EXAMINING LAYPERSON PERCEPTIONS OF POLICE TACTICS IN SUSPECT INTERROGATION

by

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Abstract

Layperson perceptions of the use of explicit and implicit promises of leniency in a suspect interrogation were examined. Undergraduate students ($N = 290$) were assigned randomly to read one of six police transcripts including either (1) no coercion, (2) explicit promise of leniency, or one of four minimization tactics implying a promise of leniency, (3) minimizing seriousness, (4) face-saving excuses, (5) downplaying consequences, or (6) emphasizing benefits of cooperation. Participants were then asked to indicate their sentencing expectations, estimate confession rates, rate their perceptions of the interrogation, rate the interrogator, and rate the level of coercion, and render a verdict. Results revealed that most participants chose to convict the suspect (81%), despite their belief that the suspect's confession was coerced (80.2%). Most participants (95%) indicated that the interrogator promised leniency when explicit leniency was offered, however, few people detected leniency when minimizing seriousness (22.2%) and face-saving excuses (37.1%) were used. Explicit leniency and emphasizing benefits of cooperation were viewed more negatively overall, while face-saving excuses were viewed less negatively, with lower estimated confession rates, perceived pressure, eagerness to elicit a confession, and aggressiveness of the interrogator. The perceived strength of evidence and severity of the consequences were the highest when minimizing seriousness was used. Sentencing expectations were influenced by interrogation outcomes but not by tactic type. If the suspect denied involvement and was later convicted, participants expected the sentence to be greater than if the suspect confessed during the interrogation. Participants also estimated that more guilty suspects would confess than innocent suspects across tactic types. Overall, these findings reinforce past findings that

confessions have strong evidentiary weight, and that confessions could influence potential jurors' decision regardless of how they were obtained. Tactics involving minimizing seriousness and face-saving excuses put innocent suspects more at risk of wrongful convictions than others, likely because prospective jurors are less able to detect their coerciveness as much as that of explicit leniency and other types of minimization strategies. This research provided additional empirical evidence that jurors' lay knowledge might not be able to evaluate confessions and expert testimony should be allowed to help them.

Keywords: police interview, minimization tactics, leniency, layperson perceptions

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Table of Contents

List of Tables

List of Figures

List of Appendices

Chapter 1: Introduction

A confession to a crime is one of the most powerful forms of evidence in the courtroom (Kassin, 2008), and is often viewed by the police as the primary goal of interrogation (Baldwin, 1993). As a result, the police use a range of interrogation tactics to elicit confession from suspects. Unfortunately, confession evidence is fallible – innocent people can be coerced to falsely confess (Kassin, 2017). Given concerns over false confession, explicit coercive tactics like threats and promises of leniency are outlawed in Canada. Alarmingly, subtler tactics like implied leniency or threat are generally accepted by the courts (e.g., *R. v. Oickle*, 2000), despite the existence of research demonstrating that they are also concerning and can result in a false confession (for a review, see Kassin et al., 2010). Minimization is a common form of subtle coercions; it refers to a series of tactics in which the interrogator minimizes the seriousness of the consequences of confessing or appeals to suspects' self-interest to obtain their trust. However, there are increasing concerns on the use of minimization – empirical research has revealed that it can pragmatically imply leniency to the suspects even though leniency is not explicitly being offered (e.g., Kassin & McNall, 1991), and that minimization can increase the rates of false confession (e.g., Russano et al., 2005). Moreover, it is important to know whether jurors are able to detect the implied message of minimization tactics and, importantly, connect that message with the increased risk of obtaining a false confession. Unfortunately, laypeople (i.e., potential jurors) have been found to not recognize the risk of minimization tactics (e.g., Blandon-Gitlin et al., 2011; Kaplan et al., 2020). Previous studies of minimization have used multiple types of minimization together, or combined them with other interrogation techniques like

maximization tactics that imply threats (e.g., Horgan et al., 2012). Although a few studies

have tested different minimization tactics separately, they only examined the impact on

suspect responses (Kelly et al., 2019; Luke & Alceste, 2020). No empirical study has yet

examined perceptions of individual minimization tactics from a third-party lay jury

perspective. Thus, the goal of the current study was to examine laypeople perceptions of four

specific types of minimization tactics (i.e., minimizing seriousness, face-saving excuses,

downplaying consequences, emphasizing benefits of cooperation), their conviction rates and

voluntariness judgement of the confession elicited by the tactics.

1.1 Suspect Interrogation

A confession is regarded highly within the criminal justice system and said to be the

most potent form of evidence in the courtroom (e.g., Kassin et al., 2015; Kassin & Neumann,

1997). Subsequently, the elicitation of confession is heavily coveted by the police. Despite

the apparent weight of confessions in the justice system, it is also evident that confession

evidence can put innocent people at risk. Evidence of the capability of confession to lead to

miscarriages of justice can be found in a number of areas. First, it can be seen through the

frequency of false confession giving rise to wrongful convictions worldwide (Kassin et al.,

2015). Opposite to common sense, high profiled exonerations (e.g., New York City's Central

Park Jogger case), large-scale case studies (e.g., Drizin & Leo, 2004), as well as self-reports

from inmates (e.g., Gudjonsson et al., 2009) have demonstrated the existence of police-

induced false confessions. In an interrogation, internal factors like vulnerability of suspects

and situational factors like interrogation tactics used by the police all may lead to a false

confession. Second, a confession has an immense weight of evidence because it can convince

jurors of a suspect's guilt even when: the confession is thought to be obtained against the person's will (Drizin & Leo, 2004; Kassin et al., 2005; Kassin & Sukel, 1997; Kassin & Wrightsman, 1980), the confession is uncorroborated by other evidence or eventually proved to be false (Drizin & Leo, 2004; Leo & Liu, 2009), it is compelled by DNA exculpatory evidence (Appleby & Kassin, 2011), and when the confession is provided by children (Redlich et al., 2008), people suffering from mental illness (Henkel, 2008), or relayed second-hand by jail informants (Neuschatz et al., 2008; Wetmore et al., 2014).

To defend against such concerns, a set of rules and restrictions for the admissibility of confessions have been built in Canada known as the Confession Rule. The Confession Rule prohibits overt coercive tactics, whereby the threats of punishment, promises of leniency, or oppression (i.e., deprivations of water, food, or sleep, fabricating evidence, or aggressive and prolonged interrogations) will render a confession inadmissible. A confession also cannot be elicited from people who lack an operating mind (i.e., understand what they are saying and the consequences). Yet soft forms of coercion (i.e., psychological-based coercive tactics) are generally sanctioned in the courts, as long as they are not thought to 'shock the community' (*R. v. Oickle*, 2000; *R. v. Rothman*, 1981; Fallon et al., 2018; Smith et al., 2012). Many of these subtle interrogation tactics are seemingly derived from the Reid interrogation manual and can be identified into two broad types: minimization and maximization (Kassin & McNall, 1991).

1.2 Minimization Tactics

Minimization or "soft sell" tactics are designed to lull suspects into a false sense of security and make it easier to confess by showing empathy, offering moral justification or

face-saving excuses (i.e., offering reasons why the suspect committed the crime that make

their involvement seem less bad), and downplaying the perceived consequences of the crime

(Kassin & McNall, 1991). As mentioned before, minimization tactics imply leniency to

suspects and therefore can contribute to false confessions. In the seminal study by Kassin and

McNall (1991), the researchers asked participants to read transcripts to examine their

perceptions of different interrogation tactics. They found that participants expected similarly

low sentencing expectation in the minimization condition ($M = 4.83$) and the explicit promise

of leniency condition ($M = 4.17$), compared to the control group ($M = 6.00$). They concluded

that the implied message of leniency in minimization could be communicated as if it was an

explicit promise of leniency, so there was a functional equivalence between minimization and

explicit leniency in their influence on people's perceived consequences of confession. In turn,

they suggested that it might trap innocent suspect to falsely confess in exchange for a

favorable outcome. Kassin and McNall also found that participants in the explicit promise

condition estimated more suspects to confess ($M = 34.67$) while those in the minimization

condition estimated fewer suspects to confess ($M = 19.84$) compared to the control group ($M = 25.50$). Participants in the promise condition perceived higher pressure on the suspects and

higher eagerness from the interrogator to get a confession (M's = 9.00 and 9.06, respectively)

than those in minimization (M's = 7.80 and 7.73) and control conditions (M's = 7.07 and

7.93), and they thought the interrogator showed higher sympathy in minimization ($M = 3.33$)

than the control group ($M = 2.33$). These findings suggested that people cannot detect the

coerciveness of minimization tactics and interpret them as an inducement of confession.

Studies examining the direct effect of minimization tactics on confession rates

supported Kassin and McNall's (1991) conclusion that minimization implies leniency and

demonstrated the use of minimization actually leads people to falsely confess. For example,

Russano et al. (2005) developed a paradigm that provides researchers with a way to

empirically test the impact of various interrogation tactics on both true and false confession

rates. The paradigm has ecological validity and was designed to elicit confessions from

factually innocent and guilty people by inducing them to cheat on a task (i.e., helping

confederates on logic problem that was supposed to be solved individually). Using the

paradigm, Russano and colleagues examined the impact of minimization and explicit

leniency (i.e., offer of a deal) in particular, and found that participants were 1.66 times more

likely to confess under the use of minimization than when no minimization was used (57.4%

and 34.5%, respectively; $d = 0.57$). The same pattern was indicated when a deal was offered –

the confession rate was 1.43 times higher than when no deal was promised (54.1% and

37.8%, respectively; $d = 0.33$). The results showed that minimization worked as effectively as

explicit leniency, increasing the rate of not only true confessions but also false confessions. In

addition, the diagnostic value of confession (i.e., the ratio of true to false confessions) was

decreased around 40% when either minimization or explicit leniency was used compared to a

no tactic group.

In line with Russano et al.'s (2005) findings, Narchet et al. (2011) found that

compared to no tactic condition (3%), the possibility of obtaining a false confession was

increased when minimization was used (22%), and therein, the diagnostic value of confession

was significantly decreased by 86% with the use of minimization. Horgan et al. (2012) also

indicated that the diagnostic value was lower when the interrogator used minimization tactics that manipulate the perceived consequences of confessing (i.e., lead the suspect to infer a promise of leniency; e.g., minimizing seriousness of offense, downplaying consequences) than when the interrogator used tactics not manipulating the perceived consequences (e.g., expressing sympathy, appeal to conscience). The authors concluded that the use of minimization tactics that manipulate perceived consequences increased the rate of false confessions while decreasing that of true confessions.

Similar negative effects of minimization on confession have been generalized to juveniles (Redlich et al, 2020) and vulnerable suspects (Farrugia & Gabbert, 2019), and have been supported by archival studies of real-life interrogations (e.g., Drizin & Leo, 2004; Leo & Ofshe, 1997). More recently, a conceptual replication study (Luke & Alceste, 2020) replicated the effect on lenient sentencing expectation with two types of minimization themes: moral minimization (i.e., downplaying ethical seriousness of the offence) and honesty themes (i.e., insisting the importance of being truthful). In line with previous studies, it revealed that honesty themes led participants to make pragmatic inferences that leniency in exchange for confession has been offered ($d = 0.60$). Moral minimization predicted a more lenient sentencing expectation after a confession ($d = 0.34$) by decreasing people's perceptions of crime severity ($d = 0.40$) without bringing out inferences that leniency has been promised by the interrogator, which suggested that different minimization tactics might be operated by different mechanisms.

According to analyses of live and videotaped interrogations, minimization tactics are commonly employed in North America (King & Snook, 2009; Leo, 1996). Police self-reports

are consistent with observational studies (Kassin et al, 2007). Specifically, minimization

tactics like offering moral justification, the use of praise or flattery, and appeal to suspect's

conscience were observed to be the most successful interrogation tactics in producing

confession (Leo, 1996). Despite being legally permitted and encouraged by popular police

training guidelines (e.g., Inbau et al., 2013), case laws were in line with the empirical

evidence above and showed that the use of minimization tactics increased the likelihood of

obtaining a false confession (e.g., *Commonwealth v. DiGiambattista*, 2004; *Dorsey v. U.S*,

2013; *R v. Oickle*, 2000).

        1.2.1 Why Do Minimization Tactics Work: Pragmatic Implication. Kassin and

McNall (1991) hypothesized that minimization implies a promise of leniency via pragmatic

implication. Pragmatic implication refers to the tendency for people to process information

'between-the-lines'; in other words, people can infer messages that were neither actually

asserted nor logically implied in the original piece of information (Harris & Monaco, 1978).

For example, when someone hears "The safecracker put the match to the fuse", they may

infer the safecracker lit the fuse when in reality there is no mention of that in the original

sentence and such an inference is not logically necessary (Brewer, 1977). Studies from

courtroom testimony and leading questions to commercial advertising indicated that the

meaning of a message can be changed through pragmatic inference, and that the implied

contents within the sentences can be recalled or recognized as if they were explicit assertions

(Harris et al., 1975; Loftus & Palmer, 1974; Searleman & Carter, 1988). As for minimization,

instead of making a direct promise, the interrogator leads the suspects to infer that an offer of

leniency would be forthcoming if they confessed by manipulating their perceived

consequences of confessing. The foregoing review of the effects and perceptions of

minimization tactics is generally consistent with Kassin and McNall's hypotheses (1991).

Minimization tactics may not function in the same way though – they might not all

influence confessions by pragmatically implying leniency and have different effects on

suspect's behaviors. For example, Horgan et al. (2012) revealed that tactics involving

stressing benefit of cooperation, downplaying consequences, providing face-saving excuses

and minimizing seriousness of offense vary the perceived consequences of confession and

increase false confessions, while those tactics that do not vary perceived consequences of

confession increase true confessions. Kassin et al. (2010) also suggested that there were

conceptual differences among minimization tactics and they distinguished minimization into

three basic categories: moral minimization that reduce the moral consequences of confessing,

psychological minimization that assuage the psychological consequences of confessing, legal

minimization that diminish the legal consequences of confessing. While legal minimization

should be banned because the tactic apparently communicates promises of leniency through

pragmatic implication, Kassin et al. (2010) compromised that moral and psychological

minimization could be permitted as they might influence confessions differently from legal

minimization.

To improve the understanding of how minimization works, Kelly et al (2019) assessed

how three specific minimization tactics (i.e., appealing to the suspect's self-interest,

appealing to the suspect's conscience, and offering rationalizations) were associated with

suspect's engagement behaviors (i.e., crying, making excuses, or seeking information for the

crime, investigation, possible outcomes) and how they were in relation to suspect admissions (i.e., confessions and other incriminating statements). The results have indicated that some of the tactics indirectly influenced admissions via suspect engagement. For instance, appealing to the suspect's conscience was found to be associated with suspect crying and offering rationalizations was associated with making excuses as well as the other two engagement measures in the bivariate analyses. Despite the fact that both the tactics were not associated with suspect admissions, engagement behaviors – crying and making excuses – were positively associated with admissions. The mediation model also showed that appealing to the suspect's conscience and offering rationalization increased the likelihood of admissions through increasing the likelihood that the suspect would cry. Hence, Kelly and colleagues concluded that the effects of minimization tactics on admissions can be mediated by suspect engagement and that different minimization tactics influence suspect behavior differently. They also suggested that appealing to suspect's conscience might be less concerning as it could induce suspects who were actually guilty to feel remorse and then increase true confessions. On the other hand, offering rationalizations was suggested to require more legal consideration since it often involves tactics like face-saving excuses which was suggested by previous studies to communicate leniency through pragmatic implication and lead to false confessions (e.g., Horgan et al., 2012; Kassin & McNall, 1991). Although the researchers did not examine if minimization tactics imply leniency, the study supported previous recommendations to prohibit the use of those tactics as they can increase the likelihood of false confession (e.g., Kassin et al., 2010).

Minimization tactics may also work differently even when they all communicate leniency via pragmatic implication. Luke and Alceste (2020) directly assessed the mechanisms through which two specific types of minimization (i.e., moral minimization and honesty themes) influence sentencing expectations. By testing mediation models, the researchers found that the use of an honesty theme (i.e., the interrogator emphasizing to the suspect the importance and benefits of honesty), like explicit promise of leniency, induced participants to draw a series of inferences that the suspect would receive a lenient sentence if they confessed. As a matter of fact, 46.2% of participants in the honesty theme condition reported an explicit promise of leniency was offered by the interrogator when no promise was really presented. These results have shown that an honesty theme pragmatically implies leniency. However, an honesty theme was not found to have a direct significant effect on sentencing expectations. The researchers suggested that an honesty theme might have other impacts on the expectation for the outcomes of confession and they only examined if an honesty theme decreased sentencing expectation through leniency inferences. Additionally, the study has demonstrated that the effect of moral minimization (i.e., the interrogator minimizing the moral seriousness of the crime to the suspect) is mediated by the perceived crime severity, and that moral minimization does not make participants infer that the interrogator has offered a lighter sentence. The authors argued that moral minimization communicates a reduced blameworthiness of the suspect to the participants and therefore the suspect is perceived by the participants to be less liable for punishment. Thus, they concluded that minimization tactics do not function in the same way – some can imply leniency through

means (i.e., decreasing perceived severity of the crime) apart from inferring the interrogator

has promised a deal. Again, the legality of such minimization tactics raised concerns.

      1.2.2 Layperson Perceptions of Minimization Tactics. Since the courts usually

deem the use of minimization as admissible notwithstanding the false confession risk that

accompanies at least some forms of the tactic, jury's evaluation on confession evidence

becomes critical. People's perceptions of interrogation tactics appear to determine their

judgement on reliability and voluntariness of a confession. Survey studies have revealed that

laypeople (i.e., potential jurors) generally have difficulty understanding the risk associated

with minimization tactics (e.g., Blandon-Gitlin et al., 2011; Kaplan et al., 2018). The studies

also demonstrated that even when minimization was rated as mildly coercive, laypeople

viewed minimization as a necessary tactic and believed it was more likely to elicit true

confessions (Blandon-Gitlin et al., 2011; Henkel et al., 2008; Leo & Liu, 2009). Laypeople

were also found to give lower ratings of coerciveness to minimization compared to experts

(Kaplan et al., 2018).

      As mentioned, Kassin and McNall's experimental study (1991) found that conviction

rate was significantly increased when minimization was used (0.67) compared to no-

confession control condition (0.06). Convictions were also more frequent in the minimization

condition than in the promise of leniency (0.53) and unprompted confession (0.60)

conditions. Consistent with studies on the evidentiary weight of confession (e.g., Kassin &

Sukel, 1997; Kassin & Wrightsman, 1980), they found that 47% of participants viewed the

confession as involuntary, but then convicted the suspect anyway when minimization tactics

were used. Such a finding may be due to a tendency for people to have trust in statements that

go against an individual's self-interest, called the fundamental attribution error (Gilbert &

Malone, 1995; Ross, 1977). This theory suggests that when people make inferences for other

people's behaviors, they make dispositional attributions rather than situational attributions.

Mock jurors may believe the confessor is factually guilty or has a choice to remain silent,

while underestimating the coerciveness of minimization tactics in the interrogation context.

Additionally, Moffa and Platania (2007) indicated that minimization was perceived by mock

jurors as psychologically coercive but less coercive than maximization (i.e., implied threat).

More recently, Hall et al., (2020) found that while some participants thought minimization

was inappropriate, many people believed minimization tactics were appropriate police

strategies. Their study also provided empirical evidence that minimization was viewed by

laypeople as less coercive than overt coercion (e.g., physical abuse). Taken together, these

findings suggest that jurors may not be capable of using their lay knowledge to evaluate a

confession induced by minimization and therefore fail to prevent the miscarriage of justice by

false confession. Although the issue is serious, there has been only a small number of

empirical studies testing potential jurors' perceptions of minimization tactics.

     1.2.3 The Operationalization of Minimization Tactics. Previous research of

minimization, as stated, always operationalized minimization as a series of tactics applied

together. For instance, when examining the impact of minimization, Russano et al., (2005)

combined several tactics jointly under one condition of minimization. Horgan and colleagues

(2012) defined different types of minimization, albeit categorizing them with maximization

tactics by whether or not they manipulated the perceived consequences of confession. Kelly

et al. (2019) did isolate the effect of distinct minimization tactics and examined three

frequently used types of minimization tactics (i.e., appealing to suspect's conscience, appealing to suspect's self-interest, and offering rationalizations). Nevertheless, the researchers did not test how people perceive different minimization tactics or how they influence confession rates directly, instead they explored the impact of minimization tactics on admissions via suspect engagement behaviors. Luke and Alceste (2020) chose to examine the impact of two minimization themes (i.e., moral minimization and honesty themes) through pragmatic implication, albeit they employed a group of tactics in each theme.

With respect to layperson perceptions of minimization, surveys asked participants to rate a number of interrogation tactics but none of them particularly compared different types of minimization to see if they are perceived differently. The extant empirical research packaged several types of minimization together (Moffa & Platania, 2007; Hall et al., 2020). Taken together, no research exists differentiating the influence of individual minimization tactics through pragmatic implication. No empirical research yet examines how laypeople – that is, those that are jury-eligible and a critical part of legal decision-making – perceive different types of minimization tactics specifically.

1.3 Current Study

The goal of the current study was to determine the effect of specific forms of minimization along with explicit leniency on sentencing expectation, to differentiate layperson perceptions of minimization tactics to see if they are perceived differently, and to examine how potential jurors evaluate the confession evidence elicited by these tactics to make their decisions. To do so, the present study was based on the study of Kassin and McNall (1991). The minimization tactics used were adapted from Horgan and colleagues'

study (2012) and the current study chose the tactics that manipulate perceived consequences of confession, including minimizing seriousness of crime, face-saving excuses, downplaying consequences, and emphasizing benefits of cooperation. Based on previous experimental and field studies, these four types of minimization tactics might pragmatically imply leniency and were often employed by police (Horgan et al., 2012; Leo, 1996; King & Snook, 2009).

The current study hypothesized that (1) explicit leniency would result in more lenient sentencing expectations than the control, (2) all four types of minimization would result in more lenient sentencing expectations than the control, and (3) all minimization tactics and explicit leniency would not differ significantly with regards to sentencing expectations (Kassin & McNall, 1991; Luke & Alceste, 2020). Moreover, the current study aimed to explore lay people perceptions of the coerciveness of the tactics, as well as examine their verdict and perceived voluntariness of the confession induced.

Chapter 2: Methods

2.1 Participants

Participants ($N = 343$) were undergraduate students at Memorial University of Newfoundland. The student sample was recruited from undergraduate psychology courses through a research experience program called the Psychology Research Experience Pool (PREP). The data from 33 participants were removed because they either did not complete the survey or chose not to have their data included in the analysis. The data from 18 participants were excluded because they did not pass the two manipulation checks (i.e., "Pick 2 for this response", "What type of interruption happened in the room during the interview?"). Data from two participants were excluded because they spent much longer time on the survey than others (i.e., 31.1 hours and 20.5 hours; the average duration was 10.7 minutes).

Of the remaining 290 participants, 81.4% were female and 18.6% were male, with 20.8% first year, 27.0% second year, 27.3% third year, 15.2% fourth year, as well as 9.7% fifth year and above students. For their pretest beliefs about police, 2.1% very negative, 21.4% somewhat negative, 20.7% neither negative nor positive, 40.0% somewhat positive, 15.9% very positive.

2.2 Design

The current study employed a six condition, single factor between-subject design. The five experimental conditions contained one of four minimization tactics that implied leniency (minimizing seriousness, face-saving excuses, downplaying consequences, and emphasizing benefits of cooperation) or an explicit promise of leniency, and the sixth condition was a

control group. The dependent measures were assessed using the pragmatic implication questionnaire (see below).

2.3 Materials

The following materials were used in the study: (1) an informed consent form, (2) a transcript of police interview, and (3) a pragmatic implication questionnaire.

2.3.1 Transcript of Police Interview. The transcript was a short excerpt developed from a real police interview in an investigation of child pornography. There were six versions of the transcript, identical with the exception of one portion containing the manipulation. All transcripts began with a police officer asking the suspect a series of questions about images of child pornography found by police on a computer, and also discussing some details of the case. As for the manipulation, monologues delivered by the interrogator that reflected each of the six conditions (i.e., explicit leniency, minimizing seriousness, face-saving excuses, downplaying consequences, and emphasizing benefits of cooperation, and control) were inserted in the transcript following the general questioning by the police officer.

In the *minimizing seriousness* condition, the interrogator minimized the severity of the offence for the suspect, making it seem less bad (e.g., "these pictures – they are not all that bad", "They are just pictures of naked kids – like parents would have of their kids."). In the *face-saving excuses* condition, the interrogator provided the suspect with excuses and justification for the crime (e.g., "the person who look at this stuff, maybe they've been a victim of sexual abuse before and that is why they're drawn to these pictures"). In the *downplaying consequences* condition, the interrogator implied to the suspect that the consequences associated with confession would not be as serious as likely expected (e.g.,

"The way I see it, I think you're okay, nothing might even come of this. If it is just the downloading, there's not a whole lot in downloading a few pictures."). In the *emphasizing benefits of cooperation* condition, the interrogator suggested that saying what the interrogator wants to hear could bring benefits to the suspect (e.g., "It's so important that you tell me the whole truth. You're going to be in a much better situation if you come clean, and hey, if you are honest with us and tell us what you know then people will know that you're a good guy."). In the *explicit leniency* condition, the interrogator made a direct promise, telling the suspect that they would receive a lighter sentence they confessed to the offence (e.g., "If you just admit what happened, I can see to it that the judge goes nice and easy on you. Maybe you won't even need to go to trial at all."). In the control group, no tactics were used.

The implied leniency tactics used were from Horgan and colleagues' (2012) study. Several examples of each tactic type were created based on previous literature and pilot-tested, and the option that was most strongly identified by participants as an example of each tactic was chosen for use in the study. All the monologues were edited to be similar in length. The end of the transcript was the same for all participants, with several neutral statements and information related to an attention check question (i.e., "phone rings in room"). See Appendix A for a copy of the transcript and manipulations.

2.3.2 Pragmatic Implication Questionnaire. The questionnaire required participants to rate (1) the sentence that they expected the suspect to receive if he confessed, and (2) the sentence that they expected assuming that the suspect did not confess but was found guilty, on 10-point scales (*1 = minimum, 10 = maximum*). Participants were also asked to rate how many (1) guilty and (2) innocent suspects out of 100 would confess in the place of the

suspect. The questionnaire also contained seven questions, with 5-point scales, that assessed

participants' perceptions of various aspects of the interview and three questions about the

interrogator. The questionnaire also asked participants' their verdicts, voluntariness

judgement, and whether they believed the suspect should have confessed (all with yes/no

response options). A manipulation check question (i.e., "Did the police offer leniency to the

suspect in exchange for a confession?"), and two attention check questions (i.e., type of

interruption that happened during the interview, choose a specified response) were also

included. Additionally, the questionnaire requested demographic information from

participants about their gender, age, level of education, and their attitude toward the police.

See Appendix C for a copy of the questionnaire.

2.4 Procedure

The study was delivered as an online survey through Qualtrics. After reading an

informed consent form and agreeing to participate, participants were assigned randomly to

read one of the six police interrogation transcripts. All participants read the common portion

of the transcript in which the interrogator asked general questions about the crime. Then,

depending on the condition to which they were assigned, participants read one of six

monologues. After reading the transcript, participants were requested to complete the

questionnaire. Lastly, participants provided their demographic information. After participants

completed the survey, a debriefing sheet was provided to explain the purpose of the study.

Chapter 3: Results

3.1 Sentencing Expectations

The mean ratings of sentencing expectation, and associated 95% confidence intervals, as a function of tactic type and interrogation outcome are shown in Figure 1. Since the present experiment tested the effect of tactic type on sentence expectations both when the suspect confessed and denied the involvement but was found guilty, a mixed ANOVA was conducted. As can be seen, participants expected the sentence to be greater if the suspect denied involvement and was later convicted ($M = 7.20$, $SD = 2.20$) than if the suspect confessed to the crime during the interrogation ($M = 4.98$, $SD = 1.98$). The mixed ANOVA revealed that this difference was significant, $F(1, 281) = 308.31$, $p < .001$, and the size of the effect was large, $d = 1.03$. There was no main effect of tactic type on sentencing expectations, $F(5, 281) = 1.54$, $p = .18$. The interaction was not significant, $F(5, 281) = 1.30$, $p = .27$.

3.2 Perceived Confession Rate

Mean estimates of confession rates, and associated 95% confidence intervals, as a function of tactic type and interrogation outcome are shown in Figure 2. Since the current study examined the effect of tactic type on perceived confession rates of both guilty and innocent suspects, a mixed ANOVA was conducted. Across all conditions, participants estimated that the rate of confessions for guilty suspects would be higher ($M = 48.20$, $SD = 22.92$) than for innocent suspects ($M = 19.66$, $SD = 20.90$). The mixed ANOVA showed that this difference in confession rates was significant, $F(1, 271) = 320.13$, $p < .001$, and the effect was large, $d = 1.08$.

There was a significant main effect of tactic type on estimated confession rate, $F(5, 271) = 6.24$, $p < .001$. Participants estimated the confession rate to be higher in the Explicit Leniency condition than Face-Saving Excuses conditions ($d = 1.03$), Minimizing Seriousness ($d = 0.71$), Downplaying Consequences ($d = 0.61$), and Control ($d = 0.85$) conditions, the effect sizes varied from moderate to large. The confession rate for the Emphasizing Benefits of Cooperation condition was also higher than those in the Control and Face-Saving conditions, and the effect sizes were medium ($d = 0.53$ and 0.72, respectively). All other effect sizes were small.

There was a significant interaction between the conditions and verdict choice, $F (5, 271) = 2.92$, $p = .014$. No follow-up tests were conducted because no *a priori* predictions were made about how perception of interrogation tactics changed as a function of interrogation outcome.

3.3 Perceptions of Interrogation and Interrogator

Mean participant ratings of the interrogation by tactic type are contained in Table 1. Mean participant ratings about the interrogator are shown in Figure 3. One MANOVA was conducted on the seven variables related to perceptions of interrogation and on the three variables for the perceptions of interrogator.

3.3.1 Perceptions of Interrogation. There was a significant effect of tactic type on the perceived *pressure* that the interrogator put on the suspect, $F(5, 280) = 5.59$, $p < .001$. Participants rated Emphasizing Benefits of Cooperation as conveying the highest amount of pressure ($M = 2.96$, $SD = 0.69$) and Face-Saving Excuses as conveying the least pressure ($M = 2.27$, $SD = 0.77$). Participants perceived Emphasizing Benefits of Cooperation to convey

more pressure than when no tactic (i.e., Control; $d = 0.83$), Minimizing Seriousness ($d = 0.82$), Face-Saving Excuses ($d = 0.95$), and Downplaying Consequences ($d = 0.70$) were used; the effect sizes varied from moderate to large. The rating of pressure rating for Explicit Leniency was also higher than Face-Saving Excuses; the effect size was medium ($d = 0.50$). All other effect sizes were small.

There was a significant effect of tactic type on the perceived *eagerness* of the interrogator to elicit a confession from the suspect, $F(5, 280) = 7.49$, $p < .001$. Participants perceived the interrogator to be most eager to get a confession when using the Emphasizing Benefits of Cooperation ($M = 3.60$, $SD = 0.99$) and the least eager when using no tactic ($M = 2.69$, $SD = 0.94$). Using Face-Saving Excuses ($M = 2.71$, $SD = 0.97$) were thought to show the least eagerness among the tactics. Participants in the Emphasizing Benefits of Cooperation condition indicated that they believed the interrogator was more eager to obtain a confession than those in the Control ($d = 0.94$), Minimizing Seriousness ($d = 0.70$), and Face-Saving Excuses ($d = 0.91$) conditions; effect sizes varied from moderate to large. As well, interrogators were viewed as more eager to obtain a confession when using an explicit offer of leniency compared to the Control ($d = 0.83$), Minimizing Seriousness ($d = 0.60$) and Face-Saving Excuses ($d = 0.80$). Moreover, the interrogator was thought to be more eager in the Downplaying Consequences condition than in the Face-Saving Excuses ($d = 0.54$), or Control ($d = 0.56$) conditions. The remaining differences in eagerness between conditions were small.

There was a significant effect of tactic type on the perceived *strength of evidence* against the suspect, $F(5, 280) = 5.74$, $p < .001$. Participants rated strength of evidence highest

when the interrogator used Minimizing Seriousness ($M = 3.36$, $SD = 0.76$) and lowest when

using no tactic (i.e., Control; $M = 2.45$, $SD = 0.91$). The evidence against the suspect was

viewed as being stronger in the Minimizing Seriousness condition than in the Control ($d =$

1.08), Explicit Leniency ($d = 0.76$), Face-Saving Excuses ($d = 0.86$), Downplaying

Consequences ($d = 0.67$), and Emphasizing Benefits of Cooperation ($d = 0.94$) conditions. All

other differences in strength of evidence between conditions were small.

There was a significant effect of tactic type on the perceived *severity of the*

consequences if the suspect confesses to the offence, $F(5, 280) = 4.89$, $p < .001$. Participants

rated severity of consequences highest in the Minimizing Seriousness conditions ($M = 3.53$,

$SD = 0.78$) and lowest in the Explicit Leniency condition ($M = 2.84$, $SD = 0.78$). The rating

of severity of consequences was lower in the Explicit Leniency condition than in the Control

($d = 0.50$) and all three minimization conditions (Minimizing Seriousness, $d = 0.89$; Face-

Saving Excuses, $d = 0.65$; Emphasizing Benefits of Cooperation, $d = 0.65$). Participants in the

Downplaying Consequences condition indicated that the consequences of confessing would

be less severe than those in the Minimizing Seriousness ($d = 0.74$), Face-Saving Excuses ($d =$

0.54), and Emphasizing Benefits of Cooperation ($d = 0.55$) conditions. All other differences

were small.

No significant differences were found by condition for participants' perceptions of

sympathy for the suspect from the interrogator, $F (5, 280) = 2.20$, $p = .054$, *benefit for the*

suspect to confess, $F(5, 280) = 0.37$, $p = .869$. or *perceived severity of crime* allegedly

committed by the suspect, $F(5, 280) = 1.20$, $p = .308$.

3.3.2 Perceptions of Interrogator. There was a significant effect of tactic type on the perceived *aggressiveness* of the interrogator, $F(5, 28) = 2.61$, $p = .028$. Participants rated aggressiveness the highest when the interrogator used the Emphasizing Benefits of Cooperation tactic ($M = 2.26$, $SD = 0.87$) and lowest when using no tactic (i.e., Control; $M = 1.76$, $SD = 0.63$). Aggression ratings in the Emphasizing Benefits of Cooperation condition were higher than those in the Control ($d = 0.66$), Minimizing Seriousness ($d = 0.51$), and Face-Saving Excuses ($d = 0.61$) conditions; the effect sizes for the differences were around moderate. All other effect sizes were small.

There was no significant effect of tactic type on the ratings of perceived interrogator's *fairness*, $F(5, 280) = 0.46$, $p = .809$, or *likeability*, $F(5, 280) = 0.92$, $p = .470$.

3.4 Potential Triers of Fact

The overall conviction rate for the suspect across conditions was 81.0%. A Chi square analysis revealed that there was no significant effect of tactic type on conviction rates, $\chi^2(5, N = 289) = 8.82$, $p = .116$. The overall percentage of participants who believed the suspect confessed voluntarily was 19.8%, but there was no effect of tactic type on participants' beliefs of whether or not the suspect confessed voluntarily, $\chi^2(5, N = 290) = 10.56$, $p = .061$. When asked whether or not the suspect should confess, 76.7% of participants thought that he should have. Again, there was no significant effect of tactic type, $\chi^2 (5, N = 288) = 10.56$, $p = .473$.

The proportion of respondents who agreed that the interrogator offered leniency as a function of tactic type is shown in Figure 4. A Chi square analysis revealed that there was a significant effect of tactic type on participants' beliefs of whether or not the interrogator

offered leniency to the suspect, $\chi^2(5, N = 228) = 61.71, p < .001$. More participants than

expected indicated that the interrogator offered leniency in the explicit leniency (95.0%) and

emphasizing benefits of cooperation (65.9%) conditions, while fewer than expected

participants indicated that leniency was being offered in the minimizing seriousness (22.2%),

face-saving excuses (37.1%), and control (20.6%) conditions.

Chapter 4: Discussion

The current study sought to examine the impact of different types of minimization tactics and an explicit promise of leniency on laypeople's sentencing expectations and perceptions of a suspect interrogation. The results showed that the type of coercion used on the suspect did not influence participants' sentencing expectations as predicted, but it was thought that sentences would be less severe for a suspect who confessed compared to one who denied involvement but was later found to be guilty. As well, the results revealed that perceptions of the interrogation itself were influenced by the type of tactics used. Specifically, minimizing seriousness and face-saving excuses were perceived as less coercive than explicit leniency and other types of minimization strategies. Importantly, the study also demonstrated that confessions evidence held a strong weight on potential jurors' decisions regardless of how the confession was obtained. Overall, the findings from this study suggest that all of the minimization tactics were viewed differently and laypeople might be unable to evaluate confession evidence based on their common sense.

One concern associated with using minimization is based on Kassin and McNall's (1991) argument that minimization is 'functionally equivalent' to an explicit promise of leniency. They found that participants expected equally lenient sentences for suspects who had been exposed to minimization or leniency and subsequently confessed. However, the current study did not replicate these results – participants did not expect more lenient sentencing in any of the minimization groups or explicit leniency group compared to the control group. One possible explanation for this finding is that the manipulations were not strong or salient. Specifically, the operationalization of the four minimization tactics may not

be different enough to differentially affect participants' sentencing expectation. Besides, the transcripts participants read may provide other incriminating evidence and that overshadowed the manipulations. More than 80% of participants in the current study thought the suspect was guilty, which suggests the existence of incriminating evidence. Alternatively, there might be some mediating relationships between the confession inducement and sentence expectation. The effect of explicit promise and minimization might be completely mediated by other factors. This can be partially supported by Luke and Alceste's (2020) replication of Kassin and McNall's (1991) study. They demonstrated that moral minimization decreased sentence expectation through changing participants' perceived severity of the crime, and that minimization tactics emphasizing honesty as well as explicit leniency led participants to expect lenient sentencing by influencing their leniency inferences (i.e., leniency being offered in exchange for a confession). Alternatively, there may be another mediator that has not been identified yet. Or the inducements in the current study could have had indirect effects on sentence expectation through multiple factors and the impacts somehow counterbalance each other.

Although no impact of tactic types emerged, the current study found that participants expected harsher sentencing when the suspect denied involvement but was later found to be guilty instead of confessing, which was consistent with previous research (Kassin & McNall, 1991; Luke & Alceste, 2020). Perhaps participants viewed the suspect who denied the crime but was later found guilty to be dishonest and wanted to punish him (Brandts & Charness, 2003). Participants may also have thought that the suspect was wasting the interrogator's time and continual denial aggravates them. Another possibility is that the confession was

perceived as an acknowledgement of violation and decreased the blameworthiness, therefore

decreasing the severity of punishment (Carlsmith et al., 2002; Malle et al., 2014).

Another concern discussed in the literature is that laypeople may not understand the

coerciveness of minimization tactics and connect that with false confession (e.g., Blandon-

Gitlin et al., 2011, Kelly et al., 2019). Consistent with previous research (Blandon-Gitlin et

al., 2011; Kassin & McNall, 1991; Leo & Liu, 2009), the current study provided more

empirical evidence that jury-eligible laypeople view minimization as noncoercive, and it

further demonstrated the differences in their perceptions of various tactics. Participants

believed fewer people would confess when exposed to three of the minimization tactics (i.e.,

face-saving excuses, minimizing seriousness of crime, or downplaying consequences) than

when exposed to explicit leniency or emphasizing benefits of cooperation. In short,

participants did not think the former three minimization tactics would induce as many people

to confess as explicit leniency would; to the contrary, emphasizing benefits was thought to be

just as strong of an inducement to confess as explicit leniency. It suggests that lay people

believed certain minimization tactics are less strong or salient when communicating leniency

than others.

The current study also revealed that participants believed true confessions are more

likely to be elicited than false confession across tactic types, which was expected and

consistent with previous studies (e.g., Blandon-Gitlin et al., 2011; Leo & Liu, 2009). More

importantly, the current study found that the estimated false confession rates in explicit

leniency and emphasizing benefits of cooperation conditions were higher than that in the

control condition. However, the estimated false confession rates in both face-saving excuses

and minimizing seriousness conditions were both quite low. These findings demonstrate that

false confession induced by psychological coercions is overall counterintuitive to lay

knowledge (Henkel et al., 2008; Kassin, 2017; Mindtoff et al., 2018), and that laypeople were

unable to recognize the false confession risk of some minimization tactics. Specifically, the

use of face-saving excuses and minimizing seriousness might be more concerning than other

tactics.

Participants in the current study also viewed the interrogator as more aggressive, more

eager to get a confession, and putting more pressure on the suspect when emphasizing

benefits of cooperation was used compared to the other three minimization tactics. The

interrogations containing face-saving excuses was seen least negatively overall, followed

closely by minimizing seriousness. As well, perceived strength of evidence and severity of

the consequences after confession were reported highest when minimizing seriousness was

employed to the suspect, however, nearly 80% of participants were unable to detect leniency

in the minimizing seriousness condition. Additionally, less than half of participants agreed

leniency was offered by face-saving excuses, whereas almost all participants in the explicit

leniency condition and the majority of people in emphasizing benefits of cooperation

condition detected leniency. Collectively, these findings suggested that all minimization

tactics were not viewed equally by laypeople. This might be due to the fact that they work

under different mechanisms. Based on the study of Luke and Alceste (2020), minimizing

seriousness and face-saving excuses may influence the perceived severity of the crime, while

emphasizing benefits of cooperation may be viewed as explicit promise that suggest leniency

is forthcoming in exchange for a confession. It is possible that participants therefore viewed

face-saving excuses and minimizing seriousness as less coercive than emphasizing benefits of

cooperation.

In spite of the few previous studies that differentiate the impacts of specific forms of

minimization, no study has examined the different tactics separately. Although the four

minimization tactics used in the current study were derived from Horgan et al.'s (2012) work,

they originally operationalized minimization into two broad categories each containing four

types (manipulating perceived consequences vs. not manipulating perceived consequences)

and tested the tactics in each category together with maximization tactics (i.e., tested the

impact of a group of tactics that manipulate perceived consequences vs. those that do not).

Kelly et al. (2019) pointed out the need to study this issue, but their research focused on how

three minimization techniques (i.e., appealing to self-interest, appealing to conscience, and

offering rationalizations) influenced confession through engagement. The current study took

one more step and examined laypeople perceptions of different minimization tactics from a

jury perspective. The results herein suggest that face-saving excuses and minimizing

seriousness tactics may put innocent suspects more at risk of wrongful convictions than

emphasizing benefits of cooperation tactic. In a real-world trial, jurors might trust the

confession elicited by them as reliable and persuasive evidence; on the other hand, their

perceptions of other evidence might be influenced, or even biased by the tactics (Kukucka &

Kassin, 2014; Kassin et al., 2012).

When it comes to jurors' decision, the current study found that there was a very high

conviction rate (81%) across the groups, while few participants (19.8%) thought the suspect's

confession was elicited voluntarily. This was partially in line with the pattern of Kassin and

McNall's study1991) that they had a 67% conviction rate in minimization group when only 27% of the participants believed the confession was voluntary. Participants did not discount confession evidence even when they perceived the confession to be coerced, which was consistent with decades of research on the power of confession evidence (e.g., Drizin & Leo, 2004; Kassin & Nuemann, 1997; Kassin & Sukel, 1997; Kassin & Wrightsman, 1980), most possibly due to attribution errors (Ross, 1977). Participants might attribute the suspect's behaviour to personal characteristics (i.e., they are a bad person who committed a crime) as opposed to situational factors (i.e., they are innocent and were coerced into confessing). They might also rely on their own beliefs about themselves. In other words, since participants believe that they would not falsely confess, they assumed that the decision to confess would only come from someone who was guilty. The present study did not find differences among impacts of the tactic types (i.e., no tactic, explicit leniency and four minimization tactics) on jury's verdict and voluntariness evaluation as Kassin and McNall (1991) did – they revealed that tactic types mattered to the verdicts and they found participants judged prompted confessions as voluntary while viewing unprompted confessions as involuntary. This might be because of the strength or saliency of the manipulation, as mentioned before, or other details included in the transcript. On the other hand, Moffa and Platania (2007) also found that tactic types (i.e., maximization, minimization, no tactic) did not influence mock juror's perception of fairness and verdict decisions. As well, Jones and Penrod (2016, 2018) found that the interrogator's use of minimization and other coercive tactics did not influence the conviction rate of laypeople and their perceptions of voluntariness of the confession. Their studies furthermore revealed that participants who viewed an interrogation in which the

suspect confessed, regardless of whether tactics have been used or not, convicted more often

than participants who did not view a confession. According to Jones and Pernrod's

explanation, this pattern might be due to the fact that mock jurors were insensitive to the

coerciveness of the tactics or that they discount all the risk factors and infer the suspect's

guilty simply based on the confession. Apart from that, most participants in the present study

thought the suspect should confess. In all, these findings indicated that a confession is

powerful enough to convince a lay juror of the suspect's guilt and it is so strong that people

will ignore the false confession risk factors and fail to discount the evidence when it is right

to do so. Moreover, laypeople, as all other findings demonstrated, did not fully understand the

coerciveness of the tactics used.

4.1 Limitations and Future Directions

There are several aspects of the current study that can limit the generalizability of the

findings. One of it is that the interview transcript shown to participants was too short

compared to real-life police transcripts – it had only three pages. The scenario used in the

transcript was also not as realistic as what actual jurors would be exposed to when they

render a verdict. Additionally, the current study used a university student sample which was

not representative of eligible jury members or the general population. Future studies should

recruit a community sample and show potential jurors a full trial transcript for a larger case in

which the interrogation would be just one piece of the evidence. Moreover, the majority of

the participants in the current study were female and the crime used in the transcripts was

child pornography with a male suspect, which might have an impact on their verdicts.

Considering that the conviction rate in the current study was so high, it is also possible that

tactic type did not have enough impact on people's perceived consequences of confessing and was not a potential factor influencing lay juror's decision-making process. The next step would be to change the characteristics of the interview to see if this will change. Furthermore, the current study indicated that confession evidence had weight influence on potential jurors' verdicts and that they were insensitive to the coerciveness of interrogative tactics, which suggests that it is necessary to educate or inform jurors of the risk of false. Jury instruction and expert testimony are two popular ways to assist jurors and they are supported by scientific evidence. For example, Jones and Penrod (2018) found that judicial instruction increased mock jurors' sensitivity to coercive interrogation. As well, expert testimony was found to influence jurors' perception of coercive tactics, verdicts and voluntariness evaluation (Blandon-Gitlin et al., 2011; Gomes et al., 2016; Moffa & Platania, 2009). However, there were also controversial findings on the impact of judicial instruction and expert testimony (e.g., Easterwood & Caldwell, 2015; Jones & Penrod, 2018). Future research could explore the effect of judicial instruction or expert testimony on laypeople's perceptions of the confession evidence induced by coercive tactics.

4.2 Conclusion

The current study indicated that different minimization tactics are not viewed similarly as certain tactics were perceived as less coercive than others. In line with previous studies (Kelly et al., 2019; Luke & Alceste, 2020), it suggests that different minimization tactics are operated by different mechanisms. The current study suggests that laypeople were unable to recognize the coerciveness of some minimization tactics and relate it to the elicitation of false confession. In addition, the findings of the current study showed that

participants did not discount the confession evidence elicited by the tactics even if they

perceived the coerciveness, which suggests that some laypeople are not capable of evaluating

confession evidence on their own or making legal decisions properly. Contrary to the beliefs

in the criminal justice system, the current study showed that the legitimacy of certain

minimization tactics should be reconsidered not only because they may cause false

confession but also due to juror's acceptance of the coerced confessions, and that jurors need

external help (e.g., expert testimony) other than their common sense when reviewing

confessions.

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Table 1. *Means (and SDs) of Perceptions of the Interrogation as a Function of Tactic Type.*

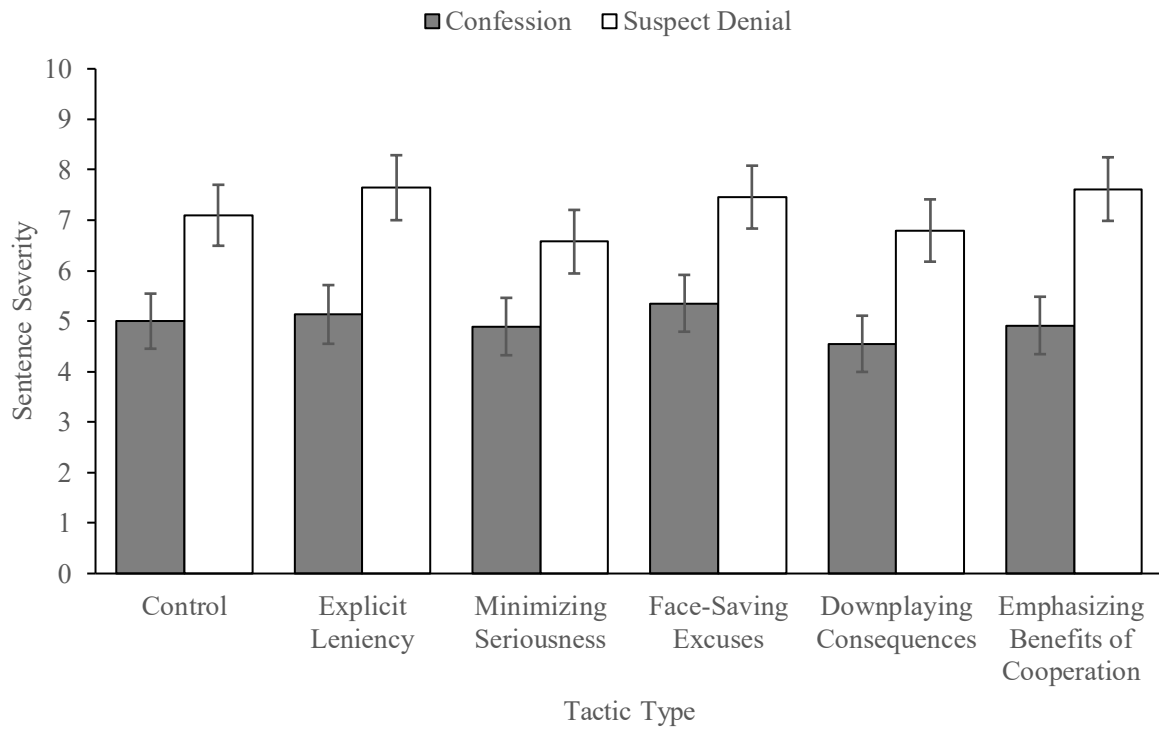| Perceptions of Interrogation	Experimental Condition					
	Control	Explicit Leniency	Minimizing Seriousness	Face-Saving Excuses	Downplaying Consequences	Emphasizing Benefits of Cooperation
	(*n* = 49)	(*n* = 44)	(*n* = 47)	(*n* = 48)	(*n* = 51)	(*n* = 47)
Pressure	2.37	2.68	2.36	2.27	2.47	2.96
	(0.73)	(0.83)	(0.76)	(0.77)	(0.70)	(0.69)
Eagerness	2.69	3.50	2.89	2.71	3.24	3.60
	(0.94)	(1.02)	(1.03)	(0.97)	(1.01)	(0.99)
Sympathy	2.84	3.11	3.19	3.35	2.84	2.81
	(1.05)	(1.04)	(1.10)	(0.98)	(1.10)	(1.12)
Strength of evidence	2.45	2.73	3.36	2.58	2.75	2.53
	(0.91)	(0.90)	(0.76)	(1.03)	(1.02)	(1.00)
Severity of consequences	3.29	2.84	3.53	3.38	2.88	3.40
	(1.00)	(0.78)	(0.78)	(0.89)	(0.97)	(0.93)
Severity of crime	3.96	4.00	4.15	4.21	4.00	4.28
	(0.87)	(0.84)	(0.81)	(0.77)	(0.85)	(0.80)
Benefits of confessing	3.22	3.45	3.40	3.44	3.25	3.36
	(1.16)	(1.09)	(1.01)	(1.03)	(1.21)	(1.05)

Figure 1. Participants' (*N* = 287) sentencing expectations as a function of tactic type and

interrogation outcome. Values range from 1 = *minimum sentence*, 10 = *maximum sentence*.

Standard deviations are represented in the figure by the error bars attached to each column.

Figure 2. Participants' (*N* = 277) perceived confession rate (out of 100) as a function of tactic

type and suspect guilty or innocent. Standard deviations are represented in the figure by the
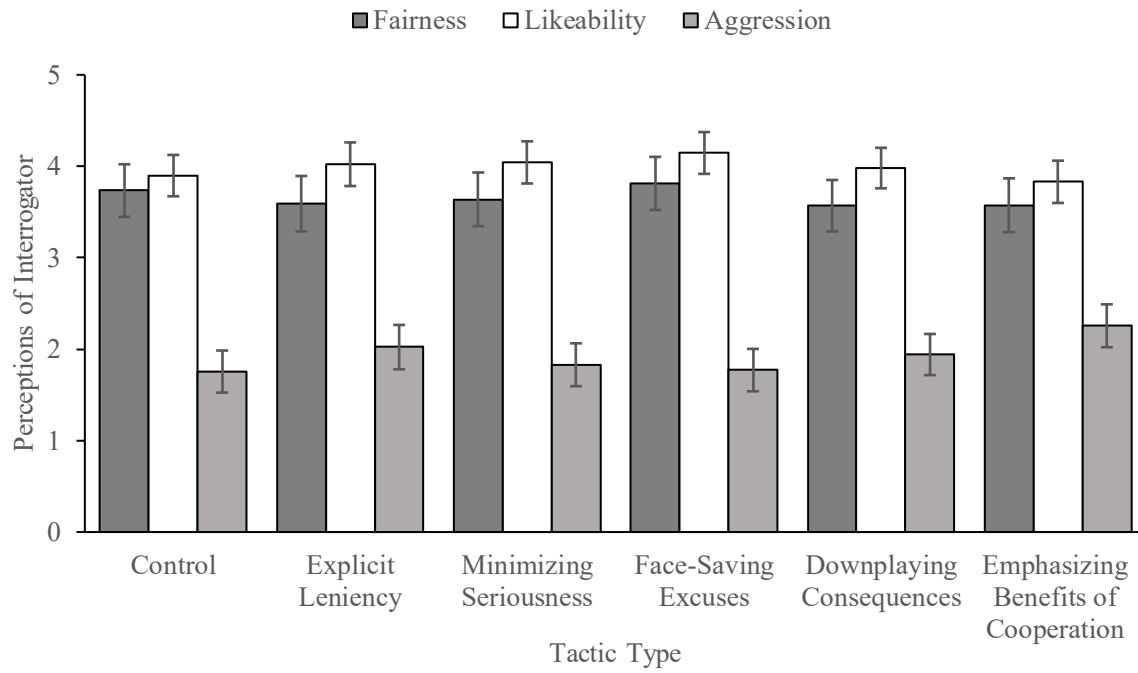
error bars attached to each column.

Figure 3. Participants' (*N* = 286) perceptions of interrogator as a function of tactic type.

Values range from 1 = *minimum*, 5 = *maximum*. Standard deviations are represented in the
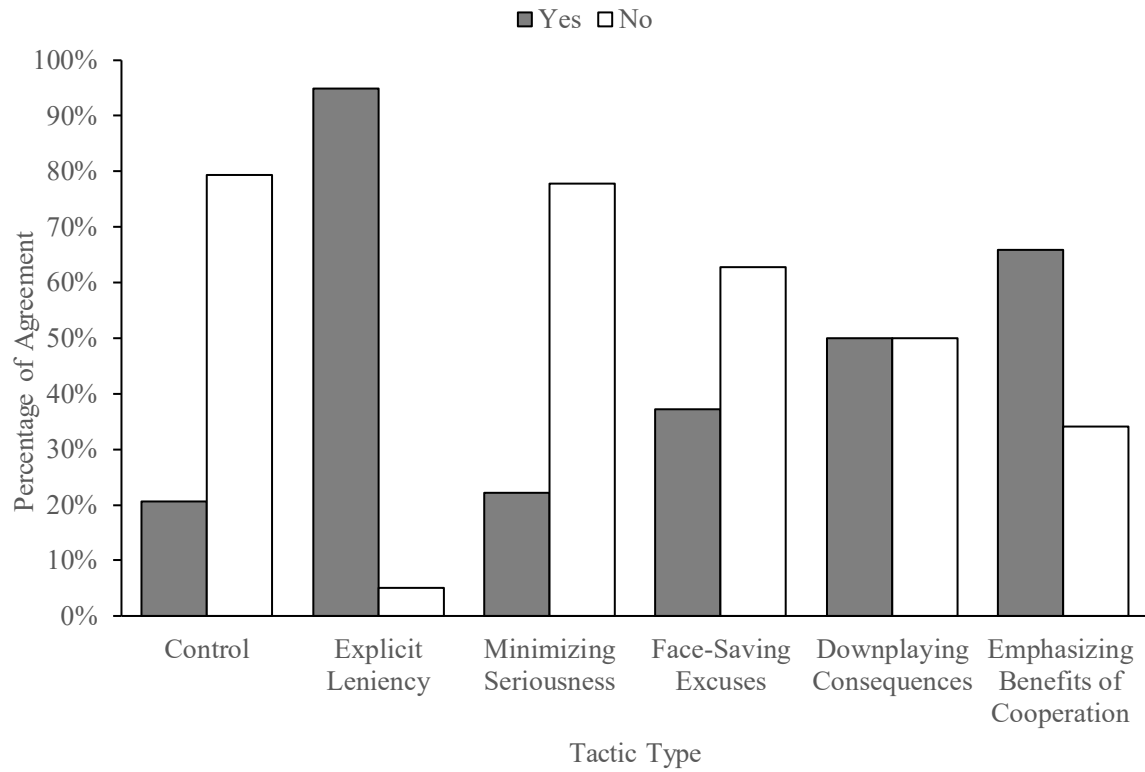
figure by the error bars attached to each column.

Figure 4. Proportion of respondents (*N* = 228) who agreed that the interrogator offered leniency as a function of tactic type.

Appendix A – Transcript of Police Interview

Note. The three-page stimulus transcripts were adapted from an interview with a suspect in a real criminal investigation of child pornography. In all cases, the transcript begins with about a page where the officer asks the suspect general questions about the offense and discusses some of the case facts. After that, the transcript was manipulated for each condition.

Interview

Suspect Simms

Police File # 14-056982

The following is a transcript of an audio/videotaped interview conducted by Constable Hatcher.

This interview was conducted on the 3rd day of April in the year 2014, at Police Headquarters.

Present in room: Constable Hatcher

Suspect Simms

…..

Cst. HATCHER: I think we have gotten to know each other a bit.   It is important for me though to investigate what we have found online. I need to keep asking questions to get to the bottom or this. You understand that, right?

SUSPECT SIMMS: Yeah. I guess, like those detectives on Law and Order.

Cst. HATCHER :   Yeah. Something like that [chuckles]

SUSPECT SIMMS: [chuckles]

Cst. HATCHER: Okay, let's go back to the issue of who owns the computer, who was

looking at the pictures… who do you think could have come into the

house and been responsible for having those child pornography

pictures on the computer?

SUSPECT SIMMS: I don't know sir – I could not tell you.

Cst. HATCHER: No

SUSPECT SIMMS: No

Cst. HATCHER: Do you ever, ah, other than your sister's friends are there, anyone else

generally come into the house?

SUSPECT SIMMS: No

Cst. HATCHER: Anyone you know of what would have access to your computer or

internet?

SUSPECT SIMMS: No, it is mostly me and my sister usually and my dad and my mom.

Cst. HATCHER: Oh. I see, and…

SUSPECT SIMMS: Any my dad is only home a few days a month

Cst. HATCHER: Oh, okay. So, I'm going ask you a hard question and I feel like you've

been really honest with me right.

SUSPECT SIMMS: Yeah

Cst. HATCHER: I think we have gotten to know each other a bit. I told you that I have

kids

SUSPECT SIMMS: Yeah

Cst. HATCHER: The whole thing is, you know, a lot of times, in my experience, people

are dealing with these types of issues they're obviously ashamed but

they're afraid to talk to someone body and once they talk. We should

talk. And…

[INSERT MANIPULATION]

SUSPECT SIMMS: Yeah

Cst. HATCHER: So, now you have a sense of what I am thinking.

SUSPECT SIMMS: Yeah

[PHONE RINGS IN ROOM]

Cst. HATCHER: Sorry about that, I'm not going to answer it. So you understand what I

just said? Is there anything you want to tell me?

SUSPECT SIMMS: Ah …

Appendix B – Pragmatic Implication Manipulation

Manipulation 1. Control.

"I have no idea what has taken place, and I'm glad to be here today to talk to you so we can get to the bottom of this. I've been doing this job for a long time and sometimes people talk to me, sometimes they don't. There was an allegation against you, and I need to go about investigating it. Once I've finished my investigation then I will have to make a decision about what to do here. By getting more information, I will have a more complete picture of what happened. So just have a think about who's been using your computer and what's taken place."

Manipulation 2. Explicit leniency. Stating that if the suspect confesses, they will get some sort of promised benefit

"I'm here for you, but I need you to tell me the truth. If you just admit what happened, I can see to it that the judge goes nice and easy on you. Maybe you won't even need to go to trial at all. Just come clean, and you can get off easy. I'm here to help you, so just tell the truth. I can make sure that you get the help you need – we can see to it that you can see a counselor to deal with the issues you've been having. Just be honest, and you can get some real help – you may not have to go to prison for this, but you have to tell us the truth if you want that to happen"

Manipulation 3. Minimizing seriousness. Making the crime *itself* seem less bad

"I can understand. You know, I feel for you. Because you are not a criminal. You are a good guy. You are a good guy and these pictures – they are not all that bad. They are just pictures of naked kids – like parents would have of their kids. These pictures have been

around for a while I guess. But let's assume you download them, well you are only

downloading ones that have been downloaded before. It is not like these are new on your end.

So, you download them again, what have you done that wasn't done before. Basically,

nothing, except that you download them."

Manipulation 4. Face-saving excuses. Offering reasons why the suspect committed the

crime that make their involvement seem less bad

      "I can understand. Many people will say to me that they don't understand how I can

do this job. They ask how I can you talk to sex offenders or look at sex offenders? But, I find

it really interesting because I want understand what happened for the person to look at this

stuff. I think maybe they've been a victim of sexual abuse before. Maybe they were a victim

and that is why they're drawn to these pictures, and I have seen those people who have had

that situation."

Manipulation 5. Downplaying consequences. Suggesting that what will happen to the

suspect if they confess is not as bad as he/she thinks

      "I have spent a lot of time looking at the details of this case. And you know what?

The way I see it, I think you're okay. To be honest with you, nothing might even come of

this. I understand your situation and I think you don't really need to worry about things too

much, but it's important that you tell me everything so I can get this all figured out. If it is

just the downloading, there's not a whole lot in downloading a few pictures."

Manipulation 6. Emphasizing benefits of cooperation. Implying that telling the

interrogator what he/she wants to hear will result in unspecified benefits for the suspect

"If you just tell me what happened, I can get things straightened out for you. This can all be over if you just come clean about looking at the pictures. It's so important that you tell me the whole truth. You're going to be in a much better situation if you come clean than if you keep denying what you did. No matter what happened, we can work through this. And hey, if you are honest with us and tell us what you know then people will know that you're a good guy. People don't like liars, and I especially don't, but I don't see you that way, so just tell me the truth and you can prove it to me. If you tell me, you know what, here's what I did, then you're being the good guy here. Truthfully, honesty is your best option here."

Appendix C – Pragmatic Implication Questionnaire

Based on the interview transcript you just read, please respond to the following questions.

1. Please rate the sentence you expect the suspect to receive if he **confesses** to the crime

Minimum	1	2	3	4	5	6	7	8	9	10	Maximum

2. Please rate the sentence you expect the suspect to receive if he **denies** committing the

crime but is **later found guilty** in court

Minimum	1	2	3	4	5	6	7	8	9	10	Maximum

3. If put in the interrogation situation that you just read about, how many guilty suspects out

of 100 do you think would confess? _____

4. If put in the interrogation situation that you just read about, how many innocent suspects

out of 100 do you think would confess? _____

Please rate the following using the scales provided:

	No pressure at all	A small amount of pressure	A medium amount of pressure	A large amount of pressure	An extreme amount of pressure
5. The amount of pressure the interrogator placed on the suspect	○	○	○	○	○

	Not at all eager	A little bit eager	Somewhat eager	Very eager	Extremely eager
6. The interrogator's eagerness to elicit a confession from the suspect	○	○	○	○	○

	Not at all sympathetic	A little bit sympathetic	Somewhat sympathetic	Very sympathetic	Extremely sympathetic
7. The interrogator's sympathy for the suspect	○	○	○	○	○

	Weak/not strong at all	A little bit strong	Somewhat strong	Very strong	Extremely strong
8. The strength of evidence against the suspect	○	○	○	○	○

	Not severe at all	A little bit severe	Somewhat severe	Very severe	Extremely severe
9. The severity of the consequences if the suspect confesses	○	○	○	○	○
10. The severity of the crime allegedly committed by the suspect	○	○	○	○	○

	Not useful at all	A little bit useful	Somewhat useful	Very useful	Extremely useful
11. The usefulness of cooperation to the suspect's court outcome	○	○	○	○	○

12. Pick 2 for this response:

1	2	3	4	5
○	○	○	○	○

Please rate the interrogator on the following attributes:

	Very unfair	Unfair	Neutral	Fair	Very fair
13. Fairness	○	○	○	○	○

	Very unlikeable	Unlikeable	Neutral	Likeable	Very likeable
14. Likeability	○	○	○	○	○

	Very unaggressive	Unaggressive	Neutral	Aggressive	Very aggressive
15. Aggression	○	○	○	○	○

16a. Do you think the suspect is **guilty** or **not guilty**? _____

16b. How confident are you in your choice?

Not at all confident	1	2	3	4	5	6	7	8	9	Extremely confident

17a. Do you think the suspect confessed freely (i.e., without pressure from the interrogator)?

Yes   **No**

17b. How confident are you in your choice?

Not at all											Extremely
confident	1	2	3	4	5	6	7	8	9		confident

18. Did the police offer leniency to the suspect in exchange for a confession?

Yes   **No**   **I don't know**

19a. Should this suspect confess?   **Yes**   **No**

19b. Why or why not?

_____

_____

_____

20. What type of interruption happened in the room during the interview?

   o   Knock on the door

   o   Phone ringing

   o   Smoke alarm going off

   o   PA announcement

Demographics

The following information is being collected to help us look for factors that may affect that way the questions in the previous questionnaire were answered. You may decline to respond to any questions you do not wish to answer. The information you provide on this form is completely anonymous. It will not be attached to your name in any way and the researcher will be not be aware of your responses.

1. Please specify your gender:

- o   Male

- o   Female

- o   Other (please specify): _____

2. Please select your age:

- o   Below 20

- o   20-29

- o   30-39

- o   40-49

- o   50-59

- o   60-69

- o   70-79

- o   80+

3. Please specify your level of education:

- o Some high school

- o High school graduate

- o Some-post secondary

- o Diploma/certificate

- o Bachelor's degree

- o Graduate degree

- o Professional degree

4. In general, how do you feel about the police?

- o Very negative

- o Somewhat negative

- o Neither negative nor positive

- o Somewhat positive

- o Very positive