

of that sort, you cannot support a charge before a Federal commissioner, you would not hold him on any charge.

In most of these cases unless you get a statement or confession from the suspect himself, you are helpless with the prosecution.

Let me give you another example. Take a robbery on the street. A man is walking down the street at night, someone comes up and hits him over the head, he is knocked unconscious, his wallet is taken away from him. Again there is no hat at the scene of that crime with the man's name in it. How else can the police solve these crimes without picking up individuals upon the reasonable belief that he may be involved in this, and questioning him.

But I want to make this perfectly clear. When I say interrogation, I do not mean the use of methods that are apt to make an innocent person confess. I am unalterably opposed to force, hitting an individual, threatening him, making promises of leniency to him. I am opposed to all of those methods.

But there are other psychological techniques and tactics that are usable to get confessions from the guilty without endangering the rights and safety of the innocent people. And when I say the police have to resort to these interrogation devices, I mean that kind of an interrogation, and not the kind of 15, 20, or 25 years ago.

Now, another misconception—

The CHAIRMAN. It seems to me that that really gets to the heart of this problem. Witnesses have appeared before this committee, and indicated that it is difficult to spell out the type of police interrogation that you are speaking about.

Certainly, Justice Frankfurter, in construing rule 5(a), indicated that police officers could not take a suspect to police headquarters in order to carry out a process of inquiry that lends itself even if not so designed, to eliciting damaging statements to support the arrest and ultimately his guilt. In the next paragraph he concludes by saying:

The delay must not be of a nature to give opportunity for the extraction of a confession.

Mr. INBAU. Mr. Chairman, when Justice Frankfurter talks about extracting a confession, it gives the impression that what the police do is to force confessions out of individuals, and that is the only way you can get confessions out of people.

Now, the years that I was at the crime detection laboratory, my special interest was in interrogation. I have written a book, two books on the subject—one as recently as November—in which I have described the methods by which you can interrogate people without it bordering on extraction.

You see, many of us have been reading too many detective stories and watching this stuff on television and the movies, where you can solve these crimes just by being very sharp in one respect or another. You do not solve crimes that way. People do not come in and blurt out a confession of guilt. They have to be talked into it, persuaded into confessing.

Now, this is not extraction.

When you sympathize with a person who killed another one, and you play upon his sympathies to get him to tell you the truth—in my judgment, that is not the extraction of a confession. That is obtain-