

Videotaped confessions can create bias against suspect, study finds

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This video still from a mock interrogation focuses on the suspect. Courtesy of Daniel Lassiter

Police often videotape interrogations of suspects for use in criminal trials. Video confessions that focus exclusively on the suspect, however, can bias judges and law enforcement officers to consider the suspect's statements as voluntary, according to a new Ohio University study.

In more than 25 percent of wrongful convictions exonerated by DNA testing, innocent defendants made incriminating statements, delivered outright confessions or pled guilty, according to the Innocence Project. Police interrogation tactics – which include exaggerating the evidence against the suspect or implying the suspect could face an extreme sentence – can prompt a suspect to make a false confession, said Daniel Lassiter, an Ohio University professor of psychology.

In videotaped confessions, many law enforcement agencies focus the camera on only the suspect. Lassiter's research shows that this practice creates what he calls a camera-perspective bias that leads trial participants to view the confessions as voluntary, regardless of how interrogators obtained them.

In the recent study, published in the March issue of *Psychological Science*, Lassiter and colleagues from Northwestern University and the American Bar Foundation asked 21 judges and 24 law-enforcement officers to view a videotaped mock confession. The researchers presented participants with different versions of the confession in which the camera focused on only the suspect, only the detective, or both suspect and detective. Participants assessed how voluntarily the suspect confessed in each case.

The study found that judges and law enforcement officers considered the suspect-focus version of the confession to be more voluntary than the equal-focus and detective-focus versions.

"The phenomenon (camera-perspective bias) is rooted in a naturally occurring perceptual bias that affects everyone and which cannot be readily overcome regardless of people's expertise or the amount of professional training they have received," Lassiter said.

Though some in the legal field have been skeptical of such research, this study's use of judges and law enforcement officers as participants demonstrates the real-world relevance of the work.

"It's a challenge in psychological research to move in a persuasive way from the laboratory setting, and this is an important next step that builds on the long program of research that Dr. Lassiter pioneered," said Shari Seidman Diamond, Northwestern University Howard J. Trienens Professor of Law and co-author of the paper.

Lassiter's two decades of videotape interrogation research have led to changes in law enforcement policy. New Zealand, Wisconsin and Virginia, as well as the Innocence Project, a nonprofit organization dedicated to exonerating wrongfully convicted people through DNA testing, have used his work to push for amended regulations. Lassiter hopes his research eventually will influence wider legislative reform that would require equal-focus videotaping.

Source: Ohio University

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