

## SPECIFIC FEATURES OF COMMUNICATING WITH PERSONS OF DELINQUENT BEHAVIOR

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**Abstract.** *The article analyses the peculiarities of communication with delinquent persons. Delinquent behaviour is a violation of social, moral and legal norms, which is most often characteristic of minors. Previous works of researchers have addressed the problem of juvenile delinquency, its causes, possibilities of prevention, and have examined interrogations conducted by pre-trial investigators with juveniles. The current relevance of the article is determined by the changes in the provisions of the Criminal Procedure Code on the procedure for conducting interrogations with minors, as well as the growing and developing system of protection of children's rights in Lithuania. Therefore, the object of this study is the tactical methods used in the questioning process when communicating with a delinquent person and the aim is to distinguish the appropriate tactical methods of questioning when questioning a minor with delinquent behaviour in administrative and criminal proceedings. The survey found that most police officers agree that interrogations with juvenile delinquents are more difficult than with adults. Furthermore, in the light of the results of the study, it is recommended to define the exact functions and powers of the representative of the State Office for Protection of Child Rights and Adoption (hereinafter referred to SOPCRA) during the interrogation of a minor, and to establish at the level of the law the cases in which the person conducting the interrogation should invite the representative of the SOPCRA to interrogation a suspect who is underage. In addition, the law should provide for the place where the interrogation of a minor suspect is to take place in order to safeguard the rights and legitimate interests of the child.*

**Keywords:** *interrogation, communication, delinquent behavior, teenagers.*

### Introduction

Communication is an important everyday social activity, as we communicate every day in order to satisfy our social needs, such as self-actualisation, feelings of attachment, the need to belong to a group of people, a community, etc. (Lekavičienė and Antinienė 2019). However, the goals of communication are not always limited to the satisfaction of social needs. For most professions, communication becomes a permanent and indispensable tool for the proper and efficient performance of their duties. One of these professions is pre-trial investigation officers, who often have to conduct interrogations in order to carry out their duties of detecting criminal offences quickly and thoroughly Code of Criminal Procedure (hereinafter CCP).

Pre-trial investigators have to deal with victims and witnesses as well as suspects. The latter are the most procedural and practical problems due to their unique procedural position in criminal proceedings. Even more problems arise when the suspect is a minor, as the procedure for interrogating minors is specific and has particularities which are set out in the CPC and other legislation. Moreover, when dealing with a delinquent minor, it is important for the officer to take into account the minor's psychological and social maturity and to choose the

interrogation tactics accordingly, which will lead to a successful investigation and will not harm the minor's psyche and his/her further behaviour.

Pre-trial investigation officers, when conducting interrogations and other necessary procedural steps with juvenile delinquents, must use their knowledge, skills and experience to ensure that the juvenile is not only punished for the criminal offence or misdemeanour, but also to help him or her to understand the reasons for his or her behaviour and to prevent delinquent behaviour. It is also necessary to take into account the fact that the minor is a specific participant in criminal/administrative proceedings due to his/her social and psychological maturity, which means that he/she is not always able to understand his/her rights and to exercise them. Therefore, it is very important for pre-trial investigation officers dealing with delinquent minors to ensure a safe atmosphere and maintain professionalism during interrogations (On Ensuring the Rights and Legitimate Interests of the Child in Administrative Proceedings 2016).

Juvenile delinquency has always been a sensitive and topical social issue. Laurinaitytė (2020), Sakalauskas (2011), Sakalauskas, Kalpokas et al. (2021, 2022), Justickaja (2011, 2015), and others. The literature has extensively and comprehensively addressed the causes of delinquency, its manifestation through violations of the law, and has paid considerable attention to the prevention of juvenile delinquency. It should be noted that the topic of the peculiarities of communication with delinquents has not been as extensively addressed. At the theoretical level, the specific nature of interrogations with minors is clear, but at the legal level there is no specific distinction between the procedure for conducting interrogations with an adult and a juvenile suspect. Although the authors provide methodological recommendations on how to interact with minors during interrogations, it should be noted that the scientific literature focuses more on the tactics and psychological recommendations for interrogating witnesses and juvenile victims than on the interrogation of suspects (Kavoliūnaitė-Ragauskienė 2016). It is important to note that even the recommendations of the Prosecutor General only take into account the tactics of interrogating a minor witness and victim (On the Approval of the Recommendations on the Interrogating of a Minor Witness and Victim 2009). It is understood that juvenile suspects are interrogated using the same tactics as adult suspects.

The article **object** is the tactical techniques and procedural rules used communicating with delinquent persons

The **aim** of the article is to highlight the peculiarities of communication with delinquents during interrogations.

To achieve this goal the following **tasks** are set:

1. To discuss the concept of delinquency.
2. To review the concept of interrogation and the procedural and tactical rules of interrogation of juvenile suspects.
3. To highlight the tactical and procedural difficulties of interrogating juveniles and their causes, following a questionnaire survey of police investigators.

**Methods** used:

1. Analytical - national legislation, scientific literature were analysed.
2. Empirical research - a survey (questionnaire survey) - aimed at interrogating police investigators in order to clarify the difficulties encountered in practice when interrogating juvenile suspects.

## Concept of delinquency

The concept of delinquency is formulated differently in both Lithuanian and foreign scientific literature, and there is no single precise definition to describe this phenomenon.

However, the authors who deal with the problem of delinquency (Sakalauskas et al. 2021, Žukauskienė 2006, Ch. A. Mallett and M. F. Tedor 2019, Terence P. Thornberry (1997), and others) agree that delinquency is mostly confined to minors. The Dictionary of Psychology (2013) offers succinct definitions of delinquency and delinquent: delinquency - juvenile delinquency. Delinquent - a criminal, lawbreaker (usually a teenager). These definitions, albeit brief, reveal the nature of delinquency - criminal behaviour that violates legal norms - and identify the subject of such behaviour - the adolescent.

Sakalauskas (2013) takes a slightly broader view, describing delinquent behaviour as behaviour of young people that deviates from established norms. The author also stresses that such behaviour is not necessarily only a violation of the law, but can also be an act that does not constitute a criminal offence, such as skipping school. However, delinquent behaviour can also coincide with a breach of the law. Often, minors commit acts that are illegal because of their age. It is behaviour that is illegal only because the person who commits it is a minor. Actions such as breaking alcohol limits, running away from home, disobeying parents, skipping school can be considered illegal only for minors (Mallett and Tedor 2019).

According to Žukauskienė (2006), delinquent behaviour is a psychological tendency to violate existing behavioural norms. She distinguishes between two forms of delinquency: committing crimes and breaking the law. The latter can be described in this context as experimental behaviour, which is typical of almost all young people under the age of 18 and is not dangerous to society. The author also refers to this form of delinquency as a violation of social and moral norms, such as confrontational behaviour, running away from home, disobedience, etc. Sakalauskas et al. (2021) divide these forms of delinquency according to the degree of seriousness: the most serious form is criminal behaviour (offences described in the Criminal Code (CC) and the mild and most frequent form among minors is administrative offences (offences described in the Code of Administrative Offences (CAOOA)).

As mentioned above, authors explain delinquent behaviour not only in terms of violations of legal norms, but also in terms of violations of moral and social norms. Morizot and Kazemian (2015) distinguish four categories that show the diversity of delinquent behaviour. Two of them refer to violations of legal norms: covert (theft, fraud) and overt delinquency (violent crimes, vandalism, etc.). The other two categories reflect violations of social norms: reckless behaviour (risky sexual behaviour, gambling) and conflicts with authority (conflicts at school, with parents, etc.) (Morizot & Kazemian, 2015). Parents, social workers and educators need to work with adolescents with emotional difficulties, who are prone to conflicts at school, angry outbursts and persistent violations of social rules. In order to effectively deal with mild delinquency, it is necessary to have complex knowledge, to understand the problems of adolescents and to help them (Barkauskiene and Zacharevičienė 2019). When adolescents violate the rights of other persons or values protected by rights, in addition to all of the above-mentioned persons, law enforcement officials are also involved in the complex assistance of the minor. It is not only their duty to punish the minor, but also to help him/her to change his/her behaviour and to prevent him/her from committing new offences (Art. 42 of the CAOAA).

The scientific literature does not precisely define the age at which delinquency is most likely to occur in minors. According to Terence P. Thornberry (1997), delinquent behaviour in childhood is not common. The onset of delinquency and criminal behaviour occurs in late childhood and early adolescence, approximately between the ages of ten and fourteen. Involvement in criminal behaviour peaks in late adolescence, around 16 to 17 years of age. Thereafter, the incidence of criminal behaviour decreases after the age of 20. The risk of re-offending increases when a juvenile starts committing his/her first offences at a very young age

(Jung and Rawana 1999). The definition of 'very young age' is not defined, but it is suggested that it could be younger than the usual age of onset of delinquency: that is, less than 10 years.

Most minors "grow out" of delinquent behaviour. Only a very small proportion become "chronic offenders". Foreign authors (Steinberg and Cauffman 1996; Brezina 2000; Laub and Samson 2001; Steinberg 2010) who have studied the problem of delinquency have identified several reasons for this 'outgrowth' of delinquency: firstly, as a person matures socially, he or she finds a stable job, a partner, starts a family, and there is no more time to engage in criminal or socially unacceptable behaviour (Laub and Samson 2001). Moreover, as individuals reach adulthood, they start to realise that they are now responsible for their own actions and are more aware of the risks that come with committing offences. During adolescence, due to incomplete maturity, the individual is unable to fully control his or her behaviour and is more prone to impulsivity (Steinberg 2010). It is also associated with a greater sense of responsibility and increased self-control (Steinberg and Cauffman 1996; Brezina 2000).

In summary, delinquency is a characteristic of juvenile delinquency, and it tends to disappear after adulthood, when the individual's attitude changes as he or she matures. Delinquency is not only manifested in violations of social and moral norms, but delinquent adolescents often tend to violate legal norms, most often in the form of administrative offences, but there are also records of criminal offences.

### **Concept and tactic of the interrogation**

In forensic terms, an interrogation is a communication between an interrogator (pre-trial investigation officer, judge, court, prosecutor, etc.) and a person being interrogated, with the aim of collecting, recording or verifying information useful for the interrogator. Interrogation is described as a "special process of verbal communication" due to its non-routine nature and its unique communicative goals and objectives (Kurapka et al. 2013). The effectiveness of interrogation as one of the ways of establishing the truth depends on the professionalism of the investigator and the observance of the legal norms on interrogation procedures. Since it is one of the most frequently performed actions in pre-trial investigations or court proceedings, it is important to conduct interrogation responsibly, to choose tactical methods and techniques in a targeted manner, as all the testimonies given by the interrogator will determine the further course of the case (Ancelis et al. 2011).

The Lithuanian Law on Criminal Procedure does not explain the concept of interrogation. However, the Code of Criminal Procedure (CCP) specifies the rules for conducting interrogation of witnesses (Article 183 of the CCP), victims (Article 185 of the CCP), witnesses and victims who are minors (Article 186 of the CCP), and suspects (Article 188 of the CCP), as well as the objectives of the interrogations, which reveal the content and substance of the interrogation. It may be assumed from the provisions of criminal procedure law that an interrogation is a procedural investigative act during which the rights and obligations of the interrogated person are explained to the interrogator (irrespective of the i interrogated person's procedural position) by the pre-trial investigation officer, the public prosecutor or, in accordance with the procedure laid down in the Code of Criminal Procedure, other entities and the interrogated person are invited to tell about the circumstances of the incident known to him or her and to record the circumstances of the event in an interrogation report. Thus, both in the forensic literature and in the law, the purpose of the interrogation is the same: to clarify, in accordance with the legal provisions, all the circumstances of the event that are relevant to the investigation.

A minor, regardless of his or her procedural status in criminal or administrative proceedings, is uniquely protected by the law against adverse psychological effects and possible violation of human rights. The law provides the minor with additional procedural safeguards throughout the legal process and during individual investigative steps, including questioning, due to his/her young age and greater vulnerability. This is also enshrined in the Declaration on the Rights of the Child, which states that "the child, in view of his or her physical and mental immaturity, is in need of special protection and care, including appropriate legal protection, both before and after birth". Additional procedural safeguards for a minor suspect are regulated by the provisions of the CPC. These include the presence of a legal representative, the necessary presence of a defence counsel, and the possibility for a psychologist and/or a representative of the State authority for the protection of the rights of the child to be present during the interrogation. All these procedural guarantees must ensure the smooth running of the proceedings and protect the minor from the adverse effects of the legal process and from the violation of his/her rights and legitimate interests.

Article 45 (1) of the Law on the Protection of the Rights of the Child of the Republic of Lithuania states that "a child who has infringed a right shall be treated with care, diligence, fairness and respect at all stages of the process of application of legal responsibility, taking into account his or her age and level of maturity, with particular attention being paid to the assessment of the needs of the child, and to the protection of his or her rights and legitimate interests". Thus, notwithstanding the fact that the minor has violated the values protected by the law, he or she must be treated and interacted with in the same way as any other party to the proceedings. A suspect, regardless of his age, is characterised by fear and anxiety about the outcome of a case that is unfavourable to him, as well as hostility and mistrust towards other participants in the proceedings, especially law enforcement officials. The suspect is often inclined to lie in order to avoid responsibility and to give false testimony. Although it is sometimes easier to detect lies by minors than by adults (Edelstein, Robin. S. 2006), it is still important to prepare properly for the interrogation in order to prevent lies and contradictions between the testimony and the facts of the case. With juvenile offenders, this first stage of the interrogation is perhaps the most important, as the preparation of the interrogator will determine the psychological state of the juvenile during the interrogation and his/her willingness to cooperate. In order to gauge the direction of the interrogation and to reduce the interviewee's stress, it is important for the officer to try to establish a psychological rapport with the juvenile. This can be done by enquiring about the minor's hobbies, interests and areas of interest, thus maintaining a neutral conversation (Grigutytė et al. 2006). Already at the preparatory stage, the officer should, without prejudice to human rights, collect information about the minor's family and their relationships, as well as about the child's social life - friends, hobbies. A profile of the child can be requested from the educational institution, information on the child's behaviour at school, his/her achievements or failures can be gathered (Burda and Kuklianskis 2007). Such preparation allows the officer to get to know the interviewee better and think about questions that would encourage an informal, tension-relieving conversation.

In the preparatory stage, it is necessary not only to study the case, the characteristics of the offender, his environment, but also to consider the place of interrogation. A comfortable environment helps to establish a better psychological connection with the minor suspect and effectively implement the purpose of interrogation – to obtain accurate, informative and correct testimony (Grigutytė et al. 2006). Article 45, paragraph 2 of the Law of the Republic of Lithuania on the Fundamentals of the Protection of the Rights of the Child states that all procedural actions regarding a child who has violated the law shall be carried out in a child-friendly physical environment. What constitutes a friendly environment is not specified in the



law, but the forensic literature recommends choosing a place of interrogation that would not cause stress to the minor (regardless of his procedural status), that is, choosing a less formal environment – this could be school, home or other places that give the minor a sense of security. However, such places can have a negative impact on the minor suspect, since a conversation with police officers in front of other people can cause shame and humiliation (Child Rights Ombudsman Office 2016). Therefore, the best solution is children's interrogation rooms. They maintain formality, but at the same time create a cozy, friendly environment (Juškevičiūtė et al. 2014). Article 186 the part 2 of the Criminal Procedure Code imperatively states that minor victims and witnesses must be questioned in rooms adapted for children, but the law does not provide for a specialized interrogation room for a minor suspect. However, it would be appropriate to question a minor suspect at least in another free office in the case when the interrogator works in the same room with several other investigators. This would ensure and protect the minor's privacy, provide security and courage to tell about the circumstances of the incident. According to the European Commission's review of the legal process for children involved in crime (2014), it is noteworthy that countries such as Cyprus, Ireland, Latvia, the Netherlands, Poland, Sweden and part of the United Kingdom have interrogation rooms for minor suspects that are adapted to the needs and legal interests of the suspects.

After completing the informal conversation with the offender, it is necessary to move on to the circumstances relevant to the investigation. Even before conducting the interrogation of the suspect, the interrogating officer must always familiarize him with article 21 the part 4 of the Code of Criminal Procedure. The rights of the suspect are specified, which also include the right to have a lawyer from the moment of detention or the first interrogation, the right to testify or remain silent and (or) refuse to testify about his own possible criminal act, etc. As in the interrogation of adult suspects, it is very important to present and explain to the minor his rights and obligations as a suspect. However, a minor, due to his young age and lack of maturity, may not properly understand the content of his rights. Subjects interrogating a minor suspect must adapt the questions to suit their age, social maturity, and mental abilities. The Supreme Court of Lithuania (2022) has explained that social maturity is revealed through abilities, attitude towards the rules accepted by society and their assessment, perception of causality, self-control. All these things must be assessed by the police investigator at the preparatory stage of the interrogation and/or during an informal conversation, in order to avoid asking overly complex, confusing questions to the minor. Taking into account the characteristics of the minor's personality, questions must be asked avoiding legal definitions, long, complex sentences. It is also not advisable to formulate the question in several parts, that is, one specific question must be asked at a time. It is very important to give the interviewee the opportunity to give testimony in a free form, to let him tell everything he knows about the event, to listen to him patiently and in no case to interrupt him or try to move on to another topic before he has finished telling (International Association of Chiefs of Police 2012). The tone chosen by the interrogating officer when communicating with the delinquent is also a significant factor. A threatening, raised voice can cause pressure and fear, so the interrogation should be conducted in a calm, non-judgmental tone, in order to create a sincere, open atmosphere (Burda and Kuklianskis 2007, 219). When communicating with a delinquent minor, false promises or threats should not be made during the interrogation. For example, the interviewee should not be promised that if he confesses to having committed a criminal act or misdemeanour, the officer will do everything so that the minor does not have to answer for it. Otherwise, the minor may confess to things he did not do. Due to his young age and immaturity, the minor is much more vulnerable, it is more difficult to resist pressure from adults. Also, a minor is less oriented towards the future consequences of his actions, unlike an adult (Steinberg and Scott 2003). Due

to external factors and incomplete maturity, the interviewee cannot make the right decisions regarding himself, therefore it is necessary to ensure that during the interrogation the minor experiences as little pressure and negative influence on his decisions as possible.

Thus, it can be stated that in order to ensure the effectiveness of this procedural action, responsible and purposeful preparation, professionalism of the subject conducting the interrogation, and knowledge of the basics of child psychology are required. Due to the exceptional vulnerability of a minor suspect, before interrogating a minor offender, the officer must inquire about the child's close environment, relationships with them, and interests in order to prepare for the establishment of a psychological connection during future contact. Throughout the interrogation, the officer must try to maintain the established connection, not to provide opportunities for the child to withdraw, fear, or even violate his legitimate interests.

## Tactical and procedural difficulties in interrogation of juveniles and their causes

### Research methodology, sample and instrument

A quantitative study was conducted to determine the most commonly used interrogation tactics by Lithuanian police investigators, compliance with procedural rules/recommendations, and the very characteristics of communication with delinquent minors during legal proceedings. The study was prepared using the survey method. Respondents to the questionnaire survey were Lithuanian county police investigators who had interrogated a minor at least once during their work experience during a pre-trial investigation or when investigating an administrative offence. A non-probability sampling sample was selected for the questionnaire survey. The selected non-probability sampling type was purposive sampling, during which the authors relied on certain sampling criteria (competence, experience) (Rupšienė, 2007, 19).

Sample selection criteria:

1. Police investigators working in Lithuania;
2. Only those investigators who, while conducting pre-trial investigations or investigating administrative offense cases, have at least once in their work experience interrogated a minor as a suspect in a case.

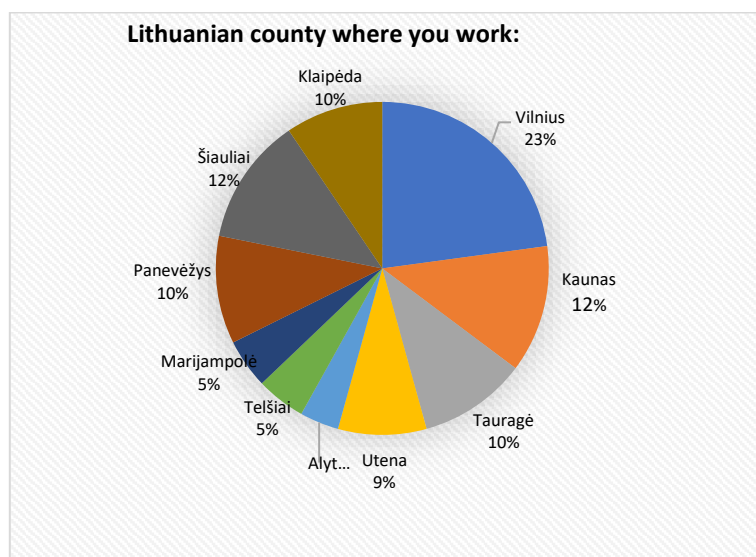


Figure 1. Distribution of respondents by Lithuanian counties, percent.

During the questionnaire survey, responses from 105 respondents were collected. Of these, 59% were women, the remaining 41% were men. The survey was attended by police investigators from Vilnius, Kaunas, Klaipėda, Šiauliai, Panevėžys, Marijampolė, Tauragė, Telšiai, Alytus and Utena county police stations (Fig. 1)

The activity of respondents was unevenly distributed - most of the respondents were from the largest counties of Lithuania (Vilnius, Kaunas, Klaipėda, Šiauliai and Panevėžys), as well as Tauragė. The largest number of respondents in the survey were investigators with the longest work experience, i.e. more than 20 years. (36.2 %), 28.6 % of investigators with 11–20 years of experience participated in the survey, 21 % with 5–10 years, and the fewest respondents were police investigators with the shortest work experience, i.e. 14.3 %.

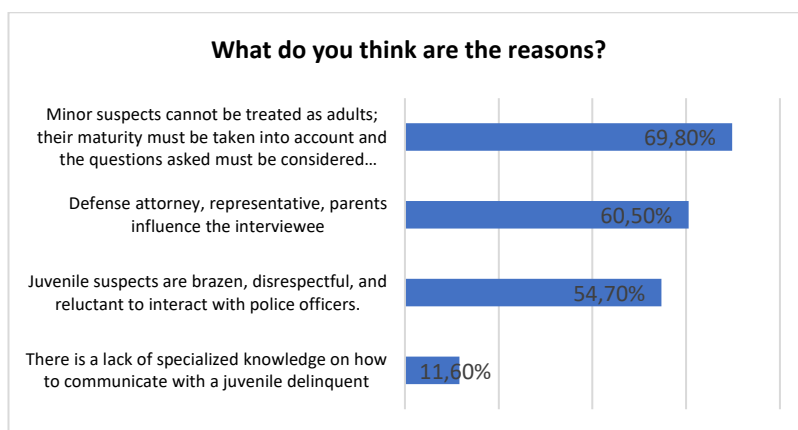
The questionnaire survey consisted of 19 questions, which could be divided into 4 blocks: demographic-social questions (1–3), questions revealing the experience of police investigators in interrogating juvenile suspects (4–7); questions reflecting the participation of police investigators in professional training related to communication with delinquent juveniles (8–11); questions reflecting compliance with procedural recommendations for interrogation and the choice of tactical interrogation methods in interrogations with juvenile suspects (12–20).

### **Police investigators' experience in interrogating offenders**

In order to find out the experience of police investigators in interrogating delinquents, the first question was asked: “In your opinion, is it more difficult to interrogation a minor suspect than an adult suspect?”, to which the majority of respondents (76.2%) answered positively. A small part of the study participants (14.3%) indicated that there is no difference between interrogating a minor and an adult. In the opinion of the remaining respondents, interrogating a minor suspect is not more difficult than an adult (7.6%) or they have no opinion on this research question (1.9%). It is noteworthy that more respondents who answered positively are police investigators with more work experience. The results obtained can be partly explained by the fact that police investigators with more experience have interacted with individuals with delinquent behaviour more times, and therefore have seen more different situations and investigated more complex cases, during which different tactical methods had to be used when interrogating minor suspects. In addition, police investigators, due to their greater work experience, are more familiar with the procedural procedure for questioning juvenile suspects, and therefore better understand the difficulties arising from this. This distribution of respondents could also be due to the fact that slightly more police investigators with greater work experience participated in the study itself. Nevertheless, it is obvious that the vast majority of study participants, regardless of their work experience, find it more difficult to question juvenile suspects than adults.

Those respondents who indicated that it is more difficult to question juvenile suspects were asked to indicate the reasons for the difficulty of such interrogations (Figure 2).





**Figure 2. Respondents' answers about the reasons for the complexity of interrogations, percent.**

Most of the study participants (69.8%) agree that juvenile suspects are specific participants in the legal process and that communication with them during interrogations is different. In the opinion of police investigators, interrogations of juvenile delinquents are complicated by the fact that the questions asked need to be carefully thought out and adapted to the age, maturity, and perception of the interviewee. A slightly smaller proportion of respondents (60.5%) also chose an answer based on the influence of other persons participating in the interrogation on the interviewee. The negative behavior and reclusiveness of juveniles during the interrogations appeared to 54.7% of the respondents as one of the factors determining the complexity of interrogations of delinquents. The smallest part of the responses (11.6%) was the problem of knowledge about interrogations of delinquents.

Respondents could also write their own answer to this question. Several respondents shared what, in their opinion, determines the complexity of questioning delinquents: "Questioning a minor requires the participation of other participants specified in the Criminal Procedure Code of the Republic of Lithuania in the questioning and special equipment (video and audio recording), therefore planning the questioning is more complicated than a regular questioning"; "Children's rights specialists who defend insufferable minors interfere"; "More procedural requirements"; "There are more procedural rules that need to be remembered and strictly followed."

Another reason why it may be difficult to interrogation a minor is that, according to the majority of respondents (61.9%), minors lie more than adults and it is more difficult to extract the truth from them. However, according to 19% of respondents, minor suspects often confess themselves or are easier to influence to tell the truth than adults. The same number of respondents have no opinion on this issue. It should be added that influencing a minor to tell the truth can only be done by choosing the right tactical methods: some police investigators prefer to observe body language, others try to establish a psychological connection, ask appropriate questions.

Summarizing the results of these questions, it can be stated that the most important reasons determining the complexity of conducting interrogations with delinquents are: the need to assess the maturity of the delinquent and consider the questions (choice of tactical methods), compliance with additional procedural rules/recommendations, the influence of parents/guardians, and defense attorneys during the interrogations, and the fact that minors, according to respondents, are more likely to lie.

## The benefits of professional training on interrogating juvenile suspects for police investigators

In a survey of officers conducted by the National Audit Office in 2021 on the relevance of all training courses and the use of knowledge in practice, only 15 percent of officers responded that more than 80 percent of the knowledge was applicable. Officers also stated that the training consists of “unnecessary theory” and is of a universal nature, without taking into account the nature of the specific work (State Audit Report 2021). Therefore, respondents were asked whether they had had the opportunity to participate in training courses designed to acquire knowledge about the effective conduct of interrogations of minor suspects and the peculiarities of communication with delinquent minors? Slightly more than half (57.1%) of the respondents responded that they had participated in professional training of this type, while the remaining part (42.9%) indicated that they had not had the opportunity to participate in such training courses. The majority (71.4%) of respondents who participated in the training courses responded that the training helped them understand how to communicate with delinquent persons and how to properly conduct their interrogations. Only 28.6% of respondents found the training useless and unimplementable in practice.

In the survey, the participants were asked to briefly share what they learned from the training when conducting interrogations with minors suspected of committing a criminal act or administrative offense (Table 1).

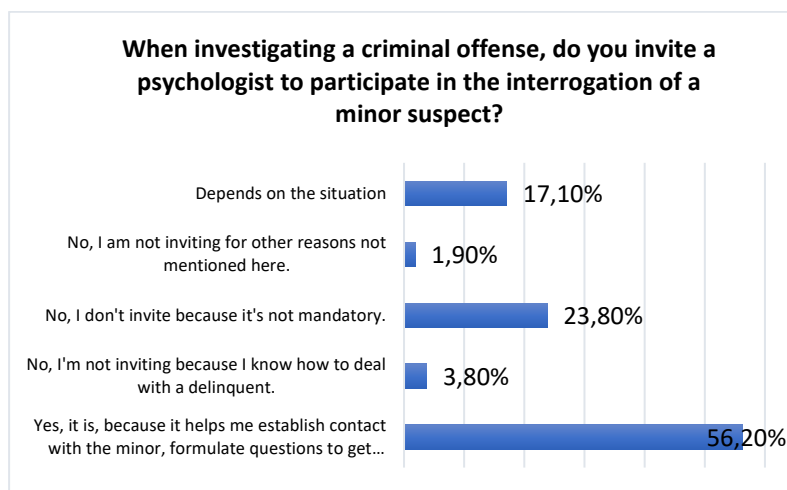
**Table 1. Respondents' answers about the knowledge acquired during the training**

<i>How to communicate with minors and gain their trust.</i>
<i>Survey tactics.</i>
<i>Principles and methods of starting a conversation.</i>
<i>The training was useful in that I gained skills in conducting interrogation with minors with various disorders, such as a minor who stutters.</i>
<i>Establishing contact with a minor, the specifics of the questions asked to the minor, understanding the answers provided by the minor, etc.</i>
<i>How to properly conduct a survey, what questions are best to ask and which ones to avoid, etc.</i>
<i>Establishing psychological contact.</i>
<i>Which participants in the process must participate and which can only participate. Formulation of questions to be asked to the minor.</i>
<i>The essential thing learned through years of training is to ask the right questions to a person and read body language.</i>
<i>Competency training helped to understand the subtleties of juvenile behavior.</i>
<i>General rules for interrogations with minors, but the training was more aimed at minor victims and witnesses.</i>
<i>Recognition and assessment of behavior and personality, the ability to choose the appropriate method of questioning and communication.</i>
<i>Child psychology, how to communicate with minors in general, what impact the legal process has on the child, etc.</i>

As can be seen from the responses, mainly during the training, police investigators learned the features of communication with minors, learned about their psychology, and the subtleties of behaviour. In addition, the training was useful for knowledge about the features of formulating questions when interrogating a minor, and establishing a psychological connection. It is important to note that the training focused more on how to communicate with a minor victim or witness than with a suspect. Given this, it is likely that most of the interrogation tactics intended for interrogating minor witnesses or victims may also be suitable for interrogating minor suspects, depending on the situation.

## Compliance with procedural rules (recommendations) and choice of tactical methods in interrogations of juvenile suspects

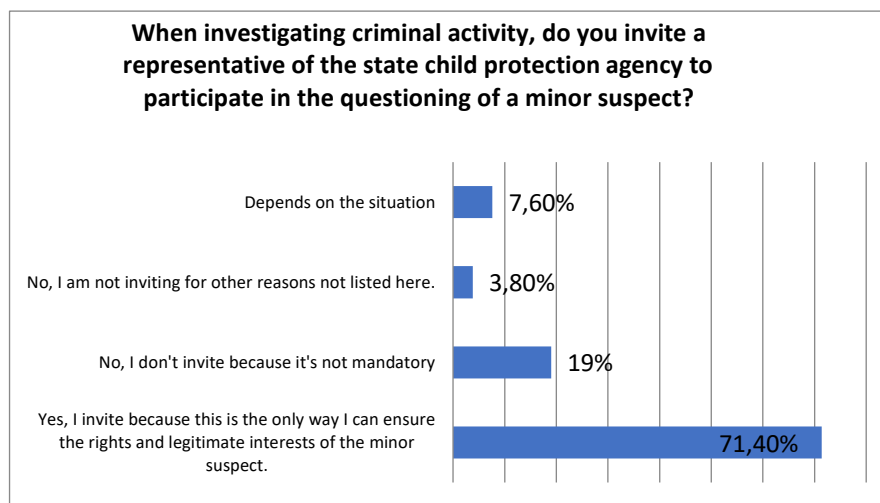
The survey participants were asked, “When investigating a criminal offense, do you invite a psychologist to participate in the interrogation of a minor suspect?” (Figure 3). The respondents could select several appropriate options.



**Figure 3. Respondents' responses regarding the invitation of a psychologist to participate in the interrogation of a minor suspect**

The data in this figure show that more than half of the respondents (56.2%) follow the procedural recommendations that were indicated in the theoretical part and invite a psychologist to participate in the interrogation. However, 23.8% of the police investigators who participated in the survey indicate that they do not invite a psychologist because it is not required by law. A smaller part (19%) of the respondents indicates that they invite a psychologist depending on the situation or do not invite him for other reasons not mentioned in the questionnaire survey. The smallest part of the responses (3.8%) was made up of respondents who do not see the necessity of a psychologist's participation in the interrogation of an offender. Some of the respondents provided their answers as to the reasons why they do not invite a psychologist to participate in the interrogation: "because the parents are involved", "because they may negatively influence the interrogation", "the psychologist does not know the circumstances of the investigation, in many cases his participation is formal, the interests of the suspected minor are ensured by the defense lawyer". Another part of the respondents shared the situations in which they call for a psychologist: "maturity, perception, each situation is different", "I only use a psychologist when it is impossible to establish contact with a minor", "I only call in if the criminal act is serious, there are many unclear circumstances, the child is not open", "it depends on the complexity of the committed activity, other circumstances, the maturity of the suspect, and willingness to cooperate".

Very similar data were obtained when respondents were asked about the participation of a state child protection representative (Figure 4).



**Figure 4. Respondents' answers regarding the invitation of a state child protection representative to participate in the interrogation of a minor suspect**

Respondents provided their answers as to why they do not invite a representative of the state child protection agency to the interrogation of a delinquent or in what situations they invite him/her: “the process takes so long, the more people, the more difficult it is to agree on a deadline. Besides, they are only there for the sake of appearance”, “they are not invited if the parents as legal representatives agree and willingly participate in the process”, “participation is formal”, “I do not invite them because the invitation procedure is complicated and takes time”. These respondents’ answers confirm the problem of ineffective participation of representatives of SOPCRA in the interrogation of a minor, analyzed in the theoretical part.

The same answer options were given when asked about inviting specialists to participate in a survey when investigating an administrative offense case. The answer options were distributed somewhat differently: the majority (41%) indicated that they do not invite them, because this is not mandatory. Slightly fewer (32.4%) believe that a psychologist and/or a child rights protection representative is necessary when conducting a survey in an administrative process. The remaining 28.5% of respondents chose not to invite them or invite them, depending on the situation. In addition to the options provided in the survey, 4 respondents indicated that they do not investigate administrative offense cases, therefore they do not know how surveys are conducted during this study. Another part of the respondents shared their answer options: “one of the parents must participate in the administrative investigation of a minor's offense, therefore, a psychologist or child rights representative is not needed in this case”, “I only invite them when I see that they will not come out to talk to the minor”, “there is a lack of human resources”, “I do not invite them because the administrative process is often simpler and does not have any impact on the minor suspect”. After analyzing the respondents' answers, it can be hypothesized that most police investigators do not invite specialists to participate in an administrative offense case for two main reasons: 1) the investigation of an administrative offense is simpler than in a criminal case, therefore the minor is less likely to experience negative experiences 2) excessive time and financial costs.

To the question “How do you assess cooperation with specialists in the interrogation?” more than half (57.3%) of the respondents answered positively, the other part (42.7%) indicated that it is difficult to quickly call a specialist to participate in the interrogation, which affects the efficiency of the interrogation. In addition to the answer options provided in the questionnaire,

the respondents also provided their own answers: “the participation of child rights protection specialists is zero”, “if a psychologist is involved, representatives of the SOPCRA are not needed at all”, “it is easy to call them, but their participation is a hindrance”.

The respondents were asked about the influence of a legal representative and a defense attorney on the effectiveness of the interrogation of a minor suspect. The most common answers given by the respondents are presented in Table 2.

**Table 2. Respondents' opinions on the influence of parents/guardians and/or a lawyer on the effectiveness of the interrogation**

POSITIVE INFLUENCE	NEGATIVE INFLUENCE
<i>Controls the course of the interrogation, ensures the interests of the child</i>	<i>They have already decided in advance what and how to say to the minor, even though the minor is not in the same room with them during the interrogation.</i>
<i>Maybe a kind of shame from other adults' legal representatives or a defender for the violation committed, as a prevention not to behave like that again</i>	<i>Rarely has a positive impact on the effectiveness of the survey. Often, the more participants, the more closed off the minor is</i>
<i>It depends on the situation, sometimes disciplining a minor helps to clarify all the circumstances, and sometimes they are not open and keep quiet about certain circumstances as a representative under the law.</i>	<i>The child may have difficulty answering questions.</i>
<i>Often, parents influence a minor, as a result of which he is afraid to tell all the circumstances, but there are certainly cases when parents encourage the child, tell him to be honest. It depends a lot on the situation.</i>	<i>The minor is competing and does not always provide complete information.</i>
<i>Protection from unnecessary exposure, both for the minor and the researcher</i>	<i>The child feels more closed off around his parents, does not tell the investigator everything because he is probably afraid or ashamed, and the lawyer has no influence on the effectiveness of the interrogation.</i>
<i>Defends his interests</i>	<i>I think that sometimes minors would open up more alone than in front of their parents or a defense attorney.</i>
<i>Gives the minor a sense of security</i>	<i>Parents often defend their child, they don't want him to tell everything, some of the investigator's questions are too strict according to the parents, so you have to maneuver a lot between how you question a minor and ensuring that everything is investigated correctly.</i>
<i>It is more effective because with the participation of several people, not only does the minor behave more respectfully towards the investigator, but the interrogation itself also passes faster.</i>	<i>Interferes with the interrogation. Often minors themselves ask that their parents not participate.</i>
<i>The child feels safe.</i>	<i>Parents most often do not believe the child's violation and try to deny the fact, and then the child gives false testimony.</i>
<i>&lt;...&gt; however, there are certainly cases when parents help officers by disciplining a minor and telling them not to lie.</i>	<i>On the one hand, the minor feels safer, on the other hand, when parents are involved, you sometimes focus more on procedural matters than on questions aimed at clarifying the criminal act.</i>
<i>The defense attorney has a positive influence, i.e. helps the minor to tell all the circumstances, &lt;...&gt;</i>	<i>Parents from antisocial families usually put pressure on their child during interrogations, turning them against the officer.</i>



Of these, more than half (63.4%) noted that parents/guardians and/or a defense attorney have a negative impact on the effectiveness of questioning a juvenile delinquent. However, it is noteworthy that more respondents emphasized the negative impact of parents/guardians than of a defense attorney. A smaller proportion (17.8%) of police investigators participating in the study believe that everything depends on the parents' relationship with the child and the parents' awareness. Slightly more than a tenth (11.9%) of respondents indicated that third parties have absolutely no influence on the questioning. The smallest proportion (6.9%) of study participants chose the position that parents/guardians and a defence attorney have a positive impact on the effectiveness of the questioning. These results confirm the negative impact of parents/guardians on the effectiveness of the questioning discussed in the theoretical part - very often, parents/guardians, participating in the questioning of a juvenile suspect, defend their child, do not allow him to tell all the circumstances known to him, or the child is ashamed or afraid to tell his parents about them.

In addition to questions about compliance with procedural rules and the difficulties arising from them, the survey participants were also asked a question about the choice of tactical methods in interrogations of juvenile suspects (Table 3). Respondents could select several appropriate options.

**Table 3. Distribution of respondents' answers according to the interrogation tactics they choose when interrogating juvenile suspects**

Before the interrogation, I inquire about the minor's social life; relationships with relatives	64,8%
Before the interrogation, I make a plan, formulate and carefully consider the questions I will ask the minor.	67,6%
I try to establish a psychological connection with him, i.e., before conducting the survey, I will ask about his hobbies, areas of interest, etc.	56,2%
During the interrogation, I avoid legal concepts, long sentences that are incomprehensible to a teenager.	68,6%
I avoid making promises or threats during the interrogation.	43,8%
I maintain a calm, non-judgmental tone of voice.	63,8%
Before starting the interrogation, I take enough time to explain his rights and ask him to describe them in his own words.	32,4%
I put psychological pressure on the interviewee if I suspect that the interviewee is lying.	8,6%
I observe a minor's body language and from that I can/learn to decide whether the minor is lying.	58,1%
I avoid conducting the survey at school, in a club, or in another public place.	42,9%
During or after the interrogation, I allocate time for an informal conversation with the minor about the consequences and reasons for the act committed, in order to prevent further offenses by the interviewee.	32,4%

Most of the interrogation tactics discussed in the theoretical part of this article are used by police investigators. However, there are also mentioned tactics that are not so often used in interrogations of minor suspects. For example, less than half (43.8%) of police investigators answered that they avoid promising or threatening something during interrogation. According to the study, only 32.4% of respondents explain their rights to the interrogated person in detail and ask them to describe them in their own words. It can be assumed that each police investigator, having assessed the situation and the maturity of the minor, determines that the interrogated person is mature enough to understand the content of their rights, and therefore does not spend much time on this procedural formality. In addition, participating representatives under the law or a defence attorney can help the child exercise their rights.

However, it is important to note that before conducting an interrogation, the investigator must assess the minor's ability to understand their rights, since regardless of the participation of the representatives, the minor suspect is an independent participant in the process who has the inherent right to realize his or her rights and duties. Slightly more than half (58.1%) of the survey participants rely on the body language of the minor and judge the insincerity of the minor from it. The last answer option provided was intended to assess the preventive function performed by police investigators during interrogations. A small part of the respondents (32.4%) devote sufficient time to an informal conversation about the consequences and reasons for the minor's actions, in order to prevent further offenses by the interviewee.

Thus, summarizing the results of the study, it can be stated that most police investigators have difficulties in questioning minor suspects. The most frequently mentioned reasons are: more procedural rules/recommendations and negative influence of parents/guardians on the effectiveness of the questioning. The results of the study revealed that the majority of police investigators invite specialists (psychologist and representative of the State Criminal Investigation Service) to questioning minor suspects, although the law does not necessarily provide for this. It also turned out that more than half of the police investigators have encountered parents/guardians obstructing the questioning, the minor's fear, and shame in telling all the circumstances known to him to his representative according to the law.

## Conclusions

Delinquency is an episodic violation of social, moral and legal norms, characteristic of minors. When delinquent behaviour leads to violations of legal norms, appropriate legal actions must be taken, one of which is interrogation. Juvenile suspects, due to their young age, incomplete maturity and “negative” procedural status, are specific participants in the legal process; therefore it is important to be able to choose appropriate tactical methods of interrogation in order not to violate the rights and legitimate interests of the minor and, at the same time, to clarify the truth in the case.

Empirical research has shown that most police investigators find it more difficult to communicate with juvenile delinquents during interrogations than with adult suspects due to the young age of the minor and additional procedural rules and problems arising from them. The majority of police investigators have learned about the features of communicating with delinquents during professional training and successfully use them in interrogations. Most often, police investigators take an interest in the minor's environment and relationships with the family before the interrogation; they select questions based on the minor's maturity; during the interrogation, they do not shy away from making promises in exchange for a confession; they keep their tone of voice calm and non-judgmental; they observe the minor's body language; sometimes they choose to conduct the interrogation at school or at home.

Therefore, it can be assumed that despite the existing uncertainties and certain obstacles, many police investigators are able to communicate with adolescents with delinquent behavior. However, certain clarifications to the law would bring more clarity and facilitate the work of investigators.

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