Abstract

The aim of this essay was to discuss the relevant psychological information on false confession to determine its usefulness in detecting and preventing the influences that may enhance the likelihood of a false confession. This was achieved by evaluating the research within the three categories of voluntary false confession, coerced compliant false confession and coerced internalized false confession (Gudjonsson 1997). These aspects were then put into the current social perspective of terrorism to reference their real world usefulness.
It is easy to be appalled by the stories of brutally forced confessions enforced by certain ruthless governments within the Middle East, Asia, Africa and Eastern Europe that frequent the tabloids. Equally, it would seem difficult to imagine that in this age of public awareness of human dignities and rites that western nations, such as the USA, UK and even Australia, still present the opportunity for citizens to falsely confess to crimes. Although it is illegal in Australia to elicit false confessions through force and other such types of covert coercion it could be argued that it is human nature to find other means around the law. Though in a less menacing form, false confessions may come from more innocent means.

The Miranda v Arizona case (1966) in the United States brought to the wider community the problems associated with interrogation techniques, specifically physical coercion, that influences the likelihood of false confessions (Gudjonsson, 1993). Since that time the concept of false confessions has been a topic of research for psychologists, raising questions about the situational parameters and influences that foster false confessions. Out of this accumulation of research Gudjonsson (1993) best presented an early breakdown of types of situations and influences that created false confessions.

Within Gudjonssón's (1993) breakdown there are three causes in which a person may make a false confession that includes coerced compliant false confessions, voluntary false confessions and coerced internalized false confession. Each cause of these causes deserves, the very least, an essay on their own. This essay will concentrate more on the former rather then the latter two types and then will be investigated within the social framework of terrorism. This social framework will be used as a vehicle to critically analyze the current false confession research in terms of relevance and coverage.
Before these causes can be investigated it is important to discern how important a problem false confessions are. Apart from abject violence and blatant deceit making, the means by which the confession was obtained or the associative issues that the accused may have are relatively ignored thus jurors hold confession information in high regard (Gudjossen 1993; McMahon 1995; Kassin 1997). What this means is that the final investigators of truth, the jurors and judge, are not effective in preventing convictions of innocents. Thus causes must be understood and actions taken at an earlier level of the judicial process.

The most obvious type of false confession is the voluntary false confession. A voluntary false confession is one that is offered without pressure of the policing force. Kassin (1997) mentions two major reasons why someone may falsely confess. The first reason is to protect a friend or relative. This sort of altruistic behavior may be a result of strong empathetic feeling towards the real guilty party and in some cases may be perceived to be a bonding mechanism between false confessor and actually criminal (Cialdini, Brown, Lewis, Luce & Neuberg 1997). There is a relatively small level of research on this area but due to the current climate it would seem necessary to expand on the research. It appears that the avoidance of this aspect is driven from the relatively obvious processes involved in this behavior. Critically, it is of equal importance to ascertain what social and cognitive functions bring a person to a level to confess. For example it would be important to know what level of pressure is involved in criminal gang members to confess in order to protect other members. Alternatively it is important to understand why a spouse may protect their partner from criminal charges by falsely confessing. If these aspects could be more thoroughly studied, policing agencies could
use these results to more effectively identify false confession. However it is suggested that a simple background search of the suspect and the situation in which the incident occurred may bring insight into the reliability of the confession (Kassin 1997).

Within the paradigm of modern day terrorism, it is important to identify where these influences come from. In this form, voluntary false confessions may be perceived to be a behavior reminiscent of martyrdom (Maltiesberger 2004). Voluntary false confessions may mislead investigators and thus put a strain on resources and time. However, with the knowledge of better identifying voluntary false confessions further leads can be generated by investigators.

Further core aspects of voluntary false confessions include the “pathological need to become infamous” (Gudjonsson, 1993) and the inability to be able to determine what is real and what is fantasy. However it is important to note here that both these aspects may be perceived differently depending on the difference between the suspect’s social and religious perception and the western perception of the suspect’s actions (Landau, Johns, Greenberg, Pyszczynski, Martens, Goldemberg and Solomon, 2004).

Coerced internalized false confessions are another problem that may occur. In this form the suspect comes to believe that they have committed a crime, which has been induced throughout the process of police interview (Gudjonsson 1993; Powlson 1991). There is an abundance of research in this area. Horselenberg, Merkelbach and Joseph (2003) elaborated on earlier studies whereby students were required to carry out a computer task but were told not to press a particular key on the computer keyboard. After an allotted time the computer appeared to crash. The experimenter then accused the participant of pressing the offending key that caused the crash and then asked them to...
sign a confession. After they left a confederate waited outside to ask the participant what happened and replies were recorded. The results of the study indicated that out of the 82% of the participants who signed a confession approximately half of those exhibited some form of internalized guilt or confabulation, which is a mixing of memories and confusion of information (Horselenberg et al. 2003).

The further introduction of false evidence into this paradigm was facilitated through an experiment conducted by Redlich and Goodman (2003). The results of their study supported the high level of confessions and in addition found that the younger the suspect was, the more likely they were to sign a confession and internalize guilt. However, there was no sign of significant difference in whether the introduction of evidence enhanced internalization or not.

As both authors point out, the flaw of the actual seriousness of the crime may be a confounding factor in this equation. Secondly the experiment size in both groups are relatively poor. Nevertheless both studies point to the possible success of using psychological scales of measure to determine an individual's level of suggestibility. The Gudjonsson Compliance Scale (GCS), which determines the way in the suspect deal with conflict and confrontation; the Gudjonsson Suggestability Scale (GSS), which determines the extent of what environmental and interpersonal pressures may influence the suspect, are both effective forms of testing the reliability of a confession.

In long term interrogative situations, such as the recent terrorist suspect detentions in Guantanamo Bay, the high levels of emotional stress during their capture and throughout their detention may lead to higher incidents of coerced internalized false confessions. In fact case studies in police interrogative situations have shown that
confineent, isolation, unfamiliar surrounding and sleep deprivation have been contributors to internalized false confessions (McMahan 1995). These situations may be similar to the emotional stressors that affect eyewitness memory during the event or in this case during the actual interview (Christianson 1992). Studies in Chronic Fatigue Syndrome (DeLuca, Christodoulou, Diamond, Rosenstein, Kramer & Ricker; 2004) may further indicate problem of memory recall and ordering function in fatigue induced situations that could also be suggested to be a facilitator of this coerced internalize false confession.

This suggests of that the use of the GCS and GSS scales in conjunction with emotional state scales would be useful in monitoring terrorist suspects and reduce the chances of internalization of confessions. In addition the use of methods similar to cognitive interview would reduce the levels of leading questions, interruptions in recall and aggressive pressure from the interviewer (Kohnken, Schmossek, Ascijermann & Hofer; 1995).

Gudjonsson's (1993) final type of false confession is that of the coerced compliant. As the name suggests the coerced compliant false confession occurs when there is overt or covert pressure placed on the suspect that ultimately gives in to the interrogators demands for some perceived sort of gain (Gudjonsson 1993). At its core this is a process of negative reinforcement where the key to moving away from the current negative situation and into a more pleasurable one is by confessing to the crime (Domjamm, 2003). The suspect needs to perceive that falsely confessing to a crime and alleviating the short-term negative effects is far greater then later consequences (Gudjonsson 1993).
The previous studies mentioned above relating to coerced internalized confessions also studied the effects of general levels of compliance and willingness of participants to confess to a crime (Redlich & Goodman 2003; Horserenberg et al 1996). Both findings indicated a readiness for participants to sign a false confession. The general downfall of these studies is that they lack the external reliability in relation to the actual situation (Horselenger et al 1996). Of course repeating the stress and pressure of a suspect interview would far exceed ethical standards.

While replication of a suspect interrogation in experimental conditions cannot be completely replicated an investigation in to problems that surround the internal and external environment of the suspect can be of benefit. Some of the major problems that may induce coerced-compliant confessions are the type of interrogation used. In the USA Kassin (1997) examined problems that increase the chances of a suspect being induced to falsely confess and then be sentenced for that confession. He found that while Miranda and Brown v Mississippi laws (O'Connor, 2004) supported the prohibition of physical violence, there is little investigation by the court of more psychological covert pressures. Kassin (1997) also maintains that the police often use "deception, trickery and psychological coercion" throughout their interrogation proceedings. However there is sign of positive change in this area, one example being Queensland where there have been restrictions placed on the amount of time that a suspect may be held (Queensland Government, 2000). Though there is still a considerable lack in policy. There also seems to be consideration of a turnaround to toughen interrogations as was suggested by the USA Bush government recently if recent media coverage can be believed (Press, 2004). Press argues that changes in detain terrorist interrogation laws are a hypocrisy on the
current legal system. However, it is only the naivety of the public that causes these belief and a general lack of reporting psychological and social evidence that recommends the refrain of such aggressive behavior.

At present in the US a confession is generally excluded if it is elicited through brute force, prolonged isolation, deprivation, treats to harm or punishment, promise of lenience and not notifying the suspect of their Miranda rights (Kassin 1991). Nevertheless courts generally do not discount suspect confession and particularly oblivious to forms of coercion (Kassin 1997).

These subtle forms of coercion generally come in the form of procedural steps of interrogation (Kassin 1997) and the general presumption by the interrogator that suspects are guilty (Kassin, Goldstein & Savitsky 2003). As Kassin (1997) points out, the most used texts on interrogation suggest the use of psychological damaging procedures that effect emotional states, reduce ability to recall memory and distort judgment. This sort of confusion and pressure increases an already stressful and alien environment and as such creates a higher chance of distorting a suspects own beliefs resulting in a coerced internalized false confession or pushing a suspect to a threshold of compliance merely to be taken away from the stress (Kassin 1997; Ost Costall & Bull 2001). While the interrogation procedure may last from hours to a few days, those terrorist suspects detained for months and years may appear to have an exacerbated effect from such long-term interrogation.

Kassin et al (2003) also maintain that there is a general belief by interrogators that the suspect is guilty and that in turn effects the way the interrogation is held. More passive, well paced and open questioning may provide a more prudent method of
questioning suspects and decrease the external variable of the interrogators value judgments.

While the suggestion of cognitive interviews and false confessions will be a benefit to reducing coerced internal and compliant false confessions there are other factors that need to be taken into account. As Cassell (1998) points out that with increased restrictions of confession evidence the public at large is also harmed. This sort of problem then becomes reminiscent of the type one and two error that occurs in statistics (Howell 2002). Therefore it is important to note what sort of external pressures that would influence the decisions to pressure suspects. At a police level, work pressures such as workload, hierarchal influence and media coverage may influence the interrogators tactics. Even at the level of international terrorism time and accuracy are a major factor. If there is a major imminent threat to the public there is little time to conduct psychological testing or give the suspect the opportunity for rest, while in the same sense it is important to determine the suspects background for possibilities of voluntary false confession while monitoring the suspects for stress to pick up potential coerced compliant and internalized false confessions.

In conclusion, psychology can help reduce the chances of false confessions through providing scales of measure such as the Gudjonsson scales (Horselenberg et al. 2003). Psychology has a further role in educating the public and policing agencies through increased research and liaison. While these lessons in identification and reduction strategies are important it also necessary for psychology to look at the wider social and environmental impact that effects the interrogation process and possibility of
false confession. In the heated climate of terrorism that is facing the world at present, there is even more urgency for these answers.
Preventing False Confessions; and the terrorism factor

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choose one of the following topics:

1. Critically discuss how psychology can contribute to the interviewing of eyewitnesses.
2. Critically discuss how psychology can help prevent false confessions.

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<td>Literature reviewed: At least 10 sources (current and classic), and relevance to topic, depth and breadth of reading demonstrated.</td>
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<td>Synthesis of material: How have you integrated the literature to support your hypothesis?</td>
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<td>Critical analysis of material: Have you evaluated the literature and used this to support your hypothesis? Does your essay demonstrate originality?</td>
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<td>Logical and coherent structure: Abstract, introduction, body, conclusion, shows development of argument supporting hypothesis.</td>
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**TOTAL MARK** | Percentage = 85% | Grade = HD | 43.5/50

Comments: An interesting take on false confession research applied to the terrorist context. Well done.