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# The Psychology of Interrogations and False Confessions:

## Research and Recommendations

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### ABSTRACT

*Wrongful convictions have increasingly garnered media attention both in North America and Britain. In addition to a variety of factors, instances of false confession have been identified as a contributing cause of some wrongful convictions. As a result of this finding, social scientists have begun to study the interrogation process in an effort to understand the factors that may lead to such false confessions. The present article reviews what is known about the psychology of police interrogations, including an examination of the concept of investigative bias, the influence of potentially coercive interrogation techniques, and vulnerabilities of a suspect that can increase the likelihood of a false confession. The article also discusses a novel alternative approach to the interrogation process that has recently been implemented in Britain. Finally, the article proposes preliminary directions for "best practice" in the use of interrogation techniques.*

**W**rongful convictions have increasingly garnered media attention both in North America and Britain. Although it is generally believed that such instances are relatively rare, exonerations of convicted individuals through DNA testing are increasing at a rate that few in the criminal justice system might have speculated (Scheck, 2001). As discussed by Scheck, Neufeld, and Dwyer (2000), a variety of factors may be responsible for such wrongful convictions, including mistaken eyewitness identification (see Turtle, Lindsay, & Wells, this issue), use of "junk forensic science" that is not scientifically rigorous, prosecutorial misconduct, or ineffective defence counsel representation (see also, Westervelt & Humphrey, 2001). In addition, instances of false confession have been identified as a contributing factor in some wrongful convictions. Due in large part to such cases, social scientists have begun to explore factors that may lead a person to confess to a crime that he/she did not commit (see Gudjonsson, 2003; Kassin, 1997).

The incidence of false confessions in practice is, of course, difficult to assess. However, there exist a disturbing number of documented cases in which defendants confessed (and even were convicted and sentenced to death) but were later exonerated by irrefutable evidence. Leo and Ofshe (1998), for example, reviewed a sample of sixty cases of disputed confession in which a defendant's statement was the only substantive evidence linking him to the crime. Using rather stringent criteria, Leo and Ofshe classified 57% of these cases as "proven false confessions" such that the defendant's innocence was established by independent evidence (e.g., the actual perpetrator was identified through DNA testing), while 30% were classified as "highly probable false confessions" due to considerable evidence indicating that the defendant's statement was false. The remaining 13% of cases were classified as "probable false confessions"

## Interrogations | RESEARCH AND RECOMMENDATIONS

given that no significant evidence was present to support the defendant's guilt. Bedau and Radelet (1987) also examined 350 cases of wrongful conviction and observed that 14% (or 49 cases) involved documentation of "false" confession evidence. Similarly, of the first 70 cases of wrongful conviction identified in the United States through DNA testing, 21% (or 15 cases) included confession evidence that was later proven to be "false" (Scheck et al., 2000).

Although there are a number of factors that may contribute to a false confession, the interrogation techniques employed by policing agencies appear to account for a significant proportion of these instances. Clearly, interrogation of a suspect is one of the most difficult tasks in a police investigation. Historically, policing agencies have embraced interrogation practices that have been developed by a number of professional training agencies that are headed by former investigators, and have relied on the developers to ensure that the procedures are both effective and scientifically rigorous. In the present article, we will explore what is heralded as the most readily used interrogation procedure in North America – namely, the Reid Technique of investigative interviewing. According to the website run by John E. Reid and Associates, over 300,000 investigators have been instructed in the Reid Technique since 1974 ([www.reid.com](http://www.reid.com)). The Reid Technique manual, *Criminal Interrogation and Confessions* (Inbau, Reid, Buckley, & Jayne, 2001), is the most popular training manual in the United States, and Britain's first interrogation manual (Walkley, 1987) was heavily influenced by these techniques. Although the Reid Technique has been favoured by many in the law enforcement community for its effectiveness in yielding confession evidence, and has recently received tacit approval by the Supreme Court of Canada (*R. v. Oickle*, 2000), social scientists have shown that implementation of certain aspects of this technique can significantly contribute to the likelihood of a false confession. In an effort to assist investigators in recognizing the potential for harm caused by certain interrogation practices, we review what is known about the psychology of police interrogations, including the potential for investigative bias, the use of potentially coercive interrogation techniques, and vulnerabilities of the suspect that can lead to false confessions. It is noted that Great Britain has recently restricted use of the Reid Technique based in part on various instances of false confessions and research on the coercive nature of certain techniques, and has further attempt-

ed to alter the basic tenets of the interrogation process followed by investigators. Although empirical research on this non-accusatorial method is somewhat limited, we discuss some initial findings that suggest considerable promise as an alternative procedure. In closing, we conclude our review of the research with preliminary directions for "best practice" in the interrogation of suspects.

### A Typology of False Confessions

In examining the varieties of false confessions that occur, researchers have identified three general types, namely voluntary false confessions, coerced-compliant false confessions, and coerced-internalized false confessions (Kassin & Wrightsman, 1985). A *voluntary false confession* occurs when a person confesses to a crime they did not commit, and he/she offers this confession absent any police coercion or pressure. Gudjonsson (2003) discusses a number of reasons why someone might provide a voluntary false confession, including the desire to protect someone else, a desire for notoriety or attention, or an inability to distinguish reality from fantasy. Research indicates that the desire to protect someone else is likely to be the most common motivation behind a voluntary false confession (cf. Sigurdsson & Gudjonsson, 1996). In addition, it has been suggested that highly publicized cases (e.g., the kidnapping of the Lindbergh baby) in which many people confess to the same crime illustrate a pathological need for fame or notoriety.

The second type of false confession identified by researchers is a *coerced-compliant false confession* (Kassin & Wrightsman, 1985). In this case, a person falsely confesses to a crime for some immediate instrumental gain, in spite of the conscious knowledge that they are actually not responsible for the crime. This instrumental gain may take many forms. For example, suspects may confess simply to escape the pressures of the interrogation situation (e.g., physical coercion or psychological coercion). Alternatively, they may come to believe that if they confess they will be treated more leniently by the judicial system, or that they may be allowed to go home, call their family, sleep, etc. In sum, suspects come to believe that the short-term consequences of confessing (e.g., ending the interrogation) outweigh the long-term consequences of confessing. It has been suggested that the convictions of five teenage boys for the rape and attempted murder of Trisha Meili (until recently, otherwise known as the "Central Park

jogger”) in 1989 may provide an example of this phenomenon. Following intense interrogations that lasted anywhere from 14 to 30 hours, five teenage boys, aged 14 to 16, confessed to being involved in the violent attack of a 28 year-old woman (Cassel, 2002). The teenagers later claimed that they had simply told investigators what the investigators wanted to hear, and that they believed they would be allowed to go home after providing the statements. In 2002, a convicted rapist and murderer, Matias Reyes, came forward and confessed to acting alone in the Central Park jogger attack. DNA testing was performed, and the results implicated Reyes and exonerated all five of the teenage boys.

The third type of false confession is a *coerced-internalized false confession*. This occurs when a person falsely confesses to a crime and actually begins to believe that they are responsible for the criminal act. Some researchers have argued that coerced-internalized false confessions are related to “memory distrust syndrome,” a condition in which a person becomes so distrustful of their memory that they are willing to incorporate external suggestions (Gudjonsson, 2003). Gudjonsson further argues that coerced-internalized false confessions may come in two forms. On the one hand, people may come to falsely believe that they committed a crime, but never develop an actual memory of committing the crime. On the other hand, people may come to believe that they committed a crime *and* actually begin to develop “memories” of having done so. The fact that an individual may actually come to “believe” that they have committed an act when they had not has clearly sparked the interest of psychologists to further investigate this phenomenon. For example, Kassin (1997) has identified two factors that coerced-internalized false confession cases appear to have in common. First, the suspect’s memory is vulnerable in some way. This vulnerability may be due to a number of factors, including substance use, fatigue, low intelligence, or youth. Second, suspects are confronted with some sort of false evidence of their guilt, such as being told that they failed a polygraph exam or that their DNA was found at the scene of the crime. Kassin argues that the presence of these two key factors opens the door for suspects to begin questioning their memory with regard to their involvement in the crime.

Although coerced-internalized false confessions are likely to be the least common type of false confession, there are numerous case examples of their occurrence (Kassin, 1997). Arguably the most well

known case of a coerced-internalized false confession is that of Paul Ingram (see Wright, 1993a; 1993b). Ingram was a deputy sheriff who was accused of the satanic ritual abuse of his daughter. Initially, Ingram denied all charges. However, over the course of five months, he was repeatedly interrogated, hypnotized, and encouraged to remember the abuse (Olio & Cornell, 1998). As a result of this interrogative process, Ingram eventually began to remember his crimes, subsequently confessed, and was later sentenced to 20 years in prison largely on the basis of his statements of admission (and despite the fact that he eventually retracted his confessions). During the investigation of the Ingram case, Richard Ofshe, a sociologist who has studied brainwashing and false confessions, was called to evaluate Ingram. Ofshe began to suspect that Ingram was confessing to crimes he had not committed. This suspicion was based in part on the fact that there was no physical evidence present to corroborate the crimes, especially given that the confession statements involved numerous fantastic claims (e.g., satanic ritual abuse, including the killing of infants). Ofshe tested his theory by getting Ingram to confess to an abuse incident that was known by all not to have occurred. After verifying with Ingram’s children that the abuse incident was false (the abuse incident involved Ingram allegedly forcing his son and daughter to have intercourse together), he confronted Ingram with the accusation (Olio & Cornell, 1998). As he had with all of the other allegations, Ingram initially denied the offense, but consented to Ofshe’s request to think about and try to recall the event. By the next day, Ingram provided a full, detailed confession of the fabricated incident. Based upon this incident and his evaluation, Ofshe concluded that Ingram had provided a coerced-internalized false confession to the crime. Kassin (1997) noted that the two factors common to all coerced-internalized false confession cases, memory vulnerability and presentation of false evidence, were clearly present in the Ingram case. In effect, it may be argued that Ingram’s memory vulnerability stemmed from being repeatedly told by investigators and psychologists that it would be natural for him to “repress” memories of his crimes, and that his memory could be recovered by praying to God for answers. The presentation of false evidence in Ingram’s case likely came in the form of having his children, and specifically his daughter, claiming that the abuse had occurred.

## Interrogations | RESEARCH AND RECOMMENDATIONS

### The Investigative Process and False Confessions

As alluded to in the introduction, concerns have recently been expressed within the scientific community regarding the extent to which interrogation methods may lead to false confessions. Given its popularity with policing agencies it is not surprising that the Reid Technique of investigative interviewing has been the focus of much of this scientific inquiry (Inbau et al., 2001). In general, the Reid Technique suggests a three-part process for investigating a crime that includes: (1) the gathering of evidence and interviewing of victims and witnesses, (2) a non-custodial, non-accusatorial interview of the suspect using the "Behaviour Analysis Interview" to assess any evidence of deception; and (3) an accusatorially-focused interrogation of the suspect in which a nine-step technique is implemented, with the primary objective of securing a confession. As described by Inbau and colleagues (2001), "[a]n interrogation is conducted only when the investigator is reasonably certain of the suspect's guilt" (p. 8). While many believe that false confessions are most often a result of the coercive methods of interrogation provided in third phase of the Reid method, recent research has discovered that investigative biases developed in the evidence gathering and pre-interrogation phases may actually enhance the coercive and accusatorial nature of a custodial interrogation. It may be argued, therefore, that the combination of investigative biases and the use of psychological coercion in the interrogation room can significantly increase the likelihood of obtaining a false confession. As such, in the following section, we discuss the psychological research that has assessed the investigative process leading to a false confession.

*Investigative Biases* - The police investigative process is akin to any human hypothesis-testing situation in which numerous social and cognitive psychological mechanisms may influence a decision. In particular, a volume of research has demonstrated that when a person generates a specific hypothesis early in an investigation (e.g., this person is guilty), their attention becomes focused on information that confirms their hypothesis (e.g., evidence that suggests the person is guilty), while information that contradicts their hypothesis (e.g., exculpatory evidence) tends to be ignored or overlooked (for a review, see Trope & Liberman, 1996). As such, an investigator's prior experiences (e.g., similar cases that have been investigated and the related theory for the crime), subjective base rates (e.g., estimated likelihood of guilt that is

based, in part, on prior experiences), and stereotypes (e.g., criminal profiles or behaviours believed indicative of certain groups or individuals) may all guide the generation of an initial hypothesis of "guilt." This hypothesis can subsequently lead to an investigative process in which confirmation is sought by directing attention toward seemingly hypothesis-consistent information. For example, the suspect may provide verbal or non-verbal cues that the investigator interprets as signifying deceit (e.g., fidgeting, shifting eye contact or body language, an unconvincing alibi, etc.) or the investigator may receive information from outside the interview (e.g., past criminal record). If employing a biased hypothesis-testing process, such ambiguous evidence may be sufficient for the investigator to conclude, with high confidence, that the suspect is responsible for the crime.

Several studies indicate that investigators who tend to perceive suspects as "guilty" also tend to extend this investigative bias through a potentially ineffective behavioural confirmation approach in the interrogation room. Kassin and Fong (1999), for example, assessed the extent to which training individuals in the Reid Technique enhanced their ability to detect whether or not a criminal suspect was being deceptive. More specifically, they presented trained and untrained individuals with a series of videotaped interviews depicting "innocent" and "guilty" suspects who each denied involvement in one of four mock crimes. Results indicated that whereas training did not increase overall detection accuracy (both trained and untrained individuals performed at chance rates of 50% accuracy), it did increase the confidence that trained individuals purported in their judgments as well as the number of reasons they cited as a basis for their judgments.

In a follow-up study, Meissner and Kassin (2002) re-evaluated previous studies that had examined the deception-detection abilities of police investigators when compared with naïve individuals. Their analysis of previous studies indicated that not only did investigators perform no better than chance (50% accuracy) in detecting deception, they also demonstrated a bias towards responding that a given target-person was "deceitful" rather than "truthful." This investigative bias was also confirmed by presenting police investigators from Canada and the United States with the same videotaped interviews used previously by Kassin and Fong (1999). Once again, Meissner and Kassin found that investigators were more likely than naïve individuals to conclude that a

suspect was “guilty,” and that these judgments were provided with significantly greater confidence.

It has been suggested that this investigative bias towards viewing a suspect as guilty encourages the interrogation of the suspect with an “accusatorial” or “expedient” frame of mind in which the investigator utilizes a confirmatory strategy for eliciting confession evidence (Mortimer & Shepherd, 1999). A recent study by Kassin, Goldstein, and Savitsky (in press) has demonstrated the detrimental influence of presuming guilt in leading to a process of “behavioural confirmation” in the interrogation room. In essence, the authors examined whether a perception of guilt would lead an investigator to interview a suspect in such a way that caused the suspect to be overly defensive and exhibit signs of deceit. Specifically, Kassin and colleagues manipulated an investigator’s expectations of guilt or innocence prior to their commencing with an interrogation of a suspect who was actually “innocent” or “guilty” of a mock crime. Each interrogation was then tape-recorded and later evaluated by neutral individuals. Taken together, their results indicated that those investigators led to presume guilt prior to the interrogation: (a) asked more guilt-presumptive questions, (b) conducted more persistent and coercive interrogations, (c) exerted more pressure on suspects to confess, and (d) encouraged suspects to appear more “defensive” in their behaviour and to be perceived guiltier than they were in actuality. In sum, the above research seems to indicate that investigative biases led to coercive and pressure-filled interrogations that, in turn, caused suspects to appear more “defensive” and “guilty” even when they were not guilty of the crime being investigated.

In response to the above research, some have suggested that a procedural safeguard exists to protect the innocent from a biased interrogation – namely, the right to remain silent and to seek counsel prior to answering questions from investigators. In the United States, for example, once placed into custody by police a suspect must be advised of such rights (*Miranda v. Arizona*, 1966) prior to commencement of any interrogation. A similar standard of “rights and warning” are utilized in Canada. Given both the inherently coercive nature of an interrogation and that the vast majority of suspects who confess to a crime will ultimately be convicted, it would seem logical that most suspects would exercise their rights and avoid the possibility of an interrogation. Research indicates, however, that the opposite situation readily exists. Leo (1996), for example, estimated

that in the United States 75-80% of all suspects waive their rights to silence and counsel, while studies in Great Britain suggest an even greater incidence of waiver (Baldwin, 1993: 98%; Moston, Stephenson, & Williamson, 1993: 95%; Softley, 1980: 88%). One reason for a suspect’s readiness to waive a right to silence may involve police tactics that persuade the suspect to cooperate with the investigation – techniques that include feigned sympathy and minimization (discussed below). A second reason that a suspect may waive their rights involves their belief that they are innocent and have “nothing to hide.” In fact, studies suggest that repeat offenders are most likely to exercise their rights, and that innocent individuals are more willing to cooperate with investigators conducting an interrogation than are guilty individuals (see e.g., Gudjonsson, 2003). A recent study by Kassin and Norwick (2000) sought to confirm these observations empirically and to assess the extent to which innocent and guilty suspects might waive their rights when confronted in an interrogative situation. Results indicated that innocent suspects were significantly more likely to waive their rights when compared with guilty suspects (81% vs. 36%, respectively), indicating that innocent individuals idealistically believed that their innocence would shine through (Kassin et al., in press).

*Coercive Techniques & Interrogation* – As with a number of other interrogation methods purported in North America, the Reid Technique encourages an accusatorial approach that commences when the investigator is convinced of the suspect’s guilt. In its third phase, the Reid Technique encourages that investigators utilize a nine-step procedure to elicit a confession. This procedure is predicated on the assumption that criminals will not voluntarily confess to committing a crime due to their fear of the consequences that will likely follow. Therefore, investigators must use a variety of persuasive techniques that will break down a suspect’s resistance and increase his or her willingness to confess by minimizing the perceived consequences of confessing (for a review of this issue see Gudjonsson, 2003).

The multi-step Reid interrogation procedure begins with the investigator informing the suspect that he or she is convinced of the suspect’s guilt, and that it is pointless for them to deny involvement. The interrogator will often have to exaggerate their confidence in the suspect’s guilt, and it may be necessary to confront the suspect with fabricated evidence (e.g., the interrogator might inform the suspect that his/her

## Interrogations | RESEARCH AND RECOMMENDATIONS

fingerprints were found on the murder weapon). The next important step in the Reid Technique is referred to as “theme development.” The goal of theme development is for the investigator to offer different themes to suspects that explain why they committed the crime. In this step, interrogators show sympathy for the suspect and attempt to win the suspect’s trust. Themes usually involve minimizing the moral heinousness of the crime, and often include providing suspects with face-saving excuses for their behaviour (e.g., “anyone in your situation would have done the same thing” or “the victim provoked you”). Providing suspects with a memory failure theme is also fairly common. Here, the investigator provides the suspect with an excuse as to why they might not remember committing the crime (e.g., “you repressed it” or “you were under the influence of drugs at the time of the crime”), thereby making it easier for the suspect to admit that he or she may have been involved. Inbau and colleagues (2001) explain that the goal is for the interrogator to suggest a theme that comports with the suspect’s pre-existing rationalization for committing the crime. By finding the theme that fits with the suspect’s beliefs, it should be easier for the suspect to admit involvement.

The final steps of the Reid Technique involve preventing the suspect from denying their involvement in the crime and focusing the suspect’s attention on the interrogator. Once an interrogator believes that a suspect is ready to confess, the interrogator presents what has been termed an “alternative question.” Specifically, the interrogator poses a question with two alternatives, both of which imply involvement with the crime, but one of which is more attractive than the other. For example, an interrogator might ask a rape suspect, “When you first grabbed her by the side of the road, did you intend to rape her or did you just plan to rob her?” By agreeing to either alternative, a suspect admits guilt. Inbau and colleagues (2001) argue that guilty suspects will choose the more attractive alternative in order to save face and to minimize their culpability for the crime. Once a suspect has agreed to the more desirable alternative, the investigator attempts to persuade the suspect to give a full, detailed confession.

Inbau and colleagues (2001) argue that while the Reid Technique is very effective in persuading guilty suspects to confess, such methods will not compel an innocent suspect to falsely confess. Interestingly, however, Inbau and colleagues have yet to produce any scientific data to support this claim, and a num-

ber of researchers have expressed concern that some of these techniques may in fact lead a suspect to confess to a crime that he or she did not commit (e.g., Kassin, 1997; Kassin & McNall, 1991; Gudjonsson, 2003). For example, Kassin and McNall (1991) have argued that the methods used in the Reid Technique can be broken into two types – maximization and minimization. Maximization involves interrogators using so-called “scare tactics” that are designed to intimidate a suspect by maximizing the seriousness of the situation. This may include exaggerating the heinousness of the offence, maintaining a firm belief in the suspect’s guilt, or presenting false evidence of alleged guilt. Minimization, on the other hand, involves the interrogator gaining the suspect’s trust by being sympathetic. Here the interrogator attempts to minimize the suspect’s perceived consequences of confessing, and oftentimes offers justifications or face-saving excuses (similar to Inbau and colleagues’ “themes”) in order to increase the likelihood of the suspect confessing. Kassin and McNall have found that maximization tactics imply threat of harsher punishment in sentencing, whereas as minimization techniques imply leniency in sentencing. However, the use of direct threats of harsher punishment or promises of leniency is illegal in the United States, primarily due to the concern that these techniques may produce unreliable confessions. If, in fact, maximization and minimization imply harsher punishment and leniency respectively, it may be argued that there should be a similar level of concern that these currently legal techniques might also produce unreliable confessions.

As stated above, there appears to be considerable debate between advocates of the Reid Technique (and other similar methods) and social scientists regarding the degree to which some aspects of currently employed interrogation techniques may lead to a false confession. Below we discuss the growing empirical research suggesting a link between certain interrogation techniques and false confessions. In their now classic paradigm, Kassin and Kiechel (1996) were the first to demonstrate the phenomenon of false confessions in the laboratory. In this study, participants were recruited to participate in a computer-based reaction task. When a participant arrived at the lab, he or she was told that another student (who was actually a confederate working for the experimenter) would read a list of letters to them and that their job was to type those letters on a keyboard. After a practice trial, but before beginning the critical trial, the

participant was warned by the experimenter not to hit the ALT key because hitting this key would cause the computer to crash and data would be lost. The critical trial then began and the letters were read to the participant at either a fast or slow pace. After about sixty seconds the computer crashed and a frantic experimenter asked the participant if they had hit the ALT key. In half of the conditions, the confederate confirmed seeing the participant hit the ALT key (when, in reality, no participants actually hit the ALT the key); in the other half of the conditions the confederate said that she had not seen what happened. In addition, the pace of the task (fast vs. slow) served to manipulate participants' level of vulnerability. That is, in the fast-paced condition, participants should have been less confident in their memory regarding whether they had hit the ALT key compared with participants in the slow-paced condition. An "interrogation" of the participant then commenced, including an accusation by the experimenter that the participant was guilty of the act. Kassin and Kiechel's (1996) results indicate that although participants initially denied hitting the ALT key, 69% eventually confessed to committing the "crime" even though they did not do it. Furthermore, 28% of participants exhibited signs that they had internalized their guilt, such that they acknowledged their guilt to a third party outside of the experiment. It is certainly noteworthy that in the condition that most closely mirrors the characteristics present in actual coerced-internalized false confessions, namely the fast paced reading of letters (i.e., high memory vulnerability) and presentation of false evidence condition, 100% of participants signed the confession statement, while 65% provided evidence of internalizing their guilt.

Since the above study, a number of other researchers have employed the Kassin and Kiechel (1996) paradigm to investigate various specific aspects of false confessions as they relate to interrogation practices (see e.g., Avali & Lange, 2001; Horselenberg, Merkelbach, & Josephs, 2003; Forrest, Wadkins, & Miller, 2002; Redlich & Goodman, in press). Although the false confession research conducted with the Kassin and Kiechel paradigm is an important first step, there are some limitations with this work. For example, it fails to capture a number of important elements present in the real world, including the severity of the act, the significant complexity of the event in question, the perceived intentionality of the suspect's behaviour, and the actual innocence versus guilt of the suspect. To address these impor-

tant and relevant variables, research is currently being conducted in our laboratory with a new paradigm that better captures a real-world interrogation scenario. This novel paradigm permits researchers to examine interrogations of both innocent and guilty suspects, thereby providing an analysis of the diagnostic value of various interrogation techniques for distinguishing between true and false confessions (Russano & Meissner, 2003).

*Suspect Vulnerabilities* - Kassin and Kiechel's (1996) results suggest that the combination of certain interrogation tactics (e.g., presentation of false evidence) and certain circumstances (e.g., suspect vulnerability) may induce a suspect to confess to an act that he or she did not commit. As such, it is important to note that some people are more vulnerable than others to techniques that may be employed in an interrogation. Specifically, there are certain "suspect vulnerabilities" that can make people particularly susceptible to providing a false confession during an interrogation, including age, mental capacity, the physical state of the suspect at the time of interrogation, and/or the psychological state of the suspect at the time of the interrogation.

A number of field studies have demonstrated that younger suspects, and in particular children, are more likely to falsely confess during an interrogation than older persons or adults (e.g., Baldwin & McConville, 1980; Leiken, 1970; Phillips & Brown, 1998; Softley, 1980). A wealth of psychological research demonstrates that children are more suggestible than adults, in that they are more likely to acquiesce to leading questions and are less able to resist the demand characteristics of a suggestive interview (for a review of this research see Ceci & Bruck, 1993). This pattern of suggestibility indicates that, compared with adults, it is more likely that children will falsely confess when faced with a coercive interrogation technique. In an empirical demonstration of this effect, Redlich and Goodman (in press) recently investigated how suspect age and the presentation of false evidence are related to false confession rates in the context of the Kassin and Kiechel paradigm. Their results indicated that when false evidence was presented, children (ages 12-13 and 15-16) were more likely to falsely confess than adults.

Another factor of concern to researchers is the mental capacity of a suspect. A number of studies suggest that police interrogations are frequently conducted with persons of low intelligence or I.Q. (for a review of this issue see Gudjonsson, 1993). In one study of

## Interrogations | RESEARCH AND RECOMMENDATIONS

alleged false confessors, Gudjonsson (1990) found an average IQ score of 80, 20 points below the population average. It may be argued that suspects with low intelligence would be less able to cope with the pressures of a coercive interrogation, and therefore more likely to make a false confession. In addition, memory vulnerability, one of the key characteristics present in coerced-internalized false confessions, may also manifest itself in the form of low IQ. Specifically, those with less intelligence may have a poor memory for the time of the event in question. Clearly, however, more research is needed to empirically demonstrate the relationship between mental capacity and the risk of false confession.

Finally, it is important to assess the physical and psychological state of a suspect at the time of the interrogation when considering suspect vulnerabilities. Police who are interviewing a suspect with an altered mental state (e.g., due to mental illness or drug use) or a suspect who is in physical duress (e.g., sleep deprivation, pain) should be especially cognizant of the fact that these people may be more susceptible to coercive techniques. In one study of suspects who were detained at police stations, those who had consumed an illegal drug 24 hours prior to their arrest were more likely to falsely confess than those who had not consumed an illegal drug (Pearse, Gudjonsson, Clare, & Rutter, 1998). Similarly, in a study of false confessions with the Kassin and Kiechel (1996) paradigm, Forrest and colleagues (2002) found that when males were stressed prior to an interrogation, they were significantly more likely to falsely confess than those in which stress had not been induced.

### Interrogations in the British System

Over the past two decades, the British system has altered its approach to the interrogation of suspects largely in response to several cases of wrongful conviction, including instances of coerced false confessions. The British system's concern for such wrongful convictions led to a Royal Commission on Criminal Procedure in 1981, which involved several research studies on police interrogations (Irving, 1980; Irving & Hilgendorf, 1980; Softley, 1980) and ultimately resulted in the Police and Criminal Evidence Act (PACE) in 1984. PACE requires police investigators to be cautious in their interrogations, particularly when suspects may be vulnerable to manipulation (through age, mental capacity, or physical and psychological state), and provides that the interrogation of any indi-

vidual must be "transparent" (i.e., recorded in some fashion) such that a court might subsequently evaluate the interview. Research conducted subsequent to the implementation of PACE indicated that while the frequency of coercive interrogation techniques had dropped, the regularity of confessions had not been adversely affected (Irving & McKenzie, 1989). In other words, it appears that the likelihood of obtaining a confession from a suspect was not inhibited by the application of non-coercive techniques or the protection of those persons who are vulnerable to persuasion.

Despite the advances of PACE to the British system, several instances of "oppressive" police interviewing were observed (*R. v. Paris, Abdullahi & Miller*, 1993; *R. v. Heron*, 1993), which subsequently led to a Royal Commission on Criminal Justice (1993) and further pressure on police agencies to revise their approach to investigative interviewing. A new "culture" of interrogation practices was adopted through a series of Home Office Circulars (22/1992; 7/1993) and development of the "PEACE" model (Preparation and Planning, Engage and Explain, Account, Closure, and Evaluate) of investigative interviewing (Gudjonsson, 2003; Williamson, 1994). At the heart of this approach is an "ethical" and "inquisitorial" framework which can be contrasted quite sharply from the "expedient" and "accusatorial" approach discussed above (Mortimer & Shepherd, 1999). Overall, the PEACE method proposes the conduct of a formal interrogation of the suspect in which the purpose of the interview is clearly stated to the suspect, cautions or rights are properly administered, rapport is established, and a "conversation" is begun between the lead investigator and the suspect. This conversation will generally involve an interview method known as "conversational management" in which non-coercive techniques are applied and the focus of the interview is on "information gathering" as opposed to the elicitation of a confession (Shepherd, 1986). Although preliminary, research on the PEACE method by Clarke and Milne (2001) indicates significant improvement in the elimination of coercive interrogation practices.

### Recommendations for Investigative Interviews

Taken together, the current review of psychological research indicates that certain interrogations techniques may lead an individual to falsely confess to a crime, and that certain persons may be more vulnerable to such persuasive methods of interrogation.

Furthermore, the development of biases in the initial stages of an investigation may exacerbate the use of such coercive techniques in attempts to confirm initial hypotheses of guilt. While the British system has readily acknowledged the problems inherent in the Reid Technique and others, police agencies in North America, for the most part, have not yet followed suit. It may be argued, however, that the careful consideration and modification of current interrogation practices in North America, as in Britain, is in the best interest of both police agencies that seek to arrest the guilty, and individuals who may be interrogated for a crime they did not commit. Although the empirical research on interrogations and confessions is still evolving to elicit a better understanding of potentially coercive situations, we believe that a firm basis exists to present the following "best practice" recommendations for consideration by police and security personnel.

(1) *Transparency of the Interrogation Process* – Although law enforcement agencies voice concerns that the videotaping of interrogation sessions will limit their discretion in the interview process and/or reduce the likelihood of achieving a confession from the suspect, research has demonstrated that the recording of interrogations does not significantly lower the frequency of confessions produced (Geller, 1992; Grant, 1987; Willis, Macleod, & Naish, 1988). In addition, investigators have indicated that videotaping procedures enhance the perceived strength and voluntariness of the confession evidence that is collected, while protecting the investigator against unfounded allegations of wrongdoing (Gudjonsson, 2003; Leo, 1996). For those departments or agencies that plan to initiate the recording of investigative interviews, we provide two important suggestions. First, to reduce the practice of investigators shifting their use of coercive techniques to non-custodial (or pre-interrogation) interviews, both custodial and non-custodial interviews with a suspect should be recorded from beginning to end (for a discussion of such instances see Gudjonsson, 2003). Second, the angle of video recording should be carefully coordinated to include a view of both the investigator and the suspect, as this view reduces the likelihood of any perceptual biases by third parties who might evaluate the voluntariness of the confession (Lassiter & Irvine, 1986; Lassiter, Slaw, Briggs, & Scanlan, 1992).

(2) *Identification of Suspect Vulnerabilities* - As discussed previously, certain individuals may be more

susceptible to the influence of coercive interrogation techniques, including children (or those under the age of 17) and mentally challenged individuals. Upon initial assessment of the suspect, counsel or assistance should be provided to such individuals prior to the commencement of an interrogation session. In addition, the psychological and physical state of a suspect at the time of the interrogation should be considered, including the potential for the recent use of alcohol or drugs, or signs of physical duress such as sleep deprivation or pain. The interview of suspects in such a questionable physical or psychological state should be withheld until such time as care has been provided and they have returned to "normal" state.

(3) *Avoidance of Techniques that Increase the Likelihood of False Confessions* – Although this article does not contest the application of all aspects of the interrogation techniques currently employed by policing agencies in North America, empirical research has demonstrated that certain aspects may lead an individual to provide a false confession. Investigators are encouraged to be especially cognizant of the negative influence of procedures such as memory failure theories (e.g., "You probably blacked-out or were experiencing a temporary amnesic syndrome when you committed the crime") and the presentation of false evidence (e.g., a bogus polygraph or voice stress analysis, DNA or fingerprint evidence) which can lead an individual to provide a coerced-internalized false confession (Kassin, 1997). Given the laboratory-based and archival evidence cited above, investigators should also be mindful of the amount of time spent interrogating a suspect, and the implications of leniency inherent to "minimization" themes in which justifications or face-saving excuses are offered to the suspect (see Kassin & McNall, 1991).

(4) *Post-Interrogation Analysis of Confession Reliability* - Leo and Ofshe (1998) have recommended that an evaluation of a suspect's post-admission narrative be conducted to determine the extent to which the details provided by the suspect are consistent with known facts in the case. To this end, it is important that investigators consider: (a) withholding details of the case from the media or third parties which might contaminate a suspect's knowledge of case-related information; and (b) not providing a suspect with details of the case during the course of an interrogation session, including evidentiary materials or visits to the crime scene, in order that a fair and complete assessment of the suspect's knowledge might be gained. Furthermore, investigators should assess

## Interrogations | RESEARCH AND RECOMMENDATIONS

whether any novel evidence was obtained during the course of the interrogation that might provide independent corroboration of the confession statement and further the investigation of the crime.

### Conclusions

Although the incidence of false confessions is a troublesome reality, researchers have now begun to explore the cognitive and social psychological mechanisms that mediate their occurrence. In this article, we have attempted to review what is currently known about the psychology of interrogations, including critical aspects of investigative bias, coercive interrogation techniques, and vulnerabilities of the suspect that can increase the likelihood of obtaining a false confession. Although empirical research in this area is still evolving, preliminary evidence suggests that at least some of the interrogation tactics currently employed by policing agencies in North America may lead to false confessions. Given this likelihood of obtaining dubious confession evidence, it is suggested that police agencies be encouraged to critically review the techniques that are currently utilized by investigators in the interrogation room. With the recent surge of attention that confession evidence is receiving from defence attorneys and judges, modification of potentially coercive interrogation techniques appears warranted. Although there is clearly much additional research to be conducted on this issue, it is incumbent upon scientists and police agencies alike to maintain an open dialogue to achieve the goal of obtaining valid confessions.

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## Interrogations | RESEARCH AND RECOMMENDATIONS

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