

# Investigator's Interview Strategy in Interrogating Suspect: A Study in Forensic Linguistics

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## ABSTRACT

The ability to raise questions is important for investigators. The substance, kinds, and the direction of the questions determine the value of the information during investigation process. The research is aimed at revealing the investigators' strategies in finding the proven information. The investigators should be able to formulate the questions so they are able to get clear information from the suspects. They investigators are considered successful when they are able to convince the suspects to give the real information. By using descriptive qualitative paradigm, the data were collected and analyzed with observation and interview methods. The data were taken from the investigators from Galang-based Indonesian National Police in Galang District, Deli Serdang reGENCY and consisted of the investigators' questions addressed to the suspects. The data were transcribed and analyzed by using content analysis method to find the dominant uses and the connection between one to another in finding the value meaning, purpose and aim of the information. The dominant questions used in the KPKS and KPy investigative interview are direct-opened question (102 or 27.1%) because the investigators needed the specific information. The investigative activities showed the physical and material truths from the criminal cases.

**Keywords:** Strategy, investigative interview, investigator, forensic linguistics

## INTRODUCTION

In composing the investigation and interrogation reports, police investigators created a series of questions in order to get valid information from suspects. In the beginning, investigators use investigative interview followed by interrogation process. The investigators usually have their own methods to get the amount of information to see whether or not people are guilty in criminal acts. The most precious tools used by them in gathering the information in the criminal investigation is the investigative interview. This is useful especially if the incriminating evidence is weak or nothing.

Based on the field observation, the investigation process and the interrogation

report involve the questions and answers between the investigators and the suspects, in which the process is based on the rules because it has a series of utterances (Finegan, 2008:293). Furthermore, the organization of utterances is based on the *turn-taking*, namely answering the questions signal the beginning or ending of the conversation and do the correction in time of needed. Therefore, the response from the suspects is one of the conditions that must be fulfilled in the rules of the utterances.

The appropriate and relevant interview process is not easy especially if it is aimed to get the information related to one case which requires witnesses (both for victims or experts) commentary, or the

suspects. The investigators should be able to create the questions so that they will be able to get clear information from the suspects and are considered successful when they are able to convince the subjects to give the truths (Yeschke, 2003:159). In the paper, we analyze the types of questions and responses during investigative interviews in order the investigators can make the investigation and interrogation reports in different cases. A first case is the palm rubbing (known as KPKS) and the second is persecution (known as Kpy) case.

### Forensic Linguistics

Kinds of criminal acts generally involve the language from the suspects, victims, and witness and of course give impacts on the language of investigation in order the law enforcement can be erected by the investigators up to judicature process involving the lawyers, prosecutors, and judges. The investigation processes have its own styles of practice. McMenamain (2002:xii) stated the language style is the reflection of various personal, community, and particular language society and he also argued (ibid:67) about the importance of the forensic linguistics.

Seven primary fields in forensic linguistics are language used in legal, language used by the police and law enforcement, interview with children and the witness that susceptible to the law, court's interactions, linguistics proof and experts evidence, arrangement and plagiarism, and lastly, forensic phonetics and speaker identification (Coulthard and Johnson, 2007).

### MATERIALS AND METHODS

Quantitative method was used in describing the phenomenon as a primary reference in the criminal text context. It is not only interpretative oriented but also be able to read the textual interrogation, logic, behaviour, and theoretical fact in revealing the truth in the adequate distance of objectivity (see Miles 2014 and Sudaryanto 2015). The paradigm in this qualitative approach was used since this research was

aimed to interpret the phenomenon related to the use of investigators' kinds of questions in the criminal law of complaint investigative interview.

The data was taken from observation. The spoken language was based on the investigators and the suspects in the palm rubbing case (known as KPKS) and the second is persecution case (known as KPy). The naturalistic data involved the spoken language that was changed into written data using the orthographic method by avoiding the refraction of the researcher's subjectivity.

Content analysis was used as the technique for analyzing the data that was started by deciding the communication phenomenon to be observed (included the investigators' linguistic phenomenon in the process of investigative interview); then the next step was chosen the object of the research (included the verbal data in form of sign or symbol), the classification of coding that was done (the classification was done by seeing how far the unit of meaning related to the purpose of the research). This classification was intended to build a category from each classification. Then the unit of the meaning and category were analyzed to find out the relationship between one and another in finding the meaning, sense and purpose of the information (the result then was describe carefully) that was valued proven (see Bungin, 2007:159).

### RESULTS AND DISCUSSION

Types of Questions from the Investigators to the Suspects

In the KPKS case, the investigator orally delivered 105 kinds of closed-questions (see Table 1) and in the KPy case, the investigator pronounced 271 questions to the suspects (see Table 2).

**Table 1. Types of Closed-Questions**

Type of Questions	Quantity of Questions		
	KPKS	KPy	Result
Closed-Question 'Yes' Response	57	29	86
Closed-Question 'No' Response	9	7	16
Closed-Question 'Optional' Response	2	1	3
Total Questions: 105			

**Table 2. Types of Opened-Questions**

Type of Questions	Quantity of Questions		
	KPKS	KPy	Result
Reflective	11	9	20
Directive	28	23	51
Direct	53	49	102
Diversion	6	6	12
Self Appraisal	14	13	27
Directing	22	22	44
Diverting	4	11	15
Total Questions: 271			

### A. Closed-Questions

Based on their characteristics, the closed-questions refer to the Yes/No questions needing Yes/No answers (or sometimes they are called limited answers) and to the optional questions which consist of one of the options as the answer.

#### A.1 Closed-Question "Yes" Response

The closed-questions in the beginning of the interview were used to get an affirmative answers and to make the suspects comfortable. The questions were useful when the investigators wanted to control the interview totally and to save the time. The questions with the two options (Yes or No) also limited the response and option. Table

3 consists of closed-questions [P indicates *penanya* (interviewer) and T refers to *tersangka* (suspect)] which require Yes-response.

**Table 3. The Extract of Closed-Question "Yes" Response**

P	: Can we start taking the information?(KPKS-029)
T	: Yes, Sir. (KPKS-030)
P	: Is it belong to Sei Putih? (KPKS-058)
T	: Yes. (KPKS-059)
P	: Oh, did he squat? So you stand, right. Like this? It means he felt behind? Is that right? (KPy-643)
T	: Yes. (KPy-644)
P	: Did you push him?(KPy-676)
T	: Yes. (KPy-677)

**Table 4. Recapitulation of Closed-Question "Yes" Response**

	Quantity of KPKS	Quantity of KPy
	57	29
Percentage	66,3	33,8
Total Questions: 86 (100%)		

#### A.2 Closed-Question "No" Response

Table 5 shows the examples of investigator's questions which should be responded by the suspect; the questions are categorized into Closed-Question "No" Response. Table 6 shows the recapitulation.

**Table 5. The Samples of Closed-Question "No" Response**

P	: What is the number of the plots?(KPKS-076)
T	: I don't know, Sir. (KPKS-077)
P	: The plots in number 3 block 15, right? That's included the village that you were taken! (KPKS-080)
T	: I don't know, Sir. (KPKS-081)
P	: Did you bring your identity card? (KPy-459)
T	: No. (KPy-460)
P	: In relation with the investigation in this case, that was suspected to you, do you use your own lawyer? (KPy-472)
T	: No. (KPy-473)

**Table 6. The Recapitulation of the Closed-Question "No" Response**

	Quantity of KPKS	Quantity of KPy
	9	7
Percentage	56,3	43,8
Total Questions: 16 (100%)		

#### A.3 Closed-Question Optional Response

The type of close-question optional response has limited response and option

and was designed by the investigators who provided two or more different conditions. The response was intended to save the time and to keep the maximum control in the investigation process. Samples can be seen in Table 7.

**Table 7. The Samples of Close-Question Optional Response**

P	: Did you mean last night? Tuesday? Or Wednesday? (KPKS-072)
T	: Wednesday. (KPKS-073)
P	: Are you sorry? Don't you know that it's breaking the law, do you? Firstly, do you know or not? (KPKS-387)
T	: If it is so, just say I know. (KPKS-388)
P	: At 10.00 o'clock. Were you handed yesterday or how? (KPy-570)
T	: Handed. (KPy-571)

This type of questions offered two (more) different conditions which were intended to save the investigation time. The investigator gave this type of optional question to the

suspect, marked with the "or" word/lexis. In the data (KPKS-072), (KPKS-387), and (KPy-570) were found "or" as the marker of different choice of condition that asked by

the investigator. It is important to be noted that the investigator always tried to have a maximum control on the investigation, both in KPKS and Kpy cases.

**Tabel 8. The Recapitulation of Close-Question Optional Response**

	Quantity of KPKS	Quantity of KPy
	2	1
Percentage	66,7	33,3
Total Questions: 3 (100%)		

## B. Opened-Question

The questions in this type gave a pressure for the suspects, collected a lot of information needed, and made the interview keep running. The opened-questions helped the investigators and were aimed at (1) revealing the priority, attitude, necessity, value, purpose and the aspiration of the suspect, (2) deciding the frame reference

and suspect's point of view, (3) building the comprehension and emphatic side, (4) including the process of observation actively, caring, positive response, and introduction, (5) allowing and pushing the suspect to show the feeling and telling the truth without being threatened, and (6) stimulating relief or the expressions of emotion from the suspect.

### B.1 Reflective Opened-Question

This method reflected the suspect's response, used to handle objection and rejection. Investigator could help the suspect to feel comfortable in giving the response to the questions and should follow the suspect's pace of thought (see Table 9 for samples and Table 10 for recapitulation).

**Tabel 9. The Samples of Reflective Opened-Question**

P	: What did you still? What?(KPKS-048)
T	: I just asked to wait the motorcycle, Sir. (KPKS-049)
P	: Don't say you didn't know? (KPKS-118)
T	: I do. (KPKS-119)
P	: How do you know? (KPy-614)
T	: Yes, because I was at the back and looked at the goose cage. (KPy-615)
P	: Seven, right?(KPy-622)
T	: Six. There were six people. Because when I came there were two people left there, Yuda and his neighbour. (KPy-623)

**Tabel 10. The Recapitulation of Reflective Opened-Questioned**

	Quantity of KPKS	Quantity of KPy
	11	9
Percentage	55	45
Total Questions: 20 (100%)		

### B.2 Directive Opened Question

Directive question is used to lead the focus of the suspect into the same area with the investigators. The investigators wanted to know the benefit if they worked together with the suspect and during research there were 50 questions in this type (see samples in table 11 and recapitulation in Table 12).

**Tabel 11. The Samples of Directive Opened Questions**

P	: How many times did you steal with your brother? (KPKS-397)
T	: Once, Sir. (KPKS-398)
P	: Two days ago? Monday? Tuesday night? No problem anyway. (KPy-592)
T	: Monday night. (KPy-593)
P	: So, according to you, what is the motive of that person to throw it? (KPy-768)
T	: Maybe annoyed or fed up. (KPy-769)
P	: Who is the witness at that night? (KPy-794)
T	: The child of Mr. Sidak. (KPy-795)

**Tabel 12. The Use of Directive Opened Question**

	Quantity of KPKS	Quantity of KPy
	28	23
Percentage	54,9	45,1
Total Question: 51 (100%)		

### B.3 Direct Opened Question

Direct questions are specific and directly pointed to the purpose. This type is

designed so the suspects were motivated to do the action and could stimulate the physical expressions cones from pressure but this type could not be offensive or accuse. Based on the data, according to the characteristics of the data, the investigator put the interview included the personal data

of the suspect into the type of direct opened-question, followed by the amount of data that marked the particular marker related to the direct opened-question (see Table 13 for samples and Table 14 for recapitulation).

**Tabel 13. The Samples of Direct Opened-Question**

P	: At what time, Sir? (KPKS-064)
T	: Around 12, Sir. (KPKS-065)
P	: What's happened to your hand ? (KPKS-198)
T	: It's hurt. Sir. (KPKS-199)
P	: How many times did you beat it with that tool? (KPy-682)
T	: Once. (KPy-683)
P	: At what time?(KPy-748)
T	: Around 7. (KPy-749)

**Tabel 14. The Recapitulation of Direct Opened Question**

	Quantity of KPKS	Quantity of KPy
	53	49
Percentage	51,9	48,1
Total Questions: 102 (100%)		

### B.4 Indirect Opened Question

The type of indirect opened question could help the suspects to have accurate information in revealing his identity, thought, and feelings. Often, this type was used in the beginning of the interview (see Table 15 for samples and Table 16 for recapitulation).

**Tabel 15. The Samples of Indirect Opened-Question**

P	: You're healthy, right? (KPKS-156)
T	: Yes. (KPKS-157)
P	: So u were made guilty by your brother? (KPKS-234)
T	: I don't know, sir. That is the story. (KPKS-235)
P	: How did you get here yesterday night? (KPy-562)
T	: The neighbourhood picked me. (KPy-563)
P	: So did you used two motorcycles together? (KPy-608)
T	: Yes, we're four. (KPy-609)

**Tabel 16. The Recapitulation of Indirect Opened-Question**

	Quantity of KPKS	Quantity of KPy
	6	6
Percentage	50	50
Total Questions: 12 (100%)		

### B.5 Self Appraisal Opened-Question

Self-appraisal opened-question was delivered to the suspects to get to know his identity. This type helped the investigators to develop the hypotheses about who, how, and why of the criminal case or other case happened. With it, the investigator got a deeper understanding about the direct needs and observed suspect's opinions. It was difficult for the lying suspect to be consistent in answering questions in this

type (see Table 17 for samples and Table 18 for recapitulation).

**Tabel 17. The Samples of Self Appraisal Question**

P	: Don't you know it? (KPKS-186)
T	: I don't know if it is contained fruits. (KPKS-187)
P	: Stolen fruit... So you understand that, do you? (KPKS-304)
T	: Yes, but not at first. (KPKS-305)
P	: Did you do the persecution? (KPy-574)
T	: Yes, I did. (KPy-575)
P	: Which hand did you use? (KPy-655)
T	: Right hand, just the right hand. (KPy-656)

**Tabel 18. The Recapitulation of Self Appraisal Questions**

	Quantity of KPKS	Quantity of KPy
	14	13
Percentage	51,9	48,2
Total Questions: 27 (100%)		

### B.6 Leading Question

Leading questions consist of the investigator's assumptions and involved the implicit meaning that can be used to keep the emotional tension in the interview, but it cannot be abrasive if it is arranged logically. Leading question could lead the suspect to be easier working together in the investigation. This question reflects the assumption that the suspect could give useful information (see Table 19 for samples and Table 20 for recapitulation).

**Tabel 19. The Samples of Leading Question**

P	: Yes, then? Did he come down? (KPKS-190)
T	: Yes, he did. The he put the fruit, I also came down then stood on the left side of the review mirror. (KPKS-191)
P	: Is this include?It means the car is on? (KPKS-224)
T	: He left, Sir. (KPKS-225)
P	: Is this the complex address? (KPy-455)
T	: Yes, in Gelinda. (KPy-456)
P	: Three times? (KPy-657)
T	: I think so. (KPy-658)

**Tabel 20. The Recapitulation of Leading Question**

	Quantity of KPKS	Quantity of KPy
	22	22
Percentage	50	50
Total Questions: 44 (100%)		

### B.7 Diverting Question

The diverting questions are aimed at reducing the tension by distracting the suspect from the causing issues, and by fixing the relationship between the investigator and the suspect. Diverting question is useful when it touches the suspect's emotion (see Table 21 for samples and Table 22 for recapitulation).



**Tabel 21. Samples of Diverting Question**

P	: Domestic violence? Did you punished or jailed? (KPKS-041)
T	: Yes, for 8 days, Sir. (KPKS-043)
P	: It's not the court, isn't it? (KPKS-044)
T	: Yes, Sir. (KPKS-045)
P	: No, what did they ask? (KPy-465)
T	: Missing letter. (KPy-466)
T	: That it is as long as I remembered, because I was circumcised. (KPy-554)
P	: So? How do we make it if it just what you remind? (KPy-556)

**Tabel 22. The Recapitulation of Diverting Question**

	Quantity of KPKS	Quantity of KPy
	4	11
Percentage	26,7	73,3
Total Questions: 15 (100%)		

### The Recapitulation of the Use of Question

This section discusses the amount of questions used by the investigator in investigating the suspect in KPKS and Kpy cases. The percentage of the type of questions can be recapitulated in Table 23.

**Tabel 23. The Recapitulation of All Types of Questions**

Kinds of Questions	Recapitulation	
	Quantity	Percentage
Closed-Question "Yes" Response	86	22,8
Closed-Question "No" Response	16	4,2
Closed-Question Optional Response	3	0,8
Opened Reflective	20	5,4
Opened Directive	51	13,6
Direct Opened	102	27,1
Diversion Opened	12	3,2
Self Appraisal	27	7,2
Opened Directing	44	11,8
Opened Diverting	15	3,9
TOTAL	376	100

### CONCLUSIONS

It is concluded that from KPKS and Kpy cases, there are 102 direct questions or 27,1%, followed by 86 opened question response "Yes" or 22, 8%, and by the less type of question that is 3 opened questions optional response or 0,8%. The investigators use direct questions dominantly because this kind can stimulate the verbal pressure done by the investigators to press the suspect to give honest explanations. Another possibility is that the investigators use this kind because they can hold the investigation and got a clear and detailed information.

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