

Methods for Surpassing False Testimony

Key words: Methods of Interrogation, False Testimony

Resume

The aim of my Diploma thesis is to provide an overview of methods of psychological treatment applicable during police interrogation in pre-trial stage, especially in an effort to reduce a suspect's or a witness' resistance to being truthfull.

The interrogation, one of the most important acts of criminal procedure, is the process of communication between interrogated person and interrogator, which can provide for information crucial for the investigated case. The product of interrogation, testimony, becomes more important in the absence of other evidence. However, despite importance of oral statements, it must be taken into account, that many persons, mainly defendants or the intimidated witnesses, are for many reasons highly motivated to give false testimonies.

By analyzing many specialists' opinions as well as practical experiments conducted by experts specialized in the field of lie detection, I made conclusions that there are not any "reliable" signs of lie, neither verbal nor nonverbal. Because the purpose of interrogation is to obtain reliable evidence usefull in pre-trial investigation and before trial, the lie detection is one of the most difficult tasks the interrogator has to deal with. Special credibility of statement is assessed for determining the correct testimony. If the interrogator detects someone's intent to lie, it is necessary to optimize methods of interrogation to such a situation and choose the most appropriate techniques in order to persuade the interrogated person of futility of his or her resistance to telling truth. For selecting the most fitting tactics, interrogator should also get to know the personality of interrogated person. This aim can be achieved by exploring general credibility of interrogated person, e.g. his/her general ability to give reliable testimony.

The first part of my work is focused on clarification of essential terms connected with lie detection, such as interrogation, testimony, false statements, credibility of statement and false confession. An interrogation is described as an act of criminal procedure which in many cases may produce false testimony. In an effort to introduce

problem of lies at the accused's or witness' testimonies, the definition of false testimony is provided as well as explanation of credibility of statement, lie symptoms and motivation which causes interrogated person's resistance to cooperate.

I deal with an issue of psychological treatment of interrogated person, especially getting in touch with an interrogated person, process of communication between persons involved and specific conditions during interrogation. Further, methods of psychological treatment are divided into two categories – legal methods and methods of duress.

The core of my Diploma thesis is reflected in the third part which enumerates and specifies tactical methods of interrogation which are applicable in situation when interrogated person intentionally refuses cooperation. These methods have been abstracted from knowledge of forensic psychology by criminalistics.

Last part is focused on some controversial methods of lie detection, such as physiodetection, and their advantages and disadvantages.