**Chapter 11. Interviewing suspects with the Strategic Use of Evidence (SUE) technique**

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**Abstract**

*Imagine a murder case in which the CCTV footage shows the suspect rushing out of the building where the crime occurred shortly after the crime. This CCTV footage is strong evidence against the suspect; however, it is not sufficient to understand what happened, and the suspect denies the allegation. He claims to be in the building to visit a friend, and when the friend didn't answer the door, he rushed out to catch the bus. How should then the police interview the suspect to find out the truth? This chapter provides an overview of an interviewing technique called the Strategic Use of Evidence (SUE) that can assist in these situations. That is, cases where the interviewer needs to gather more information from the suspect. This chapter will first summarise the SUE technique and demonstrate how it can be used to detect deception. It will then lay out the principles behind the technique that constitute the SUE framework. These principles are key to understanding the various strategic ways evidence can be utilised in an interview. Finally, the chapter will present a new line of SUE research that aims to enhance information elicitation.*

Imagine a murder case in which a suspect is interviewed. CCTV footage shows the suspect rushing out of the building where the crime occurred shortly after the crime. The suspect denies having killed the victim, and more evidence needs to be gathered to understand what happened. This is an example of a relatively common case where the police possess evidence suggesting that the suspect may have been involved. However, it is also possible that the evidence is a result of an innocent activity. For instance, the suspect may have wished to surprise a friend who lives in the same building, but the friend was not home, and the suspect was running to catch the bus. One of the tasks the police have here is to collect information from the suspect to determine whether they should pursue the investigation of the suspect. Then the question arises as to how the police should conduct the suspect interview to find out the truth. Research shows that if an interviewer adopts a non-coercive, open-minded, and respectful style of interviewing, as opposed to using physical and/or psychological coercion, a suspect is more likely to provide information that will help the investigation (Alison et al., 2013). However, this style of interviewing is broad, and the police require more specific techniques that can be tailored to individual cases. For instance, how and when should the interviewer inform the suspect of the CCTV footage in the interview? The Strategic Use of Evidence (SUE) technique is one of suchspecific techniques and offers ways to use the evidence in a strategic manner. By using the evidence strategically, an interviewer can detect deception and gather new information from the suspect.

This chapter aims to provide an overview of research into the SUE technique. The first section summarises the technique and demonstrates how it can be used to detect deception. The second section lays out the principles behind the technique that constitute the SUE framework. These principles are key to understanding the various strategic ways an interviewer can utilise the evidence in an interview. Finally, the third section presents a new line of SUE research that aims to enhance information elicitation*.*

**The SUE technique and detecting deception**

Evidence can be disclosed to the suspect at different times during an interview. The interviewer may inform the suspect of the existing evidence before posing any questions (Early Disclosure of Evidence), drip-feed the evidence throughout the interview (Gradual Disclosure of Evidence) or disclose it towards the end of the interview (Late Disclosure of Evidence). The SUE technique guides an interviewer to determine when it is best to disclose a piece of evidence to achieve interview goals such as deception detection and information elicitation. This section focuses on deception detection and how using the evidence strategically can increase the differences between statements of lying and truth-telling suspects.

An interviewer who uses the SUE technique first obtains the suspect's statement via open-ended questions and explores alternative explanations via specific questions before disclosing the evidence (Hartwig et al., 2005). This translates to the following interview structure for the case provided above. The interviewer first invites the suspect to provide an account of their activities on the day of the murder. They then ask specific questions such as where the suspect has been, what the suspect has been wearing that day etc. Only then the interviewer informs the suspect of the CCTV footage.

Obtaining the suspect's side of the story before disclosing the evidence assists with deception detection as doing so leads to liars and truth-tellers adopting different strategies as a response to the questions. Research shows that a guilty suspect who is motivated to convince the interviewer that they are innocent typically withhold information that will give away their guilt. On the other hand, an innocent suspect who is typically motivated to demonstrate their innocence is likely to be forthcoming with information to show that they are not guilty (Hartwig et al., 2010; Strömwall et al., 2006). In the SUE interview, regardless of veracity, the suspect is unaware of the evidence whilst providing their statement. If the suspect is guilty, they will typically be withholding and leave out the activities that led to the evidence ("I was home all day"). Consequently, the statement will contradict what the evidence suggests, and the interviewer will elicit a statement-evidence inconsistency. If the suspect is innocent, they will be more likely to share the activity that led to the evidence ("I wanted to surprise a friend who lives at XX, but she wasn't home. So, I took the bus back home"). This will result in a statement-evidence consistency. In contrast to the SUE interview, when the interviewer discloses the evidence early on (Early Disclosure of Evidence), lying and truth-telling suspects' statements should look more similar. An innocent suspect will likely be forthcoming and provide the reason why the evidence exists. However, a guilty suspect, knowing what evidence exists against them, will be more likely to make up an innocent excuse as to why the evidence exists ("I knew the victim and wanted to surprise her that day by showing up unannounced. She didn't answer the door, so I head back home"). This statement will be consistent with the evidence and will sound similar to a statement obtained from a truth-teller.

The SUE studies use a mock crime paradigm[[1]](#endnote-2) and compare the SUE interview to other interview protocols. Thus far, the findings consistently show that guilty suspects are indeed more inconsistent with the evidence than innocent suspects when the evidence is used strategically, but there is no difference in statement-evidence inconsistencies in innocent and guilty suspects' statements in the Early Disclosure Interviews. The innocent suspects are found to be forthcoming in both interview conditions, and guilty suspects adopt forthcoming strategies in the Early Disclosure Interviews and withholding strategies in the SUE interviews (for a meta-analysis, see Oleszkiewicz & Watson, 2020). In summary, the SUE research demonstrates that the degree of statement-evidence inconsistencies can be used as a cue to deception or truth (Hartwig et al., 2014).

The SUE technique has been tested in various other situations. Some examples include deception detection with children, uncovering suspects' true and false intentions and eliciting cues to deceit and truth in cases with multiple suspects (Granhag & Hartwig, 2015). Researchers have also been exploring strategies that take into consideration the strength and specificity of evidence in evidence disclosures (e.g., Granhag et al., 2013). The results are quite robust in the ability of the SUE interview to differentiate liars and truth-tellers in these situations. However, some avenues within SUE research are less known or unexplored. One such research avenue concerns innocent suspects. Innocent suspects are assumed to have nothing to hide and that they reveal as much information as they can in an interview. Although this may be the case for some, others may have valid reasons not to cooperate and/or lie in an interview. Clemens and Grolig (2019) found that when interviewed strategically, innocent suspects who had not committed the crime in question but engaged in another unlawful activity at the crime scene were inconsistent with the evidence more than innocent suspects who did not commit the crime, nor the unlawful activity. This may have implications such as mistaking innocent individuals as deceivers in an interview. For instance, if the suspect in the example case above wasn't involved in the murder but bought an illegal item from the victim before she was murdered, it is possible that they will conceal being in the victim's building. This will result in a statement-evidence inconsistency. Therefore, it is important to continue exploring innocent suspects' motivation and behaviour in SUE interviews.

**SUE Framework**

The SUE interviews can be flexible when it comes to how the interviewer uses the evidence. To understand the various ways to disclose the evidence strategically, it is necessary to understand the principles behind the technique. These principles constitute the SUE framework: 1) suspects' perception of the evidence; 2) suspects' counter-interrogation strategies, and; 3) suspects' verbal responses (Granhag & Hartwig, 2015). This section briefly explains the principles and then demonstrates how they are at play when the interviewer aims to detect deception.

***Suspects' perception of the evidence***

Suspects typically attempt to estimate what the interviewer knows about the crime in question. The result of that estimation can be referred to as suspects' perception of the evidence. The interviewer's knowledge is especially critical for a guilty suspect who denies the criminal act and is motivated to get away with the crime by appearing innocent (e.g., Moston & Engelberg, 2011). If the guilty suspect accurately estimates the interviewer's knowledge of the crime, they will be better able to manage their statement content. That is, they can manipulate their stories to address the evidence held by the interviewer. This is typically done by providing innocent explanations to potentially incriminating information while avoiding the information they perceive the interviewer not to know. However, making an accurate estimation is difficult unless the suspect is informed about what the interviewer knows. In cases where the suspect is unaware of the interviewer's knowledge, their perception of the evidence will derive from an underestimation (thinking the interviewer has less evidence than they actually have) or an overestimation (thinking the interviewer has more evidence than they actually have).

***Suspects' counter-interrogation strategies***

This principle refers to suspects' information management strategies to achieve a goal, such as convincing the interviewer that they are innocent. As mentioned before, being innocent or guilty informs suspects' strategies in an interview. Studies exploring mock suspects' strategies show that guilty suspects believe that disclosing too many details would damage their credibility, whereas innocent suspects believe that providing as much information as possible would reveal their truthfulness (Colwell et al., 2006).

***Suspects' verbal responses***

Suspects' verbal responses refer to the verbal outcome of the interview. For the SUE research, the possible interview outcomes are cues to deceit and information unknown to the interviewer.

The SUE principles are related to each other. A suspect's perception of the evidence influences their counter-interrogation strategies, and their strategies influence their verbal responses (Granhag & Hartwig, 2015). Therefore, by affecting the suspect's estimation of how much the interviewer knows, it is possible for the interviewer to steer the interview towards the interview goal.

***SUE principles and deception detection***

Sharing the available evidence with the suspect at the onset of the interview, as in the Early Disclosure of Evidence Interview, will lead to a rather accurate perception of the evidence. A guilty suspect aware of what the interviewer knows will try to account for the evidence and choose a forthcoming counter-interrogation strategy. Consequently, the suspect's statement will match the evidence, and the suspect's verbal response will result in a statement-evidence consistency. In the SUE interview, however, the suspect is unaware of the evidence whilst answering the interviewer's questions. In this case, the guilty suspect is expected to estimate the interviewer's knowledge as little or none. This inaccurate perception of the evidencewill likely result in a withholding counter-interrogation strategy. By not giving away incriminating details, the suspect will be working towards the goal of deceiving the interviewer, but their story will not match the evidence. The verbal response will then be a statement-evidence inconsistency, a cue to deceit. The SUE research on deception detection supports this reasoning for guilty suspects (Hartwig et al., 2014); however, the relationship between the principles have not been directly examined in this line of research.

**The SUE technique and information gathering**

The ability to detect deception can be helpful in investigations; however, simply determining one's veracity does not fully serve the needs of an investigation when further information is required regarding the crime. For instance, it may be clear that the suspect is lying about their whereabouts despite the CCTV footage showing they were at the crime scene, but this is still insufficient to determine whether the suspect had been involved in the crime. It then becomes important to elicit further information from the suspect. If the suspect is innocent, they will likely volunteer information; however, this does not apply to a guilty suspect who may withhold information to avoid self-incrimination (Hartwig et al., 2014). A recent development within the SUE research attempts to explore whether strategic evidence disclosure can be used to elicit new information[[2]](#endnote-3) from guilty suspects (see Tekin, 2016). By using the SUE principles, Tekin and colleagues developed a new tactic within the SUE research, called the SUE-Confrontation tactic, and tested the tactic's ability to enhance information gathering.

***SUE principles and the SUE-Confrontation tactic***

A guilty suspect is likely to be forthcoming with information they believe the interviewer to hold because they are motivated to avoid contradicting the interviewer's knowledge. If this forthcoming strategy is informed by an overestimation of what the interviewer knows about the crime, some of the information disclosed by the suspect will be new to the interviewer. The key here is to find a way of influencing a suspect's perception into an overestimation without deceiving the suspect about the existing evidence. Tekin and colleagues (2015) were the first to test the SUE-Confrontation tactic designed to make the suspect overestimate the amount of evidence in a case and consequently reveal information. The study by Tekin et al. (2015), as well as the ones that followed (e.g., Tekin et al., 2016), examined the SUE-Confrontation interview by splitting the crime into phases such as the following three: the suspect's activities before the crime, during the crime and after the crime. One of the phases is deemed the 'critical phase'. This is the phase for which the interviewer has no information and it commonly concerns the time of the crime. This phase is critical mainly because the police need to have an accurate account of what happened. The other phases are 'less critical phases' for which the interviewer holds potentially incriminating evidence (e.g., eyewitness testimony suggesting that the suspect was following the victim the day before the crime and CCTV footage suggesting that the suspect was around the crime scene after the crime had occurred). These two phases are less critical as the evidence raises suspicion but cannot be used to make a connection between the crime and the suspect.

In the SUE-Confrontation interview, the interviewer questions the suspect about each phase of the crime separately and handles the less critical phases first. For one of these less critical phases, the interviewer uses the evidence strategically (asks open-ended and specific questions about the suspect's activities before disclosing the evidence in this phase). At this point, a guilty suspect is expected to perceive the interviewer to have little or no information and provide a statement inconsistent with the evidence. The interviewer then confronts the suspect with the inconsistency and emphasises the seriousness of being inconsistent. The interviewer repeats this process for the other less critical phase. This interviewing process is expected to teach the suspect that the interviewer knows more even if they do not share this knowledge with the suspect at the onset of the interview. A suspect initially believing that the interviewer has little or no information may now start thinking the interviewer knows more. Moreover, confrontations with inconsistencies are unwanted as they attack a guilty suspect's credibility. As a response, the suspect is expected to try to restore their diminished credibility by preventing further confrontations. It is at this point (when the suspect overestimates the evidence and is motivated to avoid contradictions) that the interviewer questions the suspect about the critical phase by asking an open-ended question about their activities. The suspect may then share some of their activities during this critical time even if they do not admit guilt. The verbal response of this forthcoming strategy will be new information.

Tekin et al. (2015) compared the SUE-Confrontation interview to two control interviews: Early Disclosure Interview and No Disclosure Interview (the interviewer did not disclose any evidence and asked only about the critical phase). Mock suspects' statements were coded for statement-evidence inconsistencies for the two less critical phases and new information for the critical phase. Suspects in the SUE-Confrontation interview were more inconsistent with the evidence than suspects in the Early Disclosure interview. Suspects also revealed more new information in the SUE-Confrontation interview compared to the two control interviews. This was new information, such as the suspect mentioning being at the crime scene. Considering that the interviewer did not know what the suspect was doing around the time of the crime, finding out that they were with the victim is an important piece of information. Tekin et al. also examined the assumptions made by the SUE principles. First, the participants who were interviewed with the SUE-Confrontation interview perceived the interviewer to know more about what they did during the crime compared to the participants who were interviewed with the control interviews. This means the suspects' perception was influenced by the SUE interview. Second, suspects' strategies were examined. One-third of the withholding suspects switched to a forthcoming strategy as the SUE-Confrontation interview progressed. It is important to note; however, that some did not show this trend and stayed withholding throughout the interview. Nevertheless, this study was the first to show that by using evidence strategically, an interviewer can affect a suspect's decision making during an interview and obtain new information.

It is an interesting question why some suspects remained withholding when interviewed with the SUE-Confrontation interview. These suspects may have interpreted the confrontations as damaging to their credibility to the point of no return and saw no need to restore it. In a follow-up study, Tekin et al. (2016) gave suspects more opportunities to rebuild their credibility by allowing them to address statement-evidence inconsistencies following confrontations. Suspects who took the opportunity to explain the inconsistencies were found to switch to a more forthcoming strategy and revealed more new information, compared to suspects who chose not to explain inconsistencies. So, again, a portion of the suspects stayed withholding despite being able to account for the inconsistencies. It is possible that explaining statement-evidence inconsistencies did not seem like a feasible way to restore credibility for this group. Such explanations may require changing one's initial story, and these suspects may have believed this change to be more damaging. Although it is still unknown why this bimodal pattern occurs, it is possible that suspects switch from a less to a more forthcoming strategy when they stay motivated to pursue the goal of appearing innocent. If the interview is a game, the interviewer needs to ensure that the suspect stays motivated to continue playing the game (Tekin, 2016). This is important to take into consideration when preparing for an interview.

In an attempt to keep more suspects 'in the game', May et al. (2017) added a social component to the SUE-Confrontation interview. The interviewer focused on emphasising their non-guilt assumptive attitude towards suspects throughout the interview. This way of interviewing resulted in more new information about the critical phase compared to the Early Disclosure interview but did not outperform the original SUE-Confrontation interview. However, when faced with this more open-minded atmosphere, suspects believed the interviewer to be friendlier and more respectful. A friendly interviewer is likely to lead to a more cooperative suspect (e.g., Alison et al., 2013); therefore, keeping this component as part of the SUE-Confrontation tactic seems like a good idea. Moreover, Luke and Granhag (2022) found that responding to and pointing out each statement-evidence inconsistency during the interview, as opposed to reacting only to some of the inconsistencies, resulted in the suspects sharing more information. This can be attributed to the fact that the suspects got more feedback on their 'performance' and adjusted their strategies accordingly. These studies do not only show how the SUE interview is flexible in handling the evidence, but they also contribute to interviewing practice by testing ways to improve information elicitation.

Overall, the results in this new area of research are promising. The SUE-Confrontation tactic is the first to provide a way of eliciting new and accurate information through using the evidence strategically. This is especially important in the absence of any other evidence to connect the suspect to the crime. The research also provides support to the relationship between the SUE principles. That is, guilty suspects' perception of the evidence affects their counter-interrogation strategies, and these strategies in return, affect the verbal outcome of the interview. Such knowledge is important in allowing interviewers to use the principles to develop more tactics. It is also noteworthy that the SUE-Confrontation tactic does not only elicit new information it also leads to cues to deception or truth. Both of these verbal outcomes are important in an investigation and for the prosecution to build a solid case. Moving forward, it seems essential to study ways of keeping more suspects motivated in the interview so that they continue playing the 'game'. Exploring the best way to confront suspects with statement-evidence inconsistencies and how to handle these inconsistencies may be beneficial in enhancing information gathering with the SUE technique.

**Concluding remarks**

This chapter intended to provide an overview of the SUE research. The SUE technique adopts a non-coercive style of interviewing and offers specific ways of utilising the evidence in an interview. The chapter first introduced the SUE technique and demonstrated how it can help detect deception by magnifying the differences between truth-telling and lying suspects' statements. Next, the principles constituting the SUE framework were described. These principles help develop various strategies to achieve interview goals. A new line of research concerns information elicitation in interviews by using the SUE-Confrontation tactic which is developed based on these principles. The last section focused on the research findings on this tactic. The findings demonstrate the possibility of influencing guilty suspects' perception of the evidence by using the evidence strategically, making them adopt more forthcoming strategies and consequently gather new information that can be useful in an investigation. The findings are promising; however, more research is needed to find ways of encouraging more guilty suspects to switch from less to more forthcoming strategies in interviews. Nevertheless, the SUE technique can be used flexibly to meet the needs of interviewers, whether this is deception detection and/or information elicitation.

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1. Participants are assigned to the guilty group and commit a mock crime (e.g., stealing a wallet) or the innocent group and perform a non-criminal act requiring activities similar to those performed for the mock crime (e.g., moving the wallet to reach another object). The criminal or non-criminal activities generate the same pieces of evidence (e.g., fingerprints on the wallet) indicating potential guilt. The participants are then interviewed as suspects under the suspicion of a crime (e.g., stealing money from a wallet) and are instructed to deny having committed the crime in the interview. [↑](#endnote-ref-2)
2. New information here refers to information that can help make connections between the crime and the guilty suspect (e.g., mentioning meeting the victim on the day of the crime without admitting murdering her), or information that can help rule out the innocent as suspects (e.g., pointing out that they were on a bus on the way to the victim’s place when the crime was taking place). [↑](#endnote-ref-3)