The Interrogation Model (Reid Technique)

The Reid technique is a psychological method of interrogation that advocates believe can successfully extract information from unwilling suspects. The technique was developed by John Reid, a polygrapher and former Chicago police officer. In 1955 in Lincoln Nebraska, Reid obtained a confession from a murder suspect (Darrell Parker) for his wife's murder. Mr. Parker recanted his confession the next day, but it was still admitted in his trial. He was convicted and sentenced to life in prison. However, Mr. Parker was later determined to be innocent after another man confessed to the crime. Mr. Parker sued the state for wrongful conviction and was paid $500,000 in compensation.

Despite failure, this initial case established Reid's reputation and popularized his technique. Mr. Reid published a book on the Reid Technique in 1962. He passed in 1983, but the Reid company is still thriving and is said to have trained more investigators than any other company in the world. His technique continues to be particularly popular with United States law enforcement.

Maximization and Minimization Techniques

1. **Scare tactics (maximization)** are designed to intimidate a suspect believed to be guilty. This intimidation is achieved by overstating the seriousness of offense and the magnitude of the charges and even by making false or exaggerated claims about the evidence.
2. **Minimization** is a soft sell technique in which the detective tries to lull the suspect into a false sense of security by offering sympathy, tolerance, face-saving excuses, and moral justification; by blaming the victim or an accomplice; and by underplaying the seriousness or magnitude of the charges.
3. A detective will use an average of 5.62 tactics per interrogation, and these tactics involve using both negative incentives (confronting the suspect with true or false incriminating evidence, refusing to accept denials, or noting contradictions in the suspect story) and positive incentives (appealing to the suspect self-interest or conscience, praising the suspect, minimizing the moral seriousness of the offense).
4. Typically promises and threats are made by pragmatic implication and <u>not</u> directly.

Types of False Confessions

1. **Voluntary False Confessions**. This is a self-incriminating statement that is offered without external pressure from the police (200 people confessed to the Charles Lindbergh baby kidnapping). Sometimes this is to protect a friend or relative. You can also address a pathological need for feigning, acceptance, recognition, or self-punishment.
2. **Coerced – Compliant False Confessions**. Suspects confess after intense interrogation pressures. Within this category there are two forms of social influence: **compliance** and **internalization**. **Compliance** refers to a change in one's public behaviors for instrumental purposes. Research on obedience to authority is a classic example of this. In contrast, **internalization** refers to a private acceptance of the beliefs expressed by others.
3. **Coerced-compliant False Confessions** occur when a suspect confesses in order to escape or avoid an adverse interrogation or to gain the promised reward. In these cases, the confession is merely an active compliance, and the suspect privately knows that he or she is truly innocent. From a psychological point of view, of course – compliant false confessions are the easiest to understand, as they arise when a suspect comes to believe that the short-term benefits of confessing outweigh the long-term costs. "Individuals who are characteristically predisposed to exhibit compliance in social influence situations may be particularly vulnerable in this regard." Remember the Phoenix case in which six Thai Buddhist monks were murdered. Three young men were falsely arrested and put under intense late-night pressure. One was interrogated nonstop for 21 hours; another was told

that his brothers would be arrested. All of the men eventually confessed and spent 70 days in jail – until the real murderers were discovered.

4. **Coerced-internalized False Confessions**. These occur when an innocent person – anxious, tired, confused, and subjected highly suggestive methods of interrogation – actually comes believe that he or she committed the crime. This type of false confessions particular frightening because of suspects memory of his or her own actions may be altered, rendering the original contents potentially your retrievable. Research is shown that individuals with high scores on interrogated suggestibility also tend to exhibit poor memories, high levels of anxiety, low self-esteem, and a lack of assertiveness. Interrogated suggestibility scores increases function of prolonged sleep deprivation.

Risk of false confession

Critics claim the technique too easily produces false confessions, especially with juveniles, with second-language speakers in their non-native language, and with people whose communication/language abilities are affected by mental disabilities, including reduced intellectual capacity.

- *"Of the three hundred and eleven people exonerated through post-conviction DNA testing, more than a quarter had given false confessions—including those convicted in such notorious cases as the Central Park Five."*
- Several European countries prohibit some interrogation techniques that are acceptable in the United States, such as a law enforcement officer lying to a suspect about evidence, due to the perceived risk of false confessions and wrongful convictions that might result, particularly with juveniles. For example, §136a of the German Strafprozessordnung [de] (StPO, "code of criminal procedure") bans the use of deception and intimidation in interrogations; the Reid method also conflicts with the German police's obligation to adequately inform the suspect of their right to silence.
- In Canada, Provincial Court Judge Mike Dinkel ruled in 2012 that "stripped to its bare essentials, the Reid technique is a guilt-presumptive, confrontational, psychologically manipulative procedure whose purpose is to extract a confession."
- In December 2013, an unredacted copy of the secret Federal Bureau of Investigation interrogation manual was discovered in the Library of Congress, available for public view. The manual confirmed American Civil Liberties Union concerns that FBI agents used the Reid technique in interrogations.
- Abuses of interrogation methods include officers treating accused suspects aggressively and telling them lies about the amount of evidence proving their guilt. Such exaggerated claims of evidence, such as video or genetics, have the potential, when combined with such coercive tactics as threats of harm or promises of leniency, to cause innocent suspects to become psychologically overwhelmed. In 2003, an innocent man who repeated he was not guilty and was on a bus at the time the robbery in question occurred, successfully sued the Hamilton Police Service for coercion that resulted in a false confession by him.
- In 2015, eight organizations including John E. Reid & Associates settled with Juan Rivera, who was wrongfully convicted of the 1992 rape and murder of 11-year-old Holly Staker. A number of pieces of evidence excluded Rivera, including DNA from the rape kit and the report from the electronic ankle monitor he was wearing at the time, as he awaited trial for a non-violent burglary. But, he falsely confessed to the Staker crimes after being interrogated by the police several days after taking two polygraph examinations at Reid and Associates. After his exoneration, Rivera filed a suit for false arrest and malicious prosecution. The case was settled out of court with John E. Reid & Associates paying $2 million.

James Orlando, Associate Attorney at OLR Research, notes:

The Reid method is a system of interviewing and interrogation widely used by police departments in the United States. The term "The Reid Technique of Interviewing and Interrogation" is a registered trademark of John E. Reid and Associates, Inc. According to the company's website, over 500,000 law enforcement and security professionals have attended the company's interview and interrogation training programs since they were first offered in 1974.

Some critics contend that the Reid Technique is premised on certain assumptions about human behavior that are not supported by empirical evidence, and that the technique may lead to false confessions. The company contends that critics mischaracterize the Reid Technique and that false confessions are caused by interrogators applying inappropriate methods not endorsed by the company.

Two alternative interrogation techniques are (1) Preparation and Planning, Engage and Explain, Account, Closure and Evaluate (PEACE), a less confrontational method used in England, and (2) the Kinesic Interview, a method that focuses on recognizing deception.

REID TECHNIQUE

The Reid Technique involves three components – factual analysis, interviewing, and interrogation. Following is a brief summary of these components; more information is available on the company's website.

Factual Analysis

The Reid website describes factual analysis as; "*an inductive approach where each individual suspect is evaluated with respect to specific observations relating to the crime. Consequently, factual analysis relies not only on crime scene analysis, but also on information learned about each suspect. . . . Applying factual analysis . . . results in establishing an estimate of a particular suspect's probable guilt or innocence based on such things as the suspect's bio-social status (gender, race, occupation, marital status, etc.), opportunity and access to commit the crime, their behavior before and after the crime, their motivations and propensity to commit the crime, and evaluation of physical and circumstantial evidence.*"

This factual analysis is also intended to "*identify characteristics about the suspect and the crime which will be helpful during an interrogation of the suspect believed to be guilty [,]*" such as motive or the suspect's personality type.

Behavior Analysis Interview

The Reid website describes the Behavior Analysis Interview (BAI) as a non-accusatory question and answer session, involving both standard investigative questions and "structured 'behavior provoking' questions to elicit behavior symptoms of truth or deception from the person being interviewed."

The investigator first asks background questions, to establish personal information about the suspect and allow the investigator to evaluate the suspect's "normal" verbal and nonverbal behavior. The investigator then asks "behavior-provoking" questions intended "to elicit different verbal and nonverbal responses from truthful and deceptive suspects." The investigator will also ask some investigative questions during this stage. The Reid website states that the BAI:

> "*provides objective criteria to render an opinion about the suspect's truthfulness through evaluating responses to the behavior-provoking and investigative*

questions. In addition, the BAI facilitates the eventual interrogation of guilty suspects . . . by establishing a working rapport with the suspect during the non-accusatory BAI, and developing insight about the suspect and his crime to facilitate the formulation of an interrogation strategy."

Interrogation

The Reid website states that an interrogation "*should only occur when the investigator is reasonably certain of the suspect's involvement in the issue under investigation*." There are nine steps to the Reid interrogation technique, briefly described below.

1. The positive confrontation. The investigator tells the suspect that the evidence demonstrates the person's guilt. If the person's guilt seems clear to the investigator, the statement should be unequivocal.

2. Theme development. The investigator then presents a moral justification (theme) for the offense, such as placing the moral blame on someone else or outside circumstances. The investigator presents the theme in a monologue and in sympathetic manner.

3. Handling denials. When the suspect asks for permission to speak at this stage (likely to deny the accusations), the investigator should discourage allowing the suspect to do so. The Reid website asserts that innocent suspects are less likely to ask for permission and more likely to "promptly and unequivocally" deny the accusation. The website states that "[i]t is very rare for an innocent suspect to move past this denial state."

4. Overcoming objections. When attempts at denial do not succeed, a guilty suspect often makes objections to support a claim of innocence (e.g., I would never do that because I love my job.) The investigator should generally accept these objections as if they were truthful, rather than arguing with the suspect, and use the objections to further develop the theme.

5. Procurement and retention of suspect's attention. The investigator must procure the suspect's attention so that the suspect focuses on the investigator's theme rather than on punishment. One way the investigator can do this is to close the physical distance between himself or herself and the suspect. The investigator should also "channel the theme down to the probable alternative components."

6. Handling the suspect's passive mood. The investigator "should intensify the theme presentation and concentrate on the central reasons he [or she] is offering as psychological justification . . . [and] continue to display an understanding and sympathetic demeanor in urging the suspect to tell the truth."

7. Presenting an alternative question. The investigator should present two choices, assuming the suspect's guilt and developed as a "logical extension from the theme," with one alternative offering a better justification for the crime (e.g., "Did you plan this thing out or did it just happen on the spur of the moment?"). The investigator may follow the question with a supporting statement "which encourages the suspect to choose the more understandable side of the alternative."

8. Having the suspect orally relate various details of the offense. After the suspect accepts one side of the alternative (thus admitting guilt), the investigator should immediately respond with a statement of reinforcement acknowledging that

admission. The investigator then seeks to obtain a brief oral review of the basic events, before asking more detailed questions.

9. Converting an oral confession to a written confession. The investigator must convert the oral confession into a written or recorded confession. The website provides some guidelines, such as repeating Miranda warnings, avoiding leading questions, and using the suspect's own language.

Wyatt Kozinski notes the following:

> *"While the Reid Manual describes this part of the Technique as a nine-step process, it actually resolves itself into three major components: (1) tell the suspect you already know for sure he committed the crime, and cut off any attempts on his part to deny it; (2) offer the suspect more than one scenario for how he committed the crime, and suggest that his conduct was likely the least culpable, perhaps even morally justifiable (minimization); (3) overstate the strength of the evidence the police have inculpating the suspect—by inventing non-existent physical evidence or witness statements, for example—and assuring him he'll get convicted regardless of whether he talks. The driving idea is to persuade the suspect that it's in his best interest to give a confession that paints him in a positive light. There is usually the implicit, and sometimes explicit, suggestion that the interrogator will intercede with the prosecutor or the judge on the suspect's behalf so that he'll get away with a light sentence or perhaps no sentence at all. In fact, of course, the suspect derives no benefit from speaking to the police; the only thing the confession accomplishes is to incriminate the defendant, who is promptly arrested and convicted based on his confession, even though there may be strong evidence exonerating him."*
>
> Wyatt Kozinski, The Reid Interrogation Technique and false confessions: A time for change. (2018). Seattle Journal for Social Justice, Vol 16, 2, pp. 311-312.

James Orlando, Associate Attorney at OLR Research, includes critiques of the Reid Technique:

> There has been considerable academic research on various aspects of police interrogation, including whether interrogation methods can lead to false confessions. Below, we briefly describe some criticisms of the Reid Technique, as well as responses to such criticisms by Reid and Associates, Inc. For a more detailed summary of criticisms of the Reid Technique, see this article from Criminal Law Quarterly, a Canadian journal. For more information on the company's response to such criticisms, see this document from Reid's website.
>
> In the "Sources and Other Information" section of this report, we provide links to some studies and commentary on these issues. This report does not attempt to survey the vast range of research on the relationship between interrogation techniques and false confessions. If you would like more information about particular aspects of this issue, please let us know.
>
> **Discerning truth or deception**
>
> One aspect of the Reid approach is to train investigators to discern when a suspect is lying (e.g., by analyzing nonverbal behavior during the initial interview). Critics question whether training can actually lead investigators to do so, and point to various studies concerning the ability to discern truth from lying. For example, one frequent critic of the Reid Technique, law professor Richard Leo, argues that extensive social science research has demonstrated:
>
> > *"that people are poor at making accurate judgments of truth and deception in general, that the behavior cues police rely on in particular are not diagnostic of*

> *deception, and that investigators cannot distinguish truthful from false denials of guilt at rates significantly greater than chance, but instead routinely make confidently held yet erroneous judgments"* (Leo 2013, 203*).*

Reid and Associates, Inc. argues that many such studies have limited applicability to police interrogations. For example, the studies may have (1) involved college students in laboratory settings, with students having low motivation to be believed if innocent or avoid detection if lying, or (2) been conducted by people not trained to interview criminal suspects. The company also points to other studies supporting the contention that training can increase the ability of police to detect when suspects are lying.

False confessions

Critics argue that various features of the Reid interrogation method may lead certain innocent suspects to confess. For example, one critique argues that "the guilt-presumptive nature" of the Reid method "creates a slippery slope for innocent suspects because it may set in motion a sequence of reciprocal observations and reactions between the suspect and interrogator that serve to confirm the interrogator's belief in the suspect's guilt" (Moore and Fitzsimmons, 513). According to some critics of the Reid Technique, aspects of Reid-style interrogation that may lead to false confessions include (1) misclassification (the police attributing deception to truthful suspects); (2) coercion (including psychological manipulation); and (3) contamination (such as when police present non-public information to a suspect, and the suspect incorporates that information in his or her confession) (Gudjonsson 2012, 695, discussing Leo and Drizin among other studies).

Reid and Associates, Inc. disputes the contention that their methods lead to false confessions. They argue that:

> False confessions are not caused by the application of the Reid Technique . . . [but instead] are usually caused by interrogators engaging in improper behavior that is outside of the parameters of the Reid Technique . . . such as threatening inevitable consequences; making a promise of leniency in return for the confession; denying a subject their rights; conducting an excessively long interrogation; etc.

The company also cites court cases upholding their methods or denying the admission of expert testimony that would link those methods to false confessions (e.g., U.S. v. Jacques, 784 F.Supp.2d 59, D. Mass. (2011)).

Alternative models

The PEACE (Preparation and Planning, Engage and Explain, Account, Closure and Evaluate) model developed in Britain "encourages more of a dialogue between investigator and suspect".

In 2015, the Royal Canadian Mounted Police adopted a new standard influenced by the PEACE model. Sgt. Darren Carr, who trains police with the new approach, described it as "less Kojak and more Dr. Phil". This approach eschews the use of deceptive information to overwhelm suspects. It emphasizes information gathering over eliciting confessions, and discourages investigators from presuming a suspect's guilt.

Reid technique is problematic

Jeffrey Manishen is a partner with Ross & McBride LLP
Law Times 11 Dec 2017

> In 1998, a 25-year-old unsophisticated man in Alberta was arrested for aggravated assault on his infant son. After several hours of interrogation, during which time he repeatedly

denied having hurt his son, he was left in the interview room. Sobbing, he wrote out an apology and made comments like, “How could I have done this?”

The investigating officers in M.J.S. [2000] A.J. No. 391 managed to overcome the suspect’s refusal to accept responsibility for the offence by the use of what is known as the Reid technique, an interrogation approach developed in the United States by John E. Reid & Associates.

The Reid technique instructs investigators to engage in “behaviour symptom analysis,” relying on patterns of conduct that supposedly indicate whether or not the suspect is telling the truth. The interrogation begins with the investigator asserting his absolute certainty of the suspect’s guilt. The suspect is relentlessly pushed to accept culpability.

Moral justifications may be proffered (for example, that the suspect experienced abuse as a child, or that they inflicted the injuries unintentionally).

The suspect may be confronted with exaggerated or fabricated evidence.

They may be told that the proof of their guilt is incontrovertible, given that all other suspects had been cleared.

The investigator may present two alternative versions of the suspect’s conduct, one of which is significantly worse than the other, and encourage the suspect to adopt the less serious model.

A suspect who remains silent or continues to deny involvement may be faced with an investigator unwilling to accept that position, confronting him with the investigator’s theory of what “really” happened and endeavouring to overcome any reluctance to confess.

The trial judge was very critical of the methods used by the police on the suspect in the Alberta Provincial Court Criminal Division case, characterizing it as a “classic illustration of how slavish adherence to a technique can produce a coerced-compliant confession.” He ruled the evidence inadmissible.

He also wasn’t the first to reach such conclusions in assessing the impact of the Reid technique on the admissibility of evidence and was, by no means, the last.

In R. v. Thaher, 2016 ONCJ 113, Justice Peter Andras Schreck refused to admit a Reid-based confession by a mentally ill, fatigued man accused of attempted murder and questioned for more than seven hours. Referring to the Supreme Court of Canada decision in R. v. Oickle, 2000 SCC 38, [2000] 2 S.C.R. 3, Schreck characterized the method as a “shoddy police practice … shown to be coercive and to produce false confessions.”

In R. v. Goro 2017 ONSC 1236, Halton and RCMP police officers executed a warrant for footprint impressions on a man under investigation for a cold-case murder.

He was never told of his right to counsel, cautioned or told he was free to leave at any time. Rather, he was interrogated for almost six hours.

In the face of lengthy police monologues insisting on his guilt, he denied culpability but some of his statements could have been contradicted by forensic evidence.

In the ruling, Justice Dale Fitzpatrick found it unnecessary to decide the Reid issue due to overriding Charter issues on detention.

However, he stated, "[U]se of the Reid technique or something akin to it does not automatically render a statement inadmissible. . . However, the technique is inherently coercive and for that reason has been the subject of considerable judicial and academic criticism."

One may wonder why some police services continue to use such questionable methods, given the risk of wrongful convictions, unsuccessful prosecutions and the attendant failure to investigate and apprehend the real perpetrators.

It can't be for a lack of alternatives. The investigative interviewing approach involves a thorough and objective investigation of both the offence and the suspect.

It is followed by an open-ended interview where the suspect is allowed to talk freely in response to open-ended, non-confrontational questions, which has proven to be very effective in gaining admissions that don't involve the risk of false confessions.

One such technique, known as PEACE (preparation, engagement, accounting, closure and evaluation), involves officers asking follow-up questions based on the answers given as well as other information compiled by the investigators.

One need only watch the very skillful interview of Col. Russell Williams by Ontario Provincial Police detective Jim Smyth to see how a suspect may be engaged in non-confrontational dialogue, ultimately leading to false statements and a full confession to acts of murder.

Several countries in Europe and elsewhere have successfully implemented the investigative interviewing method. In the United States, Wicklander-Zulawski & Associates, a private agency involved in training police officers for many years, has discontinued teaching the Reid technique as a result of concerns over false confessions.

While several police services in Canada have incorporated the use of investigative interviewing methods such as PEACE into their training, many have not yet chosen to discourage or discontinue the use of the Reid technique.

Judicial commentary on the problematic aspects of this method of interrogation is going into its second decade.

I encourage members of the legal profession to add their voices to those who have urged our police services to cease utilizing the Reid technique once and for all. Let's hope they'll listen. Our justice system would certainly be better if they do.

Research on the Reid Technique

Accusatorial and information-gathering interrogation methods and their effects on true and Confession Evidence: Commonsense Myths and Misconceptions

Saul M. Kassin

Criminal Justice and Behavior (Oct. 1, 2008).

Abstract

Confession evidence is powerful but flawed, often in nonintuitive ways. Contradicting widely held beliefs, research reviewed in this article suggests the following: Despite special training in how to conduct interviews, police cannot distinguish better than the layperson whether suspects are lying or telling the truth. Suspects in custody routinely waive their self-protective rights to silence and to counsel—especially if they are innocent. Certain legal but deceptive interrogation tactics increase the risk that innocents will confess to crimes they did not commit. Judges and juries are easily fooled, unable to distinguish between true and false confessions. Appellate courts cannot be expected to reasonably determine whether the error of admitting a coerced confession at trial was harmless or prejudicial.

Arguments Against Use of the Reid Technique for Juvenile Interrogations

Buffie Brooke Merryman

Communication Law Review, 2010. Volume 10, Issue 2

Abstract:

This Article asserts the differences between juveniles and adults in the interrogation room rendering methods commonly used to question adult suspects improper for minors. Specifically, this Article criticizes the widespread use of the "Reid Technique" when interrogating juveniles, discusses the psychological consequences of that technique, and suggests alternative interrogation methods in order to safeguard juveniles before, during, and after questioning by police. Part I discusses cases and studies reflecting how courts view juvenile protection and explains why the unique characteristics of juveniles merit that protection in the interrogation room. Part II briefly outlines the nine steps of the Reid Technique of interrogation, discusses its use in police stations throughout the United States, and criticizes its application to juvenile interrogation. Finally, Part III highlights research discussing safeguards for minors in the interrogation room and then asserts that proper training is the key to overhauling the utility of the Reid Technique when questioning juveniles.

Questioning Suspects: A Comparative Perspective

David Dixon

Journal of Contemporary Criminal Justice, 2010. Volume: 26 issue: 4, page(s): 426-440

Abstract

This article contrasts the ways in which English-speaking jurisdictions have responded to concerns about practices in the police interrogation of suspects. Since the mid-1990s, a stark contrast has developed between the methods taught to North American police officers via the "Reid Technique" and similar U.S. training programs and the strategy of "investigative interviewing" in England and Wales (and increasingly elsewhere in Europe and Australasia). This policy divergence must be understood in the context of differing responses to miscarriages of justice and investigative failures (caused, at least in part, by inefficient interrogation techniques) and the knowledge which inquiries into these miscarriages and failures produced. While investigative interviewing is part of a response to criminal process failure which sees both wrongful convictions and failed prosecutions as problematic, the United States has been slow to acknowledge the scale of a problem

which has not only convicted (and executed) the innocent, but also failed to bring the guilty to justice. Drawing on empirical research in Australia, where audio-visual recording has been used routinely since the early 1990s, the article notes the limits and benefits of electronic recording, which too often is presented as a panacea. The article notes that most discussion of American interrogation takes place in an empirical vacuum and expresses doubts about the prevalent accounts of police practice. It also notes some recent interest in the United States in alternative approaches to interrogating suspects which have developed from the experience of questioning terrorist suspects.

False confessions, police interrogation tactics, and the case of the messengers who almost killed the message.

Zelig, Mark

PsycCRITIQUES, Vol 56(1), 2011.

Reviewed Item:

Lassiter, G. Daniel (Ed); Meissner, Christian A. (Ed). (2010) Police interrogations and false confessions: Current research, practice, and policy recommendations Washington, DC: American Psychological Association. 237pp.

Abstract:

Reviews the book, Police interrogations and false confessions: Current research, practice, and policy recommendations edited by G. Daniel Lassiter and Christian A. Meissner (see record 2009-19611-000). Why do innocent people confess to crimes they didn't commit? Lassiter and Meissner have assembled many of the world's most renowned researchers to answer why some innocent people confess to serious criminal behavior. The authors accuse the disciples of the Reid technique of interrogation of planting the seeds of confirmatory bias by teaching erroneous information regarding surefire indicators of deception. Once the suspect is misclassified as deceptive, he or she is subjected to a barrage of psychologically coercive techniques, a component of the popular Reid workshops. If these techniques are applied to an at-risk suspect, a confession may result, even if the suspect was not criminally responsible. The review of scientific findings regarding the production of false confessions is very useful. However, an apparent lack of appreciation for the realities of police work diminishes this volume's potency as a change agent. Despite my strong objections to the policy recommendations proposed by the editors and some of the contributors, I believe Police interrogations and false confessions: Current research, practice, and policy recommendations is a valuable research compendium on the topic of false confessions. This volume clearly answers why some people confess to a crime they never committed and why some police investigators make self-defeating errors that actually lead them further away from solving important crimes than when they began their investigation. This text is recommended for researchers, academicians, and practitioners in the field.

Inside Interrogation: The Lie, The Bluff, and False Confessions

Jennifer T. Perillo • Saul M. Kassin

Law of Human Behavior (2011). 35: 327-337.

Abstract

Using a less deceptive variant of the false evidence ploy, interrogators often use the bluff tactic, whereby they pretend to have evidence to be tested without further claiming that it necessarily implicates the suspect. Three experiments were conducted to assess the impact of the bluff on confession rates. Using the Kassin and Kiechel (Psychol Sci 7:125–128, 1996) computer crash paradigm, Experiment 1 indicated that bluffing increases false confessions comparable to the effect produced by the presentation of false evidence.

Experiment 2 replicated the bluff effect and provided self-reports indicating that innocent participants saw the bluff as a promise of future exoneration which, paradoxically, made it easier to con- fess. Using a variant of the Russano et al. (Psychol Sci 16:481–486, 2005) cheating paradigm, Experiment 3 replicated the bluff effect on innocent suspects once again, though a ceiling effect was obtained in the guilty condition. Results suggest that the phenomenology of innocence can lead innocents to confess even in response to relatively benign interrogation tactics.

Justice Imperiled: False Confessions and the Reid Technique

Moore, Timothy and Fitzsimmons, Lindsay

Criminal Law Quarterly, 2011, Vol. 57 (4), 509-542.

Abstract:

There is widespread consensus that false confessions are one of the leading causes for wrongful convictions. Because confessions are statements against interest, they are regarded by the justice system as inherently reliable. Consequently, police,, prosecutors, judges, juries, and even defence counsel are predisposed to infer guilty, based on the confession. False confessions often result in the misdirection of resources, diminished public faith in the justice system, and the premature abandonment of an investigation that allows the actual culprit to remain free to commit additional crimes. This paper reviews the interrogation procedures currently in vogue in North America, describes inherent problems with it that compromise the reliability of admissions arising from it, and offers some suggestions for improvement.

Suspect Interviews and False Confessions

Gisli H. Gudjonsson and John Pearse

Current Directions in Psychological Science (2011). 20 (1), 33-37.

Abstract

In this article, we review two influential methods of police interviewing practice and their associations with false confessions. These are the Reid technique, which is commonly used by police forces in the United States, and the PEACE model, which is routinely used in the United Kingdom. Several authors have recently expressed concerns about the guilt-presumptive and confrontational aspects of the Reid technique and its association with false confessions and recommend that it be replaced by the PEACE model. Anecdotal case studies and DNA exonerations have shown that false confessions are more common than previously thought and are typically associated with two main causes: manipulative/coercive interrogation techniques and suspects' vulnerabilities in interviews. The main challenge for the future is to develop interview techniques that maximize the number of noncoerced true confessions while minimizing the rate of false confessions. In the meantime, the electronic recording of police interviews, which provides invaluable transparency and accountability, is the single best protection against police-induced false confessions.

False Confessions: Causes, Consequences, and Implications for Reform

Saul M. Kassin

Policy Insights from the Behavioral and Brain Sciences (Oct. 1, 2014).

Abstract

In recent years, DNA exoneration cases have shed light on the problem of false confessions and the wrongful convictions that result. Drawing on basic psychological principles and methods, an extensive body of research has focused on the psychology of confessions. This article describes the processes of interrogation by which police assess whether a suspect is lying or telling the truth and the techniques used to elicit confessions from those deemed

deceptive. The problem of false confessions emphasizes personal and situational factors that put innocent people at risk in the interrogation room. Turning from the causes of false confessions to their consequences, research shows that confession evidence can bias juries, judges, lay witnesses, and forensic examiners. Finally, empirically based proposals for the reform of policy and practice include a call for the mandatory video recording of interrogations, blind testing in forensic crime labs, and use of confession experts in court.

Going to the source: the "new" reid method and false confessions.
Alan Hirsh
Ohio State Journal of Criminal Law, (2014) Vol 11:2, 803-826

The leading interrogation manual, setting forth what has come to be known as the "Reid Technique," turned fifty in 2012.5 Just four years after its publication in 1962, this manual, published by the firm (Reid and Associates) that conducts the most widely attended training sessions for interrogators,6 attracted scathing commentary from the United States Supreme Court. In the seminal case of *Miranda v. Arizona*,7 the Court crafted its famous warning to criminal suspects in large part to protect against the psychological coercion at the heart of the Reid Technique.8 A year later, in 1967, Reid and Associates produced a second edition that incorporated *Miranda* warnings into its course of instruction, even as the authors brushed aside the Court's criticism.9

1986 brought forth a third edition of the manual, "an entirely new book" responsive to developments in the law governing confessions and interrogations and to improvements in the "art of interrogation."10 Though there would be refinements in subsequent editions, the 1986 manual set forth the essentials of the Reid Technique as we know it today. However, while expressing opposition to "*any* interrogation tactic or technique that is apt to make an innocent person confess,"11 the manual had little to say about the risk of false confessions.12 The omission was understandable, as this edition pre-dated the work of the Innocence Project, which awakened legal scholars and social scientists to the frequency of false confessions and spurred intense inquiry into their causes.13

False confessions: a meta-analytic review
Christian A. Meissner & Allison D. Redlich & Stephen W. Michael & Jacqueline R. Evans & Catherine R. Camilletti & Sujeeta Bhatt & Susan Brandon
Journal of Experimental Criminology (28 June 2014). 10:459-486.

Abstract

Objectives:

We completed a systematic review and meta-analysis of the available empirical literature assessing the influence of accusatorial and information-gathering methods of interrogation in eliciting true and false confessions.

Methods

We conducted two separate meta-analyses. The first meta-analysis focused on observational field studies that assessed the association between certain interrogation methods and elicitation of a confession statement. The second meta-analysis focused on experimental, laboratory-based studies in which ground truth was known (i.e., a confession is factually true or false). We located 5 field studies and 12 experimental studies eligible for the meta-analyses. We coded outcomes from both study types and report mean effect sizes with 95 % confidence intervals. A random effects model was used for analysis of effect sizes. Moderator analyses were conducted when appropriate

Results

Field studies revealed that both information-gathering and accusatorial approaches were more likely to elicit a confession when compared with direct questioning methods.

However, experimental studies revealed that the information-gathering approach preserved, and in some cases increased, the likelihood of true confessions, while simultaneously reducing the likelihood of false confessions. In contrast, the accusatorial approach increased both true and false confessions when compared with a direct questioning method.

Conclusions

The available data support the effectiveness of an information-gathering style of interviewing suspects. Caution is warranted, however, due to the small number of independent samples available for the analysis of both field and experimental studies. Additional research, including the use of quasi-experimental field studies, appears warranted.

The Social Psychology of False Confessions

Saul M. Kassin

Social Issues and Policy Review, January 2015. Vol. 9, Issue 1, pp. 25-51.

Abstract

Inspired by DNA exoneration cases and other wrongful convictions of innocent people who had confessed to crimes they did not commit and drawing from basic principles of social perception and social influence, a vast body of research has focused on the social psychology of confessions. In particular, this article describes laboratory and field studies on the "Milgramesque" processes of police interviewing an interrogation, the methods by which innocent people are judged deceptive and induced into confession, and the rippling effects of these confessions on judges, juries, lay and expert witnesses, and the truth-seeking process itself. This article concludes with a discussion of social and policy implications—including a call for the mandatory video recording of entire interrogations, blind testing in forensic science labs, and the admissibility of confession experts in court.

Police Training in Interviewing and Interrogation Methods: A Comparison of Techniques Used with Adult and Juvenile Suspects

Hayley M. D. Cleary and Todd C. Warner

Law and Human Behavior, 2015. Vol. 40, No. 3, 270–284

Abstract:

Despite empirical progress in documenting and classifying various interrogation techniques, very little is known about how police are trained in interrogation methods, how frequently they use various tech- niques, and whether they employ techniques differentially with adult versus juvenile suspects. This study reports the nature and extent of formal (e.g., Reid Technique, PEACE, HUMINT) and informal interrogation training as well as self-reported technique usage in a diverse national sample (N 340) of experienced American police officers. Officers were trained in a variety of different techniques ranging from comparatively benign pre-interrogation strategies (e.g., building rapport, observing body language or speech patterns) to more psychologically coercive techniques (e.g., blaming the victim, discouraging denials). Over half the sample reported being trained to use psychologically coercive techniques with both adults and juveniles. The majority (91%) receive informal, "on the job" interrogation training. Technique usage patterns indicate a spectrum of psychological intensity where information-gathering approaches were used most frequently and high-pressure tactics less frequently. Reid-trained officers (56%) were significantly more likely than officers without Reid training to use pre-interrogation and manipulation techniques. Across all analyses and techniques, usage patterns were identical for adult and juvenile suspects, suggesting that police interrogate youth in the same manner as adults. Overall, results suggest that training in specific interrogation methods is strongly

associated with usage. Findings underscore the need for more law enforcement interrogation training in general, especially with juvenile suspects, and highlight the value of training as an avenue for reducing interrogation-induced miscarriages of justice.

Coercive interrogation of eyewitnesses can produce false accusations.
Loney, Danielle M., et.al.
Journal of Police and Criminal Psychology, Vol 31(1), Mar, 2016. pp. 29-36.
Abstract:

In the current study we hypothesized—and found—that coercive interviewing increased the incidences of false accusations made by eyewitnesses. Fifty-nine university students participated in a laboratory study in participant-confederate pairs and were later interviewed about whether the confederate stole a research assistant's cell phone. Participants interviewed using a Coercive Interview were significantly more likely to falsely accuse the confederate of stealing a cell phone than were participants interviewed using a non-coercive, Control Interview. Our findings raise questions regarding why participants gave false accusations and whether coercive methods could result in more accurate testimony from reluctant witnesses. We suggest the need for potential safeguards, such as the electronic recording of interviews of non-suspect witnesses to prevent or document the use of coercive methods.

Memory errors in police interviews: The bait question as a source of misinformation.
Luke, Timothy J.. John Jay College of Criminal Justice, City University of New York, New York, NY, US, tluke@gradcenter.cuny.edu
Crozier, William E., et.al.
Journal of Applied Research in Memory and Cognition, Vol 6(3), Sep, 2017. pp. 260-273.
Abstract:

Bait questions—where an investigator questions a suspect about the existence of hypothetical evidence—are a widely employed interviewing tactic. We examined whether these bait questions are a vehicle for misinformation to enter a criminal case, leading mock jurors to misremember the evidence. Adapting the misinformation effect paradigm, participants read a police report describing several pieces of evidence, then watched a police interview including bait questions that provided misleading information about the collected evidence. In Studies 1 and 2, participants' memory for evidence they were misled about was significantly less accurate than control evidence. Indeed, participants came to believe the hypothetical evidence proposed in the bait questions actually existed. In Studies 3 and 4, participants read warnings—varying in their specificity—about the misleading bait questions. These warnings were ineffective at mitigating the misinformation effect. Bait questions may, therefore, be a source of error in juror's decision-making, leading to wrongful convictions.

The Right to Remain a Child: The Impermissibility of the Reid Technique in Juvenile Interrogations
Ariel Spierer
New York University Law Review, 2017. New York University School of Law.
Abstract:

Police interrogations in the United States are focused on one thing: getting a confes- sion from the suspect. The Reid Technique, a guilt-presumptive nine-step method and the most common interrogation technique in the country, is integral to fulfilling this goal. With guidance from the Reid Technique, interrogators use coercion and deceit to extract confessions—regardless of the costs. When used with juvenile sus- pects, this method

becomes all the more problematic. The coercion and deception inherent in the Reid Technique, coupled with the recognized vulnerabilities and susceptibilities of children as a group, has led to an unacceptably high rate of false confessions among juvenile suspects. And, when a juvenile falsely confesses as the result of coercive interrogation tactics, society ultimately suffers a net loss.

In the Eighth Amendment context, the Supreme Court has recognized that children are different from adults and must be treated differently in various areas of the criminal justice system. The Court's recent Eighth Amendment logic must now be extended to the Fifth Amendment context to require that juveniles be treated differ- ently in the interrogation room, as well. This Note suggests that the Reid Technique be categorically banned from juvenile interrogations through a constitutional ruling from the Court. Doing so would not foreclose juvenile interrogation; rather, a more cooperative and less coercive alternative could be utilized, such as the United Kingdom's PEACE method. Nonetheless, only a categorical constitutional rule that prohibits the use of the Reid Technique in all juvenile interrogations will eliminate the heightened risk of juvenile false confessions and truly safeguard children's Fifth Amendment rights.

A study of the perspectives of law students regarding false confessions and coercive interrogation tactics.

Avalle, Diana.

Dissertation Abstracts International Section A: Humanities and Social Sciences, Vol 79(11-A)(E), 2018.

Abstract:

The purpose of this research is to address how coercive police interrogation tactics can lead to a phenomenon rising in social consciousness, false confessions, with specific attention paid to the most popular form of police interrogation tactics, the Reid Technique. This research surveyed current law students to understand their perspectives regarding perceived coercion of certain interrogation tactics and the likelihood that such coercive interrogation tactics would elicit a false confession. The researcher also set out to determine if providing the psychology behind coercive interrogation tactics, and how they may lead to false confessions is perceived as useful to law students, and how likely it is that they would utilize such information in their future practices. This research is a first of its kind in that no other research has examined false confessions as related to law students; the only research regarding surveying criminal justice professionals surveyed law enforcement professionals, the interrogators, themselves. Although, presumably, due to a low sample size no significance was determined for the intervention used, there are still practical applications for the results of the research conducted.

The Reid Interrogation Technique and False Confessions: A Time for Change.

Wyatt Kozinski

Seattle Journal for Social Justice (4-4-2018). Vol. 16, Issue 2, article 10, pp.301-345

Abstract:

But the Reid Method has come under sustained attack in recent years. According to the W-Z press release, "[a]pproximately 29% of DNA exonerations in the US since 1989 have involved false confessions to the crime. . . . Academics have chronicled the commonalities among these cases and found the suspect is often mentally or intellectually challenged, interviewed without an attorney or parent, interrogated for over three hours, or told information about the crime by the investigators." While some of these practices are prescribed by the Reid Method, others are outside the protocol but, nevertheless, frequently employed by Reid-trained interrogators. This has generated a significant number of false

confessions that have later resulted in exonerations, raising the concern that the Reid Method may be extracting confessions not merely from guilty people but from innocent ones as well.

Effects of interrogation style on believability of confessions.
Hernick, Stephanie.
Dissertation Abstracts International: Section B: The Sciences and Engineering, Vol 79(10-B)(E), 2018.
Abstract:

This dissertation was designed to explore what impact interrogation styles had on the believability of a confession. The interrogation styles that were examined were the Reid technique that is the common interrogation style used in United States (U.S.) and the PEACE technique which is more commonly used in the United Kingdom (U.K.). The independent variable in this study was the interrogation style: coercive (Reid) and non-coercive (PEACE). There was one dependent variable: believability of the confession which was rated on a Likert scale. Participants were recruited through a link to Qualtrics. After being provided an informed consent, participants completed several self-report measures including a demographic questionnaire, and then read two vignettes in which they used a Likert scale to rate how coercive they perceived each interrogation style, and how believable they found each confession to be. In one condition they read an interrogation using the Reid technique and another they read an interrogation using the PEACE technique these vignettes were counterbalanced. Participants were then asked to share information about how they reached each of their ratings. Participants were randomly assigned to receive either the Reid technique or PEACE technique vignette first, and then received the second vignette. A Repeated-Measures T test was used to analyze the data. Data analysis showed that participants found the Reid interrogation technique used in the U.S. to be more coercive than the PEACE technique used in the U.K. and were less likely to believe the confession given in the Reid interrogation than the PEACE interrogation.

Confessions of a criminal psychopath: An analysis of the Robert Pickton cell-plant.
Reid, Sasha and Lee, Jooyoung.
Journal of Police and Criminal Psychology, Vol 33(3), Sep, 2018. pp. 257-270.
Abstract:

Police interrogation methods have changed over time. While traditional techniques relied on violence and physical torture, modern techniques have shifted toward psychological coercion and manipulation. These techniques, most widely known as parts of The Reid Technique, have proven to be a powerful way to elicit confessions of guilt from suspected criminals. Authors of the Reid Technique claim that when applied correctly, their methods lead to significant increases in police confession rates. But, these techniques are not universally useful. In addition to eliciting false confessions, the Reid Technique has been less effective on psychopaths—who are self-centered, manipulative, and lack empathy. Psychopaths can be resistant to these methods, which rely on the interrogator's ability to induce fear, anxiety, and feelings of remorse in the suspect. When confronted with a criminal psychopath, interrogators face unique challenges requiring a different approach to interrogation. To show this, we analyze the cell plant video of an undercover officer who obtained a serial murder confession from Robert Pickton by appealing to his narcissism. We conclude by offering a few additional strategies that can be used by investigators when interrogating psychopaths.

Assessing the diagnosticity of a persuasion-based and a dialogue-based interrogation approach.

Eastwood, Joseph, et.al.
Journal of Police and Criminal Psychology, Oct 20, 2020.

Abstract:

The current study assessed the relative propensity of a persuasion-based and a dialogue-based interrogation approach to generate true and false confessions (i.e., their diagnosticity). Following the Russano cheating paradigm, participants were first either induced or not induced to cheat on an experimental task to create innocent and guilty conditions. An experimenter, blind to the participants' guilt or innocence, then attempted to generate a confession using a persuasion-based or a dialogue-based interrogation approach. Chi-square analyses showed that both interrogation approaches generated an equally high proportion of true confessions from guilty participants (95% for both approaches; $p = 0.942$) but that the persuasion-based approach generated substantially more false confessions from innocent participants than the dialogue-based approach (45% vs. 0%, respectively; $p = 0.001$). The dialogue-based approach's clear advantage over the persuasion-based approach in this study adds to the call for law enforcement organizations to utilize dialogue-based approaches within real-world interrogations.