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Title: "Frame-by-Frame Analysis: An Interview Technique"

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Abstract: Frame-by-Frame Analysis (FFA) is term used by the authors to reference an interview concept that all criminal investigators can benefit from when interviewing a victim and, at times, even a suspect. The best way to understand this concept is by comparing it to a movie. If we watch a movie in real time we may understand what is going on but we might not observe all of the details. However, if we run the same movie in slow motion, frame-by-frame, we may better recognize the details of the action as it occurs. The criminal investigator must use this concept if they wish to capture all the details of a crime during a given interview. Knowing the details of a reported crime is crucial to linking cases, solving crime, and prosecuting crime. It is also key to separating false reports of crime from those that are genuine.

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There is but one straight course, and that is to seek truth and pursue it steadily.

-George Washington to Edmund Randolph
Mount Vernon, July 31, 1795 (Lucas, 1999)

In order to know exactly the attitude to be maintained towards what has passed, all the circumstances of the crime must be clearly taken into account and submitted to strict logical examination from their commencement to their last stage. If at a given moment something has not been explained, suspicion is justified and pause must be made at the point where the logical sequence is broken, for the purpose of examining if there is no better way of explaining the fact. If one is found the rest of the inquiry is easy.

-Hans Gross (1949)

In 1997, one of the authors was assigned to assist a Detective with the investigation of a woman's claim that she had been raped and robbed in her apartment. The Detective had taken a statement from the victim containing numerous breaks in logic. The Detective in this case had explained away the victim's troubling statements and decided that it was not necessary to re-interview her. Among these were claims that her purse and welfare card had been stolen by the offender. Upon interviewing her husband, who was not home at the time of the attack, the author learned that the husband had found her purse and welfare card hidden in the apartment. The husband was unaware that the victim had hidden these items and wondered aloud why she would have placed them where they were found. When the alleged victim was confronted with the purse and the welfare card, she confessed that she had fabricated the story in an attempt to gain sympathy from her landlord who was in the process of evicting her. Her husband was unaware of the Fabrication.

In 2001, one of the authors was charged with investigating a case in which a 17 year-old girl claimed she was sexually assaulted on the grounds of a national park. The girl originally spoke with police officers and detectives. The portion of the police report pertaining to this girl's story was less than a paragraph in length and contained illogical statements. For example, she stated that she had been pushed to the ground in a muddy area. However, there was no evidence of mud on her clothing to support this. She also claimed that she was pushed to the ground from behind, but claimed elsewhere that she was pushed to the ground from the front. Both of these could not be true. The author personally conducted an interview of the girl and confronted her with these breaks in the logic of her statement. She quickly confessed to making the story up in order to gain attention after breaking up with her boyfriend.

Both of these cases are examples of the effective use of a Frame-by-Frame Analysis of victim statements in criminal investigations. The purpose of this paper is to outline and discuss this highly effective technique as used by the authors in the resolution of their casework, which has been comprised primarily of sex crimes and child abuse cases in Manhattan, New York.

DEFINITION

Frame-by-Frame Analysis (FFA) is term used by the authors to reference an interview concept that all criminal investigators can benefit from when interviewing a victim and, at times, even a suspect. The best way to understand this concept is by comparing it to a movie. If we watch a movie in real time we may understand what is going on but we might not observe all of the details. However, if we run the same movie in slow motion, frame-by-frame, we may better recognize the details of the action as it occurs. The criminal investigator must use this concept if they wish to capture all the details of a crime during a given interview. Knowing the details of a reported crime is crucial to linking cases, solving crime, and prosecuting crime. It is also key to separating false reports of crime from those that are genuine.

A review of the literature pertaining to interview and interrogation techniques (Aubry & Caputo, 1965; Gross, 1949; O'Connell & Soderman, 1936; O'Hara, 1972; and Walters, 1996) reveals that concepts equivalent to a

Frame-by Frame Analysis are not presented, discussed, or referenced. Gross (1949) comes close to explaining the process when he writes:

The object of an Investigator's interrogation of witnesses is to supply him with such complete and accurate information that he understands the case as if he had actually witnessed the events which he is Investigating.

It also should be noted that this same literature does not cover the interrogation of false reporters or victims of crime. This speaks to an overall assumption of victim integrity in the criminal investigation process. As we will discuss, this assumption may not always be warranted.

USE

The authors have found that the FFA is used most effectively with victims of crime or those suspected of falsely reporting a crime. But it can also be used with suspects in criminal investigations. It is the experience of the authors that intensive, detail oriented methods of interview and interrogation such as the FFA are rarely utilized because of several prevalent investigative circumstances:

Investigator apathy; the indifference of investigators to their cases.
Investigator impatience; the desire for a quick and superficial resolution.

Investigator preconceived theories; the belief that the truth is already known.

Lack of investigator training and experience related to crime investigation.

GOALS

Employment of the FFA provides investigative headway towards at least four equally important ends:

The development of case information

The identification of inconsistencies or breaks in the logic of both statements crime reconstructions.

The elicitation of confessions from those who are, in fact, guilty of a crime.

Establishing the validity of a criminal complaint.

To better comprehend the FFA and how it may be used, the reader should understand what takes place prior to the initiation of the FFA in a formal interview setting.

PRE-FFA VICTIM INTERVIEW

If the victim is at or near the scene, they should be taken to a safe, comfortable and secluded location outside the crime scene perimeter. If the crime was committed in their home, it may be best to have the victim taken to the hospital and then conduct an preliminary interview with them there. The initial or preliminary interview of the victim does not have to be detailed.

The initial interview need not be that detailed due to the following real life considerations:

Time constraints; the detective may need to get back to the scene because the crime scene evidence and crime scene personnel won't wait.

There may be interruptions / distractions at the hospital.

Depending on the nature of the crime, the victim may not be able to endure a sustained, detailed interview.

A more detailed, formal interview, including the FFA interview technique, can always be arranged for at a later time.

Prior to beginning the initial interview, the criminal investigator should introduce themselves by explaining where they work and what they do. Give the victim a business card with name, title, business address and telephone number.

The investigator must get as much information as possible in this short period of time. In doing so, the investigator should make a note of the victim's emotional state for court purposes (this is usually asked of the investigator while on the stand). Several key factors to establish Include:

Items/ objects touched by the offender

Potential locations of bodily fluids (blood, semen, saliva etc...) at scene and on victim

Likely point of offender entry

Time of offense occurrence: This can be especially helpful when canvassing for witnesses.

Detailed description of the offender

This information can be relayed to the crime scene unit personnel who are assigned to process the scene. They will then be in a more informed position to recognize, preserve, document and collect any evidence at the crime scene.

A rape crisis counselor may be present when the victim is receiving medical treatment. These counselors are often volunteers, and are there to help the victim in any way they can, providing emotional support and information. Criminal investigators and rape crisis counselors have had a somewhat rocky relationship when it comes to interviewing the victim with the counselor present. If the criminal investigator would like to interview the victim outside the presence of the counselor they should ask for the victim's permission. Abide by the victim's wishes. If the counselor becomes problematic during the interview by answering questions for the victim, asking the victim questions or interrupting the investigator, it is best to stop the interview and say to the rape crisis counselor, "Can I speak to you for a minute?" Do not argue in front the victim! The authors have had very few problems with rape crisis counselors and view them as hardworking, dedicated individuals. If they see the criminal investigator in the same light they will more than likely allow

the investigator to do their job without interference.

FRAME-BY-FRAME ANALYSIS

Below is an example of a FFA conducted during a formal victim interview. One of the authors (JB) was interviewing a victim who reported that she had been raped after returning to her home from a night on the town. During the first part of the formal interview he asked the victim tell him about her day, up to and including the incident, without interruption. She related the following:

I woke up this morning in my apartment and left for work. I worked all day and when I left work I took the subway back home. I ate dinner at home and later on I went out with some friends to a party across town. After having some fun and a few drinks, I left the bar and headed home. When I got to my building a man came up behind me and put his hand on my face. He pushed me to the floor and pulled up my skirt. He raped me and after he was done he took my money. I ran upstairs and called the Police.

The second part of the formal interview consists of the FFA and is typically much longer and serves to uncover more details of the crime or event in question.

The authors will use the above victim statement as an example of the detailed questions a competent criminal investigator must ask in the following frame-by-frame crime analysis.

I woke up this morning in my apartment {What time?}

and left for work {What time did you leave, do you normally leave for work at this time, how did you get there and where do you work? What was the exact route?}.

I worked all day {what hours did you work, did you leave the workplace during work hours, did you have lunch anywhere?}

and when I left work {Did you leave alone or with someone? What time did you leave, what route did you take home, any stops along the way, do you normally leave at this time?}

I took the subway back home {What subway station did you use and what was the route you took to get there, where did you get off the train and how did you get home from the subway station? What was the exact Route?}.

I ate dinner at home {Alone? What time?}

and later on I went out with some friends {Alone? What time? What was the exact route? Transportation? What are the friend's names?} to a party across town {What kind of party, for whom? Where exactly, any stops on the way?}.

After having some fun and a few drinks {How many drinks, what kind of drinks, who was there?},

I left the bar and headed home {Alone? What time? What was the exact route? Transportation?}

When I got to my building {Did you walk up, did a cab drop you off in front?}

a man came up behind me {How did you notice him, when did you first notice him, where were you located at the time, how did you know it was a male?}

and put his hand on my face {Where were you exactly at the time, did you see his hand (if so describe it), right hand or left hand, did he say Anything?}.

He pushed me to the floor {Where were you when this occurred, explain how he pushed you to the floor, what happened when you hit the floor, any injuries?}

and pulled up my skirt {Precisely where were you and in what position when this occurred, did he use one hand or both, were you wearing underwear, if so what did he do to them? (move them aside, tear them off, pull them down)}.

He raped me {What exactly did he do, frame by frame?}

and after he was done {Done doing what, did he ejaculate, did he say anything?}

he took my money {How did he take your money (threats, grabbed it, went through purse), how much did he take, did he take anything else, how did he leave?}.

I ran upstairs {Had he left yet?}

and called the police {Did you call the local precinct or 911, did you call anyone else?}.

As the reader can see, the interview becomes extremely detailed and lengthy, with each new question leading to others. That's what the criminal investigator wants. Less information is not better. The reader may even think of more pertinent questions they would ask the victim. It must be pointed out that it since one cannot interview a statement it is much easier to conduct a frame-by-frame crime analysis with a victim or offender sitting in front the interviewer rather than by later examining a written statement. It should be emphasized that the time and effort invested in an FFA interview is well spent. It will often obviate the need to re-interview victims when faced with a statement lacking sufficient detail. Criminal investigators must remember to keep all of the physical evidence in mind as they go through the FFA. The thorough criminal investigator must account for any contradictions between the physical evidence and the victim's (or offender's) statement. If the facts or sequence of events are still in question, the victim or offender needs to be re-interviewed. There is no shame in this.

This interview technique, besides giving the criminal investigator a clear understanding as to exactly what happened may also assist in determining the validity of the complaint. Many investigators will start the interview with "What happened?" In many cases of false reports as well as suspect interviews, stories are practiced and rehearsed in the storyteller's mind from the point of "WHAT HAPPENED". Using the FFA interview technique, as developed by the authors, gives the investigator a chance to observe body language, and other non-verbal clues, when seemingly unimportant questions are asked. The storyteller has not prepared to answer questions like "What time did you wake up this morning?", "What did you have for breakfast?", and so on. They do not understand the meaning and reason as to why these types of questions are being asked. The response the investigator will receive is usually truthful; this should then give the investigator the opportunity to observe the person's reactions when answering questions truthfully and then be able to note the difference when they are being Deceitful.

EXAMPLE

A recent example using this method of interview was during the second author's (JS) questioning of a 14-year-old girl. She had been living in a group home and after an unsupervised home visit she reported being the victim of a crime to one of her counselors. She had gone to a local hospital and told a story of being grabbed off the street by her boyfriend and three other unknown males. She claimed she was being dragged and carried for blocks and then was brought into a building where she was gang raped.

Due to the sensitive nature of the complaint responding officers and hospital personnel never asked her any detailed questions, they let her tell her "practiced and rehearsed story" from "What happened" which did not contain many more details than just stated.

The author met her about three days later in her Group Home's common living room. When she entered the room, she went and sat in a chair that was three chairs away from where the author sat. There were two other chairs positioned closer, as the author had placed them there. The author had an idea where this was going just from her seat selection. After moving her closer, the author introduced himself explaining, "I am here to help with what happened to you".

She immediately went into her rehearsed story. She told the author how she had been walking on the street; her boyfriend rode up on his bike and grabbed her. She then described how the three other guys grabbed her and dragged her to some unknown building and then how her boyfriend "Did what he had to do" never giving any details. While she spoke, she never looked up; she kept her head down and would not make eye contact.

The author stopped her and changed the conversation away from the crime. She was asked how long she had been in the group home, what school she went to, and how her grades were. She spoke about her counselors. She turned her body and faced the author and now looked at the author's face when she spoke. She knew this information could not hurt her and was speaking honestly. It showed in her face as well as her body posture. Again going back to the day of the crime. The author started with what

time she awoke, what she had for breakfast, did she shower, and her daily events before anything happened. Those questions were answered honestly, and again her reactions and postures when answering questions that could not hurt her were carefully noted. As she and the author detailed the rest of the day, they came to events before the alleged abduction. The author was able to learn that she was at a football game and the names of three girlfriends (possible witnesses) that she was with.

All the while the author was asking detailed questions. She was asked how she met her boyfriend and about their relationship, how many times they went out, and where they went for dates. Again these were not harmful questions in her mind, they could not hurt her story, and she answered these honestly. But when asked how strange it appeared that she did not know the guy's last name, pager number or cell phone number her reaction quickly changed to "What does this have to do with anything?" Her body language changed indicating her displeasure from this question.

The author again asked how they met, an innocent question. She answered honestly and said that her sister set them up. The author asked her what she had told her sister about the assault. She started getting nervous again, asking, "What does this have to do with anything?"

She had previously admitted to only telling her sister about the boyfriend assaulting her, but not the other guys. Because this was a harmful question, she had to improvise a reason why she only told the sister about one guy. Again, the author used detailed questions and she then alleged her sister belonged to a violent street gang and was dangerous, and if her sister found out about the other guy's, she might do something to them.

She had not practiced or anticipated any of these questions.

The story eventually broke down, and then so did she. She admitted to having had intercourse with her 23-year-old boyfriend, believing she was pregnant, and needing a way to explain it. It had not been a vicious abduction and gang rape.

Conclusion

The FFA is an effective interview technique that can lead to the successful conclusion of a case if used consistently and properly. Regardless of the outcome, after an FFA is completed the criminal investigator should be well prepared to answer any questions about the crime. The more information that is known about the victim and what they perceive has occurred, the better. The FFA is certainly useful when dealing with a suspected false reporter.

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