

## Inside Criminal Minds: Offenders' Strategies when Lying

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### *Abstract*

*This study aimed at extending the deception literature by examining lie-telling strategies given by persons with criminal experience. In interviews taking place in prisons, offenders (n = 35) provided lie-telling strategies in a free narrative style. In an inductive content analysis, we coded both all strategies provided as well as one principal strategy for each participant. In total, 13 strategies were identified, which were grouped into three broader category groups: general verbal, general nonverbal, and specific interview strategies. The most often stated strategies were Close to truth, Eye contact, and No strategy. The most often stated principal strategies were Close to truth, Not giving away information, and No strategy. Some participants provided strategies, such as not giving away information at all in interviews/interrogations, which showed a sophisticated understanding of the police interview situation and the task of the police and prosecutor. Overall, the participants showed great diversity in preferred lie-telling strategy. The results are partly in line with previous research from student samples and provide new insights into the criminally experienced individuals' lie-telling strategies. The results are discussed with regard to impression and information management and police interrogation practice. Copyright © 2011 John Wiley & Sons, Ltd.*

**Key words:** deception; offenders; strategies when lying; information management; impression management; police interviews and interrogations

### INTRODUCTION

To successfully lie is important in many aspects of human interactions, but perhaps never as crucial as in a police interview or interrogation when facing a possible severe punishment. Consequently, much research activity has been devoted to the detection of such lies. Research on deception detection has largely focused on verbal, nonverbal, and physiological correlates of deception, and on human ability to correctly detect when someone is lying (see Vrij, 2008, for a very comprehensive review of research published since the 1960s). It is fair to say that we now know that human deception detection ability in general is not impressive (Bond & DePaulo, 2006) and that very few reliable correlates of deception

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have been found (DePaulo et al, 2003). However, other aspects of the social and cognitive psychology involved in deceiving and detecting deceit have only been explored to a limited extent. This study examines one such overlooked aspect: offender's lie-telling strategies.

The act of deceiving, or telling a lie, has been studied by researchers from both the psychology and communication areas. The most impact, arguably, has been made by the work of Bella DePaulo and colleagues, who in a series of social psychology studies, have examined both less and more serious lies in everyday social interactions (DePaulo & Kashy, 1998; DePaulo, Ansfield, Kirkendol, & Boden, 2004; DePaulo, Kashy, Kirkendol, Wyer, & Epstein, 1996). Thanks to these studies; we know that lying is a quite common activity and is not necessarily coupled with strong feelings of guilt or remorse. Vrij, Ennis, Farman, and Mann (2010) also studied lying in daily life and found that lying was a frequent event (in one of every four conversations).

DePaulo (1992) also advanced the theoretical understanding of lying by introducing the self-presentation perspective, which states that all human communication (i.e. both truthful and deceptive) are subject to editing on part of the communicator in order to present himself or herself in a certain light. The crucial difference between liars and truth tellers is that the liars' claim to honesty is illegitimate. Deceptive self-presentations may be less convincingly embraced than truthful self-presentations, and liars typically experience a greater sense of awareness and deliberateness in their performances than truth tellers do, because they typically take their credibility less for granted (DePaulo *et al.*, 2003).

To gain insight into how people reason about lying and how to lie effectively, researchers have asked participants who are lying in deception detection experiments to verbalise their strategies. There are a few such studies published; all of which have used college students who have committed a mock crime (in the deceptive conditions) and subsequently been interviewed and asked to provide their strategies used to appear truthful. Strömwall, Hartwig, and Granhag (2006) found that guilty (i.e. lying) suspects reported using a variety of strategies in order to be believed, such as keeping the story simple and monitoring the nonverbal behaviour. Hartwig, Granhag, and Strömwall (2007) also found that guilty suspects favoured different strategies, and a sizeable minority reported having no strategy at all before the interrogation. In the study by Colwell, Hiscock-Anisman, Memon, Woods, and Michlik (2006), it was found that the participants focused on verbal strategies such as not being too detailed and to keep the statement coherent and consistent. In the study by Hines *et al.* (2010), deceivers expressed that planning the lie in advance was beneficial, as well as information management and keeping eye contact with the interviewer. Finally, in a study by Hartwig, Granhag, Strömwall, and Doering (2010), a distinction was made between impression management (monitoring nonverbal behaviour and suppressing the display of negative emotions) and information management (control over speech content). These were seen as two major forms of regulation attempted while trying to escape punishment for a committed transgression. The study showed that deceivers and truth-tellers deliberately tried to manipulate the demeanour to the same extent but differed in the planning of the verbal content.

Overall, the results are quite mixed. A probable explanation is that differences in the experimental set-ups and instructions have led the (student) suspects to focus on different aspects: information management in some studies, impression management in other studies—and sometimes on both types of management.

However, the studies reviewed above may not be fully applicable to lying and lie-telling strategies in real-life forensic interviews and interrogations. Research suggests that offenders, because of their everyday expertise in lying, may have developed a set of beliefs about

deception different from people without criminal experience (Granhag, Andersson, Strömwall, & Hartwig, 2004; Vrij & Semin 1996). Needed is, thus, research that examines offenders' strategies when lying in police interview settings to find out if these strategies are similar to those of student participants. In the beliefs about deception studies, the offenders were asked to rate the importance of pre-defined variables when telling the truth and lying using a questionnaire methodology, but not to come up with the lie-telling strategies themselves. The present study aimed at collecting and analysing offenders' self-generated strategies.

One objective of this paper was to find out how offenders plan and formulate their lies as told in investigative interviews and interrogations. By establishing this knowledge, we hope to contribute to the development of interview protocols and guidelines to be used in forensic interview settings. By knowing how a suspect may have reasoned and which strategy he or she may use, the difficult task of detecting deception might be somewhat less tricky. An example of an interview technique developed from psychological research is the Strategic Use of Evidence (SUE), which has been shown to improve deception detection accuracy by strategically using the evidence and information at hand (e.g. Hartwig, Granhag, Strömwall, & Kronkvist, 2006). The technique rests upon theorising on how guilty and innocent suspects differ in terms of self-regulation and impression management (Granhag & Hartwig, 2008).

This study aimed at extending the deception literature by finding out the lie-telling strategies given by persons with criminal experience. As far as we know, this is the first study to ask persons with a documented criminal history to provide lie-telling strategies in an outright fashion. The methodological approach chosen was to first gather self-generated lie-telling strategies in interviews and then perform a content analysis of the accounts provided. Therefore, this study is exploratory in nature and does not test explicitly formulated hypotheses or compare differences between groups of participants. We did, however, expect that the strategies given would stem from attempts at both information (verbal strategies) and impression management (nonverbal strategies).

## METHOD

### Participants

Thirty-five persons (12 women, 23 men;  $M = 35.63$  years, standard deviation [SD] = 9.38) participated in the study. During data collection, all were serving time in one of three low-security prisons in Western Sweden. The typical criminal experiences were assault and other violence crimes, drug-related offences, theft, robbery, and fraud. All participants had experience of being interviewed or interrogated by the police: the number of police interrogations ranged from 4 to 500 ( $Mdn = 24$ ,  $M = 62.37$ ,  $SD = 94.47$ ). Time spent in prison varied from 1 to 264 months ( $Mdn = 24$ ,  $M = 50.82$ ,  $SD = 63.07$ ). Participation was voluntary. One of the authors contacted the prisons and secured their participation, and then asked the offenders for volunteers for a study about lying.

### Procedure

In one-on-one interviews, the interviewer (always the same person) asked, as an open-ended question, the participant to provide strategies when lying. In order for us to gather

the participants' own-generated strategies, they were asked to give unprompted statements about strategies when lying. At no point did the interviewer ask their opinions about the usefulness of specific pre-defined behaviours. If the participant did not understand the question or hesitated, the interviewer explained further that she wanted the participant to provide advice on how to tell a successful lie. All answers were audiotaped and later transcribed verbatim. The participants spent 5–10 minutes providing the strategies.

### Content analysis

The transcribed statements were subjected to a content analysis. Two independent coders initially read all statements and devised data-driven categories of strategies. After discussion, the coders agreed on a coding system and went back to the statements and coded each strategy category found (one to five strategies were found for each participant; overall interrater agreement, 82%), as well as decided on a principal strategy for each participant (overall interrater agreement, 97%). The principal strategy was most often what the participant claimed important (e.g. 'first and foremost, I would...'). In a minority of cases, the participant gave several strategies and did not order them in importance. Then, the first given strategy was always coded as the principal strategy. In cases of differences between coders, a discussion ensued in which agreement was reached. The interrater agreements presented in Table 1 are figures before the final discussion. See Table 1 for a description of each coded strategy and the interrater reliabilities.

Table 1. Inductively developed strategy categories and interrater agreement

Category	Description or central feature	Interrater agreement (%)
General verbal strategies		
Close to truth	The importance of staying close to the truth; truths are easier to remember	93.8
Keep it simple	The importance of keeping the story short and simple; easy to remember fewer details	81.8
Rich in detail	The importance of including many details	100
Plausibility	The importance of giving plausible statement	66.7
General nonverbal strategies		
Eye contact	The importance of eye contact	100
Keep calm and relaxed	The importance of keeping calm	100
Act the part	The importance of believing in the lie and acting accordingly	85.7
Consistent behaviour in lies and truths	Appearing the same in lies and truths make them harder to tell apart	50.0
Forthright	The importance of appearing direct and non-hesitant	75.0
Laughing	Laughing, joking in order to play down the seriousness	100
Specific interview strategies		
Planning the lie	The importance of pre-interview planning	85.7
No strategy/improvise	Having no strategy; improvising	60.0
Awaiting info/don't give away info	Awaiting information from police before saying anything; saying nothing at all	83.3

## RESULTS

### Initial analyses

Initial analyses indicated that three of the participants stated that they did not think it was ok to lie in police interviews/interrogations. All participants stated, however, that they had lied in such situations. Six of them claimed that they, as a principle, never talk in police interviews. That is, do not give away any potentially self-incriminating information or keep totally quiet. The number of strategies given ranged from one to five. The mode value was three strategies, which was given by 14 participants.

### All strategies

The strategies found were grouped into three broader groups: general verbal strategies (in total 34 strategies), general nonverbal strategies (36), and specific interview strategies (23). A test of frequency differences showed that the three strategy groups were used equally often,  $\chi^2(2, n=93)=3.16, p=0.21$ . See Table 2 for frequencies of the individual strategies. For each found strategy, we here present at least two quotations (in direct translation from Swedish) in order to make clear how the participants articulated.

#### General verbal strategies

Into the verbal group, 34 strategies concerning features of the verbal content of the statement were collected. The strategies concerned the importance of including (or not) information in order to convince the interviewer of the credibility of the lie told. That is, strategies about *what* is reported in a police interview were included, but not aspects of *how* the statement is delivered. The four found categories of strategies were, in order of frequency with examples as follows: *Close to truth* ('You have to remember what you've said before—easiest to be close to the truth.', 'Stick to what you know something about.')

Table 2. Frequencies for all coded strategies and principal strategies

Category	All strategies (93)	Principal strategy (35)
General verbal strategies		
Close to truth	16	6
Keep it simple	9	3
Rich in detail	7	1
Plausibility	2	–
General nonverbal strategies		
Eye contact	10	4
Keep calm and relaxed	7	1
Act the part	6	3
Consistent behaviour in lies and truths	6	3
Forthright	4	–
Laughing	3	–
Specific interview strategies		
No strategy/improvise	10	5
Planning the lie	7	3
Awaiting info/don't give away info	6	6

*Keep it simple* ('You make a fool of yourself if you start talking too much.', 'If one says too much, then one is entangled in a situation hard to get out of—there will be follow-up questions.', 'Whether a lie or a truth—keep it simple.'). *Rich in detail* ('Describe in detail a person you know well...'), 'It's more convincing and credible with more details.'). and *Plausibility* ('The statement cannot be implausible or contradictory.', 'It can't be improbable.'). The *Close to truth* strategy was most frequent, accounting for almost half of the verbal strategies.

### *General nonverbal strategies*

Assembled into the nonverbal group were 36 strategies about how to deliver the statements; how to monitor body language, eye contact, and laughing; appearing cooperative and forthright; and trying to be relaxed during the interview. Included here were also strategies showing a more complex reasoning about the self-monitoring of nonverbal behaviour such as acting out the chosen part or keeping the behaviour consistent over truths and lies. Note that one of the categories, eye contact, was bi-directional (both 'I maintain eye contact' and 'I don't look the interviewer in the eye' belong to the category). The categories were, in order of frequency, as follows: *Eye contact* ('Maintaining eye contact makes me more credible.', 'Eye contact is damn important, actually.', 'Eye contact is dangerous.', 'I'd rather not have eye contact...'), *Keep calm and relaxed* ('Appear calm even if you're not really relaxed.', 'You cannot show nervousness.'). *Act the part* ('Police interrogations are a game in which you have to role-play.', 'You need to be part of the story you're telling.'). *Consistent behaviour in lies and truths* ('I try to do it the same way. Same gestures, facial expressions, eye behaviour, everything.', 'I try to move the same, talk the same [in truths and lies].', 'If I make a certain gesture or keep a body position [when lying], then I make sure I do the same when telling the truth as well.'). *Forthright* ('Important not to be tentative.', 'Be direct and clear in your response.', 'If you hesitate it looks like you're lying.'). and *Laughing* ('I'm generally a happy sort of person so I tend to joke and laugh a bit when telling both truths and lies.', 'I laugh a little.').

In the nonverbal group, the four most often found strategies (*Eye contact*, *Keep calm and relaxed*, *Act the part*, and *Consistent behaviour*) occurred with roughly equal frequencies.

### *Specific interview strategies*

Categorised in this group were in total 23 strategies that did not focus on what to say or how to say it, but rather show a more elaborate way of thinking about the interview situation. Found in here are strategies showing that the participant has reflected about lie-telling strategies and the interview situation, such as planning the lie beforehand in order to include convincing details or the general superiority of having prepared the statement in advance. Sorted into this group were furthermore statements about there being no need to have a strategy, or a more universal advantage of non-planned actions. In addition, strategies such as not speaking at all in police interviews and/or awaiting information from the interviewer in order to learn what he or she knows in terms of evidence were included in this strategy group. This group of strategies show adaptiveness to the situation at hand. The three categories were, in order of frequency and with examples, as follows: *No strategy/improvise* ('If you start thinking it will probably go wrong. I try to take it in stride.', 'I have no strategy really—if I have to lie in the interrogation, I just do it.'). *Planning the lie* ('In a police interrogation situation [...] you're up all night planning.', 'Go through it all a couple of times before the interrogation.', 'If there is time, one can

come up with a good story in advance.', 'A planned lie is better.'). and *Awaiting info/don't give away info* ('I only buy. I sell them nothing.', 'I only go to the interrogation to find out what they know, if there's anything new.', 'I don't say anything [. . .] it is their job to prove my guilt. Not my job to prove my innocence.'). The three strategy categories in this group were found about equally often.

### Principal strategies

In addition to coding all strategies given by each participant, we extracted a principal strategy for each out of the already coded strategies. See Table 2, rightmost column, for frequencies of principal strategies.

Principal strategies were found for all three groups of strategies. Of 13 categories, 10 were preferred as a principal strategy by at least one participant. The most often stated principal strategies were *Close to truth*, *Not giving away information*, and *No strategy*. A chi-squared test showed no difference in preference across the three major strategy groups,  $\chi^2(2, n = 35) = 0.74, p = 0.69$ .

When comparing the frequencies for all strategies with principal strategies, the *Not giving away information* strategy was the only category that was always the principal strategy had it been mentioned at all.

### Supplementary analyses

To find out if the lie-telling strategy chosen was associated with other variables, we correlated (using Spearman or point-biserial correlations) the group of the principal strategy for each participant with gender, age, number of times appearing in police interrogations, and number of months in prison. None of the relationships were significant, all  $ps > 0.11$ .

## DISCUSSION

This study aimed at extending the deception literature by uncovering lie-telling strategies given by persons with criminal experience. Arguably, this was the first study to ask persons with a documented criminal history to themselves provide lie-telling strategies. Although the study was clearly exploratory without testing specified hypotheses and the sample size was small and not randomly selected, we believe that the results are important for the understanding of deception, deception detection, and police interviews and interrogations.

One finding was that the strategy *Close to truth* was popular. This has been found in previous research (Vrij, Granhag, & Porter, 2010) and is one, of many, explanations as to why lies and truths are hard to distinguish. If individuals lying in police interviews stay very close to the truth and only omit a few details (i.e. self-incriminating information), then lies may be mistaken for truths. Those expecting lies to be wild and fantastic are probably off the mark.

Another main finding was the offenders showing of a great variability in deception strategies; both as principal strategy (10 different chosen) and when giving a number of strategies (in total 13 strategy categories were found in the content analysis). Clearly, this point to differing approaches towards police interviews and to different experiences made in such interviews, and perhaps to individual differences (which are beyond the scope of this study). Even within a specific, and popular, strategy category such as *Eye contact*,

contradictory ideas emanated: some thought it is of benefit to maintain eye contact with the interviewer, others stated the opposite.

We found no significant differences with regard to the group of chosen strategies and no significant relationships between principal strategy group and other variables such as time in prison, gender, or age. One interpretation is that offenders cannot to be thought of as a homogeneous group that might be expected to act alike in an investigative interview or interrogation. We argue that police officers and prosecutors should be made aware of this finding.

As expected, we found that the lie-telling strategies incorporated both nonverbal and verbal aspects, which fits nicely with the impression and information management distinction by Hartwig *et al.* (2010). This study suggests that offenders lying in police interviews attempt to use both these regulations.

When comparing our results with previous research on lie-telling strategies (using individuals with no criminal experience), the similarities are apparent. We found varying strategies provided, so did Strömwall, Hartwig, and Granhag (2006) as well as Hartwig, Granhag, and Strömwall (2007). Participants in all three studies gave both nonverbal and verbal strategies, and a similarity is further found within these broader strategy groups: for example, *Keep it simple* and *Rich in detail* were found in all studies. In the current study, a strategy given (by some participants) was to plan the lie in advance, which was also given by the student sample in the study by Hines *et al.* (2010). Hartwig *et al.* (2010) found that deceivers planned the verbal content of the statement more than truth tellers. Our study did not include truth-telling strategies, but we did find that commonly given lie-telling strategies were to plan the statements and to make sure the statement was convincing in terms of the information included.

Unlike previous research using student samples, and within the specific interview strategies group, some more elaborate strategies were voiced. Planning the lie carefully prior to the interview was suggested as beneficial and even crucial when attempting to convince an investigator of the offender's innocence. A well thought-out statement containing credible details seems to be one route to choose, according to some participants. However, other participating offenders stated that there was no need to think about the upcoming interview in advance or having any lie-telling strategy whatsoever. Either because they might forget the pre-planned lie, or because a non-prepared statement appears more credible and not so contrived. Having no strategy at all can be seen as strategic in itself: it hopes to result in effortless flow of speech and 'natural' accompanying behaviour (Hartwig *et al.*, 2010).

Turning to the perhaps most interesting strategy found in this study, a number of our participants provided evidence of a different adaptation to the police interview situation. They stated that they do not prepare for the interview or try to regulate their behaviour. Instead, they wait for the investigating officer to give away information about what evidence the police have at that stage of the investigation, and then act accordingly. This strategy shows a meta-reflective ability and knowledge of the task of the police and prosecutor—it is up to them to prove the guilt of the suspect and not up to the suspect to prove his or her innocence. By not giving away any information, or as one participant stated: *'I only buy. I sell them nothing'*, the strategy shows a kind of reasoning that a student sample could not have provided. Arguably, that was the main finding in the present study. By giving away no information whatsoever, the hope is to make the interviewing officer disclose information that the suspect can use in order to construct a convincing story that will be difficult for the investigating team to disprove. This strategy was given by six participants, all of which claimed this was their principal strategy in police interviews.

In essence, police interviewers who give away information in interviews, especially early on, are risking undermining the investigation. The SUE technique mentioned earlier uses this potential pitfall as its starting point in developing an interview technique that does not give away information to the suspect until she or he has already committed to a story (e.g. Hartwig *et al.*, 2006). The present study indicates that at least some offenders are aware of the fact that a suspect can use the interview to learn about the investigation and make use of this knowledge to his or her advantage. The finding fits with the results of a quasi-experimental study comparing individuals with and without criminal experience (Granhag, Clemens, & Strömwall, 2009). It was found that those with a criminal record volunteered less self-incriminating information in the early, free-recall phase of an investigative interview, and gave answers to specific questions that admitted less potentially incriminating actions. The authors speculated that those with criminal experience knew about the potential benefit of not disclosing information in police interviews.

### Applications

Research investigating how police interrogations with suspects are usually conducted shows that it is quite common to start out with presenting the available evidence (e.g. Leo, 1996). This tactic may be detrimental to the investigation if the suspect learns about the current status of the investigation and is allowed the opportunity to construct a statement which incorporates the evidence. Our study gives support to the critique of beginning the interrogation with disclosing the evidence, as some participants explicitly stated that they use the interrogation to learn about what the police know. The criticism is part of a more general critique of police interrogations (see the White Paper by Kassir *et al.*, 2010, for a comprehensive review and critique of the existing police interrogation practices and their potential consequences).

The popular interrogation manual by Inbau, Reid, Buckley, and Jayne (2001) contains lists of behaviours that are claimed to be indicative of deception. However, systematic scientific research has failed to find such behaviours (e.g. DePaulo *et al.*, 2003; Vrij, 2008). If there are similar myths about the interrogation strategies offenders and suspects employ, then the current study warns against believing them—the strategies provided by the offenders do not point to an offender-specific set of strategies.

### Limitations and future research

There are some limitations to this study. The sample size was not impressive, as it was not an altogether easy task to gain access to offenders willing to talk about such matters. Offenders may be particularly hesitant to contribute to research such as the present if they believe that the results will be used to try to create counter-strategies on the part of investigators.

Another shortcoming is our not asking the participants to provide truth-telling strategies that would have made comparisons with previous research more straight-forward, as well as given the opportunity to find out if our sample had differing ideas about the telling of truths and lies. However, many participants did mention truth-telling strategies implicitly or even explicitly: the strategy *Consistent behaviour in lies and truths* is the best example of the latter.

Future research in this area could make a more stringent test of offender's strategies: testing offenders with different backgrounds and guilty of different crimes. Furthermore, by asking about both lie and truth-telling strategies derived from psychological theory

instead of the data-driven content analysis we performed might give other insights into offenders' strategies before and during interrogations. Nevertheless, we believe our study does provide some interesting and useful results.

In conclusion, in terms of interrogation strategies, criminal offenders are not a homogenous group using common means to reach a common end.

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