

Solving Crimes with Hypnosis

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Abstract

Following a brief review of the literature on hypnosis and memory, this paper overviews the procedures that are used in conducting forensic hypnosis interviews. Ten forensic hypnosis cases are then described. These real world cases are in stark contrast to research done in an artificial laboratory setting where the information to be recalled lacks personal relevance and was not associated with emotionally arousing situations. These cases illustrate how forensic hypnosis can result in obtaining important additional investigative leads which lead to the solving of crimes.

Keywords: Hypnosis, forensic hypnosis, investigative hypnosis, hypnosis and memory.

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No single theoretical definition of hypnosis has gained universal approval. For clinical purposes we have simply conceptualized hypnosis as a state of concentrated and focused attention, usually but not always accompanied by relaxation (Hammond, 1998; Wester, 2010). A hypnotic induction procedure allows us to more fully secure and focus a patient's attention on improving recall. Hypnosis has been widely used in working with memory, both in clinical and investigative settings, and the use of forensic hypnosis dates back to at least 1846 when there was the first recorded use of hypnosis in court (Schefflin, 2005; Schefflin & Frischholz, 1999; Schefflin & Shapiro, 1989). Hypnosis has also been extensively used in successful clinical work with conditions such as post-traumatic stress disorder and anxiety (including test anxiety and anxiety associated with medical procedures), which are conditions sometimes present in cases where hypnosis is being used to improve recall.

In this paper we will initially provide a brief overview of findings from the scholarly literature on hypnosis and memory. However, the primary purpose of this article is not to examine the research literature on hypnosis and memory or to review the legal precedents (Schefflin, 2005; Schefflin & Shapiro, 1989). The focus of this paper is on the use of forensic hypnosis in clinical practice with a case study approach that presents details from ten actual cases. A fairly complete legal overview up to 1987 may be found in Sies and Wester (1985, 1987). Guidelines also exist for therapists using hypnosis with memory issues (Alexrad, Brown, & Wain, 2009; Brown, Schefflin & Hammond, 1998; Hammond, Garver, Mutter, Crasilneck, Frischholz, Gravitz, et al., 1995).

Hypnosis and Memory

A thorough review of the literature on hypnosis and memory is beyond the scope of this paper, but we will briefly review the issues involved in this area. It is vitally important to note that many of the laboratory studies on this subject have been characterized by serious deficiencies and flaws in research design which have been documented elsewhere (Brown, Schefflin & Hammond, 1998; Hammond, Garver, Mutter, Crasilneck, Frischholz, Gravitz, et al., 1995). Studies on hypnosis and memory have raised the following concerns: 1) possibilities of confabulation; 2) possible creation of pseudomemories; 3) the possibility of producing an increased confidence in whatever is remembered; and 4) whether repressed memories and traumatic amnesia are a genuine phenomenon. Much of the content of an 800 page volume (Brown, Schefflin & Hammond, 1998) has been devoted to a critical analysis of these issues, the findings from which will be briefly reviewed regarding each of the four issues noted above.

There have now been documented to be 110 studies (Brown, 2010) that have verified the genuineness of complete forgetting of childhood sexual abuse, an expansion on the previous number of such studies that was identified (Brown, Schefflin, & Whitfield, 1999). This is relevant to forensic hypnosis wherein sometimes victims and witnesses are exposed to intensely emotional situations. The reviews of literature cited above have shown that hypnosis can sometimes enhance memory recall, particularly for personally meaningful and emotion-laden material. Early studies (e.g., Dywan, 1988; Dywan & Bowers, 1983) suggested that in hypnosis more material may be recalled, but that there was an increase in confabulation and false recollections (filling in or fantasizing information). The problem was that these studies involved 3.5 second exposures to non-personally meaningful line drawings, and even more importantly, the research designs used forced recall procedures that required subjects to guess and would not allow them to indicate that they did not remember—designs that have been documented to cause increased confabulation (e.g., Eisen, 1996; Erdelyi, Finks, & Feigin-Pfau, 1989; Gudjonsson, 1987; Timm, 1985).

Similarly, studies that have suggested that the use of hypnosis creates undue confidence (e.g., Dinges, Whitehouse, Orne, Powell, Orne, & Erdelyi, 1992; Laurence & Perry, 1983; Zelig & Beidelman, 1981) have likewise been shown to be an artifact of the procedure used in the studies. Further analysis has shown that false confidence is not associated with the use of hypnosis per se, but is rather an artifact of using a method that creates unrealistic expectations (e.g., suggesting, “Everything has been recorded in your mind like a videotape, and in hypnosis you will be able to fully recall precisely everything that happened.”).

Finally, research on pseudomemory production has likewise shown that the production of false memories is not associated with the use of hypnosis, but rather is due to 1) the use of undue (e.g., leading) suggestion and 2) with level of hypnotizability, with individuals who are high in hypnotizability being shown to be more vulnerable to memory distortion in or out of hypnosis.

Thus the issues that have been raised regarding hypnosis and memory have been found to be unsupported, with the conclusion that it is not the use of hypnosis itself that is a problem with regard to memory issues, but rather the interview style and manner in which hypnosis may be used (Scoboria, Mazzoni, & Kirsch, 2005; Scoboria, Mazzoni, Kirsch, & Milling, 2002). The villains in the production of false memory are: (1) creating unrealistic expectations of hypnosis as a memory refresher, along with the danger of the subject’s desire to please the hypnosis practitioner that may encourage pseudomemory production; and (2) the misapplication of hypnosis (e.g., poor technique and undue suggestion). In response to these findings that have stemmed from a critical analysis of research on hypnosis and memory, clinical guidelines have been established (Hammond et al., 1995; Brown, Schefflin & Hammond, 1998; Axelrad, Brown & Wain, 2009) for the use of hypnosis where issues of memory are involved. Even more strict guidelines (Hammond et al., 1995) are routinely used with forensic hypnosis.

Anyone working with memory issues, whether with hypnosis or non-hypnotic methods, must be aware that memory is imperfect and careful methods of interviewing must be utilized. Practitioners must likewise remember when a patient or witness does remember something that it has been found that intensity of emotion, vividness of detail, and patient confidence tell us nothing about accuracy. Without independent corroboration of what is remembered (with or without the use of hypnosis) we cannot know for sure the accuracy of their recollection.

The Federal Model of Forensic Hypnosis

The federal model for using forensic hypnosis was developed by the FBI in 1976-77, prior to the training program offered at the FBI Academy. The federal model is based on a three part model: case review, hypnotic interview, and independent corroboration. The hypnotic interviews are both audio and video recorded. When possible, a team approach is used and a script is followed which standardizes the procedure. The team usually consists of the professional trained in the use of hypnosis and the case agent. When a sketch is requested, the professional and the sketch artist/agent are present. The interview is conducted in a quiet, comfortable setting, free from interruptions, with video recording equipment that has been pre-checked, and 3 working microphones.

The law enforcement investigator usually opens the interview, noting the place, date, time, persons present in the room, and requests and receives permission from the interviewee to video record the entire proceedings. The purpose of the interview is then

indicated. The witness or victim is asked to sign an informed consent form. The consent form presently used is described in Hammond et al. (1995). The mental health professional establishes rapport and performs a mental status evaluation. Hypnosis is then explained to the patient, including clarifying misconceptions about hypnosis and the imperfection of memory, and the hypnotic procedures that may be used are then explained. It is also indicated that the law enforcement investigator will assist in questioning during hypnosis. Before hypnosis is used the witness or victim will be asked to once again tell the story of what took place so that all the information that the subject is consciously aware of can be memorialized prior to the introduction of hypnosis. This pre-hypnotic statement is all recorded so that it can be compared to the information obtained under hypnosis. The mental health professional then conducts the hypnotic induction, facilitates age/time regression, and then allows free recall by the subject. Following this a non-leading inquiry is conducted, with the law enforcement investigator asking the subject to review the entire event again, providing a more detailed description until the recall is as complete as possible. The same procedure is followed if a sketch is sought. The mental health professional deepens involvement in hypnosis as needed and deals with emotional reactions. Following the termination of hypnosis by the mental health professional the subject is asked how he or she feels. The investigator then asks the subject to once again report descriptions that were obtained in hypnosis. In the case of a victim who has had a traumatic event occur, appropriate physical and psychological backup will have been arranged. The basic federal model outline and checklist can be found in Hammond et al. (1995).

When to use forensic hypnosis. Forensic hypnosis is usually used as a last resort and only with major cases (e.g., murder, kidnapping, bank robberies, bombings). It is used where there is a likelihood of enhancing recall and the possibility of independent corroboration. Hypnosis is used for investigative purposes only and whenever possible should be cleared by the local prosecutor.

When not to use hypnosis. Hypnosis should not be used when there is a flawed investigation or if the stability or credibility of the witness or victim is in question. Hypnosis will not be used if the witness is a subject that has come in contact with law enforcement. If there is a high probability that the case is dependent on the hypnosis, a low probability that any data obtained could actually be corroborated, and that the case will likely end up in court, hypnosis will not be employed.

Avoiding potholes. The professional must always follow the guidelines and the forensic hypnosis model script (Orne & Hibler, 1984). This process is consistent with the Hurd rules (Sies & Wester, 1985, 1987) which were formulated by the New Jersey Supreme Court in *State v Hurd*, 86 N.J., 525, 432 A.2d 86 (1981). The Hurd guidelines are: (1) A psychologist or psychiatrist experienced with hypnosis must conduct the session. (2) The professional conducting the hypnosis session should be independent of, and not regularly employed by, the prosecutor, investigator or defense. (3) Any information given to the hypnosis professional by law enforcement personnel or the defense prior to the hypnosis session must be recorded, preferably in writing. (4) Before the induction of hypnosis, the hypnosis professional should obtain from the subject a detailed description of all that is remembered, which is recorded. (5) All contacts between the hypnosis professional and subject must be recorded, preferably by video recording. (6) Only the hypnosis professional and subject should be present during any phase of the hypnotic session, including the pre-hypnotic evaluation and post-hypnotic interview.

Remember that the professional is the expert and must be in the position to control the process. If the professional arrives at a location and finds that the witness or victim has

a medical or psychological condition that would contraindicate the use of hypnosis, the session is terminated. The professional should use procedures to reduce the likelihood of going to court. It is important to remember that hypnosis is being used as an investigative tool. The “throw away” witness concept can be used when there are several witnesses to a crime. An example of this is featured in one of the case reports. The professional can avoid additional potholes by maintaining the highest level of confidentiality. For security reasons it is a good idea to maintain a low media profile. Finally, the professional should use their “cop” personality/ego state to enhance the “team” approach, meaning that the professional should be his- or herself, use your first name rather than “doctor,” and become a member of the investigative team. Law enforcement officers will respect the profession, but will not relate well with a narcissistic doctor.

Procedure

Cases commonly come from one of two major sources. A call is either received from a local/state law enforcement agency or from a federal law enforcement agency. The protocol that is used was reviewed earlier in the description of the federal model and in references provided, but it will be briefly mentioned again. If the referral is from a local/state source, the first step is to check with the prosecutor for clearance. Everyone needs to know at the outset that there is a chance that the hypnosis information will not be accepted in court and actually might hurt the case if the guidelines are not followed. The hypnosis professional should check the state law, since each state has different rules of evidence (Schefflin & Shapiro, 1989). The federal laws are somewhat different and it will be up to the law enforcement agency to get clearance from their headquarters. This step slows things down, but needs to be done.

The next step is to decide where the hypnosis will take place. Local/state cases are usually held at the local police/sheriff headquarters. They usually have good equipment, two-way mirrors, and can arrange for comfortable furniture. Sometimes a hotel room will be used. Federal cases can be done in a hotel room, in a judge’s chamber, or at a local law enforcement headquarters. The big difference is that in federal cases there is a federal technical person who comes in and sets up all the equipment and if a two-way mirror is not available, then a TV monitor is set up in the next room so that the others may observe the hypnosis session. All cameras and microphones are ideally hidden even though the victim or witness is informed of this during the informed consent signing. The biggest advantage is that all distractions are eliminated.

The witness or victim to be hypnotized is then brought in and introduced to the professional. Remember that in a local/state case only the professional and witness/victim can be in the room. The only exception is that a sketch artist may be present where appropriate. In federal cases this same procedure is generally followed, however, sometimes the case agent is also present. The mental health professionals should dress in casual clothes and make every attempt to make the witness/victim feel comfortable. The agents remove their guns to avoid any concerns.

After informed consent has been conducted and the forms completed, the law enforcement personnel and the professional ask the witness/victim to describe exactly what is remembered. Depending on the situation, as will be pointed out, the forensic interview is only interested in what took place on a specific date and time and questioning is limited to such. This is important if witnesses may have other knowledge that they do not wish to expose. One example might be someone who, earlier in the evening, was using drugs. If a sketch is going to be made the artist/agent uses a computer and generates a rough sketch

based on the witness/victim input. This rough sketch is not shown to the subject. The subject is asked to tell us what he or she remembers. This preservation of the subject's free narrative recall constitutes the pre-hypnotic phase of the hypnotic interview which has been deemed important because some research (Whitehouse, Orne, Orne, & Dinges, 1991) suggested that some witnesses may not always be able to reliably distinguish what memories they had prior to hypnosis versus those that occurred after hypnosis. During this phase the professional simply listens and lets the entire story be told with non-leading prompts such as, "and what happens next." Specific questions for details are avoided. Following the free narrative recall the subject may be asked to pause for a moment and to then discover if there is any additional information that is remembered. Afterward, non-leading questions may be asked. The person may also be asked to describe any previous statements that were given to police or others. It is at this point that the subject may likewise be asked to remember what he or she has been told by others or may have read or heard in news media.

Prior to using hypnosis the subject should also be asked concerning any physical limitations (e.g., visual or auditory impairments). It is at this point that the witness/victim is educated about the nature of hypnosis and misconceptions are clarified. "This education should include acknowledgment that memory is imperfect in or out of hypnosis and all demand characteristics regarding memory retrieval should be avoided. It is important that the witness understand that memory does not act as a tape recorder, and that new information may or may not be remembered with hypnosis, and may or may not be accurate. Thus, neutral prehypnotic expectations are structured" (Hammond et al., 1995, p. 42).

The hypnotic interview script comes next. Remember that everything is being videotaped from the moment that the witness/victim enters the room. It is important to follow the script as closely as possible to provide some standardization. The actual hypnotic technique used will vary and several examples can be found in the literature. In most cases, the authors use progressive relaxation, deep breathing, deepening techniques and pleasant imagery not related to the incident. Following the hypnotic induction, deepening, and age regression (context reinstatement), free recall under hypnosis is requested and the subject is not interrupted. Thus the subject may simply be told, "Tell me everything you're aware of," or "Tell me everything you remember," after which the subject is allowed to engage in free recall. The same types of non-leading phrases may be used such as, "um-hmm," "just continue," or repeating a word or phrase used by the subject.

Following free recall specific questions about the incident can then be asked under hypnosis by the agent. If a sketch is sought, the sketch artist can keep refining the sketch based on what is said. The subject is then asked to remain in hypnosis, but to open his or her eyes and look at the sketch. The artist then asks the subject to explain what needs to be changed, starting with the top of the head. As the subject gives input, the artist makes the changes. At some point the subject commonly will state, "Yes, that is the person." Professionals frequently observe some degree of an abreaction at this time.

During this process the law enforcement officers who are observing may have questions and may pass a note, written large with a black marker, under the door so that the professional and the artist can both see the question. These notes are retained as part of the case file. The professional, based on experience, also has an opportunity to write a question for the interviewing agent. The professional comes to the hypnotic interview with a different mindset and years of experience in human behavior. This additional input for the interviewing agent can be invaluable. When all parties present are convinced that of the necessary information has been obtained, the session is terminated. After realerting subjects, they

should be asked how they felt and if they are now “out” of hypnosis. This dialog should be documented on the tape recording. The witness/victim is then thanked and taken from the room. Immediately following the hypnotic session, all law enforcement personnel in the room, the professional, and those who were observing come together to process the information obtained.

Thus to summarize the highlights of the process of the forensic interview, it has included pre-hypnotic free recall, hypnotic induction (which includes heightened focus and relaxation that may reduce emotional arousal that could have interfered with recall), age regression in which contextual reinstatement occurs, followed by free recall, and then follow-up questions.

If the subject is a rape victim, in therapy (in which case permission should be obtained from the therapist ahead of time), or a victim or witness to some other traumatic event, additional precautions are taken. In federal cases, the case agent arranges for a local EMT unit to be present in another room and an appropriate hospital is also put on alert regarding the situation. Because of the careful procedures followed the authors have never experienced an incident requiring these precautionary emergency preparations to be utilized.

Case Illustrations

The following case examples are meant to describe the manner in which a hypnotic interview was utilized in forensic work. In these cases, specific names and locations have been changed to protect the identity of individuals. The authors wish to note also that results of a small number of previous cases involving forensic hypnosis have previously been published (e.g., Block, 1976; Kaszniak, Nussbaum, & Berren, 1988; Kroger & Douce, 1979; Raginsky, 1969).

Case 1: Murder

Two teachers (A and B) had been out together bar hopping on a Friday evening after a long day at school. They met a variety of people but left the bar at the same time and returned to their homes. The next day they were talking on the phone, sharing stories from the evening before, when one of them (B) told her friend (A) that a certain individual (someone she had met the night before) was at her door. He had agreed to come over to her place to fix the radiator on her car. They said goodbye and agreed to catch up more on Monday when they were at school. When teacher A went to school on Monday her friend and colleague did not show up for work. This was very unusual and teacher A was concerned enough to call the other teacher’s parents. The parents tried to call their daughter all day at her apartment. Because they could not reach her they called the manager of the apartment building to check on her.

The apartment manager could not get any response and finally let herself in only to find teacher B murdered in her bed. When the police arrived they discovered that she had been raped and then stabbed multiple times. The crime scene was horrific. There was no murder weapon and the only clue was fingerprints on a raised toilet seat. The fingerprints were sent for analysis, but no match was obtained.

In the next few days the police interviewed her friends and family, including teacher A. Teacher A told them the story of being out together on Friday evening and that someone came to her house on Saturday to fix her car radiator. Teacher A could not remember the name of the person who came on Saturday, but remembered hearing the name. Several homicide detectives from the police department had attended a workshop on hypnosis. They did not want to assume any liability from doing hypnosis themselves and once again called for a professional to help them.

The police brought in Teacher A and all the procedures described in this paper were followed. Teacher A was cooperative and an excellent hypnotic subject. Under hypnosis she came up with the name George Starway as the person who came to teacher B's apartment. The police got very excited and during the debriefing of teacher A they checked out the name to no avail. Teacher A was such a good hypnotic subject that the decision was made to continue working with her. Under hypnosis the second time we slowed everything down and this time she said, "No it's not George Starway—it's George from the Starway Company." Once again the police began checking this out and discovered a George from the Starway Company had not shown up for work on Monday. The police staked out his apartment. A day later he returned to his apartment after having left to be with his mother in another city until things cooled off, and as police confronted him on the sidewalk he began to run. They quickly caught him, entered his apartment and found the murder weapon together with his blood stained clothes. It is believed that the actual warrant was obtained when the fingerprints at his workplace matched the prints at the crime scene. This case created high credibility for hypnotic interviewing within the police department. Due to the use of hypnosis, requests grew to use hypnotic interviews in other homicide cases, arson cases, and cases from surrounding police jurisdictions. With this methodology, it can be expected that about 50% of hypnotized victims and witnesses are able to give detailed investigative information leading to an arrest."

Case 2: A Hate Crime

One evening two gay individuals were coming out of a bar when a car pulled to a stop in front of the bar. Two men got out of the car with baseball bats and began beating up the two gay individuals. As they did this they yelled a variety of derogatory terms. One of the gays was able to break loose while carefully looking at the attackers as he ran down the street. His friend was almost beaten to death, but slowly recovered after spending several days in the hospital. When the police arrived they heard what had happened and what was said. They called the FBI since they felt that this incident may fall under the hate crimes statutes. This was initially a local assault case, but then became a federal case which then involved federal law enforcement.

The person who had been able to get away was hypnotized. He reported that he had a good look at one suspect and under hypnosis was able to provide an excellent sketch to a local police artist. All law enforcement agencies in the area cooperated in disseminating the sketch to a variety of places across several counties. A few days later a bartender who had a copy of the sketch called police and said, "I don't know if this is your guy because he has different colored hair, but he sure looks like your sketch and he is in my bar as we speak." The police arrived quickly and arrested the suspect. The sketch produced under hypnosis was very accurate except for the different colored hair. The suspect "gave up" his associate and both were charged under the federal hate crimes law. Incidentally, this case illustrates the importance of concentrating on the facial features and the overall description versus "liquid" features like hair color, hair style, clothing, etc., which can quickly and easily be changed by a perpetrator.

Case 3: A Church Bombing

Another case involved one of the many church bombings in the South. Several people were critically injured during this bombing. There was one witness who saw the "get-away" truck leave the church parking lot. She gave the local police and agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) a detailed description of the

truck, including the make, model and color. She stated that she looked at the license plate but could not remember the numbers. It was requested that hypnosis be used with this case to help her remember the license plate. A variety of hypnotic techniques were used, but she could not remember the license plate information.

Instead of attempting to obtain further information by having her speak, the hypnotic technique of automatic writing was employed (Wolberg, 1964). This technique involved putting a clipboard with paper in the hand of the witness while she was in hypnosis. A pencil was put in the dominant hand and the tip of the pencil placed on the paper. In short, under hypnosis her arm was dissociated and the witness was directed to allow her subconscious mind to do all the work and if there was unconscious information that may be helpful in this case, that her hand would automatically move and write down that information. This technique is somewhat more complicated than we are describing here, but can be a good method to use as a last resort. Her hand began to move but nothing seemed to make sense and she did not write out a license number. She had a variety of small markings on the paper and the agents were all getting excited. At the appropriate time the hypnosis session was terminated and the witness debriefed without hypnosis.

After the witness left the room, the case was discussed. The reason the agents had become excited was that one of her markings on the paper indicated the county sticker. Based on her automatic writing description, instead of looking for about 5000 vehicles throughout the state, the number of vehicles decreased to about 50. This information played an important part in narrowing the investigation and the suspect was apprehended very quickly.

Case 4: A Serial Rapist

In one of the major US cities there was a serial rapist on the loose. The DNA from the victims confirmed that the same individual was committing these crimes. The crimes had been going on for years in many different jurisdictions around and in the large metropolitan area. When the number of known cases at the time reached 20 and the police had no major clues they asked for hypnosis to be used and for an ATF agent/sketch artist to assist in this case. The fourth victim actually pulled off the attacker's mask, but the trauma was so intense that she had blocked all memory of the incident. Her case dated back almost 4 years and she was anxious to help catch her attacker.

After a clinical interview and a discussion with psychiatrist, a decision was made to move forward with the hypnotic interview. In cases like this the authors try to use dissociative age regression techniques (Hammond, 1990) that give the victim some distance from the actual event to increase the feeling of safety and reduce the likelihood of additional trauma. A theater or TV technique (Brown & Fromm, 1986) can be used whereby the victims see themselves in a safe environment while they remember what took place. A theater technique was employed in this case and under hypnosis she was able to remain in a trance, open her eyes, and look at a sketch the artist had made based on her pre-hypnotic description. As she commented on the sketch, the artist made changes accordingly on the computerized sketch. After several changes the victim began to cry and indicated, "That's the SOB who raped me!" It is common practice when this type of abreaction occurs to stop the sketch and not push for additional information. That procedure was followed in this case.

In some cases law enforcement officers get lucky. The sketch was distributed to all law enforcement agencies in the area and a young police officer recognized the sketch and compared it to a case he was involved in about 4 years prior. The police now had a possible name and once they found this person, began to stake him out. He had a habit of getting

coffee and donuts almost every morning. An undercover agent was in the coffee shop and when he left the agent took the cup which was sent off for DNA analysis. This case also involved federal law enforcement because several of his victims were taken across state lines. The DNA came back a match. As this was all happening, the sketch had somehow been released to the local media and the rapist left town. There was also some confusion since there were so many different law enforcement jurisdictions involved.

This case became a natural feature for the TV series that assists law enforcement in their quest for justice. The night that the show aired the calls began to come in and the suspect was traced to a southern state. A motel employee seeing the show called police and identified the person in one of the motel rooms as looking like the person identified on the television show. The rapist had changed somewhat in 4 years, but was easily identified. Once again, when the “liquid” features were ignored, the description was excellent. In this case, the suspect had gained weight and changed his hair style. The police arrived and arrested the suspect. When the investigation was complete, the police were able to identify many other victims he had raped over the span of several years. The rapist was convicted and given 20 consecutive life sentences with no chance of parole.

Case 5: A Serial Bomber

In a large city in the East someone had been setting off a variety of bombs and in the process one person was killed. A major task force from various law enforcement agencies was established, but the progress in solving this case was very slow. There was a new event involving 3 witnesses and the authors were called in to use hypnosis to develop a sketch.

One day 3 brothers were going to see their mother. When they arrived there was a man sitting on her front porch with a shopping bag. When they pulled up in front of the house he got up and came to their car asking if they knew where a particular person lived in the neighborhood. They did not know this “so called person” and as they indicated that they did not know the individual, the man took off running down the street, leaving the bag on the porch. When the brothers approached the bag they noticed that there was an object in the bag that looked like a bomb. They immediately called the police who in turn called the bomb squad. BATFE was also called because bombings come under their jurisdiction and the fact that there was a serial bomber loose in the city. If the bomb had gone off it would probably have killed the mother since she was in the front room of her home.

We arranged to meet with the 3 witnesses and eliminated one of them in terms of hypnosis in the event that the case had to go to court. We call the witness that will not be hypnotized a “throw away witness.” We hypnotized the other 2 brothers individually, producing a good sketch from each. We now had two almost identical sketches and even did an overlay combining the two sketches. The sketch was then released to the press and immediately calls began coming in to the task force. The suspect was involved in a business where he had daily contact with many people. He was married and had children. He was caught shortly after the sketch came out and he was quoted in the paper as saying, “I knew I would be caught as soon as I saw the sketch in the paper.” He pleaded guilty and there was no long drawn out trial.

Case 6: A Kidnapping

A young teenaged girl was kidnapped from her home in the middle of the night by someone who had broken into the home. After more than 7 months the police and FBI still had no serious leads in the case. The kidnapping victim’s younger sister had been sleeping

in the same bedroom when her sister had been abducted at gunpoint. The little sister had awakened early in the process of the abduction, but continued to pretend to be asleep after hearing the kidnapper threaten to shoot her big sister if there was any noise. She was so frightened that she remained in bed for several hours before awakening her parents. Finally investigators decided to have this sole witness hypnotized in a search for further clues.

The federal model was followed with a detective experienced in conducting child interviews involved. Prior to conducting hypnosis she was asked to think of a “safe place.” She struggled with this, and her mother who was present for the informed consent and initial part of the non-hypnotic interview tried to help her brainstorm possible safe, secure places for several minutes. During this time the child’s eyes filled with tears and it was apparent that she had been traumatized and that there was no place where she felt safe. It was finally agreed that she could imagine herself in her own room, in the past, with her older sister, the security alarm on, the lights on, and her parents nearby. For her emotional/psychological protection it was explained that if at any time she felt scared or upset, she could lift an index finger to signal us, and we would pause and have her go to her “safe place” to become more comfortable. She was also told that if she felt too frightened that she could view what she was seeing as if it were on a screen to feel more distant from it.

During the hypnotic portion of the interview she recalled two or three additional details, but nothing that provided a significant lead in the case. She did indicate, however, that the voice of the kidnapper sounded familiar. Prior to re-alerting her she was given posthypnotic suggestions repetitively that her unconscious mind would continue to search through her memories for who the familiar voice belonged to, and that when she recalled anything further that she should immediately write it down and tell either a police officer or her parents.

Approximately 5-6 weeks later she walked into her parents bedroom and told them that she remembered who the voice belonged to—a person who had done handy work at their home. Investigators were informed but did not act on the lead. Finally, in frustration with the inaction of law enforcement the parents turned information and a sketch of the suspect over to a nationally televised program which immediately aired the story. Within 1-2 days (and approximately 9 months after the kidnapping) two individuals called police after seeing the suspect hitchhiking with the kidnap victim disguised and with him. Of course what we can never know is whether the little sister would have eventually recalled this information without the hypnotic suggestions.

Case 7: Multiple Church Bombings

A church bombing took place in the Midwest. Shortly thereafter another church bombing took place in the same town and this time a person was killed. The suspect left a bag with a bomb on the steps of the back door to the church. The bag was rigged and when the person came out and moved the bag, the bomb exploded. The police and ATF had several witnesses who had seen various things about the time of the bombing. There were a variety of descriptions of people near the church, but they were all different. There was one witness that saw a man looking into the window of a car in the church parking lot, but she was unable to give a good description of this individual. The authors were called in to work this case together with an agent/sketch artist from the ATF. The witness agreed to hypnosis and wanted to help because she knew the person who was killed in the bombing.

The witness was able to remember the man looking into the car and a sketch was produced. As the sketch was shown to different people in the community one name kept

coming up. The sketch had not yet been put in the newspaper. One of the other witnesses had remembered a man with a dog in the area. The people in the community who recognized the sketch also indicated that he had a dog. A warrant was obtained and when agents raided his residence he blew up himself and his dog. He was in his garage where he had made the bombs when they came to arrest him.

Case 8: Bank Robbery

One afternoon an older woman was waiting for a bus in front of a local bank when all of the alarms sounded and two men came running out of a side door, got into a car, and drove right past the older woman as they left the scene. The woman was a very responsible type of person and she made it her job to look at the license plate. When the police and FBI arrived she was able to give a good description of the vehicle, but she said that everything happened so fast that she had forgotten the license plate number. There were several other witnesses who had seen the car and they supported the description given by the older woman. However, none of the other witnesses had seen the back of the car or license plates.

The woman agreed to be hypnotized in order to help identify the car and license plate. She was a fairly good hypnotic subject, but she was trying too hard and this became a distraction. Several different techniques were tried to no avail. Finally, the technique of imaging a black card in front of the license plate so “she could not see the plate,” was used. This method has been found to frequently decrease the pressure a witness feels to perform and remember. She was then told that when the black card was removed she would be able to see the plate and she should repeat the first things that came into her mind. When the imaginary black card was removed she recited a plate number. The police checked the plate number she gave and various combinations of the numbers. One was a match with the description of the car. The “get away” car had traveled 250 miles when the two subjects were apprehended.

Case 9: Kidnapping

In the midst of a day seeing clinical cases a phone call was received from the FBI. A young girl getting off a school bus outside of a major city was kidnapped. The author left the office immediately, boarded a plane, and within a short period of time was picked up at the airport and transported to a local motel where everything was set up to work with hypnosis. This is a common way that these cases have been conducted. The federal “tech” team came in and setup the room with hidden cameras and microphones so that everything could be recorded as required by the Hurd rules (Wester, 1987) and the Federal Model (Garver, 1987). A closed circuit television was also set up in an adjacent room where other law enforcement officers could observe the hypnotic session.

In this particular case there were two witnesses. A farmer working in his field and a newspaper boy had seen the kidnapping take place. When the police arrived the witnesses told them that the van associated with the abduction was red in color. This was the only information they could remember as they stated, “because it happened so fast.” The farmer was interviewed first. He was not a very good hypnotic subject and once again all he could remember was that the van was red.

A hypnotic interview was conducted with the teenage paperboy who was very knowledgeable about vehicles. At first he could only identify the red van. His next memory was the make of the van. Eventually, he became more descriptive and remembered a scene on the side of the van. He described this scene in great detail. As a bonus he remembered a certain sticker on the driver’s side window.

The description of the red van with the scene was distributed to radio and television stations as well as to other media sources. A young mechanic working at a gas station on one of the major turnpikes heard the description of the van on the radio. Shortly thereafter he saw a van matching this description come into the service station to get gas. He called the highway patrol, who in turn notified federal authorities. He told them, "I don't know if this is the van you are looking for, but one that fits your description is getting gas right now." A road block was set up near the next exit and all vans were checked. When they got to the red van with the special scene they found the young girl in the back of the van. Other than the trauma she experienced, she had not been hurt or molested.

Case 10: An Attempted Federal Court House Bombing

It was a beautiful day in this mid-western town. Therefore, there were a lot of people outside and especially near the federal courthouse. The courthouse had steps on three sides leading to entrance doors. Since this was before the 911 terrorist attack, other barriers were not in place. On the fourth side of the courthouse the area was flat and designed with glass doors that could be opened for deliveries. There were security personnel at this entrance to check the identification of people wanting to enter the courthouse through this entrance.

Out of nowhere a pickup truck loaded with explosives drove up onto the sidewalk and flat area and crashed through the double glass doors. In all of the confusion the driver got out of the van and ran out the door, along with many other people who were fleeing, including security guards. The driver of the van was not specifically noticed by any other person. He continued to run down the block and then stood to watch on a corner. As mentioned before, there were numerous people nearby on that day, as well as those fleeing the building.

What was supposed to happen, obviously, was that the van had been wired to explode after a certain amount of time, allowing enough time for the driver to escape, but it did not explode. There were enough explosives in the truck to level the courthouse and possibly kill all of those inside. However, the bomb never detonated. When the driver, who was watching all of this from the corner, wondered what may have happened, he left the crime scene. There was great confusion and everyone saw something they felt was important. The police and federal authorities started to eliminate people as suspects. As they were doing this several people began to describe the man who was standing on the corner and watching. There was something about him that draw their attention to him and caused people to regard him as looking "suspicious." Three of these witnesses agreed to help the investigation by being hypnotized in an effort to develop a good sketch of this person. The three sketches were similar and the agent/artist did a composite using the three sketches. This composite sketch was released to the media and within hours leads began to develop as people began to call. In a few days an arrest was made. The motive was a very personal one and not linked to a terrorist group.

Conclusion

This article describes actual cases where hypnosis has been used to enhance memory. These cases are in great contrast to artificial laboratory settings where the information to be remembered lacks personal relevance and the emotional and physiological arousal that are commonly associated with real life events. It is clear that memory is imperfect in our out of hypnosis, but the authors have found hypnosis will often make a valuable contribution to

assist law enforcement investigators. Professionals assisting law enforcement by means of using hypnotic interviews do not solve cases, rather, they help develop investigative leads. The real work begins after the hypnotic session since this technique is used only as an investigative tool. All of the information obtained under hypnosis must be checked out and corroborated. These leads, whether a sketch or other additional information, help the investigators to compare this new data with the information they already have and to follow-up on the new leads generated.

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