the suspect, for example, one suggested motive might appear to be somewhat socially acceptable, such as to call an act "a crime of passion;" the contrasting or morally unacceptable motive would suggest that "one kills for the money."

The psychological manipulation begins before the interrogator opens his or her mouth. The physical layout of an interrogation room is designed to maximize a suspect's discomfort and sense of powerlessness. The goal is to create a sense of exposure, unfamiliarity, and isolation. Once the questioning begins, the interrogator can use real or made-up evidence to confront the suspect with the goal of getting the suspect to see how futile it is not to confess. However, if the suspect asks for a lawyer, the interview must

stop. Many interviewing techniques such as the Reid Technique also involve the use of emotions as a tool to be used by the interviewer to get a suspect to give truthful information about a particular crime, whether fraud or violent crime.

When it comes to interviewing the red-collar suspect, traditional approaches must be radically modified to address both the behavior and the perspective of the psychopath. In cases where the interviewer suspects that he or she is in the presence of a true psychopath, it is reasonable to begin the interview using tactics appropriate for a psychopathic suspect. If the interviewer begins using a strategy more appropriate for a non-psychopath, upon realizing that the strategy is not working, he or she may not be able to switch strategies effectively midway through questioning the suspect. With respect to Christopher Porco, it was probably too late to shift strategies and use a psychopathic strategy as discussed. He would have been savvy enough to sense that the police were shifting gears and using a different strategy on him. The fact that the detectives kept trying to prevent his denials in the interview did not at any time induce Porco to confess or invoke his right to counsel. The Reid Technique opines that if one prevents the suspect from denying the facts, the interviewer can reduce the probability that he or she will invoke the right to an attorney.

Porco's sophistication may have derived from the knowledge that he could end the conversation at any time by demanding attorney representation. It is probable that he participated in the interview for as long as he did in an effort to find out what the police knew, just as the police wanted him to disclose information. Further, Porco probably anticipated the interviewer's questions and rehearsed the answers he would give. Considering that his father was an attorney, Porco's understanding of Miranda warnings was no doubt greater than that of the average suspect. In fact, it is not surprising that he invoked his Miranda Rights, which the police subsequently ignored.

Furthermore, because the traditional approach to interviewing a non-psychopath may involve power plays between the interviewer and the interviewee, a psychopath will see through the interviewer's strategy and probably refuse to speak to the investigator. This is why it is important for an investigator, to the best of his or her ability, to assess whether he or she is conversing with a psychopath prior to selecting an interview strategy. The psychopath is intensely evaluating every move and word that the investigator utters. The psychopath is a true intra-species predator with hunter-like instincts even when he or she does not openly exhibit

those qualities. In the Porco case, modification of the Reid Technique that would have actually allowed the suspect to think that he was in control, allowing him to reveal inconsistent and implausible explanations without stopping the denials, would have produced more evidence for the detectives and ultimately the jury.

Some strategies an interviewer should consider implementing when interrogating a suspected psychopath might appear to be in opposition to techniques he or she has used in the past:

1. Avoid confronting the red-collar criminal with the style that the authors observed in the Christopher Porco case. The investigators gained little information from the brow-beating approach they used.
2. If it is evident that the suspect being interviewed is likely the culprit, the interviewer's goal is to collect as many inconsistent and implausible facts as possible. Presenting incriminating evidence to the red-collar criminal does not increase the probability of a confession.
3. If the psychopath does show emotion, the interviewer must be aware that they are emotions learned from observing how others behave in a given situation. Do not alter the strategy believing that the psychopath will give a confession to the crime. The psychopath may be using this strategy for any number of reasons (i.e., to test the interviewer's strategy, evaluate how clever interviewer is, probe the interviewer for personal weakness).
4. The interviewer should not make threats that he cannot carry out. For example, if the interviewer says that there is evidence that points to the red-collar criminal's guilt and the interviewer does not produce it when the red-collar criminal asks to see it, the interviewer has lost any chance of getting useful information. Attempting to play mind games will backfire for the interviewer.
5. The interview of the red-collar criminal cannot be based on appeals for sympathy, remorse, regret, or social obligations. The interview has to be based on a non-emotional format and the dialogue must revolve around facts and specific evidence. Threats of punishment are of no consequence to this suspect.
6. An interviewer should consider safety issues when interviewing these suspects. Remember that these are not the typical non-violent white-collar criminals. Consider where the interview will take place (i.e., home, office, in public, etc.) and the time of day.

Interview Success

Many individuals, especially those in law enforcement, believe that in order to consider the interview a success, it is imperative to get the confession. However, the definition of a successful interview must be altered for psychopathic suspects. The fact that a detective does not get a confession does not mean that the interview was not a success. In fact, the inconsistent and implausible responses the detective elicits from the red-collar criminal are devastating when disclosed in court. Thus, if there is physical evidence, whether direct or circumstantial, the inconsistent explanations volunteered by the defendant are invaluable to the prosecution.

Imagine the jury in the Porco case viewing 6 hours of illogical, inconsistent and implausible testimony from the defendant. Would the fact that he did not confess really make a difference to a jury observing a person who shows no remorse or feeling for what has happened to his father? Furthermore, if a defendant decides to testify on his or her own behalf, those statements can be used to further impeach his credibility in the event he or she gives further inconsistent testimony in court. Remember, in court, the red-collar criminal is not in a position to avoid those he cannot manipulate.

Consider also the fact that defense attorneys attempt to project an image to the jury to the effect that their client was tricked, intimidated, and eventually coerced into giving a confession to interrogators. This defense strategy is virtually non-existent as the jury views a video-taped conversation of the defendant speaking freely, voluntarily, and without coercion or force. Instead, the jury views an investigator simply collecting facts and giving the suspect the opportunity to tell his side of the story even if it does not make sense.

The Role of Forensic Accountants and Fraud Examiners

Forensic accountants should be part of a homicide investigation team if the evidence suggests that fraud detection may have been the motive for the murder. Although other types of physical evidence may assist in developing possible suspects, these examiners may be in a unique position to uncover a motive that the physical evidence does not reveal. Many such murders revealed little in terms of motive until the evidence exposed an underlying fraud scheme that pre-dated the murder. Furthermore, by uncovering fraudulent behavior pre-dating the murder, forensic examiners may be able to narrow the potential field of suspects in a way that other evidence is not capable of doing.

Consider again the Porco interview and how much more effective the interview might have been had the interview included a qualified forensic accountant or a white-collar crime detective to ask Porco about the specifics of the fraud. As a trial attorney, I have observed how many witnesses fall apart when cross-examined about the details of their testimony. Many witnesses believe that the way they think about their testimony in their minds will suffice for outsiders, but that is not the case, especially when they give inconsistent and implausible explanations. In essence, they have come to the conclusion that if they have convinced themselves of their lies, they should be able to convince others as well. Because they think so highly of their abil-

ity to manipulate others, the psychopath's trait of grandiosity prohibits him or her from understanding how they are perceived by others, and this is their downfall. Though the entire Porco interview does not appear here, it is apparent that the detectives were not qualified to do any real fraud investigation interrogation follow-up.

Interview expert Rabon would not have stopped Porco's denials as the Reid Technique suggests, because Rabon understands that pathological suspects must be handled differently. Not stopping the defendant's denials does not mean that the interviewer is not confronting the suspect—it is a question of form, not substance. Rabon would have confronted Porco with incriminating evidence, but in a non-threatening, non-confrontational approach intended to get the lies out, and then move on to more lies. For example, the detective could have asked Porco why he never called his parents after he received the email where the parents were practically begging him to call. What was Porco's reaction when he read that his father would go to the authorities? Does he have documentation for the loan his father allegedly approved? And why did he buy a new Jeep when his parents were so upset after learning of his fraud? Although such questions had nothing to do with the murder, the answers might have filled volumes about his character.

The link to the fraud detection was crucial to establishing a motive for the murder when the prosecution had weak direct evidence, but supportive circumstantial evidence of guilt. The case facts reveal that the victims were in a unique position to detect fraud, which explains why they were the homicide targets. It would behoove forensic accountants to examine what areas of the victim's occupation or personal life would place him or her in a position to detect fraud, such as in the Petrick, Gaede, and Margolies cases. Forensic accountants must attempt to put themselves in the victim's shoes and ask what he or she knew that might be threatening to someone. Did the victim do anything with his or her knowledge of the defendant's fraud that could have increased the probability that he or she would be a target of violence? If forensic examiners are part of an interrogation team to present what they have learned to the suspect, then the suspect may be provoked to disclose lies that will be used against him or her in court, where he or she is less apt to be successful using the chameleon strategy.

Conclusion

The data derived from this study reveals that although red-collar criminals are psychopathic, their psychological strength is also a weakness to be exploited in the investigative stage of the murder. The incompetence exhibited by the red-collar criminals is observed by the amount of evidence

they create, which is ultimately used against them in a court. By understanding the chameleon-like qualities of red-collar criminals, the evidence trail they leave behind actually exposes both their white-collar crimes, a motive for the murder, and their participation in the murder. It is imperative for interviewers to become acquainted with the traits of a psychopath in order to plan an interview strategy that will assist future red-collar prosecutions.

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