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ON 01-18-2012

COUNTERINTELLIGENCE

The FBI's Role in the Intelligence Community



involved with National Security

- Counterintelligence Division
- Cyber Division
- Counterterrorism Division
- Directorate of Intelligence

However all FBI personnel have the same priorities

FBI Priorities – Top Ten

1. Protect the U.S. from terrorist attack
2. Protect the U.S. against foreign intelligence operations and espionage
3. Protect the U.S. against cyber-based attacks and high-technology crimes
4. Combat public corruption at all levels
5. Protect civil rights
6. Combat transnational and national criminal organizations and enterprises
7. Combat major white-collar crime
8. Combat significant violent crime
9. Support federal, state, local and international partners
10. Upgrade technology to successfully perform the FBI's mission



What we do... criminal

- As a Law Enforcement Agency
Broad criminal jurisdiction

The FBI is directed against
international activity
(espionage, terrorism, etc.).



What we do ... Intelligence

- As a Counterintelligence Service the FBI is authorized under E.O. 12333 to prevent and defeat ...

- [redacted] activities and [redacted] activities by adversarial [redacted] relations
- [redacted] interests
- [redacted] inside the U.S.



What is Counterintelligence ?

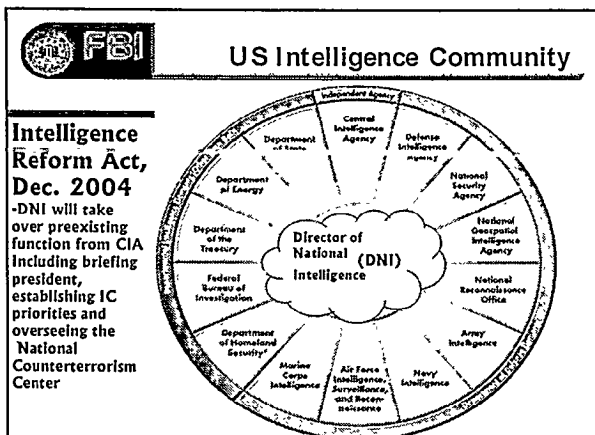
Counterintelligence is ...

" Information gathered and activities conducted to protect against espionage, sabotage, and other intelligence activities, conducted for or on behalf of foreign powers, organizations or persons, or international terrorist activities, but not including personal, physical, document or communications security."

* By presidential order, the FBI alone conducts Counterintelligence within the United States and coordinates CI activities with the other agencies in the Intelligence Community. – Executive Order 12333

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FBI The Role of Foreign Counterintelligence Squads

Gather Intelligence on Foreign Intelligence Service activities in the United States
Conduct Criminal Investigations, such as Espionage and Economic Espionage

Three Interrelated Objectives

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FBI How Do We Do It?

Foreign Services

FBI How Do We Do It?

Foreign Services

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FBI How Do We Do It?

FBI How Do We Do It?

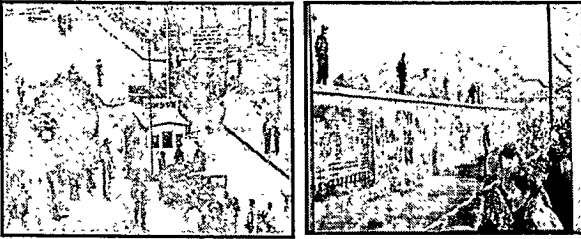
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FBI The Old Threat...

"Criteria Countries" Soviet Bloc was the main enemy (the Cold War)



FBI The New Threat is ...

- Which countries or groups?
- Which U.S. Gov't entities are targets?
- Who is targeting the U.S.?
- Which private industries are targets?
- What military/ defense industries are targets?




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FBI Country Threat List

- This list is classified but includes countries designated a threat because of aggressive, intrusive behavior that is a pervasive threat to the United States' national security

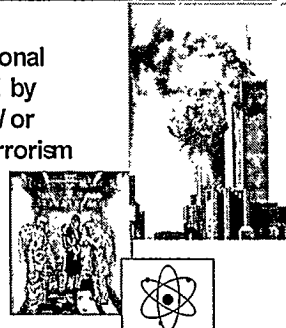


FBI Issue Threat List

Categories of activity that pose a significant threat, or are of such concern, to the national security of the United States when engaged in by _____ foreign power or entity that counterintelligence or monitoring activities directed against such activities are warranted.

FBI Issue Threats

1. Terrorism - International Terrorism committed by Terrorist Groups and/ or State Sponsors of Terrorism
2. Proliferation of Special Weapons nuclear, chemical, or biological



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Authorities

- Intelligence Authorization Act of 1995, S811 referrals
- Head of each agency in the Executive Branch shall ensure FBI is advised immediately of any information indicating classified information has/is being disclosed to a foreign government without authorization



Authorities - Extraterritorial

Intelligence Authorization Act of 1990

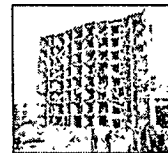
- Gives the FBI jurisdiction over espionage investigations in all US diplomatic missions abroad

Including active duty military



Comprehensive Crime Control Act IT Overseas

FBI has jurisdiction when US interests are involved
With concurrence of the host country Khobar Towers, Kenya, Tanzania



Authorities

- 2001- USA Patriot Act, modifications in 2005
- 2003 - revisions to the NSIG (AG Guidelines).
- Executive Order 13354 (2005) and the Intelligence Reform and Terrorism Prevention Act of 2004
 - New Director of National Intelligence
 - National Counterterrorism Center, created in 2003, is assigned to the new DNI – Includes CIA, FBI, DOD, DHS, DOS, DOE, NRC, HHS, USDA Mission – Analysis, information access and sharing, operations

CI Program Strategic Plan

FBI Strategic Focus:
Protect the United States against foreign intelligence operations and espionage

Statute/Constitution:

Program Objectives/Outcomes:

Enabling Strategies:

Workforce Excellence:
Training
Experience
Continuity

Resource Management:
CI Squads in each Field Division
Distribution of Funding/staffing
Adequate Equipment

Intelligence:
Collection
Analytical Products
Asset Base
Information Sharing

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QUESTIONS?



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The US Intelligence Community (USIC)

There are currently 16 members of the USIC. It should be noted that specific offices or branches represent some parent agencies in the USIC. In the following list, the name of the specific branch or office is listed below the parent agency. Also listed are additional branches and offices of USIC agencies that are frequently in contact with FBI counterintelligence (CI) personnel.



Central Intelligence Agency (CIA) – The CIA is responsible for the collection and analysis of foreign intelligence primarily outside the borders of the United States.

<http://www.odci.gov/>



Drug Enforcement Administration (DEA)

<http://www.dea.gov/>

Office of National Security Intelligence (ONSI) – DEA is a component of the US Department of Justice (DOJ). It is responsible for identifying and disrupting illegal drug trafficking. DEA was added to the USIC to assist in countering terrorist involvement in illicit drug trafficking, and to aid in combating the significant threat illegal drugs pose to the national security of the United States. The ONSI is responsible for providing the USIC with intelligence collected through DEA investigations. It also coordinates and responds to USIC requests for information.

<http://usdoj.gov/dea/programs/intelligence.htm>



Defense Intelligence Agency (DIA) – DIA is a component of the US Department of Defense (DOD). It is the major producer and manager of intelligence for DOD. DIA provides a wide variety of military intelligence to combat personnel, planners, and military policymakers.

<http://www.dia.mil/>



US Department of Energy (DOE)

<http://www.energy.gov/>

Office of Intelligence (OI) – DOE is responsible for US energy policy and nuclear energy matters. It's OI is tasked with affording DOE policymakers and the USIC with support in the fields of nuclear weapons and proliferation, nuclear energy waste and safety, science and technology, and energy security.

http://www.energy.gov/nationalsecurity/intelligence_couterterrorism.htm



US Department of Homeland Security (DHS)

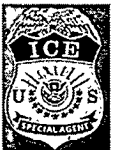
<http://www.dhs.gov/dhspublic/>

Information Analysis and Infrastructure Protection Directorate (IAIP) – DHS is charged with protecting the territory of the United States from terror attack and responding to natural disasters. The IAIP is responsible for distributing DHS national security analyses to State and local governments and private sector entities to protect key domestic assets of the United States.

http://www.dhs/dhspublic/interapp/editorial/editorial_0646.xmi

Frequent CI Contact:

Immigration and Customs Enforcement (ICE) – ICE is the largest investigative arm of DHS. It is responsible for investigating a wide range of issues including export enforcement (e.g., illegal tech transfer to foreign adversaries, etc.), immigration crime, and cyber crime.



<http://www.ice.gov/graphics/index.htm>



US Department of State (DOS)

<http://www.state.gov/>

Bureau of Intelligence and Research (INR) – DOS is the US Government's (USG) lead foreign policy agency. One of its principal roles is to implement the President's foreign policy. State's INR is strictly an analytical. It is responsible for providing intelligence support to DOS leadership and diplomatic operations and ensuring that intelligence activities support US foreign policy.

<http://www.state.gov/inr/>

Frequent CI Contact:

Diplomatic Security Service (DSS): DSS is responsible for providing a safe and secure environment for the conduct of US foreign policy. It also charged with conducting personnel security investigations and runs the Office of Foreign Missions (OFM).



<http://www.state.gov/m/ds/>



US Department of the Treasury (DOT)

<http://www.ustreas.gov/index.html>

Office of Intelligence and Analysis (OIA) – DOT manages the revenue of the USG and promotes and implements the President's economic policies. The OIA is responsible for providing DOT with analytical support and intelligence production in field of positive intelligence, CI, terrorism, proliferation, and other national security areas. A key OIA function is the analysis of financial (and other support networks) used to assist terrorist groups.



Federal Bureau of Investigation (FBI)

<http://www.fbi.gov/>

National Security Branch (NSB) – The FBI is the principal investigative arm of DOJ. Its top investigative priorities are counterterrorism, counterintelligence, and cybercrime. The NSB manages national security related matters at the FBI.

[redacted] *Note that this is an [redacted] site.)

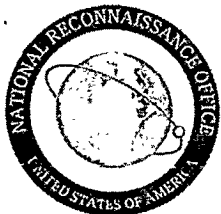
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National Geospatial-Intelligence Agency (NGA) – The NGA is a component of DOD.

It is responsible for preparing geospatial data, ranging from maps to sophisticated computer databases that are used primarily for targeting precision-guided weapons.

http://www.nga.mil/portal/site/nga01/index.jsp?front_door=true



National Reconnaissance Office (NRO) – The NRO is a component of DOD. It develops and operates the USG's satellite collection systems.

<http://www.nro.gov/>



National Security Agency (NSA) – NSA is a component of DOD. It is the USG's primary cryptologic agency responsible for coordinating, directing and collecting SIGINT.

<http://www.nsa.gov/>



US Army

<http://www.army.mil/>

Military Intelligence – The US Army is an armed service component of DOD. It is primarily responsible for land-based military operations. It's Military Intelligence branch is charged with producing strategic, specific mission-orientated, and tactical intelligence for the US Army.

Frequent CI Contact:

Intelligence and Security Command (INSCOM): INSCOM conducts CI investigations for the US Army.



<http://www.inscom.army.mil/>



US Navy (USN)

<http://www.navy.mil/>

Naval Intelligence – The USN is an armed service component of DOD. It is responsible for conducting naval operations around the World. The USN's Naval Intelligence branch is responsible for producing strategic, specific mission-orientated, and tactical intelligence for the USN.

Frequent CI Contact:

Naval Criminal Investigative Service (NCIS): NCIS conducts CI investigations for the USN and the US Marine Corps.



<http://www.ncis.navy.mil/>



US Air Force (USAF)

<http://www.af.mil/>

Intelligence, Surveillance, and Reconnaissance (ISR) – The USAF is an armed service component of DOD. It is the aerospace branch of the US military. The USAF ISR branch is responsible for producing strategic, specific mission-orientated, and tactical intelligence for the USAF.

Frequent CI Contact:

Office of Special Investigations (OSI): OSI conducts CI investigations for the USAF.



<http://www.public.afosi.amc.af.mil/>



US Marine Corps (USMC)

<http://www.usmc.mil/marinelink/mcn2000.nsf/frontpagenews>

Marine Intelligence – The USMC is an armed service component of DOD. It serves as an all-purpose, fast response task force for the US military. The Marine Intelligence branch is responsible for producing strategic, specific mission-orientated and tactical intelligence for the USMC.

<http://www.quantico.usmc.mil/mcia/index.asp>



US Coast Guard

Intelligence Element – The US Coast Guard is a component of DHS. It is charged primarily with protecting the public, economy, and environment of US coasts, ports, and waterways. The US Coast Guard's intelligence element affords support to its operational elements, and provides intelligence collected through its port security, counternarcotics, and other missions to the USIC.

<http://www.uscg.mil/uscg.shtm>

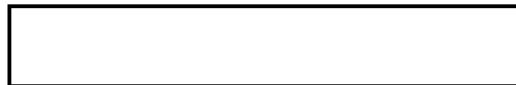
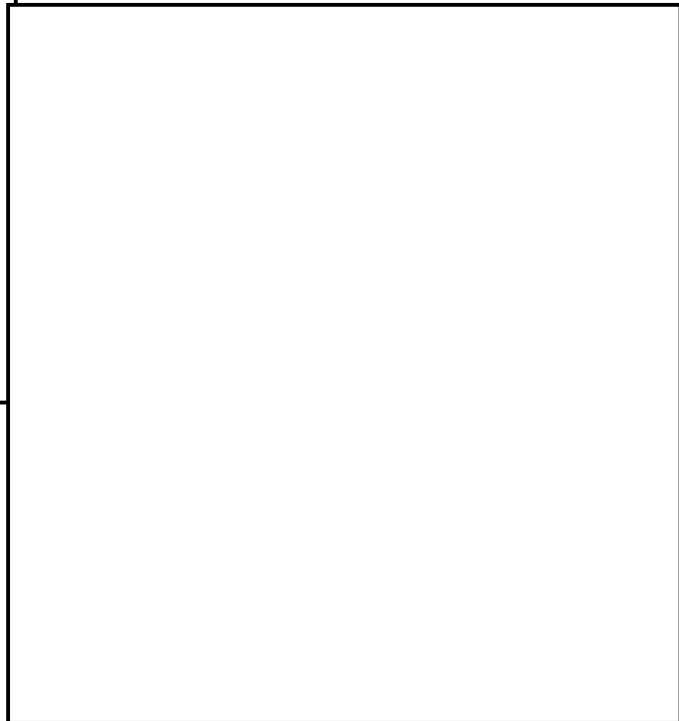
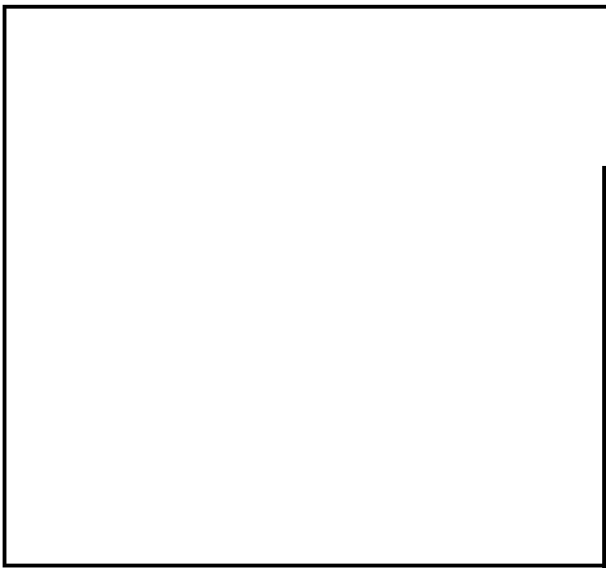
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Advanced Counterintelligence Interviewing

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Advanced Counterintelligence Interviewing

(August 22-26, 2011)

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DATE 10-17-2011 BY 65179 DMH/STW

Monday

8:00am - noon

Welcome

1:00pm - 5:00pm

Interview Techniques
Stress and Deception
Elicitation

Tuesday

8:00am - noon

Statement Analysis
CI Interview Strategies

1:00pm - 5:00pm

Interviews

Wednesday

8:00am - noon

Espionage Interviews/Interrogations (content)

1:00pm - 5:00pm

Interviews

Thursday

8:00am - noon

Espionage Interviews/Interrogations (method)

1:00pm - 5:00pm

Subject Interviews/Interrogations

Friday

8:00am - 9:30am

Lessons Learned

Advanced Counterintelligence Interviewing

An interactive course designed to develop participants' CI interviewing and interrogation skills

Performance Objectives

Day 1

Participants will [redacted]
[redacted] They will then [redacted]
[redacted]

Participants will identify [redacted]
[redacted]

After providing a [redacted]
[redacted]

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Day 2

In analyzing a statement, participants will [redacted]
[redacted]

During class discussion, participants will [redacted]
As a group, the class will [redacted]
[redacted]

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Participants will [redacted]
[redacted] Participants will [redacted]
[redacted]

Day 3

Participants will list [redacted]
[redacted]

In a group, participants will [redacted]

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Day 4

Participants will prepare a written interrogation plan [redacted]
[redacted]

Participants will conduct an interview/interrogation of an espionage subject [redacted]
[redacted]

Advanced Counterintelligence Interviewing

Assignments

Due Tuesday AM	Due Wednesday AM	Due Thursday AM	Due Friday AM
<p>Read <u>Gestures</u> pp. 228-231 (re: U.S.)</p> <p>Skim "Statement Analysis: What Do Suspects' Words Really Reveal?"</p>	<p>Read "Mistakes to Mitigate." Check any that have applied to you and be prepared to discuss in class.</p>	<p>Elicitation Results (from the general public)</p>	<p>Elicitation Results (from class members)</p> <p>Return Elicitation sheet, with answers</p>
<p>Table Talk Results</p>		<p>Browse <u>Reid Technique</u> complete pp. 232-233</p>	<p>Course Evaluations</p> <p>Travel Home Safely!</p>
Due Tuesday 5 PM	Due Wednesday 5 PM	Due Thursday 5 PM	
<p>Self-evaluation (green) Progress Sheet (yellow)</p>		<p>Interview Plan (white) Self-evaluation (blue) Progress Sheet (yellow)</p>	

Advanced Counterintelligence Interviewing

Personal Progress Sheet

Name: _____

Personal Interviewing Strengths

- 1.
- 2.
- 3.

Areas for Improving Interviewing Versatility

- 1.
- 2.
- 3.

Interview - Areas of Improved Versatility

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Interview and Interrogation - Areas of Improved Versatility

Final Comments on Your Own Interviewing Progress

Name _____

Interviewing Self-Evaluation

Interview of

☐ Interview 1

☐ Interview 2

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2		
3		
4		
5		
6		
7		

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Overall assessment of your interview:

Name _____

Interview/Interrogation Self-Evaluation

☐ Interview #1 ☐ Interview #2

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2		
3		
4		

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Overall assessment of your interview/interrogation:

Rapport =

Three Levels of Rapport

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Types of Questions

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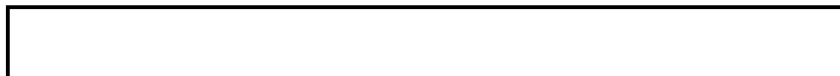
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Intercultural Skills

Rank in order the top 10 intercultural skills:



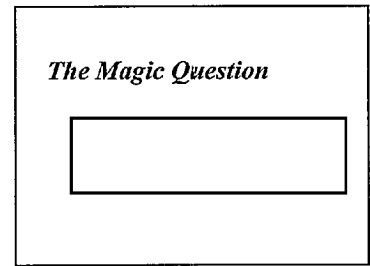
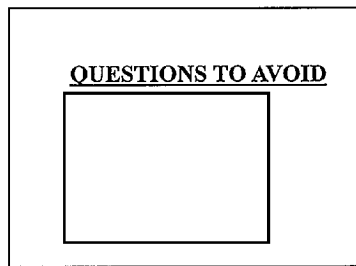
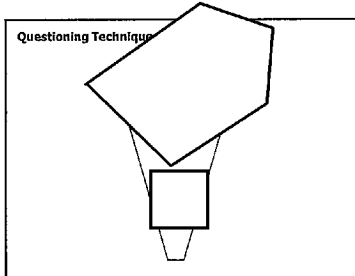
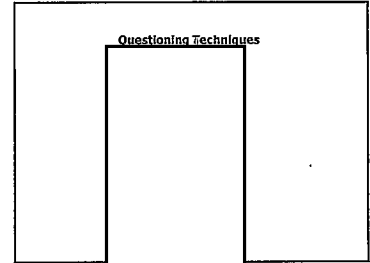
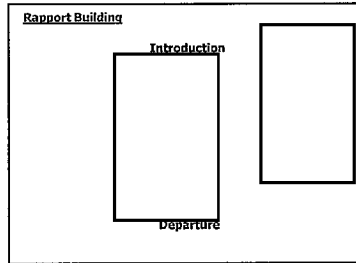
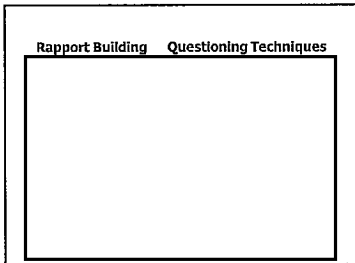
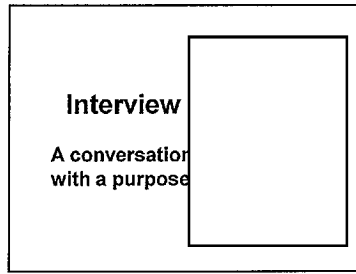
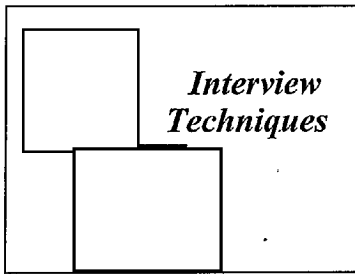
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Cultural Interviewing Tips

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Name _____

Detection of Deception

Nonverbal

Truthful

Deceptive

Verbal

Truthful

Deceptive

Truthfulness and Deception

Although interviewers cannot actually determine deception,
they can learn to recognize subjects' signs of stress caused by their deception.

Nonverbal

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Clues to Truthfulness

Clues to Deception

Truthfulness and Deception

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Verbal

Clues to Truthfulness

Clues to Deception

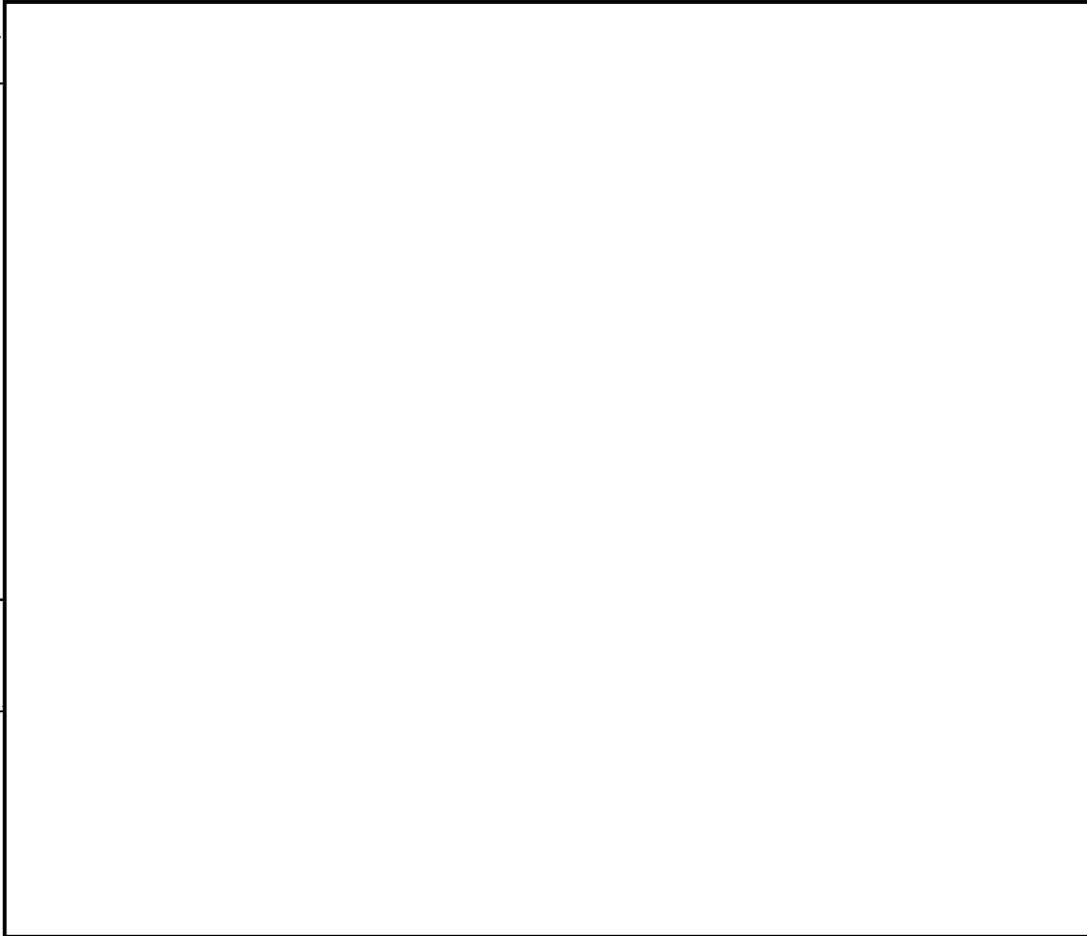
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Elicitation: *A method of gaining desired information during normal conversations, without alerting the person providing the information*

10 Elicitation Techniques

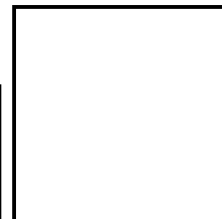
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Elicitation Exercises



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Reminder:



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Statement Analysis

A structured method of examining the verbatim words in an individual's written or oral account to gain insight and to detect deception

Indicators of Veracity

- 1.
- 2.

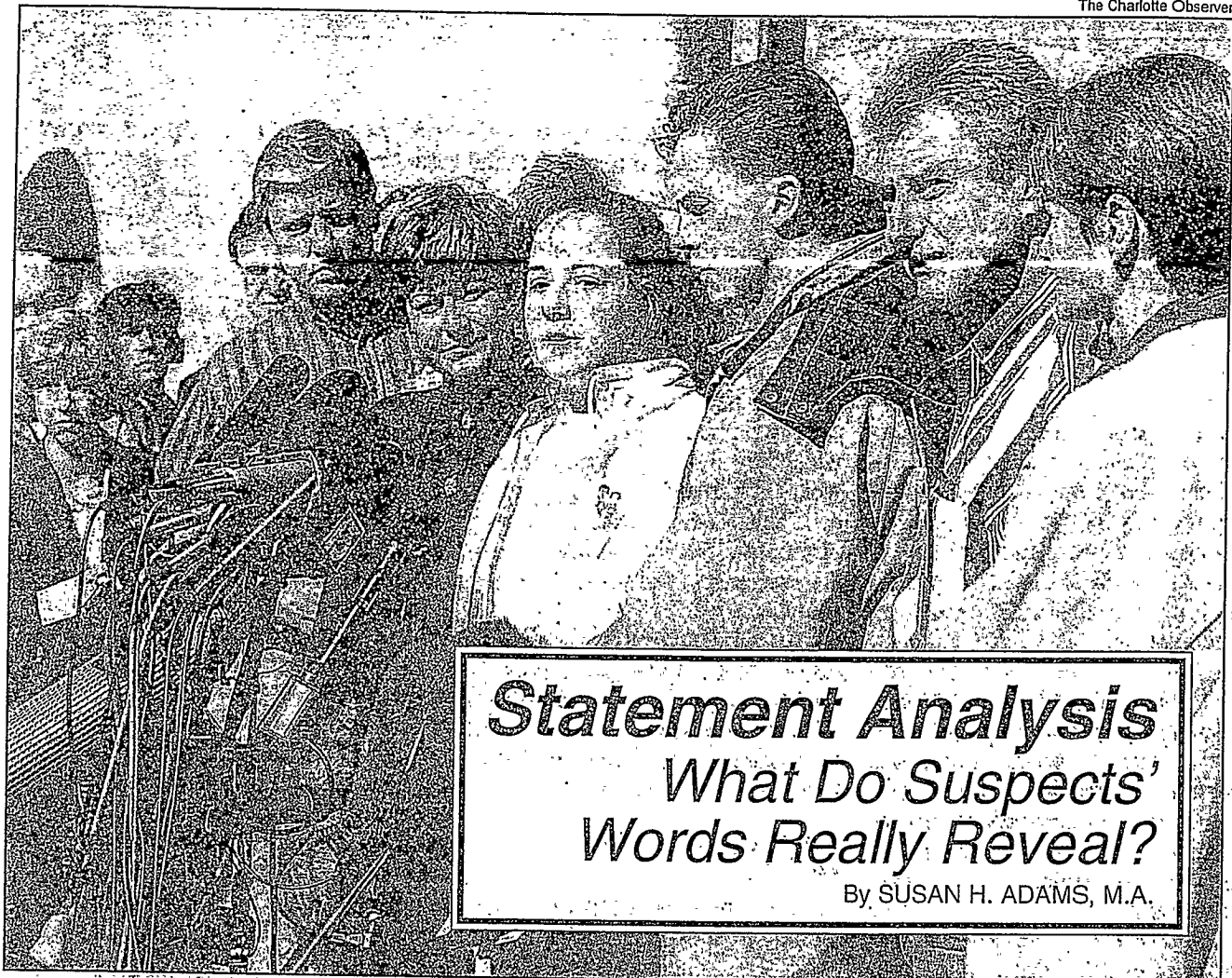
Indicators of Deception

- 1.
- 2.

Areas of Insight

- 1.
- 2.
- 3.
- 4.
- 5.

Photo © Bob Leverone
The Charlotte Observer



Statement Analysis *What Do Suspects'* *Words Really Reveal?*

By SUSAN H. ADAMS, M.A.

Susan Smith stood outside her burgundy sedan and released the parking brake. The car plunged down the ramp into South Carolina's Long Lake, with her sons, Michael, 3, and Alexander, 14 months, strapped into their car seats. To cover her actions, Susan told police that the boys were abducted at gunpoint, launching a nationwide search for the victims and their abductor. During the investigation, Susan tearfully told reporters, "My children wanted me. They needed me. And now I can't help them."¹ Yet, the boys' father, David,

who believed Susan's story, tried to reassure her by saying: "They're okay. They're going to be home soon."²

Police subsequently arrested Susan for the murder of her children. She was tried and convicted and is currently serving a life sentence in a South Carolina correctional institution.

Many investigators use a technique called "statement analysis" to discern the truth in statements like the ones given by Susan and David Smith. In statement analysis, investigators examine

words, independent of case facts, to detect deception. They also remain alert for information omitted and question why the suspect may have done so. Investigators then analyze the clues unintentionally provided by a suspect and use this insight during the subsequent interview.

In the case of Susan Smith, by analyzing the statements made by the victims' parents, one could conclude that the father believed the boys were alive and the mother knew the children were dead. The key to this deduction lies in simple English grammar, specifically, verb

¹Published by the Federal Bureau of Investigation, U.S. Department of Justice) Reprinted from the FBI Law Enforcement Bulletin, October, 1996.

tense. The father referred to the children in the present tense; the mother used the past tense. Of all times, when the "abducted" children really would need their mother, she speaks of them in the past tense; e.g., "They needed me." The children could no longer want or need her because they were no longer alive.

This article gives a brief overview of statement analysis. It examines four components of statement analysis—parts of speech (pronouns, nouns, and verbs), extraneous information, lack of conviction, and the balance of the statement.

A word of caution is warranted here. There is much more to statement analysis than what is provided in this article; space limitations preclude incorporating other statement analysis components, such as the remaining parts of speech and the numerous indicators of missing information.

Still, armed with the information presented in this article, investigators will be able to use these basic techniques to gain insight into a suspect prior to conducting an interview. By learning more about a suspect and determining whether that person is being deceptive, they have a much better chance of identifying the guilty party and gaining a confession.

THE TECHNIQUE

Statement analysis follows a two-step process. First, investigators determine what is typical of a truthful statement, referred to as the norm. They then look for any deviation from this norm.

Truthful statements differ from fabricated ones in both content and quality.³

Although spoken words can be analyzed, investigators inexperienced in statement analysis will find it easier to begin by examining written statements. Investigators can make transcripts of oral statements. Or, even better, they can have suspects write a statement that details what they did from the time they woke up until the time they went to bed. This account provides a totally untainted version of the day's events and increases the validity of the analysis.

Statement analysis is an aid that can be used to obtain a confession; it is not an end in itself. Therefore, whenever possible, investigators should analyze the statement before interviewing the suspect.

IMPORTANT PARTS OF SPEECH

Parts of speech form the foundation of statement analysis. To

analyze a statement, investigators first need to examine the individual parts of speech, particularly pronouns, nouns, and verbs, and to establish the norm for each. If a deviation from the norm appears, they then should ask, "Why?"

Pronouns

Pronouns are parts of speech that take the place of nouns. Common examples of personal pronouns include I, me, you, he, she, we, they, and it. In statement analysis, particular attention should be given to the personal pronouns "I" and "we" and all possessive pronouns, such as my, our, your, his, her, etc.

The Pronoun "I"

Investigators have noted that truthful people give statements using the pronoun "I," which is first person, singular. Any deviation from this norm deserves close scrutiny, for it could be an indication that the person is not totally committed to the facts in the statement and,

Statement analysis provides investigators with vital background data and details about relationships to explore during the interview process.



Special Agent Adams teaches statement analysis as part of interviewing and interrogation courses at the FBI Academy.

therefore, is not telling the whole truth.

The following written narrative begins with a clear commitment, then shows a definite lack of commitment:

"I got up at 7:00 when my alarm went off. I took a shower and got dressed. I decided to go out for breakfast. I went to the McDonald's on the corner. Met a man who lives nearby. Talked with him for a few minutes. I finished breakfast and drove to work."

The first four sentences of the statement match the norm of first person, singular—the use of the pronoun "I"; the next two sentences show deviation, because this pronoun is missing from the statement. What caused the writer to stop using the pronoun "I"?

Any change in the use of pronouns is significant, and at this point, investigators should realize that the statement now becomes devoid of personal involvement. Could there be tension between the writer and the man mentioned in the statement? During the interview, investigators should draw out specifics about this relationship to determine if this part of the narrative is really true or if the writer omitted information.

I versus We

Because using the first person, singular pronoun is the norm for truthful statements, investigators need to look for a lack of the pronoun "I" and overuse of the pronoun "we," which is first person, plural. The following version of a teenager's account when asked to relate

what he did on Saturday evening illustrates the norm:

"I met four friends at the movie theater, watched a movie, then stopped to get something to eat with them. We had a few drinks at the bar on the way home. I stayed until just after midnight. I drove home...."

The following version of the same account, when contrasted with the above statement, indicates deviation from the norm:

"We all met at the movie theater, watched a movie, then stopped to get something to eat. We had a few drinks at the bar on the way home. We stayed until just after midnight. We each drove home...."

***In statement analysis,
investigators examine
words, independent
of case facts, to
detect deception.***

Because the second statement contains only "we," instead of the expected norm, which uses mostly "I," the investigator should wonder why there is no individual involvement. Perhaps the teenager hopes to conceal something or at least to avoid sole responsibility for some act.

The Pronoun "We"

In speech and the written word, linguists consider the shortest way

to say something as the easiest and clearest way to communicate. The pronoun "we" is a short, clear way to describe one's self and others after proper introductions have been made. "We" also denotes togetherness; it indicates a relationship between persons.

Omission of the pronoun "we" is significant, particularly when the individuals are spouses. In the following versions of an account of events given by a husband, the first statement indicates the norm; the second one denotes deviation:

"My wife and I were invited to a neighbor's 50th birthday party. We arrived at the party a little late. The party was still in full swing when we left for home."

"My wife and I were invited to a neighbor's 50th birthday party. My wife and I arrived at the party a little late. The party was still in full swing when my wife and I left for home."

The second statement reveals distance between the husband and his wife. Once the husband introduces his wife into the statement, using the pronoun "we" is the shortest way to communicate. Yet, the husband avoids this word. Why? Perhaps because there is no "togetherness" in the relationship.

If later that night the wife is murdered, and the husband, when recounting the day's activities, provides a statement devoid of the pronoun "we," investigators questioning the husband should focus on the couple's relationship. If the husband admits to marital problems, but vehemently denies any involvement in

the death, investigators may clear him as a suspect, barring contrary evidence. However, if the husband responds that the couple was very close, investigators should be wary, because statement analysis reveals otherwise.

A shift from "they" to "we" also is significant, for it reveals personal involvement. In white-collar crime cases, the guilty person who denies complicity may find it difficult to keep the pronoun "we" out of a statement completely. In such instances, investigators need to search the entire written statement for "we." Then, during the interview, they should focus on the transaction described with "we." This pronoun indicates that the writer was involved.

Another example of this shift in the use of pronouns often can be found in alleged rape reports. In the following two statements taken from rape reports, the focus is on the pronoun "we":

"He forced me into the woods,"
versus

"We went into the woods."

The first statement represents the norm. The second statement, which contains the pronoun "we," is a deviation from the norm.

Veteran rape investigators are alert to the sudden appearance of the pronoun "we" in a victim's statement. From their experience interviewing rape victims, they have normed the rape victim to use the pronouns "he" and "I," not the

pronoun "we," to describe the assailant and herself.

Because the pronoun "we" denotes togetherness, the investigator reading "we" in an alleged rape



Photo © PhotoDisc

statement should ask if the victim knew the assailant, and if they were together before the rape occurred. If the victim denies this, there is reason to believe the statement is a fabrication.

In reports of an abduction, the use of the pronoun "we" also can indicate that the victim may not be telling the whole truth. For example, a young woman who reported that she had been abducted at a shopping center provided the following written statement:

"I parked and started getting out of my car when a white male about 200 pounds, 6 feet tall approached me and told me to get in the car or he would hurt me. He then got in the back. I got in the front and began to drive. He told me to drive west on the highway. He

asked me if I had any money. I told him no. *We* drove for about an hour. During that hour, he hit me repeatedly on the right side of my face. When *we* got to the exit, I told him I had no gas. He got mad and told me to get off the exit. *We* went straight off the exit for about 4-5 miles. He told me to turn down the first street on my left. *We* went down it about 1/4 of a mile. He told me to stop. He opened the door, put both feet out, hit me, and took off walking quickly. He took off to the east of where I was parked. After that, I took off and lost sight of him."

Investigators experienced in statement analysis would question the truthfulness of the above declaration. A true abduction statement, when normed, includes phrases like "He forced me to drive..." or "He made me get off at the exit..." Traumatized victims who are telling the truth do not use the pronoun "we" to describe assailants and themselves.

Investigators concluded that the above statement revealed deception. When interviewed, the woman subsequently confessed that no abduction occurred. She was, in fact, with a man she knew.

Possessive Pronouns

Possessive pronouns, e.g., my, our, your, his, her, and their, reveal the attachment that the writer or speaker acknowledges toward a person or object. A suspect will

change the pronoun, or drop the pronoun completely, when opting not to show possession or admit association with a particular object or person. For example, "I was cleaning *my* gun. I was putting *my* gun away. *The* gun discharged."

This person, wanting to disclaim ownership of the gun that discharged (either accidentally or intentionally), stopped using the possessive pronoun "my." It no longer was his gun, under his control; it became *the* gun.

Another example can be found in a written statement made by a person whose home burned to the ground:

"I left *my* house right after breakfast to join my friends at the track for the day.... I drove back to *my* house, made a few phone calls, then went out to dinner with Stan Thompson.... Stan dropped me off at *my* house around 10:00. After I changed my clothes I left *the* house to spend the night at my cousin Tom's. Around midnight we heard fire engines and got up to see what was going on."

In this account, after the writer consistently used the pronoun "my" to describe his house, he omitted the pronoun the last time it was mentioned. Was it because the house burned down, and it was no longer his house? If so, then this change should have occurred much later, after midnight, when the writer learned that the house was burning.

Based on the statements made, investigators should question why the switch in references occurred the

last time the writer was in the house. Was it because the writer had spread accelerant on the floor of the house? Was the writer already giving up possession because he had set the fire? Just as arson investigators try to discover if valuable possessions have been removed from a house prior to a fire, those skilled in statement analysis look for the exact point at which the owner stops taking possession by failing to use the pronoun "my."

***Statement analysis
is an aid that can be
used to obtain a
confession; it is not
an end in itself.***

Nouns

Nouns denote persons, places, and things. Yet, nouns take on different meanings, depending on the individual.

When examining the words used by a suspect, the investigator needs to note any changes, because a "change of language reflects a change in reality."⁴ If suspects substitute a different word after using one word consistently, they telegraph the fact that something in their lives has changed. Although language changes can occur with any part of speech, they are observed more frequently with nouns.

In a statement written by a suspect in a homicide investigation, a significant change in noun usage

occurred. A young man shot his wife in the face with a shotgun. The woman died instantly, and the husband claimed the shooting was accidental. Investigators asked the man to write a statement of the events that occurred during the day of the shooting. The husband wrote a detailed statement, using the noun "wife" seven times to refer to his wife. He then wrote:

"...I lost control of the gun. I sensed that the barrel was pointing in *Louise's* direction and I reacted by grabbing at the gun to get it back under control. When I did this the gun discharged. It went off once and I looked over and saw blood on *Louise's* face."

What caused the husband to start using "Louise," his wife's first name? Did this occur at a significant point in the narrative?

Prior to this point, investigators had normed the husband as using the noun "wife." When the spouse went to church with her husband, she was "my wife." When she later called to her husband, she was "my wife." But when the barrel of the gun was pointing in her direction and when there was blood on her face, two critical points in the statement, the spouse was no longer referred to as "my wife." She became Louise.

Investigators have determined that perpetrators find it nearly impossible to admit to harming a family member. The husband in this case could not admit that he had killed his wife. He removed the family relationship by substituting the name "Louise."

The husband also failed to introduce Louise to the reader. After

using the noun "wife" seven times, the name "Louise" suddenly appears. The reader does not know for certain who Louise is. It only can be assumed that Louise is the wife, but the husband gave no proper introduction, such as "my wife, Louise."

The norm for healthy relationships is a proper, clear introduction. But in tumultuous relationships, introductions often are confusing or missing completely. The lack of a proper introduction most likely indicates a poor relationship between the husband and his

wife. Knowledge of this prior to the interview could assist investigators in uncovering the truth.

Verbs

Verbs express action, either in the past, present, or future. In statement analysis, the tense of the verb

The Mechanics of Statement Analysis

Investigators can conduct a preliminary mechanical review of a written statement by completing the following steps:

1. **Pronouns:** Circle all pronouns; indicate missing pronouns in the margin

2. **Verbs:** Underline all changes in verb tense

3. **Nouns:** Underline changes in language

4. **Extraneous information:** Highlight information that does not answer the question asked, e.g.: What happened? or What did you do since you got up this morning?

5. **Lack of conviction:** Bracket any words that indicate lack of conviction

6. **Balance of statement:** Divide statement into before, during, and after and check the balance

An example of a statement analyzed by an investigator appears below.

The evening started out normally. I closed up after all the customers had left. I worked the late shift last night because I had an appointment during the day. I counted the money and filled out a deposit slip. I was the last one out so I set the alarm and locked the doors. I drove to the First National Bank to make my deposit. I usually park right next to the night deposit box. I got out of my car and headed to the deposit box. A tall man approaches, a white guy around 6'2", I think. He comes out of nowhere and tells me to drop the bag. Nothing like this has ever happened to me before. I am very careful about where I park and whether anyone is around. I dropped the bag and froze right where I was. The man grabbed the bag and ran into the shadows. [That's basically what happened.]

missing I

missing I

Before:
12 lines
(54%)

During:
9 lines
(41%)

After:
> 1 line
(5%)

is of utmost importance. When analyzing statements, investigators need to concentrate on the tense of the verbs used. In a truthful statement, the use of the past tense is the norm, because by the time a person relates the event, it has already occurred.

For example, the following statement typifies the norm:

"It *happened* Saturday night. I *went* out on my back deck to water the plants. It *was* almost dark. A man *ran* out of the bushes. He *came* onto the deck, *grabbed* me and *knocked* me down."

The next statement shows deviation from the norm:

"It *happened* Saturday night. I *went* out on my back deck to water the plants. It *was* almost dark. A man *runs* out of the bushes. He *comes* onto the deck, *grabs* me and *knocks* me down."

The shift to present tense is significant, because events recalled from memory should be stated by using the past tense. The change to present tense could indicate deception. Knowing this, an investigator interviewing the victim of the second statement is forewarned that the account may be fabricated.

The use of past or present tense also is significant when referring to missing persons. In such cases, the norm is to describe the person in the present tense, as in, "I just pray that Jenny *is* all right."

When children are missing, in the parents' hearts and minds, the children remain alive, sometimes long after the point of reason. As

evidenced in the Susan Smith case, use of past tense almost immediately after the alleged abduction showed a significant deviation from the norm.

EXTRANEOUS INFORMATION

Extraneous information in a statement also can provide clues to deception. A truthful person with nothing to hide, when asked the question, "What happened," will recount the events chronologically and concisely. Any information given that does not answer this question is extraneous.

“ Statements contain a wealth of information far beyond what the suspect or alleged victim intends to communicate. ”

People involved in crimes may feel the need to justify their actions. In such cases, the information in the statements will not follow a logical time frame or will skirt what really happened. They also may include more information than is necessary to tell the story. In such instances, investigators should scrutinize this extraneous information and question why this person felt the need to include it.

For example, in a homicide investigation involving a young woman shot by her husband, the husband told police officers that he was cleaning his gun when it accidentally discharged. Investigators then asked the husband to write a statement about his actions on the day he shot his wife. He provided a detailed statement, writing at length about the rust on his gun and a previous hunting trip. He failed, however, to describe fully his activities on this specific day. The amount of extraneous information prompted the investigator to view the husband as a suspect.

LACK OF CONVICTION

Another important factor in statement analysis is a person's lack of conviction. When analyzing a statement, investigators should note if the person feigns a loss of memory by repeatedly inserting "I don't remember" or "I can't recall."

They also should look to see if the person hedges during the narrative by using such phrases as "I think," "I believe," "to the best of my knowledge," or "kind of." These phrases, also called qualifiers, serve to temper the action about to be described, thereby discounting the message before it even is transmitted.⁵ Clearly, the person giving the statement is avoiding commitment, and warning bells should ring in the investigator's ears.

The following is a transcript of an oral statement of a college student who reported that a man broke into her apartment at 3:30 a.m. and raped her. A statement regarding such a traumatic experience is

Statement Analysis in Specific Crimes

To conduct statement analysis for a specific crime, investigators first should determine what is the norm. Any deviations from this norm may indicate involvement in the crime.

Crime	Norm	What to Look For	Deviation from Norm
Missing Persons:	"Jenny is such a wonderful daughter."	A verb in past tense soon after the disappearance	"Jenny was such a wonderful daughter."
Arson:	"...drove back to my house...went out for dinner, returning to my house...left my house...."	The lack of possessive pronouns <i>before</i> property is burned	"...drove back to my house...went out for dinner, returning to my house...left the house...."
White-collar Crime:	"...they invested...they purchased...they financed...."	The use of the word "we" to describe transaction	"...they invested...they purchased...we financed...."
Abduction, Rape:	"He forced me into the car...."	The use of the word "we" for assailant and self and the language used ("got" versus "forced")	"We got into the car...."

brim with conviction, which this statement clearly lacks.

"He grabbed me and held a knife to my throat. And when I woke up and I was, I mean I was really asleep and I didn't know what was going on, and I kind of you know I was scared and I kind of startled when I woke up, You know, You know I was startled and he, he told, he kept telling me to shut

up and he asked me if I could feel the knife."

It is important to consider the phrase, "I kind of startled when I woke up." Certainly, this is not a normal reaction for a woman who awakens in the middle of the night to see an unknown man at her bed and to feel a knife at her throat. The word "terrified" more appropriately comes to mind. Using the words "kind of startled" shows a

gross deviation from the expected normal reaction of terror.

Another example of lack of conviction can be found in a written statement given by a relative of a woman who mysteriously disappeared. Investigators asked the missing woman's sister-in-law to recount the activities that took place on the weekend of the disappearance. After claiming memory lapses and showing a general lack

of specificity, the sister-in-law ended her statement with:

"...that was about it. These were my actions on the weekend to the best I can recall."

Any investigator reading the above statement should seriously question whether the events were described accurately and completely.

BALANCE OF THE STATEMENT

A statement given by a suspect or an alleged victim should be examined by investigators for overall balance. Statements should be more than just a series of details. They need to sound like an account of the event.

A truthful statement has three parts. The first part details what was going on before the event occurred; it places the event in context. The second part describes the occurrence itself, i.e., what happened during the theft, the rape, the fire, etc. The last part tells what occurred after the event, including actions and emotions, and should be at least as long as the first part.

The more balanced the three parts of the statement, the greater the probability that the statement is true.⁶ A statement containing the same number of lines in the before, during, and after parts, i.e., 33 1/3 percent in each part, indicates truth, although some degree of variation from perfect balance can be expected.

If any part of a statement is incomplete or missing altogether, then the statement is probably false. The following breakdown of a statement written by a man whose home

burned shows a deviation too great from the balanced norm. The man provided a 56-line account of what happened that day, divided as follows:

BEFORE the fire:
33 lines - 59.0%

DURING the fire:
16 lines - 28.5%

AFTER the fire:
7 lines - 12.5%

Parts of speech form the foundation of statement analysis.

Investigators concluded that the above distribution indicates deception, because the three parts of the statement are clearly out of balance. The "before" section is too long and the "after" section is too short.

Examination of the statement revealed that in the first part, the writer provided too much information totally unrelated to the fire. This signaled the investigators to ask themselves, "Is the writer stalling or trying to justify his actions?"

Also, the statement contained sparse information on what happened after the fire and lacked any indication of emotion. There was no sign of anger, shock, or sense of loss. The writer, who showed no concern about the consequences of the fire, ultimately confessed to setting it.

CONCLUSION

Statements contain a wealth of information far beyond what the suspect or alleged victim intends to communicate. Fortunately, investigators can use this information to their benefit.

Statement analysis provides investigators with vital background data and details about relationships to explore during the interview process. It also can determine whether the intent of the statement is to convey or to convince, that is, to convey the truth or to convince through deception.⁷ Armed with this knowledge, investigators can enter the interview room with increased confidence to identify the perpetrator and gain a confession. ♦

Endnotes

¹ *The Washington Post*, November 5, 1994, A15.

² *The Washington Post*, July 26, 1995, A7.

³ Udo Undeutsch published this hypothesis in German in 1967. It also was reported in "The Development of Statement Reality Analysis," *Credibility Assessment*, ed. John C. Yuille (The Netherlands: Kluwer Academic Publishers, NATO ASI Series, 1989). The Germans generally are credited with the advancement of statement analysis for investigative purposes. German psychologists devised a system to assess the credibility of statements made by children in child abuse cases. Called criteria-based content analysis, the technique became mandated in German courts in 1954 in cases involving a disputed allegation of sexual abuse of a child.

⁴ Avinoam Sapir, *Scientific Content Analysis (SCAN)* (Phoenix, AZ: Laboratory for Scientific Interrogation, 1987), 52.

⁵ Walter Weintraub, *Verbal Behavior in Everyday Life* (New York, NY: Springer Publishing Co., 1989), 13.

⁶ Don Rabon, *Investigative Discourse Analysis* (Durham, NC: Carolina Academic Press, 1994), 17.

⁷ *Ibid.*, 35.



Are You Telling Me the Truth? Indicators of Veracity in Written Statements

By Susan H. Adams, Ph.D., and John P. Jarvis, Ph.D.

While reporting her abduction from a shopping center parking lot, a young woman described seemingly implausible events to responding officers. When they asked her to recount everything that happened, however, she described the smell of motor oil on the assailant's hands. Her inclusion of such a unique sensory detail as a specific smell alerted the officers to the possibility that the allegation, as improbable as it appeared, might be true. Further investigation confirmed that the victim provided a truthful account.

Investigators frequently focus on indicators of deception¹ to determine whether a suspect's or victim's account of a criminal incident is truthful or deceptive. Often, however, they overlook indicators of truthfulness, or veracity,² in the process. To study the relationships between veracity and

features of written statements, the authors examined 60 narratives written by suspects and victims. The authors found three features of the statements—the length of the criminal incident section, the presence of unique sensory details, and the inclusion of emotions—that accurately discriminated truthful statements from deceptive ones.

Length of Criminal Incident Section

Suspects and victims depicting criminal incidents typically include information preceding and following the description of the incident itself. Because of this, investigators can divide written statements into three sections: the introduction, the criminal incident, and the conclusion. The introduction establishes the context of the crime by providing details of when and where specific actions occurred. The criminal incident section answers the questions of what happened, how the crime occurred, and who was involved. The conclusion portrays the individual's actions following the crime, such as calling 911, crying, or shaking.

In calculating the length of each section in a statement, the first word of the statement marks the beginning of the introduction. The point in the statement where the criminal incident begins also determines the end of the introduction. The conclusion starts when the criminal incident section stops and then continues to the end of the statement. The following quotes from a robbery statement illustrate these three sections:

Introduction:

"My husband and I were sitting in the first booth on the right as you come into the restaurant."

Criminal incident:

"I heard a loud bang, like a firecracker, and shouts to lay down on the floor, and I knew the restaurant was being robbed. I saw two men with ski masks. The taller man had a rifle or a shotgun."

Conclusion:

"We stayed under the table until the police came."

In this statement, the introduction section began with the first word. The criminal incident section started when the restaurant patron described hearing the loud bang of a gunshot because, at this point, law enforcement authorities would intervene.³ This section continued until the description of the robbery ended. The conclusion section followed, with a description of the actions occurring after the robbery.

Investigators actually can draw a border around the criminal incident section. By simply glancing at the entire written statement, they can see the relative length of the criminal incident section. Those desiring a more accurate technique for examining the balance of the statement can calculate the word-count percentage of each section by dividing the total number of words in the statement into the number of words in each section. Through examination of the word-count percentages of the three sections of a written statement, investigators can determine the relative lengths of each section.

When individuals provide written statements about criminal events, the incident section should contain the greatest percentage of words because it constitutes the focus of the statement. Individuals who provide a much longer introduction than criminal incident section may be delaying the discussion of the incident by focusing on previous actions. A reference to the length of introductions appeared as early as 104 to 63 B.C. in one of the Apocryphal books, which relates the history of Judas Maccabeus prefaced by a verse from 2 Maccabees 2:32: "At this point, therefore, let us

begin our narrative, without adding any more to what has already been said, for it would be foolish to lengthen the preface while cutting short the history itself."⁴ The suspect or victim who lengthens the introduction while cutting short the criminal incident section may be revealing the likelihood that the statement contains deception.

A missing person case can illustrate the value of examining the relative lengths of the statement sections. A man called 911 to file a missing person report. He stated that he dropped off his wife for an

early morning jog and she had not returned by the afternoon. Investigators asked the husband to write down what happened. He could have focused his statement on his wife's departure, her normal running route, and his frantic attempts to locate her. Instead, the husband concentrated on what happened before he discovered that his wife was missing. He wrote at length about arguments that the couple had in the days preceding his

wife's disappearance, resulting in the introduction containing 82 percent of the total words in his statement. An examination of the three sections of the statement revealed an extremely short criminal incident section compared with such a lengthy introduction. In fact, the description of the criminal incident (the discovery that his wife was missing) used only 7 percent of the total words, with the conclusion accounting for the remaining 11 percent. The brevity of the criminal incident section indicated that the husband's statement lacked critical information. For example, he failed to mention any search for his wife or any phone calls to her friends and relatives. His later admission of strangling his wife during an argument confirmed the lack of veracity in his statement.

Analysis of the 60 statements in the authors' study revealed a positive statistical relationship

"Suspects and victims depicting criminal incidents typically include information preceding and following the description of the incident itself."

Research Overview

The authors selected 60 statements written by suspects or victims during the investigation of violent crime and property crimes. They chose this number based on the knowledge that research results tend to stabilize after 30 observations. Therefore, they used 30 statements that investigators concluded were truthful and 30 that investigators found deceptive. The investigators determined veracity or deception through the conviction by a judge or jury, overwhelming physical case evidence, or corroborated confession by the offender. For many of the statements, all three conditions applied.

In choosing the 60 statements, the authors considered six selection factors: clear case resolutions, open-ended instructions, legibility, original language (not translated into English), redundancy by individual, and redundancy by incident. They used each selection factor to eliminate as many potential confounding factors as possible. Once they had selected the statements, they had them typed for computer-searching purposes.

between the percentage of words in the criminal incident section and veracity. The criminal incident section—the essence of the statement—directly answers the question, “What happened?” Statements with an unusually long introduction followed by a short criminal incident section inform investigators that the writers did not concentrate on the primary event, the criminal incident. Therefore, focused interviews with the writers of such unbalanced statements may help investigators uncover vital missing information concerning the crime.

Presence of Unique Sensory Details

A second relationship that the authors found between veracity and features of the examined statements involved the inclusion of unique sensory details. Such information recounted by a suspect or victim includes detailed depictions of the five sensory perceptions—sight, sound, smell, taste, and touch. In an assault case, for example, a truthful victim might describe the alcoholic smell of an assailant’s breath or the rough feel of his callused hands. Unique, rather than generic, descriptions add to the specificity of the sensory details. The following excerpts from truthful

statements illustrate unique sensory details in the five sensory categories:

- *Sight*: “I looked back and saw that the car was in total flames.”
- *Sound*: “I heard a very loud thud.”
- *Smell*: “I had to change her diaper ‘cause she smelled awful.”
- *Taste*: “It was so bitter that I couldn’t drink it.”
- *Touch*: “The window blew out, and I felt heat on my face.”

Studies contrasting truthful, experienced memories with false, or constructed, ones have shown that the experienced memories contain more sensory information.⁵ Similarly, in studies of oral statements, researchers have found that truthful accounts include more details than deceptive ones.⁶ When the authors examined sensory details in the 60 written statements, they also found a positive statistical relationship between the presence of sensory details and veracity. Overall, the truthful statements contained a specificity of sensory details not found in the deceptive ones.

In examining sensory details, investigators must consider whether an alleged victim or a

suspect provided the statement. One written by a falsely alleging *victim* may reveal a lack of sensory details because the person could not perceive any sensory data from a fictitious incident. A statement written by a deceptive *suspect* may disclose the same lack of sensory details, but for different reasons—either to avoid providing a truthful account that would implicate the writer or to refrain from supplying detailed false information that a competent investigator could refute. The location of the sensory details within statements also can provide clues to investigators. In the examined statements, the authors found a positive relationship with veracity and sensory details located within the criminal incident section of the statements, whereas no statistically significant relationship existed between veracity and sensory details in the introduction. In the criminal incident section of a bank robbery getaway driver's truthful account, she described a dye pack exploding as the car left the bank, including sensory details of sight, sound, and touch.

I heard three pops (sound) and the car started to fill with red smoke (sight). I couldn't see (sight) and was having a hard time breathing (touch). I started to cross over the yellow line (touch/sight), and he yelled at me to calm down (sound). I finally pulled over to the side (touch). When I opened the door, I fell out (touch) because I was choking and having a hard time breathing (touch).

Deceptive writers, as well as truthful ones, included sensory details in the introductions of the examined statements. The deceptive writers may have provided truthful information in this part of their statements. The sensory details may have represented accurate recall of events that preceded

the criminal incident. An introduction filled with sensory details followed by a criminal incident section devoid of such details, however, should alert the investigator to scrutinize the statement. For example, a woman reporting an assault revealed a decreasing amount of sensory details. She described specific details about her actions before the assault occurred. But, she filled the criminal incident section with vagueness and equivocation, rather than with sensory details. She wrote "some-

one" instead of "a tall man wearing a black ski mask" and "sort of poked a weapon" instead of "jabbed the gun into my neck." Suspects or alleged victims who include sensory details in the introduction but not in the criminal incident section should receive carefully planned follow-up questioning to explore why they omitted such critical details from the most important part of their statements.

The presence of sensory details indicates an increased likelihood that the detailed part of the statement is truthful. Other parts of the statement, however, may not be totally truthful. As an example, a young man admitted that he burned his car for insurance reasons. He provided the following written statement, which began with sensory details but ended with a vague, equivocal description and three examples of the negation word *not*:

I turned off the hard-top road, got out of the car and left it running (touch). I reached in and dropped it in gear, steering it over the hill (touch). The car went way over an embankment (sight). I walked down and shut the car off (touch). I removed the keys and soaked the whole car in gasoline (touch). I took a cigarette lighter and lit it (touch). I took off back up the steep hill (touch).

“
Through examination
of the word-count
percentages of the three
sections of a written
statement, investigators
can determine the relative
lengths of each section.
”

I caught a ride with someone (vague and equivocal) on the hard-top road, but I'm not sure (negation, lack of knowledge) who it was. I'm not sure (negation, lack of knowledge) where I went right after that, but I ended up at my house. I really don't remember (negation, lack of memory) much more than what I've told you.

The detailed part of the statement gave a truthful account of a car arson. In the remainder of the statement, however, the owner omitted sensory details, such as the descriptions of the person who gave him a ride and the vehicle. He used equivocation and negation to avoid supplying a complete account of the arson. Further investigation revealed that a friend had followed the suspect to the arson site and provided the ride home.

Inclusion of Emotions

The final part of the research involved examining the relationship between veracity and the inclusion of emotions in the 60 written statements. An emotion is defined as a physiological change from homeostasis experienced in strong feelings, such as fear.⁷ Researchers have categorized emotions into eight main families: fear, anger, sadness, enjoyment, love, surprise, disgust, and shame.⁸ Each emotion family includes a range of similar emotions that evokes the same physiological responses. For example, fear emotions range from anxiety and apprehension to fright and terror.⁹

Memory studies have revealed that the recall of experienced events includes more affective information, such as emotional reactions, than the recall of created events.¹⁰ In oral statements, researchers have found emotional experiences present in truthful witness accounts but not generally in constructed ones.¹¹

A victim of a quickly occurring traumatic event may not be aware of emotions until the trauma ends, when the emotions flood into consciousness. Such emotions, therefore, may appear in the conclusion of a statement. Truthful victims may include specific descriptions of fear, anger, embarrassment, or shock in their conclusions.¹² Because emotions in the conclusion reveal the crime's effect on the writer, the presence of emotions may provide a clue that the event actually was experienced, not fabricated. As an example, the bank robbery getaway driver wrote that she "was nervous and scared" and "heard a gun shot and jumped because it scared me." The descriptions of fear in her written statement indicated that the incident described likely did happen.

In the authors' study, the examination of emotions in the conclusions proved more informative than in either the introductions or the criminal incident sections. The conclusions of statements allow victims and suspects to react to what previously has happened.

After truthfully describing being

raped, a victim included this sentence in her conclusion: "I was hysterical and locked all the doors." By noting any references to emotions in the conclusions, investigators may gain valuable insight to how crimes emotionally affect victims and suspects.

The inclusion of emotions in statements appeared to differ with the specific type of crime. When the authors examined all 60 statements, they found a weak positive relationship between veracity and emotions in the conclusion sections. They found the strongest and most significant relationship between veracity and emotions in the conclusions of homicide statements. Suspects and witnesses writing about murder incidents might be expected to be more emotionally involved than



those writing about crimes of a less serious nature because homicides involve loss of life of the victim and loss of freedom (or life) of the offender. A witness to a homicide wrote in his conclusion, "I was scared out of my mind."

Conclusion

Instead of relying solely on indicators of deception to discern truthful statements, investigators also can gain insight from indicators of veracity. Overall, the authors' study of 60 written statements revealed three clues to veracity.

- 1) In truthful statements, the criminal incident section was typically the longest of the statement. This did not hold true for many of the deceptive statements examined, which had longer introductions.
- 2) Truthful statements included more unique sensory details than deceptive ones, particularly in the criminal incident sections.
- 3) In the conclusions of many truthful statements, writers described their emotions, especially in serious crimes, such as homicides.

Although these three dimensions only indicate the *likelihood* of veracity, the inclusion of unique sensory details and emotional reactions can alert investigators to the possibility of truthfulness in written accounts. The absence of sensory details, particularly in conjunction with a relatively short criminal incident section, can serve to identify areas of statements needing additional probing during interviews of suspects and alleged victims.

Statement analysis techniques provide insight to areas of veracity and deception within written statements. Statement analysis is not an end in itself, but only a means to an end; the end is the discovery of the truth. ♦

Endnotes

¹ Susan H. Adams, "Statement Analysis: What Do Suspects' Words Really Reveal?" *FBI Law Enforcement Bulletin*, October 1996, 12-20.

² Veracity is defined as information that can be verified as being accurate. In this article, the authors use the terms *truthfulness* and *veracity* interchangeably.

³ Don Rabon, *Investigative Discourse Analysis* (Durham, NC: Carolina Academic Press, 1996).

⁴ B.M. Metzger and R.E. Murphy, eds., *The New Oxford Annotated Bible with the Apocryphal/Deuterocanonical Books* (New York, NY: Oxford University Press, 1991), 232.

⁵ Marcia K. Johnson, Mary Ann Foley, Aurora G. Suengas, and Carol L. Raye, "Phenomenal Characteristics of Memories for Perceived and Imagined Autobiographical Events," *Journal of Experimental Psychology* 117, no. 4 (1988): 371-376.

⁶ Andrew Parker and Jennifer Brown, "Detection of Deception: Statement Validity Analysis as a Means of Determining Truthfulness or Falsity of Rape Allegations," *Legal and Criminological Psychology* 5 (2000): 237-259.

⁷ P.B. Gove, ed., *Webster's Third New International Dictionary of the English Language, Unabridged* (Springfield, MA: Merriam-Webster, 1993), 742.

⁸ Daniel Goleman, *Emotional Intelligence* (New York, NY: Bantam, 1995).

⁹ Ibid.

¹⁰ Supra note 5.

¹¹ Arne Trankell, *Reliability of Evidence: Methods for Analyzing and Assessing Witness Statements* (Stockholm, Sweden: Rotobockman, 1972); and Udo Undeutsch, "The Development

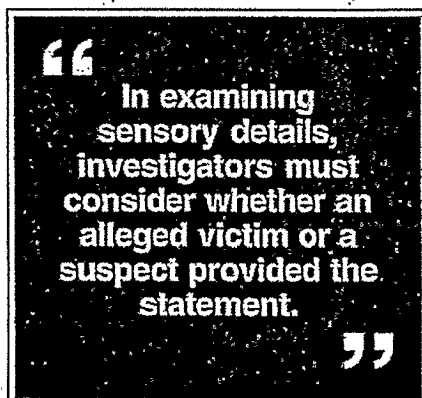
of Narrative Reality Analysis" in J. C. Yuille, ed., *Credibility Assessment* (London, United Kingdom: Kluwer, 1989), 101-119.

¹² John Kaster, *Interviewing Witnesses and Statement Analysis*, 1999 (unpublished manuscript); and Avinoam Sapir, *Scientific Content Analysis* (Phoenix, AZ: Laboratory for Scientific Interrogation, 1987).

Dr. Adams, now retired, was formerly an FBI special agent instructor in the Law Enforcement Communication Unit at the FBI Academy.

Dr. Jarvis is a research specialist in the Behavioral Science Unit at the FBI Academy.

The authors express sincere appreciation to all who submitted statements for inclusion in this study. This research and similar projects rely upon the vital assistance that law enforcement officials provide.



Statement Analysis Beyond the Words

By Susan H. Adams, Ph.D.

“**M**y story’s never changed,’ Levin said from the defense table. ‘I did not hurt that child.’”¹ Asher Levin was convicted of homicide in the death of 3-year-old Katelynn Frazier, who lived with her mother and Levin. Levin’s comments from the defense table during his sentencing hearing provide fascinating insight to law enforcement professionals. Why would Levin describe his account of Katelynn’s injuries as “my story”? What does it mean when Levin focused on the fact that his story never changed? Why did Levin refer to the brutal beating death of Katelynn with the minimizing verb “hurt”? Finally, what could it mean when Levin calls Katelynn “that child”?

The process of analyzing statements, known as statement analysis, is the examination of the verbatim words used by suspects and alleged victims to gain valuable insight for planning interview strategies.² Linguists emphasize the importance of studying the words of narratives, trusting the text, and being open to what the words may reveal. “We should not impose our ideas on it. We should accept that a large part of our linguistic behavior is subliminal, and, therefore, we may find a lot of surprises.”³ Asher Levin revealed rich information in his short quote. If investigators remain open to what words reveal, they, indeed, may discover surprises that will aid their investigations.

Although statement analysis encompasses numerous linguistic and structural elements, this case study is limited to the three elements evident in Asher Levin’s brief quote—nouns, verbs, and adjectives. Individuals choose their own words to describe their accounts of events. These words already exist in their minds. What can the choice of words reveal?

Choice of Nouns

Asher Levin used two interesting nouns in his quote: *story* and *child*. Nouns name persons, places, and things. Examination of the choice of nouns used can reveal insight to assist investigators.

The noun *story* is worth scrutinizing because the word may describe a created tale. Investigators need to know the context of the communication, particularly the question that prompted the response. If an investigator asks an innocent individual, “Did your story ever change?” the person might respond, “My story’s never changed.” Due to the influence of the interviewer, a respondent might repeat words heard.⁴ In Levin’s case, however, he responded to a judge asking if he had anything to say at the sentencing hearing. Levin chose the word *story*, with no contaminating influence from a questioner.

“My story’s never changed” is a very different statement from “I told you what happened.” Investigators would not expect truthful defendants to focus on the lack of change in their stories as truthful accounts do not change. Recounting the truth consists of a straightforward and simple process because it draws directly from memory. Conversely, a deceptive account must be retold carefully to avoid any discrepancies with information previously provided. For example, in another case, a young man reported that an assailant stole money from him as he attempted to make a deposit in a bank night deposit drawer. In his written statement, the alleged victim wrote that he already had told “our story” to the responding officer. The examination of the words in this case revealed not only that the account was fictitious but also that a second individual was involved in orchestrating the fictitious robbery.

A second interesting choice of nouns in Asher Levin’s quote is the word *child*. Levin could have used the girl’s name, Katelynn, but chose not to. It would be important to explore what the less

personal word *child* means to Levin. Does it indicate a relationship that lacks personal warmth and caring?

Choice of Verbs

Verbs are action words, such as *hurt*. Levin chose the word *hurt* to describe beating injuries to a 3-year-old girl so severe that she died. This represents an example of minimizing, by lessening the severity of the crime. Minimizing words can indicate increased separation from an individual's actions.⁵ When minimizing verbs occur in parts of a statement that should be of greatest intensity, they deserve further exploration during follow-up interviews with suspects and alleged victims. In the case of Katelynn, repeated bruising was evident. Katelynn's mother, who pleaded guilty for failing to protect Katelynn from Levin's continued abuse, was sentenced to 10 years in prison.⁶ Levin was sentenced to 18 years in prison and an additional 8 years of state supervision.⁷

Choice of Adjectives

Adjectives modify nouns and pronouns, thus providing additional information for investigators. Asher Levin described Katelynn as "that child." Linguists designate the adjectives *that* and *those* as spatial variations, which reveal space placed between the narrator and the referenced person or object.⁸ Investigators recognize this technique as an example of distancing. Levin's quote provides insight that he figuratively placed Katelynn at a distance, rather than in the immediate area closer to him. Investigators could use such insight during the interview of Levin to

explore his relationship with Katelynn. Subsequent investigation in this case revealed that Levin was not close to Katelynn as he continually neglected and abused her.

Conclusion

Scrutiny of spoken and written words can reveal valuable insight toward an understanding of the narrator. The insight gained from examining the choice of words in suspects' and alleged victims' statements can help investigators prepare effective interviewing strategies to lead them to the truth. ♦

“Linguists emphasize the importance of studying the words of narratives, trusting the text, and being open to what the words may reveal.”

Endnotes

¹ Patricia Davis, "Man Gets 18 Years for Killing Katelynn: Va. Child Abused and Neglected by Mother's Boyfriend," *The Washington Post*, December 7, 2001, sec. B, p. 1.

² Susan H. Adams, "Statement Analysis: What Do Words Really Reveal?" *FBI Law Enforcement Bulletin*, October 1996, 12-20.

³ John M. Sinclair, "Trust the Text," in *Advances in Written Text Analysis*, ed. M. Coulthard (London, UK: Routledge, 1994).

⁴ For additional information, see Vincent A. Sandoval, "Strategies to Avoid Interview Contamination," *FBI Law Enforcement Bulletin*, October 2003, 1-12.

⁵ Morton Wiener and Albert Mehrabian, *Language Within Language: Immediacy, a Channel in Verbal Communication* (New York, NY: Appleton-Century-Crofts, 1968).

⁶ Supra note 1.

⁷ Supra note 1.

⁸ Supra note 5.

Special Agent Adams teaches a graduate course in statement analysis at the FBI Academy.

CI Interviews - "Things to Think About"

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CI Interviews

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interview topics/questions:

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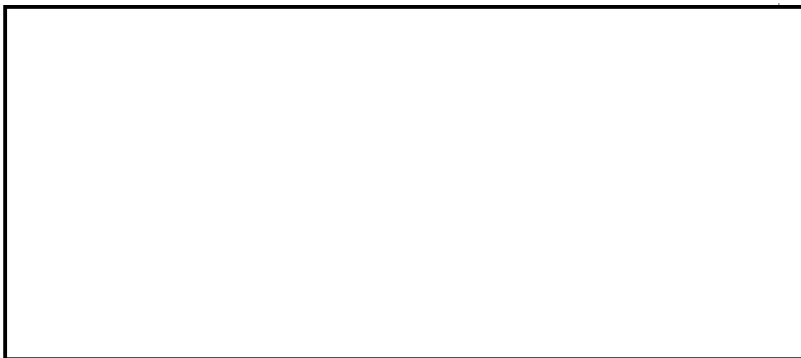
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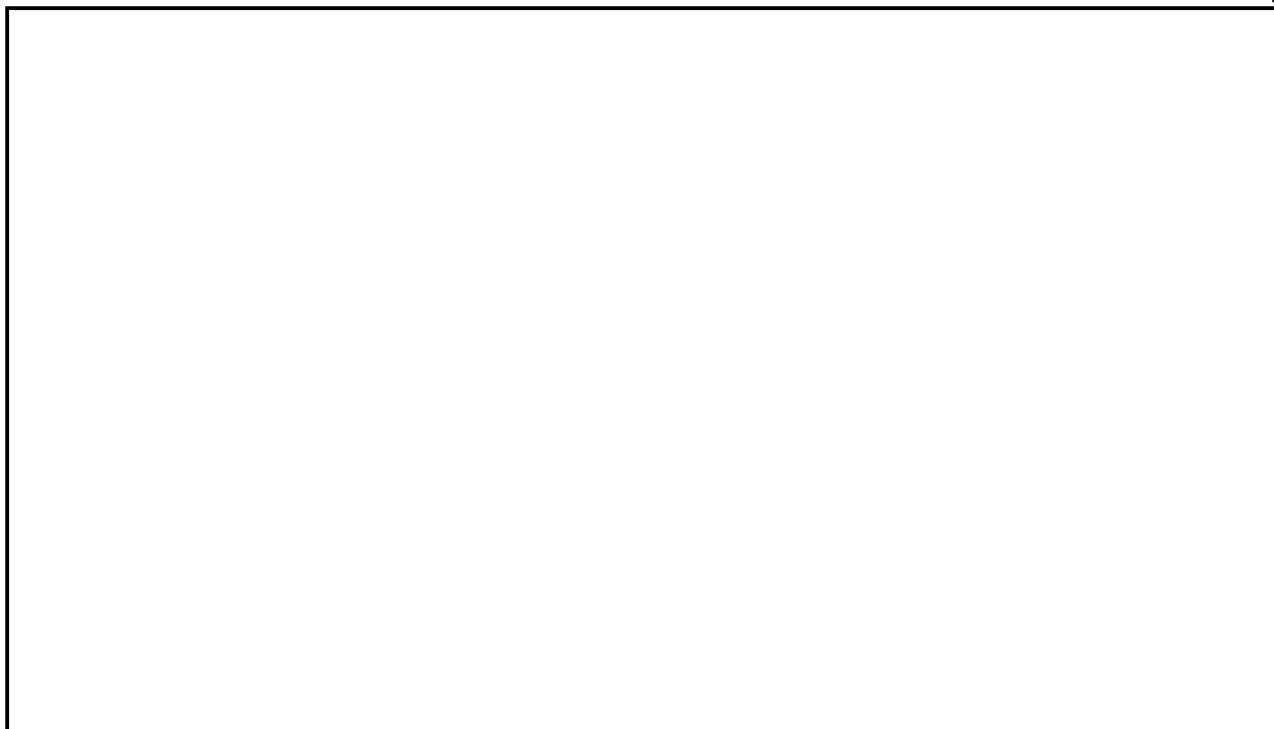
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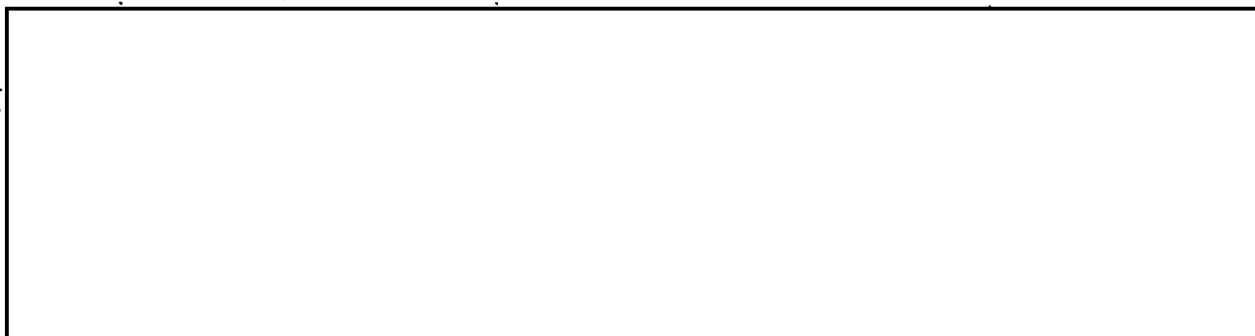
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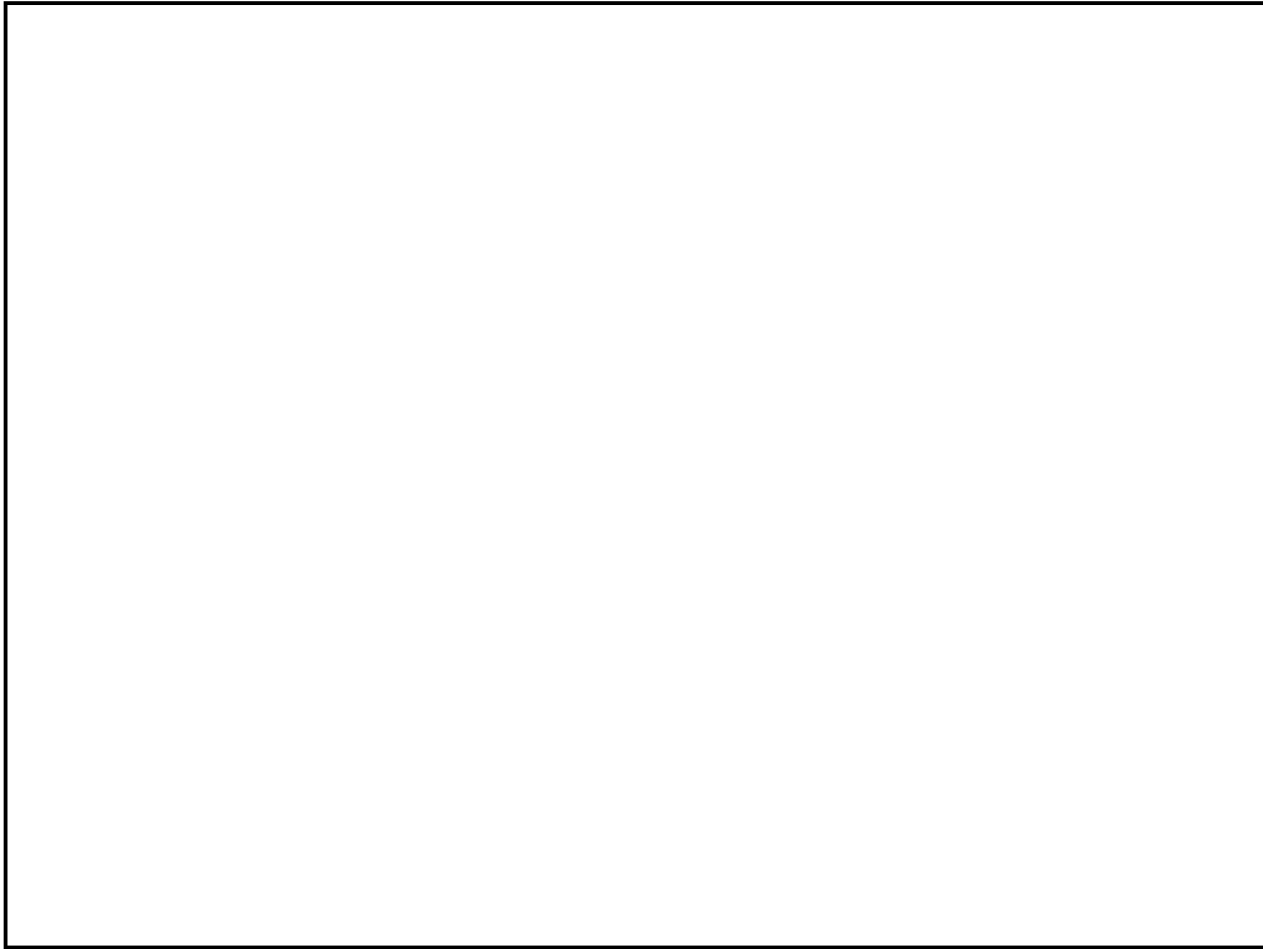
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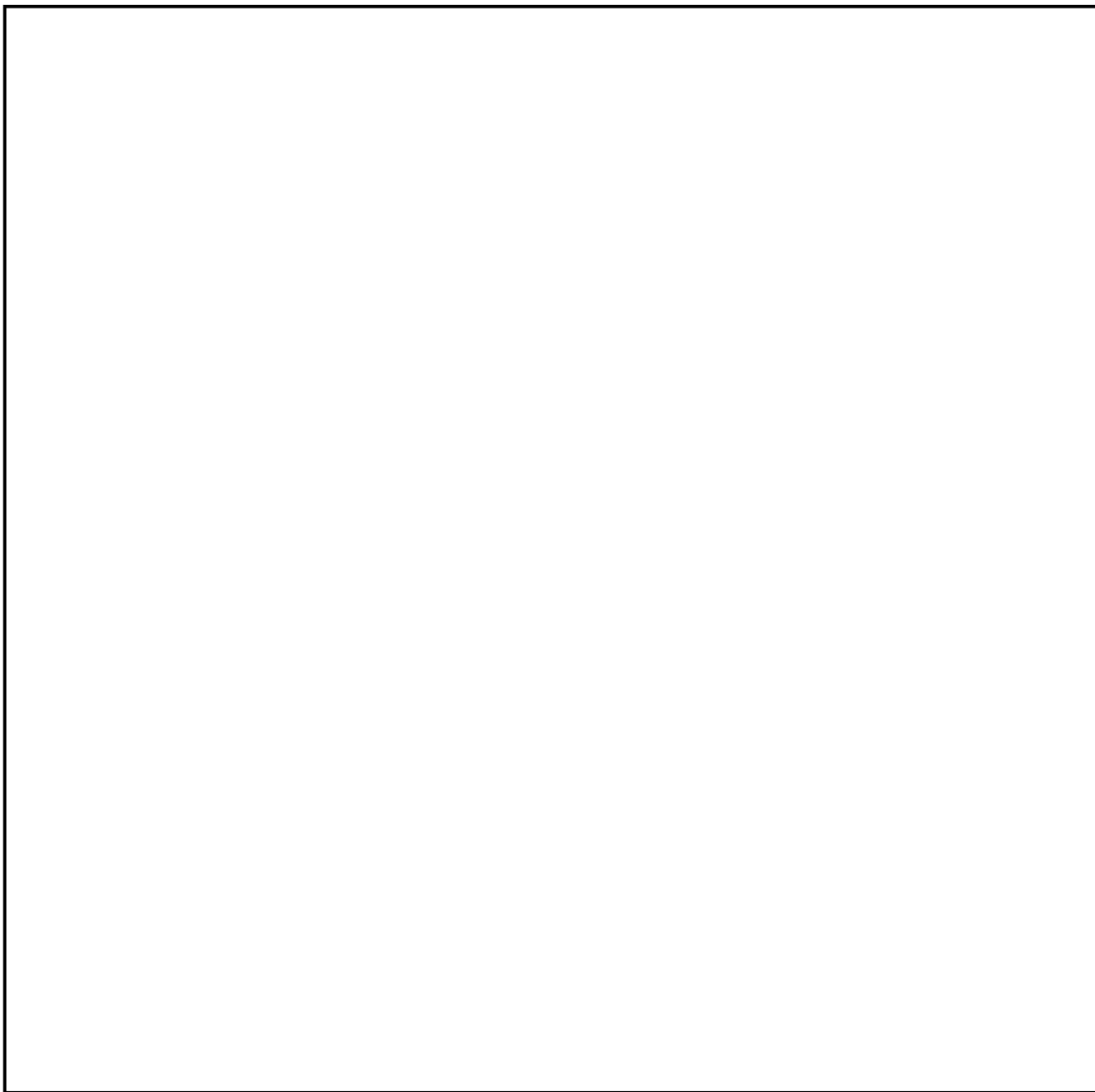


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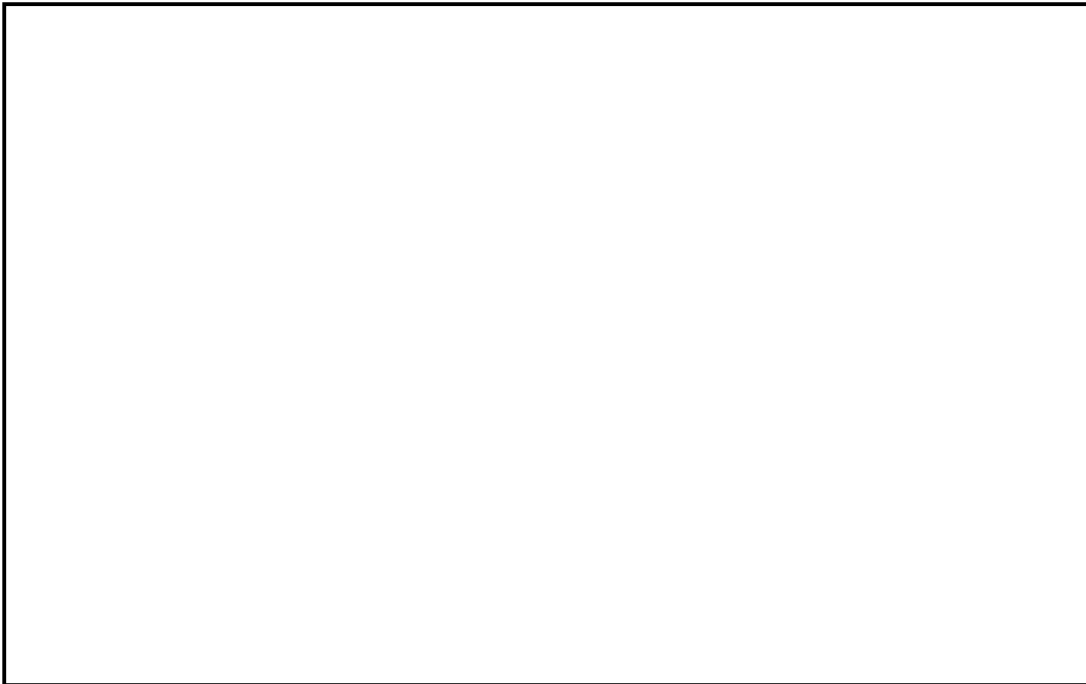
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Interview Practical Logistics

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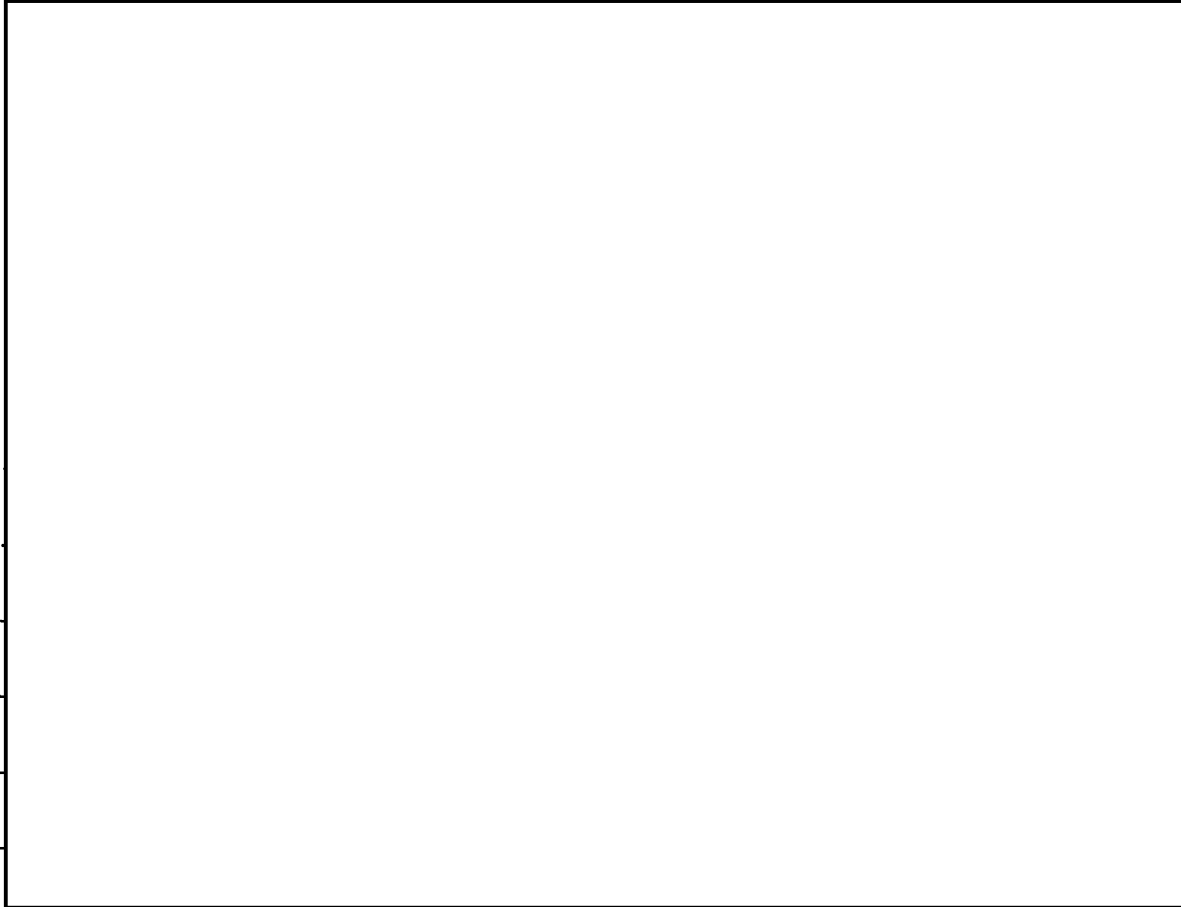


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Mistakes to Mitigate in Espionage Subject Interviews

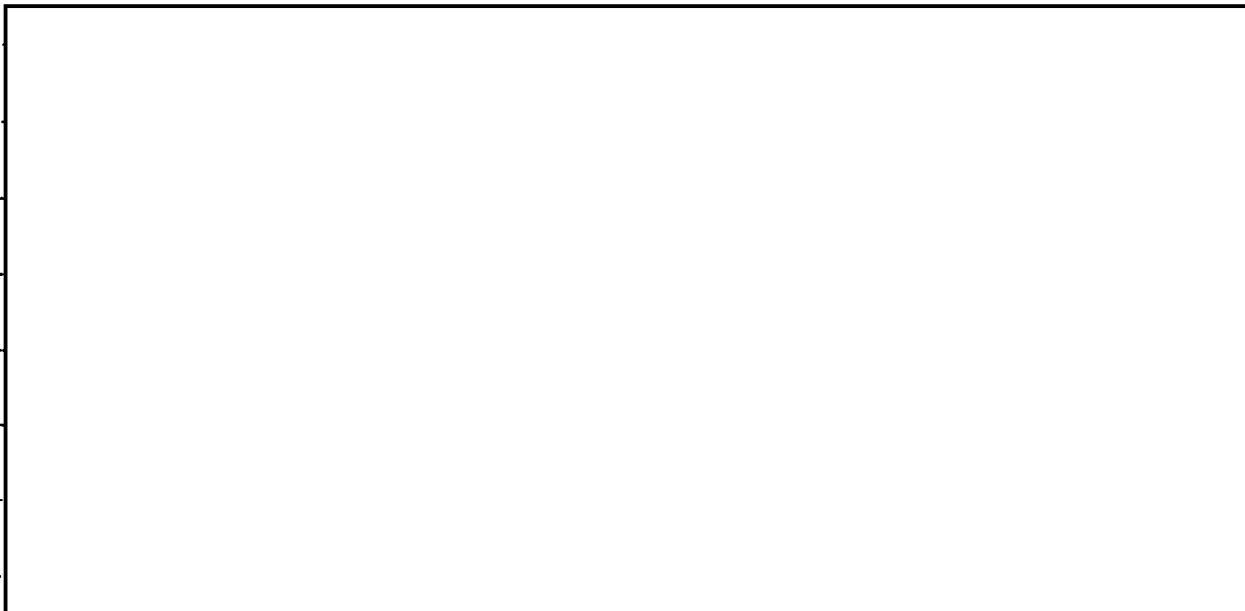
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Planning




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Issues To Consider



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Interaction With the Subject

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People

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ESPIONAGE STATUTE 18 - 794(a)

Whoever with intent or reason to believe that it is to be used to the injury of the United States or advantage of a foreign nation, communicates, delivers, transmits... or attempts...to any foreign government or faction, party, military or naval force within a foreign country whether recognized or unrecognized or to any representative, officer, agent, employer, subject or citizen thereof either directly or indirectly, information relating to the national defense

Elements of the Espionage Statute

1. Transmittal
2. National defense information
3. To a foreign nation or agent thereof
4. With intent to harm the US or aid a foreign nation

ESPIONAGE STATUTE 18 – 794(a)

WHOEVER [REDACTED]

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THAT IT IS TO BE USED

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OR ADVANTAGE OF A FOREIGN NATION

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TO ANY FOREIGN GOVERNMENT OR FACTION, PARTY, MILITARY OR
NAVAL FORCE WITHIN A FOREIGN COUNTRY WHETHER RECOGNIZED
OR UNRECOGNIZED

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OR TO ANY REPRESENTATIVE, OFFICER, AGENT, EMPLOYER, SUBJECT
OR CITIZEN THEREOF

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Salient Interview Questions for Espionage Interviews

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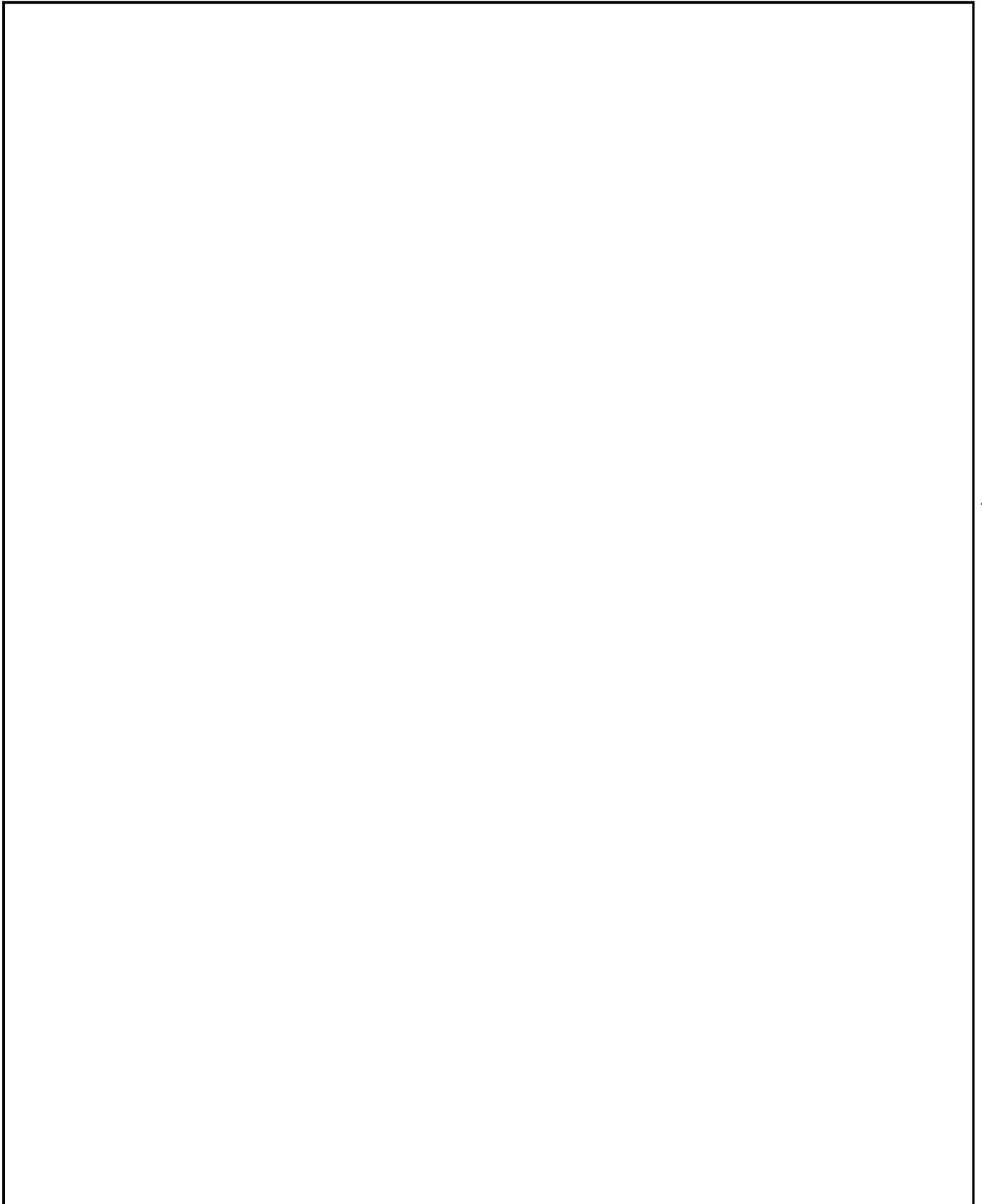
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Show Stopper Questions

You **MUST** have answers for these questions (and any others that may be particular to your case) before you begin your interview. Rehearse out loud!

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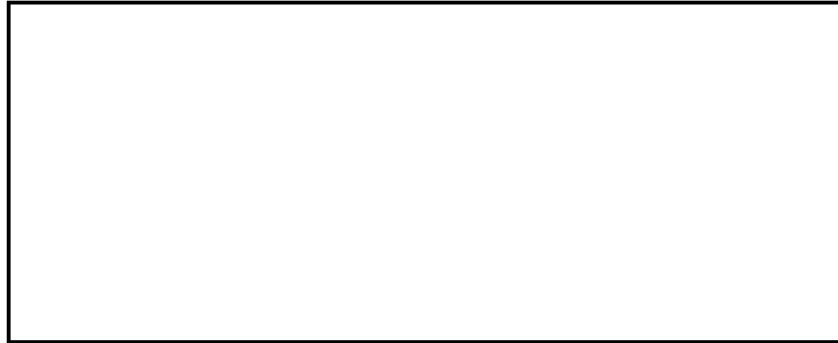
KEY SHOW STOPPER QUESTIONS TO ANTICIPATE



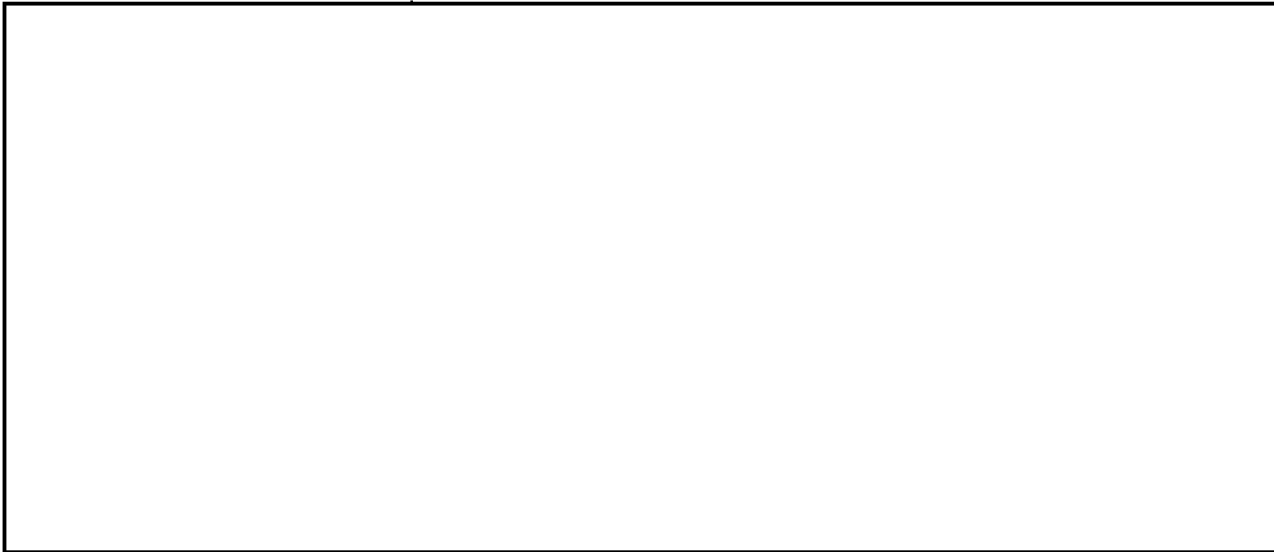
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Interviews



Interrogations



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The Five Steps of Interrogations

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Interrogation of Pelton Was Skilled, But It Also Is at Issue in His Appeal

By a WALL STREET JOURNAL Staff Reporter

When two FBI agents first began questioning Ronald Pelton on Nov. 24, 1985, it was clear their task wasn't going to be easy. "You have got no case," Mr. Pelton said. "You can't get your witness back, and you have got no documents."

He had a point. Vitaly Yurchenko of the KGB, the man who had told the FBI of a spy code-named "Mr. Long," had by this time defected back to the Soviet Union and was in Moscow. And Mr. Pelton hadn't stolen any National Security Agency documents to give the Soviets.

In fact, at that point the FBI didn't even have grounds to arrest Mr. Pelton, much less enough to convict him. But bit by bit, in an example of the bureau's interrogation technique, the agents got enough details from Mr. Pelton to convince a federal jury he was guilty of espionage.

The FBI planned the interview for a Sunday morning at 9. The early hour left plenty of time, and Mr. Pelton would be at work alone, with nobody else around to offer him advice.

At what was to be the interview site, the Annapolis Hilton, the agents rented several rooms. One would serve as headquarters, another held a polygraph machine that could be used (it wasn't) and a third was for the questioning.

The chair where Mr. Pelton was to be seated faced away from the window, so he wouldn't be distracted. To promote friendliness and openness, there were coffee and doughnuts on hand.

An Invitation

Then, in what was Mr. Pelton's first indication that he was a suspect, FBI agent David Faulkner simply phoned and asked him to come to the hotel to discuss an "urgent matter"; Mr. Pelton complied. Then Mr. Faulkner and agent Dudley Hodgson sat down with the suspect, and Mr. Faulkner recounted a story about an individual—clearly Mr. Pelton—who he said had been reared in Benton Harbor, Mich., worked for the NSA and visited with the Soviets in their embassy. The agents then played the tapes of Mr. Pelton's calls to the embassy. And they showed a photo of Mr. Yurchenko to Mr. Pelton, who, according to later FBI testimony, "shrank away" from it. Finally, in a casual way, the agents asked Mr. Pelton to complete the story.

Mr. Pelton denied that the voice on the tape was his. Agent Hodgson said it clearly was, and asked if he would be willing to take a polygraph test on that point "right now." Mr. Pelton gave no answer.

The agents pressed him again, presenting themselves as the "good guys." They said they believed Mr. Pelton might cooperate, a move that would forestall the bureau's sending teams of agents to interview everyone Mr. Pelton knew, including his employer. Their superiors wanted to proceed with broad interviews immediately, they said; only cooperation by Mr.

Pelton could stave that off.

"Whoever . . . was involved in this business would be crazy . . . to make any statements without having an attorney," Mr. Pelton responded, according to his own testimony later. He testified that at that point he directly asked for a lawyer. Mr. Faulkner's testimony disputed that account.

Mr. Pelton is appealing his conviction, contending that he didn't make his statements voluntarily and that the FBI agents should have formally advised him, prior to any incriminating statements, of his right to have an attorney and remain silent. The prosecution argued that Mr. Pelton offered bits of information to the interrogators as bargaining chips, trying to win a guarantee against being prosecuted.

Ambassador's Digs

Stymied temporarily, the FBI agents shifted the topic. They asked Mr. Pelton sympathetically about his financial troubles, and he poured out his tale of bankruptcy. According to his later testimony, one agent casually asked, "Without committing yourself, about how much money was involved?"

Mr. Pelton said he got \$35,000 from the Soviets. The agents asked for the dates. When he said payments were made in Vienna, he was asked about the trips there. Mr. Pelton responded with colorful detail, including how he was housed in the residence of the Soviet ambassador to Austria, much to the irritation of the ambassador, who had to vacate the apartment.

In the early afternoon Mr. Pelton had to leave to keep an engagement with his woman friend. But as requested, he returned to the Hilton by 10:40 p.m.

The agents sought to learn what information Mr. Pelton had given the Soviets, as prosecution would require showing potential harm to the U.S. Mr. Pelton balked, saying he wanted "guarantees" against prosecution. The agents said that was up to their superiors.

Next, after saying that they knew about the undersea tap, the agents gave Mr. Pelton a map and asked him to circle the area where he had told the Russians the U.S. had tapped in. Mr. Pelton drew a circle. He said he had chosen this project to describe to the Soviets when he first walked into the embassy because they could easily and quickly understand its value.

At this point the FBI agents read Mr. Pelton his legal rights, including his right to an attorney. He also signed a statement saying that "I do not want a lawyer" and that "no promises or threats have been made to me."

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The discussion became harsher. As Mr. Pelton described it in later testimony, "The questions were rapid-fire, one question, another question, another question. . . ."

Mr. Faulkner wanted Mr. Pelton to say whether he believed his disclosures would hurt the U.S., another element necessary to prosecution. Mr. Pelton hesitated but, according to FBI testimony, finally agreed that in general, yes, the disclosures would be harmful.

By 11:50 p.m. it was over. The FBI agents snapped handcuffs on Mr. Pelton and took him to jail.

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Pelton Spying Conviction Is Upheld

United Press International

RICHMOND, Dec. 21—A federal appeals court today upheld the espionage conviction of Ronald W. Pelton, a former National Security Agency employe found guilty of spying for the Soviets.

Pelton, who was paid more than \$35,000 for classified information on NSA operations he provided the Soviets between 1980 and 1983, argued that statements he made to the FBI concerning the spying operation should have been excluded from his trial in U.S. District Court in Baltimore.

Pelton contended that he made statements detailing the operation because the agents led him to believe he would not be prosecuted, but would be employed in a counterintelligence operation.

He also argued that there was insufficient evidence to support his conviction of attempted espionage, a conviction based on an aborted attempt to meet with the Russians again in 1985 in Austria.

Pelton, who was sentenced to three life terms plus 10 years, also contended the District Court could not have admitted evidence ob-

tained under the Foreign Intelligence Surveillance Act.

Judge J. Harvie Wilkinson, writing for the three-judge panel, turned aside all three arguments.

"We cannot credit Pelton's claim that he believed the agents promised leniency and assignment as a double agent," Wilkinson wrote. "Far from promising him assignment as a double agent, the FBI told him not to recontact the Soviets. The record is clear—and Pelton acknowledges—that the agents consistently refused to give any guarantees."

On the attempted espionage conviction, Pelton had maintained it should be thrown out because he did not know exactly what information the Soviets were seeking when he made the trip to Vienna, a claim Wilkinson also rejected.

"This ignores Pelton's entire mode of operation," the judge wrote. "Pelton's past acts of espionage had not involved the simple transmission of documents. Rather, Pelton contacted the Soviets and allowed them to ask him questions on matters that were of interest to them."

In reviewing the constitutionality of the Foreign Intelligence Surveillance Act, the appeals panel found it was used properly in garnering information about Pelton's activities.

Pelton, 46, worked for the NSA for 14 years as a technician. Shortly after he quit, he made contacts with Soviet agents to sell classified information about the agency's electronic eavesdropping programs.

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The Chicago Tribune _____
The Los Angeles Times _____
The Christian Science Monitor _____
USA Today _____

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Security Office

Report by

Security Officer, FBIHQ

Alleged Violation:

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Complainant:

Investigation:

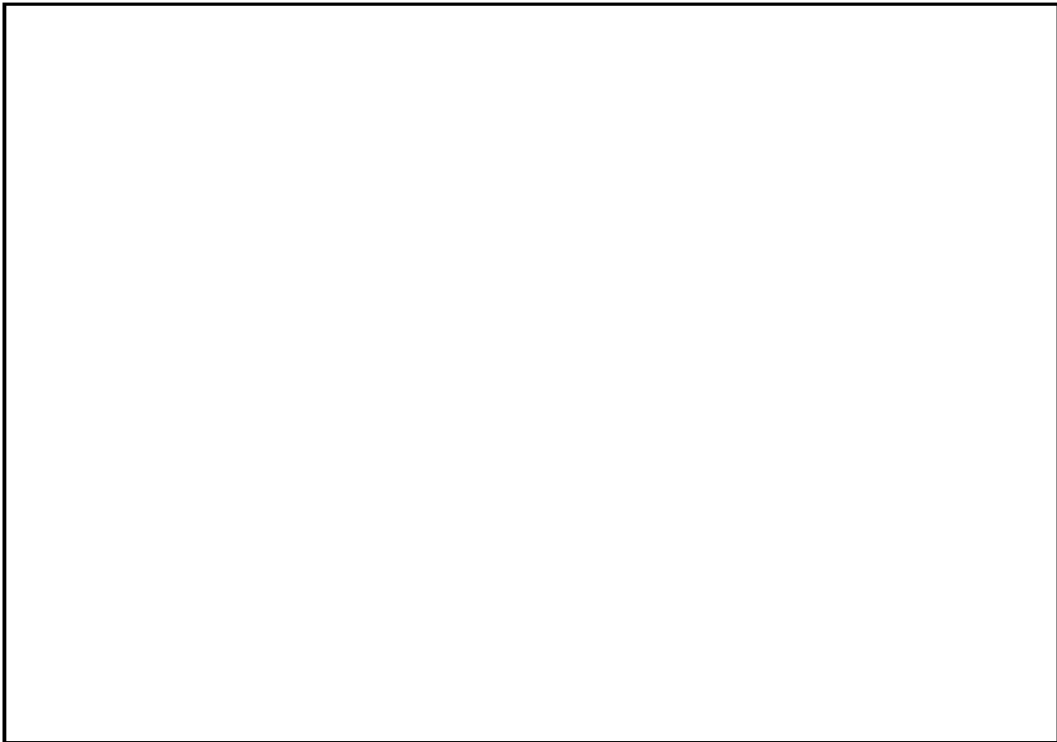
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Subject
Bibliography

Interviewing
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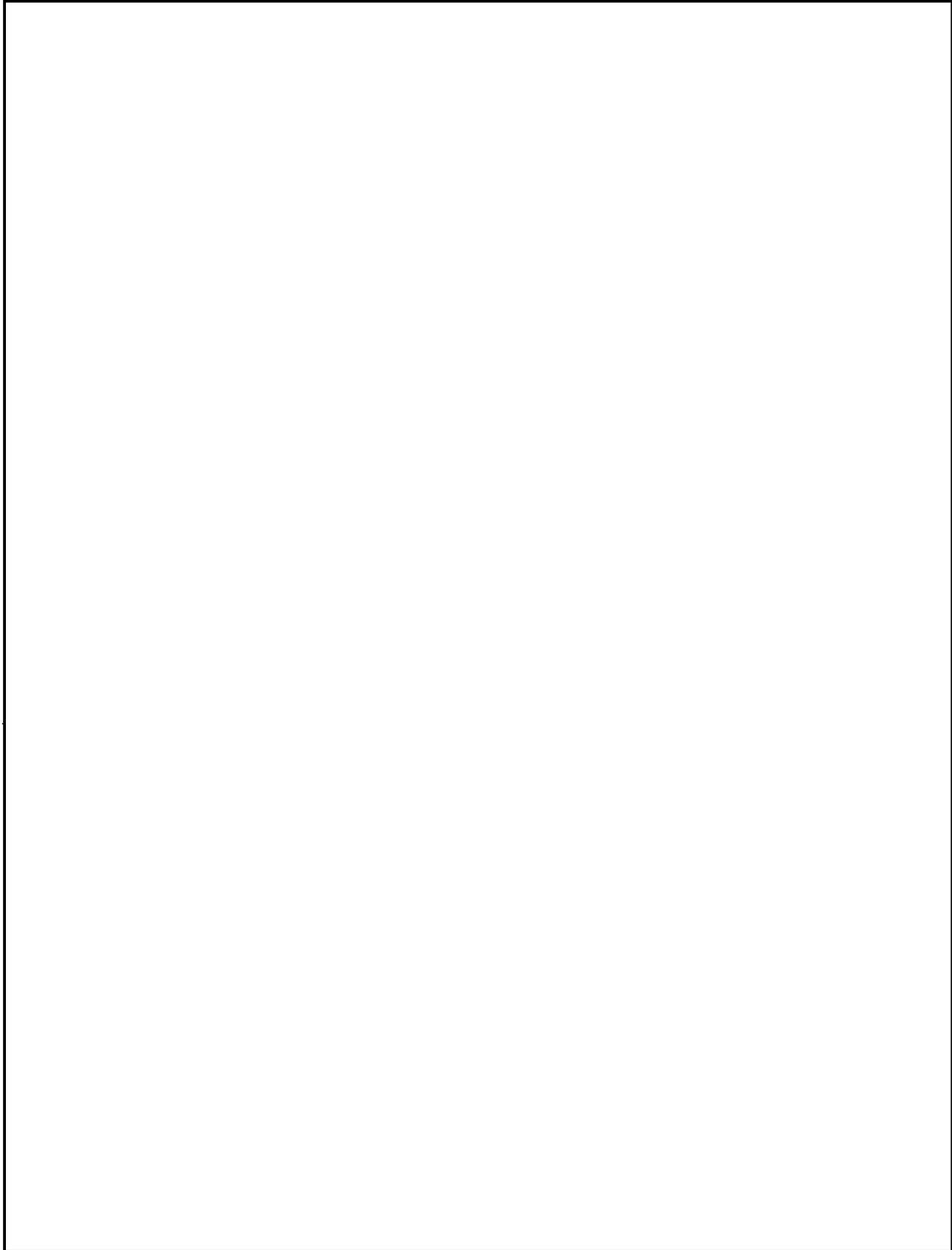
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Bibliography: Cultural Information

CITC Training Material

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[REDACTED]

(CD-ROM-based course - Available in all field offices through CI SSAs or division training coordinators). The course includes extensive information concerning cultural issues [REDACTED]

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[REDACTED]

(CD-ROM-based course - Available in all field offices through CI SSAs or division training coordinators in November 2005.) This course focuses on [REDACTED]

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Books



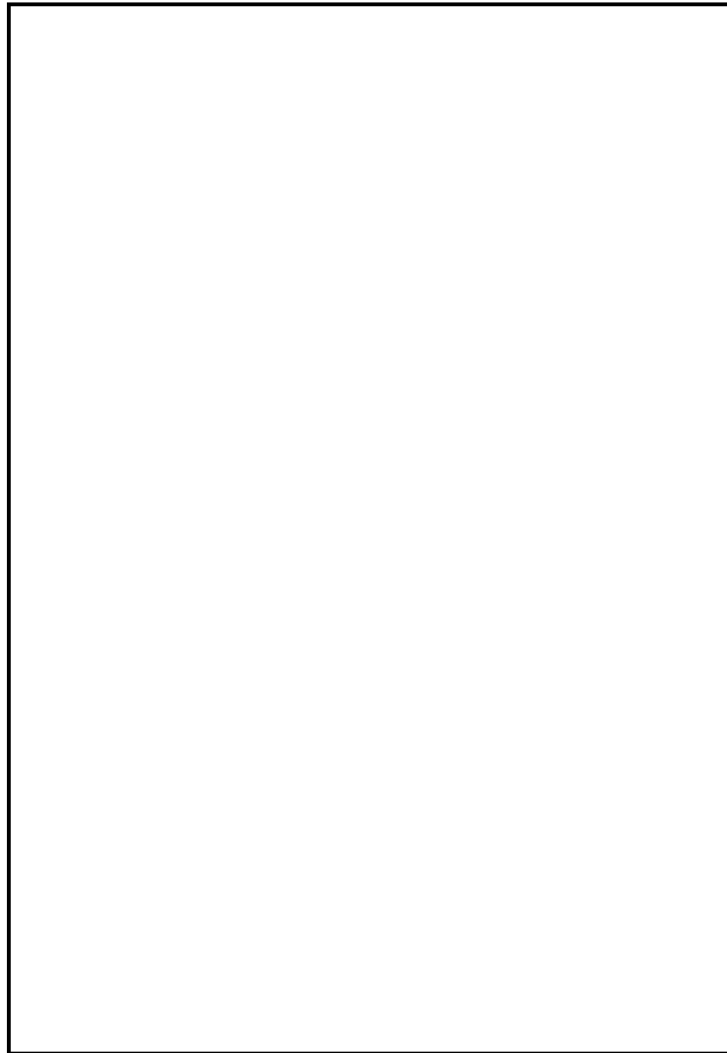
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Behavioral Styles

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Steps of the Recruitment Process



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Elements of the Espionage Statute

**Transmittal
of
National Defense Information
to a
Foreign Nation or Agent thereof
with
Intent to Harm the US
or Aid the Foreign Nation**

Show-Stopper Questions

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The Five Steps of Interrogation

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CI Strategic [REDACTED] Targeting Course 10-02

Working with Academic Community

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National Security Law Branch

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Considerations when in academic arena

AAG & DIOG

Special considerations when dealing with Universities

Buckley Amendment

Restrictions on release of personal information and disclosure of records

Title and Stored Electronic

Communications and stored data providers as they apply to Universities

Universities Computer and Network Systems

Complexity of University systems

Consent & Trespasser Interceptions

Complexity and scope of authority to consent

National Security Higher Education Advisory Board

A resource

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Buckley Amendment

Access to Educational Records (BUCKLEY AMENDMENT)

The Family Educational Rights and Privacy Act, (FERPA) Title 20, U.S.C. § 1232g and the regulations governing it Title 34, C.F.R. § 99.3 govern law enforcement access to educational records of students attending educational institutions within the United States. The statute sets forth certain restrictions upon disclosure of educational records, the compliance with which is necessary in order for the educational facility to be eligible for federal funding. Until the passage of the USA Patriot Act of 2001 (Public Law 107-56; 116 Stat. 272), there was no provision for obtaining educational records in a national security investigation. Educational records could be released under certain enumerated circumstances, including a) student/parent consent, b) grand jury or law enforcement subpoena (with attached court order if secrecy was sought; otherwise school must give notice to student and comply with certain record keeping requirements), c) court order; and d) an emergency, if necessary to protect health or safety of any individual. The Patriot Act expanded the circumstances under which a school could disclose educational records to provide for the Act for a designee no lower than Assistant AG to submit a written application to a "court of competent jurisdiction" for an ex parte order requiring the educational institution to provide educational records relevant to an authorized investigation or prosecution of certain defined federal terrorism offenses or an act of domestic or international terrorism. The statute requires certification that there are specific and articulable facts giving reason to believe that the education records are likely to contain information relevant to such an investigation. Further, the school is immune from liability if it complies with court order. The school does not have to keep track of such requests under normal record-keeping requirements otherwise applicable to disclosure of student information. (U)

Educational records are broadly defined to include "those records, files, documents and other materials which (1) contain information directly related to a student and (2) are maintained by an educational agency or institution or by a person acting for such agency or institution."

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Buckley Amendment**Directory Information**

There is an exception carved out to the limitations on educational records, in that under certain circumstances, an educational facility can disclose "directory information." "Directory information" is defined as information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy. More specifically, it includes, but is not limited to, a student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (e.g., undergraduate or graduate, full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended, 34 C.F.R. §3. A school may disclose "directory information" from the education records without prior consent only after giving notice to the student of its directory information policy, and providing parents and eligible students with an opportunity to opt out of having their "directory information" disclosed. Those conditions do not have to be met in order for a school to disclose directory information about a former student, 34 C.F.R. § 99.37. (U)

Under FERPA, a school may not comply with a request for "directory information" that is linked to other non-directory information. For instance, a school cannot disclose "directory information" on students of a certain race, gender, or national origin. However, the school could disclose "directory information" on all students (who have not opted out) to law enforcement authorities who may be requesting "directory information." (U)

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Buckley Amendment

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Is an University an ECS Provider

- Electronic Communication System 18 USC 2510 (15) means any service which provide to the users thereof the ability to send or receive wire or electronic communications.
- Stored Wire and Electronic Communications and Transactional Records Access 2702 (a) (1) & (2) A person or entity providing electronic communications service to the public shall not knowingly divulge to any person the contents of the communication while in electronic storage by that service; and a person or entity providing remote computing service to the public shall not knowingly divulge to any person or entity the contents of any communication which is carried or maintained on that service
- Depends sometimes no sometimes yes.

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National Security Higher Education Advisory Board

The mission of the National Security Higher Education Advisory Board is to provide a forum for the discussion of national security issues relating to academia under the auspices of the Academia Alliance.

The Board, which will consist of the presidents and chancellors of several prominent U.S. universities, is designed to foster outreach and to promote understanding between higher education and the Federal Bureau of Investigation. The mission of the Board will be as follows:

- To open the doors of understanding and cooperation with leaders in higher education on matters relating to national security, terrorism, counterintelligence, and certain criminal matters.
- To serve as a conduit for discussion between relevant federal agencies and the higher education community.
- To assist in understanding the unique culture, traditions, and practices of higher education, including the culture of openness, academic freedom, and the importance of international collaboration.
- To develop educational efforts for higher education to better understand the missions and mandates relating to terrorism, counterintelligence, and homeland security.
- To advise on the development of an agenda for research that can facilitate national security.
- To discuss matters pertaining to visas, foreign students, international visitors, and technology and intellectual property export issues.
- To serve as a liaison with higher education associations to broaden understanding and cooperation.
- To facilitate the development of research, degree programs, coursework, internships, employment opportunities for graduates, and consulting opportunities for faculty related to national security.

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NSHEAB

- American Council on Education - President Margaret C. Broad
- Arizona State University - President Michael Crow
- Association of American Universities - President Robert Berdahl
- Carnegie Mellon University - President Jared L. Cohen
- Cornell University - President David Skorton
- Duke University - President Richard H. Brodhead
- Georgia Institute of Technology - President G. P. Peterson
- Iowa State University - President Gregory L. Goofrey
- Michigan State University - President Lou Anna K. Simon
- New York University - President John Sexton
- Northwestern University - President Morton Schapiro
- Rice University - President David Leebron
- The Pennsylvania State University - President Graham B. Spanier
- The State University of New York - Chancellor Nancy L. Zimpher
- University of California - Los Angeles - Chancellor Gene Block
- University of Colorado - Boulder - Chancellor Philip P. DiStefano
- University of Florida - President J. Bernard Machon
- University of Maryland - College Park - President C.D. Mote, Jr.
- University of Massachusetts - President Jack Wilson
- University of Rochester - President Joel Seligman
- University of Texas at Austin - President William C. Powers
- University of Washington - President Mark Allen Emmert

07 April 2010

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Conclusion

Questions

DIOG, National Security Higher Education Advisory -
Board, TIII, ECPA, Consent Trespass Issues call:

[REDACTED]

Buckley issues call:

[REDACTED]

[REDACTED]

07 April 2010

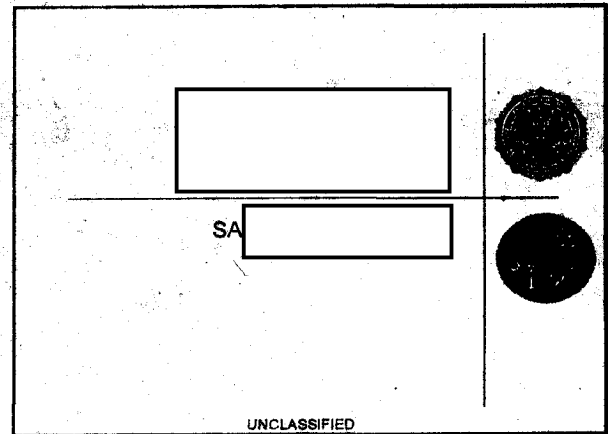
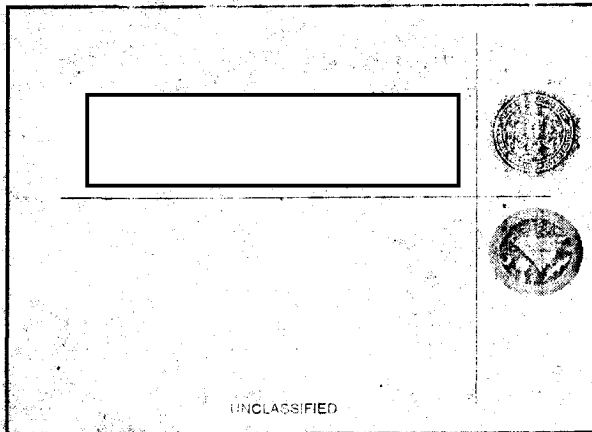
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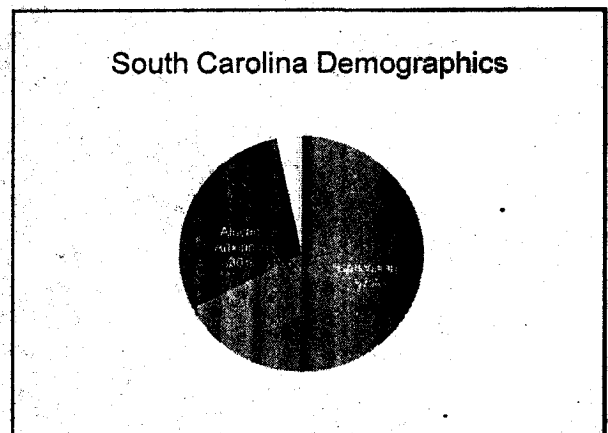
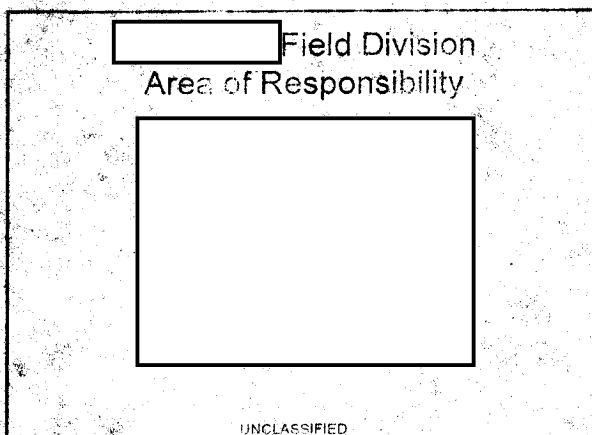
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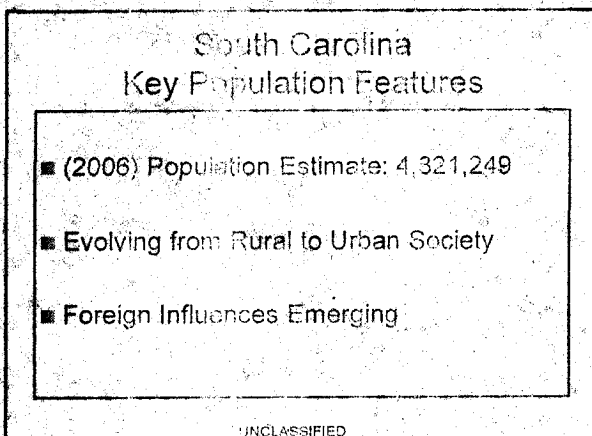
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DATE 11-09-2011 BY 65179 DMH/STW



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Foreign born population by place of birth

	#	%
Foreign born persons	115,978	100.0
Mexico	31,719	27.3
Germany	7,873	6.8
United Kingdom	6,890	5.9
Canada	5,812	4.7
India	5,130	4.4
Philippines	5,108	4.4
China	4,541	3.9
Columbia	3,394	2.9
Vietnam	3,088	2.7
Korea	3,030	2.6

**Highest Average Annual Levels of Net Domestic Migration
in U.S. States; 2000-2004**

Rank	State	Average Annual Net Domestic Migration
1	Florida	190,894
2	Arizona	66,344
3	Nevada	50,803
4	Georgia	41,298
5	North Carolina	39,137
6	Texas	36,566
7	Virginia	20,535
8	South Carolina	18,755
9	Tennessee	16,634
10	Washington	13,354

**South Carolina
Domain/Critical Infrastructures**

- Academia/Research
- Savannah River Site and National Laboratory
- The Port of Charleston
- Military Installations
- Sensitive Industries/Enterprises
- Nuclear Power Industry

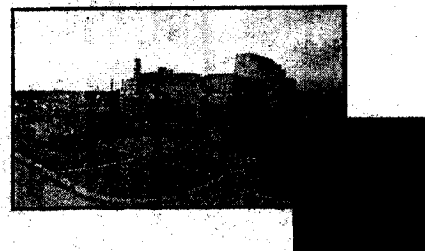
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**Academia
Research and Development**



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**Savannah River Site
and National Laboratory**



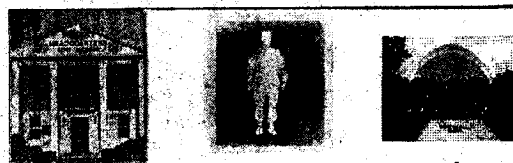
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The Port of Charleston



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Military Installations



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7/13/201

Sensitive Industries/Enterprises
Nuclear Power Industry






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7/13/201

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ON 11-09-2011

	
Domain Task Force	
	Field Office
Academic Alliance	

What is the Domain Task Force?

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The Domain Task Force is a FBI task force that entails forging relationships between the FBI, academic arena, U.S. industry, and the U.S. intelligence community in effort to address threats by foreign governments and foreign intelligence services. Also, the Domain Task Force provides counterintelligence awareness to academic arena, U.S. industry, and the U.S. intelligence community.

How can my relationship with the Domain Task Force benefit my academic institution?

- A partnership between academia conducting critical government and sensitive research and the FBI is crucial for protecting critical research and development and intellectual property from foreign intelligence threats.

What are the signs of potential compromises?

- Intelligence threats to your academic institution may come in the forms of visitors, scientists, or students.

Collection Trends

Most Sought After Information and Technologies

■	
■	
■	
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■	

How Can I protect my company?

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- Identify
- Incorporate
- Educate
- Notify

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Points Of Contacts	
•	FBI Domain Task Force [Redacted]
•	FBI [Redacted] Field Office [Redacted]

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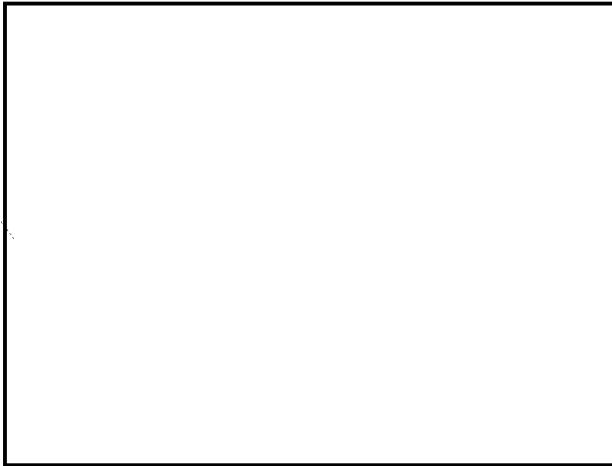
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HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

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Goals

[Redacted]

- Make you aware these types of cases exist.
- Familiarize you with a real-life example of how several different investigative techniques contributed to a successful investigation, and the pros and cons of these tools.
- Warn you of potential pitfalls during such an investigation.
- Show you that you can do this.

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200Q Techniques Unclassified

- Electronic surveillance
- Physical surveillance
- Arrests
- Interrogations
- Search warrants
- Trash cover
- Forfeiture
- Convictions – Federal Prison time

Unclassified

Featuring... Unclassified

- FBI (FCI squad, HQ [Redacted] SSG, IAs, TTAs, ERT, FA, CART, SWAT, other divisions)
- Department of Commerce-Office of Export Enforcement
- Internal Revenue Service
- US Immigration and Customs Enforcement
- DHS, Customs and Border Security
- Manitowoc Police Department
- Other

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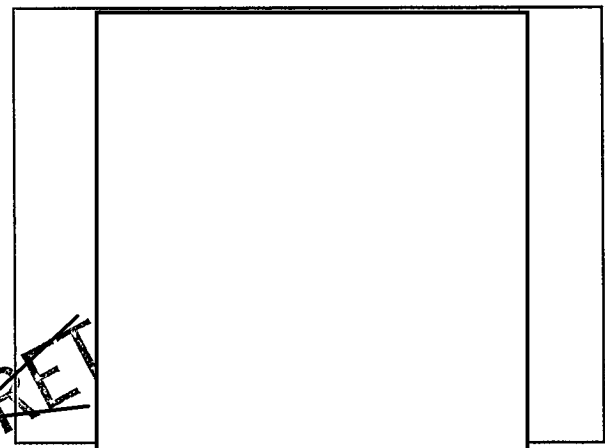
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Definitions

[Redacted]

[Redacted]

[Redacted]

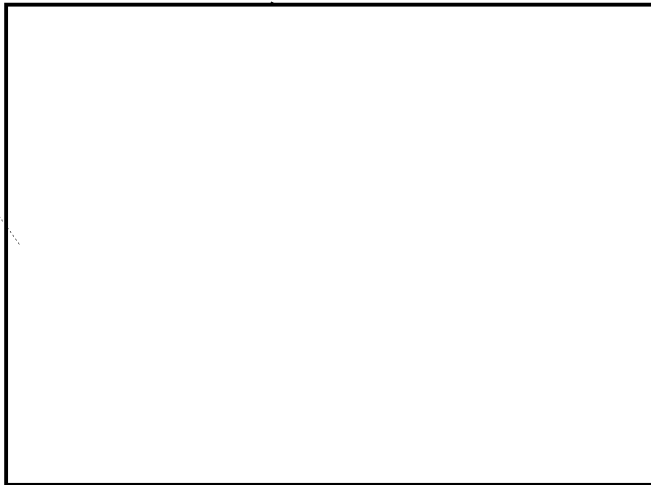


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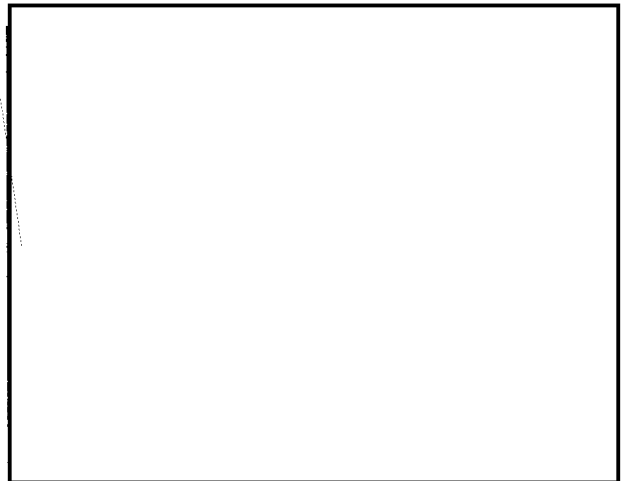
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Unclassified

Electronic Parts Description



- Dual-use parts, DOC controlled
- 3A001, 3A002
- Semiconductors, Analog-to-Digital converters, etc.
- Radar, satellite communications, electronic warfare, other
- SPT, TI, AD, Xilinx, Qualcomm, others


Why do we care about little electronic parts???

Unclassified



Because they go into things that can be used to kill Americans.

Unclassified



case;
The Beginning

- 2001 CTI/54th Research Institute looks for tech support from SPT. SPT tracks part to
- What to do?

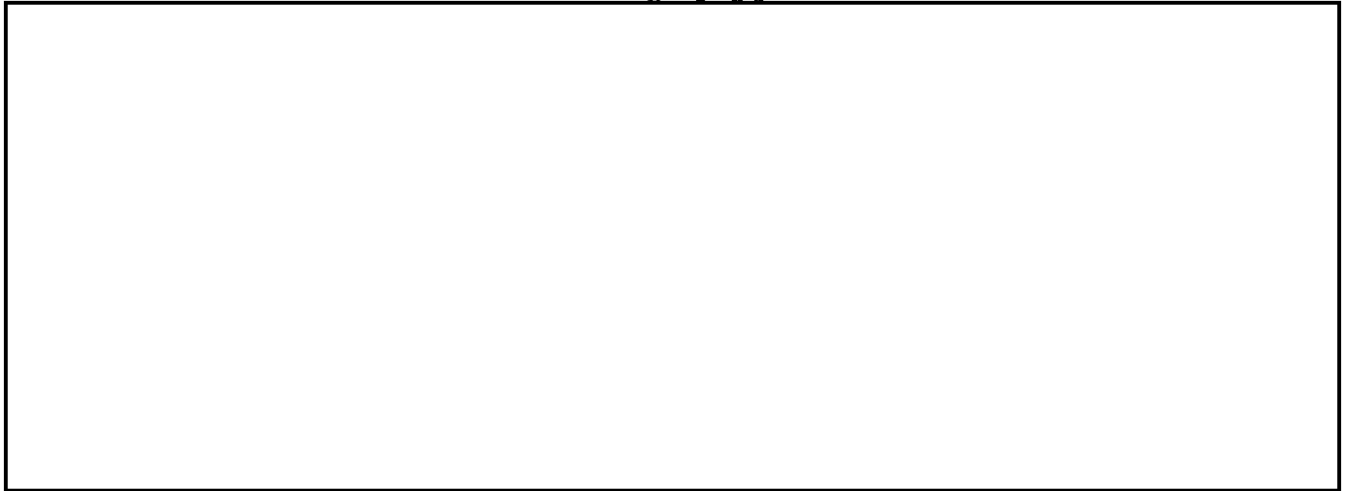
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Referral/Consult

- Review source file
- Drive by residence/business
- Open source/business records
- Manitowoc PD visit

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Timeline

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Timeline, contd.

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-

This learned [redacted] Later confirmed in detail in documents.

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Timeline, contd.

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- Formed in 1992 in San Diego, CA
- Moved to Manitowoc, Wisconsin in 1994
- 2 employees, according to Dun and Bradstreet
- Owner and President [redacted]
- Vice President and General Manager, [redacted]


Unclassified

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You have some background.

What Now???


Unclassified



Trash Cover

Unclassified

Unclassified




Trash Cover

- Pros
 - Low cost.
 - Relatively low approval authority-can start immediately.
 - Can yield great stuff.
 - A business must generate trash (boxes, labels, etc).
- Cons
 - Potential for compromise.
 - Target may shred important docs or carry trash out (NJ).
 - Involve third party – (First trash cover).

Unclassified

Unclassified



Trash Cover

- Boxes
- Shipping labels
- Invoices
- Faxes, including [redacted]

[redacted]

[redacted]

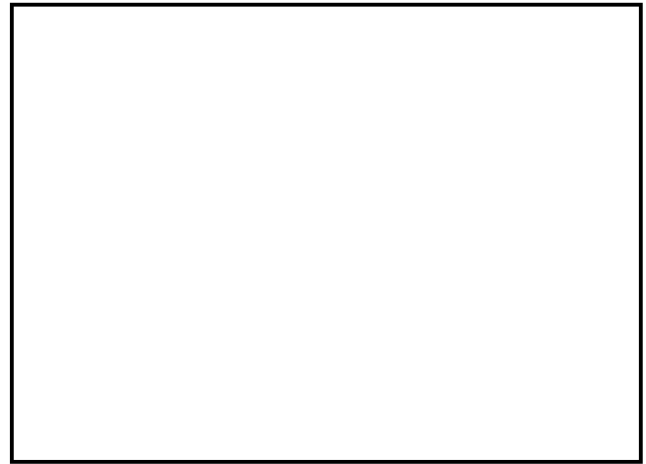
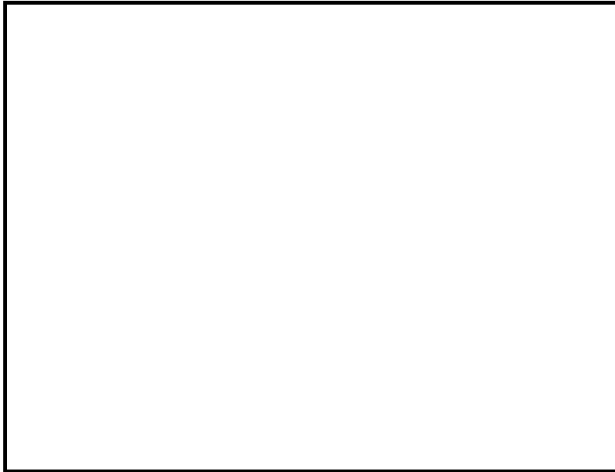
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Physical Surveillance

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Unclassified



Physical Surveillance

- (U) Pros
 - Relatively low approval authority.
 - Business must receive or send packages.
 - Identify others with access.
 - Identify pattern of subjects for future knowledge.
- (U) Cons
 - Human resource intensive.
 - Potential for compromise.
 - No knowledge of what's happening inside.


Unclassified



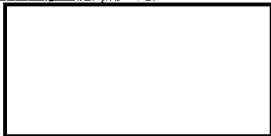
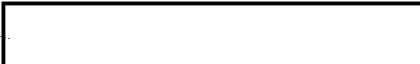
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Physical Surveillance



Keep in mind: Elements of



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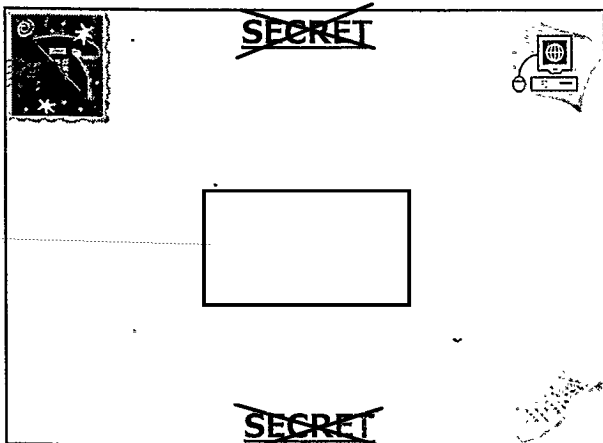
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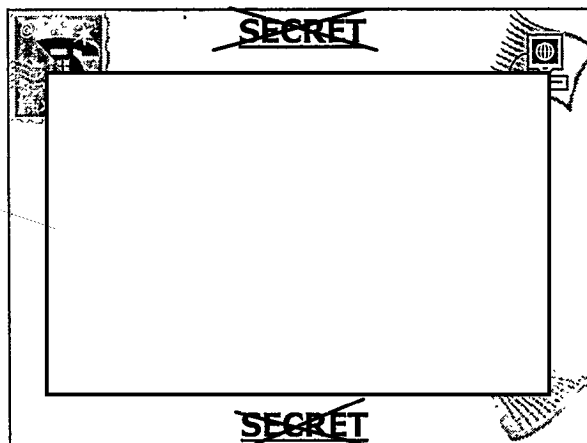
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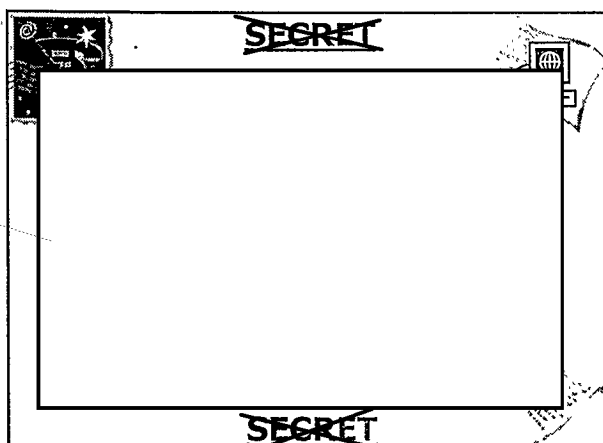
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Daily Operations

Monday-Thursday
-Daily contact with US suppliers, by phone, fax, e-mail.
-Daily contact with [redacted]

Thursday
-Fax list of parts to be shipped on Friday.
-Package parts with helper in PM.

Friday
-Receive guidance [redacted] on how to falsify shipping documents.
-Ship out one or two packages, by different shippers.

Sunday
-Fax [redacted] packet of falsified invoices and actual invoices.

Unclassified -ordering procedures, reseller v. manufacturer

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Unclassified

Arranging Package Pick Up

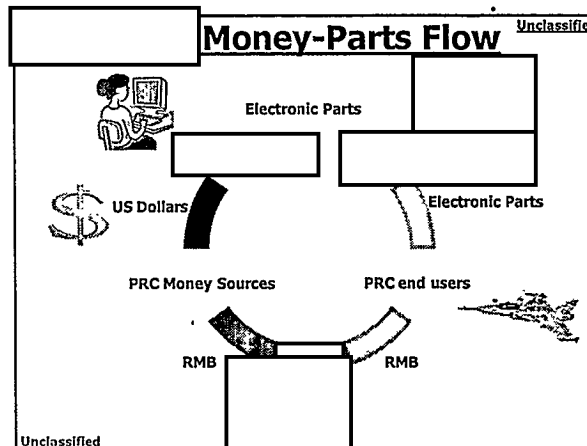
Documents ready, offset pick up times

06/04, First call is to UPS at 12:50 pm
Pick up at front door.

06/04, Second call is to DHL at 2:12 pm
(after UPS pick is done).
Pick up at front desk.

Why would a business do this?

Unclassified



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[redacted] emailed [redacted] the story about the arrests in New Jersey.

Unclassified




Unclassified

[redacted] talking to [redacted] in reference to the arrests in New Jersey.

- [redacted] You have to provide true information. No false information. It is illegal to provide false information. If you don't provide false information, then you don't know; I don't know.

Unclassified



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Unclassified

[redacted] talking about tension between [redacted]

[redacted]

[redacted] Yeah.

Unclassified



And.....

[redacted] are coming to visit the USA!!!!

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Herald Time

Breaktime

Local couple to face federal grand jury

Unclassified

Border Searches

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If you want to make an arrest...

- Declassify information needed for prosecution
- AG authority
- Licensing determinations

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excellent
(and last) North American
Adventure

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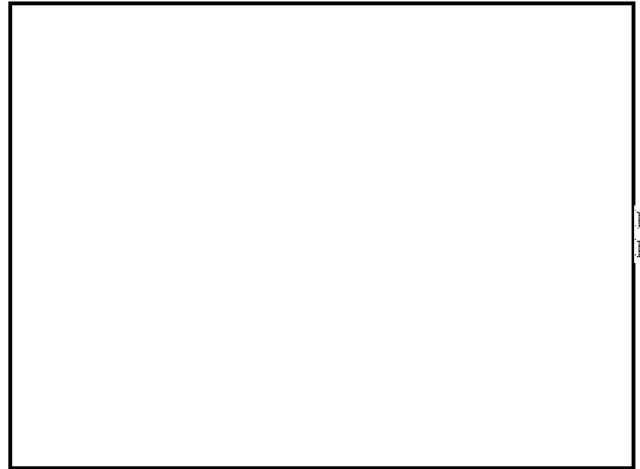
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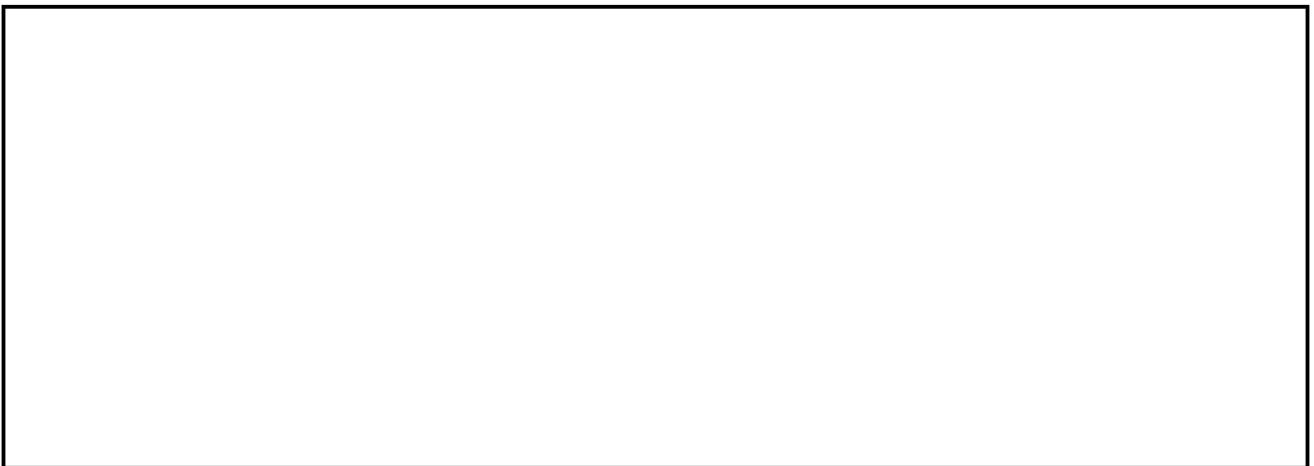


- Arrest warrants [Redacted]
- Each arrested separately, near simultaneous execution.
- Search warrants for office/residence, safe deposit boxes.
- Subsequent search warrants for computer, luggage.
- Four interviews/interrogations. All waived rights and agreed to answer questions.

Unclassified



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Guess what's in here?

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Items found in search

Unclassified

- Every invoice of parts shipped from Aug 91 to present
- Every quote sheet requesting parts prices from early '90s to present, one per day, 5 days/week, etc.
- Tax preparation information and records, including homemade reductions in revenue, because "the tax was too big." (quote from proffer session)
- 20,000+ documents, plus 4 computer hard drives.
- Hundreds of phone numbers, names, addresses, business cards.

Unclassified

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"The First Batch"

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"The Third Batch"

Unclassified

Last paragraph:
"I asked [redacted] in [redacted] to handle [redacted].
He is not experienced and has told the manufacturer about the destination of the goods. As a result, export license needs to be arranged. I agreed since 3 weeks are not too long. Experience may be gained."

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Resignation Letter

[redacted] writes:

Unclassified

Unclassified

Continuity Letter

[redacted] writes to his replacement about the status of his projects. For example,

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[redacted] Unclassified
fax from [redacted]

*"If you want to go around the U.S. export inspections, then you need to part with high-priced purchases in order to do so:
1) Need to ask a U.S. company (who has a production factory) who uses a lot of IC chips to help us order goods. We want to use their name, do not mention export;
2) Do not mention resell and do not even mention tax free; the key is to find a friend of #1."*

Unclassified

Search document excerpts (from [redacted], Spring 2004) Unclassified

• "Actually, many parts that I buy require export licenses."

"This part is another sensitive product. Too many questions about it will attract attention. It may even cause the order to be cancelled or an export license will be required for ordering this part."

"Up until now, the reps [redacted] haven't mentioned anything about the Export License...Strictly speaking these (parts) are all illegal."

Unclassified

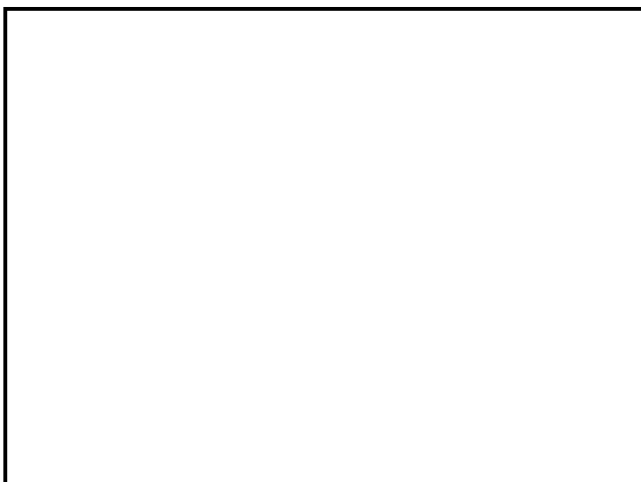
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Search document excerpts, Spring 2004 Unclassified

[redacted]
"If I offer to ask if the export license is required, the answer will definitely be yes...These years even though nobody has come to me, it cannot be guaranteed that no one is watching me."

[redacted]
[redacted] cannot think of a better way to do so, nor could he find a shortcut." (reference falsifying shipment values)

Unclassified



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(S) [redacted]

(S) [redacted]

•(U) Electronic countermeasures (www)
[redacted]
•(U) Several others
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• (U) Others

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Lifespan of

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Unclassified



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Pleas and Trial

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Plea Agreements

[redacted] pled guilty to [redacted]
(sentenced to 46 months)


[redacted] pled guilty to [redacted]
(sentenced to 6 1/2 months)

[redacted] pled guilty to [redacted]
(sentenced to 42 months, \$50K fine)

- All three participated in pretrial sessions.

Unclassified

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Trial

- Nine counts.
- DOJ-Counterespionage Section involvement.
- Pre-trial motions


[redacted]

- Change of venue.

Unclassified

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Unclassified




Trial

- Nine counts
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
 - 6.
 - 7.
 - 8.
 - 9.

[redacted]

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Trial


- Trial lasted about 5 days.
- Government Witnesses.
 - FBI, IRS, DOC-OEE, US ICE SAs
 - Supplier
 - Technical expert
 - Translator
- Defense Witnesses.
 - Handwriting expert
 - Translator
 - FBI SA case agent for source contacts

[redacted]

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Trial

- **SA testimony**
 - Seizing Agent, Trash Cover Agent, read tech cuts into record
 - DOC, IRS, ICE SAs
 - Handling Agent
 - Assessment
 - Recording
 - Case Agent – Cross Examination
 - Did he ask for anything?
 - Arrest planning and execution
 - Knowledge of Guilt
 - Recording of interrogations

Unclassified

Unclassified



Trial

- **Defense argument themes**
 - I didn't know.
 - I don't remember.
 - I didn't understand English on 09/30/2004.
 - My wife did it all, without my knowledge.
 - We did talk about the business, but it was only 2-3% of the time.
 - I never noticed that we made \$100,000 a year more that we reported on taxes.


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 **Trial**

[redacted]

- Key moment (during cross-examination) [redacted]
[redacted] "When you are talking to the FBI, you know it's important to tell the truth, right?"
[redacted] answer:
"It depends on the subject."
- 2 1/2 hours of deliberation (over lunch).
- **Verdict: Guilty on all 9 counts.**

Unclassified

Unclassified

 **Sentencing**


[redacted] sentenced to 5 years in prison and \$50,000 fine.

- Defense argued for consideration [redacted] contributions to his US employer [redacted] Also included character testimonials. Also argued, unsuccessfully, that parts were not threatening to national security and that [redacted] was most responsible.

Unclassified

b6
b7C
b7D

Unclassified

 **Forfeiture + Fines**

- Home/office.
- [redacted] checking account.
- [redacted] money market account.
- [redacted] fines (\$50K each).
- [redacted] cash in pocket in fines.
- **Estimate Total: \$582,500**

Unclassified

[redacted]

b6
b7C
b7E

Unclassified

How to Avoid Detection in Ordering
In sum: Be like water, follow the path of least resistance.

[redacted]

Unclassified

Unclassified

How to Avoid Detection in Shipping
In sum: Lie by omission and commission

[redacted]

Unclassified

b7E

~~SECRET~~

ACLURM042286

FBJ041186

~~SECRET~~

~~SECRET~~

(S)

~~SECRET~~

Who is [redacted]?

b1
b6
b7C
b7E

~~SECRET~~

Who is [redacted]?

- (U) At sentencing [redacted] made statement with three points (my summary):
 - 1 He was not loyal to [redacted]
 - 2 He was not a spy [redacted]
 - 3 He was responsible but not really.
- (U) [redacted] official allowed to 'walk away' and then later return to [redacted] without hassle.

(S)

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Unclassified

Questions, discussion, comments

- SA [redacted]
- FBI Miami (formerly of Milwaukee)
- Direct:
[redacted]



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Unclassified

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Visas

(The First Line of Defence)

SSA

Counterintelligence Training Center

The overall classification of this presentation is
~~SECRET~~

Learning Objectives

~~SECRET~~

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b7E

Why are Visas Important?

~~SECRET~~

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~~SECRET~~

Ways to Find Visa Information

~~SECRET~~

b7E

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Tools for Visa Review

(S)

Assessing (Investigation)

- DIOG Classified Provisions
- B. (U) CIRCUMSTANCES WARRANTING A PRELIMINARY OR FULL INVESTIGATION

X

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Questions / Comments

? / !

SSA

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Finding Cases

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Counterintelligence Training Center

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Where to look?

■ Visas



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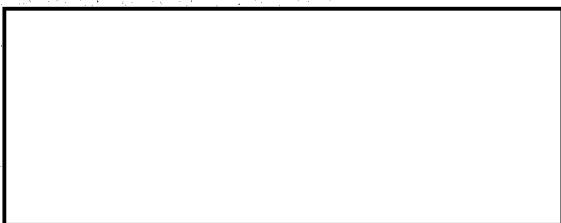
Ways to Find Visa Information



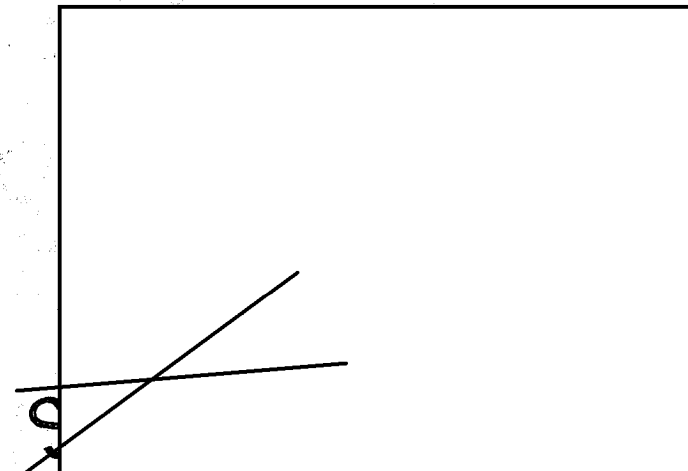
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Other Resources for Travel Info

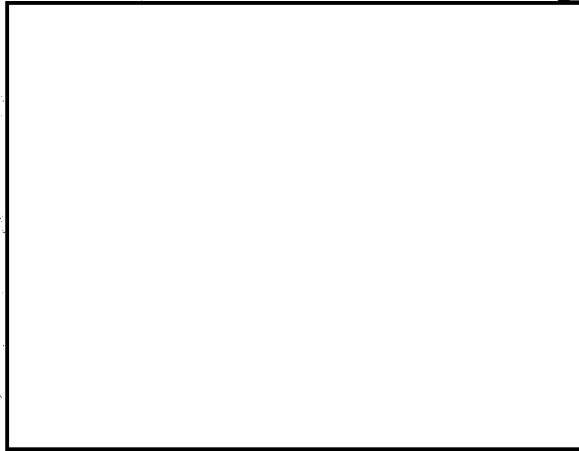


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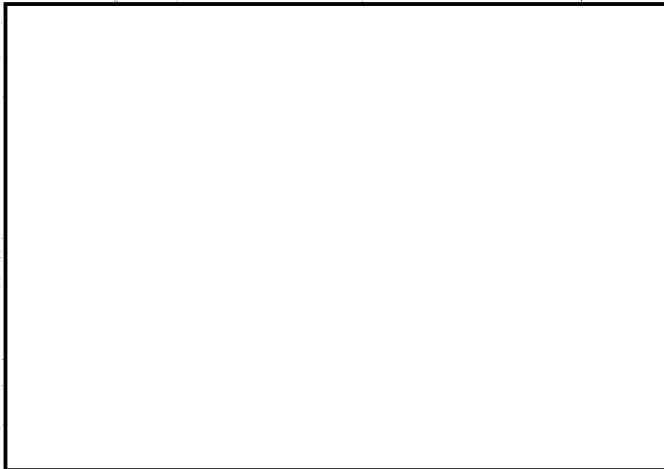
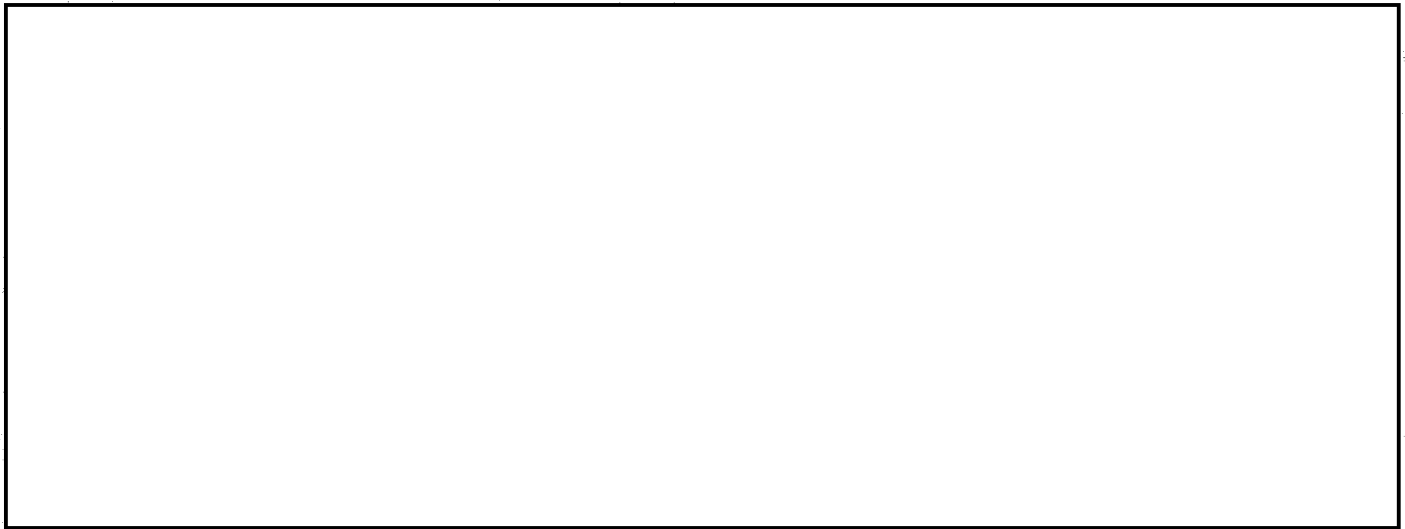
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Tools for Visa Review

- [redacted] visitors
- [redacted] visitors
- [redacted] visitors
- [redacted]

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[redacted] Statistics

• Albany	• Boston
(S) [redacted]	(S) [redacted]
• Newark	• New Haven
(S) [redacted]	(S) [redacted]
• New York	• Philadelphia
(S) [redacted]	[redacted]
(S) [redacted]	[redacted]

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Methods of Screening

Assessing (Investigation)

- **DIOG Classified Provisions**
- **B. (U) CIRCUMSTANCES WARRANTING A PRELIMINARY OR FULL INVESTIGATION**

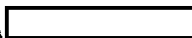

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Questions/Comments

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SSA 


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ACI 100-04-002

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~~SECRET~~/NOFORN/ORCON

(S)



Nuclear, Missile, Chemical, and Biological

b1
b7E

(S)

To be used in conjunction with



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Compiled By:

IA



FBIHQ

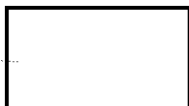
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NUCLEAR PROGRAM

ENTITIES/FACILITIES:

ACADEMIC DISCIPLINES CON'T:

-
-
-



PROFESSIONS:

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UNIVERSITIES:

TECHNOLOGIES:

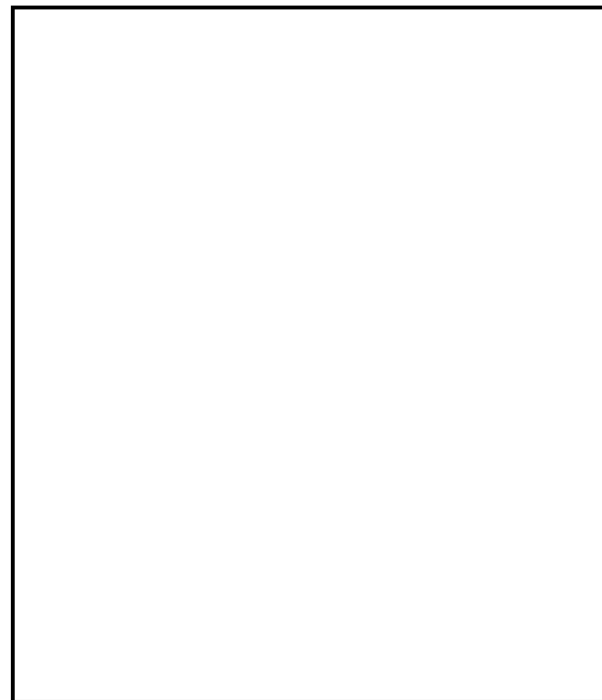
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ACADEMIC DISCIPLINES:

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(S)

MISSILE PROGRAM

ENTITIES/FACILITIES:

TECHNOLOGIES:

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ACADEMIC DISCIPLINES:

~~SECRET/NOFORN/ORCON~~

~~SECRET~~/NOFORN/ORCON

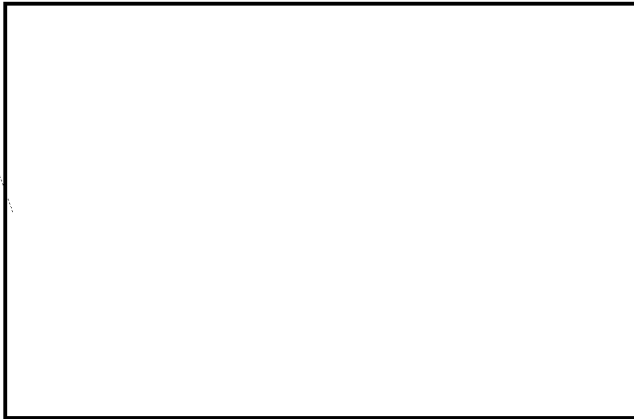
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CHEMICAL PROGRAM


ENTITIES/FACILITIES:

(S)



DISCIPLINES CON'T:

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DISCIPLINES:

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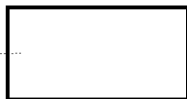


TECHNOLOGIES:

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BIOLOGICAL PROGRAM

ENTITIES/FACILITIES:

(S)



TECHNOLOGIES:

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DISCIPLINES:

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TAB C: Biographic ☐ Format

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[Redacted]

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34. SIGNIFICANCE

~~X~~

(C)

[Redacted]

35. POLITICS

~~X~~

(C)

[Redacted]

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~~SECRET~~

36. MILITARY REPUTATION

~~X~~

(C)

[Redacted]

~~SECRET~~

in own service. Professional reputation, if civilian.)

37. CHARACTER ~~(C)~~

(C)

38. ACQUAINTANCES"/RELATIONS" INFLUENCE ~~(C)~~

(C)

39. PERSONAL CHARACTERISTICS ~~(C)~~

(C)

40. POLICE RECORD ~~(C)~~

(C)

41. EVALUATION ~~(C)~~

(C)

42. ADDITIONAL INFORMATION ON SPOUSE ~~(C)~~

(C)

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~~SECRET~~

From: [redacted] (CD) (FBI)
Sent: Friday, September 19, 2008 6:22 PM
To: [redacted] (CD) (FBI)
Cc: [redacted] (TD) (CON)
Subject: Questions for Scientist

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NON-RECORD

b6
b7C
b7E

[redacted]

Questions for [redacted]

Premise: [redacted]

[redacted]

1) [redacted]

2) [redacted]

b7E

[redacted]

3) [redacted]
4) [redacted]
5) [redacted]

6) [redacted]

[redacted]

7) [redacted]

[redacted]

8) [redacted]

[redacted]

9) [redacted]

[redacted]

10) [redacted]

[redacted]

Hope this helps,

[redacted]

b6
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A Case Study

SSA [redacted]
Counterintelligence Training Center

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~~SECRET//ORCON//NOFORN~~

Starting at the "End"

~~SECRET//ORCON//NOFORN~~

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[Large redacted area]

(S)

[Redacted area]

~~SECRET//ORCON//NOFORN~~

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[Redacted area]

~~SECRET//ORCON//NOFORN~~

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~~SECRET~~

~~SECRET~~

(S)

The View

(S)

- Picket line?

(S)

- Other sources?

(S)

- What is the FBI's role?

~~SECRET//ORCON/NOFORN~~

A Lead from FBIHQ

(S)

(S)

- Provide collected information

(S)

(S)

former Full Investigation subjects

and

~~SECRET//ORCON/NOFORN~~

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Other Agency Coordination

(S)

- [redacted] with U.S. Customs Service

- Immigration and Naturalization Service

- Who else?

~~SECRET//ORCON/NOFORN~~

If No Lead from

(S)

(S)

~~SECRET//ORCON/NOFORN~~

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Results of Investigation

- Consolidated pre-UFCN investigative results into new file

(S)

- SSG provides coverage

(S)

~~SECRET//ORCON/NOFORN~~

Follow-up Investigation

(S)

- Identified another visa request

(S)

- Expected to visit Utah

(S)

- [redacted] notified

(S)

- [redacted] does not travel to U.S.

- Other coordination?

~~SECRET//ORCON/NOFORN~~

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~~SECRET~~

~~SECRET~~

Follow-up Investigation

(S)

- Early 2003 [redacted]
- June 2003
 - FBI case closed
- Identified another visa request

(S)

- January 2004
 - Name Check
- September 2004 [redacted]

(S)

- Contacts FBI
- FBI retrieves "laptop"

~~SECRET//ORCON/NOFORN~~

Questions/Comments

?/!

SSA [redacted]
[redacted]
CITC

~~SECRET//ORCON/NOFORN~~

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Federal Bureau of Investigation
Intelligence
Assessment

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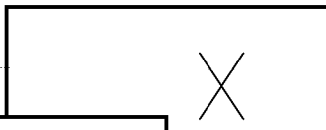
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Counterintelligence Threat Assessment

(S)

UPDATE:

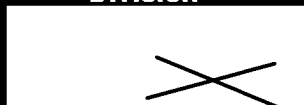


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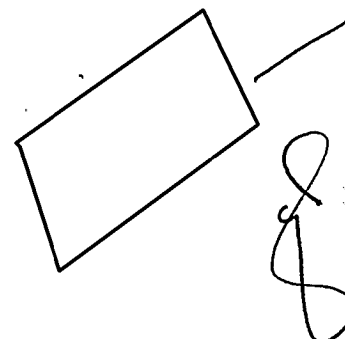
Prepared by
FBI Counterintelligence
Division



~~Derived from: Multiple Sources~~

~~Declassify On: 25X1~~

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~~(S)~~ FBI Counterintelligence Threat

(S) Assessment Update:

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(U) Terms of Reference

This assessment addresses the Counterintelligence (CINT) topic of the National Intelligence Priorities Framework (NIPF).

(U) Scope Note

(S)

X

(S)

X

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(U) Key Questions

(S)

X

X

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(U) Key Findings

(S)

X

(S)

X

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X

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X

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¹ (U) We define a

The goal is that this

b7E



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(U) Threat Matrix

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(S)

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(U) *HIGH THREAT*

Activities demonstrating intent, capability, and opportunity to [redacted]
[redacted] to the detriment of US national security.

b7E

(U) *MEDIUM THREAT*

Activities suggesting intent, capability, and opportunity to [redacted]
[redacted] to the detriment of US national security.

(U) *LOW THREAT*

Activities demonstrating or suggesting intent, or capability, or opportunity to [redacted]
[redacted] to the detriment of US national security.

(U) *NO DETERMINED THREAT*

Investigations have shown no intelligence activities undertaken.

(U) *UNKNOWN THREAT*

Intelligence activities undertaken are unknown.

(S)

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(U) Introduction

(S)

X

(S)

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(U) Significant Developments

(S)

X

(S)

X

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(U) Outlook

X

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(U) New Intelligence Gans

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X

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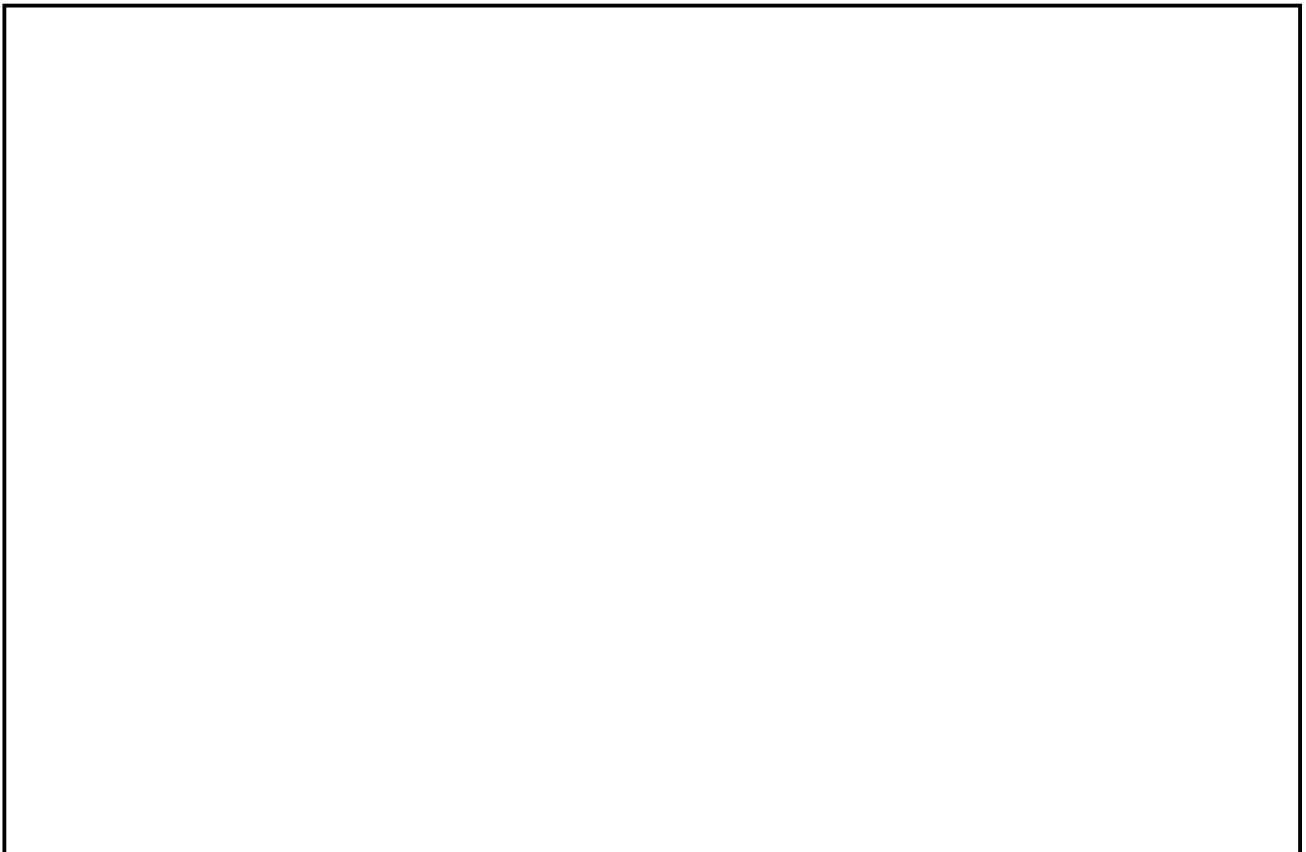


Counterintelligence Training Center (CITC) *Reading List*

(Please note that books included on the CITC Reading List has been compiled based primarily on the recommendations of CITC staff members, current and former FBI investigators and analysts, and personnel from other US Government agencies.)

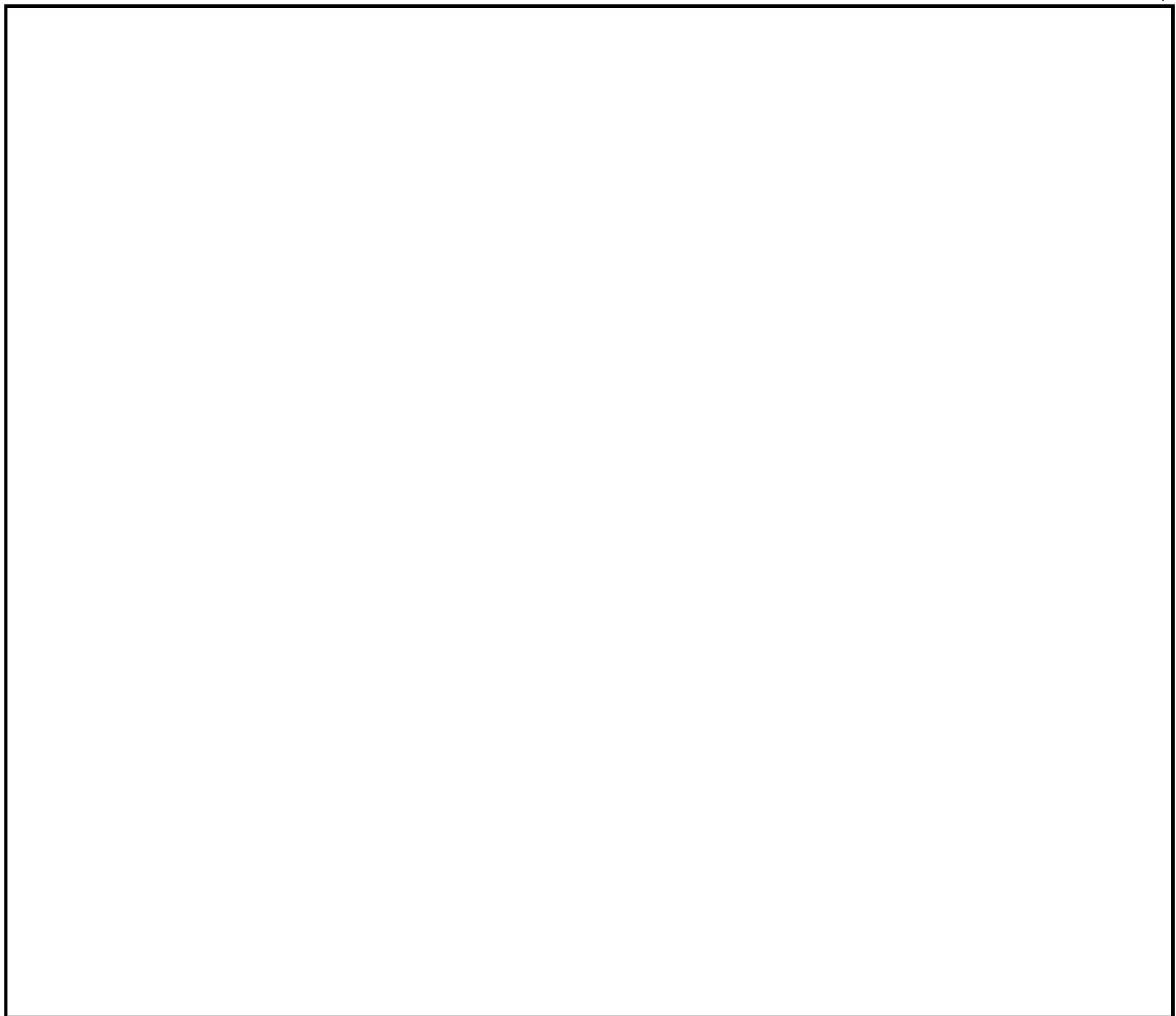
*(** Indicates highly recommended)
(▲ indicates book in CITC Library)*

Behavioral Analysis



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COMPLETE



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Counterintelligence

General



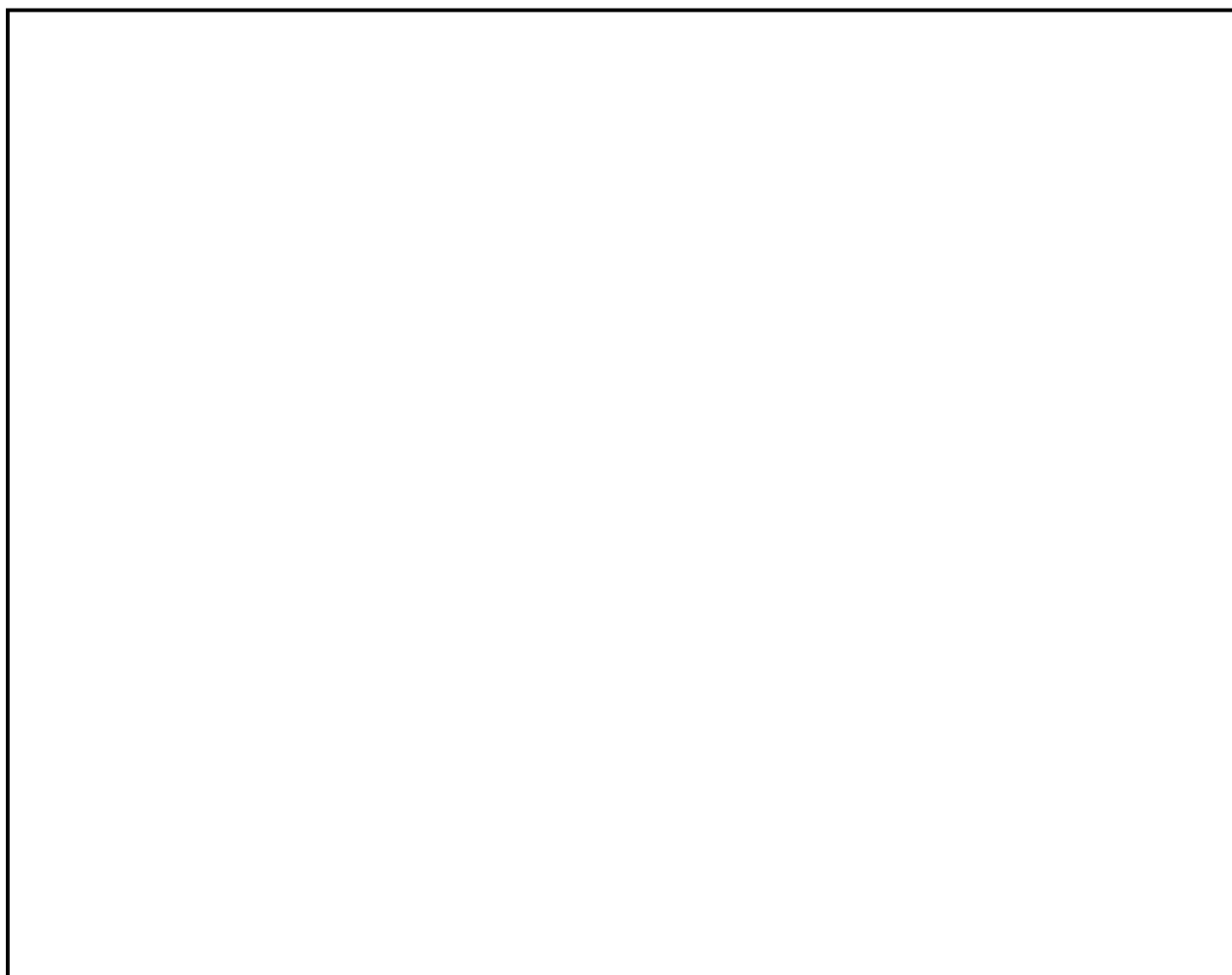
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Cultural Issues

General

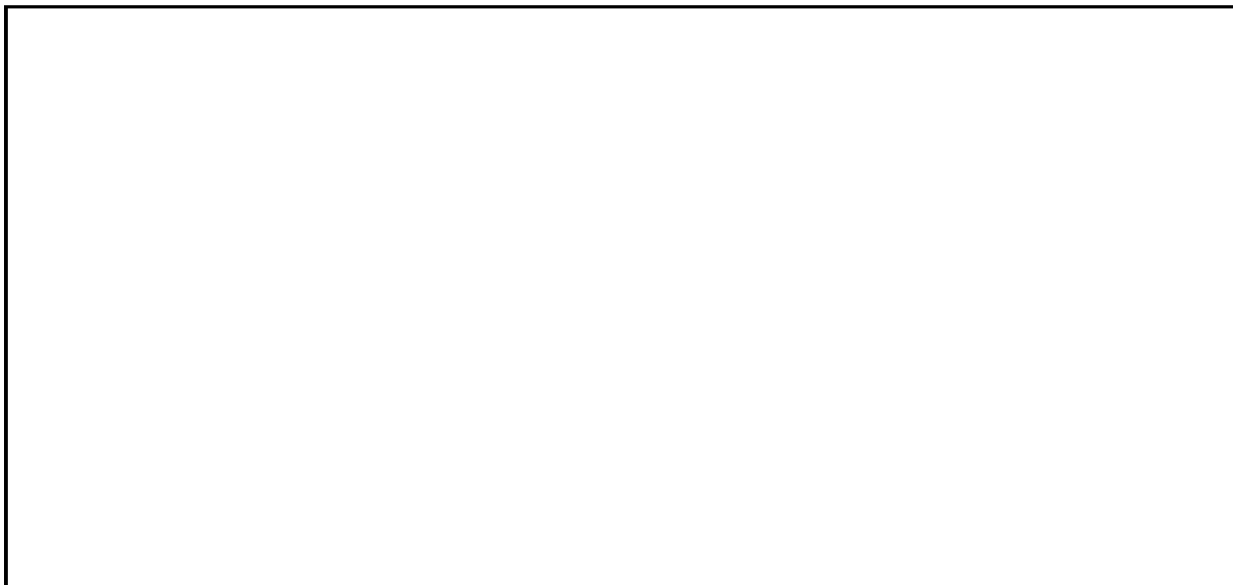


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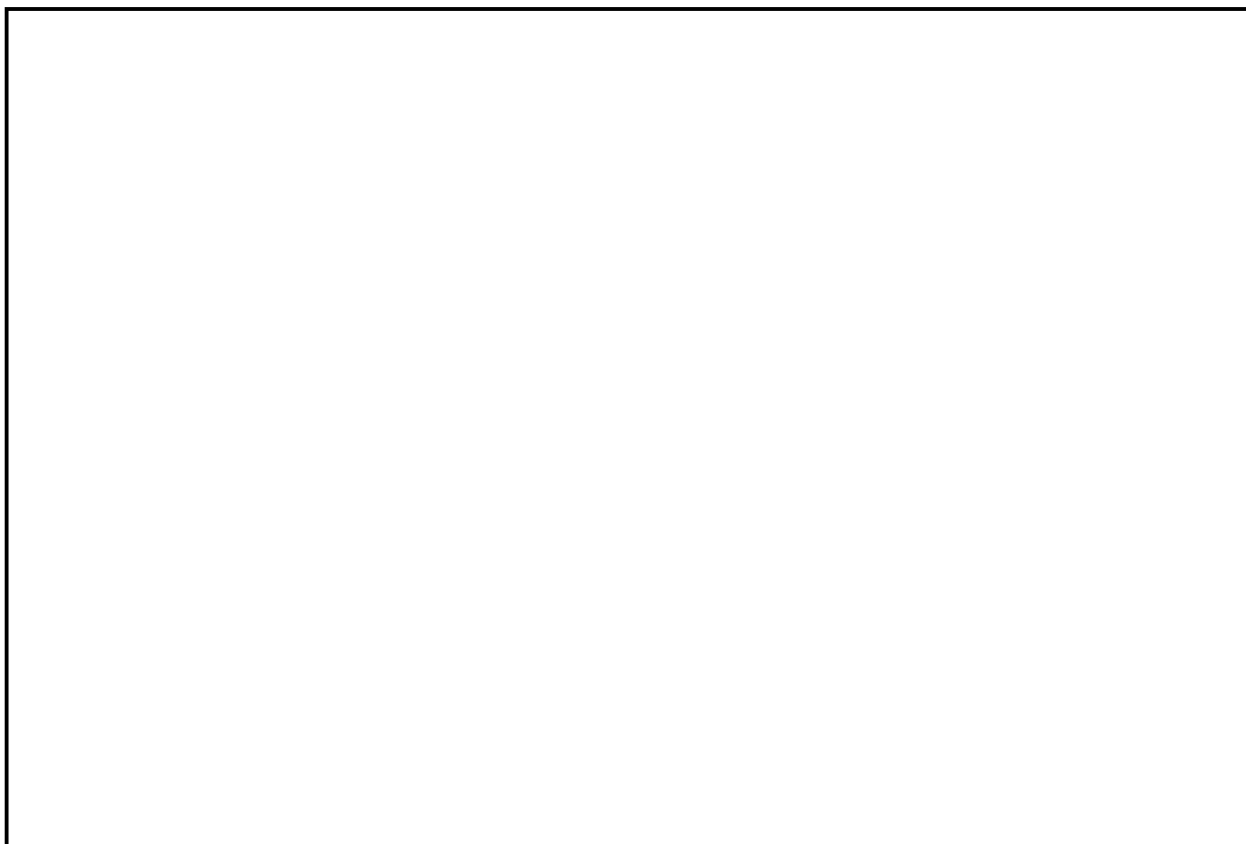


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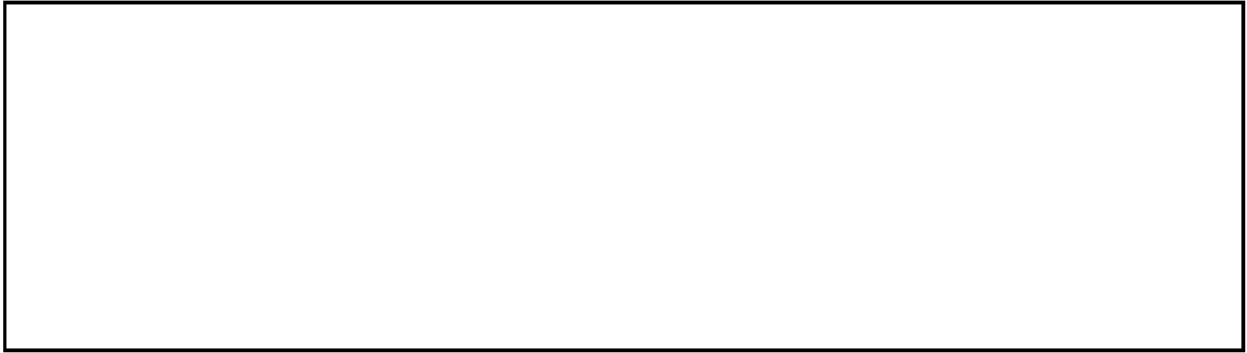
Cyber Issues



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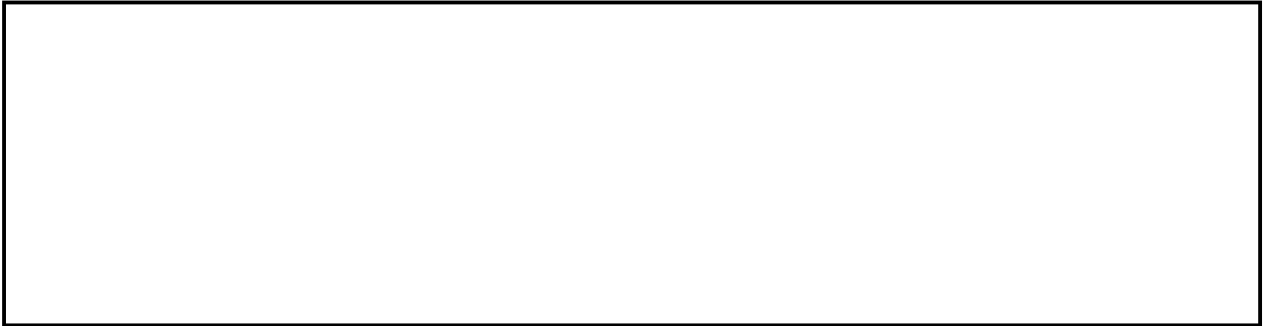


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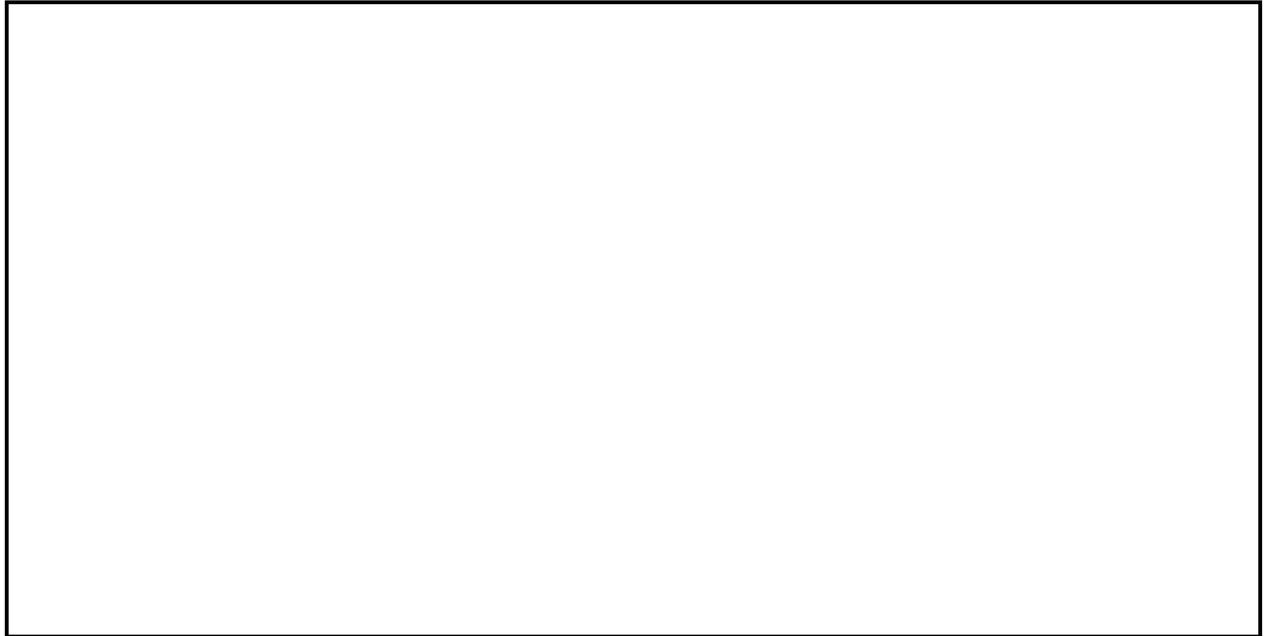
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Economic Espionage



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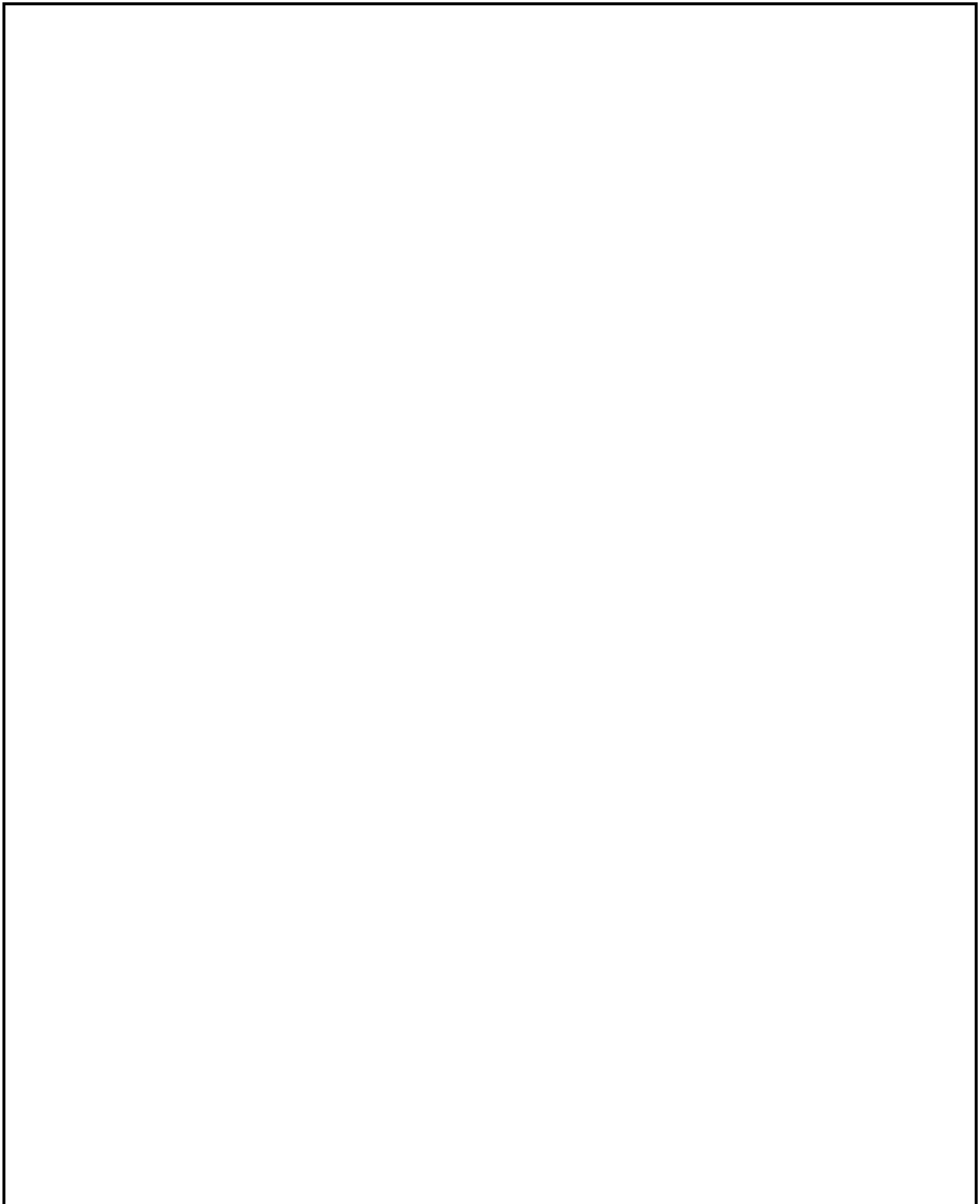
Education



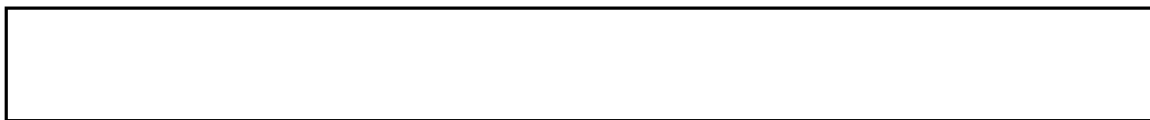
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Espionage

General



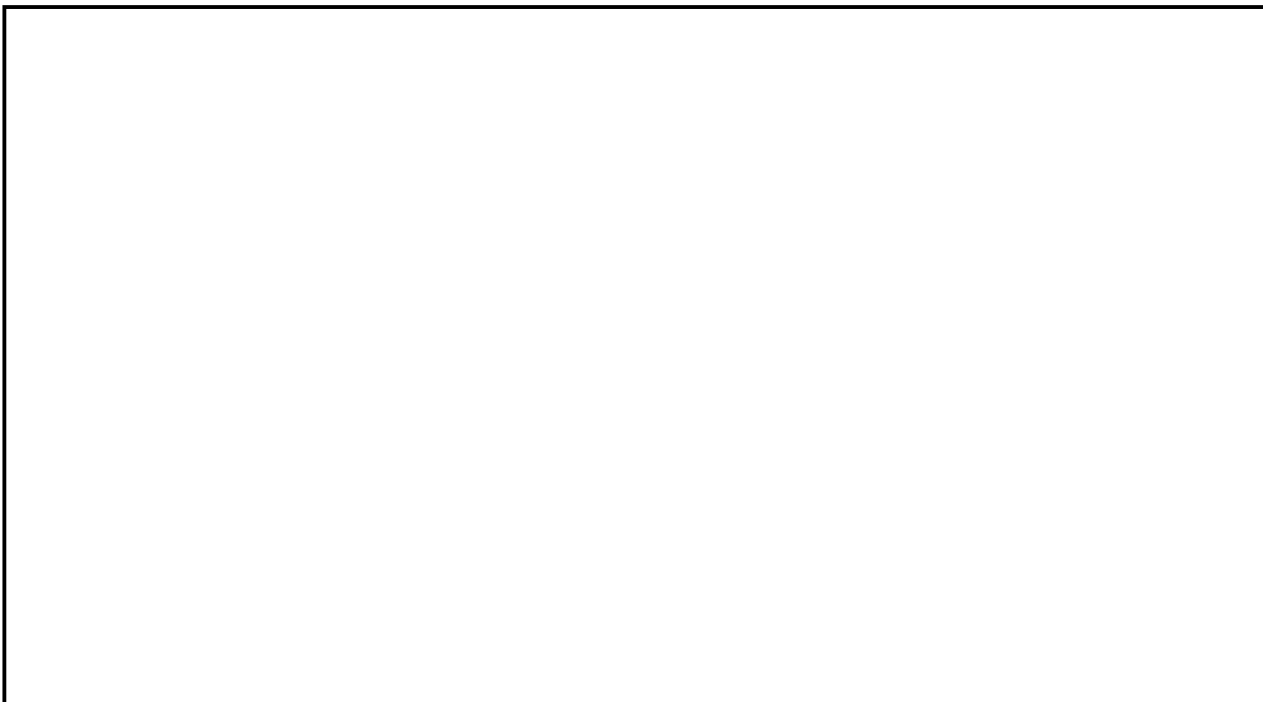
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Federal Bureau of Investigation

General

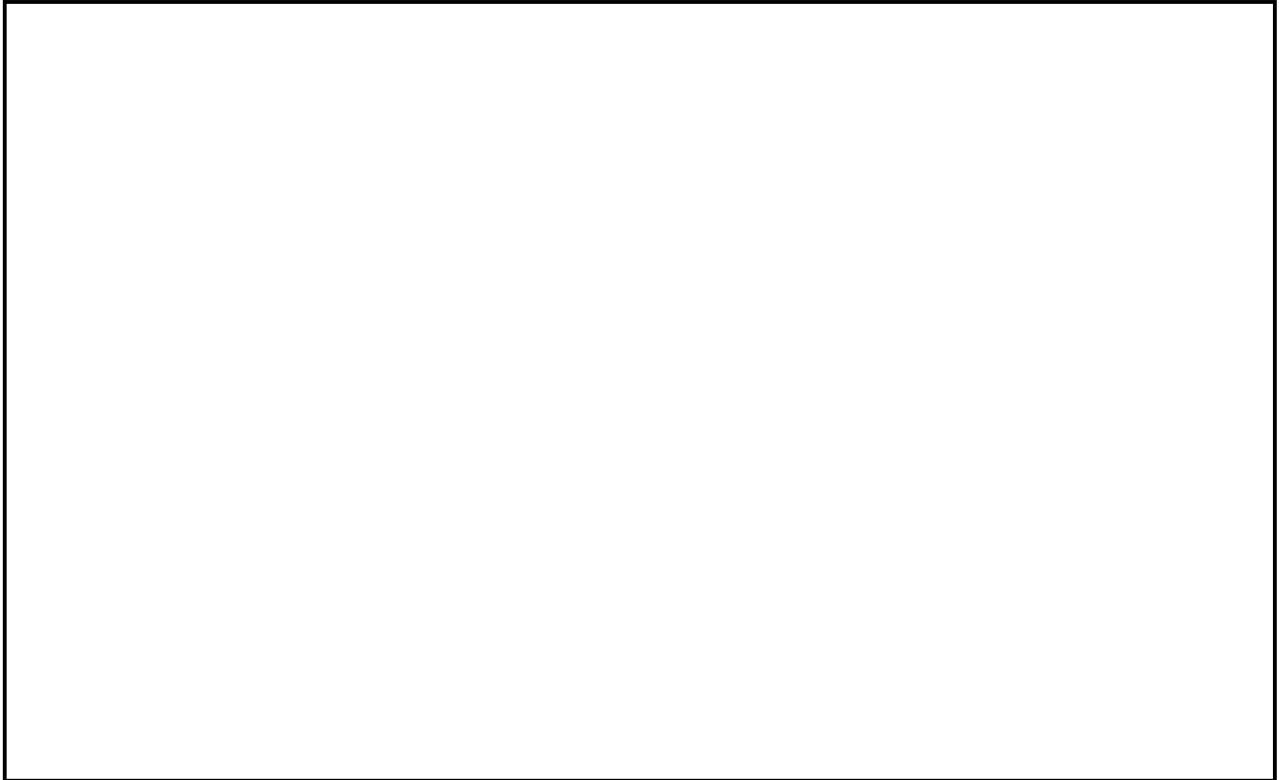


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Foreign Intelligence Services & Related Topics



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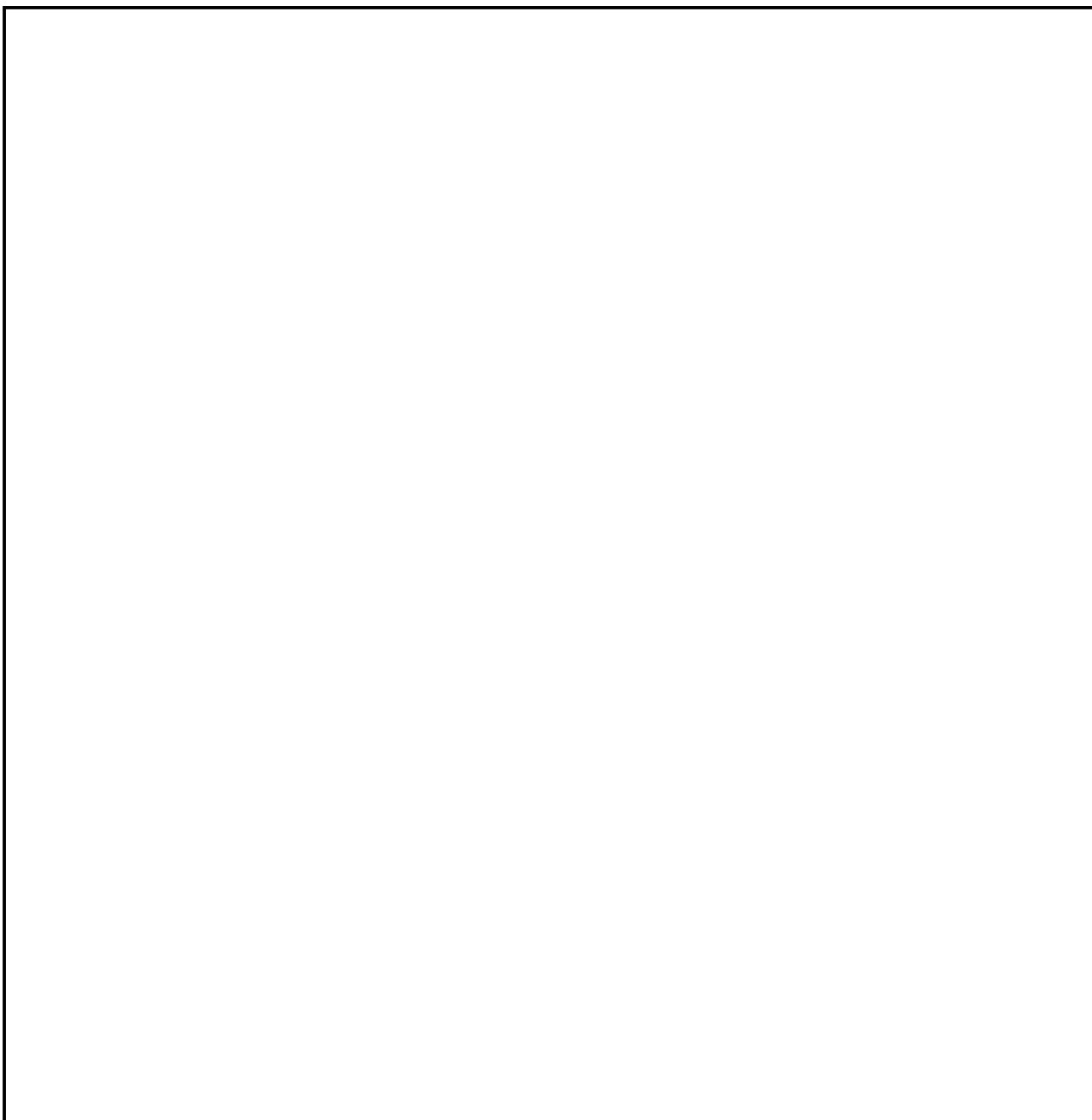


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General Reference



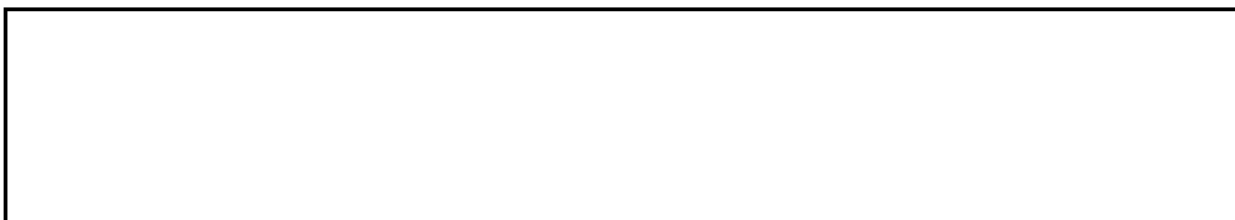
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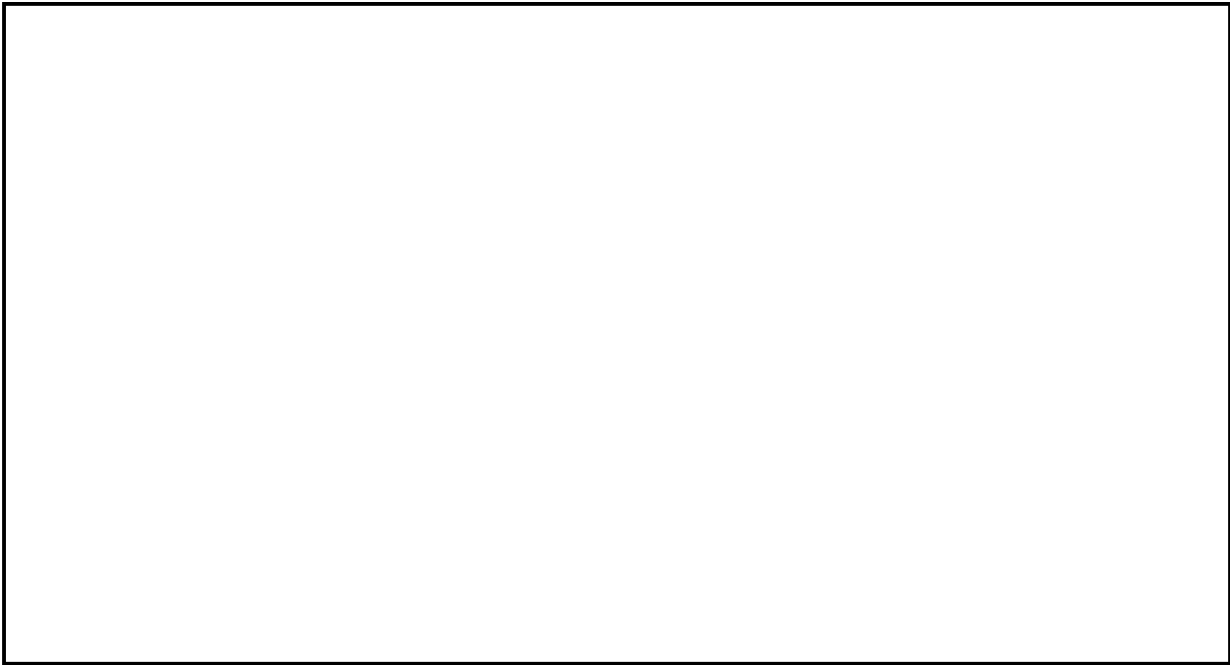
History

Pre-American War of Independence to Civil War



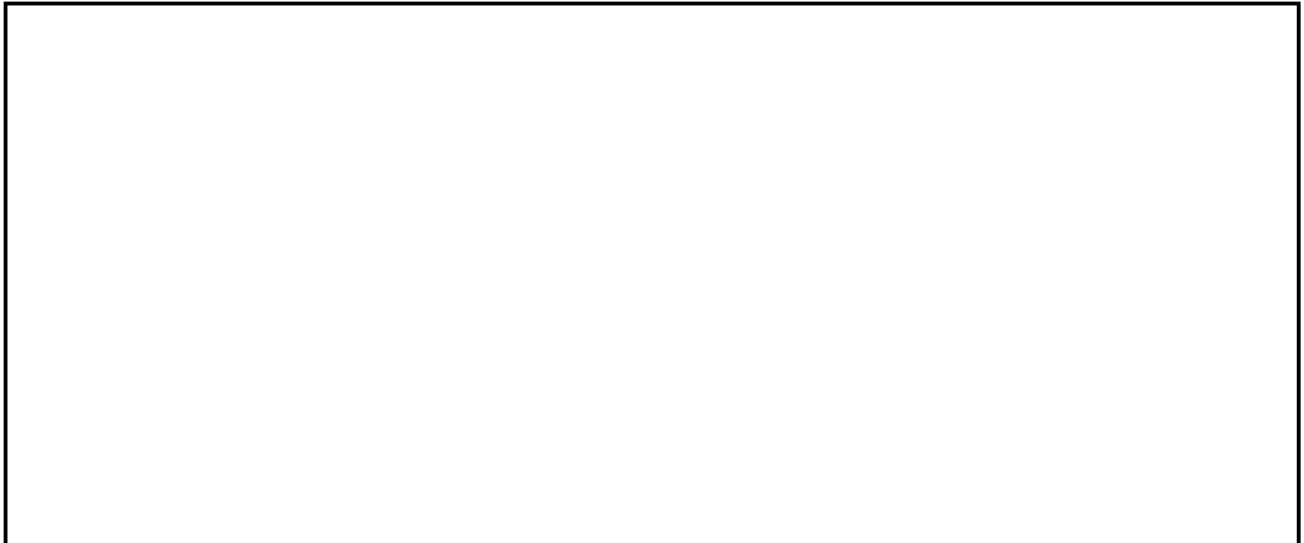
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American War of Independence



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Civil War



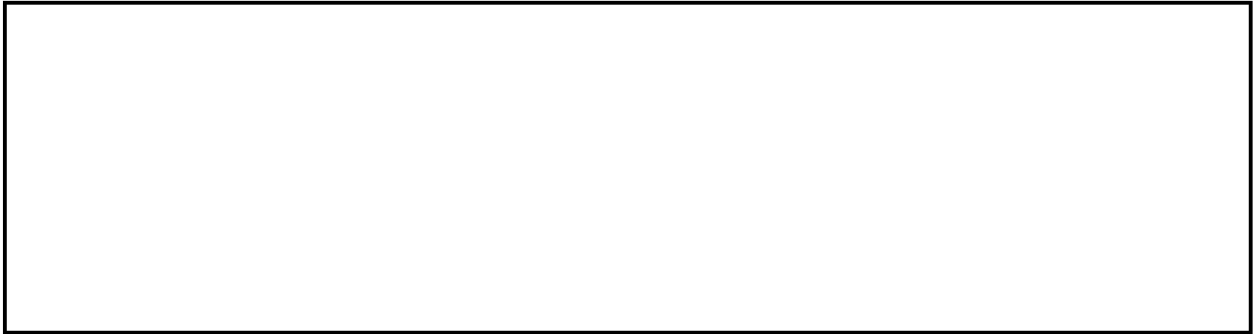
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World War I



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Between the Wars



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World War II

Allied Intelligence & Related Topics

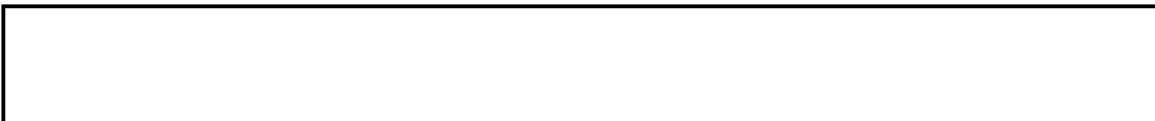


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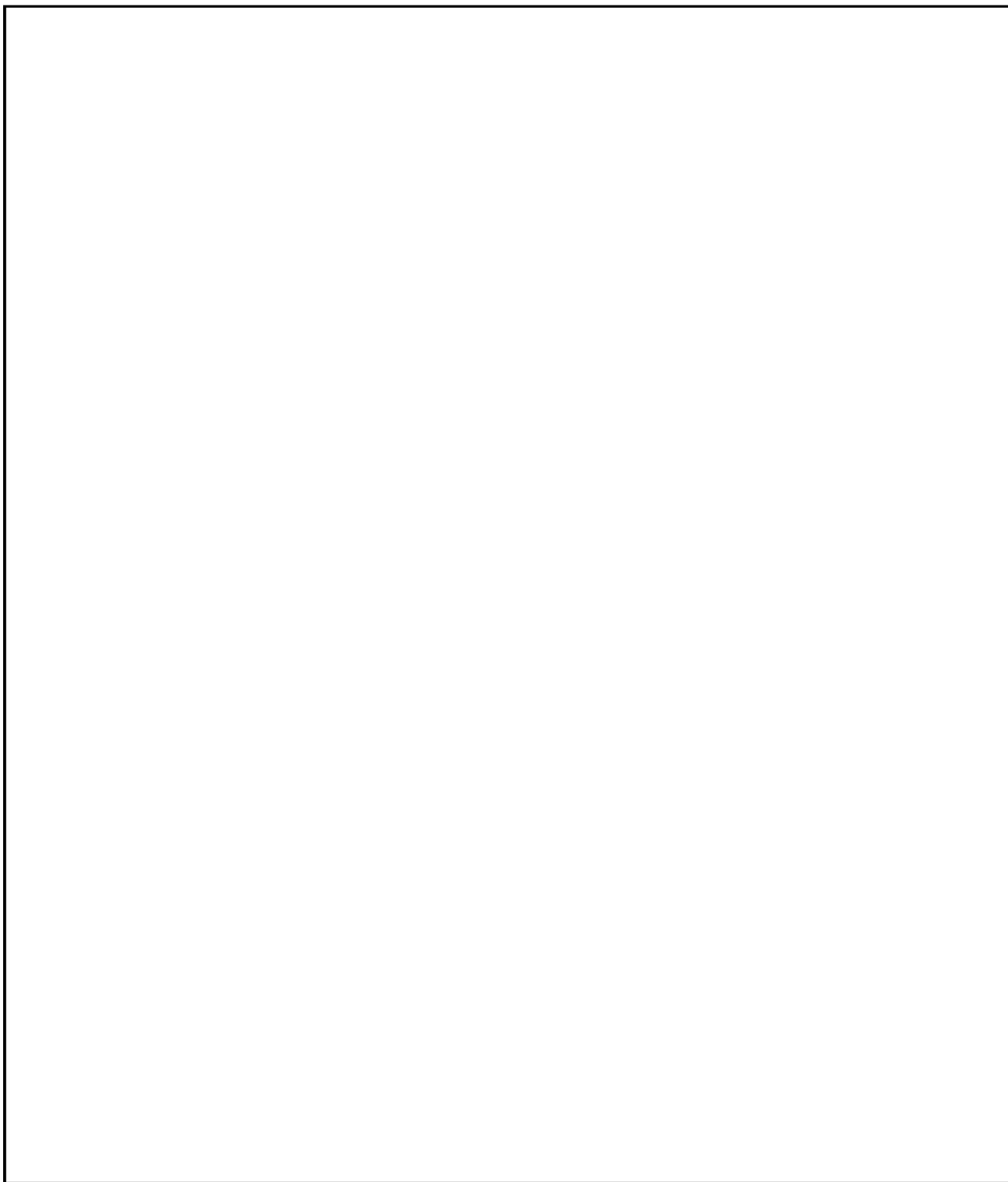


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Cold War Years



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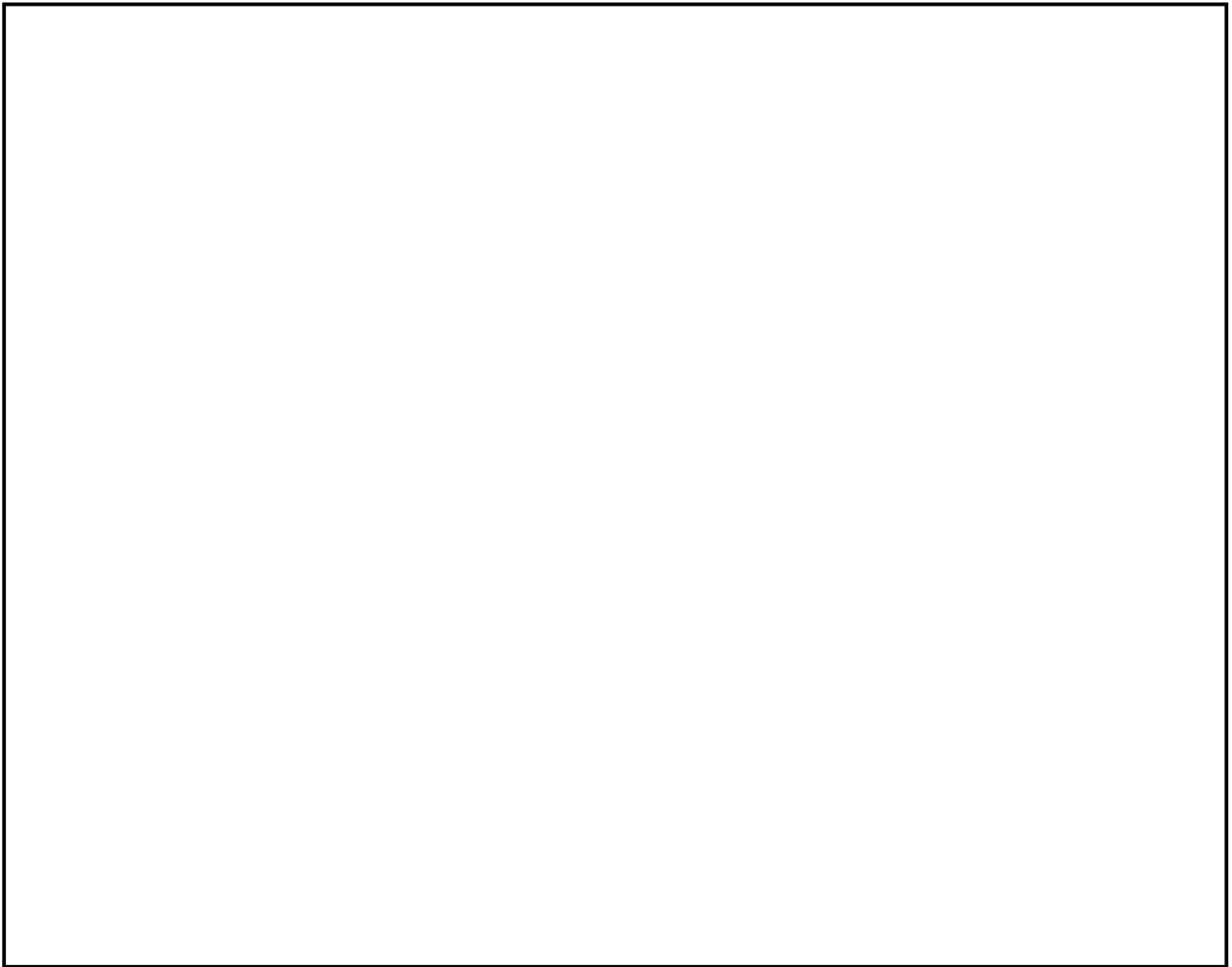


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Post Cold War



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Intelligence

General



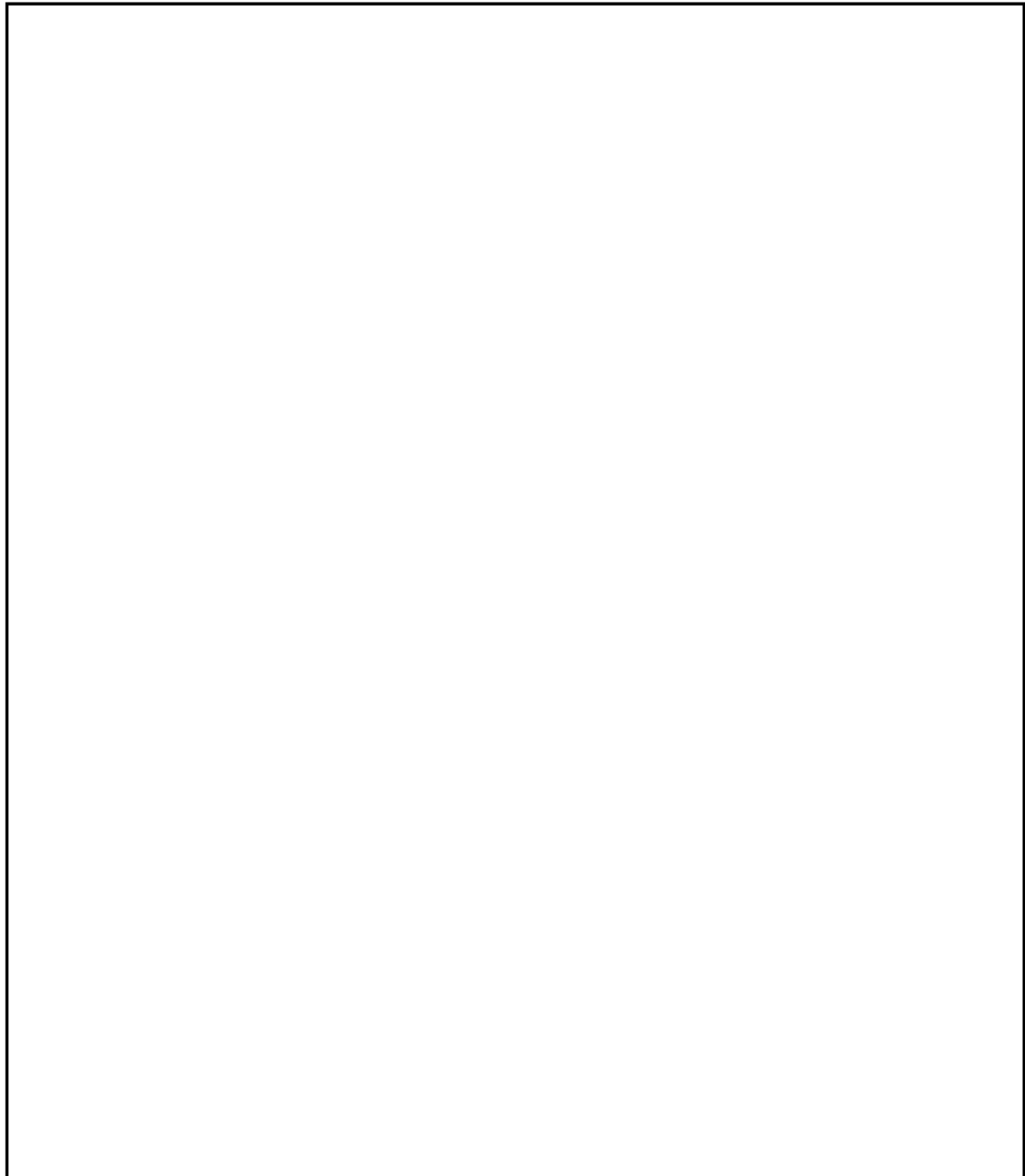
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International Affairs

General Topics

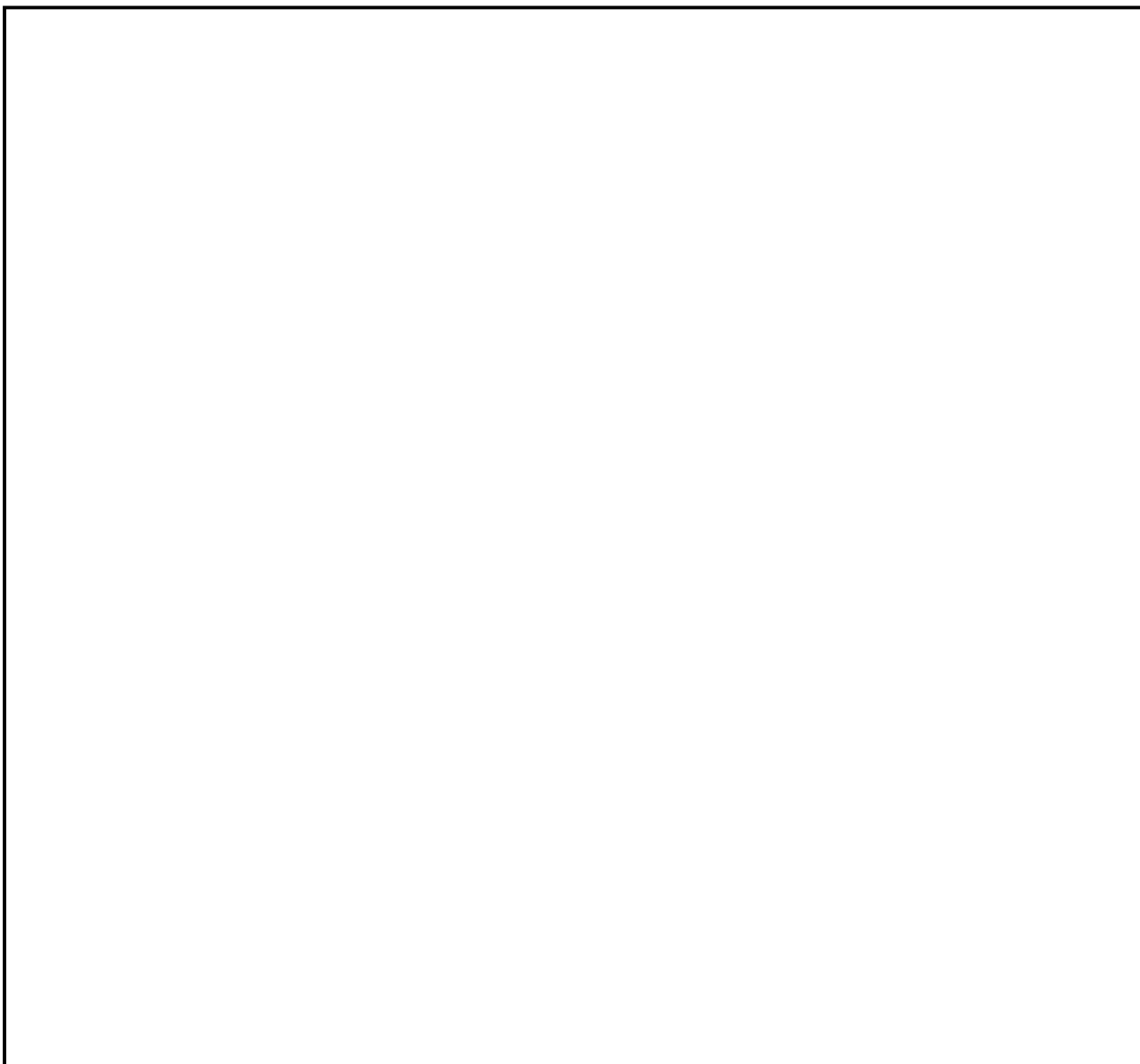


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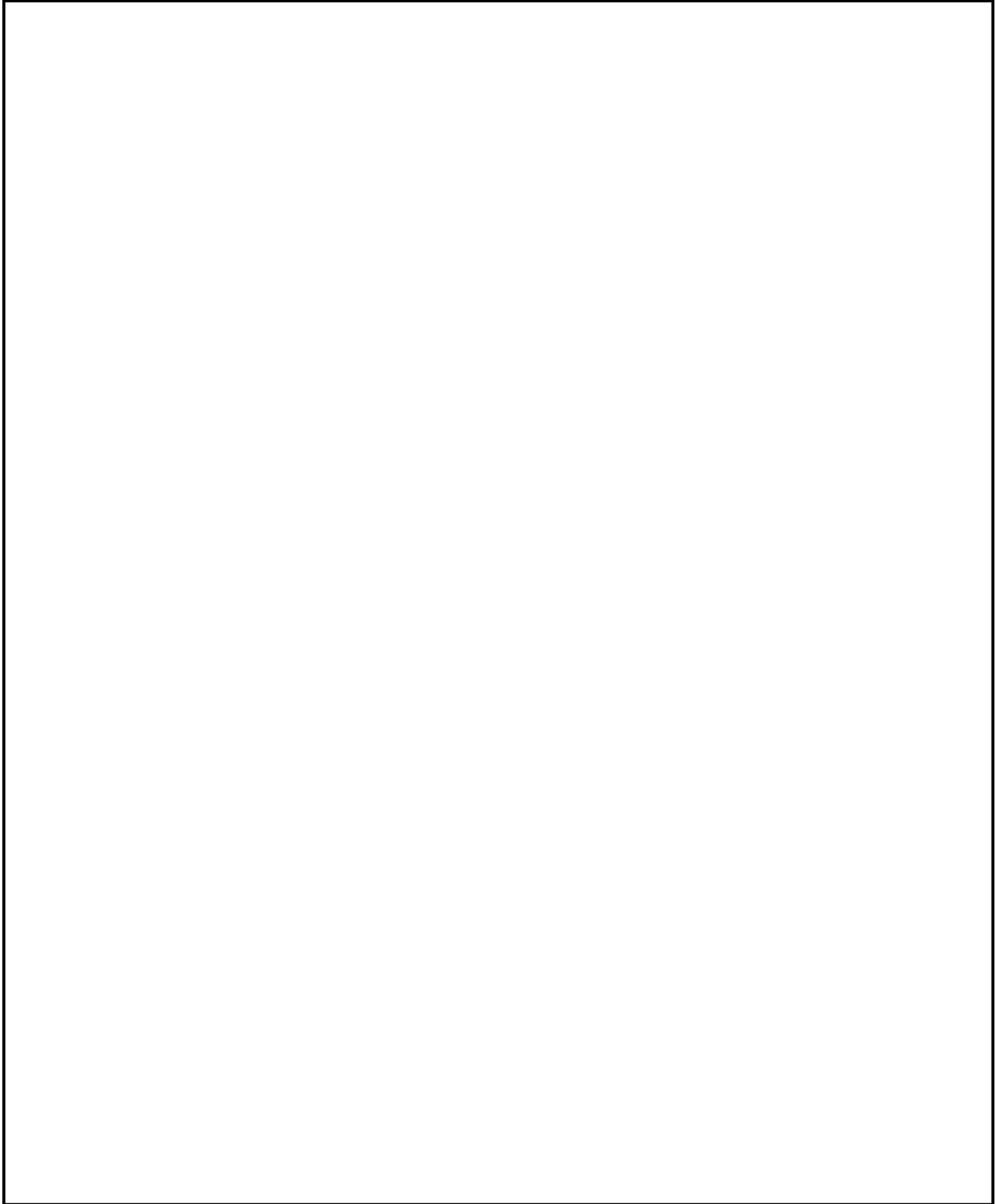
Interview & Interrogation



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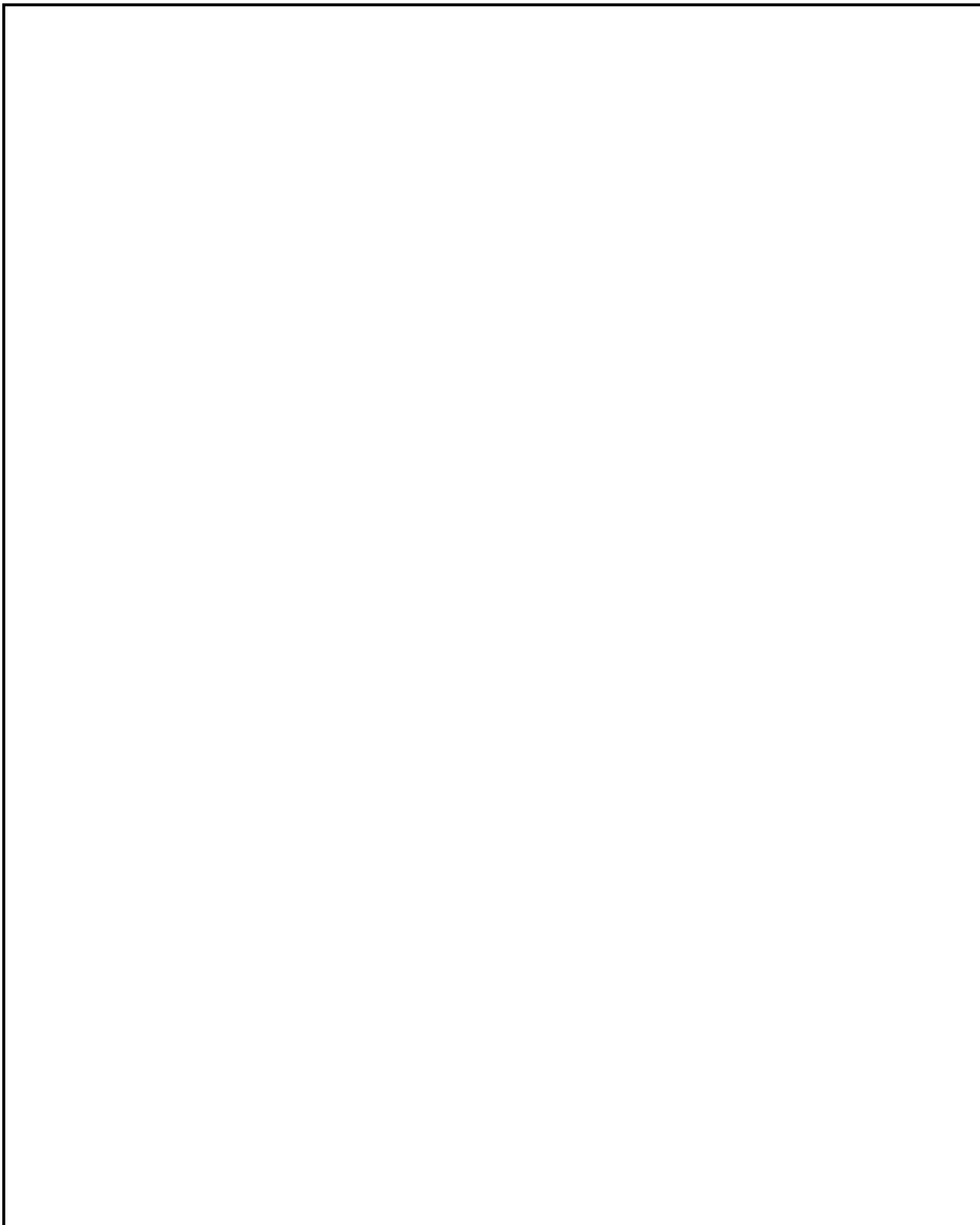
Terrorism

International Terrorism



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US Intelligence Community

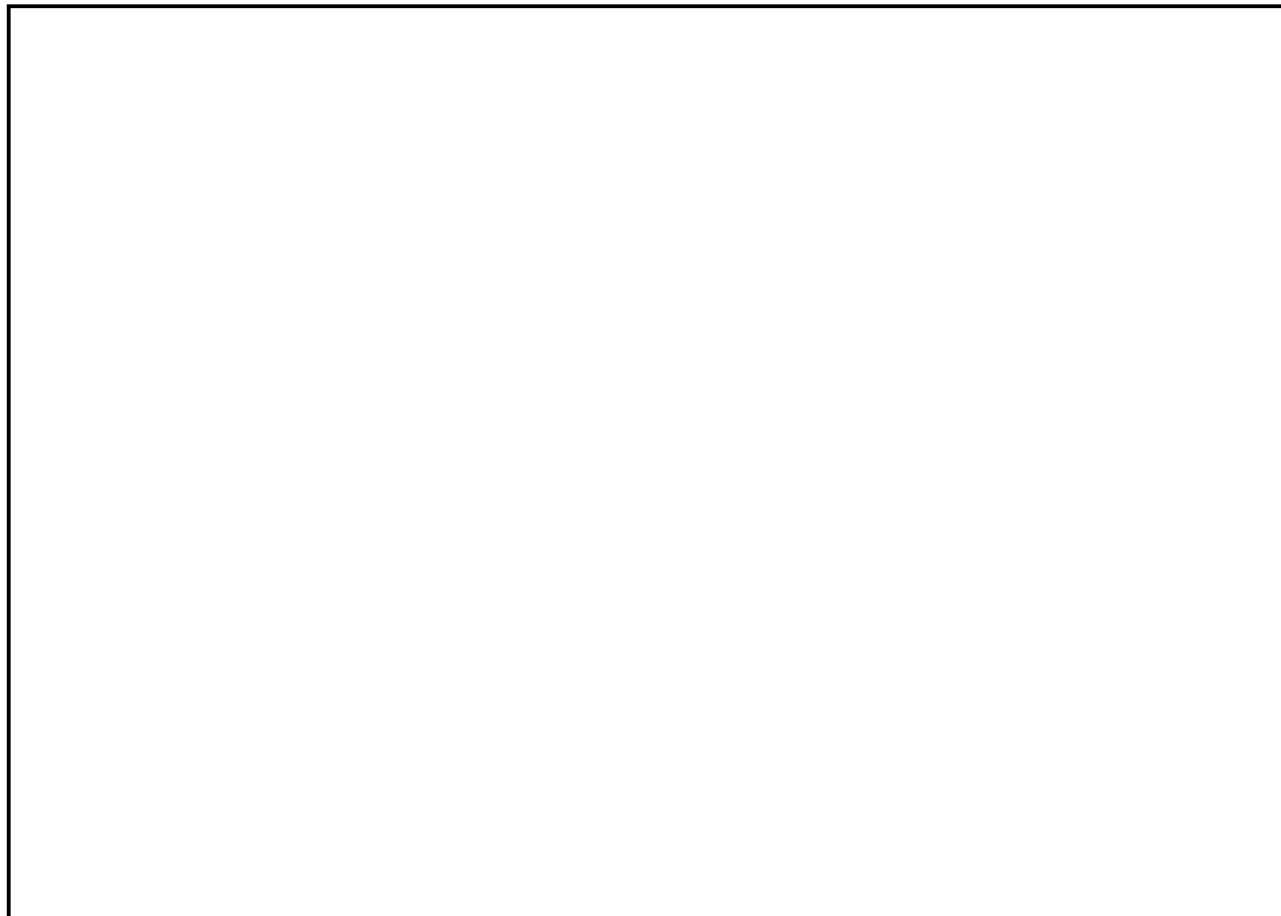


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Weapons of Mass Destruction



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Referral / Consult
Referral / Consult[illegible]

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