

TOPIC: Alcohol and Confessions

Alcohol and drug intoxication during police interrogation and the reasons why suspects confess to the police.

Sigurdsson, Jon F. and Gudjonsson, Gisli H.

Addiction, Vol 89(8), Aug, 1994. pp. 985-997.

Abstract:

Examined effects of alcohol or drug intoxication, and withdrawal symptoms on the mental state of 344 criminal suspects (aged 17–64 yrs) and the nature of their confession. The confession rate was 92%, with serious traffic violators having the highest confession rate (95%) and sex offenders the lowest (83%). 'Perception of proof,' 'internal need to confess,' and 'external pressure' were the main reasons why suspects confessed. However, Ss were identified who had experienced a typical 'prisoner's dilemma' phenomenon during the police interview because of a co-defendant. Alcohol and drug intoxication were commonly reported both at the time of the offense and at the police interview. Intoxication and withdrawal symptoms were consistently reported as making Ss confused at the police interview.

Intoxicated witnesses and suspects: An archival analysis of their involvement in criminal case processing.

Palmer, Francesca T., et.al.

Law and Human Behavior, Vol 37(1), Feb, 2013. pp. 54-59.

Abstract:

Research about intoxicated witnesses and criminal suspects is surprisingly limited, considering the police believe that they are quite ubiquitous. In the present study, we assessed the involvement of intoxicated witnesses and suspects in the investigation of rape, robbery, and assault crimes by analyzing cases that were referred by the police to a prosecutor's office. Results indicated that intoxicated witnesses and suspects played an appreciable role in criminal investigations: Intoxicated witnesses were just as likely as sober ones to provide a description of the culprit and to take an identification test, suggesting criminal investigators treat intoxicated and sober witnesses similarly. Moreover, intoxicated suspects typically admitted to the police that they had consumed alcohol and/or drugs, and they were usually arrested on the same day as the crime. This archival analysis highlights the many ways in which alcohol impacts testimony during criminal investigations and underscores the need for additional research to investigate best practices for obtaining testimony from intoxicated witnesses and suspects.

Miranda Reasoning and Competent Waiver Decisions: Are Models of Legal Decision Making Applicable?

Blackwood, Hayley L.

Doctor of Philosophy (Clinical Psychology), May 2013, 145 pp., 22 tables, references, 129 titles.

Summary:

Miranda understanding, appreciation, and reasoning abilities are essential to courts' determinations of knowing and intelligent Miranda rights waivers. Despite the remarkable development of Miranda research in recent decades, studies have generally focused on understanding and appreciation of Miranda rights, but have not examined Miranda reasoning and waiver decisions. Therefore, examining the nature of defendants' decisional capacities constitutes a critical step in further developing theoretical and clinical models for competent Miranda waiver decisions. The current study evaluated Miranda waiver decisions for 80 pretrial defendants from two Tulsa- area Oklahoma jails. Previously untested, the current study examined systematically how rational decision abilities affect

defendants' personal waiver decisions. Components from general models of legal decision making, such as decisional competence and judgment models, were examined to determine their applicability to Miranda waiver decisions.

Alcohol intoxication alters cognitive skills mediated by frontal and temporal brain regions.

Magrys, S. A. and Olmstead, M. C..

Brain and Cognition, Vol 85, Mar, 2014. pp. 271-276.

Abstract:

Alcohol intoxication affects frontal and temporal brain areas and may functionally impair cognitive processes mediated by these regions. This study examined this hypothesis by testing the effects of alcohol on sustained attention, impulsivity, and verbal memory. Sober and placebo control groups were used to distinguish pharmacological from expectancy effects of alcohol. One hundred nine university students were assigned to an alcohol (low, medium, or high dose), placebo or sober group. Moderate and high doses of alcohol impaired all cognitive measures. A gender effect was revealed in that alcohol impaired sustained attention in males, but not females. Both sustained attention and verbal memory exhibited a U-shaped pattern, in that the medium-dose alcohol group showed the greatest impairment. This study adds to knowledge about the effects of alcohol intoxication on frontally- and temporally-mediated cognitive function. These findings have specific relevance for heavy-drinking undergraduate populations, particularly in light of the fact that repeated alcohol administration produces persistent changes in brain neurocircuitry.

Juror perceptions of intoxicated suspects' interrogation-related behaviors.

Mindthoff, Amelial, et.al.

Criminal Justice and Behavior, Vol 47(2), Feb, 2020. pp. 222-246.

Abstract:

Alcohol-intoxicated suspects' confessions are admissible in U.S. courts; however, it is unknown how jurors evaluate such confessions. Study 1 assessed potential jurors' perceptions of intoxication in interrogative contexts. Many respondents were unaware that questioning intoxicated suspects and presenting subsequent confessions in court are legal, and respondents generally reported they would rely less on intoxicated than sober confessions. In Study 2, potential jurors read a case about a defendant who had confessed or not while sober or intoxicated. Participants who read about an intoxicated defendant perceived the interrogation as more inappropriate and the defendant as more cognitively impaired than did participants who read about a sober defendant, and as a result, they were less likely to convict. Furthermore, intoxicated confessions influenced conviction decisions to a lesser extent than did sober confessions. Findings suggest that investigators might consider abstaining from interrogating intoxicated suspects or else risk jurors finding confessions unconvincing in court.

The detrimental impact of alcohol intoxication on facets of Miranda comprehension.

Mindthoff, A., Evans, et al.

Law and Human Behavior (2022), 46(4), 264–276. <https://doi.org/10.1037/lhb0000490>

Abstract

Objective: Law enforcement officers often encounter alcohol-intoxicated suspects, suggesting that many suspects are presented with the challenge of grasping the meaning and significance of their Miranda rights while intoxicated. Such comprehension is crucial, given that Miranda is intended to minimize the likelihood of coercive interrogations resulting in self-incrimination and protect suspects' constitutional rights. Yet, the effects of alcohol on individuals' ability to understand and appreciate their Miranda rights remain unknown—a gap that the present study sought to address. Hypotheses: Informed by alcohol

myopia theory (AMT), we predicted that intoxicated individuals would demonstrate impaired Miranda comprehension compared to sober individuals and those who believed they were intoxicated (but were in fact not; i.e., placebo participants). Method: After health screenings, participants completed the Wechsler Abbreviated Scale of Intelligence–Second Edition verbal subtests, rendering a Verbal Comprehension Index (VCI) score. We randomly assigned participants to consume alcohol ($n = 51$; mean breath alcohol concentration [BrAC] = 0.07%), a placebo condition ($n = 44$; BrAC = 0.00%), or a sober control condition ($n = 41$; BrAC = 0.00%). All participants ($N = 136$) completed the Miranda Rights Comprehension Instruments (MRCI), which measured participants' understanding of the Miranda warnings, recognition of the warnings, appreciation of their rights in interrogation and court settings, and understanding of Miranda-related vocabulary. Results: We found a significant effect of intoxication condition on participants' understanding of Miranda warnings ($\eta^2p = .14$) and Miranda-related vocabulary ($\eta^2p = .05$) when controlling for VCI scores. Specifically, intoxicated participants received lower scores for understanding of warnings compared to sober and placebo participants, and lower scores for understanding of Miranda vocabulary compared to sober participants. Alcohol did not significantly impact Miranda rights recognition or appreciation. Conclusions: Alcohol intoxication may detrimentally impact some facets of Miranda comprehension. Thus, it is important that law enforcement consider refraining from questioning intoxicated suspects. (PsycInfo Database Record (c) 2022 APA, all rights reserved)

Impact Statement

Public Significance Statement - Alcohol-intoxicated suspects are often presumed capable of knowingly and intelligently waiving their Miranda rights. Our experimental findings, however, demonstrate that some aspects of individuals' understanding of their rights suffer as a function of alcohol intoxication. Specifically, participants' ability to verbalize the meaning of their rights, as well as the meaning of Miranda-specific vocabulary, appeared to suffer as a function of intoxication. Thus, as more research on this topic accumulates, law enforcement should consider waiting for intoxicated individuals to “sober up” before seeking to commence questioning. (PsycInfo Database Record (c) 2022 APA, all rights reserved)