Videotaping Confessions

The potential for bias in videotaped confessions.
Lassiter, G. Daniel, et.al.
Journal of Applied Social Psychology, Vol 22(23), Dec, 1992. pp. 1838-1851.
Abstract:

Previous research by G. D. Lassiter and A. A. Irvine (see record 1986-24380-001) indicates that the point of view from which a confession is videotaped can influence determinations of its voluntariness. The present study, with 172 undergraduates, extended this finding. Ss completed the Need for Cognition Scale and then acted as jurors evaluating 1 of 3 mock interrogations. Confessor-focus, but not equal-focus (on the confessor and interrogator), videotapes produced judgments of greater voluntariness compared with more traditional audiotape and transcript formats. Also, this pattern generalized across confessions concerned with 3 different crimes (rape, drug trafficking, and burglary). Ss high and low in need for cognition were equally susceptible to the videotaped-confession bias. Biased voluntariness judgments may, in turn, prejudice likelihood-of-guilt assessments.

Accountability and the camera perspective bias in videotaped confessions.
Lassiter, G. Daniel, et.al.
Analyses of Social Issues and Public Policy (ASAP), Vol 1(1), Dec, 2001. pp. 53-70.
Abstract:

Prior research indicates that altering the perspective from which a videotaped confession is recorded influences assessments of the confession's voluntariness. The present study examined whether increasing decision makers' sense of accountability attenuates this biasing effect of camera perspective. Participants in a high-accountability (but not a low-accountability) condition were told that they would have to justify their judgments concerning the voluntary status of a videotaped confession to a trial judge. Although supplementary measures indicated that high-accountability participants processed information contained in the videotaped confession more carefully and thoroughly, the camera perspective bias persisted. This result adds to a growing body of work indicating that the criminal justice system needs to be seriously concerned with how it acquires and utilizes videotaped confession evidence.

Videotaped interrogations and confessions: A simple change in camera perspective alters verdicts in simulated trials.
Lassiter, G. Daniel, et.al.
Journal of Applied Psychology, Vol 87(5), Oct, 2002. pp. 867-874.
Abstract:

Prior research has indicated that altering the perspective from which a videotaped confession is recorded influences assessments of the confession's voluntariness. The authors examined whether this camera perspective bias persists in more ecologically valid contexts. In Study 1, neither a realistic videotaped trial simulation nor potentially corrective judicial instruction was sufficient to mitigate the prejudicial effect of camera perspective on mock jurors' assessments of voluntariness or on their all-important final verdicts. Study 2 suggests that perhaps the best camera perspective to use is one that focuses trial fact finders' attention on the interrogator, as this particular vantage point may facilitate decision makers' capacity to detect coercive influences, which in turn could, in some cases, improve assessments of the confession's reliability.

Further evidence of a robust point-of-view bias in videotaped confessions.
Lassiter, G. Daniel, et.al.

Current Psychology: A Journal for Diverse Perspectives on Diverse Psychological Issues, Vol 21(3), Fal 2002. pp. 265-288.

Abstract:

Four experiments with 539 undergraduates were conducted to test possible limits on the previously demonstrated point-of-view bias in videotaped confessions. Study 1 showed that deliberation did not eliminate the bias. Study 2 showed that forewarning did not eliminate the bias. Study 3 showed that directing greater attention to the content of the confession did not eliminate the bias. Study 4 showed that using a lengthier, case-based confession also did not eliminate the bias. Taken together, this research clearly indicates that the legal system needs to be concerned with the potential for bias that exists in videotaped confessions.

Attributional Complexity and the Camera Perspective Bias in Videotaped Confessions.

Lassiter, G. Daniel, et.al.

Basic and Applied Social Psychology, Vol 27(1), Mar, 2005. pp. 27-35.

Abstract:

Prior research has established that simply altering the perspective from which a videotaped confession is recorded influences judgments of the confession's voluntariness and the suspect's guilt. This study examined whether, when evaluating a videotaped confession, a higher degree of attributional complexity would buffer people from the contaminating effects of camera perspective. We found that although people high and low in attributional complexity differed in their overall verdicts and voluntariness assessments, they were comparably swayed by the camera's perspective. That is, consistent with prior demonstrations of the camera perspective bias, the proportion of guilty verdicts and the proportion assessing the confession was voluntary were both significantly greater when the camera focused on the suspect rather than focused equally on the suspect and the interrogator. Theoretical and practical implications of these findings are discussed.

Camera perspective bias in videotaped confessions: Evidence that visual attention is a mediator.

Ware, Lezlee J., et.al.

Journal of Experimental Psychology: Applied, Vol 14(2), Jun, 2008. pp. 192-200.

Abstract:

Several experiments have demonstrated a camera perspective bias in evaluations of videotaped confessions: videotapes with the camera focused on the suspect lead to judgments of greater voluntariness than alternative presentation formats. The present research investigated potential mediators of this bias. Using eye tracking to measure visual attention, Experiment 1 replicated the bias and revealed that changes in camera perspective are accompanied by corresponding changes in duration of fixation on the suspect and interrogator. A path analysis indicated that visual attention partially mediated the bias, with at least one additional factor independently contributing to it. A proposed second factor was changes in available visual content that naturally coincide with alterations in camera perspective. Experiment 2 directly manipulated observers' focus and thus more conclusively established visual attention as one mediator of the camera perspective bias. Together the two experiments provide plausible evidence that differences in visual content may also mediate the bias.

Three things that should be used to guide investigative interviews by military and intelligence agencies.

DeClue, Gregory.

Journal of Psychiatry & Law, Vol 38(1-2), Spr-Sum 2010. Special Issue: Interrogations and confessions. pp. 251-262.

Abstract:

The psychological study of investigative interviewing is over 100 years old (Munsterberg, 1908), with a rich literature and body of knowledge (Drizin and Leo, 2004; Kassin, Drizin, Grisso, Gudjonsson, Leo, & Redlich, 2009). Although behavioral and social science has focused primarily on investigations by police, findings should also be considered by investigators who work for military or intelligence agencies. The state of the science leads to at least three recommendations. First, **all investigative interviews should be video-recorded in their entirety, with an equal focus on interviewers and interviewees**. Second, rather than seeing interrogation as a method to persuade or coerce an uncooperative subject into confessing, investigators should consider interviews of suspects, victims, witnesses, and sources as investigative interviews, with a common goal of finding the truth. Third, because investigators do not really know which interviewees are guilty (have guilty knowledge) and which are not (do not), no law-enforcement, military, or intelligence-agency interrogator should ever use a technique on a 'presumed-guilty' suspect that would not be appropriate for use with an innocent person.

An explanation for camera perspective bias in voluntariness judgment for video-recorded confession: Suggestion of cognitive frame.

Park, Kwangbai, et.al.

Law and Human Behavior, Vol 36(3), Jun, 2012. pp. 184-194.

Abstract:

Three experiments were conducted to test the hypothesis that difference in voluntariness judgment for a custodial confession filmed in different camera focuses ('camera perspective bias') could occur because a particular camera focus conveys a suggestion of a particular cognitive frame. In Experiment 1, 146 juror eligible adults in Korea showed a camera perspective bias in voluntariness judgment with a simulated confession filmed with two cameras of different focuses, one on the suspect and the other on the detective. In Experiment 2, the same bias in voluntariness judgment emerged without cameras when the participants were cognitively framed, prior to listening to the audio track of the videos used in Experiment 1, by instructions to make either a voluntariness judgment for a confession or a coerciveness judgment for an interrogation. In Experiment 3, the camera perspective bias in voluntariness judgment disappeared when the participants viewing the video focused on the suspect were initially framed to make coerciveness judgment for the interrogation and the participants viewing the video focused on the detective were initially framed to make voluntariness judgment for the confession. The results in combination indicated that a particular camera focus may convey a suggestion of a particular cognitive frame in which a video-recorded confession/interrogation is initially represented. Some forensic and policy implications were discussed.

Does video recording inhibit crime suspects? Evidence from a fully randomized field experiment.

Kassin, Saul M., et al.

Law and Human Behavior, Vol 43(1), Feb, 2019. pp. 45-55.

Abstract (English):

In partnership with a small city police department, we randomly informed or did not inform 122 crime suspects that their interrogations were being video-recorded. Coding of all sessions indicated that camera-informed suspects spoke as often and as much as did those who were not informed; they were as likely to waive Miranda at the outset and later; they

were as likely to make admissions and confessions, not just denials; and they were perceived no differently by detectives on a range of dimensions. Looking at distal outcomes, we observed no differences in ultimate case dispositions. In terms of policy and practice, results did not support the hypothesis that recording—even when transparent, as required in 2-party consent states—inhibits suspects or alters case dispositions. At least for now, this conclusion is empirically limited to situations in which cameras are concealed and to interrogations that do not involve juveniles, homicides, or drug crimes, which we a priori excluded from our sample.

Impact Statement:

Public Significance Statement—In recent years, many police departments have begun to record interrogations. Some departments inform suspects as such; others do not, believing it will adversely affect processes and outcomes. We tested this hypothesis in a study of real suspects who were randomly informed or not informed that their interrogations would be recorded. No significant differences were found in terms of how often or how much they spoke, their tendency to waive Miranda rights or make admissions of guilt, the extent to which detectives perceived them to be talkative and cooperative, or final case dispositions.