



**“You're *guilty*, so just *confess*!”:**  
**The psychology of interrogations  
and false confessions**

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*Marty Tankleff*

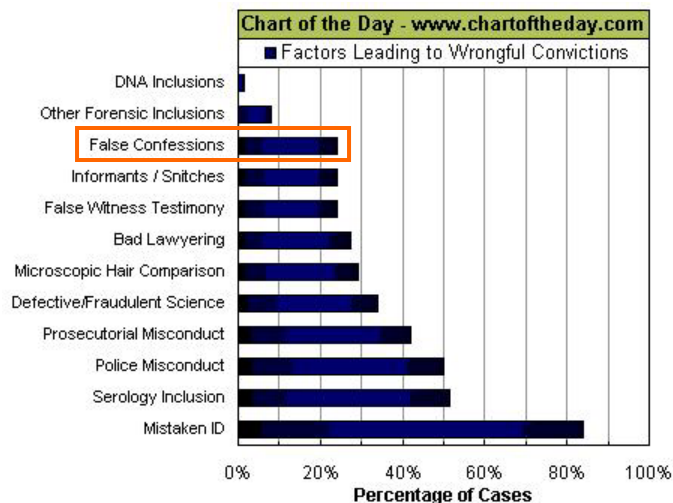
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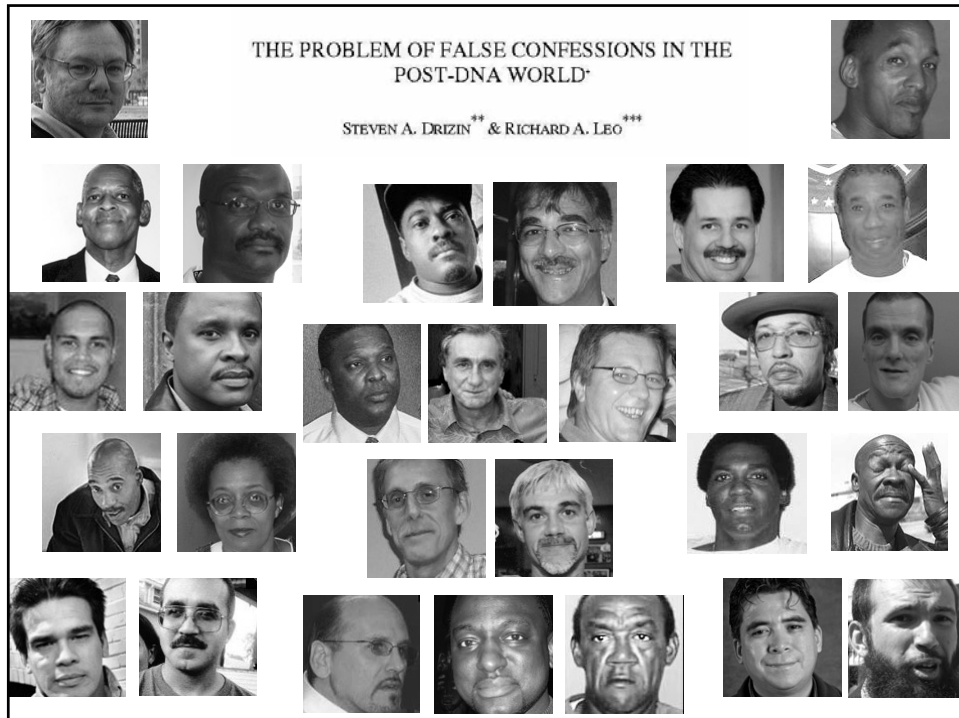
- Marty Tankleff had just turned 17 when he was arrested for killing his parents, Seymour and Arlene Tankleff, in their home on Long Island, NY.
- His conviction was based on a dubious, unsigned "confession" extracted from him following hours of interrogation by a detective with a questionable background,



## *Jeffrey Deskovic*

- Convicted in 1989 for the rape and murder of a 15-year-old classmate in NY.
- As a 16-year-old, Deskovic was interrogated for six hours without the assistance of his parents or a lawyer.
- He was told that he failed a polygraph examination, and that investigators were convinced of his guilt.
- DNA evidence was available at the time of trial that excluded Deskovic; nevertheless, he was convicted.





## *Drizin & Leo (2004)*

- recently documented **125** cases of “proven” false confessions in the United States
  - 32% of the sample were juveniles
  - 19% were described as “mentally retarded”
  - 10% were described as “mentally ill”
- > 80% involved murder charges



## *Drizin & Leo (2004)*

- **11%** plead guilty to the crime
- **81%** of those going to trial were **convicted** based upon false confession evidence...
- length of incarceration if convicted:
  - **30%** served **1 to 5 years**
  - **34%** served **6 to 10 years**
  - **27%** served **> 11 years**



## *Drizin & Leo (2004)*

- the average length of interrogation was **16.4 hours** (median of 12 hours)



*Leo, Kassin, Meissner, et al. (2006)*

Surveyed 631 police investigators in the U.S. ...

- average interrogation length of **1.6 hours**  
(and their longest interrogation averaged **4.95 hours**)
- **68%** of suspects provide a confession / admission of guilt
- estimated that false admissions occur **4.78%** of the time  
(and complete false confessions occur **0.97%** of the time)
- **77%** accuracy in distinguishing truth from deceit during an interview



*Six conclusions from research on interrogations & confession*

- 1) investigative biases appear to trigger and exacerbate the coercive nature of interrogations
- 2) investigators routinely use psychologically coercive methods
- 3) these techniques can lead innocent people to falsely confess
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## *Modern police interrogation...*

- the goal of an interrogation is to yield information about the crime directly from the suspect, ultimately a “confession”
  - interrogations generally involve several phases:
    - pre-interrogation interview
    - isolation
    - confrontation
    - minimization
- critical decision point
- interrogation
-



## *(1) Investigative biases...*

- investigators will often attempt to detect any deception on the part of the suspect in a pre-interrogation interview
- however, individuals (including trained investigators) often perform no better than chance in laboratory deception-detection tasks
- Bond & DePaulo (in press) – **54%** accuracy across studies
  - **61%** on truthful scenarios
  - **47%** on deceitful scenarios

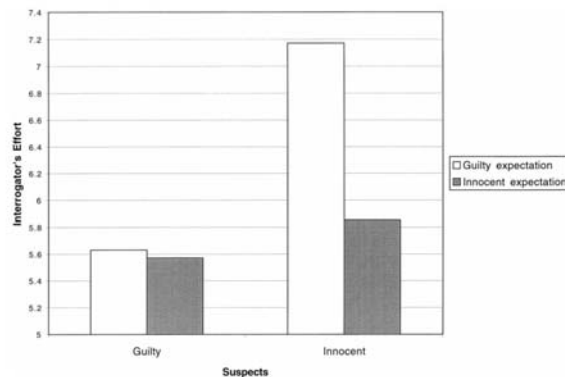


## *Meissner & Kassin (2002)*

- 40 students & 44 law enforcement investigators:
  - varying degrees of prior experience (M = 13.7 years, SD = 6.5)
  - prior training in deception detection (68% trained)
- investigators were significantly more confident in their judgments of deception
- investigators were not more accurate, but did demonstrate a bias to see “deception”
- investigators’ experience and prior training were significantly related to this biased perception

*a behavioral confirmation process...*

- investigators led to believe that the suspect was **guilty**
  - asked more guilt-presumptive questions
  - used more pressure-filled interrogation techniques
  - were more likely to judge the suspect as guilty
- suspects in the guilt-presumption condition were perceived as more likely to be **guilty**



**Fig. 2.** Observer ratings of how hard interrogators tried to get a confession as a function of interrogators' expectations and suspects' guilt or innocence.





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## *(2) Psychologically coercive interrogation techniques...*

- unlawful techniques include:
  - brute force, prolonged isolation, deprivation of food/sleep, threats of punishment or harm, promises of immunity or leniency, failure to “Mirandize”
- permissible (psychologically-oriented) techniques:
  - feigned sympathy and friendship, appeals to conscience and religion, presentation of false evidence, good/bad cop, other forms of trickery/deception



## *Leo (1996)*

- analyzed the interrogations of 182 suspects at three police departments, and 60 tape-recorded interrogations from two police departments
- 5 to 6 tactics used in each interrogation:
  - appeal to the suspects' self-interest and conscience
  - confronting with true/false evidence of guilt
  - preventing denials of guilt
  - appeals to the importance of cooperation
  - moral justifications/excuses
  - praise or flattery
  - minimize seriousness of the offense



## *The "Reid" Technique (Inbau et al., 2001)*

1. Confront the suspect with assertions of his or her guilt.
2. Develop "themes" that appear to justify or excuse the crime.
3. Interrupt all statements of innocence and denial.
4. Overcome all of the suspect's objections to the charges.
5. Keep the increasingly passive suspect from tuning out.
6. Show sympathy and understanding, and urge the suspect to tell all.
7. Offer the suspect a face-saving explanation for his or her guilty action.
8. Get the suspect to recount the details of the crime.
9. Convert that statement into a full written confession.



## *Kassin & McNall (1991)*

- **maximization**

- “scare tactics” designed to intimidate a suspect; achieved by overstating the seriousness of the offense and magnitude of the charges; making false/exaggerated claims about evidence

- **minimization**

- “soft sell” technique in which the detective tries to lull suspect into false sense of security by offering sympathy, tolerance, or excuses; by blaming the victim/ accomplice; or by underplaying the seriousness/magnitude of charges



## *Narchet, Coffman, Russano, & Meissner (2006)*

- coded 11 interrogation manuals used in training U.S. law enforcement investigators (1994 – 2004)
- **100%** advocate **minimization** tactics
  - 82% suggest blaming the victim
  - 64% suggest the use of face-saving excuses
- **82%** suggest **maximization** techniques
  - 73% suggest presentation of false evidence
  - 54% advocate the accomplice split / attack



## *Obtaining a waiver...*

- Leo (1996) estimated that 75-80% of suspects in the U.S. waive their *Miranda* rights
- Kassin & Norwick (2000) found that **innocent** suspects were more likely to waive their rights than guilty suspects (81% vs. 36%, respectively)
- Why might suspects agree to waive *Miranda*?
  - presenting rights in a neutral manner that de-emphasizes their significance; “opportunity to tell your story”; implicating leniency; going “off the record”
  - **54%** of manuals provide strategies to obtain waiver as coded by Narchet et al. (2006)



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## *A scientific understanding of interrogations and confession...*

### Field Research

- Observational Studies
- Archival Analyses
- Surveys of Investigators, Attorneys, Judges, etc.

### Laboratory Research

- Experimental Paradigms
- Scenario-Based Studies



## *A scientific understanding of interrogations and confession...*

### external validity

- the extent to which research findings from a sample can generalize to the population and settings specified in the hypothesis

### internal validity

- the extent to which the research design permits a conclusion about the causal relationship between independent and dependent variables



## *What are the benefits of a laboratory-based approach?*

- 1) Lab studies can provide strong internal validity to determine causation, and researchers can promote generalization of the findings by ensuring both experimental realism and mundane realism
  - **experimental realism:** subjects can get “caught up” in the experiment and be influenced by manipulations
  - **mundane realism:** refers to the similarity of experimental events to everyday experiences



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- 2) Lab studies can provide a strong test of theoretical assertions regarding the variety of cognitive, social, and motivational factors leading to confession
- 3) Lab studies can assist us in determining the diagnostic-value of interrogative approaches (i.e., “ground truth” is known)



## Kassin & Kiechel (1996)

- presence of a “vulnerability” together with coercive interrogation techniques can lead to false confessions

**Table 1.** *Percentage of subjects in each cell who exhibited the three forms of influence*

Form of influence	No witness		Witness	
	Slow pace	Fast pace	Slow pace	Fast pace
Compliance	35 <sub>a</sub>	65 <sub>b</sub>	89 <sub>bc</sub>	100 <sub>c</sub>
Internalization	0 <sub>a</sub>	12 <sub>ab</sub>	44 <sub>bc</sub>	65 <sub>c</sub>
Confabulation	0 <sub>a</sub>	0 <sub>a</sub>	6 <sub>a</sub>	35 <sub>b</sub>

*Note.* Percentages not sharing a common subscript differ at  $p < .05$  via a chi-square test of significance.



## *Kassin & Kiechel paradigm...*

### **Klaver et al. (2003)**

- minimization can increase likelihood of false confession

### **Forrest et al. (2002)**

- state of “stress” can increase likelihood of false confession

### **Horselenberg et al. (2001)**

- increased severity of consequences led to no drop in false confession rates



## *Russano, Meissner, Narchet, & Kassin (2005)*

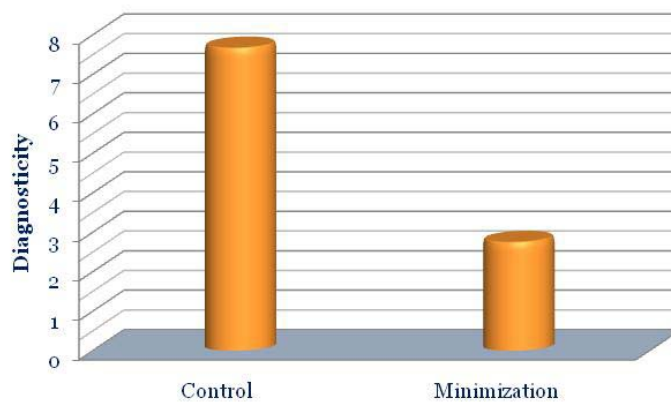
- limited generalizability of Kassin & Kiechel paradigm, so we created a novel experimental paradigm to study both **true** and **false** confessions
- participants were induced to “cheat” in a rather extensive problem-solving study (or not); all participants were then accused of “cheating” and interrogated
- an explicit “deal” of leniency was offered to some participants, whereas minimization was used to imply leniency with others



*Russano, Meissner, Narchet,  
& Kassin (2005)*



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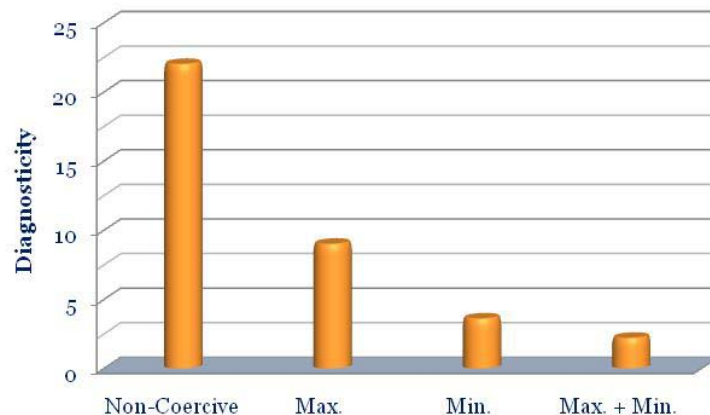


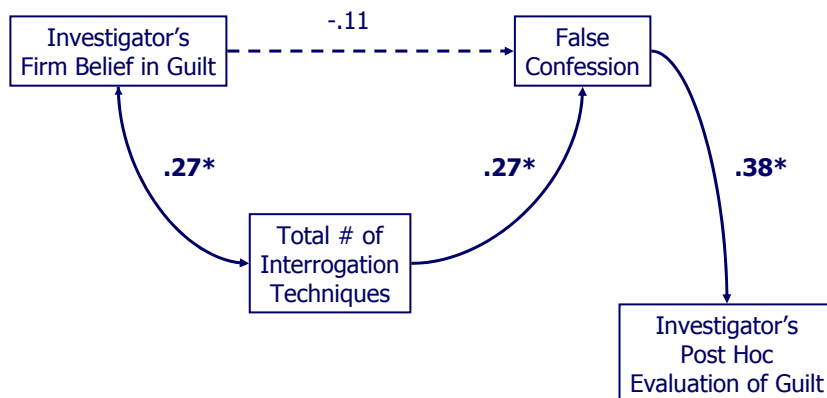
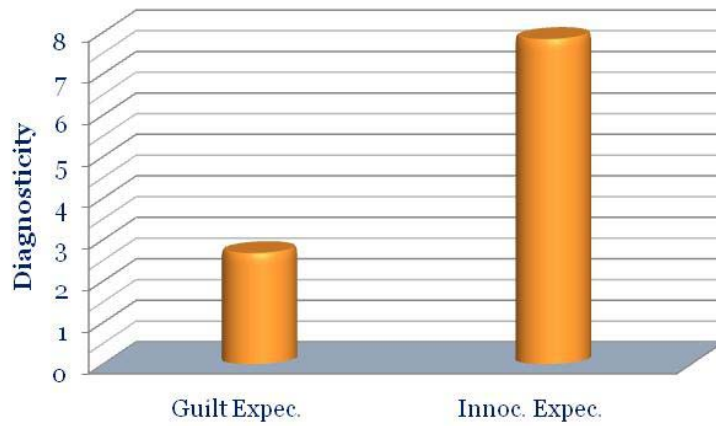
## *Narchet, Meissner, & Russano (2007)*

- Russano et al. (2005) paradigm was used to assess the role of **investigator bias** in the elicitation of true vs. false confessions
- experimenters were either provided with guilt or innocence information regarding the participant
- experimenters were also permitted to use up to **15** different interrogation techniques at their discretion (including both minimization and maximization techniques)



## *Narchet, Meissner, & Russano (2007)*







## *Six conclusions from research on interrogations & confession*

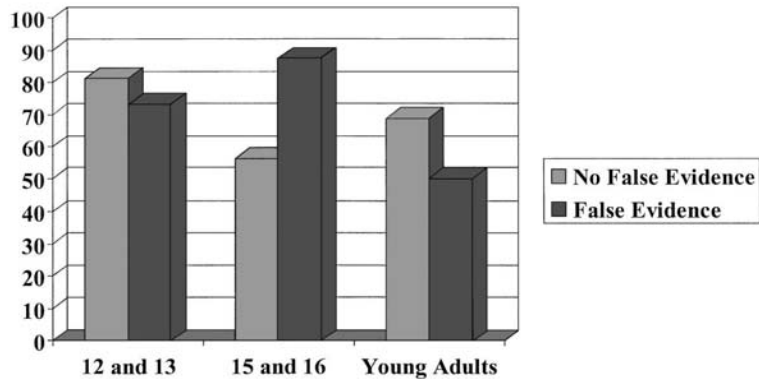
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## *(4) Suspect vulnerabilities...*

- age of the suspect
  - children are particularly vulnerable to coercion

## *Redlich & Goodman (2003)*



## *(4) Suspect vulnerabilities...*

- age of the suspect
  - children are particularly vulnerable to coercion
- mental capacity
  - low IQ can be associated with suggestibility, an inability to cope with stress, and susceptibility to coercion
- physical & psychological state
  - pain or discomfort, anxiety or mental stress, sleep deprivation, drug use or withdrawal symptoms are related to elevated suggestibility and susceptibility to coercion



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## *(5) True vs. false confessions...*

- can we rely upon investigators, the courts, or jurors to recognize false confessions?



*Kassin, Meissner, & Norwick (2005)*

***“I’d know a false confession if I saw one...”***

- videotaped **true** and **false confessions** from inmates convicted of a crime (~4.5 min) and examined whether investigators and naïve participants could distinguish between them
- would we see an “investigator bias” for confession statements? if so, might this signal a bias towards perceiving **guilt** on the part of a suspect?



*Kassin, Meissner, & Norwick (2005)*

- 61 naïve students & 57 law enforcement investigators:
  - varying degrees of prior experience ( $M = 10.9$  years)
  - prior training in deception detection (58% trained)
- investigators were significantly more confident in their judgments of deception
- investigators were not more accurate, but did demonstrate a bias to see “guilt”
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## *(6) Confessions in the courtroom...*

### **Kassin & Wrightsman (1980, 1981)**

- “positive coercion bias”; minimization techniques influenced guilty verdicts despite instruction to disregard

### **Kassin & Sukel (1997)**

- jurors failed to appropriately disregard coerced confession

### **Kassin & Neumann (1997)**

- confession evidence is significantly more “potent” than other forms of evidence (e.g., eyewitness evidence)





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## *Evaluating a potential false confession case...*

- 1) was there transparency of the interrogation process?
- 2) what interrogation techniques were used to elicit the confession statement?
- 3) analyze the confession statement itself:
  - (a) does it completely account for the defendant's involvement?
  - (b) does it demonstrate independent knowledge?
  - (c) does it lead to new evidence or further investigation?
- 4) was the defendant "vulnerable" to police coercion?



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## *Contact information...*

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