

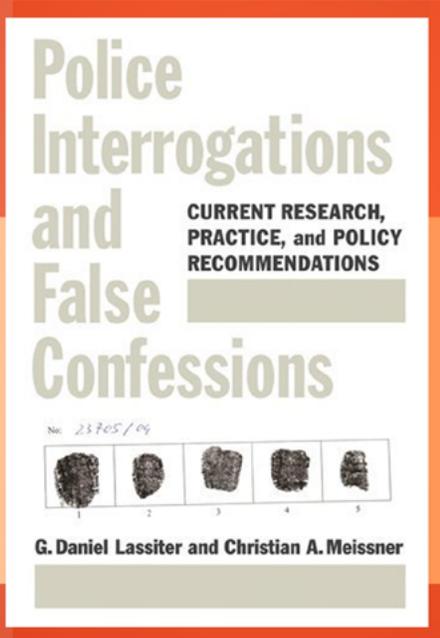


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THE JURY EXPERT BOOK REVIEW

POLICE INTERROGATIONS AND FALSE CONFESSIONS

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THE TITLE OF THIS BOOK assumes a disturbing premise—that police interrogations are linked to confessions of people for crimes they didn’t commit. And of course, for many people it is a controversial position, perhaps even “anti-cop”. To those who have served as officers, studied false confessions, or observed the strengths and weaknesses of the criminal justice system, there is no controversy. The connection is inescapable.

This is a collection of chapters written by well-known scholars in the area of false confessions and police interrogations. A review of the [Table of Contents](#) shows a stimulatingly broad range of topics. You will find the expected reviews of research on police interrogations and false confessions and then everything from juvenile interrogations, the difference between false confessions and false guilty pleas (which takes you into the shadowy arena of plea bargains), chapters on recording the interrogation (one of which educates on camera angles that reduce observer bias), how to most effectively give the oral *Miranda* warning, the expert witness (including identification of the five most common challenges to expert testimony and

suggestions for refuting those challenges), and a whole lot more.

I read this book as part of the research review for our [lead article on False Confessions](#) (co-authored with Douglas L. Keene, PhD). Thanks to a comment in the introduction of this book (and contrary to my approach in reading fiction), I began at the end.

“This volume’s coda comes in the form of a brief afterword by Saul M. Kassin, perhaps the most recognized scholar associated with the science of interrogations and confessions. Kassin first takes stock of the current state of research, policy and practice in the area. He then offers suggestions on future directions, with the ultimate goal being that the criminal confessions that are the most compelling are those whose truthfulness has been rigorously assured.” [page 7]

I found Kassin’s coda to be a useful framework for organizing the voluminous data covered by these researchers. The coda is, by itself, a terrific summation of the well-organized research

presented in the body of the book. In truth, I wish I'd read this book first rather than at the end of my review of the enormous body of writing on false confessions. In 249 pages, these writers cover the essentials and much more. Most of the chapters use case examples to bring the issues to life and help the reader to apply the research findings to a real person struggling with systemic problems. The case examples are compelling and bring, as Robin Hanson is fond of saying over at the [Overcoming Bias](#) blog, the issues from “far” to “near”. In other words, the research (which is distant and theoretical—that is, “far”) is brought much more “near” to us as we are confronted with the true-life experience of an actual fellow human being.

I found myself especially intrigued (read: especially disturbed) with the chapter by Allison Redlich comparing false confessions and false guilty pleas. While I knew generally about the concept of false guilty pleas, I found the descriptions and research in this chapter gave me a much more resonant understanding of the intense emotional commitment I see so many criminal defense attorneys bringing to the work they are driven to perform.

If you enjoy reading blogs (as I do) I would encourage you to take a look at [Gamso For the Defense](#), or the anonymous blog of [a public defender](#). These are not happy, feel-good writers. But they write blogs replete with examples of the emotional toll it takes to defend those charged with (often) heinous offenses and the constant energy required to push back against the legal system to ensure the rights of their clients are protected.

I also found the chapter by Ray Bull and Stavroula Soukara on police interviews as they occur now in England and Wales

of special interest. The literature on false confessions invariably includes discussion of how interrogations are conducted in Great Britain, and the reforms they have instituted. Their emphasis has moved away from working toward a confession and toward an intense focus on maximizing the information gathered so they can identify the truly guilty with more confidence. Obtaining the confession (a tidy way to wrap up the investigation) is not the focus of the effort, and this is a major strategic shift in methodology. I found the data presented from actual police interviews in both England and Wales to be intriguing. While it takes time to shift from one goal (e.g., confession) to another (e.g., information-gathering)—this chapter shows us that it actually is happening.

Overall, this is a very useful overview of the ever-increasing research on this controversial and ultimately very sad area of our justice system. Yet, I felt hopeful after reading it. There are horribly discouraging case examples, yes. But there are also recommendations (much like we bring you in *The Jury Expert*) for how to use this research in your day-to-day practice of litigation advocacy.

There are times when I read a book and then move on. There are other times when I read a book and find myself returning to its content over and over again as I consider practice issues. This book is most definitely of the latter variety. For that reason, I would recommend this volume to attorneys, law students, trial consultants and, honestly, to anyone who is interested in our legal system and the pitfalls to fairness and justice that can lie in wait along the way. 🍷

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Police Interrogations and False Confessions: Current Research, Practice, and Policy Recommendations.

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