

■ CASE STUDY

# Forensic Psychological Investigations for Corporates: A Case Study

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## ABSTRACT

Forensic Psychology is the only field of Forensic Sciences that deals directly with live human beings and hence is a unique field in the entire Forensics. This field explores the brain mind interactions and how these interactions give birth to various crimes. In India more emphasis is given on scientific techniques such as test for Detection of Deception or Investigating interviewing and Psychological Evaluations which are mostly conducted in Forensic Laboratories and mostly in Criminal Investigations. However, these psychological tools for Investigation can be used even in Corporate crimes or even by Vigilance Department for their internal investigations and can be extremely crucial. This study highlights the application of Forensic Psychological Investigations in Corporates through a single case study and further discusses the necessity of these Psychological Investigations for Corporates Internal Investigations.

**CONCLUSIONS:** It was concluded that titanium is already present during the manufacturing of rexine and paint therefore, the nanoparticle coating of TiO<sub>2</sub> doesn't create a large difference. Besides, there was a significant difference in

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## INTRODUCTION

**F**ORENSIC PSYCHOLOGY IS A UNIQUE FIELD AS it is the only field of Forensic Sciences that deals directly with live human beings. When a Professional Psychologist applies the psychological principles of various subfields such as Clinical, Developmental, Neuropsychological, Social, cognitive, etc. for the purpose of assisting the legal system, would come under the purview of Forensic Psychology.<sup>1</sup> Forensic Psychologist plays various roles in assessments of Mentally ill offenders, selection of jury and consulting with lawyers, exploring the factors leading to crime as well as work in civil areas such as guardianship or in family court, sexual harassment cases in Organizations.

All crimes originate in the brains of the

perpetrator and the brain is one of the most complex systems in the entire world. One of the important roles of a Forensic Psychologist is working along with Investigating officers for unraveling crimes by exploring the modus operandi, motivations, and plans about the crime. Crime is something that has an impact on each and every individual's life either directly or indirectly and an observable increase in the crime rate is seen in our country. Criminal investigation has then played a very significant role in curbing the offenses to a large extent. The exposure of media and other resources has created much awareness even for offenders for destroying physical evidence left on the crime, and thus making it relatively difficult for the investigating agencies to gather evidence which

will lead them to the offender.

A crime generally encompasses a body or a property, but sometimes even organization can be victim of attacks or crimes and the crimes in organizations may be known as “Corporate Crime” “Corporate Frauds”, “Business Crime”, “White-Collar Crimes”, Corporate misconduct”, “Corporate misbehavior”. The crimes happening in a corporate setup can be detrimental for the progress of the organization, the employees, the clients and the society at large.<sup>2</sup>

A number of scientific studies on Forensic Psychological cases have been published in various journals highlighting the importance of Forensic Psychologist in Criminal Cases.<sup>3-5</sup> However, role of a Forensic Psychologist in Corporate or Organizational Behavior have not been studied much in India.

The research in Forensic Psychology have had great interest in methods of detecting deception. To ascertain whether subjects are lying or hiding something related to the event took place. The first approaches to deception detection relied on anxiety induced autonomic indicators, using polygraphs measuring pulse, blood pressure, respiration, and galvanic skin response. An executive summary report by American Polygraph Association, 2011 found that Polygraph Technique intended for event-specific diagnostic testing produced an aggravated decision accuracy of 89% (confidence interval of 83%-95%), with an estimated inconclusive rate of 11%.<sup>6</sup> A study by National Research council in 2003 concluded the accuracy to be 81% to 91% which certainly provides strong scientific basis of its applicability in detecting deception.<sup>7</sup> Polygraph was used even for pre-employment screening or credibility assessments in organizations. The Employee Polygraph Protection Act 1988 protects the employees from being dismissed, as the results themselves cannot be solely considered to be admissible as evidence in the courts. However, the Act permits the Employers are permitted to use Polygraph Test on Employees in cases of Financial Loss due to suspected data theft, damage to the organization's brand, sabotage,

etc. with the consent of the person.<sup>8</sup> Even in India, the voluntary ‘Informed Consent’ of is the pre-requisite for conduction of Polygraph Examination.<sup>9</sup>

Another technique which is used globally in the area of Forensic Psychology is Psychological Interviewing. Generally, the investigating officer interrogates his suspects while a Forensic Psychologist uses interview as an authentic tool for gathering information from his or her client. The Interrogation technique focuses on extracting confession, whereas Interviewing technique focus on being more open ended. Certainly, Forensic Psychologist needs to elicit information from the subject without coercing into making a false confession. There have been various models derived for Investigating interviewing of which structural model, peace model and Cognitive Interview are commonly used. The structural model focuses on minimizing resistance and focusing on increasing the internal stress on subject by applying the suspect's perception about the availability of evidence against him.<sup>10</sup> The PEACE model focuses on “planning, preparing, engaging, explaining, account clarification, closure and evaluation” while the Cognitive Model focuses on Memory and cognition for better retention of information.<sup>11</sup> Hoffman (2005) observed Empathy, Communication and Professionalism as imperative skills for investigating interviewing techniques.<sup>12</sup>

This paper highlights the combination of Forensic Psychological tools such as Polygraph and Investigation Interviewing in an organizational setup for aiding corporate investigations.

### CASE STUDY

An organization having its global presence suffered a major financial loss because of some sort of confidential data theft which was shared with its clients as well as competitors. Such an event directly cost a major financial loss and reputation of the organization. All the confidential information was passed without the use of technology and sent via regular post

office.

Investigations pointed towards a particular person 'A', however, few days later another person 'B' came and confessed to have done this act under the pressure of person 'C'. He further stated that he is extremely guilty for his actions as he did not intend to damage the organization's reputation.

The complications in this case were scrutinized and Forensic Psychological techniques helped in gathering lot of inputs on this matter. After the initial interview with investigating officers, Psychological Profiling and Polygraph Examination was conducted following all the protocols. 'B' came out to be clearly Deceptive on few questions, while 'C' came out Truthful on all the questions. The focus was shifted to 'B', who underwent Investigating Interview for the purpose of further exploration and understanding.

The interview was conducted in 3 phases.

#### **Phase 1: Confrontation:**

This phase focused on minimizing resistance by presenting the report of the Polygraph Report and followed by an open-ended Interview. The open-ended interview was aimed at getting more aspects of the entire case with miniscule details about this entire incident. This interview phase helped in establishing the fact that 'B' was the only person responsible for the entire incident and 'C' was in no way responsible or involved in this incident. This was also supported by the Polygraph report of the individual.

#### **Phase 2: Exploration**

This Phase was exploration phase and the Forensic Psychologist focused on understand the links between 'B' 'A' and 'C' which could give insight into the roots for the cause of this entire incident which led the entire organization to bear loss of crores. This phase of interview helped in revealing the revenge angle that had cropped up.

#### **Phase 3: In-depth Analysis and Closure**

The third phase was the most important

phase as it was this phase that helped in putting all scattered pieces of the puzzle and giving holistic understanding, figuring out modus operandi and motivations by analyzing and linking various psychological behaviors and work environment combined with the Employee's perception and cognition.

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### DISCUSSION

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In many cases, Forensic Psychological techniques can provide vital clues for resolving a crime especially when lack of physical evidence. Polygraph Examination clearly ruled out the involvement of 'C' thus helping the Investigating agencies focus on the involvement of 'B'. Though Polygraph Examination helps in differentiating a Deceptive person from innocent person, it could not help in gathering information on the root cause of a specific event. Helping understand the rationale for a crime occurrence can help further in prevention of similar event. Thus, the investigating interview technique could help in gathering this information. Application of thematic analysis helped in the emergence of ample of data which are discussed here.

The confrontation and exploration threw light on the retaliation and the revenge angle which was not revealed in the initial interviews. The factors such as animosity at workplace, no appreciation, being bullied were discovered. The fact that B was feeling left out, and C was taking all the limelight even for the work done by B was not acceptable to him. Rather than finding a solution to this issue, he tried to get back to C in an inappropriate manner. Walter, Brown and Weidnitzka found retaliation is one of the most important motivations for deviant behaviors.<sup>13</sup> The frustrations faced by the person at workplace are reflected sometimes through deviant behavior. This phase also revealed the friend turned foe angle which further created fire in the heart of B. The fact that someone i.e. 'A' who was extremely closed now hates and makes fun could not be accepted. Further, the fact that 'B' always perceived

himself as a loyal employee and well-wisher of the organization but not getting the deserved recognition or appreciation from his seniors worked as fuel. Failures at workplace increase stress levels and can lead towards deviant behavior. One major factor, which was explored through this interview was that 'B' perceived himself to be harassed by all his co-workers and Managers. He was always laughed upon for his behavior by his colleagues. Though ample of attention has been paid to cyberbullying or children getting bullied, workplace bullying is an area which is completely ignored especially in India.

Further individual factors such as family and personality have positive correlation with deviant behaviors observed through research studies.<sup>14,15</sup> An exploration into B's family history and family interactions revealed lack of conducive social interactions. B did not share good relations with his father or any other relatives. He was always considered as a nerd or a geek. He only shared positive relationship with his mother. He never had any friends and hence he was more hurt by the fact that his only friend A has also turned into rival which was unacceptable at any cost. Further, no marital relations also indicate dysfunctional family interactions. Hirishi's social control theory emphasized the increase in deviant behavior as a determinant of weak social relations of the individual with significant others.<sup>16</sup> A thorough analysis of this case revealed lack of assertiveness, low problem-solving skills as some traits that may have been

negatively influenced the deviant behavior. However, since this was a case study and cannot be generalized to normal population. Risk assessments by Forensic Corporate Psychologist at organizational levels can prove to be helpful especially when there were multiple factors contributing to the deviant behavior.

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#### CONCLUSION

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Forensic psychological techniques is an authentic tool that can be used as an aid to investigation. When analyzing any case from forensic psychological viewpoint and to get holistic understanding of a multiple technique can be used for the purpose of assessment. This would help in identifying truthful responses as well as highlighting the modus operandi as well as the motivation for the crime. Forensic Psychologists can bring out those aspects of a case that technological advances cannot, because human brain is wired differently. **IJFMP**

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*The authors declare that there is no commercial or financial links that could be construed as conflict of interests.*

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