

The psychology behind interrogations and confessions research papers examples

[Sociology](#), [Communication](#)



Introduction

Interrogations and confession are an integral part of the investigative process. It is through the interrogation process that law enforcement officers get their confession. However, there have been claims that there is a greater focus on getting a confession that the truth of the matter is overlooked. This, among other reasons has led to a proliferation of false confessions gotten through different approaches. The gravity of this phenomenon can be illustrated by the statistics on false confessions, or outcomes resulting from false confessions. Gudjonsson et al., (2007), carried out a study to determine the relationship between reported adverse events in life, such as psychological treatment and false confessions obtained during custodial interrogation.

In their study, 7. 3% of their respondents reported to having made a false confession to law enforcement officers. By carrying out a logistic regression analysis of the variables involved in interrogations and false confessions, the findings suggested that previous exposures to unpleasant psychological events had an influenced on false confessions that were obtained during interrogations by law enforcement officers. In another study, Gudjonsson et al., (2009) investigated the variables that discriminated between individuals who falsely confessed to crimes and those who did not. In this study, 13. 8% of the participants admitted to having made false confessions to law enforcement officers.

A logistic regression analysis of the variables found that those participants who had been bullied or physically attacked previously, took part in substance abuse therapy and previously committed a burglary were

significant discriminators in false confession. This shows that one's psychological state in relation to past victimization has a significant influence on false confessions obtained during interrogations by law enforcement officers.

In a report of the National Registry of Exonerations, there was higher prevalence of false confessions among young people in the last twenty five years. More precisely, 38% of the youth under eighteen years who were exonerated were originally convicted due to false confessions obtained during interrogation by law enforcement officers. This was compared with a reported 11% of the exonerated adults. Based on the findings of studies regarding the variables involved in interrogation and confession, and the statistics on the false confessions obtained during interrogation by law enforcement officers, this paper delves into the influence of psychology in interrogations and how the role it plays in obtaining false confessions.

The Psychology behind Interrogations

There have been debates on both sides of the divide as to whether it is possible to pinpoint deception during interrogation by focusing on both verbal and non-verbal cues. Of course, law enforcement officers have often claimed that they can tell when a suspect or an individual is deceiving them during interrogation by judging their verbal and non-verbal cues (Inbau et al., 2001). The scientific community is yet to find evidence to back these assertions by law enforcement officers. On the contrary, studies into this matter have not found support for claims that law enforcement officers can judge truth or deception at high degrees of accuracy. In fact, psychological

research on the matter has found that people do not perform better than probability chance levels in identifying deception (DePaulo, Stone, & Lassiter, 1985). Additionally, studies have found that training programs aimed at improving this perceived skill only produces inconsistent improvements in the performance when compared with controlled conditions (Porter et al., 2000). With regards to law enforcement officers, studies have found that they only perform at a slightly better way in terms of detecting deception compared to those who do not have on-job experience (Porter et al., 2000). In order to understand the context of these findings, it is important to consider the cues that law enforcement officers use to detect deception and vet the psychology behind them.

One of the things considered by law enforcement officers in detecting deception is the non-verbal behavior of a suspect. Ideally, a suspect who is telling the truth is upright, leans forward from time to time, is open and relaxed, is frontally aligned in relation to the interviewer and casually changes his posture from time to time. Conversely, individuals who are not truthful are erratic and change their postures rapidly, retreat from the investigator, have a non-frontal alignment in relation to the investigator, have a barriered posture, appear to be frozen and slouching and have a slump head and body (Drizin, 2004). Other behavioral aspects that are considered are that truthful suspects are composed, cooperative, realistic and concerned, spontaneous and direct, confident, sincere, open and helpful. Conversely, deceptive suspects appear unconcerned and unrealistic, hesitant, overly anxious, defensive, evasive, insincere, unhelpful and defeated (Drizin, 2004).

One would not be faulted for taking these nonverbal and behavioral aspects at face value. Actually, this is what most law enforcement officers have been trained to observe. Based on the gravity of a confession, and a false one at that, it is not just enough to take the non-verbal cues and behavioral aspects at face value. Many studies have encouraged the consideration of the psychological effect that police interrogations have on the suspects and how this might influence their physiologic behavior. In fact, Gyll et al., (2013) performed several experiments on innocent people in order to determine the physiologic realities of interrogation and the effect of stress on the people being interrogated. The findings of the experiments revealed that innocent people underestimated the threat posed by interrogation.

Additionally, the experiment found that attempts by the innocent suspects to resist the pressure to confess actually diminished their physiologic resources, often resulting in a false confession. Gyll et al., (2013) concluded that the state of innocence in the suspects produces a basic and immediate difference between ' guilty' and innocent suspects, causing the innocent suspects to commit various ill-advised behaviors and decisions that could jeopardize the outcomes of their interrogations given that the law enforcement officers will consider the non-verbal cues and behavioral aspects discussed above as indicators of deception.

Based on these findings, it can be inferred that law enforcement officers can not only rely on the non-verbal cues and behavioral aspects to determine deception in the suspects. This is because such a judgement will set a premise for further interrogation that could lead to false confessions. In relation to the effect of stress on the behavior of the suspects, Gyll et al.,

(2013) found that increased stress might cause an innocent suspect to invoke his right to counsel and silence. This might be misconstrued as being defensive, which is one of the behavioral aspects 'consistent' with a deceptive suspect. In case, the law enforcement officer considers such actions as the result of mounting stress on the suspect's part, he might judge the suspect as deceptive.

Other aspects of the psychology behind interrogations by law enforcement officers and an understanding on how these aspects relate to false confessions can be seen in the interrogation tactics used by police officers, especially in the pre-admission phase. In order to understand the dynamics of this phase, it is important to understand that the suspect is afforded the privilege against self-incrimination by the fifth amendment (Kanovitz, 2012). Although it is not always the case, the suspect should also be informed of his Miranda rights before the commencement of the interrogation. A suspect may not be informed of his Miranda rights if the safety of others is feared. It is also important to note that the exclusionary rule forbids the use of evidence that is gained through unconstitutional means. In applying the free and voluntary rule, this implies evidence that is gained through unconsented searches may not be admissible (Kanovitz, 2012).

With this in mind, it is worth noting that some police officers may not inform the suspects of their Miranda rights. Further interrogation in this case would be illegal and any confession elicited through such means would be inadmissible. The pre-admission phase entails a session of between twenty and forty five minutes that is both non-confrontational and non-coercive. As stated above, it is a custodial interrogation requirement that the Miranda

rights are read to the suspect. However, and of concern is the fact that most suspects waive their Miranda rights. According to (Drizin) 2004, the waiver rates where adults are involved are as high as 80-85%, while those of juvenile suspects are reported at between 95% and 100%. This leaves the suspects vulnerable to incriminating themselves using the statements they make. It is important to note that police officers observe for the non-verbal cues and behavioral aspects discussed above in this phase.

Of note is the fact that law enforcement officers often use bait questions to retrieve a confession from the suspects. This involves articulately coined questions that convey the message that the law enforcement officers have evidence to prove the crime. Based on the findings of the study by Gyll et al., (2013), this might elicit behavioral aspects and non-verbal cues that might be misconstrued by the investigators as signs of deception. Bait questions might also be coupled with a confrontational attitude from the investigators. More often than not, the investigators assume absolute knowledge of the circumstances surrounding the crime and the guilt of the suspect and make verbal declarations to this effect (Drizin, 2004).

Investigators use the minimization and maximization techniques to elicit a confession from the suspect. This conveys the message that the investigator is absolutely certain of the suspect's guilt.

More precisely, maximization entails the investigators overstating the strength of their case against the individual, alleging deception on the part of the suspect and using false evidence ploys. According to Redlich & Goodman (2003), deploying false evidence has often led to false confessions. Law enforcement officers also use minimization psychological themes to elicit

confessions from suspects. These are psychological themes often coined to allow the suspect an opportunity to save face. Often, these psychological themes often give the suspect a moral or a legal excuse for perpetrating the crime. By alluding to either and confessing, the impression is that the suspect is saving face (Drizin, 2004).

Law enforcement officers also use an array of coercive motivators as psychological themes aimed at eliciting a confession from a suspect. The high-end motivators involve offers of leniency and threats of harm to either his person or family. The low-end coercive motivators include appeals to one's decency, conscience, morality and religion. The middle-end coercive motivators include systemic inducements by the law enforcement officers (Drizin, 2004). The other psychological theme used in interrogations by law enforcement officers is the attack of the confidence of the suspect in his memory. This is usually a crucial step in most coerced false confessions.

The Influence of the Psychology behind Interrogations on the Outcome

The studies adduced as evidence in this paper have identified the influence that the psychological themes behind interrogations have an influence on the outcomes of the interrogation process. More often than not, these psychological themes result in false confession. This is because psychologically coercive methods by the law enforcement officers interact with the personal vulnerabilities. Some of the vulnerabilities that are affected by the psychologically coercive interrogation methods include low intelligence, compliance, mental illnesses, youth and suggestibility. These are issues that have been adequately addressed by Drizin (2004).

Through such measures, the suspects are left feeling hopeless and thinking that a confession is the sole way to mitigate their situation. This is especially in regards to the minimization and maximization techniques. With such vulnerabilities, the suspects might confess falsely in order to stop the interrogation process, escape from custody or go home. This has been described adequately by Drizin (2004) as coerced compliance. Additionally, the interaction between the psychological themes in the interrogation techniques of law enforcement officers and the vulnerabilities of the suspects may lead to a failure to understand the consequences and implications of the confession. This is dire, especially because some of the suspects may not have the intellect to recant their statements and invoke their Fifth Amendment rights to have a lawyer present. More often than not, this will lead to a false confession.

Conclusion

The psychology behind interrogations can be used positively. It is not entirely invalid to assume deception when the non-verbal cues and behavioral aspects discussed in the paper are noted on a suspect by the law enforcement officers. However, in the spirit of the conception that one is innocent until such a time they are proven guilty, law enforcement officers can also consider the effect of the vulnerabilities of the suspect and the stress of the interrogation process on the behavior of the suspects. As the paper has highlighted, this is very significant. As long as the suspects are perceived as guilty even before the interrogation, the law enforcement officers will always use the psychology behind interrogation in order to elicit

a confession.

The studies adduced as evidence in the paper decry concerning statistics on exonerations due to false confessions. For the integrity of the justice system, it is imperative that the investigate arms of the justice system search for the truth rather than look for suspects to prosecute. Prosecuting people under a false confession gives the community a false sense of security in that the perpetrators of criminal acts have been locked away, only to see similar crimes repeated. While the morality of the matter is a discussion for another forum, the number of false confessions, especially on the youth cannot be ignored.

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