The Elicit Function of Speech Acts in Questioning on Investigative Interviews in Criminal Inspection of Dump Truck Theft Cases at Cirebon City Police Station

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ABSTRACT

In this study, the data source was obtained from the transcription of dump truck theft cases recorded in the Police Record. Investigators conducted investigative interviews to obtain information from witnesses and suspects, which led to the suspect's confession. The investigator asked several questions to the examinee regarding the criminal act. The data analysis method was carried out by eliminating the answers being examined and focusing on the questions given by the investigator to be classified based on the seven elicit functions of the speech act of asking questions described by Tsui (2002). It was found that the elicit function in the investigator's question was the function of seeking information (appearing 119 times), repeat function (appear 50 times), clarifying function (appear 47 times), confirm function (appear 43 times), and approve function (appear 11 times). The elicit function that occurred the most from the questions submitted by investigators was the function of seeking information, which was 119 times out of 270 questions. In contrast, the function of asking for commitment was not found.

Keywords: ask, elicit function, investigative interview speech act

1. Introduction

Written language is obviously different from spoken language. In spoken language, there are paralinguistic aspects, such as intonation, stess, and tone of voice that can determine whether a speech delivered by a speaker is classified as a statement or a question. Meanwhile, in written language there are mechanical aspects or punctuation marks, such as commas to express pauses and question marks to mark that a sentence is intended as a question.

Investigative interviews are a way of communicating conducted by police investigators to obtain information

that is as clear and accurate as possible from both suspects and witnesses and is non-accusatory (Leo in Hill et al, 2008; Milne & Powell in Brown & Campbell, 2010; Zulawski and Wicklander, 2002). For this reason, investigative interviews in the police station were conducted to achieve a voluntary confession from the suspect (Heydon, 2005) and to find out the motive as clearly as possible why does the suspect committed the act (Hall, 2008). This effort needs to be emphasized in order to avoid any fabricated confessions which influenced by the interview techniques applied by the investigator. Roesch et al (2010:147) mentioned that there are some individuals who are more easily affected in responding to interrogations coercion such as suspects who are young, adults, or suspects who suffer from mental disorders, take illegal drugs or alcohol, and who experience stress. Suspects who are classified into this class are those who have a self-risk

that can increase the possibility of submitting the fabricated confession.

Police interviews, otherwise known as investigative interviews, are institutional and interactional manifestations of social confrontation between police and suspects that lead to social and moral boundaries (Holdway and Rock in Carter, 2011:4). For Baldwin (in Mason and Rock, 2020: 2) police interviews are an essential component in "constructing evidence" in the investigation (and prosecution) of a crime. This means that the police must be able to get as clear information as possible from the various parties involved so that the guilty are found guilty and can uphold justice.

This study discusses the function of elicit speech acts in questioning submitted by investigators in the examination of suspects in dump truck theft cases at the Cirebon City Police Station. Referring to the Big Dictionary of Indonesian (KBBI), theft is defined as the act or act of taking someone else's

property without the permission of the owner. The phrase "without the permission of the owner" means that the action performed, was carried out in secret or without the knowledge of the owner. The elicit function according to Sinclair and Coulthard in Tsui (2002:101) is a single function that asks for a linguistic- response, even if the response is a nod or a raised hand.

2. Research Methods

The method used in this study is a qualitative descriptive method. The data is the result of transcription and obtained from the recording of the police investigative interview of the dump truck perpetrator theft case during the report preparation at the Cirebon City Police Station. The subject of this study is an investigator assigned to deal with the theft case. The data is then reduced by removing the part that is the response to the suspect and using only the questions submitted by the investigator. The data were analyzed based on the features present in each elicit function of the speech act initiated by Tsui (2002) then classified to find out what elicit functions are in the investigator's question and which functions are the most dominant.

3. Discussion and Results

The case used in this study was a case of theft of a dump truck vehicle carried out by three people. This recording was taken during the process of drafting the report of one of the suspects with the initials A. In the process of preparing this report, investigators used two languages, namely Cirebon Javanese and Indonesian because the suspect sometimes had difficulty in answering questions in Indonesian. From the transcription results of investigative interview data, as many as 270 questions were obtained submitted by investigators with various responses such as direct answers, repetition of questions, nods or even silence. The question has a diverse elicit function. Tsui states

that there are six categories in the elicit function, namely the function of seeking information, the function of confirming, the function of agreeing, the function of requesting commitment, the function of clarifying, and the function of repeating. After analysis based on the characteristics of each category, the following results are obtained:

Table 1.

The Appearance Frequency of Elicit Speech Acts Function in Questioning at the Interrogation of Dump Truck Theft Cases in the Cirebon City Police Station

No	Elicit Function	Frequency
1	The function of seeking information	119
2	The function of confirming	43
3	The functions of agreeing	11
4	The function of requesting a commitment	0
5	The function of clarifying	50
6	The function of repeating	47

1. The function of digging for information

The elicit function of asking for information is contained in the questions submitted with the aim of extracting information from speech partners, in this case is the suspect. The form of the question asked can be in the form of WH questions or questions that begin with what words, who, where, when and how, in addition, the elicit function of requesting information is also contained in closed questions or yes /no questions.

This function requires speech partners or suspect to provide information according to what is asked.

a. WH questions

Q: " Who has the idea and what role do you know in stealing the dump truck?"

A: " What's it?"

In the question above, the suspect did not give the response as expected by the investigator but instead asked back. With the question beginning with the word "who", investigators expected the suspect to name one or more of the people involved in the theft.

b. yes/no questions

Q: "In connection with the theft case, do you know who the perpetrator of the theft is? And do you have any family relationship with the perpetrator and what has been taken without the knowledge of the owner?"

A: " No relation whatsoever sir."

The question intends to find out who the (main) perpetrator of the theft is. It's just that there are three questions at once that are asked once upon a time and cause confusion for the suspect so that the suspect only answer the second question. Nonetheless, the second answer gives information that the suspect did not have any connection with the perpetrator.

2. The function of confirming

This function is intended to obtain answers to the assumptions that are in the investigator's mind. This function is realized with the tag questions, declarative sentences and yes/no questions.

. a. yes/no questions

Q: "At that time, you drove Yanto?" A: "yes"

This question was asked because the three perpetrators were arrested in different places so the assumption of the investigator was that the main perpetrator was dropped off near the scene to later execute the theft, while the suspect only ushered in it

Q: "Do you understand now that the police are being examined in connection with what case? Dump truck theft case, huh? *Sampeyan ngejugjug mene.* means you know, right."

A: "Don't know"

Investigators asked this to confirm that he knew why he was arrested but the suspect replied "don't know". There is a possibility of being suspect not understanding the essence of the question given by the investigator.

3. The Function of Agreeing

This function asks the hearer to agree with the speaker's assumption that the proposition presented is correct. Questions are submitted in the form of tag questions or yes/no questions that begin with a negative

a. tag questions

Q: "But you belong to the same neighborhood don't you?, you like to meet you to chat about everything, right?"

A: "yes, we met"

This question was raised regarding to the suspect's status as "Ketua RT", and the main perpetrator of the theft rent a house in his territory. So, it is impossible if there is no interaction between the two.

4. The function of Repeating

The function of repeating requests the repetition of the utterance that initiates the elicitation. Usually the questions are WH questions, "try to repeat", "sorry?", or "huh?".

a. WH questions

Q: "Who has the idea of taking the dump truck?" A: "Well they didn't talk to me about it".

Q: "Okay no discussion about it, but who has the idea?" A: "Yanto himself maybe."

The investigators asked who had the idea of stealing the vehicle but was answered by the suspect "Well they didn't talk to me about it". Meanwhile, at the beginning of the interrogation, it was discovered that the mastermind of the perpetrator was Mr. AP. Here the investigator sought information from the suspect

so as to repeat the same question, and obtained the name.

Q: "Explain to us before committing the act of taking the car without the knowledge of the owner, was it previously planned? And where is it planned?"

J : "I don't know." Q: "huh?"

A: "I don't know"

The word "huh?" means ask for a repetition of the answer given by the suspect, and it is well understood by the suspect, so that he repeats the answer.

5. The function of Clarifying

Tsui explained that this function asks for clarification from the previous utterance.

Q: "His name is T******.. another one is A******** A.K.A Yanto and A***.

So it's Avanza huh?

Avanza or Xenia?"

A: "I don't know the type, it seems to be almost the same as Xenia and Avanza." Q: "minibus car huh?"

A: "he'eh" (showing agreement)

In the previous speech, he replied "Xenia" when asked about the vehicle used to get to the scene of the crime. On this question, the investigator clarified the brand of vehicle used, whether Xenia or Avanza, and this actually made the suspect confused because the two car brands were similar.

4. Conclusion

Asking is an activity carried out to get information. The investigator prepares a series of questions that will be presented to the suspect in order to get as clear a description as possible about the crime case that occurred. In an investigative interview conducted by investigators to one of the suspects in the dump truck theft case, 270 questions were

found with their respective elicit functions. From the classification of the data it can be concluded that the dominant elicits function of the questions asked by the investigator is the function of seeking information as clearly as possible which is accompanied by confirmation, approval, repetition and also clarification, while the function of requesting commitments from the suspect is not found.

References

Carter, Elisabeth. (2011). *Analysing Police Interviews: Laughter, Confessions, and the Tape.* London: Continuum International Publishing Group.

Finegan, Edward. (2008). *Language: Its Structure and Use (fifth edition).* Boston: Thomson Higher Education

Gordon, Nathan J., dan Fleisher, William L. (2011). *Effective Interviewing and Interrogation Techniques (3rd edition).* London: Elsevier, Ltd.

Hall, Phil. (2008). "Policespeak". Dalam Gibbons, John dan Turell, M. Teresa. (2008). *Dimensions of Forensic Linguistics.* Amsterdam: John Benjamins Publishing Co.

Heydon, Georgina. (2005). *The Language of Police Interviewing: A Critical Analysis.* Hampshire: Palgrave Macmillan

Hill, Carole, Memon, Amina &McGeorge, Peter. (2008). The Role of Confirmation Bias in Suspect Interviews: A Systematic Evaluation. *Legal and Criminological Psychology* (2008), volume 13,hal.357–371.

Keraf, Gorys., *Tata Bahasa Rujukan Bahasa Indonesia,* (Jakarta: PT Grafindo, 1991), hlm 204.

Mason, Marianne and Rock, Frances. (2020). *The Discourse of Police Interviews.* United States of America: The University of Chicago Press.

Milne dan Powell (2010). "Investigative Interviewing". Dalam Brown, J. M., & Campbell, E. A (eds). *The Cambridge Handbook of Forensic Psychology.* Cambridge: Cambridge University Press.

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