

LAW ENFORCEMENT MANAGEMENT INSTITUTE

A REPORT OUTLINING THE PROFESSIONAL
AND COURT MANDATED STANDARDS INVOLVING
THE USE OF FORENSIC HYPNOSIS

A RESEARCH PAPER
SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR
MODULE II

BY

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CENTRAL EAST TEXAS NARCOTICS TASK FORCE
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Introduction

Investigative or forensic hypnosis is a highly specialized field which specifically applies to the hypnotizing of victims and/or witnesses of a crime scene. This investigative tool, when used by professionally trained peace officers, can assist these victims and/or witnesses in increasing their recall accuracy on pertinent crime scene details. Ordinarily, these details may not have been remembered, often times due to a heightened level of anxiety and tension experienced by the witness or the victim during the crime's occurrence.

In one Los Angeles Police Department survey, it was found that there was an increase in recall from approximately seventy-five percent of those traumatized witnesses who were hypnotized.¹ Statistical records of the Texas Department of Public Safety, between June 1, 1980 and January 1, 1983, revealed that in 73% of the 447 hypnosis sessions conducted by their investigators, additional investigative leads were developed. Police officers who become forensic hypnotists should concentrate their professional interest on the retrieving of this repressed information, unless they become qualified experts in one or more of the three remaining fields where hypnosis is commonly used. These three areas are as follows:

1. Therapeutic/Medical Hypnosis: most often used by medical personnel for expectant mothers

about to bear children, to act as an anesthesia in minor surgeries and dentistry, and in the modification of personality and behavior disorders.

2. Self-Hypnosis: primarily used by individuals for self improvement in weight loss, reduction of cigarette smoking, insomnia, memory retention, and stress reduction.

3. Stage Hypnosis: used basically for entertainment purposes.

All four of these specialized fields involve different processes, professional training and skills. Subsequently, they should not be co-mingled without the proper training.

Purpose

The forensic hypnotist is typically a peace officer who is assigned to full time responsibilities not associated with hypnosis. Therefore, with a lack of continuous contact with this specialized field, an officer using this investigative aid will require the availability of reference material to maintain their accurate use of departmental policy and accepted professional practices. This project was initiated to serve as a study guide for forensic hypnosis students, in addition to being a reference manual for those experienced in this same field. This handbook can be utilized by the officer at any place, or at any time they deem necessary.

Scope

This handbook was composed for the purpose of explaining to the forensic hypnotist what formats in policy and/or procedures are professionally accepted, whereas, any elicited information can successfully be utilized in a criminal investigation. Additionally, form documentation has been drafted and is attached to this report for possible use during hypnotically induced interviews.

This project does not discuss why or how particular techniques or methodologies are used to induce hypnosis. Trained forensic hypnotists should have already revealed this proficiency during basic training, and only practice will increase their level of skill. Additionally, this report offers no discussions related to the mechanics of hypnosis, nor any physiological or psychological concepts on memory retention and retrieval. These last two areas are outside this author's realm of expertise.

History

The history of hypnosis can be traced back to the early Egyptians where sleep temples were found on papyrus scrolls setting forth hypnotic procedures still used today. About 800 B.C., in Greece, "there were pilgrimages to the Epidaurus Temple of Aesculapius, The God of Medicine."² Here the diseased were induced into hypnotic trances for the purpose of helping the sick and disabled to overcome their ailments. In the 1790's A.D., Franz Anton Mesmer became the

first person in history to be credited in attempting to define hypnosis with a scientific explanation. Mesmer called it "animal magnetism." A few decades later Dr. John Braid, a Scottish physician, successfully used this "animal magnetism" as an anesthesia in minor surgeries. He also developed the "term hypnosis from the greek word "hypnos", of which means sleep."³ About a hundred years later, Sigmund Freud experimented with the hypnosis phenomenon, but later abandoned it and founded psychoanalysis. After a long period of rejection by the medical professions, hypnosis finally became legitimized. In 1955, the British Medical Association endorsed the teaching of hypnosis, and "in 1958, the American Medical Association and the American Psychological Association followed suit."⁴

In 1976, the use of forensic hypnosis sparked national attention among police investigators when a bus driver and twenty-six school children were kidnapped in Chowchilla, California. All of the bus' occupants were buried alive, however, they were able to dig their way to freedom. A subsequent investigation into the kidnapping revealed little information in identifying the suspects. A decision was then made to use hypnosis as an avenue to develop additional investigative leads. Dr. William S. Kroger, a leading authority on hypnosis, conducted the session with the bus driver, Mr. Frank Edward Ray.⁵ The information elicited revealed all but one number of the license plates attached

to the vehicle used by the suspects in committing the crime. Utilizing this information, three suspects were later arrested and convicted for kidnapping the children and Mr. Ray.

Contrary to this incident, until this past decade most criminal courts in the United States used the Frye⁶ rule to exclude evidence obtained with the use of forensic hypnosis, stating that they wanted to prevent the jury from being misled by unproven scientific methods. In State v. Hurd (1981),⁷ the Supreme Court of New Jersey held that hypnotically-induced testimony could be admissible if the hypnotic sessions complied with mandated guidelines. These guidelines specifically identified experienced psychiatrists and psychologists as being the only qualified professionals trained enough to conduct these forensic hypnosis sessions. Complicating this ruling, the Supreme Court of California held in People v. Shirley (1982),⁸ that a hypnotized witness was completely incompetent to testify about any matter which surfaced during the hypnosis session. Since this ruling the California legislature has enacted a rule of evidence whereas this testimony can be admitted if strict guidelines reminiscent of Hurd are followed.

In Rock v. Arkansas (1987),⁹ the U.S. Supreme Court ruled that a court may not automatically exclude the testimony of a criminal defendant who was hypnotized prior to trial. The Supreme Court explained that a lower court should assess the

trustworthiness of such testimony and that is should be alert to the four-prong dangers involving hypnosis, namely: 1. hypersuggestibility; 2. loss of critical judgement; 3. confabulation; and 4. memory cementing. This last ruling was vital in helping to establish the guidelines and standard operating procedures used today by the Courts in the State of Texas. More specifically, the Texas legislature passed Senate Bill #929, Section 3, and made it effective on January 1, 1988, that all peace officers who utilized forensic hypnosis in their investigations must have minimum requirements for their training, testing, reporting procedures and certifications. To date, the Texas Commission for Law Enforcement Officer Standards and Education is the only governmental body in the United States which mandates minimum training requirements, testing, and certification of individuals utilizing hypnosis as a professional police investigative tool.

Preparing for the Session

A. The Office

The forensic hypnotist's office is vitally important to his/her success. It should be large enough to comfortably accommodate at least four people. It should be neat and emit an attractive and professional setting. It should be sound proof and located in a place identified by all as being non-threatening. Earth tone colors for the carpeting as well as the wall coverings is suggested as is the

availability to dim or brighten the lighting. This office would be enhanced if soft music could be played, along with the ability of presenting odors that would relate to a particular crime scene. Good quality audio and video recorders are essential to record each of the hypnotic sessions in their entirety. It is suggested that the furniture in the room consist of a desk, a preliminary interview chair, a chair exclusively used by the hypnotist, a chair (preferably a recliner type) to be used by the witness/victim during the hypnotic session, and a witness chair for those people who occasionally will be present. The differences in the chairs helps establish a "pecking order" and assists in rapport building between the hypnotist and the subject. For the hypnotist who does little traveling, this office design is ideal. Such arrangements may not be possible for peace officers whose jurisdiction encompasses a large region which require arrangements with different police agencies to conduct hypnotic interviews at various sites.

B. Preliminary Precautions

1. The individual forensic hypnotist must decide if a person should or should not be hypnotized. Most generally, a suspect in a criminal offense, or a criminal defendant should not be subjected to a hypnotic interview unless the hypnotist is ordered to do so. When this

occurs, it should be mandated in writing and correlated with the prosecutor's and the defense attorney's approval. If applicable, the Court's knowledge and consent of the impending hypnotic session should also be included. An alternative to this would be to have another certified investigative hypnotist to conduct the session.

2. Prior to the point of the hypnotist's initial contact with the intended subject, an audio or a video recording should be in operation and should be continuous during the entire session. Once the session is terminated the tape recording should be retrieved and subsequently tagged as evidence for future evidentiary value. The hypnotist should be concerned that this recording provides to the prosecutors, judges, defense attorneys, and jurors an accurate record on everything said and done during the session. Additionally, it should demonstrate that the hypnotist used acceptable techniques and was not impermissibly suggestive in either his verbiage or kinesic content.
3. Once the subject and the hypnotist are ready, there should be an announcement on tape of the day, date, time, location and identify everyone present.

Additionally, state for the record that the purpose of this meeting is to document an investigative hypnosis interview. Other options the hypnotist may want to include is to ask the subject if they have ever met before, or have them explain why they have come to this meeting.

4. Another legal consideration is that the forensic hypnotist should not be involved personally or professionally with the investigative agency asking for the hypnotic interview. By doing so would only open the door for a defense attorney to allege that the hypnotist had a self-serving purpose on the outcome of the session and ultimately the investigation itself.

Generally, those subjects who have deep fears of hypnosis, the mentally handicapped and those who are unwilling to participate in a hypnotic induced interview should not be hypnotized.

C. Pre-Hypnosis Interview

Once the decision to hypnotize a subject is determined, the preliminary interview should follow. This is to establish, prior to the induction of hypnosis, if the intended subject is under the care or treatment of a physician, psychiatrist or psychologist and the reason for this care and/or treatment. Release and/or consent forms

should be presented to the subject, explained in detail, and then voluntarily signed. Additionally, form documentation should be available when needed, but certainly not be limited to the following areas (See Appendix B):

1. Juvenile Forms: for the purpose of obtaining parental consent to hypnotize anyone under the legal age
2. Consultant Forms: from a psychologist or psychiatrist stating that the subject has no association with a mental illness
3. Medical Release Form: from a physician allowing the induction of hypnosis for people with heart disease, epilepsy, diabetes, etc...
4. Local laws governing hypnosis: if applicable
5. Personal History Checklist Form
6. Investigative Hypnosis Case Data Report
7. Physical Description Check List
8. Pre-Hypnosis Questionnaire
9. Post-Hypnosis Information Report
10. Consent Forms

When properly completed, this documentation will demonstrate that the subject was hypnotized voluntarily, it further assists the hypnotist in deciding induction technique, and it can minimize the possibility of civil litigation at a later date.

The interview should then proceed by providing the

subject with a brief history of forensic hypnosis, what it is and how it works. After, the hypnotist will discover at this point whether a subject may fear induction into hypnosis. Some of the more common fears which may be vocalized are:

1. Losing control to the hypnotist.
2. Telling of secrets.
3. Loss of consciousness.
4. Loss of control or willpower.
5. Will I awaken?
6. Qualifications of the hypnotist.
7. Will I be arrested?
8. Who will be present?

Rapport building between the hypnotist and his subject is essential during this initial stage. Accurate responses to all questions are mandatory, an approach which should lessen subject fears. Essentially, the hypnotist should establish and clarify the purpose for the hypnosis session as well as relate answers and discussion to the clarification goal.

D. Suggestibility Testing

Once a subject's fears are eliminated, the hypnotist should have the subject fill out a questionnaire about themselves. This allows them to see that the hypnotist has a concern for their welfare and it allows the hypnotist to better know the subject. After reading and discussing this

information, the hypnotist can initiate suggestibility testing. The purposes of this process is several-fold and includes the following:

1. It prepares the subject for hypnosis.
2. It builds up the subject's belief in forensic hypnosis.
3. It helps remove any doubts or fears the subject may still possess.
4. It helps establish the hypnotist's expertise
5. It helps determine what induction technique will be used.
6. It ascertains whether the subject is reacting favorably or unfavorably, and/or requires special attention.
7. It determines whether the subject displays a "passive-submissive or a challenging-dominant personality."¹⁰
 - a. With the passive subject the hypnotist should speak slowly and distinctly as if the subject were a child. The use of a strong and assertive vocabulary is highly recommended.
 - b. The approach to the dominant personality should be with a soft tone of voice. The hypnotist should heavily rely on the use of mental imagery to induce hypnosis, as this type of personality is resistant to accepting orders.

Some of the more common induction and suggestibility tests would include:

1. Chevrue's Pendulum:

This test involves the subject holding a small ball and chain, or any other like object, at about eye level. Under the guidance of the hypnotist, the subject then uses his thoughts to rotate the ball in clockwise, counter-clockwise, and a back and forth direction. If this is accomplished, the subject should be considered receptive to the hypnotist's suggestions, while those who resist these rotations indicate the opposite.

2. Eyeball roll technique:

The hypnotist places a finger on the subject's head at a place about parallel with the subject's ears. It is then suggested that the subject "look up" in an attempt to "see" the hypnotist's finger. After a few seconds the subject then lowers his eyes in their natural position. This is repeated several times to ascertain if the subject's eyelids become "heavy" and can easily close when told to by the hypnotist. Those who defy are resisting while those complying are receptive.

3. Touching of fingers technique:

After tightly clasping the hands together, both index fingers are raised. The subject is then told to keep

the fingers apart while the hypnotist suggests them to touch utilizing mental imagery. This technique differs as it is a natural phenomenon for the fingers to touch, therefore, those who defy the suggestions are being extremely resistant to the hypnotist.

4. Clasped hands together technique:

The hypnotist instructs the subject to clasp his hands together and then suggests that this grip is so cohesive that the hands cannot be pulled apart. (The suggestion that additional effort only solidifies the clasping, is also recommended.) Those who defy are resisting while those complying are receptive.

The testing process should be kept simple and on a professional level. If the case agent to the investigation is present during this interviewing process, he should not participate in any manner.

The Induction of Hypnosis

Just prior to being placed into hypnosis, the subject should verbally describe the details and events concerning the crime they had witnessed. From this information the hypnotist can formulate a set of questions that can be directed to the subject while he/she is under hypnosis. If information was obtained from the investigator requesting this session, it, at this time, should be brought out and placed to the subject in the form of a question.

A. Non-Verbal Clues

The hypnotic induction process begins with the subject placing himself/herself in a comfortable position. Utilizing a permissive or an authoritarian technique, a series of verbal suggestions from the hypnotist is then initiated, with the intended subject reaction being a very relaxed state of mind and body. Once the eyes close naturally, the hypnotist must then become aware of the subject's non-verbal communication messages. As the session continues, the deepening of the hypnotic effects from the hypnotist is intentional and is verified through depth testing procedures. Some of the more common depth testing procedures would be:

1. Eye catalepsy
2. Catalepsy of isolated muscle groups
3. Apasia
4. Analgesia

Caution should be used in these testing procedures as they will be recorded and subject to review by the defense attorney. Once the hypnotist is convinced that the subject is in a deep enough state of relaxation, he/she should then suggest that the subject focus on the crime scene and, under questioning, reveal any suppressed information.

The forensic hypnotist should be keenly aware of his subject's individual facial features. This is done with the goal of being able to properly describe the person being

recalled. If you do ask a particular question, make it open ended, or at least ask two or three more questions about the same subject. In addition to the possibility of the stimulation of recall, these additional questions tends to reduce the possibility of a defense attorney trying to imply that the hypnotist was leading the subject to respond with particular answers.

Attention to the subject's skin tone changes and breathing patterns should also be a consideration. Specific areas that suggest emotional changes are the nose, cheeks, chin, ears and foreheads. (The foreheads of individuals with receding hairlines are especially sensitive to color changes, as are the necklines of women.)

As mentioned earlier, the induction of a hypnotic state will increase once a trusting rapport with the subject has been established. One method to hasten the process is to pattern voice with the subject's breathing patterns. If you raise your voice, do this as the person inhales, and as you lower your voice, do it as the subject exhales. At times it may become difficult to observe a person's chest to determine breathing patterns. If this occurs, try to line the subject's shoulders up with a fixed object on the wall to better observe movement.

Another technique used to assist a subject become hypnotized is to ascertain heartbeats by observing the pulse rate in the carotid arteries. Once determined, you

can tap your fingers on a desk top in rhythm to the heart beats and this tends to reduce resistance and promote acceptance of your suggestions.

Again, the hypnotist must remain alert that there is a distinct probability the recording of this session could come under courtroom scrutiny. This further emphasizes the need to use only professionally accepted practices and procedures in the interview room.

B. Information Eliciting

While in an hypnotic state, the subject will use mental imagery to comply with the hypnotist's suggestions. For this reason, neutral and non-leading questions from the hypnotist concerning the crime and/or the crime scene, are mandated. This allows the subject to recall and describe the events in a narrative format. Compound or open-ended questions can be used for specific details, but extreme caution must be used to avoid the implication that the hypnotist is seeking out particular answer.

Questions like "What is happening now?" and "Then what happened?" are considered to be quality non-leading and open-ended questions which can be used. Questions similar to "You can see him... see him now... try harder if you don't," or "now he is in your view... now describe him as best you can," should be avoided. They tend to insinuate that the subject will confabulate his response.

Confabulation is the process of filling in memory gaps with

imagined or distorted information, and at times the subject could do this simply to please the hypnotist. As the session nears an end, a question such as "Is there anything that I haven't asked that you would like to tell me?" should be given to the subject. This question is also open-ended and permits the subject to expose information that otherwise would have escaped investigative evaluation.

If the hypnotized subject should become hysterical, the hypnotist must maintain his composure and control the situation. Hysteria is a release of the subject's emotions and could involve head movements, body movements, or tears emitted by the person being hypnotized. Again, the hypnotist should not panic, should not bring the subject out of hypnosis, but give suggestions of comfort. After comforting the subject the session should continue; however, if the hysteria occurs again, comfort the subject again and then terminate the session.

C. Awaking/De-hypnotizing Techniques

Perhaps the most common method used to "de-hypnotize a person is for the hypnotist to "count the subject out slowly or tell him to count himself out at his own rate of speed."¹¹ In either case, the subject should be told that he will soon be "wide awake, feeling refreshed, perfectly normal and remembering everything. It is important that the hypnotist makes certain the subject is always fully de-hypnotized before terminating the interview. In most

instances, it takes only a few minutes to accomplish this objective. Other suggestions for the de-hypnotizing process are soft music, soft noise or the passage of time. It would be considered unethical and unacceptable to awaken the subject by pinching, inflicting pain, slapping, using loud noise or throwing water on the individual.

D. Post-Hypnosis Interview

Occasionally, sometimes days later, a person subjected to hypnosis will recall information that was not elicited during the session. The subject should be advised to contact the investigator assigned to that particular case so that the new information can be evaluated. All original audio/video recordings should be maintained by the investigative hypnotist until all appeals have been exhausted, or the statute of time limitations have expired. The chain of custody on these tapes must be maintained for their proper presentation in a civil or criminal courtroom.

Preparing for Court

From a criminal defense attorney's standpoint, there are several pre-trial motions that can be utilized to uncover what information there is against his client. One of these is a Motion for Discovery. This is done by the attorney to determine those investigative techniques used by police during an investigation which contributed to a client's indictment. "The defense has the absolute right to full knowledge about the state's use of hypnosis."¹²

Additionally, this motion could possibly be utilized in the discovery and collection of any other hypnotic evidence, such as:

1. Video tapes;
2. Audio tapes;
3. Hypnotist's notes, records, documents, forms;
4. Names of persons present at the sessions and copies of their notes and reports.

Prior to the hypnotist's testimony in court, he/she should review all of the reports and recordings made during the session. This will help refresh recollection of what occurred during interviews. The forensic hypnotist should be aware that there are four primary judicial challenges that relate directly to a hypnosis session and these are:

1. The competency of the individual conducted the session;
2. The reliability of the procedures used;
3. The correctness of the techniques used;
4. The absence of leading suggestions, both verbal and kinesically.

If mistakes in policy or procedures are found, prepare to answer them accordingly. In presenting testimony, the dress of the hypnotist should be professional and acceptable to the community's standards. While on the witness stand, the witness should conduct him/herself under the following guidelines:

1. Avoid speculation in your testimony (and in reports).
2. Obtain a receipt from the defense for all materials given.
3. Be prepared to defend your major proposition(s) with your personal knowledge of the subject which was obtained in the pre-hypnosis interview, the case file, your general knowledge on investigative hypnosis, your experience, and your professional background (possibly to include any publications).
4. Avoid the position of being an advocate.
5. Avoid a position where you dispute what others (writers in particular) say, however, be aware of their major contentions.
6. Be thoroughly prepared, and insist that you and the prosecutor adequately review the case prior to trial.
7. Answer a question only if you understand it.
8. On cross-examination, avoid volunteering answers or information.
9. If you do not know the answer to a question, say (a) I don't recall at this time, or (b) I don't know (whichever is appropriate).
10. Avoid saying something in private to a defense lawyer you wouldn't want heard in open court, chances are you will.

Always remember that your creditability as an expert

witness is based on your responses while on the witness stand. It is always to your advantage to be over-prepared rather than under-prepared.

CONCLUSION

This project has disclosed a significant amount of information attesting to the invaluable contributions that forensic hypnosis offers to criminal investigators. The ability to recall repressed information from the witnesses and/or victims of a crime is an investigative tool that should not be dealt with unprofessionally. This report has profiled accepted practices and procedures in the use of forensic hypnosis, and which also have been ruled admissible in most state and federal Courts. Also included as an appendix to the paper are standardized documentation forms which can be used by police departments to assist hypnotists in arranging and using hypnotic procedures. Hypnotically induced interview results have been favorably received by the criminal justice system; however, to maintain this creditability, it is suggested that forensic hypnotists employ only conservative and accepted methods of application during their forensic hypnotic interviews. The primary objective for creating this handbook is promote and to serve this purpose.

APPENDIX A

GLOSSARY

Abreaction - Emotional release or discharge resulting from bringing to awareness a painful or traumatic experience that had been forgotten (repressed).

Age Progression - A technique in which it is suggested to a subject that he is going forward in time and becoming older.

Age Regression - A technique in which it is suggested to a subject that he is going back in time and becoming younger.

Agoraphobia - An abnormal fear of being in open spaces. Anxiety about leaving home or being in unfamiliar surroundings.

Ambivalence - coexistence of two opposing drives or emotions toward the same person or goal. May be conscious or unconscious.

Amnesia - loss of memory.

anterograde - amnesia for events after a significant point in time.

retrograde - amnesia for events before a significant point in time.

Analgesia - absence of pain sensations.

Anesthesia - absence of sensation.

Anxiety - A malady which plagues most of us at some time in life. This emotional sensation is changeable.

Apasia - A hypnosis depth testing procedure whereby the subject is unable to recall a name or number by suggestion of the hypnotist.

Apperception - perception as modified and enhanced by the individual's own emotions, memories and biases.

Association - relationship between ideas or emotions by contiguity, continuity or similarity.

Astraphobia - fear of thunderstorms, thus limiting the outdoor travels of the person who possesses such a fear.

Autonomic Nervous System - include sympathetic and parasympathetic divisions and innervates the cardiovascular, digestive, reproductive and respiratory systems - usually operates outside of conscious awareness.

Auto-hypnosis - self-hypnosis as opposed to hetero-hypnosis, induced by another person.

Automatic writing - An uncovering technique where the subject answers questions put to him by a hypnotist to recall memory of past events.

Catalepsy - generalized condition of diminished responsiveness. Small and large muscles get rigid and may remain in same position.

Central Nervous System - brain and spinal cord.

Chevrue's Pendulum - A weight on the end of a chain or string used to demonstrate ideomotor responses.

Claustrophobia - The fear of confined spaces such as closets, elevators and rooms without windows.

Cognitive - mental process of comprehension, judgement, memory and reasoning. Contrasts with emotional processes.

Confabulation - filling of memory gaps with imagined or distorted information.

Countertransference - the operator's conscious or unconscious emotional reaction to the subject, based on early family relationships.

De-hypnotization - assisting a subject from a hypnotic to a non-hypnotic normally alert state.

Delusion - An irrational belief tenaciously held in spite of all evidence to the contrary.

Dissociation - unconscious process which separates emotion and idea. May also refer to different ego states as in multiple personality or the altered states of consciousness in hypnosis.

Eidetic Image - unusually vivid and exact mental image; may be memory, fantasy or dream.

Forensic Hypnosis - Legal application of hypnosis.

Hallucination - a false sensory perception.

Hypermnnesia - greatly heightened memory and recall - opposite of amnesia.

Hydrophobia - the fear of water.

- Hyperesthesia** - Increased sensitivity to the touch, sometimes excruciating. Seen in hysterics who overact to physical stimuli.
- Hypnoidal** - light state of hypnosis akin to a reverie state.
- Hypnosis** - a state of increased receptivity to suggestion characterized by an altered state of consciousness. The degree varies from very light to very deep and usually includes relaxation.
- Hysterics** - An extremely emotional state resulting in abnormal sensations, fits of laughter or convulsive crying.
- Ideomotor** - capability of muscles to respond immediately to thoughts, feelings and suggestions.
- Illusion** - A common misperception of some sensory stimulus. All sensory modalities are subject to illusions.
- Indirect Suggestion** - suggestion given in symbolic, metaphoric or analogic form.
- Induction** - the process of going into hypnosis or assisting someone into a hypnotic state.
- Intrapsychic** - that which takes place within the psyche or mind.
- Kinesics** - the study of body movement as a part of the process of communication.
- Labile** - pertaining to shifting emotions; unstable.
- Mesmerism** - an early term for hypnosis named after Anton Mesmer (1733-1815).

Misdirection of Attention - appearing to be focusing on one area with the intention of directing the subject into another.

Posthypnotic Suggestion - A suggestion given during a trance designed to be carried out in the subsequent waking state.

Neurosis (psychoneurosis) - an emotional maladaptation arising from unresolved unconscious conflicts.

Post-hypnotic suggestion - a suggestion given during hypnosis to be carried out by the subject after being de-hypnotized.

Pre-inductive warmup - preparation before induction of hypnosis - includes explanation of hypnosis process and discussion of myths and misinformation.

Preconscious - thoughts not in immediate awareness but subject to recall.

Rapport - feeling of confidence, trust and mutuality in the hypnotist-subject relationship.

Rationalization - the making of excuses which are not valid.

Reaction formation - the turning of a feeling into its opposite.

Recall - the process of bringing a memory into consciousness.

Regression - a partial or symbolic return to earlier times or patterns of reacting.

Repression - a defense mechanism, operating unconsciously that keeps unacceptable ideas, or emotions from consciousness.

Resistance - the subject's conscious or unconscious defense against bringing repressed material to light.

Screen Memory - a consciously tolerable memory that serves as a cover or screen for another associated memory that would be disturbing or painful if recalled.

Somnambulism - very deep state of hypnosis often with lessened responsiveness.

Subconscious - term that refers to preconscious and unconscious levels of the mind.

Suggestibility - The propensity of a subject to accept and act on suggestions.

Suggestion - process of influencing an individual to accept less critically an idea, belief or attitude induced by the hypnotist.

Suppression - the conscious effort to control and conceal unacceptable thoughts, feelings or acts.

Trance - a state of diminished activity and consciousness.

Transference - the unconscious assignment of feelings and thoughts to others that were originally associated with important figures in one's early life.

Trauma - an extremely upsetting emotional experience.

APPENDIX B
SAMPLE FORMS

The following sample forms are included as Appendix B and are appropriate for use by hypnotists in the State of Texas.

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SAMPLE POLICE DEPARTMENT
JUVENILE HYPNOSIS CONSENT FORM

I, _____, the parent or guardian of a person under the age of 18 years, do agree to allow officers or agents of the SAMPLE POLICE DEPARTMENT to use Hypnosis on _____, a juvenile that I am the parent or guardian of.

In signing this, I understand that Hypnosis is being used to obtain additional information about a crime that is under investigation. I do also understand that this will be used for lie detection reasons.

Signed this _____ day of _____ at _____ AM
hours. PM

X _____
JUVENILE

X _____
PARENT OR GUARDIAN

Witness _____

X _____
Hypnosis Technician

SAMPLE POLICE DEPARTMENT
PERSONAL HISTORY CHECKLIST FORM

Subject _____ Age _____ Sex _____

Persons Present _____

1. Was consent obtained? _____
2. Does subject appear to be fatigued or depressed? _____
3. Does subject appear to be emotionally upset or intoxicated?

- *4. Is subject under medical treatment? _____ For _____

Medication _____
- **5. Is subject under treatment by a psychiatrist or psychologist?

6. Has subject ever been treated for mental problem? _____
When? _____
By Whom? _____ Type of Problem _____
7. Have subject remove contact lenses, if worn.
8. Is subject known to be addicted to drugs or alcohol? _____
9. Does subject have any phobias? _____
If so, what? _____
10. Does subject appear to be in good mental and physical condition?

11. Is someone from requesting agency present? _____

* If subject is under treatment for heart condition, epilepsy, diabetes, or other serious physical problem or is taking stimulants or sedatives, do not proceed without the doctor's consent.

** Subjects under the care of a psychiatrist or psychologist will not be hypnotized without the consent of the psychiatrist or psychologist. The immediate supervisor will be fully informed of the reason for such care when authorization is requested.

**SAMPLE POLICE DEPARTMENT
INVESTIGATIVE HYPNOSIS CASE DATA REPORT**

Date of Assignment _____

Hypnotechnician(s) _____

Case Investigator(s) _____

Case DR Number _____

Type of Crime _____

Date of Occurrence of Crime _____

Name of Witness or Victim Hypnotized _____

Age _____ Sex _____

Occupation _____

Previous Hypnosis Yes _____ No _____

Nature of Involvement in Case _____

Reason for Hypnosis Referral (information desired) _____

Additional or unusual factors in the case _____

Tape Number _____

Hypnosis Session Number _____

Date of Session _____

Location of Session _____

Time of Session _____

Approximate Length of Session _____

Persons Present During Session _____

Information eliciting techniques utilized _____

Estimated level of trance achieved:

Light Medium Deep

Was new information obtained as a result of hypnosis?

Yes _____ No _____

If yes, explain in detail _____

Hypnotechnician's evaluation of session

extremely valuable					of no value
1	2	3	4	5	

Comments: _____

Case Outcome: _____

PHYSICAL DESCRIPTION CHECKLIST

WITNESS _____ CASE # _____

SEX male _____
female _____RACE caucasian _____
negro _____
other _____

AGE _____

HEIGHT _____

WEIGHT _____

BUILD slender _____
medium _____
heavy _____COMPLEXION light _____
medium _____
dark _____
ruddy _____FACE SHAPE round _____
oval _____
square _____EYES color _____
shape _____NOSE small _____
medium _____
large _____
broken _____LIPS small _____
medium _____
large _____EARS normal _____
protruding _____HAIR color _____
style _____
part _____
length _____FACIAL HAIR
mustache _____
beard _____
goatee _____
other _____FACIAL MARKS
acne _____
pock marks _____
cleft _____
age lines _____

SCARS & TATTOOS

face _____
arms _____
legs _____
description _____

_____GLASSES square _____
round _____
oval _____
sun _____
other _____JEWELRY watch _____
ring _____
necklace _____
description _____

_____TEETH missing _____
other _____
description _____

_____SPEECH low _____
high _____
vulgar _____
accent _____

lisp _____CLOTHING MALE
shirt color _____

_____type _____
long sleeve _____
short sleeve _____
pants color _____

_____style _____

shoes color _____

_____style _____
belt color _____
headwear _____

color _____CLOTHING FEMALE _____
description _____

OTHER REMARKS

INTERVIEWING OFFICER

DATE & TIME

SAMPLE POLICE DEPARTMENTHYPNOSIS QUESTIONNAIRE

Name _____ Age _____ Date of Birth _____

Address _____ TX Number _____

Married _____ Divorced _____ Single _____ No. of Children _____

Have you ever been hypnotized? _____ If so for what? _____

Do you have any of the following? Heart Problems _____ Diabetes _____

Asthma _____ Epilepsy _____ Allergies _____ To What _____

Have you ever passed out? _____ Is so, what was the reason, if known?
_____Are you under a doctors care now? _____ If so, for what? _____

Have you ever been treated for any emotional problems? _____

Do you wear contact lens? _____ Have you ever had surgery? _____

If so, for what? _____

Are you taking any medication now? _____

Do you have any problems sleeping at night? _____

Do you have any problems waking in the morning? _____

Do you have a fear of heights? _____

Do you have a fear of enclosed places? _____

Do you have arthritis? _____ If so, where? _____

Check which of the following you enjoy doing the most.

Watch television _____ Go to a Movie _____

What is your favorite color? _____

Which of the following would you rather do?

Take a walk on the beach _____ in the woods _____ in a garden _____

Other _____

Have you ever rode in an airplane? _____ Did you enjoy it? _____

Are you right or left handed? _____ What do you do for a living?

What are your hobbies? _____

[illegible]

Narrative of session(s): _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

HYPNOTECHNICIAN _____ UNIT # _____

Date and time of report _____

CONSENT

**SAMPLE POLICE DEPARTMENT
FIRST STREET
ANYWHERE, USA**

I, _____, of my own free will,
(Print name of subject)
wish to be hypnotized in order that I might recall events in
the past related to the occurrence of traumatic experiences,
and agree to be questioned, while in a state of hypnosis, by
police officers or agents of the **SAMPLE POLICE DEPARTMENT**
concerning matters under their investigation. I also
understand that the interview will be recorded on tape.

Name: _____ Date: _____
(Signature)

Witness: _____ Time: _____

ACKNOWLEDGEMENT

SAMPLE POLICE DEPARTMENT
FIRST STREET
ANYWHERE, USA

I, _____, experienced the
(Print name of subject)
state of hypnosis on this date, from _____ .M.
until _____ .M., and was interviewed while in
such state.

I fully recall that interview, the questions posed to me and
my responses.

During hypnosis, I was not requested, or it was not
suggested to me to perform any future acts, or make any
future statements which were not the truth.

Name: _____ Date: _____
(Signature)

Witness: _____ Time: _____

ENDNOTES

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7. State v. Hurd, 432 A.2d 86 (1981).
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