

68 SATURDAY, FEBRUARY 1, 2014 BREAK

'Reid' it and weep: coercive system norm in Canada

Interrogation method
hailed by some,
criticized by others



SOLOMON FREEDMAN

On Dec. 14, 1975, Nancy Parker was brutally murdered in her home in London, Ont. Her husband and her brother were nearby. There was a single word that summed her slender neck.

Label of former examination would reveal that Nancy Parker had been beaten, sexually assaulted, threatened and strangled.

Nancy's husband, Harold, had come home on his fourth break from the job as a vice president, but did not know he was under arrest for the murder.

By 1976, John Reid made his living as a private investigator — a professional polygraphist, investigator and renowned interrogator. He was the father of a new method of police interrogation — known today as "the Reid technique."

Known as the early morning hours of Dec. 17, Parker remained in custody, but he was not charged with the murder until June 3, 1976, a Lancaster County jury convicted him of murder.

Today, the Reid technique is the most prevalent interrogation method in the world.

It is used widely by Canadian police forces, including the Ontario Police Service, the Ontario Provincial Police and the RCMP.

The Reid technique overcomes the old-school "third degree" in favor of a more subtle and sophisticated approach. One was the days of angry berating, the other kind of the dead-end phone book technique.

Reid taught a high intensity "basic approach" to interrogation, generally involving four distinct stages.

First, the suspect is held in custody, completely isolated from his normal surroundings. Hence, the standard interrogation room. The lawyer the suspect is held, the best he can get.

Second, almost immediately upon the commencement of the interrogation, the officer informs the suspect that he gets to choose. Every one knows you get the interrogator reports. Know it, the officer officers know it, and you know it, so don't let me. This is repeated over and over.

Third, the interrogator presents the suspect with a "choice" — or police theory of the case. It is not, however, presented as theory. It is presented as fact, supported by solid, hard evidence. If actual evidence has not been discovered by the police, the interrogator simply invents it.

Alternative explanations by the suspect are discarded.

Fourth, the Reid technique is a "soft" approach, such as "we are beyond that point — we know you did it." And then, the final step.

The interrogator uses a technique called "moral persuasion." The explanation that he understands why the suspect committed the crime. He tells him that others will understand and that the suspect will feel better once he confesses.

The interrogator then offers a list of explanations, each less morally demanding than the next. "Did you plan this or was it a spur-of-the-moment act?" "How you chose this before or was it a spur-of-the-moment act?"

Many will remember OPP Det. Sgt. Jim Wright's 1986 investigation of former Ontario Premier Bill Davis.

At one point, Wright also tried to explain his behavior. "I don't think you want the old-fashioned polygraph option," Wright suggested, in classic Reid fashion.

While some have hailed the Reid technique for its remarkable results and touchstones at eliciting confessions, others have been skeptical.

In 2012, a judge of the Alberta provincial court held that, stripped to its bare essentials, the Reid technique is a subtle pressure tactic, designed to psychologically manipulate the person whose sole purpose is to extract a confession.

According to the court, Reid and the confessions obtained from the Reid-style interrogations were voluntary and therefore inadmissible.

In addition, numerous U.S. academic studies have found that the Reid technique produces a striking number of false confessions, especially in particularly vulnerable suspects, such as children or those of moderate to low intelligence.

Nevertheless, Reid continues to be employed in Canada and, in 2005, the Ontario Court of Appeal ruled that the use of the Reid technique does not automatically preclude a confession from being admissible.

It should, however, be recognized that police routinely use a method of coercion and manipulation in interrogation. This method is not based on open-ended questions and truth seeking, but rather the advantage by a suspect of the interrogator's pre-packaged and pre-constructed version of events.

And in Canada, unlike the United States, all of this happens without a lawyer present.

By the way, whatever happened to renowned researcher Harold Parker?

In 1978, Winley Perry, who was then on death row, confessed to the killing of Nancy Parker. Perry had done some work around the Parker home and the method of Nancy's murder mirrored Perry's earlier victim case.

In 1991, Derek Parker was granted a full pardon by the Ontario Parole Board. In 2011, Saskatchewan Attorney General Ian Stewart apologized to Parker for the wrongful conviction. The state paid him \$200,000 in compensation, the maximum under Saskatchewan's Wrongful Conviction Act.

And the Reid technique? In 2011, the U.S. Supreme Court in the now famous *Miranda* decision implied that the Reid method for eliciting a confession was unconstitutional.

In fact, because of Reid and similar approaches, suspects need not be informed of their right not only to remain silent, but also to have a lawyer present during any police interrogation.

Alison Bryman from *Canadiana* are still waiting for that right.

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Elements of the controversial Reid technique were used in the 1976 trial of former Ontario Premier Bill Davis.

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On Dec. 14, 1955, Nancy Parker was brutally murdered in her home in Lincoln, Neb.

Her hands and feet were bound. Her face was badly bruised. There was a single cord tied around her slender neck.

Later, a forensic examination would reveal that Nancy Parker had been beaten, sexually assaulted then strangled.

Nancy's husband, Darrell, had come home on his lunch break from his job as city forester, he told police, when he came upon the gruesome scene in the master bedroom.

Suspicion quickly fell on Darrell, and following Nancy's burial, the local police asked him to come down to the station for questioning.

He was confined for 12 hours in a windowless room with a man named John Reid.

off remark," such as "we are beyond that point — we know you did it."

And then, the final stage.

The interrogator uses a technique called "moral minimization." He explains that he understands why the suspect committed the crime. He tells him that others will understand and that the suspect will feel better once he confesses.

The interrogator then offers a list of explanations, each less morally damaging than the next — "Did you plan it or was it a spur of the moment act?" "Have you done this before or was this a one time thing?"

Many will remember OPP Det.

Sgt. Jim Smyth's 10-hour interrogation of former colonel Russell Williams.

At one point, Smyth asks Williams to explain his behaviour. "I don't think you want the cold-blooded psychopath option," Smyth suggested, in classic Reid fashion.

While some have hailed the Reid technique for its remarkable results and track record at eliciting confessions, others have been less charitable.

In 2012, a judge of the Alberta provincial court held that, stripped to its bare essentials, the Reid technique is a guilt-presumptive, aggressive, psychologically manipulative procedure whose sole purpose is to extract a confession.

Accordingly, the court ruled that the confession obtained from the Reid-style interrogation was in-

to the station for questioning.

He was confined for 12 hours in a windowless room with a man named John Reid.

John Reid wasn't a police officer. He was a former cop, however, having served more than a decade as an officer with the Chicago Police Department.

By 1955, John Reid made his living as a private consultant — a professional polygraphist, investigator and renowned interrogator. He was the father of a new method of police interrogation — known today as “the Reid technique.”

Sometime in the early morning hours of Dec. 21, Parker confessed to killing his wife. He would retract his confession shortly thereafter, but to no avail. On June 2, 1956, a Lancaster County jury convicted him of murder. At trial, the state's evidence consisted almost entirely of his confession to Reid.

Today, the Reid technique is the most prevalent interrogation method in the world.

is to extract a confession.

Accordingly, the court ruled that the confession obtained from the Reid-style interrogation was involuntary and therefore inadmissible.

In addition, numerous U.S. academic studies have found that the Reid technique produces a shocking number of false confessions, especially in particularly vulnerable suspects, such as children or those of moderate to low intelligence.

Nevertheless, Reid continues to be employed in Canada and, in 1995, the Ontario Court of Appeal ruled that the use of the Reid technique does not automatically render a confession inadmissible.

It should, however, be concerning that police routinely use a method of coercive and manipulative interrogation. This method is not based on open-ended questions and truth-seeking, but rather the adoption by a suspect of the interrogator's pre-packaged and preconceived version of events.

Today, the Reid technique is the most prevalent interrogation method in the world.

It is used widely by Canadian police forces, including the Ottawa Police Service, the Ontario Provincial Police and the RCMP.

The Reid technique eschews the old-school "third degree" in favour of a more subtle and sophisticated approach. Gone are the days of angry threats, the rubber hose or the dreaded phone book beatings.

Reid taught a high-intensity "thematic approach" to interrogations, generally involving four distinct stages.

First, the suspect is held in custody, completely isolated from his normal surroundings. Hence, the modern interrogation room. The longer the suspect is held, the better.

Second, almost immediately upon the commencement of the interrogation, the officer informs the suspect that his guilt is obvious. Everyone knows you're guilty, the interrogator repeats. I know it, the other officers know it, and you know it. So don't lie to me. This is repeated early and often.

tion by a suspect of the interrogator's pre-packaged and preconceived version of events.

And in Canada, unlike the United States, all of this happens without a lawyer present.

By the way, whatever happened to confessed murderer Darrell Parker?

In 1988, Wesley Peery, who was then on death row, confessed to the killing of Nancy Parker. Peery had done some work around the Parker home and the method of Nancy's murder matched Peery's other victims exactly.

In 1991, Darrell Parker was granted a full pardon by the Nebraska Pardons Board. In 2012, Nebraska Attorney General Jon Bruning apologized to Parker for the wrongful conviction. The state paid him \$500,000 in compensation, the maximum under Nebraska's Wrongful Conviction Act.

And the Reid technique? In 1966, the U.S. Supreme Court, in the now famous Miranda decision, singled out the Reid method for creating a hostile and coercive environment. It held that, because of Reid and similar approaches, suspects needed to be informed of their right not

Interrogation of the controversial Reid technique were used in the 10-hour
 Elements of the controversial Reid technique were used in the 10-hour
 interrogation of former colonel Russell Williams.



Third, the interrogator presents the suspect with a "theme" — or police theory of the case. It is not, however, presented as theory. It is presented as fact, supported by cold, hard evidence. If actual evidence has not been discovered by police, the interrogator simply invents it.

Alternative explanations by the suspect are dismissed. Each denial is countered with a shift to another theme or a "cut-

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only to remain silent, but also to have a lawyer present during any police interrogation. Almost 50 years later, Canadians are still waiting for that right.