Forensic Statement Analysis for the Crime Scene Investigator

Larry Barksdale, 2-14-06

Larry Barksdale, 2-14-06
Objectives

► To understand the role of statement analysis in the investigative process.
► To become aware of statement analysis techniques.
► To incorporate the concept of semiotics into information analysis.
► To understand the role of statement analysis in discovery of new information.
Lesson Tie-In

► Narrative information is data. It is a major component of interviewing, and a viable source of information at the investigative scene. In this lesson the investigative interview is used as an example of how to apply forensic narrative analysis. The handwritten statement is used as an object and a source for analysis, and as a prompt for the interview.

► Narrative analysis applies to interviews, interrogations, report writing, suicide notes, anonymous letters, threatening letters and verbalizations, journals and diaries, e-mails, speeches and all aspects of human language communication.
“The crucial point to be considered in a study of language behavior is the relationship of language and reality, between words and not-words. Except as we understand this relationship, we run the grave risk of straining the delicate connection between words and facts, of permitting our words to go wild, and so of creating for ourselves fabrication of fantasy and delusion – Wendell Johnson.’ Quoted in Hayakawa and Hayakawa, *Language in Thought and Action*, p. 82
CSI’s and Narrative Evidence

► All persons involved in forensic work are involved in gathering information from people.

► The information may be a job related investigative interview of a suspect, an internal peer related interview, or an interview with a lab scientist, as examples.

► The information from interviews can be very critical to chance discovery of additional information, validation of other data, and developing investigative focus.
A Forensic Statement for the purposes herein is a language narrative used for forensic purposes.

The primary interest for a the CSI is analyzing the statement for signs of deception, “Paul Harvey” artifacts, author attribution, and correlation with other known data.

The Forensic Statement is taken as a data source.

Our primary interest in this lesson is in getting a narrative with a target of a handwritten statement. Aside from this, a recorded interview can be taken as a forensic statement and an additional data source.
CSI’s and Narrative Evidence

► All persons involved in forensic work are involved in gathering information from people.
► The information may be a job related investigative interview of a suspect, an internal peer related interview, or an interview with a lab scientist, as examples.
► The information from interviews can be very critical to chance discovery of additional information, validation of other data, and developing investigative focus.
The Written Interview

- May be structured or unstructured, but rarely semi-structured.
- When used with victim’s and witnesses the unstructured method is most applicable.
- With victim’s and witnesses ask the person to write what they know. Do not provide specific information.
- If questioned, use feedback markers: uh-huh, OK, go on, what ever you remember, you’re doing great.

- A sample instruction would be “Please tell me in your own words, as best you can remember, what you did today.” or “Please tell me in your own words what you remember about today’s event.”
- If the interview is structured a set of written questions would be provided for response.
- Provides a personal statement, and may be analyzed through linguistic techniques.
Using the Written Interview

- It gives the interviewee something to do while you are getting ready for the interview.
- It can help situate the interviewee, and set the tone for the relationship with the interviewer.
- It can be an aid in helping the interviewee organize thoughts.
- It gives a base line from which to start. It offers the basic information for making decisions on follow-up questions.
- It can identify deception and areas of tension.
- It can identify points of inquiry that can lead to new important information.
- It locks the interviewee into a story.
- It carries a strong sense of credibility.
- It is a physical piece of evidence.
- It is forensic evidence that can validate the data.
Textual Analysis

► From the LSI SCAN Technique: (Search for LSI SCAN on the WEB).
► (1) Total Belief.
► (2) First Person, Singular, Past Tense.
► (3) Look for changes in the norm.
► (4) Does not apply to missing persons – they are not believed to be in the past.
► (5) Told/Said; After, Then, According to, Because.
► (6) Victims (only): balanced story.

► From QED Fraud, Inc., Isabel Picornell.
► No one identifier establishes deception.
► Articles indicate ownership: The car is more personal than a car.
► Look for conjunctions that join a negation to an assertion: I was in the vehicle, but I was not aware of what was going on.
► Explicans, Adjective & Adverbs: to much, to many.
► Change is the key. Look for any changes in language.
► Look for very long sentences and very short sentences.
On July 18th, 1969, at approximately 11:15 P.M. in Chappaquiddick, Martha’s Vineyard, Massachusetts, I was driving my car on Main Street on my way to get the ferry back to Edgartown. I was unfamiliar with the road and turned right onto Dike Road, instead of bearing hard left on Main Street. After proceeding for approximately one-half mile on Dike Road I descended a hill and came upon a narrow bridge. The car went off the side of the bridge. There was one passenger with me, one Miss Mary – {deleted} a former secretary of my brother Sen. Robert Kennedy. The car turned over and sank into the water and landed with the roof resting on the bottom. I attempted to open the door and the window of the car but have no recollection of how I got out of the car. I came to the surface and then repeatedly dove down to the car in an attempt to see if the passenger was still in the car. I was unsuccessful in the attempt. I was exhausted and in a state of shock. I recall walking back to where my friends were eating. There was a car parked in front of the cottage and I climbed into the back seat. I then asked for someone to bring me back to Edgartown. I remember walking around for a period of time then going back to my hotel room. When I fully realized what had happened this morning, I immediately contacted the police.
“In this view, semiotics is not about the ‘real’ world at all, but about complementing or alternative actual models of it and – as Leibniz thought, about an infinite number of anthropologically conceivable possible worlds. Thus semiotics never reveals what the world is, but circumscribes what we can know about it; in other worlds, what a semiotic model depicts is not ‘reality’ as such, but nature as unveiled by our method of questioning (Sebeok, Signs: An Introduction., 26)”
“Semiotics is concerned with everything that can be taken as a sign. A sign is everything which can be taken as significantly substituting for something else (Eco, A Theory..., 7).”

“A sign is any physical form that has been imagined or made externally (through some physical medium) to stand for an object, event, feeling, etc., known as a referent, or for a class of similar (or related) objects, events, feelings, etc., known as referential domain (Sebeok, Signs..., 3)."
The famous quote from Charles Sander Pierce offers “A sign, or representamen, is something which stands to somebody for something in some respect or capacity. It addresses somebody, that is, creates in the mind of that person an equivalent sign, or perhaps a more developed sign. That sign which it creates I call the interpretant of the first sign. The sign stands for something its object... (Buchler, 99)” All quotes of Peirce are from Buchler.

“Signs allow each species to (1) signal its existence, (2) communicate messages within the species, and (3) model incoming information from the external world (Sebeok, Signs ..., 3).”
Recapitulation: Signs

- Signs tell us something. During the walk through of a crime scene, the signs are something to record about the scene. Signs are in our crime scene narratives, in scene journals, and in statements of victims/witnesses, and suspects.

- **Clues are signs.**

- By thinking about signs, we are able to more systematically identify and propose probable meaning to clues.

- It is the signs that lead to inferences and testable hypotheses, that lead to a progression of an investigation and relationships, that leads to the most likely explanation as an abductive inference.
The LEB Linguistic Technique – Its All About the Signs.

► Look for changes: slant, word spacing, letter size, pressure, margins, missing punctuation, unusual punctuation, syntactical changes (capitalization in the wrong place or inappropriate).

► Particularly look for scratch-outs, editing, changes in pressure and line thickness that link with the above changes.

► Link logical changes (what does not make sense – look at the Kennedy statement) with physical changes.

► Link semantics (change in person, tense, use of phrases, when/after/because, excessive use of adverbs and adjectives, “to tell the truth,” changes in punctuation, anomalies with changes, and logical aberrations.

► Calculate the average sentence length, divide by 4, add \( \frac{1}{4} \) to the average and subtract \( \frac{1}{4} \) from the average. This is the inter-quartile range. Look for sentences that are way outside of this range.

► Why are these “Paul Harvey” qualifiers? Justify your conclusions.

► Continue interview with focus on the Paul Harvey qualifiers.
Changes

- Changes indicate a change in the author’s thought process.
- A changes may be a sign of deception, a loss of concentration, an emotional thought, or a physical momentary anomaly.
- Changes of points of interest.
- It is the job of the CSI to explain the change. Is there other physical evidence to explain the change, and so forth.
Chance Discovery

The process of forensic statement analysis has two very important spin-off attributes.

The first is that it provides information about the author.

The second is that it engages the reader (you the investigator) in a systematic method of reasoning about something. This is thought.

The application of a systematic process involving thought has been shown to lead to serendipitous discovery of information. In other words, you have insights or thoughts or see something that you did not know before the process.
What are the signs? Pronouns, person, tense, changes I margin, capitalization ....?
Paul Harvey points?

More than one author?

Deceptive?
The Forensic Statement Interview Process

► Solicit a handwritten statement.
► Do a quick analysis of the handwritten statement.
► Plan a face to face interview.
► Conduct the face to face interview (record the interview).
► Validate the face to face interview via the handwritten statement.
► Use the handwritten statement as “proof” during the face to face interview.
Forensic Statement Analysis as Data Validation

- Does the handwritten statement corroborate the face to face interview? Document interview verbal and nonverbal signs that link with handwritten statement signs.
- Does the handwritten statement corroborate known physical evidence?
- Identify signs in the handwritten statement that suggest sources of additional physical evidence.
- Identify signs in the handwritten statement that identify additional testimonial evidence sources.
Recapitulation

The Written Statement can aid in the interview in many ways: occupy the person, set the stage, organize thoughts, identify point of inquiry – the “Paul Harvey” syndrome, lead to new information, establish credibility – validate veracity, present a source of physical evidence, and point to additional sources of evidence or lack of evidence.
Analyzing the Statement

- Look for physical changes: slant, spacing, margins...
- LSI SCAN: Balanced statement (20/50/30 or 1/3’s), first person singular past tense, agree to pay for loss or damage.
- Average sentence length and outliers.
- Logical anomalies
- Change in syntax and semantics (capitalization, phrases, excessive adverb or adjective, articles, punctuation).
- Explain how the above justify a “Paul Harvey” point of inquiry.
- Seek further information from interviews and forensics.
Food For Thought

► As a CSI where do you come in contact with narratives?

► At a scene there are numerous sources of narrative information. Name a few of these sources?

► How could they be useful to the scene investigation, follow-up investigation, and proof of an event?
It Is the Process

Obtain the Narrative, Looks for Signs, Interpret the Signs, Apply the Information.
References


References (cont.)


The End