

INTERVIEWING & INTERROGATING MILITANT ISLAMISTS:

A PERSPECTIVE FOR LAW ENFORCEMENT PERSONNEL



Interviewing and Interrogating Militant Islamists: A Perspective for Law Enforcement Personnel

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INTRODUCTION

Law enforcement personnel at all levels serve on the front line of America's Global War on Terrorism (GWOT). In the interest of national security and public safety, law enforcement investigators frequently must question persons, either for purposes of intelligence gathering, for collecting evidence that may lead to prosecution and take immediate action that may be in the interest of the public safety/force protection. The objective of these interviews/interrogations is to gather accurate and reliable information that furthers security, safety, intelligence, and law enforcement interests. The current threat environment, however, poses some new challenges for professionals conducting terrorism investigations.

Many of the "enemy" in the GWOT have beliefs, ideologies, cultures, and life experiences that differ markedly from those of their interrogators – and often differ from those of criminals with whom law enforcement professionals more typically interact. Terrorist groups and networks of militant Islamists (often affiliated with al Qa'ida) pose ominous threats to U.S. interests and present enormous challenges to investigative and intelligence personnel who pursue them. These militant operatives are committed to a cause. They act not just on their own personal interests, but also in the interests of the "brothers" (group) or of "Islam." Unlike most typical "street criminals," they may be trained to withstand questioning and to utilize counter-interrogation techniques.

Clearly differences exist between subjects of al Qa'ida-related terrorist investigations and subjects of other investigations more commonly conducted by law enforcement. This paper seeks to highlight some of these differences and to provide some suggestions, based on experience, about how best to deal with them. First, the paper offers background information and context for interrogating Middle Eastern Arab militant Islamists as subjects of investigation. Our general recommendations may even be limited to that group, as cultural considerations may vary for non-Arabs and Islamists from other areas of the world (e.g., Southeast Asia). Second, the paper summarizes what has been learned about general interview approaches used immediately after capture and during subsequent detention. Third, the paper recommends ways to design and navigate interviews: preparing, developing rapport, developing themes, managing resistance, and detecting deception.

To state immediately the central theme of this paper: a relationship/rapport-based approach with Middle Eastern Arab subjects who may be affiliated with al Qa'ida or other militant Islamist networks will result in more truthful and reliable information than will an aggressive approach. Aggressive and forceful interrogation of a subject who may be trained to anticipate torture and to resist questioning is likely counterproductive to the goal of eliciting accurate, reliable and useful information.

The perspectives presented here reflect the collective input of professionals with backgrounds in the fields of law enforcement, intelligence analysis and operations, psychology, and psychiatry, and who have conducted interrogations or otherwise been involved in interviews with militant Islamists. The strategies and practices described have been used effectively in interrogation with militant Islamist terrorists and their supporters. These approaches are offered here to law enforcement personnel, not as a prescription or a cookbook, but as a springboard for thoughtful

planning and execution of successful interviews and interrogations¹.

This paper is not a “how to” document. There is much yet to be learned about interrogation, especially with regard to strategies that take cognizance of the culture background and expectations of the subject being interviewed. The goal of this paper is to map an outline and suggest for law enforcement personnel some themes and ideas that may result in more effective and useful interrogation strategies and practices.

UNDERSTANDING CONTEXTS FOR INTERROGATING MILITANT ISLAMIST SUBJECTS

Since September 11, 2001, the American national security and law enforcement apparatus has been challenged to expand and improve thinking and action in the areas of security and public safety. For over ten years a global network of loosely affiliated but mutually supportive militant Islamist cells and organizations (many al Qa’ida-affiliated) has embarked on an asymmetrical campaign of attacks against the U.S. and its allies. These activities have forced the U.S. to expand resources within military, law enforcement, and intelligence communities to confront this threat, and to consider the use of techniques, tactics, and strategies that may lie beyond existing parameters.

Major U.S. counterterrorism objectives include disrupting the expansion and forward motion of militant Islamist terrorist operations, preventing further terrorist attacks, and, ultimately, dismantling al Qa’ida and related militant

networks. The approaches and methods used to accomplish these objectives have evolved from both successes and failures. Failures to prevent attacks have led some in the intelligence and law enforcement communities to see an urgent need to consider techniques that might be interpreted as coercive in order to elicit and exploit information from persons in custody. Other professionals have responded by adapting existing interview and interrogation strategies to meet the new challenges.

There are two key prerequisites for developing successful interview and interrogation strategies for Middle Eastern Arab militant Islamists who come to attention as investigative subjects: (1) knowledge of Arab culture and mindsets and (2) utilization of an overall planned, systematic approach.

Arab culture and mindsets: Successful strategies recognize that Arab culture is one that is built on relationships, oriented towards a larger collective, and focused on impression management. Embedded within much Arab culture is an acceptance of conspiracy theories as a means of explaining the reasons behind certain events. Usama bin Laden has purposely capitalized on these phenomena by reiterating long-standing conspiracy beliefs that Americans, Jews, and Western Allies are seeking to control and dominate the Middle East and attack the faith of Islam. Some al Qa’ida supporters and sympathizers have blindly accepted these theories. They have done so in order to find meaning, direction, and structure through a strong affiliation with an extreme fundamentalist Islamic view of the West and a commitment to jihad.

¹ Caveats: Various interrogation strategies beyond those utilized at capture have been employed with success against al Qa’ida-affiliated subjects since the first attack on the World Trade Center in 1993. These approaches have been refined over the decade since that attack to reflect lessons learned. They have proven effective in the interrogation and/or prosecutions of al Qa’ida terrorists associated with the Africa Embassy bombings in 1998, the attack on the USS Cole in 2000, and the September 11, 2001 attacks.

To date, the most extensive interviews with militant Islamists have been with al Qa’ida operatives in detainee status who are Sunni extremists from Middle Eastern Arab societies. Just as there are differences, however, in how one might approach a custodial versus a non-custodial interview in a traditional law enforcement context, there may be features and effects of the detainee situation that are unique and may not generalize well to other kinds of interviews with persons of investigative concern.

Nevertheless, as law enforcement’s experience base continues to evolve, the collective experience of professionals involved in detainee interviews and interrogations may offer insights into the thinking and behaviors of militant Islamists, especially those who are from, or have roots in, Middle Eastern Arab countries. Knowledge about the expectations, communications, and behaviors of these persons may aid other investigators to improve interrogation efforts. In addition, what has been learned about gathering information from these populations may inform the efforts of law enforcement and intelligence professionals who work with other militant Islamists and al Qa’ida-related persons.

Knowledge of these factors and this mindset may help an investigator to assess deception during an interrogation and to elicit accurate and useful information from terrorist operatives and supporters. For example, as children all humans think “associatively,” jumping from idea to idea. Middle Eastern Arab culture values associative thinking. Many Middle Eastern Arab males continue to think associatively as adults, jumping from what may appear to the Western interviewer as point-to-point and place to place in a discussion. Western children are schooled to move from associative thinking to “linear” thinking. Western adults often think in a sequential, goal oriented manner, with one point following the next in logical order. An interviewer must be cautious not to confuse this associative style of processing thought as a means of deception.

Some al Qa’ida training manuals and activities have tried to graft linear thinking and action onto men raised to be associative thinkers. Trainees have been instructed to learn by rote repetition, in activities ranging from memorizing the Qu’ran to planning attacks. Many actions taken by al Qa’ida operatives are consistently methodical – almost mechanistic. An interrogator may use this knowledge to recognize deception when stories told by a person being interviewed seem rote, memorized, or otherwise superficially linear. For example, a statement by a person under investigation that he traveled in order to teach the Qu’ran to children, when he did not speak the language of the young people he was teaching, might be quickly recognized as a rote, mechanical, learned cover story.

Systematic approach: Another pre-requisite for successful interviews with al-Qa’ida-related detainees and subjects is careful and systematic planning. Successful interrogations have resulted from thought-out approaches that are systematically used by the interviewer or interviewers. Often, consultations from other professionals, such as behavioral scientists and analysts familiar with interviewing, the subject, and/or his culture assist the interviewers before and

during the interrogation. Clarity about the interview setting, interrogation approaches, and debriefing procedures is critical. Many successful interviewers/interrogators have utilized open source material, such as Internet searches, as a source of information about an area a subject may be from. This approach is a basis for rapport building and provides a baseline for how a subject may answer questions that an interviewer knows to be truth.

In circumstances where a team approach is possible, it might typically be composed of one or two interviewers who do the talking, an intelligence analyst who helps with analyzing and corroborating the content of the information given by the interviewee, and a behavioral consultant who (regularly or periodically) monitors and analyzes the process. An expert analyst may provide background knowledge about the subject and his culture, as well as specific commentary about the validity and significance of his revelations. A behavioral consultant may support the interrogators by helping them to understand the meaning of the interviewee’s behaviors, communications, and activities in and out of the interrogation room. The behavioral consultant and others monitoring the interview may help assess the subject’s communications and behaviors for the use of deception, avoidance, and manipulation in order to assist interviewers to direct inquiries. The behavioral consultant may also help to debrief interviewers to gain additional insights and information from a session with the subject and to chart an approach for the next meeting. This multidiscipline team’s goal is to support the interrogator(s) in gauging responses and provide advice regarding rapport and relationship based approach’s aimed at the elicitation of accurate information.

FOUNDATIONS OF THE RAPPORT-BASED INTERVIEW APPROACH

Subject assessment: Effective, ongoing subject assessment is the cornerstone of interrogations that yield the most reliable information. Before and

during the interviews, the interviewers should identify and evaluate factors that are unique to the subject, or at least that distinguish him from other individuals who may be the subject of terrorist-related investigations. In particular, the interviewers should explore and assess three core areas:

1. the pressures experienced by the subject based on fear of confinement, persuasiveness of the interviewers, and relationship conflicts between the subject and his colleagues and between the subject and his interviewers;
2. the subject's perception of the strength and extent of information about him and evidence against him; and
3. the degree to which the subject needs (or may be influenced to need) to sustain a position of respect and value in relation to the interrogator, especially in a relationship-based interrogation.

These three influences can be leveraged over time to elicit more information from the subject and to develop leads that corroborate the subject's story and yield additional information.

Selecting a strategy: The interview techniques chosen and the nature of the relationship between interrogator and subject will determine whether the information provided by the subject is accurate and reliable, or is offered simply as a means to mitigate discomfort. The use of aggressive and controlling techniques during the interrogation of a militant Islamist subject may be more an exercise in trying to gain compliance than a means for developing leads or eliciting a confession or other actionable information. Aggressive techniques will generate information, but such information may be incomplete or inaccurate. When aggressive techniques produce accurate information, in almost all circumstances, that information is no different than what is generated by a more thoughtful and comprehensive interrogation approach.

Some militant Islamist subjects have been

trained to anticipate torture and resist questioning. When the interrogator uses the aggressive techniques that such a subject has been taught to expect, the subject's expectations are confirmed. If a subject has received counter resistance training, aggressive techniques will validate his prior training and could serve to harden his resistance. He now has a greater sense of predictability and thus, a sense of control. This may increase his motivation to resist. By contrast, when a relationship-based approach is initiated, a militant Islamist subject may be perplexed (and therefore more vulnerable) to the interviewer's approaches.

A rapport building (or relationship-based) approach will yield the best results in an interview/interrogation that occurs over time (days/weeks/months). While a long-term approach may not be possible in many investigative contexts, rapport building is designed to develop a common understanding and respect between interviewer and subject that ultimately may result in the subject providing useful and accurate information. The interviewer works to build a bond between the two of them based on commonalities and shared experiences in the interview room.

Although sometimes difficult to do, the interviewer should exhibit at least an apparent concern for the subject's beliefs, motivations and circumstances. Such an approach facilitates the information gathering process for two reasons. First, people tend to share their experiences with someone who is empathic; who validates them, and whom they feel can understand them. Second, the importance of relationship is a core component of the mindset of many persons raised or with roots in the Middle East. The importance of relationship has likely been wired into the subject's developmental and cultural experience. The relationship that develops during hours spent together between interviewer and subject may in certain cases approach or approximate a friendship. That friendship may be either genuine or contrived, but the interviewer's goal is always to elicit truthful and reliable information from the subject.

If the interrogation is structured and planned in such a manner that the interviewer will spend considerable time with the subject of a terrorism related investigation, early on the interviewer should plant the idea that he or she is THE only person in the world for the subject.² The operational objective is to create an environment in which the subject trusts, and becomes dependent on the interviewer. This outcome cannot be driven by a specific deadline. Information solicited from a subject cannot necessarily be rushed just because it may be needed urgently. Subjects of interrogations/interviews will speak when they are ready to speak. The relationship between interviewer and subject can take months to develop fully, although the actual time may be considerably shorter, depending on how events unfold in the interrogation room between the subject and the interviewer.

Attitude toward subject: Given the nature of the actions and offenses potentially committed by a militant Islamist or an al Qa'ida-related subject, the idea of being kind to him during an interrogation, let alone developing a relationship with him, may be difficult for some intelligence and law enforcement professionals to accept. In some instances, interrogators may feel such dislike or bias for the subject that they have difficulty controlling their own hostility or their aggressive impulses. Attitudes expressed either verbally or non-verbally by anyone who comes in contact with a subject can have positive or negative effects on the interrogation process. Regardless of how those who have contact with subjects of terrorism-related investigations feel about them, it is critical that they treat and interact with subjects in a consistently fair and respectful manner.

In an interrogation, the interrogator must monitor his or her reactions to the subject to avoid engaging in aggressive tactics, which may serve only to arouse the subject's sense of humiliation,

desperation and anger. Obviously in any kind of interview situation, those interviewers who cannot get beyond their biases toward a particular subject need to stand on the sidelines.

Flexibility: While a relationship-based approach has generally been most effective with al Qa'ida-related and other militant Islamist subjects, individual cases may require a different strategy. No single interrogation or debriefing technique will be successful in all situations. Interrogators tailor their approach to an interview and interrogation based on the current context and the background of the witness or subject. On-going assessment of continuously collected information about a subject's behavior and mindset will assist in identifying or creating moments of vulnerability for optimal elicitation. Each interviewee requires an individualized approach that is dynamic and that is modified based on on-going collection and assessment of behavioral data. The interviewers should build flexibility into any interview plan.

PRACTICAL LESSONS AND SUGGESTIONS

The relationship-based approach and techniques that follow have been utilized successfully with Middle Eastern Arab militant Islamists (including al Qa'ida operatives) who have been incarcerated and interrogated by law enforcement and intelligence professionals. Some of these subjects were in custody for a period of months after initial capture. These techniques have been effective in eliciting intelligence that has disrupted planned attacks, identified other subjects and supporters, and resulted in convictions in the US and other countries. As we already have cautioned, translating these lessons to more typical law enforcement investigative contexts may require some modification or adjustment. They are offered here as starting point for further discussion.

² Obviously if the interviewer is only going to meet with the subject for a short period of time and the subject is going to be interviewed by others, it may be counter-productive to suggest that the interviewer will play a central role in what happens to the subject.

The following suggestions are organized around the main stages and tasks of the interview: preparing, using translators, developing rapport, developing themes, managing resistance, detecting deception, and post-interview considerations.

PREPARING FOR THE INTERVIEW

Selecting the interviewer: The attributes generally seen as desirable for a law enforcement interrogator (e.g., intelligence, understanding of human nature, ability to get along well with others, patience, and persistence) all apply to those chosen to interrogate militant Islamists as well. There are other specific considerations, however, that can affect the “fit” between interviewer and Middle Eastern Arab militant Islamist subject. For example, age should be a consideration when matching or assigning an interviewer to a subject, because of the Arab culture’s respect for elders and seniority. (Also, the more experienced interviewers should be assigned to those subjects whom it is believed have the most important information.) In general, care should be given to selecting an interviewer who can relate to the subject. If possible, the interviewer should speak the subject’s native language (or at least know some key terms of the language).

Interrogations are most productive when the interrogator and subject can be paired consistently. Persons raised in an Arab culture tend to respond best when interviewed by the same interrogator rather than with an assignment by the day or “whoever is available” assignment process. Consistency allows the interrogator to become familiar with the history of the subject and to see how he responds to various questions and approaches. Subjects of terrorism and al Qa’ida-related investigations should not be seen as mechanical objects that can be turned on to pump out information. They require constant care, “maintenance,” and understanding to be productive.

Advance work: The interviewers should

develop as much information as possible about the subject’s background and behaviors before initiating the interview process, and should use that information to develop well-defined goals.

The goal of pre-interview case review is for the interviewers to gain as thorough as possible understanding of the subject’s:

- behaviors
- attitudes
- motivations
- unique cultural factors
- status within community
- degree of radicalization
- level of commitment
- extent of connections
- capacity as it relates to training and skills
- terrorism-related activities, and
- goals and intentions concerning possible terrorist behavior.

Preparation will include a careful review of the files and of available evidence. Sometimes “pocket litter” in the subject’s possession at the time of apprehension, evidence seized during searches, and statements from others can be helpful in assessing who the subject is (if his identity is in doubt) or what he has been doing. “Pocket litter” may also help to corroborate or disconfirm the subject’s statements and aid the interviewer to assess deception.

Persons who know or have observed the subject of interrogation can be valuable sources of information. For example, capture/arresting officers, guards, corrections officers, or other law enforcement professionals who have observed the subject’s behavior can assist the interviewer/interrogator to understand the subject. Correctional or detention staff, in particular, can provide information about how the subject functions in detention and can help measure the impact of the prison environment on an interrogation plan. Since in a custodial environment, guards see more of and spend more time with a subject than does an interviewer, they may be in an excellent position

to monitor a subject's behavior and to take note of comments and activities. Observations about whether a subject stays by himself, whether he gets support and counsel from others, how and what he communicates to others, what he likes to eat, whether he exercises, etc., can greatly assist the interviewers in formulating their strategies and building relationships with the subject.

Assembling the advance information: Before every interview, the interviewers should ask themselves: "what do we think the subject knows?" If interrogators have information that the subject does not know that they have, the interviewers can gain an advantage. For example, in the interrogation of a subject believed to have received training at an al Qaeda site in Afghanistan, knowledge of aliases, training camps, guesthouses in Afghanistan, the front lines, and the like, can provide valuable leverage for the interviewer. Specific knowledge of training camps that the subject attended, aliases he used, guesthouses he stayed in, may give even greater advantage to the interviewer. Knowledge of the detainee's training, for example, may permit the interviewer to elicit details purposefully left out by the detainee in order to deceive. The more the interviewer knows, the more likely he or she is to gain new information or to corroborate other data. Similarly, information about the subject's travel may permit the interviewer to inquire in depth about the subject's experiences.

Learning the culture: It is helpful for the interview team to learn as much as possible about the Arab (or Central, Southeast or Southwest Asian) culture and mindset and the religion and history of Islam. This will increase the interviewer's awareness of the subject's sensitivities and attitudes about issues like Allah, the Qu'ran, women, prayers, diet, and important historical and cultural events. Knowledge of the subject's culture may permit the interview to develop rapport with the subject and to better understand the subject's behaviors, both within and outside of the interview.

Scheduling the interview: If possible, a strategy

of scheduling interrogations across a 24-hour day may be effective in changing a subject's expectations of predictability. When the interview sessions occur at a predictable time, the subject can prepare himself mentally and physically and rehearse interrogation resistance strategies. In addition, for subjects who are detained, "off-time" interrogations (e.g., middle of the night and early morning) may minimize collective support of other detainees. Occasional "off-time" interrogations may also demonstrate to a detained subject that the interviewers are committed to build a relationship with him and that they will go out of their way to stay in contact with him.

The interrogator should not impose a time limit on an interview, nor an expectation of the frequency of interviews. The length of the interviews should vary. Having a set, routine block of time allotted for interviews allows a subject to better anticipate events and attempt to manipulate the interrogator and the process. For example, if in a confined setting interviewing takes place for a specified amount of time for each subject, the remaining detainees can anticipate how long they need to defend themselves and can practice steeling themselves to outlast the interviewer.

INTERVIEWING WITH A TRANSLATOR

If a translator is needed, the role of the translator must be clearly defined and continually reinforced so that he or she does not slide into the role of a surrogate interrogator. The interviewers must control the interrogation, not the interpreters. The interpreter must appear subordinate to the interviewer, someone working with and for the interviewer.

Interpreters may be natives from the subject's country of origin and may view their role from a perspective not too dissimilar from the subject with whom they speak. Interpreters may experience pressure to become assertive and to insert themselves into the process, rather than functioning only as a communication conduit between the interviewer and subject. The interviewer should

brief the interpreter prior to regarding expectations and debrief the interpreter after the session about pertinent nuances of the subject's language during the interview, subtleties of behavior, emotional indicators of responses to questions, or topics that the subject avoided. Just as it is a consideration when selecting an interrogator, possible biases among interpreters should also be taken into account.

While it is important to specify the translator's role, it is also critical to respect and value the translator. Translators may find themselves in a confusing situation, in some ways pulled toward the subject because of shared culture and early life experiences or against the subject. Communicating respect for the interpreter's contribution to the interview process can help the interpreter to not fall into the trap of over-identifying with the subject or allowing biases to interfere with activities.

DEVELOPING RAPPORT

Developing rapport involves more than simply "being nice" to a subject or giving him what he wants just to gain information. It requires a series of give and take interactions, under circumstances controlled by the interviewer. The interrogator needs to engage the subject in an extended conversation and to develop a relationship that helps to provide insight into the subject's motivations and deceptive practices or resistance techniques, so as to promote collection of accurate information.

To build rapport, the interviewer engages in dialogue with the subject, during which he or she identifies and assesses potential motivations, interests, and vulnerabilities. Rapport is based on a quid pro quo (the perceived ability of an interviewer to help the subject), commonalities (family, wife, education, adversity), personality, and mutual respect. Often rapport-based approaches include adversarial arguments, disagreements, admonishments, criticism, and challenging questions. These are always tempered with the fact that the subject knows that interviewer

is concerned about his future and is fair to him.

In a rapport-based interview process, the interviewer leverages the relationship, using a variety of interpersonal, cognitive, and emotional strategies and techniques, to elicit critical information from the subject. The subject shares information with the interviewer because his collaborative relationship with the interrogator leads him to value the relationship more than the information he is trying to withhold.

If for example, the subject is an Arab and comes from the Middle East, he likely has been raised in a culture where relationships are critical and shame is a key behavioral driver. In this culture, there is little individualism; the way the subject behaves and interacts with others defines who he is. Therefore, to access information of value, the interrogator must develop a connection with a subject and build a relationship. This takes creativity, flexibility, and versatility by the interviewer, not a textbook "today we will use this technique," mechanistic approach. The tone and approach of the interrogator may change during the course of a given interrogation based on cues from the subject and opportunities that present themselves. If rapport develops between the interviewer and the subject, the subject has motivation for cooperating and ultimately sharing information. Development of rapport takes time and can be a long and tiring process. The interviewer needs to be prepared and to keep his or her eye on the goal: development of a relationship in which the subject views it as more important to preserve the relationship than to withhold information.

At the beginning of the relationship, questions of an investigative nature are purposely avoided. This is done to allow the subject and the interviewer to develop a bond on matters unrelated to the investigation. For example, discussions about events unrelated to terrorism that may be of interest to the subject have served as a good icebreaker, especially for Middle Eastern Arabs; for example, news about soccer or the World Cup. An offer of

food (e.g., dates, prunes, other fruit, cookies, and chocolate) and beverages (e.g., tea) may build good will and later can be used as an incentive. Another productive line inquiry involves having the subject talk about his country of origin, with the interviewer show interest in learning about his country. Research and preparation before hand are key ingredients in building rapport and establishing relationships. In some cases, subjects from the Middle East have seemed particularly interested in maps and graphics (such as National Geographic maps). Subjects might use these to point out significant cities/towns/villages and paths of travel. Some subjects may be familiar with geographic layouts of areas they have lived in, but have never seen them on a map, so maps are of interest to them.

For a relationship to develop appropriately, the subject should be the interrogator's sole focus throughout the interview. The interviewer should exhibit a keen interest in all that the subject has to say, and should demonstrate virtually unending patience, particularly during early phases of the establishment of the relationship. Patience may be especially important during times of extended diatribes or venting by the subject. The interrogator should avoid reflexive or emotional responses to diatribes, never meeting hostility with counter-hostility, but should instead listen acutely to discern emotional and motivational cues. Interrogators should be mindful of any nonverbal signals they may be sending. Collective societies, who thrive on personal relationships, such as Middle Easterners, are highly experienced at picking up on those signs.

Interview style: A rapport-building approach can utilize different strategies and styles. In one approach, a primary interviewer debriefs the subject and works to hold the subject responsible for the statements he makes. The interviewer can be both a friend and an authority figure to the detainee. If the two interviewers are used, at least one interviewer might attempt to make him or herself "likeable," to the point where the subject looks forward to the interview session.

Some times a "good cop/bad cop" approach is effective; where the subject builds dependence on the Good Cop based upon his dislike of the Bad Cop. "Bad cop/bad cop" approaches do not appear to work. The end result of "bad cop/bad cop" is that the subject hates all of his interviewers and is motivated to withhold information simply to spite those he despises.

Regardless of an interviewer's own style, it is important to remember that a major goal of relationship building is for the subject to see the interviewer as a person (as "Rob" rather than as an American or a Satan) If a subject sees an interviewer as a person rather than an instrument of the "enemy" government, when the subject refuses to talk, lies or is deceitful, he offends the personal relationship. Since the relationship may matter to the subject more at the time than "doing his duty against the enemy" (as he may have been trained to do), he may choose to share accurate information with the interview team.

GATHERING INFORMATION

The interview team should approach each interview with positive expectations. The interrogator – and those assisting the interrogator – should enter every interview session with confidence that, over time, they will make a breakthrough with the subject. As noted above, development of rapport is probably the single most important element in creating a climate for eliciting reliable information. The interviewer should not engage in sensitive or probing inquiry at the beginning of the interview process or at the beginning of an individual session until after rapport has been established or re-established. When getting to the essence of the interrogation, the interviewer should focus on the general and work toward the specific, all the while emphasizing the relationship. That is, the interviewer should concentrate on the relationship before mining for facts.

Once initial rapport has been built, a technique that has worked well for some investigators is to

listen to the subject's story with what appears to be an open mind. The interviewer should listen carefully both for content and for emotional and motivational cues to the subject's thinking. With such active listening, the interviewer can learn about the subject's primary interests and concerns (worries about family, a son, a daughter, wife, money, hopes to come to the West in the future, commitment to spreading the word of Islam, fatigue with the "jihad life," etc.). The interviewer can then work to exploit the subject's hopes and concerns in the service of gaining information.

During the initial storytelling phase, the interviewer should not interrupt or criticize as the subject lays out what may be his cover story. Once the subject has told out his full story, the interviewer can go back and ask him to go over it again in more detail and in a systematic manner, perhaps alternating queries from the general to the specific. This process may take some time.

In reviewing the story, the interviewer should ask questions in detail about every element. It may be that the subject will attempt to give as little information as possible to satisfy the interviewer. The challenge, then, is to identify meaningful, important, or inconsistent details and sequences from the subject's outline or story. The greater the level of queried detail, the greater the likelihood that the subject will eventually "stumble" over errors or inconsistencies in his cover account. Questions need to be very specific to guard against omission. This process may seem tedious – asking ten questions when it should only take two – but it is an important part of gathering reliable and accurate information.

In the detailed inquiry phase, the interviewer should insert or suggest some type of context or time line reference, possibly using as markers, seasons, and Islamic holidays rather than Western calendar dates if the subject has not lived in the West or is not familiar with Western conventions of date and time. When establishing location with some Islamic subjects, the interviewer might use geographic descriptors: direction of prayer,

geographic landmarks, valleys, rivers, mountains, lakes, etc. (e.g., along the road, across one bridge, over a river, then along a separate riverbank).

When a timeline has been established, the interviewer should have the subject explain all the details provided across a timeline. A Middle Eastern Arab male's usual way of thinking is associative rather than linear. Holding him to a "common sense" time line of when various events happened may increase the conflict that he experiences if he is giving a cover story. The subject may not be able to maintain consistency in the details of a fabricated time line. Recognizing the subject's inconsistencies and confronting him with these, in the context of a relationship that has developed between the subject and the interviewer, may force the subject to recognize that the interviewer knows he is not telling the truth.

Successful interviewers have highly developed skills in assessing non-verbal language and cues. These skills develop over time and are enhanced through experience. Associates and consultants can be an excellent source of assistance in this regard and can offer valuable contributions. There should be a mechanism for observers of the interview to report significant observations to the interrogator. Some reactions such as cottonmouth are an autonomic or physiological response and are universal stress reactions. Other non-verbal behaviors, such as crossing one's arms or glancing away, may have particular cultural meanings.

DEVELOPING THEMES

Much interrogation theory and practice relies heavily on the strategy of "theme development." A "theme" is an excuse or justification for the behavior that the subject can acknowledge to save face. Theme development in Western criminal interrogation often involves trying to reduce the subject's fear and/or guilt by helping the subject to justify the behavior in his own mind or by diverting blame (e.g., to another person or to uncontrollable circumstances). These themes may

require substantial modification for use with subjects of militant Islamist terrorist investigations, particularly those with a Middle Eastern Arab cultural background.

Persons raised in an Arab culture typically do not experience guilt in the same way as Westerners. Instead of fear of guilt, Middle Eastern Arabs are more usually motivated to avoid engaging in wrongful or proscribed behavior by fear of shame.

Shame is a social phenomenon based on others' judgments and perceptions, compared to guilt, which comes from conflict within the individual. This difference is important for interrogation strategy. Traditional Western (guilt-based) interrogation theory suggests that concealment and deception cause the subject to experience inner conflict and anxiety. Anxiety and guilt can be alleviated by confession and absolution.

In contrast, shame is protected (not aggravated) by concealment. Because shame is "social," the subject may fear that disclosure (confession) may lead to judgment and shame, not to relief and absolution.

Militant Islamists may not feel shame or guilt for what they believe or for what they have done. If they experience shame, it may be out of concern for how they may be perceived or evaluated by parents, family, or others they respect. Other than this, militant Islamists, particularly those with a Middle Eastern Arab cultural background, are unlikely to feel shame. Instead, they may feel honor for what they have done or not done (for example, cooperated with the interrogators). There have been circumstances when convincing a suspect that acts of others was shameful has resulted in the acquisition of significant information. The interviewer should understand and acknowledge a subject's sense of honor.

The interviewer should use care when working with shame. Humiliating the subject is almost always counterproductive. If appropriate, however, the interviewer may express concern for the

"trouble" caused to the family at home or to others in the subject's relationship world. This may have the effect of letting the subject know that the interviewer appreciates what matters to the subject.

Additional modifications of traditional Western interrogation practices may be required to develop themes of "justification" or themes not based on the subject's anxiety or negative emotions. For example, one common interrogation strategy is to confront the subject with information or evidence that is inconsistent with what he has previously said. Militant Islamists and other persons affiliated with al-Qa'ida, however, often have learned to ignore information that contradicts their existing beliefs and assumptions. This may be particularly true in matters of religion. Thus confronting a subject who has justified his actions by referring to the Qu'ran with opposing viewpoints from the Qu'ran may be ineffective. In general, it is not helpful or productive to argue with the subject about religion or to engage in a battle of wits (or quotes) regarding Islam. Instead, the interviewer can emphasize that he or she is determined to fully understand the matters at hand and is prepared to spend the time to do so. These matters – will and time – are squarely in the interviewer's domain.

Other traditional interrogation strategies often involve condemnation of accomplices or playing subjects off against their co-offenders. Among members of al-Qa'ida and other militant Islamist collectives, however, loyalty to brotherhood is paramount. Confronting a subject with the statements of another cooperating subject is not likely to be effective, especially in the early stages of an interrogation. The subject may presume that the "brother" is being tortured and that he must help him by being strong and not talking. Initially, a subject may disclose some details of activities and operations, but may not name names. He is unlikely to knowingly implicate himself. Handled thoughtfully by a determined, patient, and resourceful interviewer, however, he may eventually admit details and may provide relevant information.

The strength of the relationship between interviewer and subject remains critical as the interviewers develop themes that may facilitate disclosure of concealed information. At points, the interview may even assume some characteristics common to a negotiation. Two points are central. First, when the relationship has developed effectively, the subject becomes dependent on the interviewer. The interviewer is in control of what happens, and the subject is aware of this. Second, because the interviewer maintains the real power, he or she is in a position to do favors or to grant requests. Accordingly, the subject's disclosure of information often evolves on a *quid pro quo* basis.

In most interrogation situations, the interviewers are in the real position of power and control. The interviewer should emphasize, consistently yet subtly, that the subject's environment, and perhaps his future, is in his hands, and that he is the best and most important person in the subject's immediate world. Ambiguity about what could or may ultimately happen to the subject of a terrorist investigation (i.e., charges, trial, imprisonment, etc.) can work for or against the process of eliciting information. A subject, who believes that if he is cooperative and confesses he will be punished and left in jail, may be less inclined to cooperate than a detainee who feels that he may be able strike a deal. Threatening the subject during the course of an interrogation will be ineffective unless the threats can be actualized and the subject knows that the threats are valid. It makes little sense for an interviewer to promise – or threaten – anything that he or she cannot deliver.

The interviewer must take and maintain control of the interrogation with a firmness that utilizes compassion, confidence, intelligence, wit, and fairness. Interviewers should not let a subject's attitude or failure to communicate as a "Westerner" (linear thinking) cause them to become frustrated, bored, or angry. Subjects sometimes use insults as a method of making the interrogators angry, and thus getting them off-track. Interviewers should be mindful of this tactic and maintain their

composure. By not becoming upset when provoked, the interrogator earns the subject's respect and builds rapport. The interviewer should not display rage when confronting the subject. A subject who feels he can cause this kind of reaction in the interviewer will feel he has won a small victory. The subject's dependence on the relationship may also be compromised by this shift in the balance of power.

The interviewers should listen to, and follow through with, any requests they agree to grant. When a reasonable request is made, the interrogator should say, "I will try my hardest to grant this request for you." If requests are granted, the interrogator should emphasize how difficult it was to get the request granted (regardless of how difficult the process actually was). As previously noted, the interviewer should never promise a particular outcome, unless it is certain. Any promises made by interrogators may have an impact on the subject's subsequent cooperation. Even if it is not possible to grant a cooperative subject's request, the subject should know that the interviewer looked into it and should be given a reason why the request cannot be honored at this time.

Favors, privileges or honored requests always should be contingent upon the subject's cooperation. By granting/attempting to grant a request, the interviewer makes the subject feel obligated to "repay the favor" (e.g., cooperate with the interrogation process). The interviewer should expect and ask for a *quid pro quo*, whereby the subject demonstrates an appropriately cooperative response.

MANAGING RESISTANCE

Investigative subjects rarely cooperate right away. The interviewers need to prepare for resistance. The interviewers should have a plan for dealing with subjects who refuse to answer questions. For example, a subject who is supported by his network in a detention facility is likely to

be prepared and to have several strategies that he plans to employ as a resistance in the initial phases of the interview process. The interviewers and their helpers and consultants need to be ready to work through these resistances.

If the subject is in a detention center, does not want to cooperate, and refuses to speak during an interview, the interviewers should hold the subject for the period of time that the interview would have taken. Upon entering the interview room, the subject should expect to remain in the room for what would appear to be a full scheduled session. The subject's failure to cooperate should not result in an early return to the general population. By prematurely terminating the interview session, the interrogator reinforces the subject's uncooperative behavior, thus increasing the likelihood that he will remain uncooperative in future sessions. It would also serve as an indicator to others of who may be cooperating with authorities.

Before an interrogator first enters the room, he or she should have a response ready, in anticipation of the subject's saying, "I have nothing for you. I told my story before." Subjects of militant Islamist investigations also have made statements such as: "I don't care anymore." "It's God's will what happens to me." "Ask me new questions." In these circumstances, the interviewer should explain to the subject that he holds the key to completing the interview process and that he needs to cooperate and answer the questions. If the subject says he has already answered these questions, he should be told that he needs to answer them again, as his previous responses were not documented, or that the only way to know if he is telling the truth is if he answers the questions again.

Some subjects refuse to provide information and offer a rationale as to why they will not answer. ("I am mentally tired." "I have been interviewed too many times." "I was told that my case is complete.") Comments like these suggest that the subject is engaged in the interview process, and is, at least, ambivalent as to whether he should cooperate. A subject who is experiencing

ambivalence is giving the interviewer an indication that he or she should persist in their efforts to develop rapport. For example, it might be pointed out that al-Qa'ida attacks have resulted in the death of innocent people. Therefore, if subject chooses not to talk, he is choosing al-Qa'ida and supporting the death of innocents.

Preempting resistance: If it seems likely that the subject has been directly involved with or trained by al-Qa'ida, the interviewer may indicate that he or she is familiar with sections of al-Qa'ida training manuals that discuss resistance to interview and interrogation. Care should be taken not to reveal to a subject that he is employing proscribed resistance techniques, unless the interrogator is certain the subject has in fact been trained in this regard. If a subject had not had resistance training, false accusations could serve to validate natural hesitations and reinforce that such resistance is part of a larger collective philosophy. If al-Qa'ida trained the subject, he may have developed particular expectations about American captors, interviewers, and confiners. Consistent and continued contradiction of what a subject was led to believe and expect about Americans may cause him to experience conflict and confusion, thereby leading him to become more open to tell what he knows during interviews.

RECOGNIZING AND MANAGING DECEPTION

Militant Islamist terrorists are likely to lie or to conceal information at some point in the interview, particularly in the beginning when given an open-ended opportunity to tell their story. It is critical, whenever possible, to recognize and address deceptive communications and resist the urge to immediately confront the subject during the initial telling of a story.

False information provided by a subject may lead significant fiscal and personnel resources to be wasted. Time and energy may be expended in efforts to corroborate inaccurate reports or to deal with non-existing threats. Disinformation also may

obscure potentially real threats by creating a confusing intelligence picture.

Moreover, if a subject lies successfully to the interviewer, the interviewer will lose credibility and the subject's respect. Subsequent information provided by the subject will be less and less valuable. The subject learns that that he can deceive without any consequences and will be motivated to continue to manipulate and lie.

Recognizing lies: Knowledge about the subject is the best tool for recognizing deception and concealed information. Prior to the interview, the interviewer should learn as much as possible about the subject and the investigation surrounding the subject. As noted above, many subjects will present a prepared cover story, which over time will have to be disassembled and debunked. Once a cover story is refuted, the subject must not be allowed to revert to the cover story again. Having a consistent interview team will make it more difficult for a subject to hold to a discredited story. However, if interviewers are changed frequently, the subject may feel encouraged to again offer inaccurate and misleading information.

How should the interrogator respond if he or she believes the subject is being deceptive? The interviewer must recognize the lie (if possible) and not tolerate it. The key objective is to condition the subject to tell the truth. When the subject goes down the path of deception, omission, or other straying, the interviewer should note that what the subject is saying is illogical, contradictory, or does not make sense, and should work to get the subject to acknowledge this. If the subject digresses or attempts to obfuscate (an anti-interrogation technique), the subject should be firmly and immediately re-directed to the story. When confronted with generalities or inconsistencies, the interviewer can attempt to force the content into a timeline, offering facts that refute what a subject is saying, and slowly and incrementally back him into a corner of admission. In the context of the relationship that has been developed, the interviewer may exhibit disappointment or express

a sense of feeling disrespected for being provided false information.

The interrogation itself is only one facet of a successful strategy to elicit accurate information. Information received must be analyzed and corroborated/refuted and assessed against other information and intelligence available. A successful approach incorporates an interrogation as a piece of a larger investigation, which form a mosaic to draw conclusions from.

AFTER THE INTERVIEW

The subject's physical and interpersonal environment before and after an interview can significantly affect his physical/mental condition, vulnerability, willingness to talk and willingness to resist.

The interviewers' overall plan for handling the subject should include methods for controlling the subject's environment, if possible. When circumstance allow, isolating a subject for a particular time period may aid in preventing the subject from receiving support from others to resist talking with the interviewers. Many Middle Eastern Arabs militant Islamists are anchored in their relationships with friends and family. The strength they get from these relationships allows them to resist interrogation more effectively. The same would hold true from an incarcerated collective.

When such a subject is isolated from a support base, he may become dependent on an interviewer for relationship and support because he craves human contact and interaction. Thus, it may be counter-productive to interrogate a subject and immediately place him back into a social environment in which others encourage him to actively resist or at least not to cooperate with authorities. In such a setting, the subject can reunite with his "brothers," share his experiences with others, and get support for and affirmation of his beliefs and commitments to the group's cause.

CONCLUSION

In the current security environment, law enforcement investigators at all levels must be prepared to conduct interviews with militant Islamists who may be involved in terrorist or other criminal activity. The objective of these interviews may be to elicit information to prevent a planned attack or to gather evidence and elicit a confession for criminal prosecution. In such interviews, the astuteness, interpersonal skills, patience, and persistence developed by seasoned interrogators are critical. In addition, careful attention to the cultural backgrounds and mindsets of militant Islamists, particularly those with Middle Eastern Arab acculturation, are likely to affect the success of these efforts. Most investigators in the U.S. have been trained in – and have utilized – strategies and theories of interrogation based on Western modes of thinking and emotional response. These approaches may not be effective with many non-Westerners.

The observations and recommendations offered here are based on interviews and interrogations with militant Islamists in a variety of contexts, many while in prolonged and tightly controlled detention. Some strategies that are successful in that context may not generalize well to other kinds of interviews with persons of investigative concern. Most subjects of these interviews were militant Islamists who were raised or acculturated in Middle Eastern Arab environments. Therefore, successful interview strategies may differ for militant Islamists from other areas of the world (e.g., Southeast Asia) and for non-Arabs.

With these caveats in mind, this paper has offered some background information and context for understanding the culture and mindset of Middle Eastern Arab militant Islamists. We have reviewed and summarized what has been learned about general interview approaches for such subjects during detention. We have offered some preliminary suggestions for investigative

interviews and interrogations, to include preparing, developing rapport, developing themes, managing resistance, and dealing with deception. Unless and until compelling evidence emerges to the contrary, interview experiences with a Middle Eastern Arab militant Islamist population so far strongly suggest that a relationship/rapport-based approach will result in more truthful and reliable information than will aggressive approaches, and that aggressive and forceful interrogation strategies and techniques may even be counterproductive to critical information gathering missions.

* We wish to acknowledge the contributions to this paper of Scott Shumate, Psy.D., CIFA; Joseph Krofcheck, M.D., Yarrow Associates; Ali Soufan, Thomas Neer, James Fitzgerald, FBI; Russ Palarea, Ph.D, NCIS; Steve Doyon, NCIS and Robert Fein, Ph.D, CIFA.

