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STRATEGIES AND TACTICS OF INVESTIGATORS TO WITNESSES AND VICTIMS (BASED ON THE ANALYSIS OF THE PRE-TRIAL INTERROGATION DISCOURSE)

The article analyzes the interrogation discourse at the stage on pre-trial investigation. The author focuses on the specific features of victims' and witnesses' interrogation and identifies the set of the strategies and tactics applied by interrogators towards witnesses and victims as participants of interactions. The study draws special attention towards the usage of manipulative tactics by an investigator triggered by the lack of information and strategies of confrontation and sabotage applied by witnesses and victims. The following conclusions are drawn based on the analysis of the interrogation transcripts: the interrogation of a victim and a witness are examples of a conflict-free type of communication that involves language means of positive politeness as politeness of understanding, cooperation and encouragement to seek agreement between the participants. The usage of manipulative tactics by an investigator is triggered by the lack of information from witnesses and victims. The choice of a strategy and a tactic by an investigator depends not only on their interviewee's procedural status, but also on their communicative strategies applied from the initial stage of interrogation. Cooperative or sabotage tactics will provoke different strategies and tactics of the interviewers. Among the communicative strategies of investigators towards witnesses and victims we've identified the strategy of contact establishing, the manipulative strategy and the strategy of conclusion, which are realized by sets of communicative tactics. The contact establishing strategy is realized by the tactics of compassion and understanding. The manipulative strategy is implemented by the tactics of stimulating, hint, prompt, provocation, demonstrating of awareness in the case. The conclusion strategy is realized by the dominance transfer tactic.

Key words: strategy, tactics, interrogation, investigator, victim, witness.

Formulation of the problem. The aim of the article is to analyse the strategies and tactics applied by police officers to witnesses and victims in the course of interrogation in the pre-trial interrogation discourse. Achieving of this goal involves step-by-step implementation of several tasks, and namely: the study of approaches to problem analysis and conceptual foundations of research; identification of the specifics of witnesses' and victims' interrogation, specifics of usage of strategies and tactics applied by interrogators, the factors of their successes and mistakes. The strategies of interlocutors are interconnected within the interaction: the set of strategies of one of the interlocutors influences the choice of strategies by his partner. In constructing the dialogue, we consider it important to analyze the components of interaction that affect the change of strategies, as well as indicators of the effectiveness of the use of strategies and sets of the most effective strategies in various interrogation situations.

An analysis of recent studies and publications. The problems of verbal influence were considered by T. Kovalevska [10], N. Slukhay [14]. Following

G. Kopnyna [8, p. 25], by speech manipulation we mean a kind of manipulative influence, which is carried out by using certain language resources in order to covertly influence the cognitive and behavioural activities of the addressee. I. Sternin [15, p. 4–5] defines speech communication as the science of choosing the appropriate, adequate way of verbal influence on the individual in a particular communicative situation, the ability to properly combine different tactics to achieve the greatest effect.

Given that speech communication is a joint process, a joint activity of communicators when they mutually regulate actions, control mental processes, correct perceptions, beliefs of the communication partner [7, p. 33], strategies and tactics of manipulative influence of the investigator and the interrogated persons can have a mutually corrective nature in the discourse of interrogation.

Communicative strategies and tactics are not a new area of studies, many linguists have studied dialogue communication, its planning, and implementation mechanisms: H. Sacks [23], V. Demyankov [4], T. van Dijk, W. Kinch [25], A. Baranov [2], N. Arutyunova

[1], O. Issers [5,6], T. Radzievska [12], A. Yarkho [16], O. Yashenkova [17] and others.

But at present, there is no universal classification of communication strategies, this area has not been yet sufficiently studied. Researchers have different views on the definition of a communication strategy. F. Batsevich [3, p. 136] defines a strategy as the optimal realization of the intentions of a speaker to achieve a specific goal of communication, and determines it as a combination of control and choice of effective communication and flexible modification in a particular situation. According to O. Selivanova [13, p. 268] a communication strategy is “a component of the heuristic intentional program of discourse planning, its implementation and management in order to achieve a cooperative result, the effectiveness of information exchange and communicative impact”. By M. Makarov [11] a communicative strategy is a decision of a speaker, communicative choices of language actions and language means, realization of goals in the structure of communication.

The increased attention of researchers is paid to the problems of discourse functioning, its pragmatic and linguistic characteristics. There are numerous works studying the strategies of participants in judicial discourse (O. Kobzeva [9], C. Yeschke [27], A. Johnson [21], F. Inbau et al. [20], A. Vrij, S. Mann, S. Kristen [26], G. Heydon [18], E. Holt, A. Johnson [19]). But pre-trial investigation discourse and its specific features haven't been properly studied in linguistics and require further interpretation.

The purpose of the article is to study the application of strategies and the tactics of investigators and witnesses, as well as victims of crimes during interrogation process in pre-trial investigation.

Presentation of the main research material. Being an type of a legal institutional discourse, pre-trial investigation (interrogation) discourse is characterized by a set of specific features that shaped by its institutional limitations. In the course of interrogation, the interviewer is influenced both by institutional constraints, and spontaneous purposes, motivated by the need for interaction during dialogue, as well as the performed roles of interlocutors in achieving a global goal.

The tactics of questioning a witness or a victim who sincerely wish to give truthful testimony are aimed at helping them to provide truthful and full data, to recall maximum details and reveal all the hidden facts.

In order to establish the psychological contact with a victim, an investigator must apply tactics of compassion, understanding, show the desire to

help in order to encourage cooperation and break confrontation. The psychological state of the victim and their interest in finding criminals in the case determine their behaviour and impact the applied set of communication strategies and tactics. It is quite typical for victims to use tactics of voluntary provision of information, not to resist the questions and reveal all known details of the case:

“Det. Baldwin: What happened to your nose, Budd?”

Dassey: I got scratched by a dog.

Det. Baldwin: What dog?

Dassey: My brother Bobby, a little black one <...> [22].

False evidence (reporting of the circumstances that did not actually happen, concealing the circumstances of the case and distorting the facts) may cause either the conviction of an innocent person or justifying of the person who has committed a serious crime. So, questioning a witness, investigators may use certain manipulative tactics in case they suspect that an interrogated person gives false testimony, distorts facts, gives incomplete information or, if for some reason they refuse to provide information, citing their ignorance, non-involvement in the case, or compromise them, to make their guilt obvious. The main task of an investigator is to comprehend the real reasons for sabotage, distortion of information, concealing of information.

Implemented by the investigator tactic of hint might be perceived by the witness as their own conclusion:

“Det. Carrasquillo: What are you telling me now, has that been influenced by anything you read in the paper or heard in the newspaper or S on TV?”

Pemberton: Only by what I've observed in my career <...> you know <...> as a nurse.

Det. Carrasquillo: So you're just <...> you're <...> you're speaking from your own personal experience?

Pemberton: Right <...> and dealings.

Det. Carrasquillo: Okay” [24].

Tactic of prompt applied by a police officer encourages and stimulates a witness to recall and provide the evidence he was either afraid to provide or not sure whether he had to give:

“Det. O'Neill: What was the argument about, do you know?”

Dassay: No.

Det. Baldwin: I thought you said it was because you wouldn't amount to anything or was that just part of it?”

Dassay: But when they were arguing, Steven brought up that me and Blaine were not gonna graduate from school [22].

As we can see from the analysed example, after the refusal to provide the information, the witness in the case is forced to change sabotage tactics to cooperative ones.

Along with the tactics of the hint, the investigator uses the tactics of stimulating the answer (through an incomplete sentence), the tactics of demonstrating the awareness of the case. At the same time, the witness being impressed by the investigator's awareness, has no reasons to hide and no obstacles to report any new information:

“CB: I'd had never done sales before. I was a CPA actually by training. I spent 18 years in financial management.

SF: Okay. And you said that your job description is <...>.

CB: Now it's Senior Director of Sales and Administration, so I am actually over all the sales, all of our staff.

SF: But you didn't have that position when Lisa <...>.

CB: No, no. When I started in January 1994, I just one of ten sales people. Again because I was making a career change, if that, you know I was going from a CPA Financial Management into Sales. I didn't have a clue, I was willing to give it a shot, because I got tired of hitting the glass ceiling so to speak, CPA you know you are usually locked in salary, maybe a little bonus” [24].

The investigator may use provocative tactics to give false information and to encourage rebuttal:

“Det. Carrasquillo: Well, yeah <...> I just wanted to make sure that <...> that what you're telling me was not tainted by the reports <...>.

Pemberton: No <...> no.

Det. Carrasquillo: That <...> that you read in the paper or the articles <...>.

Pemberton: They're not” [24].

The analysis of the material revealed the situations where the victim resists testifying out of fear of punishing loved ones, fear of being punished by those against whom he will testify, or unwillingness to disclose all the circumstances of the case that may put him at a disadvantage. He may be interested in keeping the crime unsolved, for certain reasons, for instance, it may be more profitable for him to keep certain circumstances of the crime a secret.

1. *“Det. Sudler: Now, Lisa's car from the accident <...> you are having that stored, right?*

Mr. Pherson: Yes.

DS: Okay. And that is at Bob Lee's Garage?

M.: Right.

DS: And then you are gonna have arrangements to have that shipped out to <...>.

M.: Well, he is gonna try to sell it to me” (false information) [6].

2. *“Det. Sudler: Who was the orderly that made you aware of this? Do you remember his name?*

Minkoff: Might've been Willie, but I'm not sure” [24].

In these situations, the victim denies the facts he is aware of. Conversely, in some cases, the victim, for his interest in punishing the accused, makes unjustified use of tactics to reinforce certain signs of the crime or to distort the facts, as the above examples demonstrate.

Their testimony is checked and compared with the previous ones, as well as with information available on the case. The implemented tactics of dominance transfer as a strategy of conclusion might check the validity of the evidence, influence and reveal false testimony of the witness. The investigator passes the initiative to the witness to present the information independently, entrusts them with the role of a “leader”. Consider the following example:

“Det. Carraslo: Is there anything that I did not ask you that <...>, as you were thinking and talking to me <...> that might be of important that I neglected to ask?

Pemberton: The only thing that I can think of that is really important and I don't know <...> there's really no measurable way to do this I don't think, is other than, I want to emphasize again that I <...>. It's my impression that didn't know what he was getting into. He took the call, <...> and I've seen other doctors do this too <...> where <...> where they got a friend or an acquaintance or whatever, somebody's gonna bring somebody in and they're gonna look at them as a favor. And I've seen him do that before too <...> you know. Somebody's banged up a knee <...>, somebody's got a cold <...> somebody's got a kid with a fever <...>, or whatever. I don't think he had a decent shot when this girl came in. I don't think he had any idea how serious her condition was. I don't know what the proximity of where the address where she was at before is to other facilities, but it would've made, only made sense that she should've gone to the nearest facility quickly” [24].

As we can see from the previously analysed examples, the choice of a strategy and a tactic by an investigator depends not only on their interviewee's procedural status, but also on their communicative strategies: cooperation or confrontation and sabotage.

Summing up, we can conclude about the set of the most typical communicative strategies and tactics applied by interrogators towards witnesses and victims in police interrogations. The following table demonstrates the results of the strategies and tactics study:

Strategies of investigators	Tactics of investigators
Contact establishing strategy	Compassion
	Understanding
Manipulative strategy	Hint
	Prompt
	Demonstrating awareness
	Provocation
	Stimulating
Strategy of conclusion	Dominance transfer

Conclusions from this research. From the above we can draw the following conclusions: the interrogation of a victim and a witness are examples of a conflict-free type of communication that involves language means of positive politeness as politeness of understanding, cooperation and encouragement to seek agreement between the participants. The usage

of manipulative tactics by an investigator is triggered by the lack of cooperation, sabotage by witnesses and victims. The choice of a strategy and a tactic by an investigator depends not only on their interviewee's procedural status, but also on their communicative strategies: cooperative or confrontational. Among the communicative strategies of an investigators towards witnesses and victims we've identified the strategy of contact establishing, the manipulative strategy and the strategy of conclusion. The contact establishing strategy is realized by the tactics of compassion and understanding. The manipulative strategy is realized by the tactics of stimulating, hint, prompt, provocation, demonstrating of awareness in the case, while the strategy of conclusion is realized by the tactic of dominance transfer.

The prospect of out further exploration is the analysis of the usage of manipulative strategies and tactics by police officers in interrogation of accused and suspects in pre-trial investigation discourse.

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Павліченко Л. В. СТРАТЕГІЇ ТА ТАКТИКИ СЛІДЧОГО ЩОДО СВІДКІВ ТА ПОСТРАЖДАЛИХ (НА ОСНОВІ АНАЛІЗУ ДИСКУРСУ ДОПИТУ НА СТАДІЇ ДОСУДОВОГО СЛІДСТВА)

У статті проаналізовано допит свідків та постраждалих на стадії досудового розслідування. Автор зосереджується на стратегіях і тактиках ведення допиту, які застосовуються слідчим щодо свідків та жертв як учасників інтеракції. У дослідженні особлива увага приділяється аналізу використання маніпулятивних тактик слідчим через відсутність достатньої інформації, застосування стратегій саботажу та конфронтації з боку допитуваних свідків та постраждалих. У результаті проведеного аналізу на матеріалах транскриптів допитів зроблено такі висновки: допит жертви та свідка є прикладами безконфліктного типу спілкування, що передбачає використання мовних засобів позитивної ввічливості, як-от увічливість розуміння, співпраці та заохочення до пошуку згоди між учасниками. Використання маніпулятивної тактики слідчим спричинене відсутністю з певних причин співпраці з боку свідків та жертв. Вибір стратегій і тактик слідчим є закономірним результатом, що базується не тільки на процесуальному статусі допитуваного (свідок чи постражданий), але й на застосованих комунікативних стратегіях і тактиках із боку допитуваних свідків чи постраждалих, як-от співпраця чи конфронтація і саботаж. Серед комунікативних стратегій слідчих під час допиту свідків та жертв ми виділили такі: стратегію встановлення контактів, маніпулятивну стратегію та стратегію висновку, які реалізуються наборами комунікативних тактик. Стратегія встановлення контакту реалізується комунікативними тактиками співчуття та порозуміння. Маніпулятивна стратегія реалізується за допомогою тактик стимулювання, підказки, натяку, провокації, демонстрації обізнаності у справі. Стратегія висновку реалізується із застосуванням тактики передачі домінування.

Ключові слова: стратегія, тактика, допит, слідчий, постражданий, свідок.