

## Abstract

When an interrogation is not recorded, judges and juries cannot see how the final narrative confession was produced. In this study, innocent and guilty participants gave four confessions: (1) spontaneous, (2) after coaching, and (3-4) twice rehearsed. Results showed that observers' perceptions of the confessions did not distinguish between guilt and innocence and that the coached and rehearsed confessions were perceived as more detailed, believable, indicative of guilt, and remorseful than initial spontaneous statements.

## Introduction

### Contamination

- False confessions often contain:
  - Accurate and privileged details about the crime<sup>1</sup>
  - Other credibility cues (e.g., statements of voluntariness, apologies)<sup>2</sup>
- Reid Technique<sup>3</sup> trains interrogators to convert a mere admission of guilt into a detailed narrative confession.
- Contamination*—the process by which crime details are communicated via leading questions, photographs, visits to the crime scene, and other secondhand sources.
- Hard to detect, especially in jurisdictions that do not require the recording of interrogations.

### Mere rehearsal

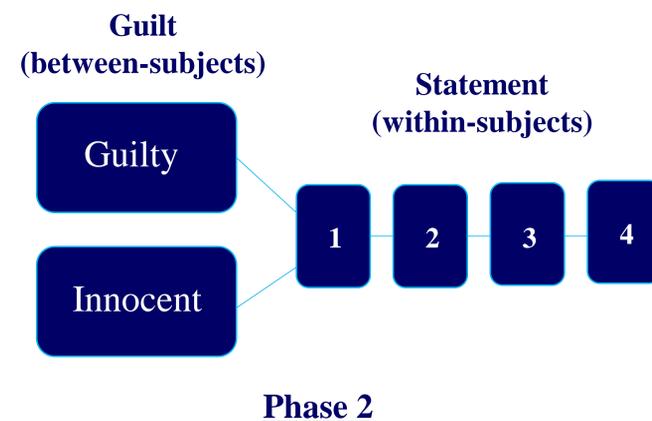
- Many wrongly convicted false confessors report giving multiple statements to police that involved *coaching* and *rehearsal* before their recorded confession was taken.<sup>4</sup>
- Mere rehearsal*: The hypothesis that a confession may evolve as a function of repetition.
- Repetition can:
  - Make statements sound more *automatic*<sup>5</sup>
  - Make statements more *articulate*<sup>6</sup>
  - Improve information *fluency* and *recall*<sup>7</sup>

## Method

### Phase 1

- In Phase 1, 37 undergraduates were randomly assigned to commit a mock theft ( $n = 17$ ) or not ( $n = 20$ ).
- Confronted by a security guard who served as an interrogator, and incentivized to confess, each gave 4 successive confessions:

- 1) **Spontaneous** oral confession
- 2) **Coached** confession inspired by interrogator seeking a more detailed narrative
- 3) **Rehearsed** coached confession
- 4) **Final** rehearsed coached confession

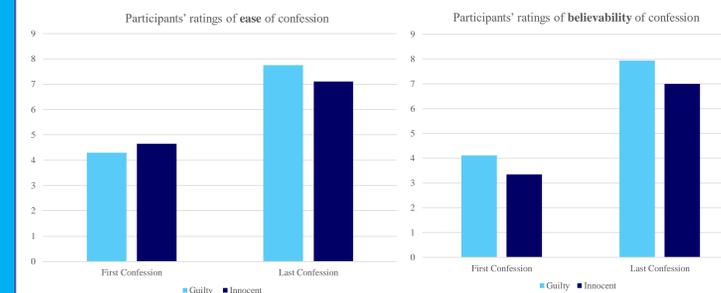


- 161 Amazon MTurk participants watched one of 104 usable confession videos from Phase 1
- Observers rated their perceptions of the confession re:
  - Detail, Credibility, Seriousness, Remorsefulness
- Observers also rated their perceptions of the suspect's
  - Memory, guilty knowledge, and blameworthiness
- Observers judged the suspect's guilt or innocence.

## Results

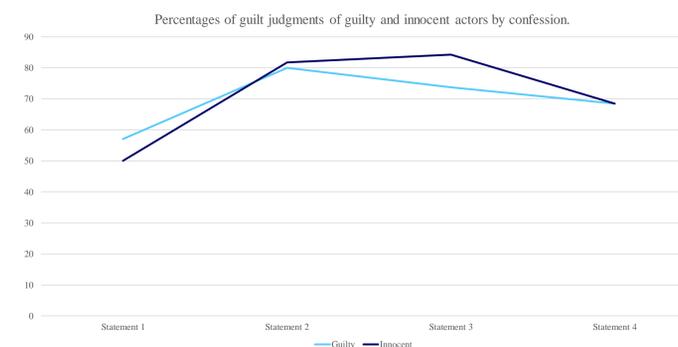
### Phase 1

- Overall, guilty participants gave significantly **longer** statements than innocent participants.
- The first confession was significantly shorter than the 2nd, 3rd, and 4th (the latter three were similar in length)
- Although statements 2-4 were longer than statement 1, that increase was greater among guilty subjects than innocent.
- Participants felt that their later confessions made them **less nervous**, were **easier** to give, and **sounded more believable** than their first.



### Phase 2

- Observers did not distinguish between guilty and innocent suspects.
- Observers were more likely to judge the coached and rehearsed confessions as guilty, compared to spontaneous confessions.
- Statement 2 → perceptions of guilt more often than Statement 1; statements 2-4 did not differ from each other.
- Table 1: Coaching and rehearsal increased the believability of the confession and perceptions of guilt -- regardless of actual guilt.



## Discussion

- Rehearsal led confessors to feel less nervous and produce longer statements.
- Observers did not distinguish between true and false confessions.
- Innocent suspects were often judged guilty, especially in later statements.
- Phase 2 participants could not distinguish between true & false confessions.
- These results support a mere rehearsal effect.
- We recommend that all interrogations be recorded from start to finish.

## References

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