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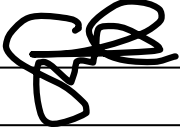
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The Effects of Documentary Interviews on Perceptions of Interrogations

A Thesis

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Katherine Hussey

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The Effects of Documentary Interviews on Perceptions of Interrogations

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Abstract

Confession documentaries frequently interview the attorneys and relatives of the wrongfully convicted—but where are the confessions experts? Does the information conveyed in these interviews matter? These questions are becoming increasingly important as the popularity of documentaries, specifically documentaries about false confessions, is on the rise. However, the effect that documentaries have on jury-eligible citizens' perceptions of confessions evidence has yet to be a topic of intense study. In this experiment, 271 participants watched a false confessions documentary interview of either a confessions expert who spoke about psychological research, the suspect's defense attorney who spoke about their experience with confessions, or the suspect's sister who gave a personal account of the case. After, participants read an interrogation transcript that included either a mild or severe crime and answered questions about their perceptions of that interrogation. I predicted that participants who watched the expert would be the most skeptical of confessions evidence. In general, the documentary had little effect on individuals' perceptions of the interrogation, but those who watched the expert were more likely to correctly define the definition of the interrogation tactic discussed in the interview clip. Overall, this shows that individuals can remember what they learn from documentary interviews, but they may not be able to apply that information to other interrogations.

The Effects of Documentary Interviews on Perceptions of Interrogations

Crime documentaries hold a special interest for many people, especially when they center around false confessions. People want to understand why someone like Amanda Knox, an American exchange student in Italy who was wrongly convicted of murdering her roommate, would confess to a crime they did not commit. But do these documentaries truly provide the insight we crave? Documentaries often employ interviews to educate the audience, but how often do these interviews include in-depth expert examinations of the psychological risk factors that precipitate false confessions? Unfortunately, the answer appears to be not often. Documentaries generally seem to exclude experts on the psychological aspects of false confessions from their lineup of interviewees. In fact, one popular docuseries centered on false confessions, *Confession Tapes*, interviewed all kinds of forensic and non-forensic professionals—even a kayak expert—but not an expert on false confessions. This begs the question: does who documentaries interview matter, and if so, why are more experts on the psychology of false confessions not included in documentaries?

This is an important question to examine as the popularity of confessions documentaries grows. If documentaries and the individuals they interview impact public perceptions of interrogations and false confessions, this could have implications for how jurors consider confessions in the courtroom. If jurors come to understand the psychological mechanisms behind interrogation tactics and their likelihood of precipitating false confessions, this could lead them to be more skeptical of confession evidence and perhaps lead to pushes to change interrogation methods. On the other hand, if all viewers get from these documentaries is entertainment for an hour or two and

perhaps some newfound facts about kayaks from a kayak expert, the implications are not as significant in terms of interrogation tactics and confessions evidence.

It is of the utmost importance to examine these questions surrounding false confessions due to the nature of confessions and confessions evidence. Confessions are one of the most heavily weighted pieces of evidence in trials (Kassin & Neumann, 1997), in part because most people believe that no one would go against their own self-interest and confess to something they did not do. People believe confessions are a reliable reflection of guilt because they do not believe anyone would falsely self-incriminate, as reflected by the finding that people are much more apt to believe a statement when it actively goes against that person's self-interest to make it (Kassin, 2012; Kassin, 2015). However, research has shown that people can and do falsely confess. In fact, the Innocence Project, an organization dedicated to exonerating those that have been wrongfully convicted with DNA evidence, found that 29% of wrongful convictions involved a false confession (innocenceproject.org).

A false confession becomes especially likely when suspects experience a coercive and stressful interrogation. Oftentimes, false confessions are the result of a suspect making the decision to confess to a crime that they did not commit in order to escape the stress of the situation (Kassin, 2015). Interrogations are coercive by their very nature, a fact underlined in the Supreme Court case *Miranda v. Arizona*, which put in place warnings, such as advising victims of their right to remain silent, to serve as a protection for suspects. This also outlined the inherently compelling aspects of interrogations (*Miranda v. Arizona,* 1966).

The occurrence of false confessions has important implications in the court system. Confessions have traditionally been one of the strongest pieces of evidence for guilt in trials. A study by Kassin and Neumann (1997) found that participants rated confession evidence as more impactful on their evaluation of a suspect's guilt than both eyewitness and character testimony. Furthermore, confessions evidence can have an impact on other evidence in trials via forensic confirmation bias, which occurs when information such as confessions interfere with and alter both lay and expert judgments on forensic evidence (Kassin et al., 2013). This means that both experts and lay individuals who are aware of a suspect's confession may analyze and interpret forensic evidence, such as the presence of fingerprints, in a way that confirms that confession. Confessions evidence is so powerful that it is difficult for individuals to disregard it after it is presented; both jurors and judges are unable to discount retracted confessions evidence once they have heard it (Kassin & Sukel, 1997; Wallace & Kassin, 2012). Due to the potency of confessions evidence, it is extremely important to determine tactics used in interrogations that may increase the risk of a suspect falsely confessing.

Minimization

There are many factors that increase the risk of false confessions in interrogation situations. One such factor is the type of tactics used by the detectives in the interrogation room. In the United States, interrogators are legally permitted to use one controversial tactic called minimization. Minimization involves interrogators downplaying the perceived moral severity of the crime. For example, when discussing the tactic of minimization, one book designed for an interrogator audience encouraged interrogators to *"contrast spur-of-the-moment versus premeditated"* (Senese, 2005, p.101) when

discussing the suspect's thought process, emphasizing the decreased moral severity of spur-of-the-moment crimes. The book also encourages interrogators to "suggest the victim could afford the loss" (p.101) when they are interrogating someone suspected of robbery, with the idea that the victim was not seriously hurt by the crime and thus again leading to a decrease in the crime's moral severity In the U.S. Supreme Court case *Bram vs. United States* (1897), the court ruled that any confessions obtained through the use of either direct or implied promises were to be inadmissible. This ruling would seem to indicate that confessions obtained through the use of minimization would be considered inadmissible in court. However, as Heavner's (1984) exploration of North Carolina courts' views on the matter reveals, this has not traditionally been the case; simple implications of leniency do not necessarily preclude the admissibility of confessions in court.

Psychological research has found that minimization can lead individuals to infer leniency. That is, they come to believe that they will not be punished harshly because the interrogator downplays the moral seriousness of the crime. This occurs through what is called pragmatic implication, which involves individuals making inferences from a statement that does not necessarily explicitly present the meaning drawn from it (Luke & Alceste, 2020). For instance, the statement "it would be amazing if you could pass the salt" is taken to mean that the speaker would like someone to pass them the salt, as opposed to the literal meaning that the speaker would be amazed if someone was able to pass the salt. Minimization therefore can make people believe they will not be punished overly harshly, which may in turn induce them to confess. In a 2005 study, Russano and colleagues utilized a cheating paradigm in which some participants were compelled to

cheat by a confederate while others were not. All participants were then subject to

interrogations whose purpose was to bring about a confession. This study found that

minimization tactics not only significantly increased the number of false confessions

from participants accused of cheating, but participants did not report feeling more

pressure to confess than those participants who did not experience minimization tactics in

the interrogation situation. Luke and Alceste (2020) further explored this idea through a

series of experiments examining participants' sentencing expectations and perceptions of

leniency after reading interrogation transcripts. This study found that participants who

read interrogation transcripts where interrogators used minimization generally expected

the suspect to receive a more lenient sentence and thought the crime was significantly

less severe than other conditions.

A study by Kassin and McNall (1991) examined how participants viewed

minimization tactics in comparison to direct promises of leniency or direct threats. This

study found that participants were more likely to endorse the conviction of a suspect

when minimization tactics were used as compared to the other tactics. Furthermore,

participants were more likely to rate the interrogator as sympathetic when they used

minimization. This shows that minimization impacts the belief that a suspect is guilty and

tends to not be viewed as a coercive tactic utilized by the interrogator to elicit a

confession. Interestingly, the 1991 Kassin and McNall study also found that 47% of the

participants rated confessions which were obtained through minimization as being

involuntary but indicated that the suspect was guilty. In other words, participants saw

confessions as coerced, but that did not make participants believe the suspect was

innocent. Altogether, these findings show that minimization tends to increase the rate of

confessions and the risk of false confessions, but not the perception that a confession is

coerced. This is why experts are needed; if they could describe the impact of

minimization as well as the tendency for people to not view it as inherently coercive, this

could increase jurors' understanding of the coerciveness of the tactic.

Educating Jurors about False Confessions

Because confessions are one of the more influential pieces of evidence in a trial, it

is important to educate juries on the risk factors that make them more likely. Many

potential jurors are unaware of the coercive nature of interrogations as well as the

possibility of false confessions occurring (Alceste et al., 2020). Studies show that

potential jurors underestimate (1) how coercive interrogations are, (2) the likelihood of

false confessions, and (3) the overall impact confessions have on the outcome of a case

(Blandón-Gitlin et al., 2011; Costanzo et al., 2010; Leo & Liu, 2009). The justice system

utilizes expert testimony as a safeguard against potentially problematic evidence such as

false confessions (Blandón-Gitlin et al., 2011). Research has shown that informing jurors

of the coercive nature of interrogations and of the risk factors associated with false

confessions via testimony by an expert witness tends to lead them to place less weight on

the confession when such risk factors are present in the interrogation (Henderson &

Levett, 2016; Woody & Forrest, 2009). Expert testimony can lead to a "skepticism

effect," in which jurors are less likely to take evidence at face value (Woestehoff et al.,

2016). This suggests that jurors who are more informed about the risk factors associated

with false confessions will tend to be more skeptical of such evidence when it is

presented in court.

Although the effects of expert testimony are important to examine, the extent to which other forms of information may impact juror decisions cannot be ignored. This is particularly relevant today, as interest in and exposure to false confession cases has increased. Public attention on police interrogations and false confessions is at an all-time high, due in part to the popularity of documentaries such as *Confession Tapes, Making a Murderer,* and *When They See Us*. *When They See Us*, a mini-series that dramatizes the infamous Central Park Jogger case and the five wrongful convictions that it produced, was Netflix's most-watched series for almost two weeks after it was released (Bennett, 2019).

This increase in attention to interrogations and confessions in the media seems to correspond with an increase in the awareness of the risk factors and prevalence of false confessions. A recent study conducted by Mindthoff et al. (2018) examined the effect of exposure to false confessions media on potential jurors' perceptions. Participants completed a survey about their general perceptions regarding interrogations, false confessions, and the admissibility of confessions evidence, as well as their familiarity with false confessions cases. Mindthoff and colleagues found that participants who were familiar with false confessions cases were more likely to agree that a suspect would falsely confess, especially with the presence of coercive interrogation tactics. Importantly, they also found that respondents did not give as much weight to confessions evidence as previous studies found (Kassin, 2012), reflecting the possibility that perceptions about confessions evidence are beginning to change. Additionally, Hayes-Smith and Levett (2011) found that participants who watched more crime shows generally required more evidence to convict a suspect. This study had participants read

one of three trial vignettes about a shooting in which there was no forensic evidence,

moderate forensic evidence in the form of fingerprints found on the gun, or strong

forensic evidence in the form of both fingerprints on the gun and ballistic evidence.

Participants then answered questions about the verdict they would give and their crime

media consumption habits. Overall, Hayes-Smith and Levett found that when there was

no forensic evidence, participants who consumed high levels of crime media were less

confident in their verdict decision. However, participants who consumed more crime

media were more confident in their decision of a guilty verdict when there was a low

amount of forensic evidence than those who consumed lower levels of crime media.

Furthermore, they found that the effect may not be limited to only crime media, but could

be related to overall consumption of media in general. These mixed results show that

although there is support for the idea that crime media affects juror perceptions and

decisions, the extent of any effect is still unclear, as is the psychological mechanism

behind it, showing the necessity of further study into the topic.

Documentaries

Recent attention on false confession documentaries begs the question: does

exposure to false confession cases and factors that lead to false confessions increase

jurors' ability to discern reliable from unreliable confessions? Very little has been done to

examine whether viewing documentaries can later affect whether jurors reach a guilty or

innocent verdict. Importantly, documentaries rely on interviews from people with

different careers and expertise. These interviews typically are meant to add context and

information for the viewer from the interviewee's perspective, and oftentimes many

individuals are interviewed. For example, in one 67-minute episode of *Making a*

Murderer, 16 different individuals were interviewed concerning the confession and

subsequent conviction of Brendan Dassey. These individuals ranged from a forensic

DNA consultant to a postconviction lawyer to family members of those convicted.

Noticeably, an expert on the psychological factors that go into false confessions is absent

from that list. A study by Woestehoff and colleagues (2016) showed that once potential

jurors learn certain interrogation techniques are coercive, they begin to perceive those

techniques and the confession following them differently. However, it is unknown the

extent to which varying levels of expertise may influence these perceptions.

Although it is unknown how much of an effect differing levels of expertise have

on viewer perceptions, it is easy to see that the content and presentation of information in

interviews varies with the expertise of the interviewee. A PhD might explain the

underlying psychological mechanisms which precipitate false confessions, a lawyer

might explain the particulars of a case involving false confessions, and a family member

may discuss the emotional impact false confessions have. This difference in the

information being presented by each interviewee makes the exclusion of experts on false

confessions potentially worrisome. If the audience does not gain a true understanding of

the mechanisms that lead to an increased risk of false confessions, do documentaries truly

increase knowledge of false confession risk factors and thus increase skepticism in

confessions evidence? Documentaries could educate jurors on the coerciveness of

interrogation tactics, but it is unknown to what extent they may do this and to what extent

the varying levels of expertise presented in documentaries may influence their

perceptions.

It is important, therefore, to examine whether the people interviewed and the content provided by documentaries impacts perceptions of the information presented, especially when that information concerns false confessions. The court system strives to provide fair trials judged by a jury of peers. The only way to truly ensure a fair trial is to not only guarantee jurors are provided with the information necessary to make an informed decision, but also to be aware of the impact information from outside sources, such as documentaries, have on their decision-making process.

The Present Study

In this study, we investigated whether the profession and content of an individual's interview for a documentary influences participants' judgments of an unrelated, but similar interrogation. We specifically examined the differences between the interviews of a psychological expert on false confessions, a defense attorney of a false confessor, and a family member of a false confessor. We expected that the participants who viewed the documentary clip where a psychological expert was interviewed would be more skeptical of confessions evidence and better able to understand the risk factors associated with false confessions than participants who watched the two other clips. We also expected that those who read the interrogation transcript with the mild crime would be more skeptical of the suspect's guilt and would be more likely rate the likelihood of a false confession higher than those who read the interrogation transcript with the severe crime.

<div align="center">**Method**</div>

This study employed a 3 (Documentary interview: expert, lawyer, relative) x 2 (Crime severity: mild, severe) between-subjects design in which participants were

randomly assigned to watch one of three seven-minute long clips from a documentary

discussing a false confession and then read one of two interrogation transcripts. The

videos were created for the study and varied by who was interviewed: a false confessions

expert with a psychology PhD, the false confessor's defense attorney, or the sister of the

false confessor. Participants then read one of two interrogation transcripts which varied

based on the severity of the crime and answered questions about the transcript in order to

determine their perceptions of the interrogation, especially the tactic of minimization.

Participants

An a priori power analysis revealed that we required 200 participants to detect an

effect size (Cohen's *f*) of .25 with 90% power. A total of 379 jury-eligible U.S. citizens

recruited via Amazon CloudResearch completed an online survey in two rounds of data

collection[1]. In the first round of data collection, a total of 217 participants completed the

survey. Of those 217, 20 were excluded for failing at least one compliance with

instructions test, 26 were excluded for failing to correctly identify the position of the

individual interviewed in the documentary, 3 were excluded for failing to correctly

identify the crime they read about in the interrogation transcript, and 1 was excluded for

failing to correctly identify the crime highlighted in the documentary (described in the

Materials section). Altogether, a total of 50 individuals were excluded from the first

round of data collection. Ten days later, 162 participants completed the survey in the

second round of data collection. Of those 162, 6 were excluded for having previously

completed the study, 19 were excluded for failing at least one compliance with

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[1] Data collection was separated into two rounds because we received a $420 grant that required the second round to be collected from the grant funder's CloudResearch account. By the time they got IRB approval to conduct our study, we had already collected the first round of data.

instructions check, 14 were excluded for failing to identify the position of the individual

interviewed in the documentary, 16 were excluded for failing to correctly identify the

crime they read about in the interrogation transcript, and 1 was excluded for failing to

correctly identify the crime highlighted in the documentary. Altogether, 58 were

excluded from the second round of data collection. A total of 271 participants' responses

were included in the sample, with 167 coming from the first round of data collection and

104 coming from the second round of data collection. Participants were paid $3 for their

participation. Overall, 51.29% of the sample was male (48.71% female), and the average

age was 36.81 years (SD = 11.10). With respect to racial and ethnic background, 77.86%

of the participants were White, 8.12% were Black/African-American, 4.44% were

Hispanic/Latinx, 7.38% were Asian/Pacific Islander, and 1.84% identified as another race

or ethnicity. With respect to the highest level of education received, 36.53% completed

high school, 15.87% had a Bachelor's degree, 1.11% had a Master's degree, 1.48% had a

PhD, and 45.02% had a JD or other professional degree.

Materials

Documentary Videos

Participants watched a 7-minute video clip of a documentary exploring a

wrongful conviction based on a false confession, created for this study. Though the

interview script changed depending on condition, the actor playing the interviewee was

held constant for each video so as to reduce potential confounds.

The clips all portrayed the same interrogation and false confession of a suspect of

car theft. Importantly, the interrogator in the video used the interrogation tactic of

minimization. The confessions expert identified the tactic used in the interrogation as

minimization and provided a description of a potential mechanism (Luke & Alceste, 2020) for how this tactic can lead to false confessions ("*…People…take what the officer is saying at face value, and they really think that confessing to the crime would not be that detrimental, since the interrogator has led them to believe the crime was not truly terrible*."). The attorney's script, in contrast, did not include information about what minimization is or how it works—lines were lifted from a real attorney who was interviewed on the *Confession Tapes* (*"It might take you a week, it might take me an hour, but we're all going to have our breaking point where we give up when you have a skilled interrogator on the other side of the table*," Loudenberg, 2017). The relative did not describe the tactic in psychological terms, but rather how a layperson might interpret the effects of minimization ("*I don't think that he would have said the things he said if they hadn't questioned him like that or if they hadn't tricked him*.").

Distractor Task

Participants completed a 4-minute distractor task in the form of a card matching task that required participants to flip two of four cards at a time and find pairs. The purpose of this task was to reduce demand characteristics so participants would be less likely to guess the aim of the study, which could have affected their responses.

Interrogation Transcript

Participants also read a transcript of an interrogation in which a suspect was being questioned about his involvement in one of two crimes. The crime the suspect was being questioned about was either mild (a nonviolent burglary) or severe (a burglary and a murder). Participants read background information detailing the crime for which the detective was interrogating the suspect. For the mild crime, this included the fact that a

TV and jewelry were missing, and that the detective carried out a month-long

investigation which ended with the identification of a person of interest (Clarence

McDonald) and his subsequent interrogation. The information for the severe crime was

the same, but included a description of the victim's body as well. Each transcript included

the use of the minimization tactic by the interrogator. For the mild crime, the interrogator

emphasized the fact no one was hurt and the ease with which the suspect could have

broken in (*"This could have been way worse. You didn't hurt anyone.", "They're*

practically asking for someone to come in and take their stuff."). This was similar in the

severe crime, but the interrogator emphasized the unintentional nature of the crime as

opposed to the fact no one got hurt (*"People have done way worse things."*). Varying the

crime allowed an examination into whether the severity of the crime had an effect on

perceptions of interrogation tactics.

Dependent Variables and Manipulation and Attention Checks

Interrogation Perceptions. Participants rated how likely it was, in their opinion,

that the suspect had actually committed the crime on a scale of 1-10, with one being

extremely unlikely and ten being extremely likely. They selected how hard they thought

the detective was trying to get the suspect to confess on a scale of 1-10, with one being

not at all and ten being extremely hard. They determined how voluntary a confession

would have been had the suspect confessed on a scale of 1-10, with one being not at all

voluntary and ten being completely voluntary. They scored how severe they thought the

crime was on a scale of 1-10, with one being not severe at all and ten being extremely

severe. Finally, they estimated both how many guilty suspects out of 100 and how many

innocent suspects out of 100 would confess under similar conditions. The purpose of these questions was to determine participants' perceptions of the interrogation.

Leniency Inferences (LI) and Conditional Leniency Inferences (CLI).

Participants were also asked if they endorse or reject six statements regarding their judgments about sentencing. Leniency inferences (LIs) involve participants inferring that a suspect will receive a lighter sentence, and conditional leniency inferences (CLIs) involve participants inferring a suspect will receive a lighter sentence *in exchange for a confession* (Luke & Alceste, 2020). LI statements included (1) whether they believed the suspect's sentence would be shorter, (2) whether they believed the suspect would not be sentenced harshly, and (3) whether the suspect would be treated relatively leniently. Participants also read statements concerning their CLIs, including (1) whether they believed the suspect would receive a lighter sentence if he confessed, (2) whether they believed the suspect would receive a harsher sentence if he continued to deny involvement in the crime, and (3) whether they believed the interrogator would convince the prosecutor to recommend a more lenient sentence if the suspect confessed. For each question, participants indicated whether they believed it was true, false, or could not be determined. Every participant received two scores from zero to three representing their leniency inferences, with zero indicating that they did not endorse any statements and three indicating that they endorsed all three statement by selecting "true". This allowed for an examination into whether or not participants took the minimization tactic at its face value or if they inferred leniency from it. In order to examine whether participants believed there was an explicit promise of leniency as opposed to an inferred promise,

participants also reported whether they believed the detective promised the suspect a more lenient sentence if he confessed, selecting "yes", "no" or "don't know".

Minimization Definition. Participants selected what they believed the definition of minimization to be from a selection of seven options, with one of the options being "Don't know". The instructions instructed them not to guess, but to select "don't know" if they did not know. This allowed for an examination into whether or not participants learned the correct definition of minimization from the documentary interview they watched, and only those who watched the expert should have been able to identify the correct definition.

Manipulation Checks. Participants selected who was being interviewed by the documentary in the video they watched, choosing between expert, lawyer, and relative, in order to determine whether they remembered who was interviewed. Participants selected which crime the suspect was being interrogated for in the interrogation they read, choosing between nonviolent burglary, murder, wire fraud, and arson. Their answers varied based on the transcript they read, and this ensured that participants were aware of the crime the suspect was being interrogated for.

Attention Checks. Participants completed questions at the beginning and end of the study to ensure they agreed to comply with the instructions of the survey, which including maximizing their web browser, completing the survey in a single session, not taking notes or using their browser's back or refresh buttons, turning their audio all the way up, and completing the survey in an environment without distractions. Participants selected what crime the suspect was being interrogated for in the documentary video, choosing between car theft, murder, and arson, in order to determine that the participants

were paying attention to the video. Participants also selected the name of the suspect that was being interrogated, though participants who answered incorrectly on this measure were not excluded because of the a priori determination that not knowing the name of the suspect being interrogated did not necessarily indicate the participant was not paying attention to the video.

Procedure

Participants first provided informed consent and responded to questions concerning their compliance with the instructions of the experiment. Then, each participant was randomly assigned to watch one of the three documentary clips that interviewed either a false confessions expert, the false confessor's defense attorney, or the false confessor's sister. After watching the clip, participants answered three questions about the documentaries, one of which was a manipulation check to ensure participants were aware of the person interviewed in the documentary, and two of which were attention checks to ensure the participants were paying attention to the video. After finishing these questions, participants completed the distractor task to mitigate any potential demand characteristics.

Participants then read one of two interrogation transcripts that involved the use of the minimization tactic, one including the mild crime of non-violent burglary and the other including the severe crime of murder and burglary. After reading the transcript, participants completed questions concerning their perceptions of the interrogation and the minimization tactic used, as well as a manipulation check question ensuring they had noted the crime the suspect was being interrogated for in the transcript. Participants then

responded to demographic questions and questions to ensure they had complied fully

with the instructions of the experiment.

Results

For each dependent variable, we analyzed the results for the main effects of

documentary interview type (expert, attorney, relative) and crime severity (mild, severe),

as well as their interactions. In order to test our hypotheses, we conducted two-way

analyses of variance for each variable.

Interrogation Perceptions

Guilt Likelihood

There was a significant main effect of documentary interview on participants'

perceptions of the likelihood the suspect was guilty, F (2, 265) = 3.15, p = .045, η^2 =

.023. Participants who watched the expert (M = 3.14, SD = 1.88) tended to rate the

likelihood the suspect was guilty the lowest, followed by those who watched the attorney

(M = 3.36, SD = 2.10), with those who watched the relative (M = 3.78, SD = 1.73) rating

the suspect as more likely to be guilty. A post-hoc analysis showed that only participants

who watched the expert and those who watched the relative significantly differed, with

those who watched the expert rating the likelihood of guilt significantly lower than those

who watched the relative, p_{tukey} = .043, 95% CI [-1.30, -0.016]. The crime severity did not

have a significant main effect on participants' ratings of the likelihood of guilt, F (1, 265)

= 0.30, p = .58, η^2 = .001. The interaction between crime severity and documentary type

had a significant effect on participants' perceptions of the likelihood of the suspect's

guilt, though not in the hypothesized direction, F (2, 265) = 3.52, p = .031, η^2 = .025.

Those who watched the attorney and read the mild crime rated the suspect as being

significantly more likely to have committed the crime than those who watched the

relative and read the mild crime (see cell means in Table 1) to rate the likelihood of the

suspect's guilt to be lower.

Interrogator Effort

There was not a significant main effect of documentary for participants' ratings of

how hard the interrogator was trying to get the suspect to confess, F (2, 265) = 1.59, p =

.21, η^2 = .012. There was also not a significant main effect of crime severity for this

measure, F (1, 265) = .22, p = .64, η^2 < .001. However, the documentary x crime severity

interaction was significant, F (2, 265) = 3.02, p = .05, η^2 = .022. A post-hoc analysis

showed that participants who watched the attorney interview and read the transcript with

the mild crime (M = 9.58, SD = 0.87) rated the interrogator to be trying harder to get the

suspect to confess than those who watched the relative and read the transcript with the

mild crime (M = 8.71, SD = 1.59), though this did not quite reach significance (p_{tukey} =

.054, 95% CI [-0.01, 1.75]). Those who watched the expert and read the mild crime did

not differ significantly from those who watched the attorney or those who watched the

relative. It is important to note that this analysis violated the homogeneity of variance

assumption. The data for this variable was negatively skewed, as most participants

believed the interrogator was trying extremely hard, meaning there was a ceiling effect.

Voluntariness of Confession

Recall that we asked participants to rate how voluntary the suspect's confession

would be, were he to confess to the crime. There was a significant main effect of the

documentary on participants' ratings of how voluntary they believed the suspect's

confession would be, F (2, 263) = 3.48, p = .032, η^2 = .026. Post-hoc analysis revealed

that those who watched the attorney ($M = 3.60$, $SD = 2.46$) rated the suspect's confession, were he to confess, to be more involuntary compared to those who watched the relative ($M = 4.47$, $SD = 2.58$), $p_{tukey} = .05$, 95% CI [-1.84, 0.001]. Those who watched the expert did not differ significantly in their voluntariness ratings from those who watched the attorney or those who watched the relative. There was not a significant main effect of crime severity, $F (1, 265) = 0.42$, $p = .52$, $\eta^2 = .002$. The documentary x crime severity interaction was also not significant, $F (2, 263) = 0.89$, $p = .41$, $\eta^2 = .007$.

Crime Severity

There was not a main effect of documentary on participants' ratings of how severe they believed the crime was, $F (2, 264) = 0.007$, $p = .99$, $\eta^2 < .001$. There was a main effect of crime severity on participants' perceptions on crime severity, $F (1, 264) = 522.97$, $p < .001$, $\eta^2 = .66$. Participants who read the mild crime ($M = 5.56$, $SD = 1.93$) rated the crime as less severe compared to those who read the severe crime ($M = 9.65$, $SD = 0.69$). This shows that the crime severity manipulation had the intended effect on participants' perceptions of how severe they believed the crime was.

How Many Guilty and Innocent Suspects Out of 100 Would Confess

Participants' ratings of both how many guilty suspects out of 100 and how many innocent suspects out of 100 would confess in a similar situation were not impacted by the independent variables as hypothesized. There was not a significant main effect of documentary on either participants' estimates of how many guilty suspects would confess ($F [2, 265] = .59$, $p = .56$, $\eta^2 = .004$) or participants' estimates of how many innocent suspects would confess ($F [2, 263] = 0.35$, $p = .71$, $\eta^2 = .003$). There was also not a significant main effect of crime severity for estimates of confessions from either guilty (F

[1, 265] = 0.34, p = .56, η^2 = .001) or innocent (F [1, 263] = 0.91, p = .34, η^2 = .004)

suspects. This pattern was also found with respect to the documentary x crime severity

interaction, in that the interaction was not significant for estimates of confessions from

either guilty (F [2, 265] = 1.19, p = .31, η^2 = .009) or innocent (F [2, 263] = 0.58, p = .56,

η^2 = .004) suspects.

Leniency Inferences

LI

Interestingly, there was not a significant main effect of documentary on

participants' LIs (F [2, 265] = .73, p = .48, η^2 = .005), but there was a significant main

effect of crime severity (F [1, 265] = 8.50, p = .004, η^2 = .03). Participants inferred

leniency significantly more when the crime was mild (M = 0.45, SD = 0.93) than when it

was severe (M = 0.19, SD = 0.57) (Figure 1). The documentary x crime severity

interaction was not significant, F (2, 265) = 0.29, p = .75, η^2 = .002.

CLI

This pattern was mirrored with respect to CLI; there was not a significant main

effect of documentary on participants' CLIs (F [2, 265] = 1.08, p = .342, η^2 = .008), but

there was a significant main effect of crime severity (F [1, 265] = 6.44, p = .01, η^2 = .02).

Once again, participants who read transcript with the mild crime (M = 1.04, SD = 1.12)

were significantly more likely to infer conditional leniency than were participants who

read the transcript with the severe crime (M = .73, SD = 1.01) (Figure 2). As with

participants' LIs, the documentary x crime severity interaction was not significant, F (2,

265) = 0.22, p = .81, η^2 = .002.

Was There a Promise?

These were significant findings with regard to participants' inferences of leniency and conditional leniency, but this significance did not extend to whether or not participants believed there was an explicit promise on the part of the detective. There was no main effect of documentary (F [2, 265] = 1.20, p = .30, η^2 = .009) or crime severity (F [1, 265] = .29, p = .59, η^2 = .001), nor was there a significant effect for the documentary x crime severity interaction (F [2, 265] = 0.41, p = .67, η^2 = .003).

Minimization

Recall that we asked participants to correctly identify the definition of minimization, with the belief that only those who had watched the expert would choose correctly. As hypothesized, there was a significant main effect of documentary on whether participants could identify the correct definition of minimization, F (2, 265) = 41.01, p < .001, η^2 = .23. A post-hoc analysis revealed that, of those participants that watched the expert interview, 86.87% chose the correct definition (SD = 33.9%), whereas 46.75% of those who watched the attorney interview (SD = 50.2%; p_{tukey} < .001, 95% CI [.26, .57]) and 32.63% of those who watched the relative interview (SD = 47.1%; p_{tukey} < .001, 95% CI [.41, .7]) chose the correct definition. There was not a significant effect of crime severity (F [1, 265] = 2.88, p = .09, η^2 = .008), nor was the documentary x crime severity interaction significant (F [2, 265] = .02, p = .98, η^2 < .001).

Discussion

Documentaries centered around false confessions have captured the public's attention, and brought false confessions more into the public eye than ever before. However, these documentaries typically exclude expert explanations of the psychological mechanisms in interrogations that may increase the risk of false confessions. This has

concerning implications in terms of what jury-eligible individuals may be learning from

them. The present study found that individuals seem to retain the information they learn

from documentary interviews, but are unable to apply that information to other

interrogation situations.

Perceptions of Interrogations

One result of note involves participants' perceptions of the interrogations they

read. Specifically, individuals who watched the expert and individuals who watched the

attorney tended to rate the suspect as least likely to be guilty, while the individuals who

watched the relative tended to rate the suspect as more likely to be guilty. This relates to

Woesthoeff and Meissner's (2016) finding that expert testimony regarding interrogations

can lead jurors to examine the tactics used in interrogations differently. The current study

builds on this finding, showing that those who watch an interview of a false confessions

expert are more likely to understand the impact of an interrogation, and thus more likely

to believe a suspect is innocent.

However, this finding did not expand to other questions concerning interrogation

perceptions; in general, the documentary interview did not have a significant impact on

individuals' perceptions of interrogations and confessions. Most participants seemed to

believe the interrogator was trying hard to get the suspect to confess, and that the

suspect's confession, were he to confess, would be fairly involuntary. This is promising,

as it potentially shows a movement toward increased awareness of the coercive nature of

interrogations. Mindthoff et al. (2018) found changes in attitudes toward confessions

evidence in this direction, and these results seem to support that finding, though it is

important to note that participants still generally believed that most suspects would not

falsely confess in a similar interrogation situation to the one they read. Therefore, the

disbelief in the occurrence of false confessions is still present even as there is movement

toward a greater understanding of the coercive nature of interrogations.

   Although people may be somewhat more aware of the coerciveness of

interrogations than in years prior, there seems to be a disconnect between that knowledge

and its application to actual interrogation situations. The general lack of significant

differences between the interview groups shows that the information individuals may

learn from these interviews, specifically the technical information provided by experts, is

not applied when it comes to an evaluation of other interrogations. Participants seemed

unable to apply the information they learned in the documentary clip to the interrogation

transcript they read. This could be a result of the difference in the appearance of the

tactic; minimization was used in both the documentary and the transcript interrogations,

but the actual content of the tactic differed because the crimes differed, which may have

caused participants not to recognize the tactic. However, it is clear that this was not a

result of the participants not retaining the technical explanations they heard. The

participants who watched the expert were significantly more likely to be able to identify

the correct definition of minimization compared to those in the other groups. Rather, this

reflects a problem with applying that technical definition to other interrogation situations.

   These findings potentially have important implications for both the impact of

documentaries about false confessions and expert testimony. As far as documentaries go,

these results do point to the necessity of having expert interviews in documentaries.

Though participants generally did not have significantly different perceptions of

interrogations, they did remember the technical definition for minimization. This shows

that if documentaries wish to fully inform their audiences, they should include experts who are able to discuss the psychological mechanisms behind interrogations and confessions. In terms of expert testimony, these results point to the idea that expert testimony may be more beneficial when it does not provide examples from other cases, or when it specifically states that interrogation tactics look different in every single case. This may help people generalize the information they learn from the expert and apply it to the case at hand.

Leniency Inferences

Another finding of note involves participants' leniency inferences. Specifically, individuals who read the transcript containing the mild crime were more likely than those who read the transcript with the severe crime to endorse both leniency inferences and conditional leniency inferences. Luke and Alceste (2020) examined the impact of minimization on leniency and conditional leniency inferences, but the present study systematically examined the impact that crime severity has on these inferences. The relationship of leniency inferences to crime severity shows that minimization, to the extent that it leads individuals to infer leniency, has more impact for mild than severe crimes. This may be due to the perception that, for severe crimes, investigators will not be able to advocate for more lenient sentencing on behalf of the suspect. The impact of minimization reinforces the idea put forth by Luke and Alceste (2020) that the use of minimization tactics needs to be examined by the courts. Individuals do seem to make inferences that a suspect will be treated more leniently when interrogators use this tactic, displaying the coercive nature of the tactic.

Limitations

The current study did have some limitations. There is the possibility that the nature of our materials led to a ceiling effect for some of our measures. For instance, most participants believed that the interrogator was trying very hard to get the suspect to confess, and it is possible that there was a ceiling effect for the responses on that measure. Furthermore, the participants overwhelmingly believed the suspect was innocent, perhaps because there was no other evidence presented in the case. This ceiling effect may have impacted the statistical significance of these results.

Furthermore, there was a confound regarding the content of the interviews and the position of the individual interviewed. The content of the interview varied depending on who was being interviewed, meaning that we are unable to determine whether the content or simply the title of the interviewee impacted individuals' perceptions. However, this confound might be naturally occurring, in that an expert on false confessions and a relative that talks about false confessions will most likely not use the same terminology or concepts.

Future Research

Future studies could examine in greater detail whether it is the title or the content of interviews that impacts individuals' perceptions of interrogations by varying either only the title of the interviewee or only the content of the interview. Future studies should also replicate and examine the relationship between different levels of crime severity and leniency inferences with respect to the tactic of minimization, as well as the comparison between viewers' leniency inferences and suspects' leniency inferences. We need to know if understanding the psychology of tactics like minimization can influence people's

perceptions of interrogations and confessions, and future studies could examine that question more deeply.

Conclusion

Overall, the current study points to the importance of psychological experts' inclusion in documentaries. An expert's descriptions of the psychology behind the mechanisms that make interrogations coercive is necessary to give viewers more accurate knowledge. However, the current study also calls into question the efficacy of these descriptions in their application to other interrogation situations. If people cannot apply what they learn from expert interviews to other interrogations and confessions, then there are concerning implications not only for what people are truly getting from false confessions documentaries but also potentially for the effectiveness of expert testimony in trials.

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Table 1

Cell means (SD; n) for guilt likelihood measure by documentary interview type and crime severity.

	Expert	Attorney	Relative
Mild	3.14 (2.07; 58)	2.82 (2.26; 33)	4.09 (1.75; 44)
Severe	3.15 (1.59; 41)	3.77 (1.89; 44)	3.51 (1.69; 51)

Note. Guilt likelihood was measured on a scale of 1-10, with 1 being not at all likely and 10 being extremely likely.

Figure 1

LI and Crime Severity
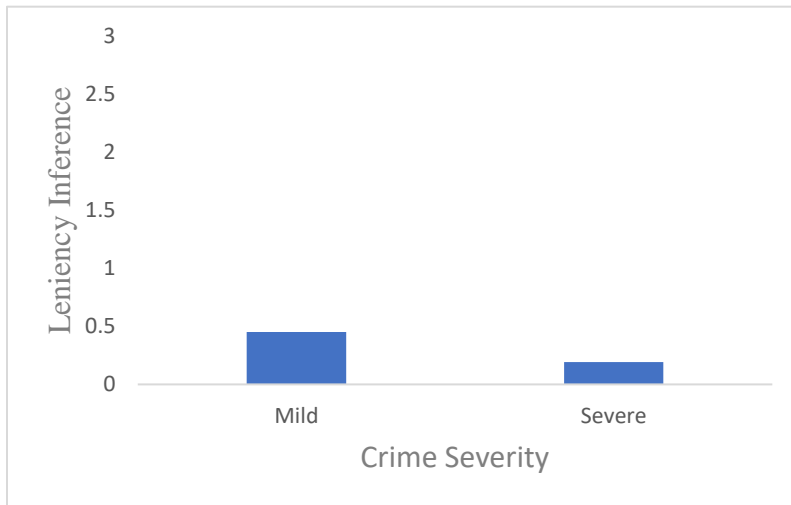
Note. Participants' LI scores were rated on a scale of 0-3, with 3 indicating the participants endorsed three leniency inferences (the maximum amount) and 0 indicating they did not.

Figure 2

CLI and Crime Severity
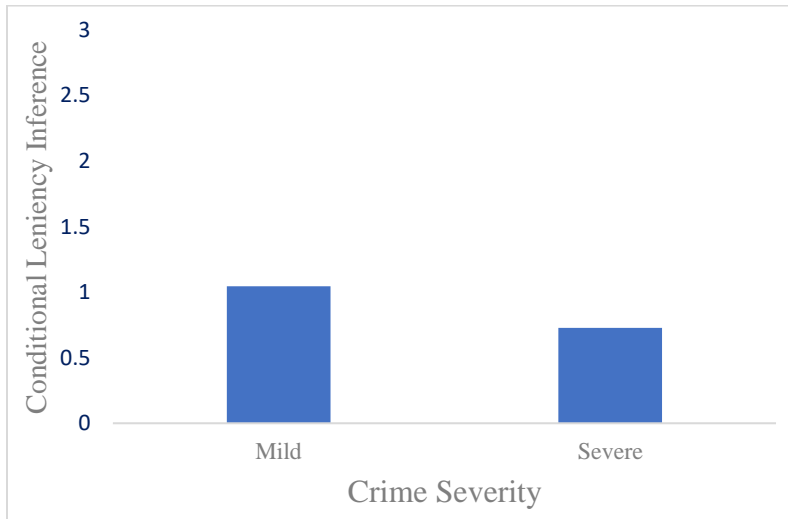
Note. Participants' CLI scores were rated on a scale of 0-3, with 3 indicating the participants endorsed three conditional leniency inferences (the maximum amount) and 0 indicating they did not.