



I DID IT?! WHY INNOCENT PEOPLE CONFESS

It is hard to imagine why someone would confess to something they didn't do. To voluntarily provide information that results in incarceration, embarrassment, loss of employment, restitution or loss of freedom seems unfathomable. However, not only are there several cases of this actually occurring but it continues to happen throughout the widespread field of interrogations.

Most confessions provided by a guilty subject include their rationalization for their actions as an attempt to gain an understanding of why they may have done something they normally wouldn't do. Investigators have heard thousands of stories of a subject stealing money impulsively without thinking it through, burglarizing a property due to financial pressures or giving away trade secrets because someone else pressured them into it. If we can acknowledge that someone may commit a crime due to pressures in their life, then we should be able to understand why an innocent subject may admit to their involvement in a crime because of other pressures being applied.

Taking into consideration research done by groups such as the Innocence Project, Wrongful Conviction Center for Youth and other academics across the world, there are several reasons why a confession may occur involuntarily and even be false. Many of the reasons are due to the strategy of the interrogation and behavior of the investigator.

To truly understand how subjects may confess to crimes they didn't commit, or even exaggerate their involvement, let's review some of the common reasons why this may occur.

Suggestion of Leniency and False Promises

One of the toughest concepts to understand is why an innocent subject would confess when they know that their confession will result in some form of punishment. This punishment can vary depending on the crime, but it may involve lengthy prison sentences, reputational damage, financial burdens and countless others. Often in a false confession case, it is found that the investigator made several suggestive comments that relieve any consequences if the subject admits. Statements such as "honesty will set you free" or "if you tell us the truth we can handle that between us" provide the subject an opportunity to disclose untruthful information without any real consequence. This false sense of security may cause innocent subjects to confess just to avoid furthering the interrogation's progress and assuming they will be able to leave freely after their admission.



Length of Interrogation

Simply put, the longer any person is kept in an undesirable situation – the more desperate they may become to escape it. Many organizations and agencies have implemented timeframe guidelines on the interrogation process due to this issue. Additionally, lengthy interrogations that result in a mentally exhausted, physically tired, hungry and dehydrated subject can easily result in unreliable information obtained by the interviewer. This is especially obvious when the interrogator offers an incentive to admitting, such as a glass of water or a “break” in the interrogation if a subject admits.

Removal of Intent

Most crimes, acts of dishonesty or other unscrupulous events in a subject’s life are internally rationalized allowing a person to relieve feelings of guilt. These rationalizations, however, still carry the intent of the action they committed. An example of this could be a subject who stole money from somebody else’s wallet because they needed to pay their mortgage on time. They were able to explain why they committed the act, but still had the intent and ensuing consequences attached to it. A common theme of false confessions is when the interrogator provides the subject themes that remove intent completely, therefore minimizing the perceived consequences. Telling the subject that their act was an accident, a mistake, or that they must have “blacked-out” may directly remove any intent and consequences for their actions. If an innocent subject feels as though they are guilty based on the investigator’s narrative, and then are told it must have been an “accident” they may have memory distrust and confess to something they did not do. These topics of rationalizations should only be accepted by the investigator if the evidence actually supports their truthfulness. Regardless, if an investigator continues to accuse the subject of their guilt over a lengthy interrogation but then offers them an excuse such as they “made a mistake”; even an innocent subject may take advantage of that escape.

Threats and Emotional Pressure

This topic may seem self-explanatory, but from the perspective of a subject in front of someone of authority, threats and emotional pressure may be more apparent than the investigator realizes. From the extreme example of “enhanced interrogation techniques” or torture, all the way to a parent telling their child “tell me what happened or you are going to your room”; people are susceptible to providing any information that allows them to escape an undesirable situation. Threats or excessive confrontation that suggest extreme punishment or harm to someone’s family may force an innocent person to reveal untruthful information to appease the investigator.

The above cautions are only a few of the many potential causes of involuntary confessions and often carry even more risk when the subject is of a young age or has any intellectual disabilities. On occasion, subjects may offer a voluntary confession that is false for a variety of reasons such as notoriety or to conceal another crime.

As Certified Forensic Interviewers (CFI), and thought leaders in the industry, our goal is to continue to evolve and utilize techniques that provide a guilty subject the opportunity to tell the truth while not incentivizing an innocent subject to confess. Understanding the dangerous power of persuasion combined with the emotional pressure of being interrogated is essential to investigators when obtaining the truth with great caution.

Investigators have a difficult mission of identifying the truth from subjects who typically don't want to share it. Determining the right strategy, while being cognizant of the potential risks and ultimately substantiating any confession with a thorough investigation will help investigators reach their goal. In addition to the importance of preventing a false confession is the admissibility of a truthful confession. Investigators realize that the interview or interrogation is simply a piece of the entire investigation, and not necessarily the conclusion. Following up on details provided during a confession, and thoroughly vetting the information to either disprove or corroborate will further secure a truthful confession, and simultaneously prevent the investigator from accepting a false one. When investigators follow their appropriate training protocol, utilize video recording and maintain high ethical standards it should also allow for the increased credibility of the confessions they do obtain. Investigators and leaders in the field of interrogation should continue to educate themselves on these risks and potential pitfalls of interrogation techniques. Challenging oneself, or team members, on how they obtained a confession, rather than focusing primarily on the outcome is an important first step in identifying a need for change.

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