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## Interrogation Stories

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The essay poses questions about police interrogations that go beyond the furor over Miranda v. Arizona and even beyond the controversy over the "voluntariness" standard for judging the admissibility of confessions in criminal cases. According to these debates, police interrogations have the potential to provide true answers to the historical questions of who-done-it, how, when, where, and why. The paper argues that the police confessional is a space where the truth is produced by the interrogator's strategic use of narratives that exploit popular ways of thinking about the gap between legal liability and moral culpability for criminal misconduct. The project was motivated by the rhetorical strategies promoted by police interrogation experts for use in rape cases. Along the way, I shall have much to say about those particular techniques, as well as about interrogation tactics more generally. As is customary, my agenda is positive and normative. As for the positive, my plan is to describe what interrogation stories teach us about the character of police investigations as a device for recovering historical truth. Is the cop a species of archeologist, one who digs through layers of accumulated dirt to uncover and reconstruct a hidden crime? Interrogation stories suggest not. The interrogator is master narrator or improvisational playwright, one who is comfortable batting around potential plot lines with his leading actors before getting them to sign off on the final script. If playwright is the apt analogy, police interrogators do not merely find facts that are buried out there somewhere, just waiting for the alert detective to come along and excavate them. Rather, by using narrative scripts, cops actively shape the meaning of the facts by helping suspects to embed them in a coherent narrative that coincides with our ethical judgments about which acts are blameworthy and which are not. As for the normative, the essay will offer speculations about the connections between police investigatory practices and the substantive mandates they ostensibly serve. Rape interrogations are a poignant context in which to explore these connections, as we see the police persuading perpetrators to confess by using the very same victim-blaming stories that the rape reform movement has aimed to expunge from substantive prohibitions and courtrooms.