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The Role of Vulnerability Factors and Race on Judgements about False Confessions

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Abstract

It has been known for at least two decades that people can and do produce false confessions. Various disposition factors have been demonstrated to contribute to the production of false confessions such as the age of the suspect, the presence of mental health symptoms, whether an individual was under the influence of substances, and presence of intellectual disability, however, it is not clear how potential jurors understand these factors. Further, no one has examined what role race plays in the acceptance of false confessions as true, although it has been established that there are significant racial disparities in the criminal justice system, and it appears that it may also play a role in false confessions. The current research evaluated how participants weigh various disposition factors, including the impact of mental health symptoms, age, presence of intellectual disability, and intoxication, as contributing to a person confessing to a crime they did not commit. Participants (n = 247) listened to an audio recording of an interrogation that resulted in a confession and completed a survey about their perceptions of the interrogation. Half of the participants were told that the suspect was Black while the other half were told the suspect was white. A 2 (race of participant) x 2 (race of suspect) ANOVAs compared ratings of each vulnerability factor. There were neither main effects nor interactions for any of the factors, except age, where there was a main effect for participant race, with Black participants rating a suspect being under the age of 18 as contributing significantly more to a false confession than did white participants. Additionally, the values assigned to most vulnerability factors indicate that risk to false confessions are not well known by most individuals.

Keywords: false confession, race, vulnerability factors, age

The Role of Vulnerability Factors and Race on Judgements about False Confessions

In recent years, there has been increasing recognition and study of racial biases within the criminal justice system. For example, research has demonstrated that while anyone can falsely confess, individuals are not of equal risk for wrongful convictions such that BIPOC individuals are far more likely to be found guilty of a crime they did not commit (Kassin & Kiechel, 1996; The Innocence Project, 2020). These findings suggest that features of interrogations may contribute to wrongful convictions. These factors include widely used tactics that employ strategies designed to extract information and, ultimately, confessions from suspects. Unfortunately, these tactics are unsuccessful at differentiating between legitimate confessions of actual guilt and false confessions.

Confessions have been instrumental in the judicial and prosecutorial processes for hundreds of years, and have long been considered the most influential and effective evidence in securing convictions against suspects and defendants in courtrooms (Kassin & Gudjonsson, 2004; Kassin, 2010). It is well understood and well documented from legal history that confessions hold more weight in court than other forms of evidence (Gudjonsson, 2005; Kassin et al., 2018). Their power in the courtroom is largely attributed to the common assumption that people would not confess to a crime they did not commit (Kassin, 2010). In addition to that perception, false admissions of guilt are often narratives filled with specific details about the crime itself, the victim(s), and the scene of the crime that seem to indicate that the confessor holds information that only the perpetrator would know, although studies have shown that the information was shared with the suspect during the process of the interrogation (Kassin, 2010). Despite studies that have documented problems with confession evidence, jurors and judges continue to highly value and trust confessions of guilt.

Further compounding the weight that confession evidence holds are the interrogative techniques that contribute to false confessions cited by numerous studies. Most of these techniques, which continue to be widely used, were popularized by Reid and colleagues (Inbau & Reid, 1967) who developed training manuals for law enforcement officials that rested on assumptions about suspects and involved questioning strategies that had no empirical basis. This approach, often referred to as the "Reid Technique," rests on the assumption of a suspect's guilt and were developed with the intention to extract confessions from suspects (Kassin et al., 2010; Taslitz, 2006). Among other strategies, interrogators are instructed to use deceptive measures that implicate (or could implicate) the suspect (Perillo & Kassin, 2010). However, research demonstrates that these tactics can, and do, induce false confessions (Perillo & Kassin, 2010).

In addition to the interrogative tactics that have been shown to contribute to the production of false confessions, there are other factors that have been shown to increase one's susceptibility to falsely confess (Kassin, 2008). These factors include, but are not limited to, the presence of a defendant's mental illness, experiencing interrogation induced stress, or being a juvenile (Kassin, 2015). When examining confessor risk factors and their impact on false confessions, mental illness, low IQ, age, and level of suggestibility were all rated as ranging from moderately to largely contributing to the incidence of false confessions (Henkel et al., 2008). The empirical support for these vulnerabilities, which will be described in greater detail below, has been well established through analysis of known false confession and empirical studies, although it is not clear that they are well known by the general public.

Early research suggested that the presence of mental illness increases the likelihood that one will falsely confess (Gudjonsson, 2005; Kassin & Gudjonsson, 2004). However, more recent studies have examined how specific mental health symptoms could impact the likelihood that a person would falsely confess. While there is not extensive research on how different disorders

might impair suspects' abilities to understand their rights or be resistant to the type of questioning used in interrogations, what has been demonstrated is that those individuals with more serious psychopathology appear to be overrepresented amongst known false confession cases (Kassin et al., 2010). Specifically, between 9% and 10% of those who produced known false confessions had some mental health issues that were evident at the time of the trial (Drizin & Leo, 2004; The Innocence Project, 2020). Further, offenders with mental illness self-reported a 22% lifetime false confession rate compared to a 2-5% rate among a sample of inmates without mental illness (Loeffler, et al., 2019; Redlich, 2007).

Another substantial risk factor for false confessions is being a juvenile. Gudjonsson (2005) found that the younger a suspect, the easier it was to extract incriminating statements in their empirical examination of confessions. Examination of situations in which a confession was ultimately shown to be false documented that at the time of arrest, 63% of known false confessors were under age 25, 49% of false confessions were 21 years old or younger, and 31% were 18 years old or younger (The Innocence Project, 2020; Drizin & Leo, 2004). Further, 38% of exonerations that involved offenses allegedly committed by juveniles who were under 18 years old at the time of the crime involved false confessions compared to 11% for exonerated adults (The Innocence Project, 2020). In an analysis of 340 juvenile exonerees, Gross and colleagues (2005) found that 25% had made a false confession; when they examined the rates of false confessions for 12- to 15-year old juveniles who were eventually exonerated, this number jumped to 69%. When examining the role of race, Gross and colleagues (2005) also found that among juvenile murder defendants tried in adult court, 69% were Black and 25% were Caucasian.

Kassin and Gudjonsson (2004) contend that youth make false confessions because they are highly susceptible to the interrogative process, in general, and the negative pressure or

feedback from authority figures, specifically. Additionally, juveniles tend to be more impulsive and motivated by short-term outcomes such as returning home if they confess (The Innocence Project, 2020). Further, youth are at an age during which they feel often obligated to obey authority figures, which increases the likelihood that they will agree with statements made by interrogators or repeat what those in authority said (Kassin et al., 2010). These factors are understood to be due to cognitive and psychosocial immaturity that results in poor decision making, inability to consider long term consequences, impulsive and risky behaviors, and vulnerability to negative input or feedback (Kassin et al., 2010). Taslitz (2006) contends that, during interrogations, juvenile suspects are more vulnerable to police pressure than adults are, which leads to increased likelihood of falsely confessing in order to alleviate the pressure or escape the isolation.

Much of what is known regarding juveniles and likelihood to falsely confess is applicable to those with Intellectual Disability (ID) as well (Drizin & Leo, 2004; Kassin et al., 2010). ID involves substantial impairments in cognitive functioning (typically operationally defined as scores on an IQ test of 70 or below), adaptive functioning, communication, social and interpersonal skills, and challenges is appreciating social norms (American Psychiatric Association, 2022). The reasons behind the greater likelihood for individuals with ID to produce false confessions include the impairment in comprehension of Miranda rights (Everington & Fulero, 1999; Kassin & Gudjonsson, 2004), a lack of understanding regarding the consequences of incriminating statements (Clare & Gudjonsson, 1995; Kassin & Gudjonsson, 2004), and their more compliant and suggestible natures (Finlay & Lyons, 2002; Kassin & Gudjonsson, 2004). Like juveniles, individuals with ID are also more likely to look to authority figures for solutions, seek to please authority figures, attempt to deny or cover areas of knowledge or reasoning deficit, experience gaps in memory, have poor impulse control, and accept blame in response to

negative outcomes (Kassin et al., 2010). The fact that, among known false confessors, about 22% met criteria for ID (Drizin & Leo, 2004; Kassin & Gudjonsson, 2004) provides support for this claim.

Although anyone can falsely confess (Kassin & Kiechel, 1996), data show that extreme racial disparities exist amongst those who produce false confessions. For example, Black detainees were found to be more suggestible than white detainees which has serious implications for the elicitation of false confessions (Taslitz, 2006). There are various explanations for why these racial disparities exist amongst those who falsely confess. Taslitz (2006) suggested that structural problems and imbalances of power may account for some of the disparity. The criminal justice system criminalizes racial minorities at such high rates that it is not surprising that rates of false confessions are also higher amongst minority suspects. Racism, racial stereotyping, cross-racial identification errors, and the reality that minorities are often easier targets could contribute to the disproportionate representation of BIPOC amongst false confessors (Drizin & Colgan, 2004; Solan & Tiersma, 2005; Taslitz, 2006). While blatant attitudes of racism and intentional discrimination definitely exist, not all false confessions are the product of explicit racism. Rather, it is likely that the vast majority of interrogative efforts that lead to false confessions are due to unconscious and automatic thought processes. Of note, it is not clear what role race plays in jurors' decision-making process regarding false confessions, as this has not been systematically studied.

While the factors that contribute to false confessions are generally agreed upon by experts based on existing literature, research has not thoroughly investigated how non-psychologists view and understand the factors that increase vulnerability to false confessions. Some courts have accepted expert testimony on such topics as legitimate scientific evidence, but there has been little empirical study to understand how jurors perceive this information and

testimony. The existing literature has only recently begun to identify and investigate factors that may influence how people evaluate the veracity of confessions.

Legal decision makers' perceptions of false confessions and understanding of the corresponding literature on the factors that increase their likelihood have major implications for the outcomes of such cases. Judges' and jurors' limited or nonexistent exposure to the current literature on false confessions highlights the potential utility of expert testimony during trials to elucidate risk factors for false confessions (Leo & Davis, 2010). While judges and jurors are instructed to base their legal decisions strictly off the law, it would be remiss to assume that their judgments are not impacted by their pre-existing biases, emotions, and attitudes about content such as false confessions. There is very limited research that has examined jurors' existing beliefs and attitudes about false confessions, and findings have been inconsistent (Henkel et al., 2008; Leo & Davis, 2010).

Research suggests that judges in the American legal system tend to presume that confessors are guilty and are thus more punitive in how they sentence these defendants (Leo & Davis, 2010). Henkel and colleagues (2008) found that over 85% of participants did not believe that actual jurors would be able to ignore a confession during a trial even if they were instructed by the judge to do so because it was illegally obtained. Despite these findings, research specifically addressing this question has reached inconsistent conclusions regarding whether jurors are able to discount coerced confessions when instructed to do so (Henkel et al., 2008). Henkel and colleagues (2008) also examined juror characteristics and how they impact decision-making and found that male mock jurors agreed more strongly that confessions were strong indicators of a person's guilt compared to female mock jurors. This study documents that legal decision-making is impacted by the personal characteristics of decision-makers and warrants significantly more research investigation.

Data made available by the Innocence Project (2020) have brought attention to the role of false confessions in wrongful convictions. Whereas social science research has identified numerous factors known to be associated with false confessions, it is unclear how, or if, members of the general public consider these factors. This feature is relevant because the court relies on jury members and judges to make decisions about the accuracy of confession evidence presented in trials, but this question has not been examined empirically. Based on this gap in the literature, the aim of the present study was to examine perceptions of factors that have been identified to impact the likelihood of false confessions by the race of participants who serve as proxies for potential jurors. In addition, exploratory hypotheses evaluated whether the weight participants assigned to these factors varied based on the suspect race presented in an audio recording of a confession that participants had heard as part of another portion of the larger study. The study further examined whether participants' ratings of factors were related to overall determinations of guilt of a suspect based on their own race and the race of the suspect.

Method

Participants

A total of 247 participants completed the study. Data for the current study were collected as part of a broader investigation of perceptions of police interrogative tactics. Table 1 presents the demographic information about the sample. Notably, the participants were recruited via four iterations using three different recruitment strategies. Participants were initially recruited in the fall of 2020 from Xavier University's Psychology participant pool and were between the ages of 18 and 24-years old (n = 110). Approximately 85% of this initial sample identified their race as white. Since race was an independent variable in the study, students from a more diverse private university in a large city were invited to participate in the study, although this resulted in very few participants (n = 5). Between fall 2020 and spring 2021, we then used a snowball method via

a professional networking site and limited recruitment to include only BIPOC participants who were college age. This strategy ultimately resulted in 63 participants. Finally, participants were recruited for a second time through Xavier University's Psychology participant pool in the fall of 2021 approximately one year after the initial Xavier data collection in order to further increase sample size. This resulted in an additional 69 participants.

Participants who did not complete all survey items, did not pass the manipulation check or did not pass the quality check (n = 90) were excluded from the final sample. This resulted in a final sample with usable data of 247 participants. The mean age of participants was 20.09, and the majority identified as female (n = 194; 78.5%) and as White/European American (n = 143; 57.9%).

Measures

Demographic Information. Demographic information was obtained after participation in the other features of the broader study using a demographic form (see Appendix A). The demographic questions included the participant's age, education level, major area of study, identified sex, race, ethnicity, current city and state of residence, income, political affiliation and whether any family members are employed in law enforcement.

Survey. Participants completed an online survey via Qualtrics that contained questions regarding two areas relevant to the broader study (i.e., perceptions of an audio recording and the interrogation methods portrayed in that interrogation) and their perceptions of the relationship between dispositional risk factors and false confessions. This was followed a section that consisted of questions intended to capture participants' attitudes about police behavior, encounters with police, and exposure to popular media on false confessions (see Appendix B). These questions were developed by a research team comprised of two graduate students and two undergraduate students, under the direction of a faculty member.

For the purposes of this study, I examined responses to items 5-6a and 16-23, which asked participants to rate the degree to which specific factors contribute to people confessing to a crime they did not commit. These factors were having a serious mental illness (Q 16), a less serious mental illness (Q 17), having a below average IQ (Q 18), being under 18-years-old (Q 19), being under the influence of alcohol (Q 20), or under the influence of other drugs (Q 21, 22, 23). These questions were posed in the context of general interrogation tactics and did not specifically reference the audio confession they listened to as part of a related study. However, in relation to the audio confession portion of the study, because these general questions were posed following exposure to the interrogation, I also analyzed the question regarding the participant's confidence that the suspect committed the crime he confessed to (Q 5) and the question about the participants' ultimate decision regarding likelihood of guilt (Q 6a).

Manipulation check. Participants were asked four questions (items 36, 38-40) at the end of the survey regarding features of the interrogation, including to identify the race of the suspect to ensure that participants paid attention to the independent variable of race (see Appendix B). The manipulation check included additional questions such as the suspect's name and how many detectives were involved in the interview in order to capture more information regarding the extent to which participants attended to details of the confession and their ability to retrieve that information. Participants who did not pass the manipulation check, or did not complete all items of the survey, were removed from the sample. An initial 337 participants began the survey. Following removal from the dataset of the 58 participants who did not complete the survey and the 32 participants who did not pass the manipulation check, the final sample included 247 participants.

Procedure

The Xavier University Institutional Review Board (IRB) approved the initial data collection method and all modifications to allow for additional participant recruitment methods (see Appendix C), and to continue to recruit student participants in fall 2021. Sampling occurred during four separate intervals. After IRB approval, Xavier students were recruited through the typical procedures of the School of Psychology participant pool. In an attempt to add to the racial diversity of the sample, a faculty member at another private university distributed the survey link to her students; no incentives were offered to those students and resulted in five additional participants. We also used a snowball recruitment method in order to continue to increase the racial diversity of the sample (see Appendix D). We used a professional networking site to contact undergraduate students at who potentially met criteria for this study. They were provided with a description of the study as well as a link to the survey. Based on these connections, the networking site provided "Similar Suggestions" who were contacted and provided with the study description and survey link as well. Further, the contacted individuals were encouraged to forward the recruitment to any undergraduate students whom they thought might be interested in participating as well. Therefore, while the initial contacts via this snowball method were from three specific universities, it is possible that a portion of the participants recruited via this method are not solely students at the known universities. Participants who were recruited through the snowball method earned a $10 gift card for participation.

The study itself occurred through an online survey platform for all participants, although some features differed by sample. For participants recruited through Xavier University's Psychology participant pool and the first private university, the demographics form was presented at the end of the survey. For participants recruited through the snowball method, the demographics form was presented at the beginning of the survey and served as a selection

criterion to allow only BIPOC individuals to complete the full study in order to increase the racial diversity of the sample.

Upon accessing the link to the study, participants first saw the informed consent document (Appendix E). After participants provided consent, they read a description (Appendix F) explaining the steps of the study (i.e., listening to an audio recording and completing a survey). In the description, participants read about the content and nature of the audio recording in addition to being informed that they would have a transcript of the recording to read while they simultaneously listened to the recording. Participants then read about the content of the survey that followed. Following this description, a warning was presented that cautioned participants about the explicit language and description of events in the recording that some might find disturbing, as well as an option for the participants to terminate their participation in the study at that time, or at any time during the study if they no longer wished to participate. Those who chose to continue the study clicked on a link and listened to the audio recording (four minutes and 28 seconds) while they read along with the transcript. Following the audio recording, participants completed the 47-question survey and the manipulation check items. Participants who did not complete the survey or did not pass the manipulation check were removed from the final sample (n = 90). Though the manipulation check was not directly related to the present research question, the quality check ensured that only participants who were attending to the material were included. Finally, participants were debriefed with a form disclosing that the audio recording was a real interrogation that involved a proven false confession, as well as informed that the purpose of the study was to investigate features of false confessions (See Appendix G).

Results

The overarching aim of the study was to evaluate whether ratings of factors that have been identified empirically to impact the likelihood of false confessions differ by the race of participants (serving as a proxy for potential jurors). In addition to investigating how potential jurors view factors as contributing to false confessions based on their own race, exploratory hypotheses examined whether participants weighed such factors differently based on the race of the suspect presented in an audio recording of a confession that participants had heard prior to answering broad questions about false confessions. Finally, we also examined whether participants' ratings of mitigating factors were related to overall determinations of guilt of a suspect based on their own race and the race of the suspect. To examine these questions, we compared (1) the ratings of mitigating factors by white versus BIPOC participants, (2) the ratings of mitigating factors by participants primed by the white versus Black suspect (race of suspect), (3) and the possible interaction of the race of the participant and race of the suspect on ratings of the mitigating factors as well as participants' ratings of likelihood of guilt and their confidence in that rating.

Mental Health Symptoms. We used a 2 (race of suspect) x 2 (race of participant) ANOVA to examine the main effects of race of suspect and race of participant and the interaction of race of participant and race of suspect in participants' ratings of the degree to which mental health symptoms contribute to false confessions. This hypothesis involved analysis of two survey items (16 and 17). Specifically, participants rated, "Having a serious mental illness (e.g., schizophrenia)" and, "Having a less serious mental illness (e.g., anxiety)" on a 1 to 5 Likert scale. The means, standard deviations, and ANOVA results are presented in Table 2. There were no significant interactions for either of these ratings, and no significant main effects for race of

the participant, (item 16), *F= .146, p= .703*; (item 17), *F= .200, p= .655,* or race of the suspect (item 16), *F= .272, p= .603;* (item 17), *F= .001, p= .974,* for either of these items.

Presence of Intellectual Disability. We used a 2 (race of suspect) x 2 (race of participant) ANOVA to examine the main effects of race of suspect and race of participant and the interaction of these factors on participants' ratings of the degree to which the presence of intellectual disability (item 18) contributes to false confessions. Specifically, participants rated "Having a below average IQ" on a Likert scale, 1 indicating "No contribution" and 5 indicating "A Very Large Contribution." The means, standard deviations, and ANOVA results are presented in Table 2. There was not a significant interaction for this rating, and no significant main effects for race of the participant, *F= 1.709, p= .192*, or race of the suspect, *F= .288, p= .592*.

Intoxication. We used a 2 (race of suspect) x 2 (race of participant) ANOVA to examine the main effects of race of suspect and race of participant and the interaction of these factors on participants' ratings of the degree to which intoxication contributes to false confessions. This hypothesis included the ratings of four survey items (20-23). Specifically, participants rated, "Being under the influence of alcohol" (item 20), "Being under the influence of marijuana" (item 21), "Being under the influence of illegal drugs (e.g. cocaine, heroin, ecstasy" (item 22), and "Being under the influence of powerful prescription drugs (e.g. pain medication, sleeping pills)" (item 23) on a Likert scale, 1 indicating "No contribution" and 5 indicating "A Very Large Contribution." The means, standard deviations, and ANOVA results are presented in Table 2. There were not significant interactions for these ratings, as well as no significant main effects for the race of the participant, (item 20), $F = .709$, $p = .401$; (item 21), $F = .163$, $p = .687$; (item 22), $F = .361$, $p = .549$; (item 23), $F = 1.170$, $p = .281$, or race of the suspect (item 20), $F = .366$, $p = .545$; (item 21), $F = .398$, $p = .528$; (item 22), $F = .101$, $p = .751$; (item 23), $F = .027$, $p = .870$.

Verdict. We used a 2 (race of suspect) x 2 (race of participant) ANOVA to examine the main effects of race of suspect and race of participant and the interaction of these factors on participants' ratings of likelihood of guilt (item 6a). Specifically, participants rated, "Imagine you are a juror listening to this recording. What would your verdict be?" on a Likert scale, 1 indicating "Definitely Not Guilty" and 5 indicating "Definitely Guilty." The means, standard deviations, and ANOVA results are presented in Table 2. There was not a significant interaction for this rating, and no significant main effects for race of the participant, $F = .067$, $p = .796$, or race of the suspect, $F = 2.720$, $p = .100$.

Confidence. We used a 2 (race of suspect) x 2 (race of participant) ANOVA to examine the main effects of race of suspect and race of participant and the interaction of these factors on participants' ratings of confidence that the suspect in the audio recording committed the crime he confessed to (item 5). Specifically, participants rated, "How confident are you that the suspect committed the crime he confessed to?" on a Likert scale, 1 indicating "Not at all Confident" and 5 indicating "Very Confident." The means, standard deviations, and ANOVA results are presented in Table 2. There was not a significant interaction for this rating, and no significant main effects for race of the participant, $F = .131$, $p = .718$, or race of the suspect, $F = 1.322$, $p = .251$.

Under 18 years old. We used a 2 (race of suspect) x 2 (race of participant) ANOVA to examine the main effects of race of suspect and race of participant and the interaction of these factors on participants' ratings of the degree to which being under 18 years old (item 19) contributes to false confessions. Specifically, participants rated "Being under 18 years old." on a Likert scale, 1 indicating "No contribution" and 5 indicating "A Very Large Contribution." The means, standard deviations, and ANOVA results are presented in Table 2. There was not a significant interaction effect for this rating, and no main effect for race of suspect, $F = .075$,

p=.784. However, there a significant main effect for race of the participant, *F= 4.064*, *p= .045*. Specifically, BIPOC participants rated being under 18 as contributing more (*M* = 3.74, *SD* = 1.30) to false confessions than did white participants (*M* =3.40, *SD* = 1.42).

Discussion

Information from sources such as the Innocence Project has increased concern about the role that false confessions play in wrongful convictions. Social science literature has identified many factors known to be associated with false confessions (see Kassin [2017] for a review), but courts have concluded that these factors are widely known and that triers of fact, including juries, consider them during trials. However, direct examination of the public's perceptions and understanding of these factors, or how they weigh them when reaching decisions about culpability, is quite limited (Henkel et al., 2008). Of the existing research in this area, the conclusions are inconsistent and variable. Therefore, the aim of this study was to examine perceptions of the role of factors that have been identified to impact the likelihood of false confessions by the race of participants. All participants were adults who could be called to serve as jurors, so their ratings were interpreted to serve as a proxy for potential jurors. In addition, exploratory hypotheses evaluated whether the weight participants assigned to these factors differed based on the race of the suspect presented in an audio recording of a confession that participants had heard.

For nine of the 10 factors examined in this study--severe and less severe mental health symptoms, presence of intellectual disability, intoxication (alcohol, marijuana, prescription drugs, and illegal drugs), verdict, and confidence of verdict—participant ratings did not significantly differ by participant race or suspect race, and there were no significant interactions between participant and suspect race. While there were not significant differences between the race of the suspects for each of these ratings, it is striking that the majority of factors aside from

severe mental illness, many of which are well established in the literature as contributing to false confessions, such as young age and low IQ, were not rated very high by these participants. Table 4 exhibits the ordered ratings of factors by participant race, showing that many factors are rated on average as having "some contribution" to false confessions.

The only factor that resulted in significant findings was related to the suspect's age was a significant main effect for participant race. When participants were asked to rate the degree to which being under 18 would contribute to the likelihood of making a false confession, white participants rated this factor significantly lower than BIPOC participants, indicating that it contributes more to false confessions than did white participants. While the mean difference itself was significant, perhaps more notable is the variation in the distribution of scores for white versus BIPOC participants when rating this factor. In examining the breakdown of frequencies for participant group means, there were notable differences in the distribution of ratings. Specifically, 39% of BIPOCS participants rated being under 18 as a 5 (A Very Large Contribution), compared to 27% of white participants. On the other end of the spectrum, 6% of BIPOC participants rated being under 18 as a 1 (Not Contributing At All), compared to 15% of white participants. This noteworthy variation highlights the differences in how white versus BIPOC participants understand the role that youth status contributes to risk of false confessions.

Studies have examined many different factors that have impacts on the likelihood of false confessions, and this research is constantly evolving (Kassin & Gudjonsson, 2004). Existing studies indicated that defendant age is consistently a relevant variable that participants and potential jurors consider (Gudjonsson, 2005; The Innocence Project, 2020; Drizin & Leo, 2004; Gross et al., 2005). Interestingly, while many variables amongst these studies varied in their relevance in legal decision-making, findings point to age of defendants more consistently as a significant variable, particularly when race is also a factor.

As an example of recent studies addressing this topic, Dobrowolsky (2018) examined the impact of juvenile defendants' confessions on juror's decision making. Participants in this study read a case summary about a 12-year-old girl charged with the murder of her father and answered various questions on a survey. The suspect race and confession were manipulated variables such that the suspect presented was either Black or white, and she either gave a voluntary confession, a coerced confession, or no confession at all. Participant ratings indicated that they were more likely to discount a coerced confession from a 12-year-old regardless of her race. However, when the confession was identified as voluntary rather than coerced, the Black juvenile suspect was rated as being significantly more accountable than the white juvenile suspect. Dobrowolsky included constructs (e.g., accountability of the suspect and voluntariness of the confession) that were not examined in the current study. Interestingly, the interaction of suspect race with these factors resulted in significant findings. This suggests additional avenues for research not addressed in the current study that may further reveal how a suspect's race and age may impact juror decision making.

Similarly, Shifton (2022) surveyed online mock-jurors regarding their opinions on strength of evidence and likelihood of conviction regarding a fictional criminal case. Shifton also examined how differences in suspect age impacted jurors' decisions; participants rated the strength of the confession made by a 16-year-old defendant as significantly weaker than the same confession made by a 22-year-old defendant. Ultimately, though, this significant difference in rating of the strength of the confession did not impact participants' verdicts, in that there were no trial outcome differences based on defendant age. These findings further support the current study's finding that age is a significant factor when considering the weight of age as contributing to a confession when that is evaluated specifically; it is not clear that this judgement ultimately informs decisions about culpability.

Grove and Kukucka (2021) studied youth as a risk factor for false confessions by presenting participants with transcripts of interrogations and surveying their judgments of interrogators' coerciveness and juvenile suspects' guilt. They found that suspect age alone had a minimal effect on judgments of guilt, though this impact increased when expert testimony from a juvenile confession expert was included in the information that participants reviewed. This indicates that the full impact of youth on risk for false confession is increased if specific information about its role is presented by experts in a courtroom.

While experts on confessions consistently agree that youth is a risk factor for false confessions, there appears to be a disconnect between the research findings and the general public's awareness of these vulnerabilities (Kassin et al., 2018). Despite the consensus amongst confession experts, a survey of confession experts revealed that only 37% believe jurors to fully understand the validity and applicability of the existing literature on factors that impact false confessions (Kassin et al., 2018). However, experts have also indicated that juries are more competent when experts assist in evaluating and explaining confession evidence (Kassin et al., 2018). Therefore, while the scientific community has come to a conclusion on age as a risk factor for false confession, this gap between that which has been demonstrated by research and that which is understood (and used) by juries deserves further examination.

Limitations. There are various factors that must be considered while interpreting the results of the current study. First, the obtained sample was limited to undergraduate college students. While this population is generally representative of the United States in terms of race and gender, the current study's findings are limited to the experience of a college educated sample. Future research would benefit from examination of these factors in a broader adult sample that includes individuals from a variety of educational backgrounds.

Secondly, the current study examined individual juror perceptions of specific factors independently, as well as their opinions on overall suspect guilt. While these results provide insight into how people individually weigh such factors, juries consist of individuals who may be weighing a variety of factors and who must arrive at a unanimous decision as a group. As such, the results of this study are not generalizable to how groups of jurors would arrive at conclusions. The current study did not consider or address how social psychology phenomena may impact how jurors ultimately weigh such in a deliberative setting that may foster a tendency for conformity. This has implications too for the makeup of juries and the role that age, gender, race, and other factors have on juries' verdicts.

There was no visual presentation of race of the suspect while participants listened to the audio recording of the confession. Participants were only told that the suspect whose confession they were hearing was white or Black. Notably, 44 participants in the original sample were removed from data analyses as they failed the manipulation check that required the correct identification of suspect race. It is possible that the lack of a visual presentation of race made the race of the suspect not as much of a salient feature for participants. This may explain to some degree the limited findings described below.

Although this study attempted to examine the role that suspect race might play in perceptions of the confession, there was no visual presentation of race of the suspect while participants listened to the audio recording of the confession; race was only mentioned in the written description of the suspect and the circumstances of the case. Notably, 44 participants in the original sample were removed from data analyses because they failed the manipulation check that required the correct identification of suspect race. It is possible that the lack of a visual presentation of race made the race of the suspect a less salient feature for participants. This may account for our failure to find differences based on suspect race, as our failure to find differences

does not seem to be consistent with studies that have examined trial outcomes for white versus BIPOC defendants.

Finally, the impact of current social context is an important consideration. News coverage of several high-profile cases related to suspect race occurred during data collection which could impact the results of this study. The watchdog hypothesis, initially coined by Sargent and Bradfield (2004), suggests that white jurors attend to information presented during trials more closely for Black defendants in order to serve as "watchdogs" against racial bias in the justice system (Ewanation & Maeder, 2021). It is possible that this hypothesis could have contributed to participants' ratings at the time this survey was disseminated, as racial discrimination and mistreatment have been highly salient topics over the past several years. People who have attended to the injustices of BIPOC individuals in the justice system may be compensating for implicit biases and acting as watchdogs to help alleviate some of the discrimination these populations face in the courtroom.

Future Directions. Despite the still limited research on how participant and suspect race impact jurors' ratings of which factors contribute to false confessions, there has been a recent increase in studies on this topic. Research on suspect and participant race in the context of false confessions has resulted in conflicting data on racial bias in the courtroom more recently. Numerous studies have demonstrated the similarity-leniency bias, which suggests that jurors view defendants more favorably when they are of the same race (Devine & Caughlin, 2014; Maeder & Ewanation, 2018; Sommers & Ellsworth, 2000). Therefore, a future direction for research ought to examine whether the similarity-leniency bias impacts participants' ratings if defendants, and victims of crimes, are of the same or different races than the participants. Additionally, investigating further whether the similarity-leniency bias or watchdog hypothesis

better explains how participants rate factors, such as the ones in this study, would be a valuable future direction for research.

The inconsistent data on how potential jurors understand and weigh dispositional factors point to further avenues for research on not just the watchdog hypothesis versus similarity-leniency bias, but also how these phenomena impact juvenile defendants and defendants of different racial and ethnic backgrounds. The implications for such must be considered within the larger socio-political context, such as the emergence of the Black Lives Matter movement. Perhaps the watchdog hypothesis or similarity-leniency bias are more salient at this time due to the current climate, which has implications for how race of suspect and participant may impact the weight jurors give to specific factors presented in court.

An additional direction for future research is to analyze differences in results when the severity of charge is a manipulated factor. A recent meta-analysis found an out-group bias amongst cases that included adult sexual assault and/or property crimes (Devine & Caughlin, 2014). Perhaps the application of the similarity-leniency bias versus the watchdog hypothesis depends on certain factors like variations in the severity of charges. Further, future research ought to examine differences in how jurors perceive and rate information as an individual versus within the composition of a jury. Investigating how individuals discuss their beliefs and talk about race in the context of a deliberative setting is worth additional exploration.

Including a visual representation of suspect race is another consideration for future research as the current study lacked such a representation, and as such, the salience of race may not have been strong. Conducting a similar study with a photo of the suspect or actors re-creating the interrogation scene to make race a more salient factor could provide valuable data on how participants rate factors upon seeing the impact of interrogative tactics on suspects.

Future studies might also consider whether race and age play a mediating role in juvenile cases related to other judicial procedures like sentencing. Perhaps these factors are not considered heavily in regards to guilt of a suspect, but jurors and judges may weigh such information differently during the sentencing phase. Beyond that is examining how other individuals in the legal system understand race and other vulnerability factors to falsely confess. Jurors are not the sole decision makers in the justice system; research on how legal decision makers in the court system, like attorneys, magistrates, and judges, understand this information is also of the utmost importance.

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Table 1

Demographics of Samples by Recruitment Source and Final Sample

Characteristics	Xavier 1 Sample [a]		Snowball Sample [b]		Xavier 2 Sample [a]		Final Sample	
	n= 110		*n*= 68		*n*= 69		*n*= 247	
	n	%	*n*	%	*n*	%	*n*	%
Race								
White/ European American	93	84.5	1	1.5	49	71.0	143	57.9
Black/African American	2	1.8	52	76.5	8	11.6	62	25.1
Latinx	3	2.7	6	8.8	6	8.7	15	6.1
Multiracial	4	3.6	4	5.9	3	4.3	11	4.5
Asian	6	5.5	1	1.5	2	2.9	9	3.6
Hawaiian or Pacific Islander	0	0.0	2	2.9	0	0.0	2	0.8
Native American	1	0.9	0	0.0	0	0.0	1	0.4
Other	1	0.9	1	1.5	0	0.0	2	0.8
Prefer not to Respond	0	0.0	1	1.5	1	1.4	2	0.8
Gender Identity								
Female	91	82.7	52	76.5	51	73.9	194	78.5
Male	17	15.5	13	19.1	17	24.6	47	19.0
Gender Non-Conforming	1	.91	3	4.4	1	1.4	4	1.6
Transgender Female to Male	1	.91	0	0.0	0	0.0	1	0.4
Current Level of Education								
High School	0	0.0	4	5.9	0	0.0	4	1.6
Undergraduate	110	100	5	7.4	69	100	184	74.5
Some College	0	0.0	44	64.7	0	0.0	44	17.8
Bachelor’s Degree	0	0.0	11	16.2	0	0.0	11	4.5
Associates Degree	0	0.0	2	2.9	0	0.0	2	0.81
Master’s Degree	0	0.0	2	2.9	0	0.0	2	0.81
Political Affiliation								

Democrat	50	45.5	37	54.4	34	49.3	121	49.0
Republican	11	10.0	2	2.9	17	24.6	30	12.1
Independent	28	25.5	15	22.1	12	17.4	55	22.3
Other	6	5.5	5	7.4	1	1.4	12	4.9
Prefer not to Respond	15	13.6	9	13.2	5	7.2	29	11.7
Income Class								
Very Low	1	0.9	1	1.5	1	1.4	3	1.2
Low	9	8.2	19	27.9	5	7.2	33	13.4
Middle	45	40.9	46	67.6	29	42.0	120	48.6
Upper Middle	51	46.4	0	0.0	27	39.1	78	31.6
Upper	4	3.6	2	2.9	7	10.1	13	5.3
Family in Law Enforcement								
Yes	28	25.5	17	25.0	20	29.0	65	26.3
No	82	74.5	51	75.0	49	71.0	182	73.7

Note. n = 247. Participants were on average 20.09 years old (SD = 2.53).

[a] Xavier 1 sample data was collected during the fall of 2020. Xavier 2 sample data was collected during the fall of 2021.

[b] Due to the small number of participants recruited from the private university, their demographic information is collapsed into the Snowball Sample column.

Table 2

Means, Standard Deviations, and Two-Way ANOVA Interaction Effects for Race of Participant (PR) and Race of Suspect (SR) for Study Ratings

Variable	Race of Participant	Race of Suspect				ANOVA Interaction		
		White		Black				
		M	*SD*	*M*	*SD*	*Effect*	*F*	*p*
SMI	White	4.36	.861	4.36	.861	PR x SR	.272	.603
	BIPOC	4.34	.983	4.47	.919			
MI	White	3.40	1.02	3.18	1.13	PR x SR	2.26	.134
	BIPOC	3.12	1.16	3.33	1.19			
U18	White	3.53	1.46	3.28	1.37	PR x SR	2.84	.093
	BIPOC	3.59	1.36	3.93	1.20			
IQ	White	3.25	1.42	3.14	1.34	PR x SR	1.35	.246
	BIPOC	3.28	1.36	3.58	1.36			
ALC	White	4.13	.963	3.92	.868	PR x SR	1.02	.314
	BIPOC	4.10	1.17	4.16	.999			
MJ	White	3.57	1.23	3.25	1.14	PR x SR	1.92	.167
	BIPOC	3.41	1.39	3.53	1.18			
PRD	White	3.89	1.17	3.75	1.08	PR x SR	.627	.429
	BIPOC	3.93	1.23	4.02	.941			

ILD	White	4.21	.918	4.06	.963	PR x SR	.780	.378
	BIPOC	4.17	1.09	4.24	.957			
VER	White	3.18	1.16	3.03	1.07	PR x SR	.322	.571
	BIPOC	3.22	1.06	2.91	1.04			
CON	White	2.58	1.48	2.39	1.24	PR x SR	.002	.963
	BIPOC	2.66	1.36	2.44	1.34			

Note. N = 247. ANOVA = analysis of variance; SMI = Severe Mental Illness; MI = Mental Illness; U18 = Under 18; IQ = below average intellectual functioning; ALC= Alcohol; MJ= Marijuana; PRD= Prescription Drug Use; ILD= Illegal Drug Use; VER= Verdict; CON= Confidence; BIPOC= Black and Indigenous People of Color; PR = Race of Participant; SR = Race of Suspect.

$^{*}p < .05$

Table 3

Means, Standard Deviations, and ANOVA Main Effect for Participant Race (PR) and Suspect Race (SR) for Study Ratings

Variable	Race of Participant	Race of Suspect				Main Effect: Part. Race		Main Effect: Suspect Race	
		White		Black					
		M	*SD*	*M*	*SD*	*F*	*p*	*F*	*p*
SMI	White	4.36	.861	4.36	.861	.146	.703	.272	.603
	BIPOC	4.34	.983	4.47	.919				
MI	White	3.40	1.02	3.18	1.13	.200	.655	.001	.974
	BIPOC	3.12	1.16	3.33	1.19				
U18	White	3.53	1.46	3.28	1.37	4.06	.045*	.075	.784
	BIPOC	3.59	1.36	3.93	1.20				
IQ	White	3.25	1.42	3.14	1.34	1.71	.192	.288	.592
	BIPOC	3.28	1.36	3.58	1.36				
ALC	White	4.13	.963	3.92	.868	.709	.401	.366	.545
	BIPOC	4.10	1.17	4.16	.999				
MJ	White	3.57	1.23	3.25	1.14	.163	.687	.398	.528
	BIPOC	3.41	1.39	3.53	1.18				
PRD	White	3.89	1.17	3.75	1.08	1.17	.281	.027	.870
	BIPOC	3.93	1.23	4.02	.941				
ILD	White	4.21	.918	4.06	.963	.361	.549	.101	.751
	BIPOC	4.17	1.09	4.24	.957				
VER	White	3.18	1.16	3.03	1.07	.067	.796	2.72	.100
	BIPOC	3.22	1.06	2.91	1.04				
CON	White	2.58	1.48	2.39	1.24	.131	.718	1.32	.251
	BIPOC	2.66	1.36	2.44	1.34				

Note. N = 247. ANOVA = analysis of variance; SMI = Severe Mental Illness; MI = Mental Illness; U18 = Under 18; IQ = below average intellectual functioning; ALC= Alcohol; MJ= Marijuana; PRD= Prescription Drug Use; ILD= Illegal Drug Use; VER= Verdict; CON= Confidence; BIPOC= Black and Indigenous People of Color; PR = Race of Participant; SR = Race of Suspect.

$^{*}p < .05$

Table 4

Ordered Ratings of Factors by Participant Race

White Participants			**BIPOC Participants**		
	Means	SD		Means	SD
SMI	4.36	.858	SMI	4.40	.953
Illegal Drugs	4.13	.941	Illegal Drugs	4.20	1.03
Alcohol	4.02	.920	Alcohol	4.13	1.09
Prescription Drugs	3.82	1.13	Prescription Drugs	3.97	1.18
Marijuana	3.41	1.19	Under 18	3.74	1.30
Under 18	3.40	1.42	Marijuana	3.47	1.27
Less Severe MI	3.29	1.08	IQ	3.41	1.36
IQ	3.19	1.38	Less Severe MI	3.21	1.17

Appendix A

Demographic Form and General Information Questionnaire

1. Age
    a. Write in: ____
2. Assigned sex at birth:
    a. Male
    b. Female
    c. Prefer not to respond
3. Current gender identity:
    a. Male
    b. Female
    c. Transgender male to female
    d. Transgender female to male
    e. Gender non-conforming
    f. Write in: _____
    g. Prefer not to respond
4. What is your race/ethnicity?
    a. American Indian
    b. Asian
    c. Black/African American
    d. Hispanic American or Latino/a
    e. Native Hawaiian or Pacific Islander
    f. White/European American
    g. Multiracial: _____

   h. Write in: _____
   i. Prefer not to respond

5. Current Year in College
   a. 1st year
   b. 2nd year
   c. 3rd year
   d. 4th year
   e. Graduate School

6. Major Area of Study
   a. Write in: _____

7. Do you have any immediate or extended family members who are employed in law enforcement?
   a. Yes
      i. If yes, in what area? _____
   b. No

8. Do you want to work in criminal justice/law enforcement?
   a. Yes
   b. No
   c. If yes, in what capacity?

9. What political affiliation best describes you?
   a. Democratic
   b. Republican
   c. Independent
   d. Other: _____

e. Prefer not to respond

10. How would you describe the income level of your family of origin?

    a. Very low

    b. Low

    c. Middle

    d. Upper-Middle

    e. Upper

Snowball Sample Demographic Form and General Information Questionnaire

1. Age

    a. Write in: ____

2. Assigned sex at birth:

    a. Male

    b. Female

    c. Prefer not to respond

3. Current gender identity:

    a. Male

    b. Female

    c. Transgender male to female

    d. Transgender female to male

    e. Gender non-conforming

    f. Write in: _____

    g. Prefer not to respond

4. Highest Level of Education
    a. HS
    b. GED
    c. Some College
    d. Associate's Degree
    e. Bachelor's Degree
    f. Master's Degree
    g. Doctorate Degree
    h. Other:_____
5. Major Area of Study
    a. Write in: _____
6. What is your race/ethnicity?
    a. American Indian
    b. Asian
    c. Black/African American
    d. Hispanic American or Latino/a
    e. Native Hawaiian or Pacific Islander
    f. White/European American
    g. Multiracial: _____
    h. Write in: _____
    i. Prefer not to respond

Appendix B

Survey

Below are items that were originally developed for this study. However, the content of the full survey contains proprietary material. To obtain access to the full survey please contact the first author at Abramsm2@xavier.edu.

Section I:

Considering the questioning you heard in the audio recording, rate the following items:

1. The way the detectives are talking with the suspect is standard procedure. (About detective behavior)
   1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

2. The detectives would treat me this way if I were brought into questioning.

   1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

3. The detectives would treat *anyone* this way if they were brought into questioning.

   1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

4. Do you think the suspect's confession was voluntary (i.e., without any detective prompting)? (Voluntariness; Ho1, 2, 3)

   1 (Not at all Voluntary), 2 (Not likely Voluntary), 3 (Neither Voluntary nor Involuntary), 4 (Probably Voluntary), 5 (Completely Voluntary)

5. How confident are you that the suspect committed the crime he confessed to?

   1 (Not at all Confident), 2 (Somewhat Confident), 3 (Neither Confident nor Unconfident), 4 (Mostly Confident), 5 (Very Confident)

6.
   a. Imagine you are a juror listening to this recording. What would your verdict be? (About Guilt; Ho1, 2, 3)

   1 (Definitely Not Guilty), 2 (Unlikely to be Guilty), 3 (Equally likely to be Guilty), 4 (Likely to be Guilty), 5 (Definitely Guilty)

b. As a juror, after listening to this recording, you would have to make a decision. What would your verdict?

1 (Not Guilty), 5 (Guilty)

Some strategies that detectives use when questioning people have been called coercive. Something is considered coercive if it tends to remove an individual's perception of their freedom to make a meaningful choice. In other words, the less a suspect feels she/he has choice in how to respond to what is being asked (i.e., confess) the more coercive the method is.

7. Was the suspect's confession coerced?

   1 (Definitely Not Coerced), 2 (Unlikely to be Coerced), 3 (Equally likely to be Coerced or not Coerced), 4 (Likely to be Coerced), 5 (Definitely Coerced)

8. Do you think the detectives' tactics were coercive?

   1 (Not at all Coercive), 2 (Somewhat Coercive), 3 (Unable to Determine), 4 (Mostly Coercive), 5 (Clearly Coercive)

Section II:

Read each description below and please rate the extent to which you think the following tactics are coercive. (1: not at all; 5: extremely coercive) – Questions 9-15 (About coerciveness; expectation 2)

Reminder: Something is considered coercive if it tends to remove an individual's perception of their freedom to make a meaningful choice. In other words, the less a suspect feels she/he has choice in how to respond to what is being asked (i.e., confess) the more coercive the method is.

9. Presenting the suspect with false evidence of guilt (e.g., providing false information regarding forensic evidence, eyewitness evidence, surveillance footage, and negative polygraph results).

   1 (Not at all Coercive), 2 (A little Coercive), 3 (Neither Coercive nor Not Coercive), 4 (Somewhat Coercive), 5 (Extremely Coercive)

10. Presenting the suspect with true evidence of guilt (e.g., providing accurate information regarding forensic evidence, eyewitness evidence, surveillance footage, and negative polygraph results).

    1 (Not at all Coercive), 2 (A little Coercive), 3 (Neither Coercive nor Not Coercive), 4 (Somewhat Coercive), 5 (Extremely Coercive)

11. Bluffs about evidence (i.e., pretending to have evidence, but not explicitly stating that this evidence confirms the suspect's guilt – e.g., "we found DNA at the crime scene that

we are going to test" or "there is surveillance footage we haven't been able to watch yet").

1 (Not at all Coercive), 2 (A little Coercive), 3 (Neither Coercive nor Not Coercive), 4 (Somewhat Coercive), 5 (Extremely Coercive)

12. Rejecting the suspect's denials (e.g., repeated accusations, cutting off denials of guilt, telling suspects his/her alibi is false).

    1 (Not at all Coercive), 2 (A little Coercive), 3 (Neither Coercive nor Not Coercive), 4 (Somewhat Coercive), 5 (Extremely Coercive)

13. Promises of leniency (e.g., suggesting/implying suspect will receive a lenient charge and/or sentence for confession, or explicitly promising suspect will receive a lenient charge and/or sentence for confession).

    1 (Not at all Coercive), 2 (A little Coercive), 3 (Neither Coercive nor Not Coercive), 4 (Somewhat Coercive), 5 (Extremely Coercive)

14. Threat and use of physical harm (e.g., explicitly threatening to beat or assault the suspect, implying the suspect will be beaten or assaulted, or actually beating or assaulting the suspect).

    1 (Not at all Coercive), 2 (A little Coercive), 3 (Neither Coercive nor Not Coercive), 4 (Somewhat Coercive), 5 (Extremely Coercive)

15. Building rapport with the suspect (e.g., being nice/friendly to the suspect, finding commonalities with the suspect, treating the suspect with respect).

    1 (Not at all Coercive), 2 (A little Coercive), 3 (Neither Coercive nor Not Coercive), 4 (Somewhat Coercive), 5 (Extremely Coercive)

Section III:

Please rate to what extent each factor would contribute to a person confessing to a crime he or she DID NOT commit.

16. Having a serious mental illness (e.g., schizophrenia).

    1 (No Contribution), 2 (A Small Contribution), 3 (Some Contribution), 4 (A Moderate Contribution), 5 (A Very Large Contribution)

17. Having a less serious mental illness (e.g., anxiety).

    1 (No Contribution), 2 (A Small Contribution), 3 (Some Contribution), 4 (A Moderate Contribution), 5 (A Very Large Contribution)

18. Having a below average IQ.

1 (No Contribution), 2 (A Small Contribution), 3 (Some Contribution), 4 (A Moderate Contribution), 5 (A Very Large Contribution)

19. Being under 18 years old.

    1 (No Contribution), 2 (A Small Contribution), 3 (Some Contribution), 4 (A Moderate Contribution), 5 (A Very Large Contribution)

20. Being under the influence of alcohol.

    1 (No Contribution), 2 (A Small Contribution), 3 (Some Contribution), 4 (A Moderate Contribution), 5 (A Very Large Contribution)

21. Being under the influence of marijuana.

    1 (No Contribution), 2 (A Small Contribution), 3 (Some Contribution), 4 (A Moderate Contribution), 5 (A Very Large Contribution)

22. Being under the influence of illegal drugs (e.g., cocaine, heroin, ecstasy).

    1 (No Contribution), 2 (A Small Contribution), 3 (Some Contribution), 4 (A Moderate Contribution), 5 (A Very Large Contribution)

23. Being under the influence of powerful prescription drugs (e.g., pain medication, sleeping pills).

    1 (No Contribution), 2 (A Small Contribution), 3 (Some Contribution), 4 (A Moderate Contribution), 5 (A Very Large Contribution)

24. Being sleep deprived.

    1 (No Contribution), 2 (A Small Contribution), 3 (Some Contribution), 4 (A Moderate Contribution), 5 (A Very Large Contribution)

Section IV:

General Questions:

25. Have you watched any of the following productions?

    a. *Making a Murderer (Netflix)*

       1 (No), 2 (Some of it), 3 (All of it)

    b. *When They See Us (Netflix)*

       1 (No), 2 (Some of it), 3 (All of it)

c. Confession Tapes (Netflix)

1 (No), 2 (Some of it), 3 (All of it)

For the following statements please rate your agreement with the following statements.

26. If someone confessed to a crime, they are probably guilty.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

27. Suspects might confess to a crime they did not commit.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

28. Detectives should use coercive techniques to obtain a confession. (About coerciveness; expectation 3)

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

29. Coercive techniques are an effective way to obtain a true confession.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

30. A white suspect is more likely to falsely confess compared to a black suspect.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

31. A black suspect is more likely to falsely confess compared to a white suspect.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

32. A black detective is more likely to use coercive techniques with a white suspect to obtain a confession.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

33. A black detective is more likely to use coercive techniques with a black suspect to obtain a confession.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4

(Somewhat Agree), 5 (Strongly Agree)

34. A white detective is more likely to use coercive techniques with a white suspect to obtain a confession.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

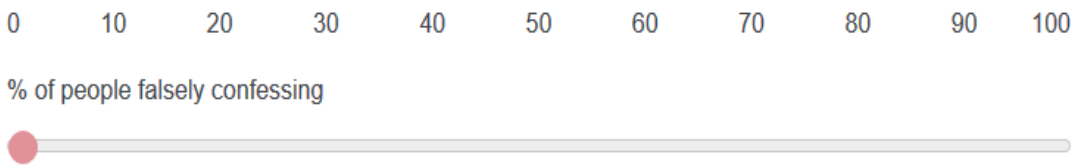
35. A white detective is more likely to use coercive techniques with a black suspect to obtain a confession.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

36. I might confess to a crime I know I did not commit if I was pressured by a detective.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

37. In your opinion, what percentage of all innocent people who are arrested and interrogated falsely confess?



Thinking back to the audio recording:

38. In the description you read, what was suspect's race described as? (Write Response)

39. What was the name of the suspect in the audio recording?
    a) I don't know
    b) John
    c) Matt
    d) I never heard a name

40. How many detectives questioned the suspect in the audio recording?
    a) 1
    b) 2
    c) 3

41. How long was the questioning?
    a) 2 hours
    b) 5 hours
    c) 7 hours

42.

a. You listened to an audio interrogation earlier, do you think it was real interrogation?

1	2
Yes – I believe it was an actual case	No – I believe it was made up

b. If no, what didn't seem real? Briefly describe below:

43. The events of summer 2020, sparked by George Floyd's death, have made me think differently about police behavior.

    1 (Strongly Disagree), 2 (Somewhat Disagree), 3 (Neither Agree nor Disagree), 4 (Somewhat Agree), 5 (Strongly Agree)

44. Whether or not your opinion has changed, explain your thoughts about police behavior. Briefly describe below:

45. Have you ever had an official encounter with the police, such as being pulled over for a traffic violation (e.g., speeding)?

    1 (Yes), 2 (No)

46. If yes, how safe did you feel?

    1 (Not Safe), 2 (A Little Safe), 3 (Neutral), 4 (Somewhat Safe), 5 (Completely Safe)

47. In this experiment, half of you heard an audio recording, where the voice was manipulated to be consistent with the race presented in the study description. Before this question, did you have any suspicion regarding either the voice or the race described.

    1 (Not at all Suspicious), 2 (A Little Suspicious), 3 (Very Suspicious)

Appendix C

Institutional Review Board Approval and Review

August 26, 2020

Marissa Abrams
[redacted]

Dear Ms. Abrams:

The IRB has completed the review of your protocol ##20-009, *The Role of Race in Perceptions of Interrogation and Confession* using expedited review procedures. We appreciate your thorough treatment of the issues raised and your timely response. Your study is approved in the Expedited category under Federal Regulation 45CFR46.

Approval expires August 25, 2021. A progress report, available on our website, is due by that date. If the IRB has not received a progress report from you before MIDNIGHT on the study's expiration date, we will AUTOMATICALLY set your study's status to "Closed". **No further data collection is allowed at that point, and if you wish to re-commence data collection, you will be required to submit a new application, along with all relevant materials, to our office.**

Although we will endeavor to send you a reminder, it is **your responsibility** as the researcher to ensure that your progress report and any request for an extension of data collection is submitted to our office before your approval expires.

If you wish to modify your study, including any changes to the approved Informed Consent form, it will be necessary to obtain IRB approval prior to implementing the modification. If any adverse events occur, please notify the IRB immediately.

If you have any questions, please contact the IRB office at 745-2870. We wish you success with your research!

Sincerely,

[redacted]

Tammy L. Sonnentag, PhD.
Chair, Institutional Review Board
Xavier University

Institutional Review Board Approval

November 12, 2020

Marissa Abrams

[redacted]

Re: Protocol #20-009, *The Role of Race in Perceptions of Interrogation and Confession*

Dear Ms. Abrams:

The IRB has reviewed the request to modify your study, referenced above. We understand that you have added qualifying questions and changed a demographics question. We are able to continue to approve your study based on the information you provided. Therefore, your above-referenced study, as modified, continues to be approved in the Expedited category under Federal Guidelines 45CFR46. Your approval expires on August **25, 2021** and a Progress Report is due by that date. The form can be found online at www.xavier.edu/irb/forms

Please note that if you wish to further modify your study, it will be necessary to obtain IRB approval prior to implementing the modification. If any adverse events occur, please notify the IRB immediately.

We truly appreciate your efforts and attention to compliance within the spirit of human subject's protection. We wish you great success with your research.

Sincerely,

[redacted]

Tammy L. Sonnentag, PhD.
Chair, Institutional Review Board
Xavier University

TLS/sb

enclosure: stamped informed consent

Institutional Review Board Approval Review

July 12, 2022

Kathy Hart
Xavier University

Re: Protocol #20-009, *The Role of Race in Interrogations and Confessions*

Dear Dr. Hart:

The IRB has reviewed the request to modify your study, referenced above. We understand that you will now be the PI and have added two research assistants. We are able to continue to approve your study based on the information you provided. Therefore, your above-referenced study, as modified, continues to be approved in the Expedited category under Federal Guidelines 45CFR46. Your approval expires on **August 15, 2022** and a Progress Report is due by that date. The form can be found online at www.xavier.edu/irb/forms

Please note that if you wish to further modify your study, it will be necessary to obtain IRB approval prior to implementing the modification. If any adverse events occur, please notify the IRB immediately.

We truly appreciate your efforts and attention to compliance within the spirit of human subject's protection. We wish you great success with your research.

Sincerely,

Tammy L. Sonnentag, PhD.
Chair, Institutional Review Board
Xavier University

TLS/sb

Appendix D

Snowball Recruitment Message

The recruitment messaged stated, "*We are conducting a study regarding police questioning that will take approximately 30 minutes of your time if you qualify to participate. We are looking for people who meet very specific characteristics. If you decide to see if you qualify for the study, follow the link below. You will answer a few questions about yourself (such as age and education). If you do not qualify, you will be thanked for considering our study, and you will answer no further questions. If you qualify, you will be taken to the informed consent document for the full study which will provide more information about the nature of the study and what you will be asked to do. Upon completion of the study, you will receive a $10 gift card. At any point in this process (during the qualification phase or during the study itself), you will have the option to stop your participation without any negative repercussions."*

If you know of any other undergraduates who might be interested in participating, please send them the entire message and link I sent you! If you choose to do so, I just ask you don't share any information with them about the study.

Appendix E

Informed Consent Form

My name is Marissa M. Abrams and I'm a graduate student in Psychology in the School of Psychology. I'm offering you the opportunity to volunteer to participate in a project conducted through Xavier University that will serve as my doctoral dissertation. The purpose of this study is to investigate perceptions of questioning strategies used by the police. Participants in this study will be asked to listen to a brief audio recording of detectives questioning a suspect, completing a brief survey regarding your judgment about questioning techniques and providing basic demographic information. The study should take approximately 30 minutes for you to complete. There are minimal foreseeable risks or discomforts related to your participation in this study. However, in the audio that you will hear, there is explicit language and a description of events that some may find disturbing. If at any time you feel uncomfortable or wish to leave the study, you may do so without penalty. There are no direct benefits to you for your participation in this study.

Nature and Purpose of the Project
The purpose of this study is to investigate perceptions of questioning strategies used by the police. This study will be conducted online, via Qualtrics. It will involve listening to a brief audio recording of detectives talking to a suspect, completing a survey regarding your judgments about the questioning techniques used in the audiotape and providing basic demographic information. The total time to complete this study is approximately 30 minutes.

Why You Were Invited to Take Part
You were invited to participate because you are currently enrollment in an academic program.

Study Requirements
Participants must be 18 years of age or older and fluent in English.

Anticipate Discomforts/Risks
There are minimal foreseeable risks or discomforts related to your participation in this study. However, in audio that you will hear, there is explicit language and a description of events that some may find disturbing. If at any time you feel uncomfortable or wish to leave the study, you may do so without penalty. Refusal to participate in this study will have no effect on any future services to which you may be entitled from Xavier University. You are under no obligation to participate in this study, and you are free to withdraw at any time without penalty.

Anonymity
Any information you provide will remain completely anonymous; your name will not be recorded on any materials or linked to your responses. Responses will be reported in a summary and no individual answer will be reported in the dissertation document. The highest security setting in Qualtrics will be used, ensuring no collection of private information, including IP addresses and geo-location. In addition, any demographic information provided will not be used for identification purposes and will only be reported on an aggregated basis.

Compensation

Refusal to participate in this study will have NO EFFECT ON ANY FUTURE SERVICES you may be entitled to from the University. You are FREE TO WITHDRAW FROM THE STUDY AT ANY TIME WITHOUT PENALTY.

If you have any questions at any time during the study, you may contact the researcher, Marissa Abrams at Abramsm2@xavier.edu or the research supervisor, Dr. Kathleen Hart at hartk@xavier.edu. Questions about your rights as a research participant should be directed to Xavier University's Institutional Review Board at 513-745-2870, or irb@xavier.edu.

You may print a copy of this form, or contact Marissa Abrams at Abramsm2@xavier.edu to request a copy be sent to you.

I have been given information about this research study and its risks and benefits and have had the opportunity to contact the researcher with any questions, and to have those questions answered to my satisfaction. By completing the elements of the study as previously described to me, I understand that I am giving my informed consent to participate in this research study.

THE DATE APPROVAL STAMP ON THIS CONSENT FORM INDICATES THAT THIS PROJECT HAS BEEN REVIEWED AND APPROVED BY XAVIER UNIVERSITY'S INSTITUTIONAL REVIEW BOARD.

Appendix F

Study Descriptions

Description 1

Imagine that you are a juror. In that role, a court asks you to consider evidence that is presented to you to make judgments about a defendant's guilt. In a moment, you will listen to an audio recording from a real case, in which two detectives are questioning a suspect. Although the clip you will listen to is four and half minutes long, it was compiled from a single interrogation session that lasted for a period of 7 hours. The suspect is a 25-year-old White male named Matt, who is being questioned about the murder of his aunt and uncle. While listening to the audio recording, a transcript of the recording will appear on your screen, to ensure you can understand what is being said. Following the recording, you will be asked several questions about the case, including making a determination about whether or not Matt committed the crime he is accused of. You will also be asked to answer general questions about the strategies the detective used during questioning.

***Note: Explicit language and description of events that some may find disturbing is present in this recording. Please exit the study now, or at any time during the study, if you no longer wish to participate.**

Description 2

Imagine that you are a juror. In that role, a court asks you to consider evidence that is presented to you to make judgments about a defendant's guilt. In a moment, you will listen to an audio recording from a real case, in which two detectives are questioning a suspect. Although the clip you will listen to is four and a half minutes long, it was compiled from a single interrogation session that lasted for a period of 7 hours. The suspect is a 25-year-old Black male named Matt, who is being questioned about the murder of his aunt and uncle. While listening to the audio

recording, a transcript of the recording will appear on your screen, to ensure you can understand what is being said. Following the recording, you will be asked several questions about the case, including making a determination about whether Matt committed the crime he is accused of. You will also be asked to answer general questions about the strategies the detective used during questioning.

***Note: Explicit language and description of events that some may find disturbing is present in this recording. Please exit the study now, or at any time during the study, if you no longer wish to participate.**

Appendix G

Debriefing Form

Thank you for your participation in this study. Please keep the purpose of this study confidential and do not disclose any information about this study to other potential participants.

The audio recording you listened to was a real interrogation that involved a known false confession. The purpose of this study was to investigate if the perception and judgments of a false confession differed by the participant's and suspect's race.

Your responses to the questionnaires are, and will remain, anonymous.

If you have questions or concerns about this study, or if you wish to inquire about the results, you may contact the principal investigator, Marissa Abrams, at abramsm2@xavier.edu, or her dissertation chair, Dr. Kathleen Hart, at hartk@xavier.edu.

Please keep the purpose of this study confidential and do not disclose any information about this study to other potential participants. We are still in the process of collecting data and the details we've provided here could alter our findings.

Summary

Title. The Role of Vulnerability Factors and Race on Judgements about False Confessions

Problem. There is little debate that racial disparities exist within the U.S. criminal justice system. In addition to the overrepresentation of BIPOC among incarcerated populations, there is evidence that BIPOC are overrepresented among defendants who were convicted and later exonerated of their crimes as a result of false confession. Various disposition factors have been demonstrated to contribute to the production of false confessions such as the age of the suspect, the presence of mental health symptoms, whether an individual was under the influence of substances, and presence of intellectual disability (Drizin & Leo, 2004; Gudjonsson, 2005; Kassin & Gudjonsson, 2004; Kassin et al., 2010). More recent studies have suggested that race may also be a contributing factor in the social interaction that occurs between interrogators and suspects. Whereas multiple studies establish the relationships between dispositional factors and false confessions, it is not well known how potential jurors understand or weigh these factors when faced with the question of the veracity of a confession, or whether these determinations vary based on the race of suspects or of potential jurors.

Method. A total of 247 participants completed study measures online after being recruited using different recruitment strategies including a participant pool at a private university and a snowball method. Participants listened to a four minute, 28-second audio recording of an actual interrogation that resulted in a false confession; participants were randomly assigned to a condition that indicated the suspect was black or white. They then completed a 47-item survey about their impressions of features of the interrogation). For this study, we examined participants' responses to questions about risk factors for false confession, such as having a below average IQ. The primary statistical analyses were 2 (race of suspect) x 2 (race of participant) ANOVAs to examine the main effects of race of suspect and race of participant and

the interaction of race of suspect and race of participants in participants' ratings of mitigating factors of false confessions.

Findings. Regarding ratings of mental health symptoms, there was not a significant interaction for this rating, and no significant main effects for race of the participant *F= .146, p= .703* (item 16); *F= .200, p= .655* (item 17) or race of the suspect *F= .272, p= .603* (item 16); *F= .001, p= .974* (item 17). Regarding ratings of presence of intellectual disability, there was not a significant interaction for this rating, and no significant main effects for race of the participant *F= 1.709, p= .192* or race of the suspect *F= .288, p= .592.* Regarding ratings of intoxication, there was not a significant interaction for this rating, and no significant main effects for race of the participant, (item 20), $F = .709$, $p = .401$; (item 21), $F = .163$, $p = .687$; (item 22), $F = .361$, $p = .549$; (item 23), $F = 1.170$, $p = .281$, or race of the suspect (item 20), $F = .366$, $p = .545$; (item 21), $F = .398$, $p = .528$; (item 22), $F = .101$, $p = .751$; (item 23), $F = .027$, $p = .870$. Regarding how mitigating factors impacted participants' ratings of likelihood of guilt, there was not a significant interaction, nor were there significant main effects for race of the participant, *F= .067, p= .796,* or race of the suspect, *F= 2.720, p= .100*. Regarding participants' ratings of confidence that the suspect in the audio recording committed the crime he confessed to, there was not a significant interaction, nor were there significant main effects for race of the participant, *F= .131, p= .718,* or race of the suspect, *F= 1.322, p= .251*. Regarding participants' ratings of the suspect being under 18 years old contributing to false confessions, there was no significant interaction and no main effect for race of suspect, *F= .075, p= .784*. However, there was a significant main effect for race of the participant, *F= 4.064, p= .045*. Table 2 presents means and standard deviations for all cells.

Implications. The significant finding suggests that participants of different races weigh mitigating factors differently in regards to how much they weigh age as contributing to false

confessions. Future studies should continue to investigate participants' distribution of ratings. Research should also examine how a visual representation of suspect race during the suspect interrogation could impact the results. Finally, future studies ought to examine how potential jurors may weigh mitigating factors during a sentencing phase.