

CONFESSING TO AN IMMORAL ACT:
Consequences to Moral Beliefs and Dispositions

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What are the consequences of confessing to an immoral act? In this paper, we will consider the dilemma of people who confess to immoral acts that they did not commit. In law enforcement, an all too common occurrence is for police to convince suspects to confess to a crime that they actually did not commit. Instances of physically coerced confessions notwithstanding, our focus is on the uncoerced confession in which the accused is cajoled to admit to a criminal action. People may be accused of moral transgressions in any number of situations such as cheating in school or committing fraud in the workplace. In this paper, we will present evidence that situational events can lead innocent people to make false confessions. We will then present a view of the psychological consequences of false confessions. We will focus on people's belief that they actually committed the moral transgression and we will consider the downstream consequences to their self-attributions of dispositional morality.

On July 8, 1997 police in Norfolk, VA approached US Navy sailor Daniel Williams and brought him to the police station for questioning regarding the murder of his neighbor, Michelle Moore-Bosko. After several hours of interrogation,

Williams confessed to murdering Michelle. That confession was the primary evidence leading to a conviction for capital rape and murder. In his confession, Williams explained how he bludgeoned his neighbor with a shoe. When it came to light that the victim had not been bludgeoned but had been strangled, Williams signed a new confession that he had stabbed and strangled Moore-Bosko. The jurors' judgment of Williams' guilt was not affected by the change in the reported method of killing Moore-Bosko or by the fact that Williams recanted both confessions, claiming that he had been coerced by the police.

We know now that Daniel Williams neither raped nor killed his neighbor. At trial, he said the same to the 12 men and women who served as jurors. Why would jurors disbelieve his sworn verbal statement on the witness stand, preferring to make their judgments based on a recanted confession? In some ways, the jurors' decision was an easy one. We do not believe that people would confess to crimes they did not commit, especially given the extremity of the consequences that follow from a confession. Sadly, the data tell us otherwise. In the criminal justice system, cases such as Daniel Williams and several others (Pratkanis & Aronson, 2001) make for poignant reading. Analyses of convictions that were ultimately overturned by subsequent evidence reveal that approximately 15% were based on false confessions (Bedau and Radelet, 1987; Garrett, 2008; Gudjonsson & Sigurdsson, 1994).

FALSE CONFESSIONS OUTSIDE THE COURTROOM

It is not only accused perpetrators of crimes who are pressured to confess to actions they did not commit. In the ordinary business of life, people occasionally

admit to transgressions that are untrue. Sometimes, the confession is made to protect someone else. A child in school may admit to breaking her teacher's vase in order to protect her best friend whom she believed really broke it. A parent may take the blame for a child's not doing his homework on a particular night in order to mitigate any punishment for the child. On other occasions, people may confess to a behavior because they succumb to social pressure. A teenager in a pick-up basketball game agrees that he stepped on the out-of-bounds line because several other players make the accusation. Although he believes his feet were entirely in bounds, he gives up the ball (i.e., confesses to stepping on the line). His confession is a result of social influence and his desire to allow the game to continue. Another reason for false confession is that the anticipated consequence of not confessing is greater than the consequence of confessing. A child who falsely confesses to his teacher that he broke the rules by speaking during a quiet period may anticipate fewer adverse consequences than truthfully revealing that it was the class bully who transgressed. In this chapter, we take the position that false confessions have consequences for how people view themselves. Because falsely confessing involves intrinsically moral decisions, such confessions may alter people's views of their own sense of morality as well as subsequent moral behavior.

Attributions of Moral Dispositions about Others

The notion of how people make attributions about other people's personal characteristics has long been the focus of social psychological theorizing (Heider, 1958; Jones & Davis, 1965; Kelley 1972). Our effectively navigating the social world is increased to the extent that we understand other people's propensity to act

consistently across situations. Jones and Davis (1965) referred to such understandings as 'dispositions' and delineated many of the principles we use to infer people's dispositions from an observation of their behaviors. The principles of correspondent inferences apply to making dispositional inferences about people's attitudes, kindness, maliciousness, or any other trait relevant to a person's actions. If we wish to gauge a person's level of helpfulness, for example, we can assess any occasions in which we have observed the person act in a helpful manner. According to Jones and Davis, we engage in a systematic process that allows us to make a reasonable guess about a person's intention to act in a helpful manner and use the intention to infer a disposition.

Consider a college student who is thought to have cheated on an examination. The unfair advantage that the student received can be dealt with in any number of ways but we would not be surprised to see such a student suspended from school. The student's behavior suggests a level of morality inconsistent with what is expected from college students. The attribution of immorality as personal disposition suggests that the student cannot be trusted in subsequent situations in which moral behavior is expected. The attribution of a disposition allows us to predict the likelihood of future behavior that requires ethics and morality, which in turn prompts the separation of this student from his school.

How do we know if the student in the above example actually engaged in the immoral behavior of which he stands accused? If we did not actually observe the behavior, we may rely on a second level of behavior – namely, the student's verbal statement about whether he did or did not cheat. If the student were to confess to

cheating, we would have little doubt that the immoral behavior occurred. The attribution of immorality would not be difficult to make.

It is important to understand why we would be confident that the student who confessed to cheating is ethically challenged. Although various theories of attribution converge on similar sets of principles, our analysis can be guided by correspondent inference theory (Jones & Davis, 1965; Jones, Kanouse, Kelley, Nisbett, Valins & Weiner, 1972). Attributions of dispositions occur as a function of people's behavior, provided that we believe the behavior is informative. The two important variables in correspondence inference theory are the number of noncommon effects of a person's chosen behavior weighted by their social desirability. That is, does the behavior of confessing produce unique effects (compared to not confessing) and are those effects something that most people would enjoy having? Confessing to an immoral act has severe consequences and those consequences are markedly undesired. It is straightforward to draw the correspondent inference and assume that a person who confesses to cheating is a cheater – i.e., has an immoral character disposition.

Behaviors that are coerced are not informative for the purpose of making a dispositional attribution. The attribution analysis that results in correspondent inferences cannot proceed when behavior is coerced because the actor did not intend to create the behavior or its effects. Yet, decades of research have shown that observers succumb to the correspondence bias (Gilbert & Jones, 1986) or the fundamental attribution error (Ross, 1977). Despite violating the logical rules of attribution, people have a tendency to make dispositional inferences on the basis of

behavior, even when the behavior was coerced. In the classic research on correspondence bias, Jones and Harris (1967) informed participants that another university student had written an essay in favor of Cuban President Fidel Castro. Depending on experimental condition, some participants were told that the student had chosen to write in support of Castro whereas others were told that the student had been assigned the position. Although participants attributed highest pro-Castro attitudes to the student who chose to write on that side, they also attributed pro-Castro attitudes to those who were assigned the task. The student's behavior in the latter condition should not have provided even a clue about his attitude toward Castro. Nonetheless, people engaged in the correspondence bias and made attitude attributions based on the coerced behavior.

Jurors and the Correspondence Bias. According to Kassin and Wrightsman (1980: 1985), the most damning evidence given in court is a confession. Since most cases that are presented to juries involve not-guilty pleas, the confessions in question have typically been given to police prior to trial. Defendants often claim that their confessions were coerced or given under duress. Such explanations are rarely successful (Leo, 2008; Leo & Ofshe, 1998). Sauer and Wilkens (1999) found that the overwhelming majority of potential jurors reported that they believed that suspects would "almost never confess" to crimes they did not do. Leo (2008) quotes a Los Angeles Police Department psychologist who asserted "No amount of badgering would prompt the average person to admit to doing something that awful – or to admit to any crime"(p. 197).

The fact is that defendants do succumb to pressure to confess to immoral and illegal actions that they did not commit. For the past 80 years, the United States courts have forbidden the introduction of confessions that were coerced by physical means. In *Brown v. Mississippi* (1936), the Supreme Court reversed a guilty verdict on the grounds that the confession was extracted via brute force and that such tactics are a violation of defendants' rights to due process. As standards evolved over the decades, confessions are admissible to the extent that a judge, and sometimes a jury, finds that the confession was given willingly, knowingly and in the absence of physical or psychological coercion.

One issue that the adversarial legal system must face is that police often question suspects with an array of psychological techniques designed to elicit confessions. A variety of procedural manuals detail the psychological and environmental pressures that can help produce confessions from suspects. Inbau, Reid, Buckley and Jayne (2001) outline a nine-step procedure that is widely used by police to elicit confessions. These steps include convincing a suspect that firm evidence already exists to convict them of the crime and then working with the suspect to generate moral excuses to justify the crime. According to Kassin & McNally (1991), police interrogation techniques can be categorized into two main approaches – minimization and maximization. The former relies on the interrogator's creating a sense of camaraderie with the suspect. The interrogator expresses sympathy and understanding, offers face-saving excuses, puts the blame on external factors and downplays the severity of the offense. The latter technique – maximization -- utilizes intimidation to scare the suspect, exaggerates false

incriminating evidence and the magnitude of the consequences that will occur in the absence of a confession. Because people do not believe an individual would confess to something he or she did not actually do (Sauer & Wilkins, 1999), the impact of a confession on jurors' attributions of guilt is maximal. They underestimate the social psychological factors at play during the interrogation, basing their ultimate judgment on the effect of consequence of the confession instead.

The Effect of False Confessions on the Confessor.

What is sometimes lost in discussions of false confessions is the effect of confessions on the perpetrator. In terms of the social psychology of attributions, does making a confession have an impact on people's own judgment of whether they actually engaged in the activity to which they confessed? Some celebrated legal cases suggest that the answer is sometimes yes. Eighteen-year-old Peter Reilly returned home one night to find his mother had been murdered. After Reilly called the police to report the incident, the police interrogated him. They claimed (falsely) that Reilly had failed his lie-detector test. Analysis of the transcripts of his confession (Barthel, 1976) showed Reilly progressing from denial to confusion to self-doubt. "Well, it looks like I really did it," he told police. Two years after his conviction, conclusive evidence was uncovered that exonerated him. He was not near his home on the night of the murder.

Recall the case against Daniel Williams who confessed to the murder of his neighbor. Although Williams was convicted on the basis of his confession, he continued to maintain that his confession was false and that he was innocent of the

crime. A different story can be told for co-defendant Joseph Dick, who was accused of being Mr. Williams' accomplice. Dick also confessed. However, he internalized his confession, coming to believe that he had actually been with Williams when they raped and murdered Ms Moore-Bosko. He repeated his confession in court and testified against Daniel Williams. The Norfolk defendants were released from prison when DNA evidence showed that neither Williams nor Dick had anything to do with the crimes.

False Confessions and self-perception.

Kassin and Kiechel (1996) addressed the underlying issue that renders confessions exceptionally powerful in courts. Would anyone actually confess to a transgression that he or she did not commit? To provide some experimental evidence to this debate, Kassin and Keitel asked whether people who find themselves accused of transgressions apart from the criminal justice system could be systematically persuaded to make false confession. They suggested that two elements in police interrogations seem to be present when false confessions are obtained. One is the creation of doubt about the events that took place and the second is the creation of a belief that the accusers have proof of the suspect's guilt.

In a clever experimental laboratory procedure, Kassin and Kiechel (1996) had undergraduates participate in groups of two in what they thought was a reaction time task. One member of the pair was actually a confederate of the experimenter's. On each trial of the RT task, the confederate read a list of words and the participant was to type them into a computer. The experimenter explained that it was imperative that the participant not touch the ALT key that was adjacent to the

space bar because that would cause the computer to crash and the data to be lost. After a minute's activity, the computer seemed to crash. The experimenter hurried in to examine the computer and accused the participant of having pressed the forbidden key. Initially, all participants denied the allegation. In the high vulnerability condition, the participants were rendered less certain of what they had or had not done because the typing task was conducted at a frenetic pace. In the low vulnerability condition, it was conducted at a leisurely pace, allowing participants to be very certain of what they had typed. The second variable of interest was whether the participant believed there was incriminating evidence. This was manipulated in the form of testimony given by the confederate. In the false witness condition, the confederate admitted that she had seen the participant hit the ALT key that terminated the program. In the no-witness condition, the same confederate said she had not seen what happened.

To elicit compliance with the accusation, the experimenter told the participant to sign a statement that he or she hit the ALT key. They were not asked if they believed their confession, but only to make one as the experimenter demanded. The results showed that when there was no alleged witness and the pace of the typing had been slow, 65% of the participants refused to sign. On the other hand, when the pace was quick and thus the transgression less certain, 65% agreed to sign. That percentage rose to 100% when the uncertainty was combined with the witness' testimony. What happened next in Kassin & Kiechel's study assessed the degree to which people actually believed that they had transgressed. Another student confederate, posing as the next participant, approached the

participant and asked what the commotion was about. The participants' responses were recorded and assessed for whether they stated unequivocally that they had hit the ALT key. Although no one in the certain-no witness condition admitted to having committed the forbidden behavior, 65% of participants who were in the fast-paced condition with an accusing witness freely stated that they had committed the behavior.

Believing Your (False) Confession: An Empirical Study on Attributions of Morality.

Under what conditions do people believe their false confessions? From Kassin and Kiechel's (1996) work, we believe that people can be influenced to make false confessions and that people sometimes become convinced of the veracity of those confessions. In the current work, we examine the consequences of confessions for people's self-attributions. If people confess, does it affect their attribution of their own dispositions? Are they likely to use the observation of their own behavior to draw inferences about the level of their own morality?

We speculate that people use their confessions as evidence of their dispositions but only to the extent that they feel they had a choice in making their confessions. This is consistent with analyses from cognitive dissonance theory (Festinger, 1957), self-perception theory (Bem, 1972) and attribution theory (Kelley, 1972). To the extent that people perceive their behavior to be freely chosen, then that behavior is influential in determining their internal dispositions. Faced with knowledge that they described a transgression (i.e., confessed), people determine whether that description was coerced by the environment or whether it

was given freely. If the latter, then it becomes information in determining one's own dispositions.

We extended Kassin & Kiechel's research to an area of moral concern – namely, cheating. We established a situation in which students' performance on an exam could be improved if they took extra time to complete the questions. We accused the students of having cheated on the exam and, using techniques drawn from police manuals (Inbau et al, 2001), to induce students to confess to having cheated. We then assessed the degree to which the students believed that they had actually cheated. Finally, in a different context, we used an individual difference questionnaire to assess students' assessment of their own reality. We predicted that we could induce students to confess to cheating when, in fact, they had not done so. We also predicted that students would come to believe that their confessions were true to the extent that they felt they had a choice to confess. Finally, we predicted that if students confessed to cheating and believed (falsely) that they had committed the act, they would attribute to themselves a lower level of ethical and moral disposition.

In our empirical study, undergraduate students volunteered for a study investigating mental models to improve mathematical abilities. At the outset, participants were told that it was important to get an assessment of their current level of mathematics proficiency. To that end, they would take a difficult exam in mathematics and their scores would be published along with the scores of all other students taking the exam. The students were given 15 minutes to complete the test on the computer. The experimenter explained that they should work until they

were finished but that they absolutely should not go beyond the time provided. The experimenter stated that he would leave the student alone with his or her work and would return in about 15 minutes. The student was told to use the clock that was prominently displayed on the computer as the official timer.

The alleged transgression: The experimenter waited 17 minutes before returning to the room. When entering the room, he noted that he had intended to come back after 15 minutes so that he could monitor the student's adherence to the rules but, unfortunately, ran late. He asked participants whether they had used the extra time for anything related to the mathematics test. In a control condition, the student's denial that they had used extra time was taken at face value. Every student denied taking extra time, which was an honest and accurate portrait of what they had done.

Accusing the Perpetrator: After inquiring about the student using extra time, the experimenter confronted the student with the notion that he or she must have used the time to work on the math test. He explained that the using extra time included such things as looking over your work, making changes or just continuing to work after the timer reached zero. The experimenter adopted one of three interrogation techniques adopted from the police interrogation handbook.

No Choice Confession: The experimenter in the no choice condition told the students that, considering they had extra time available, it was required that they sign a statement saying that they had used the extra time on the math exam. The experimenter took responsibility for having allowed the extra time but explained that when such an event happens, he is required to get the student to sign a routine

statement acknowledging use of extra time. Only then, he explained, can the study continue.

Choosing to Confess: Minimization: Minimization is an interrogation approach in which the interrogator offers understanding of the alleged situation, offers face-saving excuses and downplays the severity of the offense. To that end, the experimenter explained that it was not a major violation if the participant used extra time, evoking the notion that it was a common and justifiable occurrence, and that situations with this kind of temptation often lead to people violating the rules. He just needed the participant to acknowledge that he or she used extra time so that he could code the data differently for subsequent analysis. The experimenter stated, "Of course you do not have to sign the statement, but it would be very helpful if you do."

Choosing to Confess: Maximization. In this condition, participants were told that cheating on a test, even in a laboratory, was a violation of the university's honor code. The penalties could be severe. Students were told that it would be much better to sign a statement confessing to use extra time because that would allow the data to be coded differently and still be used. On the other hand, failure to admit to using extra time -- if they had actually used it -- would result in severe consequences. Moreover, the experimenter revealed that he had hard evidence because the video camera on the computer had recorded the entire session. He indicated that he would check the video if the student did not admit to the transgression. The student was then given the choice about whether to sign the confession.

Making the False Confession. The video camera on the computer had actually been used during the session. The videos revealed that no one, in any of the conditions, had actually violated the 15-minute limitation. No one in the control condition admitted to using extra time. However, the data in Figure 1 show the results for participants in the three experimental conditions. Nineteen of twenty participants in the no choice conditions complied with the experimenter's instruction to sign a confession for a transgression that they did not commit. In the choice conditions, 72% of the participants agreed to confess, with the highest number coming in the maximization condition. The minimization and maximization conditions did not differ significantly from each other.

Figure 1

Believing the False Confession. After participants either did or did not sign their false confessions, the experimenter indicated that he would have to terminate the study. He introduced the study's "principle investigator" who told participants that he needed to ask them questions. He first inquired about whether the participants had agreed to sign a statement about their having used extra time. He then administered a questionnaire that included the crucial item, "How much do you believe that you used extra time in completing the test?" The questionnaire also asked, "How much choice did you feel in confessing or not confessing?" All items were followed by 7-point scales.

Figure 2 presents the results of the degree to which students reported believing that they had actually used the extra time that they had confessed to. The results show that signing a confession had an impact on belief but, as expected, the effect varied by condition. The mean belief in the control condition in which people had been asked if they used the extra time but were not asked for a confession was 1.05. In the no choice condition, the reported belief was minimally and non-significantly higher ($M=1.15$). Students' beliefs in their own transgressions were significantly higher in the choice minimization ($M=2.9$) and the choice maximization conditions ($M=2.3$). The choice conditions were significantly different from the no-choice condition and marginally significantly different from each other ($p<.11$).

Figure 2

Not surprisingly, students' perceptions of the degree of choice they had to sign a confession were higher in the choice than in the no-choice conditions. However, it is interesting that students perceived more choice in the minimization than the maximization condition. In other words, when threatened with severe consequences for failing to report a transgression (even though they had not transgressed), they saw their own freedom as more severely limited than when the inducements were minimal. In addition, the degree of belief that they had actually used extra time was correlated with the amount of decision freedom they thought they had ($r=.44$).

Impact of Confessions on Dispositions. One day following the experimental procedure, students were contacted by e-mail and asked if they were willing to fill out some questions as part of an ongoing survey of personality instruments. No mention was made of any connection to the false confession study. If participants agreed (94% of the original participants agreed), they were asked to respond on the computer to a 10-item version of the Rosenberg Self-Esteem scale. An 11th item was added to the scale, which stated, "I feel I am an ethical person." The results showed that students who had signed a confession and believed that they had choice to sign the confession scored lower on the ethical person question ($M = 2.2$ vs. $M = 1.7$, $p < .02$) and lower on the SES overall ($M = 16.65$ vs. $M = 18.88$), $p < .05$.)

IMPLICATIONS OF FALSE CONFESSIONS: A change in Moral Thinking

The new empirical work described in this chapter demonstrates that people can be induced to confess to immoral actions, even when they acted in a moral, ethical and legal fashion. From the perspective of a third person, confessions of immoral, unethical behavior will almost certainly be grist for the attribution mill, allowing social perceivers to conclude that the confessor did indeed act in an immoral way and that immorality can be ascribed as a personal disposition.

If we ourselves are induced to confess to an immoral behavior, it is not apparent that we would use our false confession as evidence that committed the immoral act or that we are immoral people. On the other hand, various theories including cognitive dissonance (Cooper, 2007; Festinger, 1957) suggest that behavior can have dramatic impact on attitudes and beliefs, provided that it appears to have been freely chosen. Our results support the latter notion. People who were

accused of an action that they did not commit were nonetheless persuaded to confess to having cheated. If they believed that their confession was made with personal free choice, they were more likely to believe their own confessions rather than trust their memories for what they had actually done. And those freely chosen confessions had consequences: People not only believed that they had acted immorally but also showed a lower sense of self-esteem and a lowered belief in their own sense of moral character.

The impact of false confessions on personal beliefs is systematic. First, a behavior must be elicited that confirms the transgression. The degree of coercion needs to be minimal. The justification for confessing must also be minimal. Recall that the maximization strategy in which the consequences of failing to confess were emphasized successfully produced confessions but did not produce much internalization. Rather, the minimization strategy led to people believing that they had freely chosen to sign their confessions, which, in turn, led to belief change.

An interesting question is whether false confessions lead to greater immoral behavior in the future. In the current work, false confessions under the appropriate circumstances led people to make dispositional attributions about themselves that imply a possible cascade of future behaviors. Using a dissonance analysis, Aronson and Carlsmith (1962) showed that people prefer to act consistently with their self-expectations, even if those expectations are for failing performances. The suggestion then is that having people confess to immoral acts that they had not actually committed will not only lower a person's moral self-esteem but also affect the morality of future behavior.

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Figures

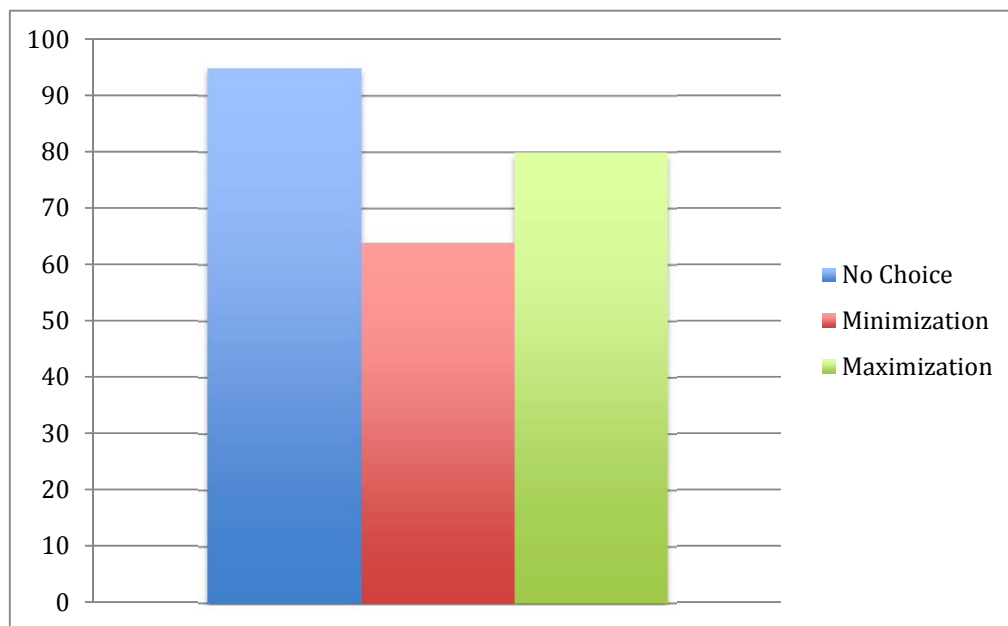


Figure 1. Percentage of participants who signed a false confession.

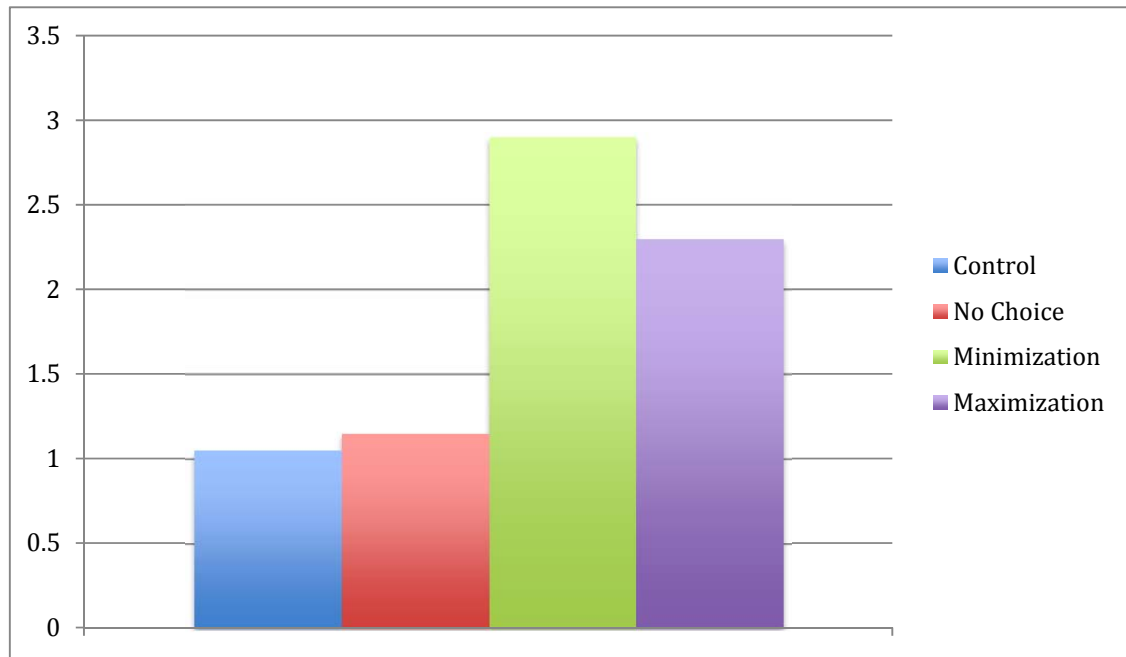


Figure 2. Participants' mean beliefs in the substance of their confessions.