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## False Confessions in the American Justice System

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# FALSE CONFESSIONS IN THE AMERICAN JUSTICE SYSTEM

Emily Pruden

# WHAT IS A FALSE CONFESSION?

When a person confesses to a crime  
they didn't commit

# STATISTICS

- 28% of convictions overturned through DNA involved a false confession (Lackey, 2020)
- 81% of those false confessions were given in murder cases (Lackey, 2020)

# REID INTERROGATION METHOD

- The Positive Confrontation
- Theme Development
- Handling Denials
- Overcoming Objections
- Procurement and Retention of the Suspect's Attention
- Handling the Suspect's Passive Mood
- Presenting the Alternative Question
- Having the Suspect Orally Relate the Details of the Crime
- Elements of Oral and Written Statements

# REID INTERROGATION METHOD

## Interview

- The Positive Confrontation

## Interrogation

- Theme Development
  - Handling Denials
  - Overcoming Objections
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# CAUSES- PHYSICAL FACTORS

- Sleep deprivation
- Isolation
- Lack of food or water

# CAUSES- MINIMIZING

- Presenting the Alternative Question
- Reduce moral judgement
- Implicit vs explicit promises

# CAUSES- MISREPRESENTING EVIDENCE

- Lying about what evidence was found
- Falsifying the results of a polygraph test
- Upheld by the Supreme Court
- Primary cause of coerced-internalized confessions

# PREVENTION- REDUCE FREQUENCY

- Change how interrogations are conducted
- PEACE method
  - Created in England, implemented across several countries
  - Interview only, no interrogation
- Instate time limits
- Allow breaks for sleeping, eating, etc.

# PREVENTION- REDUCE IMPACT

- Record interrogations
  - Allows for disputes over coercion to be settled faster
  - Allows judge to review confession
  - Allows jury to determine whether a confession was coerced