

# Do Not Lie to Me, or Else: the Effect of a Turncoat Warning and Rapport Building on Perceptions of Police Interviewers

Sarah MacDonald<sup>1</sup> · Zak Keeping<sup>1</sup> · Brent Snook<sup>1</sup> · Kirk Luther<sup>1</sup>

© Society for Police and Criminal Psychology 2016

**Abstract** The effects of warning witnesses about lying (i.e., turncoat warning) and rapport building on perceptions of police interviewers were examined across two experiments. In experiment 1, participants ( $N = 59$ ) were asked to assume the role of a witness when reading four interview transcript excerpts and rate the police interviewer on an eight-item attitudinal scale. Interviewers who warned witnesses about lying were viewed less favorably than when no warning was administered. Interviewers who used rapport-building techniques were viewed more favorably than those who did not attempt to build rapport. There was also a moderating interaction, whereby the use of rapport-building techniques offset the lower attitudinal ratings associated with the administration of the warning. In experiment 2, participants ( $N = 46$ ) were asked to assume the role of a third party observer when reading four interview transcript excerpts and rate the police interviewer on a ten-item attitudinal scale. Results of experiment 2 replicated the findings from experiment 1. The potential implications of starting an interview by warning a witness about lying are discussed.

**Keywords** Witness · KGB warning · Investigative interviewing · Rapport building · Turncoat warning

The goal of witness interviews is to extract as much complete and accurate information as possible (Evans et al. 2013). The information that police officers obtain during a witness interview helps them create a timeline of events, obtain evidence of

probative value, identify lines of inquiry, lay charges, write search warrants, and identify suspects (e.g., Abbe and Brandon 2013; Collins et al. 2002; Shepherd 2008). The consequential nature of witness interviews necessitates that interviewers employ techniques that enhance information provision (e.g., rapport building), and conversely, avoid practices that may diminish the quality and quantity of information provided. One feature of witness interviewing in Canada that has evaded empirical examination is the use of KGB warnings (i.e., turncoat warning) regarding the consequences of lying. Although common sense suggests that warning witnesses about the legal consequences of lying would be viewed as threatening (i.e., a maladaptive practice that would likely hinder information yield and quality), it remains unknown how such a practice impacts contemporary witness interviewing approaches that are rapport-driven.

## KGB Warnings

KGB warnings are written passages of text delivered to witnesses at the onset of an interview that outline the criminal offenses they may face if they lie to police when providing their statement. The practice of prefacing a witness interview in Canada with a KGB warning emerged out of a murder trial in 1988 where three youth recanted their original statements at trial that incriminated KGB (the initials of the youth who was charged with murder; *R. v. B. (K.G.)* 1993). The youth who recanted their original statements claimed that they lied to the police in order to exculpate themselves from any wrongdoing. The trial judge ruled that their original statements were inadmissible because they contradicted the statements provided during the trial; K.G.B. was acquitted of murder. In a five-to-two decision, the Supreme Court of Canada upheld the acquittal because there was no guarantee that the original

✉ Sarah MacDonald  
sm7133@mun.ca

<sup>1</sup> Department of Psychology, Science Building, Memorial University of Newfoundland, St. John's, NL A1B 3X9, Canada

statements were reliable. It was further stated that the best indication of reliability is when a sworn statement is taken (e.g., under oath) and where a witness is made aware of the criminal sanctions for making a false statement; see *R. v. B. (K.G.)* for additional reliability criteria).

To help ensure the admissibility of a witnesses' original statement at trial, each Canadian police organization created their own KGB warning. A KGB warning informs a witness that their statement will be taken under oath and videotaped. The witness is then warned about a series of criminal offenses and penalties that may occur if the witness misleads the officer, obstructs justice, commits perjury, and/or fabricates evidence (see transcript in [Appendix](#) for the full text of a KGB warning). A KGB warning may be administered at the discretion of the interviewing officer or prosecutor. For instance, a KGB warning may be used if there is concern that the witness may change their statement, or be unable to testify at a trial (e.g., severe health problems).

Although KGB warnings have existed for over 20 years, the effect that they have on the information gathering process and subsequent legal proceedings has never been examined. Initial concerns about the KGB warnings for information gathering emerged from an analysis of 19 Canadian police witness interviews by Wright and Alison (2004). Although the authors did not provide any data on the prevalence of the warnings in interviews or the effect of the warnings on interviewing outcomes, they surmised that the use of KGB warnings could adversely impact interviews by hindering rapport between the witness and the interviewer. They argued that such a warning may slow or prevent rapport building and increase both anxiety and concern for witnesses, by sending a message of distrust of what the witness may say during the interview and subsequent court proceedings. By warning witnesses of the legal consequences of lying to the police, it seems reasonable to assume that witnesses would be cautious interacting with the interviewer. Based on preliminary data from a field study, Snook and Keating (2011) suggest that the use of KGB warnings will have a negative impact on witness interviewing. Specifically, they reported that KGB warnings were delivered in approximately 12% of the witness interviews they examined and found that the length of responses from witnesses who were administered a KGB warning was 44% shorter than witnesses who were not administered a KGB warning. However, these findings are limited on their generalizability because the warnings were only administered in cases investigating one type of crime and the research was correlational.

In addition to concerns regarding the impact of a KGB warning on the information gathering process, it is also likely that KGB-driven interviews may adversely impact legal proceedings. For instance, a KGB-driven interview with a witness may be viewed in court by triers of fact (i.e., judges and jurors who serve as third party observers), who then form

impressions about the trustworthiness of the interviewer, the witness, and the evidence from the interview. The impressions about credibility may impact deliberations (e.g., weighing of evidence) regarding the outcome of the criminal proceedings. To date, no research has examined the effect that KGB warnings may be having on legal proceedings.

## Rapport Building

It is imperative that interviewers use practices that enhance information provision to increase the chances of resolving an investigation. One practice that has been shown to increase information provision is rapport building (e.g., Collins et al. 2002). Although operational definitions vary throughout the interviewing literature, rapport building refers broadly to the process of establishing a harmonious and productive working relationship between the interviewer and the interviewee (Abbe and Brandon 2013; Tickle-Degnen and Rosenthal 1990). The process of building rapport is fostered by open communication on the part of the interviewer by using both verbal (e.g., expressing gratitude, self-disclosure, recapping answers) and non-verbal (e.g., handshake, smiling, nodding) behaviors. These verbal and non-verbal behaviors signal the desire to have a working relationship. Rapport building is also instantiated through engaging interviewees in meaningful and personalized conversation (Tanis and Postmes 2005; Tickle-Degnen and Rosenthal 1990; Vallano and Compo 2011).

Much empirical research supports the assumption that rapport building is an important component of effective interviewing. For instance, Collins et al. (2002) interviewed participants on the content of a video depicting an arson. The researchers used either a rapport building, neutral, or abrupt (i.e., rapport harming) interviewing style. The authors found that participants in the rapport-building condition provided approximately 38% more information than participants in both the control and rapport harming groups. The increase in reported details occurred without a corresponding increase in inaccurate information. Vallano and Compo (2011) performed a conceptual replication of the Collins et al.'s study to determine if the benefits of rapport building were evident even when misinformation (e.g., incorrect police reports) was present. The authors found that rapport building increased cooperation from participants, reduced the percentage of incorrect details reported, and made witnesses less susceptible to post-event misinformation effects (i.e., memory impairment following exposure to misinformation). There is also a growing body of research showing that offenders are also willing to cooperate with interviewers if the interviewers follow a protocol that is underpinned by rapport-building techniques (e.g., Snook et al. 2015).

The importance of rapport building on interview outcome has also been demonstrated in field studies (Clarke et al. 2011;

Walsh and Bull 2010). For example, in an analysis of 142 police witness interviews, Walsh and Bull (2012) found a positive relationship between rapport building and the amount of information elicited from suspects. They concluded that the failure to take advantage of the opportunity to establish rapport at the onset of an interview can result in an inability to build rapport at a later stage in the interview. This concern is further supported by the well-documented role that first impressions play in the formation of judgments of trust (see Quigley-Fernandez et al. 1985). For example, Lass-Hennemann et al. (2011) demonstrated that interviewees who are under significant stress perceive the positive attributes of the interviewer as being even more positive.

Although much research has focused on the positive effects of rapport building, there is also evidence that behaviors that hurt rapport are associated with negative interviewing outcomes. For example, in an analysis of police interviews, Alison et al. (2013) found that poor rapport building is negatively correlated with the amount of information provided by suspects. An analysis of 418 police interviews revealed a significant decrease in the amount of information provided during interviews that contained rapport hurting behaviors (e.g., threatening, accusatorial). Alison et al.'s findings are consistent with previous findings that dominant and confrontational interview styles beget uncooperative witnesses (Collins et al. 2005; Williamson 1993).

## The Current Research

The aforementioned body of research suggests that interviewers who administer a KGB warning will be perceived less favorably than interviewers who do not administer such a warning. Research also suggests that interviewers who employ rapport-building techniques will be perceived more positively than interviewers that do not use any rapport-building techniques. It is also predicted that prefacing the delivery of a KGB warning with rapport-building techniques will moderate the ratings associated with the delivery of a KGB warning; that is, the inclusion of rapport-building techniques will reduce the negative impact that a KGB warning has on participants' perception of the interviewer.

## Experiment 1

### Method

**Participants** Participants were undergraduate university students ( $N = 59$ ) enrolled in a Police Studies course at Memorial University. The mean age of participants was 21.10 ( $SD = 4.62$ ), the mean attitude toward police (on a five-point scale;  $1 = \text{very negative}$ ,  $5 = \text{very positive}$ ) was 4.73

( $SD = 0.52$ ), and 34 (57.63%) participants were men. Three individuals indicated they had heard of the KGB warning before. All participants' data were included in the analyses. Of the 58 participants who reported their program of study, 37 (62.71%) indicated that their major was Police Studies; the remaining participants identified with a wide variety of other disciplines (<10% each).

**Design** A  $2 \times 2$  repeated measures design was employed. The independent variables were a KGB warning (present vs. absent) and rapport-building techniques (present vs. absent). The dependent variables were the participants' ratings on eight statements about their perception of the interviewer as if they were the witness being interviewed.

**Materials and Procedure** An experimental package was created to measure a witness' perception of the interviewer. The experimental package contained (a) a consent form, (b) a demographics form, (c) an instruction title page, (d) four interview transcript excerpts (see Appendix), and (e) an eight-item rating scale to measure the participants' attitude toward the interviewer. Each transcript was truncated so that only the standard interview preamble (e.g., a neutral conversation, the reading of the KGB warning) was presented. The KGB warning was selected for this study because (a) it was, relative to other KGB warnings used in Canada, of mid-level complexity (Luther et al. 2015), and (b) the results could be generalized to the local population because it is the KGB warning administered to witnesses by the local police organization (i.e., ecological validity). All four transcripts were based on actual police interviews conducted by a Canadian police organization. The transcripts differed on whether or not they contained rapport-building techniques and whether or not they contained a KGB warning, which led to variations in transcript length between conditions. The rapport-building techniques/KGB condition contained 1414 words, the rapport-building techniques/no KGB condition contained 1127 words, the no rapport-building techniques/KGB condition contained 564 words, and the no rapport-building techniques/no KGB contained 230 words.

The attitude scale consisted of eight items. The items focused on how participants would rate the interviewer if they were the witness (i.e., participant-as-witness; see Table 1 for the scale). Participants were asked to rate each item on a five-point scale ( $1 = \text{strongly disagree}$ ,  $5 = \text{strongly agree}$ ). Three items were negatively keyed to increase the likelihood that participants engaged in more controlled cognitive processing (these items were reverse-scored prior to analysis).

Participants were offered the incentive of a 1% bonus mark on their overall course grade. Participants were given an informed consent form, and then received an experimental package. Participants were instructed to read one police interview

**Table 1** Mean (and standard deviation) interviewer ratings based on witness perspective

Item	Experimental condition			
	No KGB warning/no rapport	No KGB warning/ rapport	KGB warning/no rapport	KGB warning/ rapport
1. I would tell the police officer everything I know.	4.04 (0.88)	4.57 (0.68)	4.48 (0.80)	4.58 (0.58)
2. I would be scared to provide information that I am unsure of.	3.22 (1.30)	3.10 (1.22)	3.46 (1.36)	3.78 (1.08)
3. I would put effort into building rapport with this police officer.	3.40 (1.02)	3.85 (0.91)	3.51 (0.94)	3.79 (0.88)
4. I would trust this police officer.	3.55 (0.91)	4.25 (0.89)	3.84 (0.88)	4.13 (0.92)
5. I would not be worried what happens to me once the interview is over.	3.07 (1.09)	3.61 (1.15)	3.12 (1.11)	3.36 (1.24)
6. I would be careful of what information I provide to the police officer.	3.46 (1.09)	3.19 (1.31)	3.69 (1.14)	3.70 (1.18)
7. The police officer is going to value the information that I will provide.	3.73 (0.99)	4.28 (0.62)	4.03 (0.74)	4.24 (0.68)
8. The police officer is going to be suspicious of the information that I will provide.	2.67 (0.99)	2.24 (1.00)	2.90 (1.02)	2.48 (1.04)
Mean (standard deviation)	3.43 (0.61)	4.12 (0.42)	3.34 (0.68)	3.75 (0.61)
Cronbach's alpha	0.76	0.51	0.81	0.78

at a time, complete the corresponding rating scale, and repeat the process for the following three transcripts. The order of the transcripts was counterbalanced through randomization; a total of 21 different orders resulted from this process. Participants took approximately 20 min to complete the study.

## Results and Discussion

The Cronbach's alpha values for the four transcripts ranged from 0.51–0.81 ( $M = 0.72$ ; see Table 1), indicating that eight items on the scale were correlated and were measuring the same construct for each condition (Cronbach 1951). Participants' responses on the eight items were combined into an average overall score for subsequent analyses. The interviewer ratings were analyzed using a two factor repeated measures analysis of variance (ANOVA) with rapport-building techniques and KGB warning as the two independent variables. The dependent variable was the mean rating across the eight items. There was no significant correlation between self-reported attitude toward the police and mean ratings of interviewer for either condition,  $r = 0.01$  to  $-0.27$ ,  $p > .05$ . Mean ratings for each item on the scale are shown in Table 1; the values presented in the table include the reverse-scored numbers.

We found support for the prediction that interviewers who administered a KGB warning ( $M = 3.55$ ,

$SD = 0.50$ ) would be rated less favorably than those who did not administer the warning ( $M = 3.77$ ,  $SD = 0.44$ ). Although the effect of the warning was significant,  $F(1, 58) = 9.72$ ,  $p = .003$ , the size of the effect was small,  $d = -0.40$ . This negative effect of the KGB on perceptions may be caused by the implicit message that the officer does not trust the witness to provide an honest eyewitness account. For instance, the warning informs witnesses, who may intend to be cooperative, that they can be charged and sent to jail for changing their statement at court. It is therefore not surprising that participants would view interviewers who delivered the warning less favorably than those who did not deliver the warning. Such a finding aligns with an emerging body of research showing that maladaptive interviewing practices (e.g., intimidating people) may hinder the development of rapport and information yield (e.g., Alison et al. 2014; Goodman-Delahunty et al. 2014; Vallano and Compo 2011; Vallano and Schreiber Compo 2015).

In the current experiment, we did not examine the effect of delivering a KGB warning on information yield. As mentioned, investigative interviewing research has shown that information yield is truncated when maladaptive interviewing behaviors are used with witnesses (Alison et al. 2013, 2014). We therefore expect that KGB-driven interviews would produce less information

from witnesses than interviews that are void of the warning. Social psychological research has shown, however, that attitudes and behaviors are sometimes misaligned (Howerton et al. 2012; LaPiere 1934), thus suggesting that a witness' perception of an interviewer who administers a KGB warning may not be entirely predictive of the quality and quantity of information provided to the interviewer by that witness. Future research should attempt to examine the effect that such warnings have on information provision during witness interviews. Future research should also attempt to increase the ecological validity of this area of research by employing a realistic design; for instance, by using a modified version of the cheating paradigm that is used to study false confessions (see Russano et al. 2005). The cheating paradigm would allow researchers to explore the effect of the KGB warning on information yield under a range of situations (e.g., uncooperative witness, witnesses who is a friend of the perpetrator).

Our findings also raise interesting questions about the effect of administering legal warnings on information yield in other contexts. For example, the administration of Fifth Amendment Rights to Grand Jury witnesses is accompanied by a warning about what may happen when the witness is compelled to answer a potentially self-incriminating question. Our findings suggest that other legal warnings with similar messages may also cause a witness to be cautious in the testimony they provide because they may be subject to legal ramifications (e.g., perjury, become the target of a future investigation). Although there are variations across legal warnings, it would be of interest to examine how different legal warnings are viewed, and how they impact the quality and quantity of information provided thereafter. It is our estimation that exploring the impacts of legal warnings on eyewitness statements is a meaningful, yet unexplored, area of research.

The ANOVA also revealed a significant main effect for rapport-building techniques,  $F(1,58) = 60.15$ ,  $p < .001$ , and the size of that effect was large,  $d = 1.00$ . The mean rating for interviewers who built rapport was 3.93 ( $SD = 0.43$ ) and was 3.38 ( $SD = 0.51$ ) for interviewers who did not build rapport. This finding suggests that witnesses are more willing to partake in a positive working relationship with interviewers, for example, by agreeing to provide the interviewer with as much information as possible when interviewers engage them in individualized conversation and explain the interview procedure. This finding is consistent with other research showing that rapport building is related to positive interview outcomes (Clarke et al. 2011; Collins

et al. 2002; Walsh and Bull 2010). Generally, the results are also aligned with research on reciprocity, whereby people tend to respond the same way they are treated (Alpizar et al. 2008; Rosas 2008). In the interviewing context, the nature of a pre-substantive introductory phase (i.e., individualized conversation and explanation of the interview process) is likely to be met with positive views of the interviewer—especially witnesses who intend to be cooperative.

We also found a significant moderating interaction,  $F(1,58) = 5.88$ ,  $p = 0.018$ , and the effect was medium-sized,  $d = 0.67$ . Planned follow-up tests revealed that adding rapport-building techniques prior to the delivery of a KGB warning led to a significantly more favorable ratings of the interviewer compared to when rapport-building techniques were not utilized,  $t(58) = 3.97$ ,  $p < .001$ ,  $d = 0.51$ . In practical terms, these findings suggest that interviewers who are required to deliver a KGB warning may wish to begin the interview with rapport-building techniques to offset the negative perceptions that witnesses may form from hearing such a consequential warning.

The impact of KGB warnings extend beyond the perceptions of interviewers and the subsequent information that witnesses may provide. Interviewers who administer a KGB warning are also likely to be scrutinized by triers of fact when submitting their interviews as evidence during criminal proceedings. The results of experiment 1 suggest that there may be residual effects, whereby judges and jurors impressions of interviewers who deliver a KGB warning are likely to be lower than those who do not deliver such a warning. Given that our findings from experiment 1 are preliminary and the fact that there is inherent value in examining how interviewers may be perceived by triers of fact, we conducted a conceptual replication of experiment 1 that would provide data on how third-party observers perceive interviewers during KGB-driven interviews.

## Experiment 2

### Method

**Participants** Participants were undergraduate university students ( $N = 46$ ) enrolled in various psychology courses at Memorial University. The mean age of participants was 22.09 ( $SD = 6.58$ ), the mean attitude toward police was 3.96 ( $SD = 0.73$ ), and 31 participants (67.39%) were women. Seven individuals indicated they had heard of the KGB warning before. All participants'

data were included in the analyses. The most commonly reported program of study was psychology (39.13%); the remaining participants identified with a wide variety of other disciplines (<10%).

**Design** The same  $2 \times 2$  repeated measures design from experiment 1 was used in this experiment.

**Materials and Procedure** The same experimental package from experiment 1 was used, with the exception of the attitudinal scale, the instructions on how to view the transcripts, and minor changes to the transcript excerpts (e.g., names of people). A ten-item attitude scale was created to measure the participants' perception of the interviewer from a third-party perspective (e.g., "The police officer tried to make the witness feel comfortable"). Participants were asked to rate each item on a five-point scale ( $1 = strongly disagree$ ,  $5 = strongly agree$ ). Five of the items were negatively keyed and reverse-scored prior to analysis to increase the likelihood that participants engaged in more controlled cognitive processing.

The same procedure from experiment 1 was used for this experiment with the exception of the compensation. Participants were offered the incentive of 1% bonus on their overall course grade or an entry into a draw to win \$100.00 (the compensation depended on the course

where the participant learned about the study). The order of the transcripts was counterbalanced through randomization; a total of 19 different orders resulted from this process. The experiment took approximately 20 min to complete. While the general contents of the transcripts remained the same (i.e., the inclusion or exclusion of the KGB warning and the rapport-building techniques) inconsequential details (e.g., names of people, non-crime related questions) were changed.

## Results and Discussion

The Cronbach's alpha values for the four transcripts ranged from 0.79–0.85 ( $M = 0.82$ ; see Table 2) indicating that all ten items on the scale were correlated and were measuring the same construct. Participants' responses were combined into an average overall score for subsequent analyses. The interview ratings were analyzed using a two factor repeated measures ANOVA with rapport-building techniques and KGB warning as the two independent variables. The dependent variable was the mean ratings of the interviewers. Mean ratings for each item are shown in Table 2; the values presented in the table include the reverse-scored numbers.

In line with our prediction, interviewers who administered a KGB warning ( $M = 3.58$ ,  $SD = 0.42$ ) were rated significantly lower than those that did not administer a

**Table 2** Mean (and standard deviation) interviewer ratings based on third-party perspective

Item	Experimental condition			
	No KGB warning/no rapport	No KGB warning/ rapport	KGB warning/no rapport	KGB warning/ rapport
1. The police officer attempted to build a good relationship with the witness.	2.50 (1.09)	4.59 (0.62)	2.13 (0.72)	4.70 (0.47)
2. The police officer's style was confrontational toward the witness.	3.57 (1.07)	4.24 (0.95)	2.89 (1.10)	3.91 (1.24)
3. The police officer attempted to put the witness at ease during the interview.	2.41 (0.96)	4.52 (0.81)	2.07 (0.61)	4.65 (0.53)
4. The police officer tried to intimidate the witness.	3.91 (0.89)	4.67 (0.76)	3.17 (1.14)	4.33 (0.92)
5. The police officer shows the witness respect.	2.89 (0.95)	4.43 (0.65)	2.85 (0.76)	4.46 (0.55)
6. The police officer's approach was threatening.	4.07 (0.80)	4.80 (0.45)	3.37 (1.16)	4.57 (0.62)
7. The police officer was compassionate toward the witness.	2.30 (0.81)	3.83 (0.85)	2.07 (0.71)	3.80 (0.83)
8. The police officer's style was coercive.	3.85 (0.76)	4.02 (1.06)	3.28 (0.86)	4.00 (1.03)
9. The police officer tried to make the witness feel comfortable.	2.43 (1.00)	4.72 (0.46)	2.11 (0.67)	4.54 (0.66)
10. The police officer attempted to bully the witness.	4.37 (0.77)	4.80 (0.45)	3.96 (0.94)	4.78 (0.55)
Mean (standard deviation)	3.23 (0.60)	4.46 (0.45)	2.79 (0.55)	4.37 (0.45)
Cronbach's alpha	0.85	0.82	0.83	0.79

warning ( $M = 3.85$ ,  $SD = 0.36$ ),  $F(1, 45) = 15.77$ ,  $p < .001$ , and the size of the effect was medium,  $d = -0.60$ . The results indicate that administering a consequential warning about lying at the onset of an interview will negatively impact the third-party observer's view of the interviewer. Participants rated (relative to when a warning was absent) the interviewer as more confrontational, more intimidating, and more threatening. This particular finding is unsurprising given that maladaptive communication is often viewed unfavorably (e.g., Alison et al. 2013, 2014; Collins et al. 2002; Vallano and Compo 2011). An interesting question for future research is to examine whether these negative perceptions lead to a cascade effect (i.e., do triers of facts' attitudes toward the interviewer impact subsequent legal decisions).

The ANOVA revealed a significant main effect of rapport-building techniques,  $F(1,45) = 334.06$ ,  $p < .001$ , and the size of the effect was large,  $d = 2.69$ . Interviewers who built rapport were rated higher ( $M = 4.42$ ,  $SD = 0.40$ ) than those who did not build rapport ( $M = 3.01$ ,  $SD = 0.43$ ). This finding was anticipated because evaluations of an individual as being warm and kind tend to be associated with positive overall impressions of that individual's behaviors (Nisbett and Wilson 1977). We also found a statistically significant interaction,  $F(1,45) = 7.65$ ,  $p = .008$ , and the size of the effect was large,  $d = 0.91$ . That is, interviewers who used rapport-building techniques prior to administering a KGB warning were able to offset the relatively negative rating when rapport-building techniques were not present,  $t(45) = 19.33$ ,  $p < .001$ ,  $d = 2.90$ . Assuming that KGB warnings will continue to be administered in their current state, these findings suggest that interviewers ought to begin the interview with rapport building techniques to offset the negative perceptions that third-party observers (e.g., jurors, judges) may form when such a consequential warning is administered to a witness.

## General Discussion

The goal of the current research was to test the effect of a KGB warning on perceptions of police interviewers and the extent to which rapport-building techniques may be able to moderate any adverse effects from the administration of a KGB warning. Across two experiments, using two different perspectives, we found that participants rated the interviewer more negatively when a KGB warning was administered

compared to when the warning was not administered. A secondary finding was that interviewers who built rapport with witnesses were rated more positively than those who did not engage in such activity. Importantly, we also found that the inclusion of rapport building moderated the perceived negativity of an interviewer when a KGB warning was administered. The current research is the first empirical examination of the attitudes toward an interviewer who administers a KGB warning, and the results raise important questions about the extent to which legal warnings may impact the gathering of information from witnesses and decisions by triers of fact.

The finding that the administration of KGB warnings resulted in relatively negative attitudinal ratings is not surprising because of the punitive language contained in the warning; that is, witnesses are informed about a series of criminal offenses and penalties that may occur if the witness misleads the officer, obstructs justice, commits perjury, and/or fabricates evidence (e.g., being sentenced to up to 14 years in jail if they change their statement at any time). In an attempt to minimize the negative impact of the warning on investigations and court proceedings, a number of areas of future research could be undertaken. First, research could isolate the specific sentences or phrases that contribute to the negative perceptions, modify the identified areas of concern to be less antagonistic, and test the effectiveness of these modifications. Second, testing whether a simplification of the KGB administration process would be of utility; for example, by taking a witness' statement in a way that is similar to the process used in court (i.e., taken under oath and without any reference to criminal offenses and their associated consequences). Third, it might be possible to reduce the negative impact of the KGB warning by having an individual other than the interviewer administer the KGB warning.

We also found that interviews containing rapport-building techniques were viewed more favorably than interviews containing a standard preamble that was void of any rapport-building techniques. Such a finding was expected because the rapport building techniques used in the current research (e.g., being respectful, empathetic, sincere, transparent, courteous) have been shown to be effective in increasing the likelihood of establishing a positive working relationship between individuals (e.g., Collins et al. 2002). Although rapport building led to favorable ratings, our experimental design prevents us from being able to determine the specific factors that contributed directly to those ratings. A future area of research could involve identifying the

verbal (and non-verbal) gestures that contribute to the positive perceptions, so as to ensure they continue to be used by interviewers. Although we do not know which phrases contributed the most to the favorable ratings, our findings support past conclusions that building rapport with witnesses prior to gathering information is paramount (see Fisher and Geiselman 1992; Milne and Bull 2003; Shepherd 2008).

We also found that prefacing the delivery of a KGB warning with rapport-building techniques moderated the negative ratings of interviewers. The inclusion of such a practice was unable, however, to completely offset the negative impact of a KGB warning. From a practical standpoint, this finding suggests that the administration of a KGB warning should be accompanied by rapport-building techniques in order to decrease any negative perceptions that may emerge from the use of the KGB warning. In the current research, the KGB warning was delivered after the rapport-building techniques to mimic real-world practice. Future research may want to examine the impact of rapport building following the delivery of a KGB warning (i.e., recency effect).

On average, the effect sizes for rapport building and KGB warning were relatively smaller in experiment 1 compared to experiment 2. There are many possible explanations for this observed difference. One possibility is the methodological variations between the two studies (e.g., different scales were used). Another possible explanation pertains to the differences in attitudes toward the police between the respective samples. Although participants in both experiments held pro-police attitudes, participants in experiment 1 rated the police more favorably than participants in experiment 2 ( $d = 1.21$ ). From a practical point of view, it may be the case that experiment 1 participants, while noticing the intimidating nature of the KGB warning, were not willing to assign as much negativity to police behavior than those in experiment 2 (who held relatively less pro-police attitudes).

There are a number of limitations with the current studies that require discussion. The first limitation pertains to the low alpha value for the rapport-building techniques/no KGB warning condition in experiment 1. The lower level of agreement between items in one of the conditions suggests that that scale is somewhat unreliable. Unfortunately, removing items failed to result in any significant improvement in the reliability of that scale. Second, the possibility of carryover effects (i.e., reading one transcript may impact ratings

on subsequent transcripts) exists through the use of a within-subject design. We encourage replication of our research using a between-subjects design. Third, the word counts of the transcripts varied as a function of condition; word count was the highest in the two transcripts that contained rapport building. It may be possible that some of the effect of the rapport building techniques was due to the word count. Having said this, the variation in word length is a reflection of any interviewer's decision to include or exclude rapport building when conducting interviews in the real world. The fourth limitation pertains to the generalizability of the results. For both main effects, it is possible that different jurisdictions will vary in how they build rapport and the content of their KGB warning. Until replication of these findings occur in different jurisdictions, it is not entirely clear if our findings will be applicable elsewhere. Fifth, due to the constraints of testing in a large group situation, participants in our study read the KGB warning. However, in practice, KGB warnings are typically delivered verbally to witnesses (Snook and Keating 2011). Another limitation is that some of the elements pertaining to the crime varied across condition (e.g., mustang mentioned in one condition but not in another). It is possible that these slight variations are a threat to internal validity. Future research should examine the impact of verbally delivered KGB warnings on witnesses' perceptions of interviewers.

In sum, our findings raise questions about the effect that KGB warnings may have on police interviewers. Based on our results, and the abundance of research on attitude formation and first impressions (e.g., Bar et al. 2006; Kelley 1950; Neuberg 1989), it appears that delivering a turncoat warning/message will negatively impact the perception of interviewers. Such a finding runs counter to the information-gathering interview style sought by modern police organizations because it inhibits the positive effects of rapport. This study lays the groundwork for future research to consider the generalizability of cautionary warnings. This research is the first to show that the KGB warning causes interviewers to be viewed negatively. With initial perceptions established, it will be interesting to see whether the negative perceptions associated with KGB warnings, and other similar legal warnings, impact the quality and quantity of the information provided by witnesses and how triers of fact consider evidence extracted from KGB-based interviews.



Appendix

Interview  
Stephen Fry  
Police File # 12-0001

The following is the transcript of an audio/videotaped interview conducted by Constable West. This interview was conducted on the 3<sup>rd</sup> day of April in the year 2012, at Police Headquarters.

Present in room: Constable Mark West  
Constable Peter Welker  
Stephen Fry

---

Cst, M. West

Come inside, as I told you, I'm Constable Mark West and I work with the Crimes Against Persons Section in this police department and this is Constable Peter Welker and he works in the same section. For the record, I'm just going to state the date, it's Monday, April 3<sup>rd</sup>, 2012, and it is now 4:00 p.m.

I explained to you yesterday on the phone that I wanted to conduct what we call a KGB statement, which is an audio/videotaped statement

Stephen Fry  
Yup

Cst. M. West

Before I take your statement, I'm going to read you this warning and if you got any questions just stop me and I'll answer any questions you have. **This statement will be taken by oath, solemn affirmation or solemn declaration and will be videotaped. You must understand that it is a criminal offence to mislead a Police Officer during an investigation. You may be liable to prosecution under Section 140 of the Criminal Code of Canada if you mislead a Police Officer during this investigation. If convicted, you could be sentenced to up to five (5) years in jail. You must also understand that it is a criminal offence to attempt to obstruct justice during a police investigation and if you do so, you could be prosecuted under Section 139 of the Criminal Code of Canada. If convicted, you could be sentenced to up to ten (10) years in jail. You must further understand that you may be a witness at a trial concerning the events you describe in your statement. If at any time you change your statement or claim not to remember the events, the contents of the statement you now give may be used as evidence at the trial. In such circumstances, you may be liable to prosecution for perjury under Section 131 of the Criminal Code of Canada. If convicted, you could be sentenced to up to fourteen (14) years in jail. In such circumstances, you may be liable to prosecution for fabricating evidence under Section 137 of the Criminal Code of Canada. If convicted, you could be sentenced to up to fourteen (14) years in jail. And do you understand the criminal consequences of making a false statement?** [Emphasis added to highlight KGB warning]

Cst. M. West

Do you understand this warning?

Stephen Fry  
Yes.

Cst. M. West  
Alright. Now to start can you just tell us your proper name?

Stephen Fry  
Stephen James Fry

Cst. M. West  
Okay. And do you spell that with a 'ph' or 'v'?

Stephen Fry  
'ph'

Cst. M. West  
Yep. And, ah your date of birth?

Stephen Fry  
10<sup>th</sup> of September, 1972

Cst. M. West  
Okay, and you live where?

Stephen Fry  
On [Redacted] road,

Constable M. West  
Are you originally from [Redacted]?

Stephen Fry  
No, no. I grew up in [Redacted].

Constable M. West  
Okay. How long have you been in [Redacted]?

Stephen Fry  
About 7 years now I guess.

Constable M. West  
Okay, and what is it that you do here?

Stephen Fry  
I am a construction worker

Constable M. West  
In [Redacted]?

Stephen Fry  
Yeah.  
Constable M. West

Okay, And I guess you understand that we are doing an investigation surrounding a robbery that took place on [redacted] road and we're told that you may have witnessed the crime. Keeping in mind the warning above, tell me what it is that you saw?

**Interview  
Bill Edison  
Police File # 07-00825**

**The following is the transcript of an audio/videotaped interview conducted by Constable Wayne Black**

**This interview was conducted on the 27<sup>th</sup> day of May in the year 2007, at Police Headquarters.**

**Present in room:       Constable Wayne Black  
                              Constable Denise Short  
                              Bill Edison**

---

Cst. W. Black

Hello, my name is Wayne Black, and I'm a member of the [Redacted] and am in the Crimes Against Persons Section. Here with me is Constable Denise Short, who also works with the police department. It's now 1:23 on the 27<sup>th</sup> of May, 2007. Please feel free to call me Wayne and my partner Denise. Just to let you know, Denise is going to be taking notes today, and she may have some questions as well. Now then, what do you prefer to be called?

Bill Edison

You can just call me Bill.

Cst. W. Black

Alright Bill. Have you been interviewed by the police before? I just want to know so that if you have any questions or concerns you can let me know before we go through with this.

Bill Edison

I haven't been interviewed before, but I think I am ready to do this.

Cst. W. Black

Sounds good. Just a couple of things to say before we start. It's hard to say how long these interviews will take sometimes, so if you need to go to the bathroom or anything, now is the best time. We're going to work hard today to make sure we're not here any longer than need be. Did you need to go to the bathroom or anything?

Bill Edison

No thanks, I just went before I came in here.

Cst. W. Black

Awesome. One thing I'm going to do today is shut off my cellphone. Denise has her cell shut off as well. This just ensures we won't be distracted by any vibrations or calls or any of that nonsense while we're trying to listen to you today. Would you be willing to put your phone on silent, or shut it off for us?

Bill Edison

No problem, I've got it on silent already.

Cst. W. Black

Alright Bill, we don't know each other yet, but I always like to get to know whoever I'll be talking with. Can you tell me a little bit about yourself?

Bill Edison

Basically I just got my high school equivalency, and started working at a restaurant downtown. I'm making about 18 bucks an hour now, so that's pretty awesome. And I just got a new Mustang from my uncle.

Cst. W. Black

A new Mustang? I used to have one when I was a younger man. Mine was an '85. What year is she?

Bill Edison

She's a '98.

Cst. W. Black

Beautiful car. Beautiful car.

Bill Edison

Thanks, I take good care of her.

Cst. W. Black

Now Bill, I understand that police interviews are stressful situations for a lot of people. Considering that, I want to make sure you know what to expect today. If you don't mind, I'm just going to say a bit about the interview process.

Bill Edison

Absolutely.

Cst. W. Black

Bill I've got to tell you, sometimes these interviews can be a bit worrying for some people. I don't want you to worry about doing or saying anything wrong today; you have no need to worry. Ok Bill, before we begin, I just want to go over a few things to make sure that you understand the process today. I want to let you know that this interview is being audio and videotaped. And that's just to ensure that I can review an exact record of what is said today. I just don't want to misquote you on having said anything you didn't say, ok?

Bill Edison

Okay

Cst. W. Black

So, because we will need to transcribe this video, I'll ask you not to hurry your answers. We have all the time in the world today, and we want to make sure that you are heard. This may mean me asking you to repeat something that you say today; this isn't because I don't believe you or anything though... I am just trying to make sure I get the best possible information. Also, I'm going to try not to interrupt you while you're speaking. I'd like you to listen carefully when I'm asking questions, and answer when I'm completely finished asking. This way we're not talking over each other the whole time. So when you're talking I'm not going to cut you off and I hope you can do the same for me.

Bill Edison

Sure

Cst. W. Black

Before I go any further, would you like a glass of water? Or Pop?

Bill Edison

No thanks I just had a coffee.

Cst. W. Black

Ok Bill, don't forget, my partner and I have cleared our schedules so we have lots of time to listen to what you have to say. You can take your time when answering the questions. This will also give me some time to think about any questions I may have. Feel free to ask me any questions at any point throughout the interview. This may mean letting me know if you don't understand a question I asked, or letting me know if I'm misunderstanding something that you've said. Don't forget, you are the one who is providing all the information today, so this is really your interview. Does that sound good?

Bill Edison

Yeah, I think I'm ready to start then.

Cst. W. Black

Last thing before we start; if at any point you decide you need to take a break, whether that be a bathroom break, or if later you do decide you want a drink... anything at all, you just let us know okay?

Bill Edison

Okay.

Cst. W. Black

Great. Alright then Bill, can you explain to me, briefly, why you are here today?

Bill Edison

Well, I work at the restaurant, and there was a bad assault on Saturday night. I'm here to tell you what I saw.

Cst. W. Black

That's right, you are here concerning the assault investigation ongoing at the restaurant where you work. You are also right that it was pretty serious.

Cst. W. Black

What sort of work do you do at the restaurant?

Bill Edison

Waiter

Cst. W. Black

Okay, and how long have you worked there?

Bill Edison

About a year and a half.

Cst. W. Black

Okay. Alright, well I understand that you worked this past Saturday night?

Bill Edison

Yeah I did.

Cst. W. Black  
What were your hours that night?

Bill Edison  
Like how long I worked for?

Cst. W. Black  
Yes, what time did you get in and what time did you leave?

Bill Edison  
Well, my shift started at 3 p.m. There was no one there really when I first got in. and I got off at 11 pm.

Cst. W. Black  
Okay, why don't you start where you think it's important and just tell us what happened that night.

## References

- Abbe A, Brandon SE (2013) The role of rapport in investigative interviewing: a review. *J Investig Psychol Offender Profiling* 10: 237–249. doi:10.1002/jip.1386
- Alison LJ, Alison E, Noone G, Elntib S, Christiansen P (2013) Why tough tactics fail and rapport gets results: observing rapport-based interpersonal techniques (ORBIT) to generate useful information from terrorists. *Psychol Public Policy Law* 19:411. doi:10.1037/a0034564
- Alison L, Alison E, Noone G, Elntib S, Waring S, Christiansen P (2014) The efficacy of rapport-based techniques for minimizing counter-interrogation tactics amongst a field sample of terrorists. *Psychol Public Policy Law* 20:421. doi:10.1037/law0000021
- Alpizar F, Carlsson F, Johansson-Stenman O (2008) Anonymity, reciprocity, and conformity: evidence from voluntary contributions to a national park in Costa Rica. *J Public Econ* 92:1047–1060. doi:10.1016/j.jpubeco.2007.11.004
- Bar M, Neta M, Linz H (2006) Very first impressions. *Emotion* 6:269–278. doi:10.1037/1528-3542.6.2.269
- Clarke C, Milne R, Bull R (2011) Interviewing suspects of crime: the impact of PEACE training, supervision and the presence of a legal advisor. *J Investig Psychol Offender Profiling* 8:149–162. doi:10.1002/jip.144
- Collins R, Lincoln R, Frank MG (2002) The effect of rapport in forensic interviewing. *Psychiatry Psychol Law* 9:69–78. doi:10.1375/132187102760196916
- Collins R, Lincoln R, Frank M (2005) The need for rapport in police interviews. *Humanities & Social Sciences Papers*. Robina: Bond University
- Cronbach LJ (1951) Coefficient alpha and the internal structure of tests. *Psychometrika* 16:297–334. doi:10.1007/bf02310555
- Evans JR, Meissner CA, Ross AB, Houston KA, Russano MB, Horgan AJ (2013) Obtaining guilty knowledge in human intelligence interrogations: comparing accusatorial and information-gathering approaches with a novel experimental paradigm. *J Appl Res Mem Cogn* 2:83–88. doi:10.1016/j.jarmac.2013.03.002
- Fisher RP, Geiselman RE (1992) Memory-enhancing techniques for investigative interviewing: the cognitive interview. Charles C Thomas, Publisher, Springfield
- Goodman-Delahunty J, Martschuk N, Dhami MK (2014) Interviewing high value detainees: securing cooperation and disclosures. *Appl Cogn Psychol* 28:883–897. doi:10.1002/acp.3087
- Howerton DM, Meltzer AL, Olson MA (2012) Honeymoon vacation: sexual-orientation prejudice and inconsistent behavioral responses. *Basic Appl Soc Psychol* 34:146–151. doi:10.1080/01973533.2012.655638
- Kelley HH (1950) The warm-cold variable in first impressions of persons. *J Pers* 18:431–439. doi:10.1111/j.1467-6494.1950.tb01260.x
- LaPiere RT (1934) Attitudes vs. actions. *Social forces* 13:230–237. doi:10.2307/2570339
- Lass-Hennemann J, Kuehl LK, Schulz A, Oitzl MS, Schachinger H (2011) Stress strengthens memory of first impressions of others' positive personality traits. *PLoS One* 6:1–8. doi:10.1371/journal.pone.0016389
- Luther K, Snook B, MacDonald S, Barron T (2015) Securing the admissibility of witness statements: estimating the complexity and comprehension of Canadian “KGB warnings”. *J Police Crim Psychol* 30:166–175. doi:10.1007/s11896-014-9147-0
- Milne R, Bull R (2003) *Investigative interviewing: psychology and practice*. Wiley, Chichester
- Neuberg SL (1989) The goal of forming accurate impressions during social interactions: attenuating the impact of negative expectancies. *J Pers Soc Psychol* 56:374–386. doi:10.1037/0022-3514.56.3.374
- Nisbett RE, Wilson TD (1977) The halo effect: evidence for unconscious alteration of judgments. *J Pers Soc Psychol* 35:250–256. doi:10.1037/0022-3514.35.4.250
- Quigley-Fernandez B, Malkis FS, Tedeschi JT (1985) Effects of first impressions and reliability of promises on trust and cooperation. *Br J Soc Psychol* 24:29–36. doi:10.1111/j.2044-8309.1985.tb00657.x
- R. v. B. (K.G.)*, 1 S.C.R. 740 (1993)
- Rosas A (2008) The return of reciprocity: a psychological approach to the evolution of cooperation. *Biol Philos* 23:555–566. doi:10.1007/s10539-007-9065-y
- Russano MB, Meissner CA, Narchet FM, Kassin SM (2005) Investigating true and false confessions within a novel experimental paradigm. *Psychol Sci* 16:481–486. doi:10.1111/j.0956-7976.2005.01560.x
- Shepherd E (2008) *Investigative interviewing*. Oxford University Press, New York
- Snook B, Keating K (2011) A field study of adult witness interviewing practices in a Canadian police organization. *Leg Criminol Psychol* 16:160–172. doi:10.1348/135532510X497258
- Snook B, Brooks D, Bull R (2015) A lesson on interrogations from detainees: predicting self-reported confessions and cooperation.

- Crim Justice Behav 42:1243–1260. doi:[10.1177/0093854815604179](https://doi.org/10.1177/0093854815604179)
- Tanis M, Postmes T (2005) A social identity approach to trust: interpersonal perception, group membership and trusting behaviour. *Eur J Soc Psychol* 35:413–424. doi:[10.1002/ejsp.256](https://doi.org/10.1002/ejsp.256)
- Tickle-Degnen L, Rosenthal R (1990) The nature of rapport and its non-verbal correlates. *Psychol Inq* 1:285–293. doi:[10.1207/s15327965pli0104\\_1](https://doi.org/10.1207/s15327965pli0104_1)
- Vallano JP, Compo NS (2011) A comfortable witness is a good witness: rapport-building and susceptibility to misinformation in an investigative mock-crime interview. *Appl Cogn Psychol* 25:960–970. doi:[10.1002/acp.1789](https://doi.org/10.1002/acp.1789)
- Vallano JP, Schreiber Compo N (2015) Rapport-building with cooperative witnesses and criminal suspects: a theoretical and empirical review. *Psychol Public Policy Law* 21:85. doi:[10.1037/law0000035](https://doi.org/10.1037/law0000035)
- Walsh D, Bull R (2010) What really is effective in interviews with suspects? A study comparing interviewing skills against interviewing outcomes. *Leg Criminol Psychol* 15:305–321. doi:[10.1348/135532509X463356](https://doi.org/10.1348/135532509X463356)
- Walsh D, Bull R (2012) Examining rapport in investigative interviews with suspects: does its building and maintenance work? *J Police Crim Psychol* 27:73–84. doi:[10.1007/s11896-011-9087-x](https://doi.org/10.1007/s11896-011-9087-x)
- Williamson TM (1993) From interrogation to investigative interviewing: strategic trends in police questioning. *J Community Appl Soc Psychol* 3:89–99. doi:[10.1002/casp.2450030203](https://doi.org/10.1002/casp.2450030203)
- Wright AM, Alison LJ (2004) Questioning sequences in Canadian police interviews: constructing and confirming the course of events? *Psychol Crime Law* 10:137–154. doi:[10.1080/1068316031000099120](https://doi.org/10.1080/1068316031000099120)