

What Do We Know About Interrogation in the United States?

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This manuscript provides a comprehensive review of the literature about police interrogations. The review suggests that interrogation manuals are reasonably uniform, currently used interrogation tactics are successful in the majority of cases, and that a confession has a significant impact on case processing. The review also considers that literature on the relationship between police interrogation practices and false confessions. Finally, future directions for interrogation research are suggested.

PORTRAYALS of police interrogation are commonplace in the popular media, and interrogation is commonly thought to be a critical element of criminal investigation (O'Hara & O'Hara, 2003; Swanson, Chamelin, & Territo, 1999). However, research about interrogation is currently very limited. The purpose of this paper is to review what we know about interrogation. Our knowledge about interrogation can currently be divided into five major areas. These are what interrogation manuals teach; what the police do during interrogations; the success of interrogations; the impact of interrogations on case processing; and interrogation errors. This review will begin by discussing what interrogation manuals teach.

What Interrogation Manuals Teach

One way to assess what occurs during interrogations is to explore what interrogators are taught to do. A search for criminal interrogation on Amazon.com revealed seven interrogation manuals

that are currently in print (Aubry & Caputo, 1980; Benson, 2000; Hess, 1997; Holmes, 2002; Inbau, Reid, Buckley, & Jayne, 2001; MacDonald & Michaud, 1992; Rutledge, 1994; Walters, 2002; Zulawski & Wicklander, 2001). Because *Interrogations and Confessions* (Inbau, Reid, Buckley, & Jayne, 2001) is the most frequently referred to manual in the literature (Gudjonsson, 2003; Kassin, Goldstein, & Savitsky, 2003; Kassin & McNall, 1991; Leo, 2001), it will be used as comparison point for all of the manuals. Several commonalities about interrogations can be derived from the manuals. These are presented next.

Interviewing Is Different from Interrogation

Chapter 1 of the Inbau et al. (2001) manual discusses and clearly distinguishes the differences between interviews and interrogations. An interview is a non-accusatory dialogue used to develop information that is relevant to a case, and an interrogation is an accusatory monologue, dominated by the inter-

rogator, that is used to get the truth from an individual suspected of committing a crime. Five of the other six interrogation manuals make similar distinctions between interviews and interrogations (see Table 1). However, the Holmes (2002) manual uses the terminology *accusatory* or *non-accusatory* interrogation to delineate what the other manuals refer to as interrogation or interviewing, respectively.

Interrogation Is Persuasion

Inbau et al. (2001) suggest that interrogation is a persuasive activity wherein the interrogator attempts to move the suspect toward confession by altering the suspect's perceptions of the situation and consequences. The interrogator is trying to "sell" the suspect on the idea that telling the truth is the best thing to do. As a result of this general orientation (and contrary to the portrayal of interrogation in the popular media), the interrogation is sympathetic (not hostile) in nature. All of the other interrogation manuals assert that interrogation is a persuasive activity (See Table 1).

Interrogation Tactics

Several basic interrogation tactics can be derived from the manuals. These are direct confrontation, theme development,

dealing with resistance, alternative questions, and developing details. Each of these tactics will be discussed next.

Direct confrontation. The interrogation begins with the direct positive confrontation of the suspect (Inbau et al., 2001). The interrogator enters the room and states, "Our investigation clearly indicates that you did X," where X represents the crime in question. The interrogator then pauses for a few seconds to observe the suspect's reaction, repeats the accusation, and begins to transition to the next step. Inbau et al. (2001) also present an alternate confrontation procedure wherein the interrogator begins by stating the suspect cannot be eliminated from suspicion and slowly moves toward a direct accusation if the suspect's behavior is considered by the interrogator to be indicative of guilt. If the suspect's behaviors are not indicative of guilt, the interrogator can back out of the interrogation and not accuse the subject of committing the crime. As can be seen in Table 1, five of the other six interrogation manuals suggest that the interrogation should begin with a confrontational procedure that is similar to the one that is suggested by Inbau et al. (2001).

Table 1: Interrogation Tactics

Source	Interview /Interrog.	Persuasion	Direct Confront.	Themes	Resistance	Alternative Question	Developing Details
Inbau et al. (2001)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Aubry & Caputo (1980)	Yes	Yes	Yes	Yes	No	No	Yes
Hess (1997)	Yes	Yes	Yes	Yes	Yes	Yes	No
Holmes (2002)	Yes	Yes	Yes	Yes	No	Yes	Yes
MacDonald & Michaud (1992)	No	No	No	No	No	No	No
Walters (2002)	Yes	Yes	Yes	Yes	Yes	No	Yes
Zulawski & Wicklander (2001)	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Theme development. The next step in the Inbau et al. (2001) interrogation procedure is referred to as theme development. This step is primarily concerned with offering the suspect a moral excuse, rationalization, or crutch that will make it easier for the suspect to confess. For offenders that Inbau et al. (2001) identify as emotional, this can involve stating that most people in a similar circumstance would have done the same thing or suggesting that the victim deserved what they got. Another common tactic involves contrasting the suspect's crime against a more severe crime. For example, if the suspect committed a robbery, the interrogator might contrast the robbery with a murder. Different themes are suggested by Inbau et al. (2001) for non-emotional offenders. These can include suggesting that there was a non-criminal intent behind the act, getting an admission that the suspect has lied about some incidental aspect of the crime, and pointing out that it is futile not to tell the truth. The interrogator is advised to pay attention to whether or not the suspect appears to be accepting the theme during the interrogation. If the suspect appears to be accepting the theme, the interrogator should stay with it. However, if the suspect appears to be rejecting the theme, the interrogator should try a different one. This means that interrogators will often use several themes during an interrogation. Additionally, Inbau et al. (2001) state that it is legally acceptable to deceive suspects, and that presenting false evidence is a risky but acceptable tactic.

As can be seen in Table 1, five of the other six manuals suggest theme development procedures that are similar to the one suggested by Inbau et al. (2001). A few points are worthy of note here. The first is that several of the other manuals

do not use the term "theme development" to describe this procedure. The most common alternate terminology is to refer to themes as arguments or rationalizations. The second point is that while the theme development process is similar between the different manuals, the manuals often present specific themes that are different from the examples given in the Inbau et al. (2001) manual. The third is that many of the manuals neither explicitly state that it is acceptable for the interrogator to deceive the suspect nor do they state that it is unacceptable.

Dealing with resistance. The Inbau et al. (2001) manual also contains explicit instructions about how to overcome resistance on the part of the suspect during the interrogation. Three types of resistance are recognized by Inbau et al. (2001). The first is a denial. A denial is defined as any attempt to say that an allegation is false. Inbau et al. (2001) advise that the suspect should not be allowed to voice denials during the interrogation. The interrogator can accomplish this by dominating the interrogation and not giving the suspect time to talk. If the denial is stated, the interrogator is told to restate his or her confidence in the suspect's guilt and change the particular theme that was being used as the denial is a sign that the theme is not being accepted by the subject.

The second type of resistance is an objection. An objection is not a direct statement of innocence; rather it is a reason why the accusation of guilt is incorrect. In a case involving an armed robbery with a gun, an objection might involve the suspect stating that he or she does not own a gun. Inbau et al. (2001) advise that when a suspect makes an objection, the interrogator should draw the objection out, and then use it to form

objection out, and then use it to form a new theme. In the example given above the interrogator might say,

I hope that it is true that you don't own a gun. That tells me that you aren't a violent type of person, and that you didn't want to hurt anyone. It is important that we bring this point out because a person who doesn't want to hurt anyone during a robbery is different from one that does. We don't want people to have an inaccurate picture of who you are because . . .

After the interrogator turns the objection into a theme, he or she is advised to use the new theme to move the suspect beyond their resistance.

The third type of resistance occurs when the suspect attempts to withdraw and stop paying attention to the interrogator. According to Inbau et al. (2001), this sometimes occurs when the suspect realizes that his or her denials and objections are not deterring the interrogator from continuing the interrogation. At this point, the suspect may attempt to "tune out" the interrogator. Inbau et al. (2001) advise that when this happens, the interrogator should do several things to get the suspect reengaged. Because it is difficult to ignore someone who is in your field of vision or invading your personal space, the interrogator is advised to move his or her chair closer to the suspect and attempt to establish eye contact. The interrogator may also ask questions that require a response from the suspect. For example, the interrogator might ask, "You care about this, don't you?" When the suspect answers these questions, the suspect is no longer "tuning out" the interrogator.

Advice about how to deal with resistance on the part of the suspect is not as widespread in the manuals as is the use of themes. As can be seen in Table 1,

only three of the six manuals specifically address how to deal with resistance. These manuals generally recognize the three types of resistance presented in the Inbau et al. (2001) manual. However, the Walters (2002) manual focuses on resistance as a function of the suspect's personality type.

The alternative question. Once the suspect has been confronted, a theme has been accepted, and resistance has been overcome, the suspect is on the verge of confessing. However, Inbau et al. (2001) state that directly stating "I did it" will still be difficult for the suspect to do. Therefore, they teach interrogators to use an alternative question to get the suspect's first admission of guilt. The alternative question presents the suspect with a choice between two possible explanations for why the crime was committed. One of the choices is more psychologically attractive than the other. For example, in a theft case, the suspect may be asked, "Did you take the money because you needed it for bills or for drugs?" If the suspect accepts either alternative, this represents their first admission about committing the crime. The alternative question is often presented several times to the suspect with slight variations each time. For example, in the case above the suspect could also be asked, "You needed the money for bills, right? It wasn't for drugs. Was it? You just needed the money for bills. Didn't you?"

As can be seen in Table 1, half (3) of the other manuals teach the alternative question as a way of gaining a first admission of guilt. The other half (3) do not clearly discuss how the suspect's first admission of guilt occurs.

Developing details. Inbau et al. (2001) state that after the suspect makes his or her first admission of guilt, the interrogation is not finished. The interrogator must develop a complete description of how and why the crime was committed before the initial admission can be considered a full confession. At this point, the interrogation changes modes and becomes more like an interview. The interrogator will ask the suspect non-leading questions about the crime, and the suspect will be allowed to give detailed answers and explanations. Inbau et al. (2001) also insist that the information developed during the interrogation should be corroborated with the facts of the case to ensure that the confession is true. Four of the other six manuals also explicitly suggest that the interrogator should develop the details of an admission before it is considered a full confession and that these details should be compared to case facts (See Table 1).

Some Final Comments on the Manuals

Most of the manuals present a picture of interrogation that is consistent with the others. However, this is not to say that these manuals are identical. Because this paper is attempting to draw generalities from the different manuals, the information that is presented here is very general in nature. As a result, many of the nuances that distinguish the manuals from each other are missing. It is not the intention of the author to suggest that all of the manuals are not distinct from each other; rather the author's intent is to show that some general points about interrogation can be derived from the corpus of the manuals.

Two of the manuals reviewed for this manuscript deserve special notice. While the end result may be similar to

the other manuals, the theoretical orientation underlying the Walters (2002) manual is very different from the others. The Walters (2002) manual focuses on the analysis and use of stress-response states and personality types to guide the interrogation. None of the other manuals do this. The MacDonald and Michaud (1992) manual does not present a general interrogation system like the others; rather it presents different types of crimes and strategies for dealing with the criminals involved in each of these crimes. The focus of the MacDonald and Michaud (1992) manual is also almost entirely on what would be considered interview tactics by most of the other manuals. The next section will review empirical observations of police behavior and compare them to what is taught in the manuals.

It should also be noted that the authors of at least three of the manuals (Inbau et al., 2001; Walters, 2002; Zulawski & Wicklander, 2002) currently conduct interrogation training for numerous criminal justice agencies. The largest of these training organizations (John E. Reid and Associates, Inc.) has trained in excess of 150,000 people.

What the Police Do During Interrogations

Another (and perhaps superior) way of assessing police behavior during interrogations is to actually observe what the police do during interrogations. Unfortunately, only one study in the last 20 years has done this (Leo, 1996). Leo (1996) directly observed 122 interrogations conducted by 45 different detectives at one police department and 60 videotapes of interrogations conducted by two other police departments (30 tapes per department) that were geo-

graphically near the first. Each interrogation was coded for numerous variables, including the tactics used, the length, and outcome of the interrogation. Leo (1996) observed that most interrogations began with the detective confronting the suspect with his or her guilt and then attempting to develop what would be referred to as themes by Inbau et al. (2001). Detectives in the Leo (1996) study also used many of the themes that were presented in the Inbau et al. (2001) and other manuals. Interrogators used a mean of 5.62 tactics per interrogation with the range being 0 to 15 tactics. Of the interrogations that Leo (1996) observed, 34.64% lasted less than 30 minutes, 36.60% lasted between 30 and 60 minutes, 20.92% lasted between 1 and 2 hours, and 7.84% lasted for more than 2 hours. These data suggest that interrogators are using at least some of the interrogation tactics that are taught in the manuals. However, because this study only contains a sample from a geographically limited area, generalizations must be made carefully. The success of interrogations will be reviewed next.

The Success of Police Interrogations

The success rate of police interrogations can be subdivided into two areas. These are the rate of successful outcomes and factors that lead to successful outcomes. The rate of successful outcomes will be presented first.

The rate of successful outcomes. Only two studies have examined the rate of successful interrogation outcomes in the last twenty years (Cassell & Hayman, 1996; Leo, 1996). Leo's (1996) study coded for several possible interrogation outcomes. A suspect was coded as making an incriminating statement if the sus-

pect gave any information that might tend to implicate them in the crime, but they did not admit to any of the elements of the crime. If the suspect admitted to some but not all of the elements of a crime, they were coded as making a partial admission, and if the suspect admitted to all of the elements of the crime, they were coded as making a full confession. In Leo's (1996) study, 20.1% of the suspects invoked Miranda, 14.8% of the suspects did not make any incriminating statements, 22.5% made an incriminating statement, 17.5% made a partial admission, and 24.2% gave a full confession. If the goal of the interrogation is seen as gaining any incriminating information, about 64% of the interrogations in Leo's (1996) study were successful. It should be noted that if suspects who invoked their Miranda rights are excluded, the success rate was approximately 76%.

Cassell and Hayman (1996) conducted the other study in the last 20 years that has explored the success rate of interrogations. Cassell and Hayman (1996) collected data on interrogations by attending the felony case screening meetings between district attorneys and police officers during a six-week period in Salt Lake City, Utah. As such, the data represent the reports of police officers and not actual observations of interrogations. Overall, 219 of these meetings were coded. A case was coded as a confession if the suspect made a substantial admission to involvement in the crime. If the suspect made statements that tended to implicate the suspect in some way, but the statements fell short of a substantial admission of involvement, the case was coded as containing an incriminatory statement. Other outcomes were coded as unsuccessful. The police officers reported that 27.2% of the cases involved

suspects who gave a full confession, 15.0% gave incriminating statements, 12.1% invoked Miranda, and 45.7% of the suspects were questioned unsuccessfully. Again, if gaining any incriminatory information is considered as a successful interrogation result, about 42% of the interrogations in Cassell and Hayman's (1996) study were successful.

A χ^2 test confirmed that the apparent differences in interrogation success rates for the two studies was significant at the $p < .001$ level ($\chi^2_{(1)} = 35.51$). The effect size of this difference is approximately equivalent to a Pearson's r of .35 and suggests that the difference is moderate in size¹. There are several possible mediators or moderators that might explain this difference. Among these are differences in locations, cultures, skill or training levels of the interrogators, and the severity of the crimes. Unfortunately, the available data do not allow us to determine which, if any, of these potential mediators or moderators might explain the differences in the two studies. The data do suggest, however, that the police are at least fairly successful at eliciting incriminating information from criminal suspects. The factors that may lead to successful outcomes will be discussed next.

Factors that may lead to successful interrogations. Four factors that affect interrogation outcomes have been reported in the literature. These are the length of the interrogation, the specific tactics that were used, the strength of evidence against the suspect, and the experience of the interrogator.

Length of the interrogation. Leo (1996) reported that longer interrogations led to significantly more successful out-

comes. Cassell and Hayman (1996) reported that the length of the interrogation had a small positive but insignificant correlation with successful outcomes. Cassell and Hayman (1996) also pointed out that the causal direction of this correlation was difficult to determine from their data. It may be that successful interrogations take longer because developing all of the details that must be present for a full confession simply takes longer than an interrogation wherein the suspect does not say much.

Tactics used. Additional analysis by Leo (1996) explored which tactics were the most successful at eliciting confessions. Generally, the use of more tactics was associated with positive outcomes. The most successful tactics were appealing to the suspect's conscience, identifying contradictions in the suspect's story, using praise or flattery, and offering moral justifications/psychological excuses with success rates of 97%, 91%, 91%, and 90%, respectively. The least successful tactics were confronting the suspect with evidence of guilt and appealing to the suspect's self interest with success rates of 78% and 77%, respectively. As can be seen, even the least successful tactics worked 77% of the time. Recall that an average of 5.62 tactics were used per interrogation. It is possible that many of the most successful and some of the least successful tactics were used in most of the interrogations. Leo (1996) appears to have used χ^2 to conduct his analysis, therefore the analysis does not control for the presence of other interrogation tactics or important variables. In other words, Leo's (1996) analysis does not allow us to determine the unique effect of each tactic on interrogation outcomes. A more appropriate analysis would have utilized logistic regression and allowed us to determine the

¹ The Pearson's r values reported in this paper were calculated by this paper's author from data reported in the original papers.

unique effect of each tactic on the interrogation outcome while controlling for other factors.

Strength of evidence. The police officers in Cassell and Hayman's (1996) study were also asked to rate the strength of the evidence implicating the suspect. The choices were weak, moderate, strong, and overwhelming. When suspects who invoked their Miranda rights were excluded, stronger evidence was significantly related to more successful outcomes ($\chi^2_{(3)} = 8.23, p < .05, r = .25$)

Experience of the interrogator. Cassell and Hayman (1996) used the position of the police officer as a proxy for interrogation experience. They reasoned that detectives would have more experience at conducting interrogations than patrol officers. When only those subjects who were questioned by the police are included, the Cassell and Hayman (1996) data reveals that detectives were more successful than patrol officers at eliciting incriminating information ($\chi^2_{(1)} = 7.09, p < .01, r = .22$). This suggests that more experienced interrogators are more successful at eliciting incriminating information.

It appears that some interrogation tactics are more successful than others, suspects who have more evidence against them are more likely to confess, and that experienced interrogators are more successful at eliciting incriminating information. Longer interrogations may also be more successful than shorter ones. However, more data are needed to confirm this statement. As has been the case with much of the data presented in this paper, these conclusions are based upon relatively small and geographically localized samples, so that generalizations must be made carefully. The next section will review the impact that interrogations have on case processing.

The Impact of Interrogations on Case Processing

Both Leo (1996) and Cassell and Hayman (1996) explored the impact of confessions on the processing of a case. Leo (1996) found that suspects who provided incriminating information were more likely to be charged ($r = .21$) and to plead guilty ($r = .23$) or be found guilty at trial ($r = .25$). Confessors also received longer sentences.²

Cassell and Hayman's (1996) findings were similar to Leo's (1996). Cassell and Hayman (1996) found that suspects whose cases involved successful interrogations were more likely to have charges filed ($r = .17$), and, either through plea-bargaining or trial, to result in the conviction of the suspect ($r = .31$). Suspects who made some type of statement during an interrogation were also less likely to receive concessions during plea-bargaining ($r = -.29$).

Overall, these studies suggest that there is a moderately sized relationship between successful interrogations and the filing of charges, conviction of the suspect, and more severe sentencing. Specifically, suspects who give at least some incriminating information during interrogation are more likely to be charged, convicted, and receive longer sentences than those who do not. This holds with the common perceptions of police, prosecutors, and academics, all of which view a confession as a powerful piece of evidence. The next section will discuss how interrogations can go wrong.

Interrogation Errors

Two types of interrogation error are possible. A false positive occurs when a

² r could not be computed from the available data.

suspect confesses to a crime that they did not commit (false confession), and a false negative occurs when a suspect does not confess to a crime that they did commit (false denial). False confessions have received considerable attention. However, the problem of false denials has received relatively little attention. False positives will be discussed first.

False positives. In wrongful conviction studies, false confessions are often cited as one of the major causes of wrongful convictions (Gudjonsson, 2003; Huff, 2002; Leo, 2001; Westervelt & Humphrey, 2001). In order to explore the scope of the false confession problem, several questions must be answered. These are: do false confessions occur; how often do they occur; and what is the police role in causing false confessions?

False confessions do occur. However, one of the major difficulties in attempting to classify a confession as true or false involves determining whether or not the suspect actually committed the crime. Contrary to what is portrayed in popular television shows, in many cases the evidence suggesting the guilt or innocence of a suspect is circumstantial at best. It is rare that direct evidence, such as DNA or fingerprints, is available. However, enough cases of confessions that have been refuted by significant direct evidence of innocence have been reported in the literature that it is extremely unlikely that all of the confessors in these cases were guilty in fact.

The next obvious question is how often do false confessions occur? This is an extremely difficult question to answer. In addition to the problem of identifying the actual guilt or innocence of the subject that was mentioned above, we do not know how many interrogations the police conduct every year because this informa-

tion is not reported to any central location. Additionally, most researchers have explored the rate of false confessions by looking at wrongful convictions that were produced at least in part by confessions. This adds the additional difficulty of attempting to determine how often wrongful convictions occur and what proportion of wrongful convictions are due to false confessions. This is no simple task, and because of the lack of data available to form accurate estimates, estimates are likely to contain a large amount of error. However, using national estimates of interrogations, arrests, convictions, and error rates, researchers have arrived at estimates of wrongful convictions resulting from false confessions that range from a low of 10 (.001% of all convictions) to a high of 840 (.04% of all convictions) per year (Cassell, 1998; Huff, Rattner, & Sagarin, 1986).

Another methodology for attempting to determine the frequency of false confessions resulting from police interrogations is to select a random sample of cases and then look for false confessions in the sample. Cassell (1998) examined the sample from the Cassell and Hayman (1996) study and did not find evidence of any false confessions. Additionally, Leo (who is a known critic of police interrogation tactics and believes that current interrogation tactics can result in false confessions) did not report any false confessions in his 1996 study of 182 police interrogations. One would assume that if evidence of any false confessions had surfaced in his study, he would have reported it. A limitation of this methodology is that if false confessions occur at an extremely low rate (as is suggested by the estimates in the above paragraph), a very large sample would be needed to detect any false confessions.

As was mentioned before, it is difficult to determine how often false confessions occur, but the above data suggest that they are extremely rare. It should be noted that some authors have rejected the above methodologies and suggested that it is impossible to accurately determine the rate of false confessions for the methodological reasons that were mentioned above (Leo & Ofshe, 1998). However, Leo and Ofshe (1998) also state that the problem of false confessions is severe enough that sweeping changes should be made in the judicial system. How they arrive at this conclusion when they state that the frequency of false confessions (and therefore scope of the problem) cannot be determined is unclear.

The final question that this section will attempt to answer is how police interrogations might cause false confessions. It has been suggested that police interrogations can result in two types of false confessions (Gudjonsson, 2003; Leo, 2001). The primary difference between these two types of false confession is whether or not the false confessor actually believes that he or she committed the act to which he or she confessed. When the false confessor believes that he or she actually committed a crime for which he or she is innocent, the confession is commonly referred to as internalized (Gudjonsson, 2003; Kassin & Wrightsman, 1985; Ofshe & Leo, 1997). An internalized false confession is generally believed to follow a three-step process. First, the interrogator attacks the suspect's confidence in his or her memory. Next, the interrogator suggests that the suspect committed the crime and does not remember committing the crime due to some form of amnesia or blackout. Finally, after the suspect accepts that he or she must have committed the crime,

the interrogator and suspect work together to produce a detailed confession (Gudjonsson, 2003; Leo, 2001). Gisli Gudjonsson has conducted extensive research into this type of false confession and has found some evidence that suggests that children, those with low IQs, and drug addicts may be particularly vulnerable to this type of false confession (See Gudjonsson, 2003, for a thorough review of internalized false confession research).

It has also been suggested that the use of false evidence can cause internalized false confessions to occur. Two studies have explored this possibility (Kassin & Kiechel, 1996; Redlich & Goodman, 2003). Both studies involved having the subject type on a keyboard after instructing them not to press a certain key, as this would cause the computer to crash. After a set period of time, the computer automatically crashed, and the researcher accused the suspect of pressing the prohibited key. With half of the subjects in the Kassin and Kiechel (1996) experiment, a confederate claimed to have seen the participant pressing the prohibited key. This false evidence procedure produced more internalized false confessions than the no false evidence procedure ($r = .47$). In the Redlich and Goodman (2003) study, the experimenter presented the subject with a computer printout that showed that the participant had pressed the prohibited key in the false evidence conditions. This study did not find that false evidence significantly impacted internalization. This suggests that the Kassin and Kiechel (1996) false evidence effect may not be robust. Additional research is needed to resolve the question of whether or not and under what conditions the presentation of false evidence can cause internalized false confessions.

False confessions that occur when the suspect does not believe that she or he committed the crime are commonly referred to as compliant false confessions (Gudjonsson, 2003; Inbau et al., 2001; Kassin & Wrightsman, 1985; Ofshe & Leo, 1997). This type of confession is believed to occur because the suspect seeks some form of benefit as a result of the confession, to avoid some form of negative consequence if he or she does not confess, or both (Gudjonsson, 2003; Inbau et al., 2001; Kassin & Wrightsman, 1985; Leo, 2001). It has been suggested that compliant false confessions are the result of a two-step process (Leo, 2001; Ofshe & Leo, 1997). The first step requires the interrogator to convince the suspect that his or her situation is hopeless. This hopelessness is primarily the result of the suspect's belief that negative consequences are unavoidable. The interrogator is able to convince the suspect of unavoidable consequences through repeated accusations of guilt, the presentation of real or fictitious evidence, and by stopping attempts to deny guilt. Proponents of this model believe that the use of false evidence is especially likely to lead to false confessions. Once a suspect is convinced that the situation is hopeless, the interrogator proceeds to step two.

During step two, suspects are presented with inducements to confess. These inducements are believed to move suspects to confess by convincing them that the benefits of confession outweigh the costs of a continued claim of innocence (Leo, 2001). These inducements generally fall into two categories (Kassin & McNall, 1991). The first is a "hard sell" technique that is referred to as maximization. Maximizations attempt to increase the subject's perceptions of the negative consequences of continuing to deny com-

mitting the crime. Maximizations involve tactics such as exaggerating the seriousness of the offense and suggesting that others will think poorly of the suspect if he or she does not confess. The second category of interrogation tactics is a "soft-sell" technique that is referred to as minimization. Minimizations seek to minimize the target's perceptions of the negative consequences of confessing. Common minimization tactics include offering face-saving excuses, blaming the victim, or citing extenuating circumstances. The use of both types of tactics together is often referred to as the min / max technique (Kassin & McNall, 1991). Proponents of this model of false confessions believe that the incentives commonly used by police officers to induce confessions communicate promises of leniency and threats of punishment to suspects that are similar to the explicit threats of punishment and promises of leniency that are not allowed under the law. It is therefore believed that the use of these inducements will cause both innocent and guilty suspects to confess because both perceive that they will receive fewer negative consequences if they confess and more negative consequences if they do not confess.

This area of false confessions is of great concern to law enforcement because the process that is believed to cause these compliant false confessions is essentially the direct confrontation and theme development procedure that is taught in most of the interrogation manuals that were reviewed for this paper. One study has provided limited support for the view that minimization or maximization techniques may alter perceptions of punishment (Kassin & McNall, 1991). This study involved having the participants read transcripts of interrogations that contained various interrogation

tactics. The results revealed that, in some of the conditions, minimizations or maximizations could alter the amount of punishment that the participants recommended. The authors suggest that this is evidence that the use of minimizations or maximizations can cause false confessions. However, this conclusion is hard to defend based on the design of the study. The subjects were reporting how much punishment they thought that a hypothetical offender would receive; not how much punishment they thought that they would receive if they were involved in the situation. Additionally, the participants did not report whether or not they would confess. The results of the Kassin and McNall (1996) study are also often cited as evidence that false evidence can cause compliant false confessions. This conclusion is unjustified because their study was designed specifically to look at internalized false confessions. Other research that has looked at actual cases of false confessions has suggested that compliant false confessions are only likely to occur when coercive tactics (such as beatings or threats) are used, the subject is mentally handicapped, or the suspect is a juvenile (Blair, 2003).

It should also be noted that six of the nine interrogation manuals reviewed for this paper discuss false confessions. The Inbau et al. (2001) and Zulawski and Wicklander (2002) manuals in particular contain in-depth discussions of internalized and compliant false confessions, how to recognize them, and how to prevent them.

False negatives. The problem of failing to gain incriminating information from a guilty suspect has received very little attention. To the author's knowledge only one person has addressed this issue

(Cassell, 1998). Cassell (1998) suggested that the failure to obtain a confession could have two negative outcomes. The first is that the guilty may not be convicted. Recall that the studies on case processing suggest that suspects who give at least some incriminating information are more likely to be charged and convicted than subjects who do not. This also suggests that cases that involve guilty subjects who do not give incriminating information are less likely to have charges filed and result in conviction.

The second negative outcome suggested by Cassell (1998) is that if the guilty suspect does not confess, an innocent person might be convicted of the crime. This contention is supported by the fact that in many wrongful conviction studies, numerous innocent suspects were exonerated based upon the confession of guilty party (Bedau & Radelet, 1987; Gross, 1996; Rattner, 1988). Cassell (1998) goes on to suggest that the danger of losing confessions by tightening restrictions on police interrogations far outweighs the risks of convicting an innocent suspect due to a false confession.

Additionally, while the overall success rates reviewed earlier suggest that interrogations are successful somewhere between 40 and 70 percent of the time, full confessions only occurred about a quarter of the time. If we assume that the majority of suspects that the police interrogate are guilty, the low rates of full confession suggest that the false negative rate is high. Obviously there is still significant room for improvement in the effectiveness of police interrogation tactics. Future research should explore how the false negative rate of interrogations can be reduced without increasing the false positive rate.

Conclusions

The seven interrogation manuals reviewed for this paper were all relatively consistent with each other. The manuals differentiated interviews from interrogations, presented interrogation as a persuasive process, and presented procedures that are purported to be useful in gaining confessions.

However, our observational knowledge about actual police interrogation behaviors is currently limited. The only study that contains direct observations of police interrogation behaviors in the last 20 years suggests that the police are using at least some of the interrogation techniques that are commonly recommended in the manuals, but the sample for this study was drawn from only one geographical area (Leo, 1996). This makes generalizing from this study to the rest of the United States tenuous at best. Clearly there is a need for more research that explores police interrogation practices, especially in different areas of the country.

We have slightly more knowledge about the success rates of the interrogation tactics that the police use. The two studies that have been performed in the last 20 years suggest that police interrogations produce at least some incriminating information in between 45% and 64% of cases (Cassell & Hayman, 1996; Leo, 1996). It also appears that in about a quarter of cases, the suspect offers a full confession; however, we know very little about which tactics are likely to produce confessions. Again, our information about success rates is geographically limited, and there is a need for more research.

It also appears that confessions have a moderate impact on case processing. Specifically those who give at least some

incriminating information are more likely to be charged, convicted, and receive a longer sentence, but this information is based on the same two studies that provided information about interrogation outcomes (Cassell & Hayman, 1996; Leo, 1996). Additional research is needed to determine if the case processing effects of interrogation generalize to the rest of the United States.

This review also makes it clear that false confessions do occur. However, research that explores how police interrogation tactics can cause these false confessions is currently lacking. The little research that has been conducted has often produced contradictory results and contains serious methodological flaws. Additional research is needed before it can be reasonably suggested that particular police tactics (such as minimizations, maximizations, and presenting false evidence) cause false confessions.

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