

# CAUSES OF FALSE CONFESSIONS

Provided by

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# MISCLASSIFICATION

Investigators should scrutinize what caused the subject to become a "suspect" in the first place.



## Key Points

- Relying on physical cues to identify the guilty party may be misleading and result in the interrogation of an innocent subject
- Investigators should be aware that eyewitness misidentification is a major contributor to wrongful convictions

## WRONG PLACE, WRONG TIME.

*Prior to any interrogation, there are many factors that could have contributed to the innocent person being classified as a "suspect".*

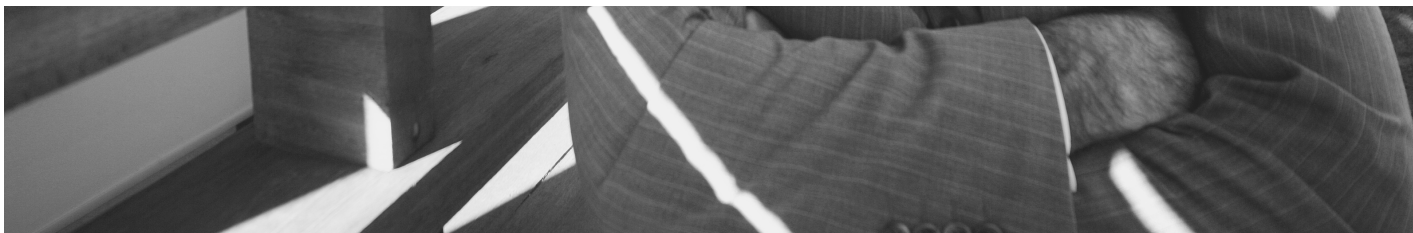
**Eyewitness misidentification and unreliable forensic science may cause confirmation bias, resulting in the investigator falsely believing they have right guilty party in the room.**

**The observation of physical cues that may also be misclassified as deceptive, further incorrectly confirm to the investigator that the guilty party is in their custody.**



# COERCION

The use of intimidation, force, or suggestion to influence a suspect's answers



## Key Points

- Both explicit and implicit threats or promises are consistently present in false confessions
- Avoid words that may eliminate intent such as “accident” or “mistake”
- The false evidence ploy can also be attributed to involuntary, coerced confessions

## WITH GREAT POWER COMES GREAT RESPONSIBILITY

*Focus on obtaining the truth and reliable information, not the confession*

**Coercion in an interview or interrogation doesn't only come with overt, explicit threats or promises. The presence that a law enforcement officer holds in the interview room grants their words and actions extra weight.**

**Often, threats or promises are made of an implicit and more suggestive nature over the course of the interview – presenting the same risk of coercion**



# CONTAMINATION

Validating that the admission came from the subject,  
and not the investigator.



## Key Points

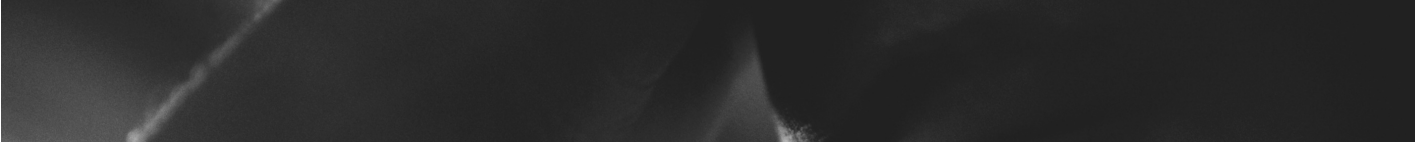
- Allow subject to answer in their own words, without leading
- Presenting evidence to the subject may contaminate their memory or narrative

## MY STORY OR YOURS?

*Withholding the evidence is a strategic tactic that not only strengthens the power of the information but also prevents an innocent subject from gaining knowledge of the crime they would otherwise be unaware of.*


Contamination can occur when investigators intentionally fact-feed information to the subject, or alter their statements to match the theory of the crime. This same issue can happen unintentionally if an investigator presents evidence, or even discloses information using inappropriate leading questions.





# SUBJECT VULNERABILITY

Anyone is susceptible to providing a false confession, but investigators should take extra precautions with vulnerable subjects



## Key Points

- Avoid marathon interview sessions, allow for emotional refreshment
- Don't create a situation that turns a confession into an escape route

## YOU'RE NOT YOU WHEN YOU'RE HUNGRY

*The longer an interview session goes with out a chance to take a mental, physical or emotional break, the more impaired a subject becomes*

Vulnerable subjects are more susceptible to coercion, including children, those who have experienced trauma, low intelligence or diminished mental capacity

Studies have shown that our ability to make rational decisions is detrimentally affected by thirst, hunger and exhaustion. This combination, resulting in a fight-or-flight response, may lead so a subject confessing simply to get out of the conversation.