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PhD THESIS ABSTRACT

**ELEMENTS OF FORENSIC PSYCHOLOGY APPLIED IN THE
INVESTIGATIVE INTERVIEWING AND THE ASSESSMENT OF
STATEMENT VERACITY**

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CLUJ-NAPOCA

2025

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The interviewing of individuals within the criminal trial process is both a procedural criminal activity and a matter of forensic tactics, which contains an essential psychological component. The latter is determined by the need to evaluate the behavior, reactions, and credibility of those being interviewed, as well as by the necessity to adapt interviewing techniques according to psychological particularities.

This activity involves the application of criminal procedural rules and principles based on respect for human rights. Additionally, the quality of an interview depends on the abilities of the judicial body, the use of appropriate interviewing techniques, and the management of factors that may influence statements, such as stress, psychological pressure, or the tendency toward self-defense. In practice, the interview must comply with the rigor imposed by procedural criminal norms, while also adhering to the principles of forensic psychology, in order for the statements obtained to be as useful as possible in the process of discovering the truth.

In this complex context, the present paper aims to analyze the interviewing and interrogation techniques used internationally, taking into account both the national criminal procedural framework and the classical elements of forensic tactics. The term "classical" has been attributed to the main rules and tactical procedures applied in interviewing individuals, which are largely reflected in the Romanian forensic literature.

The study will examine the evolution of interrogation and interviewing techniques and will analyze various such techniques and tactics. A central objective is the investigation of specialized tools for detecting deceptive behavior and identifying key areas for improving the application of these tools. Another objective is understanding the interviewing and interrogation practices used by the criminal investigation bodies of the Romanian judicial police, particularly in the context of identifying deceptive behavior.

Motivation for Choosing the Topic

The motivation for choosing this topic primarily derives from the professional experience accumulated as a criminal investigation officer within the judicial police and from the methodological development needs observed later in the role of polygraph examiner. Furthermore, the current position as a teaching staff member provides an integrated and

comprehensive perspective on the interview process.

In all three professional contexts, there is a recognized need for scientifically validated and up-to-date knowledge, both regarding specialized interviewing tools and the process of determining deceptive behavior, as a part integral to the overall interviewing process.

At the level of common-sense observation, it can be noted that within the activity of the criminal investigation bodies of the judicial police—especially among younger personnel—there exists a certain degree of confusion regarding the practical approach to conducting an interview and evaluating the veracity of statements.

The recognition and management of the complexity of the human factor highlight the necessity of continuous professional training for judicial bodies, as well as the importance of overcoming the limits of common reasoning or potential biases during the interviewing process, in order to optimize the process of obtaining and analyzing statements.

Basic concepts

Forensic Tactics

Forensics is a science with a complex structure, whose tripartite format is universally accepted. Alongside forensic technique, which focuses on specific methods of managing traces, as well as the methodological component concerning the investigation of various types of crimes, forensic tactics provide a set of rules regarding the conduct of investigations and the collection of evidence, within which the interviewing of individuals is also included.¹

We consider that the most important aspect to be mentioned regarding the set of rules applicable to procedural activities is the positive experience accumulated during the evidentiary activities, as this represents the source of best practices.

Interviewing

Interviewing, as an essential element of the criminal process, constitutes both a procedural criminal activity regulated by strict legal norms and an instrument of forensic tactics, intended to contribute to establishing judicial truth. The normative foundation of this activity is provided by the Criminal Procedure Code², which has undergone numerous amendments compared to previous regulations.

The Criminal Procedure Code does not appear to distinguish between “interviewing” (*audiere*) and “hearing” (*ascultare*), as the legislator uses the term “interviewing” in the

¹ S. ALĂMOREANU. *Introducere în studiul criminalisticii: note de curs*, Editura Risoprint, Cluj-Napoca, 2017, p. 11.

² Law no. 135/2010 “on the Criminal Procedure Code”, Official Gazette no. 486 of July 15, 2010, in force as of February 1, 2014, according to Article 103 of Law no. 255/2013.

marginal titles of Articles 104 and 105 of the Criminal Procedure Code, while in Article 106, the term "hearing" is used, only to continue in the first paragraph of the same article with the phrase "during the interview," followed by "the interruption of the hearing."

From a doctrinal point of view, "interviewing" refers to the evidentiary procedure specific to the actual criminal process, while "hearing" pertains to other judicial procedures that do not concern the merits of the criminal case—where the interview aims to obtain evidence, whereas the hearing is intended to guarantee the exercise of a right, typically the right to defense.

The Dictionary of Forensics³ does not define "interviewing," but considers it synonymous with "hearing" and presents it as a procedural act carried out in accordance with the rules of forensic tactics.

Even if all forms will be maintained, the term "interviewing" will most frequently be used, as it is considered sufficiently objective and suitable for use in all stages of the criminal process and within all techniques and methods of interviewing and interrogation.

Judicial psychology

Judicial psychology is defined as the discipline that focuses on studying human nature involved in the judicial process..." *with the aim of acquiring knowledge and highlighting psychological laws capable of grounding the objectification and correct interpretation of human behaviors...*"⁴

The elements of judicial psychology represent an important part of the tactics of interviewing individuals, and ever since the earliest forensic science works⁵, we can find a distinct approach regarding psychological laws. Generally, the focus is on the mental mechanisms underlying cognitive activity, starting from those related to the primary processing of information, such as sensation, thinking, and perception, to secondary ones, such as reasoning, memory, or imagination.⁶

Internationally, judicial psychology is a continuously expanding field, situated at the intersection between psychology and the legal system, applying psychological methods and theories to understand and reduce criminal behavior. Among its specific activities are studying the reliability of statements or advising on interrogation techniques and interaction with

³ D. SANDU; I. ANGHELESCU, N. DAN și alții, *Dicționar de criminalistică*, Editura Științifică și Enciclopedică, 1984,

⁴ N. MITROFAN, V. ZDRENGHEA, T. BUTOI, *Psihologie Judiciară*, Casa de Editură și Presă „Șansa”, București, 1994. p.5;

⁵ C. SUCIU. *Criminalistică*, Editura Didactică și Pedagogică, București, 1972, p. 575.

⁶ N.n. for the mental mechanisms, see in this regard t M. ZLATE. *Psihologia mecanismelor cognitive*, ediția a II-a, Editura Polirom, Iași, 2006.

vulnerable witnesses.

In the present work, the emphasis is primarily placed on the interaction between the judicial body and the individuals interviewed, focusing on the behavior of both parties involved in this process, and less on criminal behavior.

Deceptive Behavior

A person's lack of honesty, in legal language, is referred to as lying, deceit, simulation, or deceptive behavior, which is why these terms will be used interchangeably throughout the paper. The latter term has even been included in the title of Chapter IV, as it is commonly used in translations from Anglo-American⁷ literature and is already established in polygraph examinations⁸. However, for practical reasons and to generally refer to the lack of truthfulness of a person or statement, we will use the generic term "lie."

A lie is a deliberate attempt, successful or not, without prior warning, to create in someone else a belief that the communicator considers false. This is the key definition provided by Vrij⁹ after previously criticizing the shortcomings of other definitions, such as that of Burgoon and Buller¹⁰, who considered that the deceived person is also placed at a disadvantage.

From a polygraph examination perspective, we retain the definition according to which lying is a reaction to a stimulus and represents a position adopted by the person confronted with a reality, event, or information, manifested through an attitude by which reality is concealed from those who have the right to know it.¹¹

The Interview and the Interrogation

The terms interrogation and interview are often used interchangeably. Traditional literature¹² on interrogation has a controversial approach, involving coercive and/or manipulative techniques intended to obtain a confession. On the other hand, the investigative interview is generally presented as an evidence-based method, aimed at collecting and verifying accurate and reliable information from suspects, while also respecting human rights and the principle of legality.

⁷ N.n. See in this regard: A. VRIJ, *Detecting Lies and Deceit: Pitfalls and Opportunities*, 2nd ed., John Wiley & Sons, Chichester, 2008; the book was translated into Romanian in 2015 and 2024 as A. VRIJ, *Detecția minciunii și a comportamentului simulat: dileme și oportunități*, Editura ASCR, Cluj-Napoca, 2024.

⁸ N.n. See in this regard: G. VISU-PETRA, *Detecția comportamentului simulat: perspectiva diferențelor interindividuale*, Teză de doctorat, Universitatea Babeș-Bolyai, Cluj-Napoca, 2011.

⁹ A. VRIJ, 2008, *op. cit.* pp. 12-16

¹⁰ J. K. BURGOON, D. B. BULLER, *Interpersonal deception: III. Effects of deceit on perceived communication and nonverbal behavior dynamics*. *Journal of Nonverbal Behavior*, 1994, 18(2), p. 155–184

¹¹ C. KISS, *Psihofiziologie criminalistică: diferențe de reactivitate*, Editura Universitară, București, 2009, p. 21.

¹² T.M. WILLIAMSON, *From interrogation to investigative interviewing: strategic trends in police questioning*. *Journal of Community & Applied Social Psychology*, 3(2), 1993, pp. 89–99.

The research methodology

The research methodology varies depending on the specific nature of the chosen topic. The study is based on thorough and comparative documentation of relevant legislation and legal doctrine, employing logical analysis of legal relationships. The provisions of the Criminal Procedure Code regarding the administration of evidence and the interviewing of participants are examined, alongside related national and international regulations.

Particular attention is given to the classical rules of forensic tactics applied in the interviewing of witnesses and suspects, analyzing their impact on the quality of evidence and the conduct of the criminal trial.

The research has an interdisciplinary character, addressing interrogation techniques, the identification of deceptive behavior, and modern methods of evaluating statements. The methodology combines theoretical and normative documentation, analysis of specialized literature, study of judicial practices, and comparison between different legal systems.

Additionally, the research includes a study based on the application of a structured questionnaire distributed to the criminal investigation bodies of the judicial police. The study adopts a mixed methodology, combining both quantitative and qualitative methods. The SPSS program and statistical techniques are used for data analysis, including the ANOVA test, Spearman correlation, and Chi-square test. The results are compared with previous international studies, highlighting differing perceptions regarding interviewing techniques and the evaluation of statement veracity across various legal systems.

Structure of the Paper

Chapter I

In order to understand the importance of interviewing within the criminal trial process, the first chapter presents and analyzes the procedural criminal aspects related to participants, evidence, and the interviewing of individuals involved in the criminal process. The importance of the intervention of specialized state bodies in uncovering crimes, administering evidence, and protecting the fundamental rights of individuals is highlighted, emphasizing the complex nature of the criminal process and its stages.

Significant attention is also given to evidence, starting with its definition and importance in establishing judicial truth. Evidence must be obtained and administered in compliance with the principles of legality and fairness, and its use in criminal trials is based on relevance. Means of evidence, including individuals' statements, must be pertinent, conclusive, and useful within the criminal process. The principle of fairness requires the avoidance of coercion, intimidation,

or manipulation, and illegally obtained evidence cannot be used, thus protecting the integrity of the criminal process and fundamental rights. Evaluating evidence involves a rigorous analysis of both its probative value and the manner in which it was obtained.

The interviewing of individuals is the subject of interest in this paper and constitutes the evidentiary procedure through which statements may be obtained. This subchapter includes the rules and principles governing how an interview should be conducted, the protective mechanisms offered to vulnerable or protected witnesses, and the specific regulations applicable to different categories of participants.

The stage of free narration is emphasized as an opportunity offered to the interviewed person to present an unmediated version, as well as modern elements such as audio and video recording, all aimed at protecting the fundamental rights of those involved and ensuring fair and efficient justice.

Although the Romanian criminal procedural legislation has seen improvements and alignment with international standards, this chapter highlights several problematic aspects that require clarification or revision, such as the subordination of judicial police bodies, the involvement of the Romanian Intelligence Service, regulation of "well-founded indications," the witness's right not to self-incriminate, and the protection of witnesses' identities.

Chapter II

This chapter presents the rules of interviewing from classical forensic tactics, as fundamental tools for the proper and efficient management of this procedural activity.

The interviewing of witnesses is structured into two major parts: preparatory activities and the actual interview. Preparatory activities include studying the case file, identifying individuals who may be interviewed, becoming acquainted with the witness, and drafting the interview plan. The actual interview comprises identifying the person, free narration, asking questions, recording the statement, as well as verifying and assessing the statements.

In the case of interviewing the victim, preparation includes studying the case file, getting to know the person, and drafting the interview plan. The actual interview follows the same steps as in the case of the witness, with an emphasis on creating a favorable environment and using a tactical approach adapted to the trauma suffered by the victim.

The interviewing of the suspect or defendant is particularly important, given their central role in crime investigation. Preparation involves studying the case file, becoming familiar with the individual, and drafting the interview plan. The actual interview includes identifying the person, free narration, asking questions, recording, verifying, and assessing the statements.

Several specific tactical procedures applicable to this category of participants are also presented, such as detailed questions, repeated interviews, or cross-examinations.

Finally, it is mentioned that verifying the statements of suspects or defendants may also be done through various technical-tactical methods for detecting deceptive behavior, such as the polygraph test.

The chapter highlights the importance of tactical rules applied in interviewing participants within the criminal process, but it also emphasizes the need for a critical reassessment of these rules, drawing attention to the lack of scientifically validated tools, the risk of excessive formalism, potential violations of the presumption of innocence, and the persistence of controversial procedures. At the same time, it proposes the adoption of flexible methods adapted to social realities.

Chapter III

The chapter explores in detail the evolution and diversity of interrogation practices, an essential aspect for modern criminal justice, which is why it begins with a historical analysis presenting the transition from coercive methods to rapport-based approaches. The decisive role of justice systems in adopting more humane and effective methods is emphasized, gradually eliminating the use of violence and physical coercion. The development of psychology in the 20th century led to a significant shift, emphasizing the cognitive and emotional aspects of the interviewing process.

The taxonomic approach to interrogation and interviewing techniques provides a useful structure for understanding various techniques and methods, as well as for highlighting differences in approach, such as those resulting from the analysis of the well-known REID and PEACE models. A comparative analysis of interrogation practices across different cultures reveals notable differences between methods. For example, accusatorial techniques are more common in North America, whereas European countries favor information-gathering methods. Studies have shown that coercive techniques raise ethical and legal concerns, with a high likelihood of generating false confessions. In contrast, approaches based on building rapport, using open-ended questions, and gradually confronting the subject with evidence have been identified as the most effective.

Thus, the importance of the rapport element in interviews is emphasized, where establishing a trusting relationship with the interviewee not only facilitates obtaining accurate information but is also fundamental in various cultural contexts.

Although the chapter identifies progress in the field of interrogation and interviewing—from traditional coercive methods to collaborative approaches—concerns persist regarding the

continued use of coercive techniques, overestimation of investigators' ability to detect deception, the gap between theory and field practice, as well as the need for concrete solutions to align practices with the latest ethical and scientific standards.

Chapter IV

This chapter provides a detailed analysis of deceptive behavior and methods for lie detection, addressing theoretical, technical, and even ethical aspects. Various theoretical perspectives are presented, including those that describe lying as a deliberate act of deception, which involves additional cognitive effort on the part of the deceiver. This effort may result in certain behavioral and verbal manifestations, such as pauses, hesitations, inconsistencies between facial expressions and the content of speech, or the provision of incoherent details.

Research has shown that traditional cues, such as avoiding eye contact, are not exclusively indicative of lying but can also be influenced by factors such as stress, anxiety, or cultural norms. Therefore, the detection of deceptive behavior must be based on an integrated analysis, including both nonverbal cues and the evaluation of verbal content and general context.

Various methods and techniques used in lie detection are presented and analyzed, such as Strategic Use of Evidence (SUE), Statement Validity Assessment (SVA), Criteria-Based Content Analysis (CBCA), Reality Monitoring (RM), and Scientific Content Analysis (SCAN). The limitations and challenges encountered in the use of these tools are also addressed, including individual variability, the influence of contextual factors, and the possibility that reactions may be triggered by emotional states or conditioned associations unrelated to lying.

The chapter also extensively covers the use of the polygraph technique, as well as automatic lie detection methods through artificial intelligence. Although the polygraph is based on the idea that the human body can provide cues about deception, its universal validity is questioned due to the inability to clearly distinguish between responses induced by lying and those caused by other emotional factors. Various theories are analyzed that attempt to explain the physiological mechanisms involved in the lie detection process, such as conflict theory, conditioned response theory, or psychological set theory.

Additionally, recent findings in the field of automatic lie detection through artificial intelligence methods are explored. Various approaches are analyzed, such as the use of neural networks, machine learning, and stylometric analysis, which allow a multimodal evaluation of verbal, nonverbal, and physiological cues. Ethical challenges and limitations of these technologies are also highlighted, such as transparency, accountability, and the avoidance of biases.

In conclusion, the importance of using scientifically validated methods is emphasized, to the detriment of myths and pseudoscience, in order to enable a more accurate assessment of statements and to provide a solid foundation for making fair and just judicial decisions.

Chapter V

This chapter presents the results of a research study on the interviewing techniques used by the judicial police in Romania and the assessment of veracity during interrogations. The objectives included examining the methods of interviewing and the police officers' perception of these techniques. The methodology was based on a structured questionnaire, with 164 participants, and the hypotheses were tested using statistical methods.

The results show that the majority of police officers do not benefit from formal training in lie detection, and obtaining confessions is challenging, with denials being frequent. The preferred techniques are those based on building rapport and confronting the suspect with evidence, yet audio-video recording is rarely used. There is a relative skepticism toward the polygraph test, and officers primarily rely on inconsistencies in statements to detect deception. Compared to international studies, cultural differences are observed in the interpretation of verbal cues.

Regarding the testing of research hypotheses, it was demonstrated that police officers who independently study lie detection use a wider variety of interviewing techniques, including appealing to personal interests and offering moral justifications. Additionally, it was found that officers with longer experience have greater confidence in their ability to detect deception and predominantly rely on nonverbal cues. Furthermore, the use of interviewing techniques based on empathy and active listening increases the likelihood of the interviewee providing truthful information.

The research highlights the need for professional training programs, the promotion of evidence-based methods, and the implementation of modern techniques to improve the interviewing process and the quality of investigations.

Conclusions

The paper emphasizes the interaction between criminal procedural norms, forensic tactics, and the principles of judicial psychology, underlining that interviewing is not merely a procedural act but also a complex psychological process, influenced by numerous subjective and objective factors.

The statements of interviewed individuals play an essential role in the criminal trial, and their interpretation requires a professional and scientific approach. A legal and proper interview,

conducted according to the best international practices, can facilitate the discovery of the truth, while a superficial or flawed approach can lead to judicial errors, false confessions, and misinterpretations of the interviewees' behavior.

Although Romania's criminal procedural norms show significant progress and trends towards alignment with international standards regarding human rights protection, some problematic aspects persist, requiring clarification and improvement, such as the dual subordination of the judicial police, the questionable involvement of the Romanian Intelligence Service (SRI) in criminal investigations, the lack of coherence in regulating well-founded indications, and the insufficient protection of witnesses—all of which influence the fair application of the norms and adherence to the fundamental principles of the criminal process.

The classical rules of forensic tactics involved in the interviewing process are presented in the chapter addressing the fundamental principles of forensic tactics during interviews, with particular focus on the structure and conduct of interviews in relation to the strategies employed by investigators. An important aspect analyzed in this chapter is the relevance of proper preparation by the investigator and the importance of a well-structured plan to maximize interview efficiency and avoid unnecessary repetition due to methodological deficiencies.

While the tactical rules and procedures of interviewing contribute to the efficiency of criminal investigations, there is a clear need for critical reassessment, especially concerning the absence of scientifically validated tools, the tendency towards excessive formalism, violations of the presumption of innocence, and the persistence of controversial practices. It is recommended to adopt more adaptable and flexible methods, in line with fundamental rights and social realities.

The chapter dedicated to interrogation and interviewing techniques analyzes the various methods used internationally, starting with historical perspectives on interrogation and progressing to modern methods based on knowledge from psychology and neuroscience. The evolution of interrogation is detailed, from coercive methods and traditional practices to professional and structured techniques.

The analysis emphasizes that coercive interrogation methods, such as intimidation or psychological manipulation, not only violate ethical and legal standards but also negatively impact the reliability of statements, increasing the risk of false confessions and compromising investigations.

In contrast, modern techniques have proven to be more effective in obtaining accurate information. These techniques focus on building rapport, fostering a trusting relationship, using open-ended questions, and gradually confronting the interviewee with evidence. Comparative

analysis also highlights significant differences between international judicial practices, showing that systems favoring non-coercive methods, such as those in Europe or Australia, achieve more reliable results and better respect the rights of interviewees.

The chapter on detecting deceptive behavior thoroughly analyzes the psychological aspects involved in lying and in detecting deceptive conduct. The conclusions support the cognitive perspective, which asserts that lying requires additional mental effort, reflected through behavioral manifestations such as hesitations or verbal incongruities. However, it is also emphasized that these signs may be influenced by factors such as stress or cultural context, which necessitates the use of scientifically validated methods, such as SUE, SVA, or CBCA, for accurate assessment.

Furthermore, traditional techniques and tools like the polygraph must be interpreted with caution and contextualization, without being regarded as absolute evidence, while the use of new technologies based on artificial intelligence in lie detection offers valuable opportunities only if they are transparent, ethical, and theoretically well-grounded—thereby contributing to a fair and objective criminal process.

The final chapter analyzes the interviewing practices used by the criminal investigation bodies of the Romanian judicial police, focusing on methods for assessing veracity. By applying a questionnaire to the judicial police's criminal investigation officers, the research highlights the lack of formal training in this field, and the professional experience of the police officers shows difficulties in obtaining confessions, with most suspects providing incomplete statements or denying accusations. Preferred interviewing methods include building rapport with the interviewee, encouraging free speech, and analyzing contradictions in statements, while coercive methods are avoided. However, the use of technology in interrogations is limited, audio-video recordings being rare, with over 80% stating they only occasionally use recording procedures, and the polygraph test is considered only partially useful. Police officers identify inconsistencies and contradictions as the main indicators of deception, and professional experience increases their confidence in their ability to detect dishonesty. Compared to international studies, cultural differences are observed in the perception of verbal cues of lying.

One of the essential aspects highlighted in the paper is the lack of uniform standards regarding interviewing techniques in Romania. Although criminal procedural legislation provides a general framework for conducting interviews, the absence of clear protocols and standardized guidelines leads to significant discrepancies in the application of interviewing and interrogation methods. Differences in approach among investigators can affect the coherence

and reliability of the statements obtained, directly influencing the course of investigations and the outcome of the criminal trial.

Another critical point identified is the insufficient level of professional training of investigators regarding the use of interviewing techniques and the evaluation of deceptive behavior. Continuous training in this field is essential, as the interpretation of statements should be conducted not only based on personal experience but also grounded in scientifically validated methodologies. In the absence of proper training, investigators tend to rely on intuition and subjective beliefs, which may lead to erroneous interpretations and unjust decisions.

The persistence of certain myths about lie detection constitutes another major issue highlighted by this research. Studies show that specific behaviors, such as avoiding eye contact, excessive gesturing, or changes in speech rhythm, are not reliable indicators of lying, contrary to the widespread misconceptions held by many investigators. These stereotypes can negatively affect the quality of investigations, leading investigators to draw incorrect conclusions about the veracity of statements.

To improve the process of interviewing and evaluating the truthfulness of statements, this paper proposes several future directions. First, the development of best practice guidelines for investigators could contribute to the standardization of interviewing techniques and the reduction of the risk of judicial errors. These guidelines should include clear recommendations regarding the formulation of questions, the use of modern investigative techniques, and the interpretation of statements according to the specific context of each interview.

Secondly, the professional training of investigators must be enhanced by organizing continuous training programs, which should include courses in judicial psychology, interrogation tactics, and modern techniques for evaluating veracity. Collaboration with experts in the field of judicial psychology could contribute to increasing investigators' competencies and reducing the influence of cognitive biases in the interpretation of interviewees' behavior.

Another important recommendation is the adoption of scientifically validated methods for detecting deceptive behavior. Implementing techniques such as cognitive interviews, linguistic analysis of statements, and the use of modern polygraph tests could significantly improve the accuracy of the interviewing process and allow investigators to more effectively identify discrepancies between truthful and deceptive statements.

Additionally, making the audio-video recording of interviews mandatory would add a layer of transparency and help strengthen public trust in the justice system. This measure would

ensure better documentation of interviews and facilitate the verification of statement accuracy, reducing the risk of misinterpretations or manipulations.

Finally, the research emphasizes the need for an integrated approach, combining elements of forensic tactics, legal norms, and judicial psychology principles within the interviewing process. The implementation of scientifically validated methods, the improvement of investigators' professional training, and the increase in transparency through the use of audio-video recordings represent essential steps towards optimizing the criminal investigation process and ensuring fair and equitable justice.

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