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THE EFFECTS OF CONFESSION EVIDENCE AND DEFENDANT RACE ON JUROR  
PERCEPTIONS

A Dissertation

Presented to the Faculty of  
Antioch University New England

In partial fulfillment for the degree of

DOCTOR OF PSYCHOLOGY

by

Victoria E. Dodge

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April 2024

THE EFFECTS OF CONFESSION EVIDENCE AND DEFENDANT RACE ON JUROR  
PERCEPTIONS

This dissertation, by Victoria E. Dodge, has  
been approved by the committee members signed below  
who recommend that it be accepted by the faculty of  
Antioch University New England  
in partial fulfillment of requirements for the degree of

DOCTOR OF PSYCHOLOGY

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## ABSTRACT

### THE EFFECTS OF CONFESSION EVIDENCE AND DEFENDANT RACE ON JUROR PERCEPTIONS

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Confession evidence continues to be one of the most persuasive, incriminating forms of evidence presented during a criminal trial (Kassin & Gudjonsson, 2004; Leo, 2009). Research suggests that jurors may also be influenced by extra-legal factors, such as personal characteristics of the defendant (e.g., the defendant's race; D.J. Devine & Caughlin, 2014; Pickel et al., 2013; Sommers & Ellsworth, 2000). Research investigating the effect of race on juror perceptions has yielded mixed results. Some research has found that White jurors discriminate against defendants belonging to a racial minority while other research identifies a phenomenon referred to as the watchdog hypothesis (Mitchell et al., 2005; Pickel et al., 2013; Sargent & Bradfield, 2004; Sommers, 2006). The watchdog hypothesis posits that White jurors will be more attentive to legally relevant information when the defendant is Black in an attempt to serve as "watchdogs" (Petty et al., 1999, p. 26) against racism (Ewanation & Maeder, 2021; Sargent & Bradfield, 2004). This quantitative study examined the intersection of defendant race and strength of confession evidence with mock jurors' perceptions of both defendant guilt and voluntariness of confession in a hypothetical case where the defendant had recanted their confession. All analyses showed an impact of voluntariness of confession, but not race of the defendant, among participants in this study. Further, no interaction between defendant race and strength of confession evidence was found to be related to participants' perceptions of defendant guilt or

confession voluntariness. This dissertation is available in open access at AURA (<https://aura.antioch.edu>) and OhioLINK ETD Center (<https://etd.ohiolink.edu>).

*Keywords:* confession, guilt, voluntariness, interrogation

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## CHAPTER I: INTRODUCTION

Research has shown that false confession evidence is one of the leading contributing factors in the wrongful conviction of suspects accused of various crimes (Kassin & Gudjonsson, 2004; Leo, 2009). Despite The Innocence Project (n.d.-b) reporting that false confessions were involved in approximately 25% of the cases exonerated through DNA evidence, false confessions continue to be one of the most convincing forms of evidence (Kassin & Gudjonsson, 2004). Research further suggests that juror perceptions of confessions may be additionally influenced by the defendant's race (Pickel et al., 2013). Studies investigating the effect of defendant race on juror perceptions have generally yielded inconsistent results, with some studies finding no effect of defendant race, others finding a favorable outgroup bias, and still others finding a punitive outgroup bias (Bucolo & Cohn, 2010; Sommers, 2006).

A phenomenon referred to as the similarity-leniency bias has been widely applied to the trends found in research exploring juror perceptions and defendant race. The similarity-leniency phenomenon suggests that individuals are motivated to favor those who are ingroup members rather than outgroup members to maintain a positive self-concept (Ewanation & Maeder, 2021; Sargent & Bradfield, 2004). Applied in a legal context, it suggests that jurors tend to favor and be more lenient toward same-race defendants compared to other-race defendants (D.J. Devine & Caughlin, 2014; Ewanation & Maeder, 2021; Mitchell et al., 2005; Sargent & Bradfield, 2004). This is consistent with the majority of research exploring the interaction between juror and defendant race and that jurors are more lenient toward defendants of the same race (Ewanation & Maeder, 2021; D.J. Devine & Caughlin, 2014). However, Sargent and Bradfield (2004) found that White mock jurors demonstrated more sensitivity to legally relevant information (e.g., alibi

strength) in a trial transcript when the defendant was a Black person compared to when the defendant was a White person.

### **Background**

Understanding the intricacies of confessions and the factors that influence one's decision to falsely confess to a crime warrants attention for several reasons. Research shows that false confessions remain one of the leading causes of wrongful conviction in the United States (Innocence Project, n.d.-a; Kassin & Gudjonsson, 2004; McGuffin Nespoli, 2014). Confession evidence has repeatedly been shown to be one of the most influential forms of evidence presented against a defendant, thus reflecting its degree of persuasiveness (Ewanation & Maeder, 2021; Leo, 2009). Lieberman et al. (2008) found that among several different kinds of evidence presented during a trial, DNA evidence was the only type of evidence that study participants perceived as more persuasive than confession evidence. Even when a confession is later recanted, it remains highly incriminating. Studies investigating the impact that false confessions have on juries' perceptions of defendant guilt and the outcome of a trial have demonstrated that even in cases where the suspect provides a confession that is later proven to be false, juries still convict the suspect in 73-81% of cases (Durham, 2016; falseconfessions.org, n.d.; Forrest et al., 2012).

Suspects who falsely confess during a criminal investigation may recant their confessions for various reasons (Pickel et al., 2013). When this happens, the jury is tasked with determining the credibility and validity of the confession evidence and ultimately, the defendant's guilt (Appleby, 2015; Costanzo et al., 2010; Pickel et al., 2013). Jurors must determine the voluntariness and validity of a confession by evaluating both the authenticity of the confession and considering the coerciveness of interrogation tactics (Appleby, 2015). However, jurors'

preconceived biases and beliefs may influence their judgments of confession evidence and their determination of guilt (Appleby, 2015). Because all jurors present with their own sets of conscious and unconscious preconceived beliefs and biases, research on preconceptions is crucial. Biases undeniably impact juror decision-making and perceptions of guilt by influencing what and how one may attend to, interpret, and use information in a trial (Costanzo et al., 2010; Dovidio et al., 2016).

This study examined the intersection of defendant race and strength of confession evidence with mock jurors' perceptions of both defendant guilt and voluntariness of confession in a hypothetical case where the defendant had recanted their confession. Logistic regression analyses were used to investigate the main effects of each independent variable (i.e., defendant race and strength of confession evidence), and their interactive effect on participants' (i.e., mock jurors) perceptions of defendant guilt among the overall participant sample, as well as White and BIPOC participant subsamples. Regarding perceptions of confession voluntariness, two-way between-subjects analysis of variance (ANOVA) was used to investigate the main effects of each independent variable. ANOVAs were also used to analyze the independent variables' interactive effect on perceptions of voluntariness among the overall participant sample, as well as White and BIPOC participant subsamples. Among White participants, findings indicated that there was no significant interaction between defendant race and strength of confession evidence on White mock juror perceptions of defendant guilt. An interaction between the two independent variables among BIPOC mock jurors' perception of guilt was not probed due to low subsample size. Similarly, findings indicated that there was no significant interaction between defendant race and strength of confession evidence as related to either White or BIPOC mock juror perceptions of confession voluntariness.

## Purpose

This research aimed to supplement recent studies examining juror perceptions of defendants in cases involving confessions, particularly those falsely offered by defendants who later recant them. Ewanation and Maeder's (2021) study examined the effects of defendant race and presence or absence of expert testimony on juror perception of defendant guilt and voluntariness of confessions in a case where the defendant recanted their confession. The authors suggested that in addition to the expert testimony, future research might manipulate the strength of confession evidence to better determine whether the expert testimony sensitized the mock jurors or simply induced a general skepticism toward all confession evidence (Ewanation & Maeder, 2021). This study differed slightly from Ewanation and Maeder's (2021) study in that confession evidence was isolated from other legally relevant information (e.g., expert testimony) to examine the combined effects of defendant race and strength of confession evidence. The purpose for doing so was motivated by the strength and compelling nature of confession evidence presented in a trial. Isolating this particular type of evidence may also speak to its degree of influence, independent from other forms of evidence, over a jury's decision. Additionally, research on the watchdog effect as it applies in legal contexts is still in its infancy and warrants further research investigating how the watchdog effect manifests in the presence of different types of evidence.

This current research may help clarify the contradictory findings of research investigating racial bias in legal contexts. As previously mentioned, some studies have found that White mock jurors are more likely to assign guilt and harsher sentences to Black defendants than White defendants (Mitchell et al., 2005), while others have shown no evidence of racial bias at all (Sommers, 2006). On the opposite end of the spectrum, other studies have demonstrated that

White mock jurors may favor Black defendants compared to their White counterparts (Sargent & Bradfield, 2004; Sommers, 2006; Sommers & Ellsworth, 2001).

### **Chapter Overview**

This chapter introduced the problem of interest, why it is worth exploring, and how this study aims to contribute to the existing body of research. Chapter II reviews the existing literature on racism in the American courtroom, juror perceptions of defendants and various forms of evidence presented during criminal trials, and the watchdog hypothesis. Chapter III discusses the methods used to analyze the data gathered from this study, and Chapter IV addresses the results relevant to each hypothesis and research question. Finally, Chapter V provides an overview of the results, implications, and limitations of this study and outlines recommendations for future research.



## CHAPTER II: LITERATURE REVIEW

Research indicates that minoritized populations are not only at higher risk for involvement in the legal system (increasing the risk for false confession), but they also represent a disproportionate number of the individuals convicted of crimes in the United States annually (Guillermo Villalobos & Davis, 2016; The Sentencing Project, 2022). Black and Indigenous people and other people of color (referred to with the acronym, BIPOC) have experienced unequal treatment under the law (Cohn et al., 2009; Dovidio et al., 2008; Esqueda et al., 2008; Pickel et al., 2013; Ratcliff et al., 2010; Sommers & Ellsworth, 2000, 2001). This has been reflected in statistics which show that Black individuals are more likely to be convicted of crimes and sentenced more harshly than their White counterparts (Dovidio et al., 2008).

### **Race in the Courtroom**

Racial biases against BIPOC defendants are well established throughout history and research (Peter-Hagene, 2019; Sommers & Ellsworth, 2000). Studies investigating defendant race in the courtroom have repeatedly demonstrated that jurors often discriminate against BIPOC defendants (Cohn et al., 2009; Esqueda et al., 2008; Mitchell et al., 2005; Pickel et al., 2013; Ratcliff et al., 2010; Sommers & Ellsworth, 2000, 2001). Research has largely focused on juror biases of same or other-race defendants as it pertains to perceptions of guilt and sentencing. Despite the unquestionable relevance and importance of understanding the circumstances jurors may respond favorably to defendants of certain racial groups, this addresses only one of the roles race may play in legal contexts (Sargent & Bradfield, 2004). Specifically, a defendant's race may have a more covert influence on jurors' decision-making by influencing how they attend to legally relevant information presented during trial (Ewanation & Maeder, 2021). In cases with confessions, defendant race can be an influential factor on how jurors perceive confession

evidence (Pickel et al., 2013; Ratcliff et al., 2010). In a study done by Ratcliff et al. (2010), participants believed a confession was more likely voluntary and the suspect more likely to be guilty when the suspect was Asian or Black.

Research on racial bias in legal contexts has highlighted a phenomenon termed the *similarity-leniency bias* where jurors perceive same-race defendants more favorably than defendants of another race (Ewanation & Maeder, 2021; Sargent & Bradfield, 2004). Ewanation and Maeder (2021) suggest that this bias may be explained through the lens of social identity theory, which posits that individuals are motivated to favor those who are in-group members rather than out-group members in an effort to maintain a positive self-concept. Applied in a legal context, social identity theory would suggest that jurors are likely to be more lenient toward defendants of the same race and harsher toward defendants of a different race (Ewanation & Maeder, 2021).

Much of the existing research exploring the interaction between juror perceptions and defendant race has concluded that jurors tend to be more lenient toward same-race defendants (Ewanation & Maeder, 2021). However, research has also illuminated exceptions to this assumption, suggesting that White jurors might be motivated to consider evidence with more scrutiny in a trial when the defendant is Black to protect against being perceived as racially biased and to prevent overt acts of racism (Ewanation & Maeder, 2021; Petty et al., 1999; Sargent & Bradfield, 2004).

Race in the courtroom has become an increasingly complex social issue. Although societal norms pertaining to racial discrimination have evolved, racial biases influence juror decision-making (Sommers & Ellsworth, 2001). Racism undoubtedly exists in the American courtroom and racial prejudice has generally become less explicitly expressed as societal

tolerance for it has decreased. Though legislation formally recognizing and protecting against racial prejudice in legal proceedings has been imposed, it cannot be assumed that every defendant receives fair and equal treatment regardless of their race (Sommers & Ellsworth, 2001).

In the American legal system, it is assumed that jurors base their decisions strictly on the information and evidence presented to them at trial, though research has shown that jurors are in fact influenced by several extralegal factors, such as race (Esqueda et al., 2008; Sommers & Ellsworth, 2000; Sommers & Kassin, 2001). There are various types of information a juror can consider from numerous sources that have the potential to influence perceptions of evidence and their determination of a defendant's guilt. Research has explored sources of "extralegal influence," (D.J. Devine & Caughlin, 2014, p. 109) though only recently has the race of the defendant been considered an influential factor in jurors' sensitivity to legally relevant information as it pertains to their perception of defendant guilt and trial evidence (Sargent & Bradfield, 2004). Of these extralegal factors, defendant race has been of focus in psycho-legal research (D.J. Devine & Caughlin, 2014).

### **Aversive Racism**

Current social norms relevant to racism value fairness, social justice, and racial equality of BIPOC individuals, particularly within the criminal justice system (Peter-Hagene, 2019). Models of modern racism and racial norms posit that in response to shifting social norms which condemn overtly racist behavior, some White individuals make active efforts to maintain a non-prejudiced image despite still holding prejudicial or stereotyped beliefs and attitudes (Dovidio & Gaertner, 2000; J.D. Johnson et al., 1995; Peter-Hagene, 2019; Sommers & Ellsworth, 2001). The theory of aversive racism contends that even individuals who consciously

and genuinely support egalitarian principles and consider themselves to be nonprejudiced still hold certain, often unconscious or unacknowledged, negative beliefs and biases (Dovidio et al., 2008; Sommers & Ellsworth, 2000).

The theory of aversive racism further suggests that when race is made salient in a situation, White individuals will respond in an overtly nonprejudiced way. However, when race is less salient or if typical racial norms are ambiguous, unconscious racial biases surface (Dovidio & Gaertner, 2000; Sommers & Ellsworth, 2000). In other words, aversive racism suggests that in situations where racial prejudice or discrimination would be obvious to both the self and other, some White individuals make conscious efforts to behave in an overtly nonprejudiced, nondiscriminatory manner (Dovidio & Gaertner, 2000). This leads to the watchdog hypothesis/effect, first identified by Petty et al. (1999).

### **Watchdog Hypothesis**

As it has generally become less socially acceptable in some parts of the country to express overt prejudices and biases pertaining to one's race, racially prejudiced biases may be observed less often in legal cases where race is a salient factor (e.g., when the defendant is BIPOC; Peter-Hagene, 2019; Sommers & Ellsworth, 2009). Increased social awareness of discrimination driven by racial prejudice, particularly as it pertains to the justice system, may motivate jurors to be more lenient with BIPOC defendants (Peter-Hagene, 2019). Peter-Hagene (2019) posits that White jurors faced with BIPOC defendants in criminal trials may be motivated by "egalitarian concerns" and fears of appearing racist to afford more leniency to these defendants (p. 245).

Petty et al. (1999) proposed the *watchdog hypothesis* to explain why some White individuals more carefully consider information pertaining to stigmatized individuals in an

attempt to guard against racism. Thus, people evaluating another person, specifically a marginalized person who belongs to stigmatized group, would act as “watchdogs” by evaluating relevant information with more scrutiny to ensure fairness and safeguard against racial prejudice or to avoid appearing racist (I. R. Johnson et al., 2017; Peter-Hagene, 2019; Petty et al., 1999). In a legal context, the watchdog hypothesis suggests that White jurors may attend more closely to legally relevant information when a defendant is Black, so as to serve as “watchdogs” against racism (Petty et al., 1999, p. 26), or to avoid being perceived as racist (Ewanation & Maeder, 2021; Petty et al., 1999; Sargent & Bradfield, 2004).

Petty et al. (1999) first coined the watchdog hypothesis after their studies suggested two ways that White participants took on watchdog roles in cases with Black defendants. The first was by attempting to ensure they avoided acting in a way incongruent with their “nonprejudiced personal beliefs” (p. 26), and the second was to guard against “possible prejudice” (p. 31) on behalf of others (Petty et al., 1999). Sargent and Bradfield (2004) aligned results of their research with the watchdog hypothesis when they found that White mock jurors demonstrated more sensitivity to legally relevant information (e.g., alibi strength) in a trial transcript when the defendant was a Black person compared to when the defendant was a White person.

Ewanation and Maeder (2021) found a similar trend as it applies to juror perceptions of confession voluntariness and guilt. When provided with expert testimony, White mock jurors were significantly more likely to assign a not guilty verdict and perceive the confession as less voluntary when the defendant was Black than when the defendant was White. Comparatively, in conditions where White mock jurors were provided with expert testimony for a White defendant, neither the perception of guilt nor voluntariness were significantly influenced by the presence of expert testimony. Considered under the watchdog hypothesis, their results indicated that White

jurors would more greatly attend to, consider, and be receptive to legally relevant information in the form of expert testimony when the defendant is Black, and as a result, assign fewer guilty verdicts (Ewanation & Maeder, 2021). Applying this concept to cases with recanted or false confessions, the watchdog hypothesis would suggest that White mock jurors would pay closer attention and be inclined to thoughtfully consider legally relevant information (i.e., expert testimony) pertaining to false confessions when the defendant is Black and consequently render fewer guilty verdicts (Ewanation & Maeder, 2021).

### **Confessions**

A confession is a written or oral statement made by a suspect during police interrogation, in which they admit to having committed a crime (Kassin & Gudjonsson, 2004). Confessions offered may later be recanted or retracted by the suspect, though the court may decide confession evidence to still be presented at trial (Kassin, 2008; Pickel et al., 2013). Confessing to a crime may create detrimental consequences for the person being accused. In addition to the range of legal sanctions that accompany a guilty verdict, one's self-esteem and sense of integrity are often compromised, as is their experience of freedom (Kassin & Gudjonsson, 2004). Because of its persuasive power and the possible legal consequences of confessing to a crime, common sense would lead us to believe that no one would confess guilt during a criminal interrogation, especially if they are innocent (Yang et al., 2017). Statistics show that between 42% and 55% of all suspects confess to a crime, which also includes innocent suspects who declare their guilt (Kassin & Gudjonsson, 2004; Yang et al., 2017).

### **Why Would Someone Confess?**

The decision to confess—particularly, to falsely confess—during an interrogation has attracted research exploring how various factors influence a suspect's decision-making (Yang et

al., 2017). Models that explain what might lead an individual to confess during an interrogation, whether guilty or not, have been derived from several theoretical perspectives, including psychoanalytic, cognitive-behavioral, and general decision-making perspectives (Yang et al., 2017).

Psychoanalytic perspectives focus on the role of the unconscious and posit that feelings of guilt and remorse motivate a suspect to confess (Yang et al., 2017). This could be relevant in cases of internalized confessions, or when an innocent suspect comes to believe, as a result of coercive interrogation tactics, that they actually committed the crime they are being accused of, resulting in a false confession (Kassin & Gudjonsson, 2004). Cognitive-behavioral perspectives focus on various factors that may influence a suspect's emotions, thoughts, and actions, thus driving them to confess (Yang et al., 2017). Gudjonsson (2002) identified a five-factor model that describes how the decision to confess is determined by social, emotional, cognitive, situational, and physiological antecedents and consequences of such a decision. Overarching decision-making perspectives focus on the notion that an individual's ability to make rational and reasonable decisions and consider the likely consequences are compromised by situational and contextual factors present during a criminal interrogation (e.g., stressfulness of the situation, perceived authority of the police, etc.; Ofshe & Leo, 1997a, 1997b; Yang et al., 2017).

Yang et al. (2017) established the Interrogation Decision-Making Model. This model proposes that an individual's decision to confess is guided by their evaluation and comparison of the expected costs versus benefits of various decisions or courses of action. For instance, decisions are made regarding one's rights to invoke silence, the right to an attorney, information that is disclosed, or how to answer certain questions as well as the probabilities of the outcomes associated with each. The model also considers the dynamic nature of interrogative situations

and includes the compounding effects of various interrogation techniques, fatigue, and the individual's learning from various choice-outcome combinations over the course of the interrogation (Yang et al., 2017). Regardless of their actual guilt or innocence, several factors may influence an individual's decision to confess.

### **False Confessions**

A false confession is a detailed admission of guilt to a criminal act which the person making the statement did not actually commit (Kassin & Gudjonsson, 2004). Confessions may be offered by innocent suspects for a variety of reasons, sometimes even without extensive pressure or coercion from police (Kassin & Gudjonsson, 2004; McGuffin Nespoli, 2014). The reality of interrogation is misunderstood or unknown to many people (Leo, 2009). Thus, in addition to the incorrect but common assumption that an individual would never act against their own self-interest and confess to something they did not do, most people generally assume confessions to be true. Consequently, most people tend to assume that someone who confesses to a crime is unquestionably guilty of committing it (Leo, 2009).

Three general factors have been identified in the literature on false confessions as potentially impacting one's decision-making when providing a guilt-related statement (e.g., confession) during interrogation, including: (a) the suspect perceives the evidence against them, be it real or fake, to be strong; (b) the suspect feels driven to confess due to internal or external motivations; and (c) the suspect experiences situational pressure (McGuffin Nespoli, 2014). The various types of false confessions (i.e., voluntary, coerced-compliant, and coerced-internalized; Kassin & Gudjonsson, 2004) and the numerous sources of internal and external pressures suggest that false confessions do not result from one single factor or motive; rather, it is more likely a result of a complex interaction between various factors (McGuffin Nespoli, 2014).



## **Risk Factors to False Confessions**

Risk factors for falsely confessing can be categorized into two types: individual differences and situational factors (Durham, 2016). Kassin and Gudjonsson (2004) note, “all suspects are not created equal” (p. 51). Some individuals are more vulnerable than others with respect to individual dispositions and traits, such as suggestibility, compliance, depression and anxiety, and a higher sensitivity to stress (Durham, 2016; Gudjonsson, 2002; Kassin & Gudjonsson, 2004). Other risk factors related to individual differences include youth and intellectual disability (Kassin & Gudjonsson, 2004). Interrogative tactics are considered a situational factor that could also increase risk (Durham, 2016). Some tactics which are commonly associated with false confessions include minimization (i.e., providing justification for their alleged actions, diminishing the seriousness of the situation; Durham, 2016; Kassin, 2014; Kassin & Gudjonsson, 2004) and maximization (i.e., efforts to intimidate the suspect by presenting fake evidence, exaggerating the seriousness of the crime, implying harsher consequences for not cooperating; Durham, 2016; Kassin, 2014). Prolonged interrogation time is also considered a situational risk factor, as people tend to tire both physically and mentally, and are more likely to relent after lengthy interrogations (Kassin, 2014).

Race is also considered to be a risk factor for falsely confessing (Guillermo Villalobos & Davis, 2016). According to Guillermo Villalobos & Davis (2016), BIPOC individuals generally tend to be arrested at higher rates than White individuals. This may be due in part to factors such as poverty, living in high crime areas, and histories of prior offending, often resulting in increased discrimination and suspicion among law enforcement (Guillermo Villalobos & Davis, 2016). According to the Innocence Project (n.d.-b), despite accounting for only 13% of the United States’ population, approximately 40% of the 2.3 million people incarcerated in the

United States are Black. In the context of interrogative situations, BIPOC suspects may also experience faster self-regulatory decline, or a reduction in one's ability to manage their emotions, thoughts, and behaviors, due to factors such as stereotype threat (Guillermo Villalobos & Davis, 2016). Suspects sometimes confess during an interrogation because the situation has exceeded their ability to tolerate stress. Self-regulatory decline makes an individual more vulnerable to acting on impulses (e.g., such as the desire to do anything to escape the situation) without considering long-term consequences. Such decline also makes an individual more susceptible to interrogation tactics, resulting from increased cognitive load (i.e., greater taxation of mental energy; Guillermo Villalobos & Davis, 2016).

Along this logic, stereotype threat (i.e., the fear of confirming a negative stereotype associated with the group of which one is a member; Appleby, 2015; Steele & Aronson, 1995) has been linked to BIPOC individuals' increased risk of falsely confessing. Ironically, stereotype threat can actually increase an individual's likelihood of behaving in ways that confirm the stereotype they are concerned about (Najdowski, 2011). Research has identified the existence of the negative stereotype that Black individuals are more prone to engage in criminal behavior (P.G. Devine, 1989; P.G. Devine & Elliot, 1995). Not only are most Black individuals aware of this stereotype, but they may often be concerned about being perceived through this lens of criminality (Cheryan & Monin, 2005; Sigelman & Tuch, 1997; Steele et al., 2002). Richeson and Shelton (2007) suggested that (stereotype) threat engenders affective reactions (i.e., anxiety, physiological arousal). In combination, this threat and the associated affective reactions cause the individual to engage in self-regulatory efforts (i.e., hypervigilance to threat-related cues, active efforts to manage their behavior) which in turn increase cognitive load. As stated, increased

cognitive load is thought to result in faster self-regulatory decline, thus increasing an individual's susceptibility to falsely confess (Guillermo Villalobos & Davis, 2016).

Important to acknowledge are power differentials, both real and perceived, between BIPOC suspects and law enforcement. Power differentials may be perceived at greater rates among BIPOC suspects compared to White suspects for several reasons including a distrust of law enforcement and the criminal justice system, historical prejudice and discrimination within the justice system, and stereotype threat (Guillermo Villalobos & Davis, 2016; Najdowski, 2011). Perception of the power differential between the suspect and law enforcement can induce a sense of powerlessness and hopelessness. This, in turn, can compromise the BIPOC suspect's confidence in their capability to prove their innocence, potentially resulting in a false confession (Guillermo Villalobos & Davis, 2016). Fears of the consequences resulting from noncompliance with law enforcement may drive some BIPOC suspects to waive certain rights, thus increasing one's vulnerability to make incriminating statements. Additionally, BIPOC suspects may be more compliant during interrogations to cease confrontation with authorities (Guillermo Villalobos & Davis, 2016).

### **Weight of Confession Evidence**

As discussed, a suspect's confession is highly incriminating, even if later recanted (Kassin & Gudjonsson, 2004; Pickel et al., 2013). When a suspect recants their confession and proceeds to trial, the court must deem the confession admissible before admitted as evidence (Kassin et al., 2010). Once admitted, the jury is tasked with evaluating the voluntariness and validity of the confession, and subsequently determining the defendant's guilt (Kassin et al., 2010).

Compared to suspects who do not confess, those who do are more likely to be convicted if tried, and often receive harsher sentences (Pickel et al., 2013). Once a suspect has confessed, prosecutors are less likely to initiate or accept plea bargains and are more likely to request that bail be set at a higher amount (Leo, 2009). Studies exploring mock juror perceptions have consistently shown that confessions are more influential than other forms of evidence (e.g., eyewitness testimony, DNA, etc.), and that jurors may not fully discount them even when the confession is understood to be coerced (Kassin & Neumann, 1997). However, research has also found that despite its persuasiveness, jurors can discount confessions in some circumstances (Henkel, 2008). For example, when a confession was obtained through threats of punishment, fewer mock jurors found the defendant guilty than when the confession was obtained via promises of leniency (Henkel, 2008; Kassin & Wrightsman, 1981).

### **Deception Detection**

Following the presentation of confession evidence at trial, a jury's ability to distinguish between true and false confessions will be challenged (Kassin & Gudjonsson, 2004). Research on deception detection has found that people generally perform no better than chance when distinguishing between true and false denials or confessions (Kassin & Gudjonsson, 2004). There are several reasons why people struggle to detect a false confession or tend to accept its validity at face value. One reason may be due to the fundamental attribution error, a concept which asserts that people tend to make dispositional, or character-related, attributions for another person's behavior without fully considering the role of situational or contextual factors (Costanzo et al., 2016; Kassin, 2017; Kassin et al., 2010; Kassin & Gudjonsson, 2004). For example, we may conclude that someone who cuts us off in traffic is simply a rude person rather

than considering other situational or contextual factors (e.g., there is an emergency, they are late for work, etc.).

Another factor associated with the accurate detection of true or false confessions is the simple assumption of common sense (Kassin, 2014). Common sense would suggest that people generally do not engage in self-destructive behaviors, such as confessing to a crime they did not commit, in the absence of explicitly coercive tactics or threats (Costanzo et al., 2016; Kassin & Gudjonsson, 2004). Common sense further suggests that because people often act in favor of self-preservation, a confession must unequivocally reflect true guilt (Kassin et al., 2010).

Many people will adamantly assert that they would recognize a false confession if they were faced with one (Kassin & Gudjonsson, 2004). This is often due in part to the fact that confessions can be laden with crime-specific details that would presumably only be known to the true offender (Kassin et al., 2010). Many false confessions include information about what the suspect is alleged of doing as well as how they did it and why. In some instances, false confessions may include apologies and expressions of remorse by the suspect (Kassin et al., 2010). Important to note is that research has repeatedly and consistently shown that people are not as accurate at detecting deception as they may tend to believe (Henkel, 2008).

### **Key Definitions**

This section will briefly define and operationalize the constructs, terms, and variables used in this study.

#### **Interrogation**

Interrogation is a guilt-presumptive process whereby an authority figure (i.e., law enforcement) engages someone (i.e., a suspect) in this evidence-gathering process based on a presumption of guilt (Kassin et al., 2010; Kassin & Gudjonsson, 2004). Over the course of an

investigation, law enforcement personnel identify at least one (though, often several) suspects for interrogation (Kassin, 2017). The process of interrogation is designed to overpower any resistance on the part of the suspect, who has already been presumed guilty to some extent (Kassin, 2008). It is specifically designed to be stressful and unpleasant for the suspect, and for this discomfort to intensify the longer it lasts (Leo, 2009).

Interrogations in the past routinely utilized what are now sometimes referred to as “third degree” methods of interrogation (Kassin & Gudjonsson, 2004, p. 41). This included prolonged confinement of the suspect, deprivation of sleep, food, and other basic needs, extreme sensory discomfort, and even various forms of physical violence. Today, interrogations are more psychologically oriented, with many of those third-degree tactics being prohibited by law (Kassin & Gudjonsson, 2004).

### **Recanted Confession**

A recanted confession refers to a (presumably false) confession offered by a suspect during an interrogation which was later recanted by the suspect (Pickel et al., 2013). In the United States, when a confession is offered and then recanted by a suspect, the court must evaluate the voluntariness of the confession to determine its admissibility (Henkel, 2008). In some cases, the judge evaluates the voluntariness to determine admissibility; in some states, the jury is tasked with evaluating the voluntariness and is asked to disregard confessions which they believe were coerced or otherwise involuntary (Henkel, 2008; Kassin & Gudjonsson, 2004).

### **Voluntariness**

When a criminal case involving a confession moves to trial, the court must establish that the confession was voluntary for it to be admissible as evidence (Kassin, 2008; Pickel et al., 2013). When presented with a confession, jurors must evaluate the confession’s authenticity,

reliability (e.g., was it a result of an informed and competent waiver of rights), and consider its voluntariness (e.g., was it a result of coercion) against other available information and evidence when considering the defendant's guilt (Henkel, 2008; Kassin & Gudjonsson, 2004).

Courts have established protective guidelines surrounding the admissibility of confession evidence (Kassin & Neumann, 1997). By law, confessions are supposed to be excluded or disregarded if the confession was a result of: physical force; deprivation of food, sleep, or other biological basics; explicit threats of punishment; explicit promises of leniency; or elicited without notifying the suspect of their legal rights (Kassin & Gudjonsson, 2004). Besides these criteria, no other criteria guide the determination of a confession's voluntariness. Rather, courts in the United States utilize a totality of circumstances approach to evaluate voluntariness (*Culombe v. Connecticut*, 1961; Kassin & Gudjonsson, 2004). *Culombe v. Connecticut* (1961) set precedent that confessions obtained through physical abuse or threats, or coercive police conduct are inadmissible in court. In general, jurors tasked with evaluating a confession's voluntariness should assess whether the suspect was able to act freely (Pickel et al., 2013).

### **Confession Strength**

Confession strength refers to the weight assigned to the confession as evidence, based on its reliability and voluntariness. A confession elicited as a result of coercion (e.g., numerous interrogative tactics such as minimization, maximization, false evidence) would presumably be weaker confession evidence than a confession offered spontaneously or under little interrogative pressure or stress. In this study, confession strength was manipulated by the number of interrogative tactics employed by the interrogating officer that could have influenced the defendant's decision to confess. Namely, more interrogative tactics would be associated with weaker confession evidence (implying the confession was more a result of interrogative

pressure) and fewer interrogative tactics would be associated with stronger confession evidence (implying the confession was more a result of the defendant's own volition).



### CHAPTER III: METHOD

The present study used a quantitative design to investigate the interactive effects of defendant race and strength of confession evidence on mock jurors' decision-making in a trial involving a recanted confession. The methodological approach utilized a survey via the internet that was comprised of adapted materials from Ewanation and Maeder's (2021) study. Analyses were completed to determine whether defendant race and strength of confession evidence interacted to influence mock jurors' perceptions of defendant guilt and voluntariness of confession. Analyses were also completed to determine whether each independent variable (i.e., defendant race and confession evidence strength) influenced mock jurors' perceptions of defendant guilt and voluntariness of confession, independent of each other.

This study was inspired by Ewanation and Maeder's (2021) work exploring the watchdog effect. Ewanation and Maeder (2021) investigated White mock jurors' perception of White defendants compared to Black defendants in a case where the defendant recanted their confession, moderated by the presence or absence of expert testimony. The current study sought to explore whether the watchdog effect presents when confession evidence is isolated from additional forms of evidence (e.g., expert testimony) and the strength of the confession evidence is manipulated. To do this, the combined effects of defendant race and strength of confession evidence on White participants' perceptions of guilt and voluntariness was investigated.

Convenience sampling (i.e., a participant sample consisting of the most easily accessible people who are willing to participate in a study; Crano et al., 2015) and the snowball method (i.e., existing participants share or recruit other people in their social network to participate in the research; Crano et al., 2015) were used to recruit participants with the potential to meet criteria for participation in this study. The benefits of snowball sampling include the ability to reach

qualifying participants who may be otherwise difficult for the researcher to recruit via other sampling and recruiting methods (Cunningham et al., 2013). Potential limitations of convenience sampling were kept in mind, including how the sample obtained via this method may not be representative of the larger population (Cunningham et al., 2013). The survey was distributed via social media platforms and verbal and online referral (e.g., forwarding to others).

Ethics approval was obtained from Antioch University New England's Institutional Review Board (IRB). In alignment with IRB ethical standards, all electronic data were stored securely on a password-protected computer. The method of data collection prevented each participant from being connected to their data, and thus, participants remained anonymous and data confidential.

### **Participants**

Participants were contacted via social media posts on several Facebook research groups and public profiles. The post included a description of the study and a link to the online survey. If the individual decided to participate, participants were asked to complete an informed consent followed by the study survey. Participants were required to (a) be a United States citizen, and (b) be at least 18 years old. The rationale for these criteria was to collect responses from participants who would theoretically be eligible to serve on a jury in the United States. Sixteen participants did not meet one or both of the eligibility requirements, and thus their responses were not included in the data analysis. After manipulation checks and eligibility requirements met, 145 participants were retained in the final sample. The sample consisted of 122 White participants and 23 BIPOC participants.

## Measures

### Mock Testimony

The mock testimony material consisted of an adapted version of Ewanation and Maeder's (2021) mock testimony transcript. Testimony was removed from the transcript, as it was not explored in the current study. Additional portions of the transcript were amended to reflect more or fewer interrogation tactics, representing the strength of the confession evidence obtained during interrogation.

Participants received one of four trial transcripts entitled *State v. Wilson* or *State v. Washington*. The transcripts included pretrial juror instructions, opening statements, and the testimony and cross-examination of six people. Those people included a private investigator, a police officer who responded to the scene and later questioned the defendant, the coroner, a neighbor who was called as an eyewitness, a friend of the defendant with him the night of the crime, and the defendant himself explaining his actions and claiming his innocence.

In each transcript, the defendant's race (Black, White) and the strength of confession evidence (weak, strong) were manipulated. Defendant race was manipulated by including a color photograph of the defendant, along with varying his name (Charles Wilson for the White defendant and Jamaal Washington for the Black defendant). Strength of confession evidence was manipulated such that in the "weak" confession evidence conditions, the transcript included an additional statement by the defendant during his testimony. The statement reflected that during his interrogation, the police officer told the defendant that if he told the truth, he would remove the handcuffs. The defendant also stated that the police officer said he would not be blamed if he were to confess. The defendant identified these factors, in addition to his inability to handle the stress of the situation after hours of interrogation, as contributing to his decision to confess. In

the “strong” confession evidence conditions, the defendant simply stated that he confessed because could no longer handle the stress of the situation after hours of questioning.

### **Procedure**

Participants were randomly assigned to one of the four transcripts (i.e., strong confession evidence strength/Black defendant; strong confession evidence/White defendant; weak confession evidence/Black defendant; weak confession evidence/White defendant). The first page of each transcript included a face sheet with information about the case and the defendant. This information included the name of the court, the name of the presiding judge, the name of the case (i.e., The People of the State of California vs. Charles M. Wilson/Jamaal Washington), the name of the charge (i.e., “Murder in the First Degree”), and the names of the representing counsel for the defense and the State. A photo of the defendant was also included. The photo was a forward-facing headshot of either a Caucasian, young adult male with short-cut light brown hair, shadow of facial hair and brown eyes, or a Black, young adult male with short-cut dark brown hair, shadow of facial hair and brown eyes. Demographic questions were presented in a multiple-choice format, while questions pertaining to the research questions were a combination of multiple choice and 9-point Likert scale. Participants read the transcript at their own rate, averaging between 15 and 30 minutes. Following the trial transcript, participants were asked two questions about the material. Questions assessed the participant’s perception of guilt of the defendant (guilty/not guilty) and their perceived voluntariness of the defendant’s confession.

1. Based on the trial transcript you just read, do you think the defendant is guilty or not guilty? (guilty/not guilty)
2. Based on the trial transcript you just read, please rate on a scale of 1 (*not at all*) to 9 (*very much*) how voluntary you think the defendant’s confession was.

## **Analysis**

### **Perception of Guilt**

To test Research Question 1, binary logistic regression analyses were used to investigate the main effects of the independent variables (i.e., defendant race and strength of confession evidence), and their interactive effect on perceptions of guilt, as guilt was a dichotomous variable (guilty, not guilty). Separate analyses were conducted to determine whether there were differences between White and BIPOC participants. Comparing both groups indicated whether race of the defendant and strength of confession evidence had any significant impact on White compared to BIPOC mock jurors' (independent variables) perceptions of defendant guilt (dependent variable).

### **Perception of Voluntariness**

To test Research Question 2, two-way between-subjects ANOVAs were used to investigate the main effects of defendant race and strength of confession evidence, and their interactive effect on perceptions of voluntariness. Separate analyses were conducted to determine whether there were differences between White and BIPOC participants. Comparing both groups indicated whether race of the defendant and strength of confession evidence had any significant impact on White compared to BIPOC mock jurors' perceptions of confession voluntariness (dependent variable).

## CHAPTER IV: RESULTS

The purpose of this quantitative study was to investigate the occurrence of the watchdog effect in the presence of confession evidence. To do this, this study analyzed the interactive effects of defendant race and strength of confession evidence on mock jurors', particularly White mock jurors', decision-making in a trial involving a recanted confession. Each participant was randomly assigned to one of four possible conditions. The format of this study was an online, internet survey utilizing a mock trial transcript and survey questions, with additional demographic questions.

My research questions are as follows:

1. When the participant is White, is there an interactive effect of defendant race and strength of confession evidence on juror *perceived defendant guilt*, based on participant race?
2. When the participant is White, is there a main effect of defendant race and strength of confession evidence on juror *perceived voluntariness* of the confession, based on participant race?

In accordance with previous research (Ewanation & Maeder, 2021; Petty et al., 1999; Sargent & Bradfield, 2004), I hypothesized that White participants (i.e., mock jurors) would assign fewer guilty verdicts to Black defendants than White defendants, specifically in the presence of weak confession evidence. Additionally, I hypothesized that White mock jurors would perceive Black defendants' confessions to be less voluntary, specifically in the presence of weak confession evidence. Confession evidence is considered legally relevant information to which the White mock jurors could attend to for the purpose of acting as "watchdogs" against racism.

### Manipulation Checks

Depending on the condition to which they were assigned, participants were presented with either one or two multiple choice manipulation check questions. For participants in the “strong confession evidence” conditions, participants needed to correctly answer a question about the defendant’s race. For participants in the “weak confession evidence” conditions, participants needed to correctly answer the same question about the defendant’s race, as well as an additional question pertaining to an interrogation tactic used by the officer during questioning. Across all conditions, 34 participants incorrectly answered one or both of the manipulation check questions, and thus were not included in the final sample of participants.

### Descriptive Statistics

Descriptive statistics were first computed for perceptions of guilt and voluntariness among White and BIPOC participants, separately. BIPOC participants had higher perception of voluntariness ( $M = 4.97$ ,  $SD = 3.35$ ,  $Range = 1-9$ ) compared to White participants ( $M = 3.66$ ,  $SD = 2.74$ ,  $Range = 1-9$ ). See Table 4.1.

**Table 4.1**

*Descriptive Statistics across Defendant Race and Confession Evidence on Perceptions of Voluntariness*

Defendant Race	Confession Evidence	<i>Overall Sample</i>			<i>White Participants</i>			<i>BIPOC Participants</i>		
		<i>n</i>	<i>M</i>	<i>SD</i>	<i>n</i>	<i>M</i>	<i>SD</i>	<i>n</i>	<i>M</i>	<i>SD</i>
White	Weak	32	1.91	1.15	31	1.76	1.15	1	3.00	-
	Strong	42	5.95	2.38	38	5.84	2.35	4	7.00	2.71
Black	Weak	40	1.95	1.83	35	2.03	1.93	5	1.40	0.55
	Strong	31	5.55	2.85	18	5.33	2.57	13	5.85	3.29

## Perceptions of Guilt

### Overall Participant Sample

Several chi-square tests of independence were conducted to determine whether there were significant differences among the independent variables, defendant race (White vs. Black), and confession evidence (weak, strong) on perceptions of guilt. Regarding defendant race, when the defendant was Black, 46 participants deemed the defendant not guilty while 25 participants deemed the defendant guilty. When the defendant was White, 40 participants deemed the defendant not guilty while 34 participants deemed the defendant guilty. A chi-square test of independence showed that there was no significant association between race of defendant and perception of guilt among the entire sample,  $\chi^2(1, N = 145) = 1.73, p = .188$ . Regarding confession evidence, when there was weak confession evidence, 58 participants deemed the defendant not guilty while 14 participants deemed the defendant guilty. When there was strong confession evidence, 28 participants deemed the defendant not guilty and 45 deemed the defendant guilty. A chi-square test of independence showed that there was a significant association between confession evidence and perception of guilt among the entire sample,  $\chi^2(1, N = 145) = 26.75, p < .001$ . Those presented with strong confession evidence were more likely to perceive the defendant as guilty, compared to those presented with weak confession evidence.

### White Participants

Among White participants, when the defendant was White, 39 individuals identified the defendant as not guilty while 30 participants deemed the defendant guilty. Regarding defendant race, when the defendant was Black, 37 White participants deemed the defendant not guilty while 16 participants deemed the defendant guilty. A chi-square test of independence showed that there was no significant association between race of defendant and perception of guilt



among White participants,  $\chi^2(1, N = 122) = 2.25, p = .133$ . When there was weak confession evidence, 53 White participants deemed the defendant not guilty while 13 participants deemed the defendant guilty. When there was strong confession evidence, 23 deemed the defendant not guilty, and 33 deemed the defendant guilty. A chi-square test of independence showed that there was a significant association between confession evidence and perception of guilt,  $\chi^2(1, N = 122) = 19.85, p < .001$ . White participants presented with strong confession evidence were more likely to perceive the defendant as guilty, compared to those presented with weak confession evidence.

### **BIPOC Participants**

Among BIPOC participants, when the defendant was White, one participant deemed the defendant as not guilty while four BIPOC participants deemed the defendant guilty. When the defendant was Black, nine BIPOC participants deemed the defendant not guilty and nine deemed the defendant guilty (see Table 4.1). A chi-square test of independence showed that there was no significant association between race of defendant and BIPOC participants' perception of guilt,  $\chi^2(1, N = 23) = 1.43, p = .231$ . When there was weak confession evidence, five participants deemed the defendant not guilty while one participant deemed the defendant guilty. When there was strong confession evidence, five participants deemed the defendant not guilty while 12 participants deemed the defendant guilty. A chi-square test of independence showed that there was a significant association between confession evidence and perception of guilt,  $\chi^2(1, N = 23) = 5.25, p = .022$ . Those presented with strong confession evidence were more likely to perceive the defendant as guilty, compared to those presented with weak confession evidence (see Table 4.2).

**Table 4.2***Guilt Determinations Across Conditions*

<b>Participant Race</b>	<i>Defendant Race</i>				<i>Confession Evidence</i>			
	<i>White</i>		<i>Black</i>		<i>Weak</i>		<i>Strong</i>	
	<i>Guilty</i>	<i>Not Guilty</i>	<i>Guilty</i>	<i>Not Guilty</i>	<i>Guilty</i>	<i>Not Guilty</i>	<i>Guilty</i>	<i>Not Guilty</i>
White	30	39	16	37	13	53	33	23
BIPOC	4	1	9	9	1	5	12	5

**Perception of Voluntariness****Overall Participant Sample**

Several independent samples t-tests were conducted to determine whether there were significant differences among the independent variables, defendant race (White vs. Black), and confession evidence (weak, strong) on mock juror perceptions of voluntariness. Analyses were conducted for the overall sample and among White and BIPOC participant groups, separately. Among the overall participant sample, there was not a significant difference between White defendants ( $M = 4.20$ ,  $SD = 2.79$ ) and Black defendants ( $M = 3.52$ ,  $SD = 2.93$ ) on voluntariness,  $t(143) = 1.435$ ,  $p = .077$ , 95% CI [-0.26, 1.62], Cohen's  $d = 0.24$ . However, among the overall participant sample, there was a significant difference between strong confession evidence ( $M = 5.78$ ,  $SD = 2.58$ ) and weak confession evidence ( $M = 1.93$ ,  $SD = 1.55$ ) on voluntariness,  $t(118.35) = -10.916$ ,  $p < .001$ , 95% CI [-4.55, -3.15], Cohen's  $d = 1.81$ , whereby strong confession evidence was associated with greater perceptions of voluntariness. See Table 4.3.

**Table 4.3**

*Independent Samples t-Tests with Perceptions of Voluntariness as an Outcome Across Overall Sample*

	<i>n</i>	<i>M</i>	<i>SD</i>	<i>t</i>	<i>p</i>	LLCI	ULCI
<b>Participant Race</b>							
White	122	3.66	2.74	-1.744	.092	-2.82	0.23
BIPOC	23	4.97	3.35				
<b>Defendant Race</b>							
White	74	4.20	2.79	1.435	.077	-0.26	1.62
Black	71	3.52	2.93				
<b>Confession Evidence</b>							
Weak	81	1.93	1.55	-10.916	<.001	-4.55	-3.15
Strong	73	5.78	2.58				

*Note.* LLCI = Lower Level Confidence Interval; ULCI = Upper Level Confidence Interval

### **White Participants**

Among White participants, there was a significant difference between White defendants ( $M = 4.06$ ,  $SD = 2.75$ ) and Black defendants ( $M = 3.15$ ,  $SD = 2.66$ ) on perception of voluntariness,  $t(120) = 1.831$ ,  $p = .035$ , 95% CI [-0.07, 1.89], Cohen's  $d = 0.33$ , whereby perceptions of voluntariness were greater when the defendant was White. Further, among White participants, there was a significant difference between strong confession evidence ( $M = 5.68$ ,  $SD = 2.41$ ) and weak confession evidence ( $M = 1.95$ ,  $SD = 1.60$ ) on voluntariness,  $t(92.855) = -9.853$ ,  $p < .001$ , 95% CI [-4.45, 3.01], Cohen's  $d = 1.84$ , whereby strong confession evidence was associated with greater perceptions of voluntariness.

### **BIPOC Participants**

Among BIPOC participants, there was not a significant difference between White defendants ( $M = 6.20$ ,  $SD = 2.95$ ) and Black defendants ( $M = 4.61$ ,  $SD = 3.45$ ) on voluntariness,  $t(21) = 0.935$ ,  $p = .180$ , 95% CI [ -1.94, 5.12], Cohen's  $d = 0.47$ . However, among BIPOC participants, there was a significant difference between strong confession evidence ( $M = 6.12$ ,  $SD = 3.12$ ) and weak confession evidence ( $M = 1.67$ ,  $SD = 0.82$ ) on voluntariness,  $t(20.36) = -5.383$ ,  $p < .001$ , 95% CI [ -7.17, 1.73], Cohen's  $d = 1.62$ , whereby strong confession evidence was associated with greater perceptions of voluntariness. See Table 4.4.

**Table 4.4**

*Independent Samples t-Tests with Perceptions of Voluntariness as an Outcome Across White and BIPOC Samples*

	<i>n</i>	<i>M</i>	<i>SD</i>	<i>t</i>	<i>p</i>	LLCI	ULCI
<i>White Participants</i>							
<b>Defendant Race</b>							
White	69	4.06	2.75	1.831	.035	-0.07	1.89
Black	53	3.15	2.66				
<b>Confession Evidence</b>							
Weak	66	1.95	1.60	-9.853	<.001	-4.45	3.01
Strong	56	5.68	2.41				
<i>BIPOC Participants</i>							
<b>Defendant Race</b>							
White	5	6.20	2.95	0.935	.180	-1.94	5.12
Black	18	4.61	3.45				
<b>Confession Evidence</b>							
Weak	6	1.67	0.82	-5.383	<.001	-7.17	1.73
Strong	17	6.12	3.12				

*Note.* LLCI = Lower Level Confidence Interval; ULCI = Upper Level Confidence Interval

### **Main Effects on Perception of Guilt**

To test Research Question 1, logistic regression analyses were used to investigate the main effects of defendant race and strength of confession evidence, and their interactive effect on perceptions of guilt, as guilt was a dichotomous variable. Separate analyses were conducted to determine whether there were differences between White and BIPOC participants, as well as among the overall participant sample.

### Main Effects Among Overall Participant Sample

Logistic regression model analysis was performed to see whether the defendant's race or strength of confession evidence, in addition to the interaction between defendant's race and strength of confession evidence, predict the odds of a guilty determination among the entire sample. The overall model was found to be statistically significant ( $\chi^2(3) = 30.77, p < .001$ ), with Nagelkerke R-squared value of .26. Race of defendant (referent group being White) was not found to be statistically significant in predicting the odds of a guilty determination ( $\chi^2(1) = 2.65, p = .104$ ); however, strength of confession evidence (referent group being weak confession evidence) was found to be statistically significant in predicting odds of a guilty determination ( $\chi^2(1) = 6.92, p = .009$ ). Specifically, the odds of a guilty determination will be on average increased by 276% when confession evidence is strong, compared to weak, after controlling for the defendant's race (OR = 3.76, 95% CI = 1.401, 10.08). The interaction between defendant race and confession evidence was not found to be statistically significant in predicting the odds of a guilty determination ( $\chi^2(1) = 2.39, p = .122$ ). see Table 4.5.

**Table 4.5**

*Logistic Regression Analyses with Perceptions of Guilt as an Outcome Across Overall Sample*

Variable	$\beta$	SE	Wald's	$p$	Odds Ratio ( $e^\beta$ )
Intercept	-0.938	0.393	5.695	.017	0.391
Defendant Race	-1.008	0.619	2.650	.194	0.365
Confession Evidence	1.324	0.503	6.917	.009	3.758
Defendant Race x Confession Evidence	1.220	0.789	2.389	.122	3.387

*Note.* Defendant Race Referent Group = White; Confession Evidence Referent Group = Weak

### Main Effects Among White Participant Sample

Logistic regression model analysis was performed to see whether the defendant's race or strength of confession evidence, in addition to the interaction between defendant's race and strength of confession evidence, predict the odds of a guilty determination among White participants. The overall model was found to be statistically significant ( $\chi^2(3) = 21.78, p < .001$ ), with Nagelkerke R-squared value of .22. Race of defendant (referent group being White) was not found to be statistically significant in predicting the odds of a guilty determination ( $\chi^2(1) = 1.35, p = .246$ ); however, strength of confession evidence (referent group being weak confession evidence) was found to be statistically significant in predicting odds of a guilty determination ( $\chi^2(1) = 6.83, p = .009$ ). Specifically, the odds of a guilty determination will be on average increased by 295% when confession evidence is strong, compared to weak, after controlling for the defendant's race (OR = 3.95, 95% CI = 1.411, 11.078). The interaction between defendant race and confession evidence was not found to be statistically significant in predicting the odds of a guilty determination among White participants ( $\chi^2(1) = 1.02, p = .313$ ). see Table 4.6.

**Table 4.6**

*Logistic Regression Analyses with Perceptions of Guilt as an Outcome Among White Participants*

Variable	$\beta$	SE	Wald's	$p$	Odds Ratio ( $e^\beta$ )
Intercept	-1.056	0.410	6.620	.010	0.348
Defendant Race	-0.736	0.634	1.347	.246	0.479
Confession Evidence	1.375	0.526	6.834	.009	3.953
Defendant Race x Confession Evidence	0.869	0.862	1.016	.313	2.385

*Note.* Defendant Race Referent Group = White; Confession Evidence Referent Group = Weak

### Main Effects Among BIPOC Participant Sample

Lastly, a logistic regression model analysis was performed to see whether the defendant's race or strength of confession evidence predict the odds of a guilty determination among BIPOC participants. An interaction between the two independent variables was not probed due to low sample size. The overall model was found to be statistically significant ( $\chi^2(3) = 10.95, p = .012$ ), with Nagelkerke R-squared value of .51. Race of defendant (referent group being White) was not found to be statistically significant in predicting the odds of a guilty determination ( $\chi^2(1) = 1.23, p = .267$ ); however, strength of confession evidence (referent group being weak confession evidence) was found to be statistically significant in predicting odds of a guilty determination ( $\chi^2(1) = 3.99, p < .046$ ). Specifically, the odds of a guilty determination will be on average increased by 1,241% when confession evidence is strong, compared to weak, after controlling for the defendant's race (OR = 13.42, 95% CI = 1.05, 171.37). see Table 4.7.

**Table 4.7**

*Logistic Regression Analyses with Perceptions of Guilt as an Outcome Among BIPOC Participants*

Variable	$\beta$	SE	Wald's	$p$	Odds Ratio ( $e^\beta$ )
Intercept	-0.402	1.508	0.071	.790	0.669
Defendant Race	-1.592	1.433	1.234	.267	0.203
Confession Evidence	2.597	1.300	3.992	.046	13.418

*Note.* Defendant Race Referent Group = White; Confession Evidence Referent Group = Weak

### Main Effects on Perception of Voluntariness

To test Research Question 2, two-way between-subjects ANOVA were used to investigate the main effects of defendant race and strength of confession evidence, and their interactive effect on perceptions of voluntariness as voluntariness was an ordinal variable.



Separate analyses were conducted to determine whether there were differences between White and BIPOC participants, as well as among the overall participant sample.

### **Main Effects Among Overall Participant Sample**

Among all participants, findings indicated that there was no significant main effect of defendant race on perceptions of voluntariness,  $F(1, 141) = 0.252, p = .616, \eta^2p = .079$ .

However, there was a significant main effect of strength of confession evidence on perceptions of voluntariness,  $F(1, 141) = 113.53, p < .001, \eta^2p = 1.00$ . Further, the interaction between the two independent variables was not significant,  $F(1, 141) = 0.389, p = .534, \eta^2p = .095$ .

### **Main Effects Among White Participant Sample**

Among White participants, findings indicated that there was no significant main effect of defendant race on perceptions of voluntariness,  $F(1, 118) = 0.211, p = .647, \eta^2p < .000$ .

However, there was a significant main effect of strength of confession evidence on perceptions of voluntariness,  $F(1, 118) = 90.537, p < .001, \eta^2p = .15$ . Further, the interaction between the two independent variables was not significant,  $F(1, 118) = 0.759, p = .385, \eta^2p = .001$ .

### **Main Effects Among BIPOC Participant Sample**

Among BIPOC participants, findings indicated that there was no significant main effect of the defendant race on perceptions of voluntariness,  $F(1, 19) = 0.617, p = .442, \eta^2p = .006$ .

However, there was a significant main effect of strength of confession evidence on perceptions of voluntariness,  $F(1, 19) = 5.806, p = .026, \eta^2p = .058$ . Further, the interaction between the two independent variables was not significant,  $F(1, 19) = 0.016, p = .900, \eta^2p < .001$ .

### **Summary of Findings**

Perception of guilt was not impacted by the race of the defendant among the overall sample or among White or BIPOC participants when analyzed separately. However, perception of guilt was impacted by the strength of confession evidence among the overall sample, White participants, and BIPOC participants when analyzed separately. Defendant race and strength of confession evidence did not interact to influence participants' perception of guilt among the overall or White participant sample when analyzed separately. No conclusions were drawn about the interaction of defendant race and strength of confession evidence on perceptions of guilt among the BIPOC participant sample due to small sample size.

Perception of voluntariness was not impacted by the race of the defendant among the overall sample or BIPOC participants when analyzed separately; however, it was impacted among White participants. Perception of voluntariness was impacted by the strength of confession evidence among the overall, White, and BIPOC participant samples when analyzed separately. Defendant race and strength of confession evidence did not interact to influence participants' perception of confession voluntariness among the overall, White, or BIPOC participant samples when analyzed separately. All analyses showed an impact of voluntariness, but not race of the defendant, among participants in this study.

## CHAPTER V: DISCUSSION

The purpose of this study was to explore the interactive effects of defendant race and strength of confession evidence on mock jurors' decision-making in a trial involving a recanted confession. I was particularly interested in the interactions between the two independent variables (i.e., confession evidence strength and defendant race) among the White mock juror participant subsample (i.e., White mock jurors) as it pertained to Black defendants. An interaction would indicate that White mock jurors' perceptions of Black defendants were influenced by both the defendant's race and the legally relevant information (i.e., confession evidence strength). This research sought to answer the questions:

1. When the participant is White, is there an interactive effect of defendant race and strength of confession evidence on juror *perceived defendant guilt*, based on participant race?
2. When the participant is White, is there a main effect of defendant race or strength of confession evidence on juror *perceived voluntariness* of the confession, based on participant race?

I predicted that White mock jurors would assign fewer guilty verdicts to Black defendants than White defendants, specifically in the presence of weak confession evidence. Additionally, I hypothesized that White mock jurors would perceive Black defendants' confessions to be less voluntary, specifically in the presence of weak confession evidence.

The findings of this study support the hypotheses, in part. Though the results from this study show that White participants perceived the defendant's confession as being less voluntary when the defendant was Black or when there was weak confession evidence, the combined effects of both (i.e., race and strength of confession) did not notably influence White

participants' perceptions of either the defendant's guilt or confession voluntariness. While race did not appear to be influential enough to sway White participants' determinations of the Black defendant's guilt, it may have influenced the perceived credibility of highly persuasive evidence (i.e., confession evidence). White participants may have been motivated by the defendant's race to more critically evaluate the evidence presented and therefore results suggest the presence of the watchdog effect among White participants. Results also posit that the way confessions are obtained are influential and can impact jurors' perceptions of defendant guilt.

### **Implications**

This research has implications for the field of psychology, criminal justice, and for all potential jurors and defendants in American courtrooms. This study not only advances scientific knowledge but also contributes to and advocates for the improvement of legal practices and societal understanding of the complexities related to false confessions and juror perceptions. Understanding the factors which influence juror perceptions, particularly in cases involving confession evidence, can promote fairness and impartiality within our criminal justice system by highlighting the presence of, and educating on, potential biases.

This study highlights the influence of interrogation tactics on juror perceptions of defendants and encourages further investigation of the relationship between these factors. Results of this study also highlight the less obvious influence race may have on juror perceptions, as suggested by the watchdog hypothesis. Specifically, this research found that jurors appear to perceive Black defendants as more susceptible to high-pressure tactics used in interrogations, leading to more false confessions. Identification and exploration of factors that contribute to this phenomenon were beyond the scope of this study, though warrant future investigation. As

confession evidence continues to be one of the strongest, most persuasive forms of evidence presented in trial, this is of particular importance and relevance.

### **Psychoeducation**

This research encourages continued education among potential jurors, legal professionals, and law enforcement professionals to better understand the psychology behind false confessions and the impact of biases on their decisions. This information can be relied on to promote social justice, perhaps by reconsidering how interrogations are conducted, especially pertaining to how confession evidence is obtained.

Forensic psychologists play a crucial role in understanding false confessions and juror perceptions, as they often serve as consultants on these issues when they arise. Psychologists work to ensure accurate evaluation of confession evidence, particularly as it pertains to the reliability of such evidence. They also work to promote the identification of various potential vulnerabilities and the identification of possible coercion. Psychologists can help minimize biases in juror perceptions by educating legal professionals and jurors about how interrogation methods used in a particular case might influence juror perceptions. Education might be offered prior to trials, or in the form of expert testimony to assist jurors in their interpretation of complex evidence. Expertise can facilitate a more informed, equitable, and conscientious legal process and system.

### **Advocacy**

Not only does this study highlight systemic issues within the criminal justice system (such as problematic interrogation techniques), but it provides a foundation for advocacy. Specifically, this data can be used to support advocacy for legal reforms to protect rights, promote fair trials, and rectify disparities within the criminal justice system.

Current interrogation methods and techniques can be informed by this information, and thus be amended or replaced with more effective techniques that elicit more accurate information during interrogations. Though legislation has created parameters within which confession evidence can be deemed valid and admissible in a trial, this only addresses part of the problem. Another important aspect of the legal process is the manner in which evidence is collected. Just as there are regulations surrounding how other evidence, such as DNA, is collected to assure admissibility and accuracy, collection of confession evidence should be similarly regulated. Highlighting these issues may further prompt policy reform or changes within the criminal justice system by increasing public education about the psychology behind false confessions. Increased education may then encourage increased interdisciplinary collaboration between psychologists, legal professionals, and policymakers to minimize false confessions and address juror biases surrounding race.

### **Barriers to Social Change**

Despite the various ways this research can promote social change, it is important to acknowledge the various obstacles that can impede such progress. One barrier to social change could be a general resistance to the disruption of the status quo. Resistance could be driven by an overarching fear of change itself, as well as a motivation to preserve certain cultural norms. While important, some cultural norms may hinder social progress when they perpetuate harmful attitudes or ideologies about other groups. Such attitudes and ideologies can be divisive and prevent cooperation among diverse groups, thus obstructing collective efforts to effect social change. Disruption of established norms may also be met with resistance if such change threatens the power or influence of certain individuals, groups, or organizations. It is an

unfortunate reality that some bureaucratic institutions benefit from oppressive social norms and are well served to resist social progress to maintain unequal power dynamics.

Resistance to social change may further be perpetuated by complacency or a lack of awareness. While people may be aware of various social justice issues, many people may not appreciate the degree to which these issues are problematic and warrant attention. Ignorance of its necessity inevitably prevents collective efforts to initiate or effect social change. Effecting and advocating for social change requires collaborative efforts between powerful and influential bureaucratic institutions, communities, and individuals.

### **Limitations**

There were several limitations in this study. Although the format of an online survey allows for efficiency, the quality of the data collected may be less reliable due to factors including self-selection bias or a lack of control over one's environment while engaged in the survey (e.g., distractions). Additionally, it is impossible to ensure that the sample contained participants from the intended population of interest (i.e., 18 years and older, U.S. citizens), as the survey link was accessible widely over the internet and could be obtained by potentially anyone (Siva Durga Prasad Nayak & Narayan, 2019). The absence of direct participant observation, or the assurance that in person research provides as it relates to adherence to study protocols, leaves data susceptible extraneous factors which may affect the quality and validity of the data and the ability to generalize the findings.

It is also important to acknowledge the design of this research study. A within-person research design may have allowed for a more meaningful investigation of the complexities in perceptions of race. Specifically, applying all conditions to all participants would allow for conclusions to be drawn regarding whether determining factors could be more attributable to the

participant or the defendant (e.g., what is influencing their decisions between Black/White, and weak/strong conditions?).

The race and ethnicity of participants was limited to self-report, and as such was not objectively defined for each participant. This is important to note when considering the demographic distribution of the participants in this study. Additionally, this study had an overwhelmingly disproportionate number of White participants compared to the number of BIPOC participants. Because of this low BIPOC sample size, participant race was not evenly distributed across the conditions, thus making the results harder to generalize. This also limited the ability to draw certain conclusions, such as whether defendant race and strength of confession evidence interacted significantly to influence perceptions of guilt among BIPOC participants.

Participants' geographic information was not collected but might have been informative about their opinions and perceptions when considering the current social and political climate in the United States. Social justice movements have gained remarkable momentum and attention over the past few years, resulting in increased public awareness of injustices against and systemic oppression of marginalized groups. In light of shifting social perspectives, it is reasonable to think that participants' (even among same-race participants) opinions and perceptions as measured in this study may have been influenced to some degree by their geographic location. For example, racial biases might differ significantly between White participants living in different areas of the country. A White participant who is a member of a racially diverse community may be exposed to interactions between law enforcement and BIPOC individuals more often than a White participant living in a predominantly White community. Due



to more exposure, the first White participant may be more aware of and educated about relevant social justice issues than the second White participant.

Lastly, it is worth acknowledging the hypothetical nature of this study. It is important to consider how the experience of serving on an actual jury would affect the decision-making processes of jurors. Actual trials carry real life consequences for real people. Schul and Manzury (1990) posit that “court settings activate a schema that leads people to deliberately correct for potential biases on the relevant guilt judgement” (p. 337). This suggests that trials may be so personal for actual jurors that any juror would exert some degree of effort to correct for biases in order to reach a fair verdict.

### **Future Research**

Research should continue to explore the watchdog hypothesis as it applies to confession evidence strength and juror perceptions. Future research should also assess the watchdog hypothesis against other isolated forms of highly persuasive evidence (e.g., DNA). Doing this would allow for more conclusions to be drawn regarding the degree of influence each factor (i.e., the evidence vs. race) has over participants’ perceptions. It might help to inform us about factors that influence decisions made by those serving on juries. Ideally, future research would also utilize a larger, more diverse sample of participants to allow for greater generalizability. Intersectional identities of the defendant (e.g., gender and race), as well as other potential biases among jurors (e.g., participants who are law enforcement, prior criminal history of the defendant they are judging, etc.) should also be considered. Additionally, it would be interesting to manipulate other factors about the defendants’ observable characteristics besides their race (e.g., clothing, hair style). Perhaps then, there might be a more nuanced understanding of factors

contributing independently or in conjunction with one another, to juror perceptions of defendants in various contexts and conditions.

Additionally, future research may further investigate the relationship between the watchdog effect and education level of jurors. Research shows that White individuals with higher education tend to be “more perceptive” of racial inequality and discrimination and be more supportive of social reforms aimed at equality (Wodtke, 2012, p. 3). This may suggest that a jury composed of higher educated jurors might be more likely to engage in efforts to correct for or mitigate the influence of racial biases. Though not analyzed in connection to their responses and perceptions of the defendant, the education level of participants in this study shows that most participants had an undergraduate degree ( $N = 61$ ), with the second most having a graduate level degree ( $N = 34$ ), the third most having some college but no degree ( $N = 32$ ), and the rest of the participants having a high school diploma ( $N = 10$ ), some high school but no diploma ( $N = 7$ ), and none of the above ( $N = 1$ ).

As discussed previously, it has been well established that BIPOC individuals are at an increased risk for falsely confessing during criminal investigations for various reasons. Future research should also continue exploring specific risk factors that might lead to a false confession, particularly as they pertain to BIPOC defendants. For example, research exploring the impact that trauma has on an individual’s risk for falsely confessing would be relevant to BIPOC defendants, as it relates to racial trauma in American society, particularly within the American justice system. As psychologists may be called to serve as expert witnesses in cases where a confession has been recanted or challenged, better understanding factors that increase an individual’s risk, particularly BIPOC individuals, would allow for more meaningful education to the court.

## Conclusion

The goal of this study was to contribute to and expand upon the existing literature on factors that impact juror perception of defendants and juror decision-making. Specifically, this study explored the interactive effects of a particularly persuasive form of evidence (i.e., confession evidence) and defendant race on mock jurors' perceptions of defendant guilt and voluntariness of confession. Previous research has found that in some circumstances, White mock jurors consider legally relevant information (e.g., evidence) more carefully and with more scrutiny in the presence of BIPOC defendants, sometimes resulting in more leniency toward the defendant (Ewanation & Maeder, 2021; Sargent & Bradfield, 2004). The purpose of this enhanced scrutiny and increased leniency toward BIPOC defendants appears in an effort to prevent racial prejudice from manifesting, or to minimize the potential for jurors' perceptions of the defendant and determination of guilt to be attributed to racial prejudice (Ewanation & Maeder, 2021; Petty et al., 1999; Sargent & Bradfield, 2004).

The results of this study and the watchdog hypothesis suggest a degree of progress with regard to society's recognition of racial biases. It could be argued that White individuals are becoming more aware and educated about the systemic oppression targeting Black individuals within the criminal justice system and as a result, are making concerted efforts to counteract it. The watchdog hypothesis suggests that White individuals make efforts to mitigate their personal biases in an attempt to ensure fair treatment and evaluation of Black defendants. This is encouraging, as Black individuals have historically faced particularly egregious prejudice within the criminal justice system at the hands of White individuals. That said, it cannot be assumed that White individuals' efforts to correct for racial biases are motivated by the same sentiments. It is

worth noting that although it would be informative, exploration of these motivations fell outside the scope of this study.

Motivation to make such efforts might be driven by a variety of factors. For example, are White individuals driven purely by a fear of appearing racist, and so they engage in these corrective efforts to save face? Or can these efforts be attributed to an evolving appreciation of the unique stressors and trauma that justice-involved Black individuals face, resulting in a genuine interest to promote racial equality and fairness? Moreover, the question can be posed of whether the true motivation matters if the end result is more equality. One side could argue that yes, it does matter. The short-term result may be more fairness and equality, but how far can society truly progress if equality efforts are driven only by a desire to appear socially acceptable rather than insight into and understanding of the true nature, cause, and consequences of the problem? The other side could argue that no, the true motivation for these corrective efforts does not matter. It is not possible to educate everyone; there will always be people who hold harmful biases and are resistant to change. However, even if we may not be able to reach those individuals to incite transformation of deeply seated prejudices via education, the concern of social acceptance may be sufficient and ultimately accomplish the same goal. This might be particularly relevant as overt racism becomes less socially acceptable in parts of the country.

The present study sought to examine if similar patterns could be found when confession evidence was manipulated in addition to the race of the defendant. Results of this study supported research that has identified an influence of evidence strength and defendant race on mock juror perceptions of defendant guilt and confession voluntariness. However, data did not clearly support other recent research which has supported that White participants are significantly more considerate of evidence in the presence of Black defendants, as confession

evidence strength and defendant race were not found to interact significantly to influence White participants' perceptions of defendant guilt or voluntariness.

Though encouraging, the implications of this study are not without limitations. No interactions between defendant race and confession evidence strength were found to influence mock juror perceptions of defendant guilt or voluntariness of confession. However, the data expressed that defendant race and confession evidence strength each independently influenced White participants' perception of confession voluntariness. This partially supports the presence of the watchdog effect, as it may suggest that the White participants were motivated by the defendant's race to more critically consider the validity of the evidence presented. That said, additional research is needed to investigate why White jurors seem to be influenced differently about the veracity of a confession based on defendant race.

Research is necessary to explore false confessions and juror perceptions in an aim to understand human behavior in interrogation settings, identify cognitive biases and prejudices, and improve legal procedures. Findings can inform changes in police practices, improve legal education, and influence public policy. This research not only advances scientific knowledge but also can contribute to the improvement of legal practices and societal understanding of the complexities surrounding false confessions and juror perceptions. Understanding the factors which influence juror perceptions, particularly in cases involving confession evidence, can expose biases, thus promoting fairness and impartiality within our criminal justice system.

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**APPENDIX A: PARTICIPANT DEMOGRAPHIC QUESTIONNAIRE**

\*This question requires an answer

1. \* What is your age?
2. Are you a registered voter?  
Yes  
No  
Unsure/ Don't know
3. \* Are you a U.S. citizen?  
Yes  
No
4. \* Which race/ethnicity best describes you? (Please choose only one)  
American Indian or Alaskan Native  
Asian/ Pacific Islander  
Black or African American  
Hispanic  
White/ Caucasian  
Multiple ethnicity/ other (please specify)
5. What is the highest level of school that you have completed  
Primary school  
Some high school, but no diploma  
High school diploma/ GED  
Some college, but no degree  
2-year college degree  
4-year college degree  
Graduate-level degree  
None of the above
6. \* Which of the following options most closely aligns with your gender?  
Woman  
Man  
Non-binary  
Transgender



**Tables**

**Table 4.1**

*Descriptive Statistics Across Defendant Race and Confession Evidence on Perceptions of Voluntariness*

<b>Defendant Race</b>	<b>Confession Evidence</b>	<i>Overall Sample</i>			<i>White Participants</i>			<i>BIPOC Participants</i>		
		<i>n</i>	<i>M</i>	<i>SD</i>	<i>n</i>	<i>M</i>	<i>SD</i>	<i>n</i>	<i>M</i>	<i>SD</i>
White	Weak	32	1.91	1.15	31	1.76	1.15	1	3.00	-
	Strong	42	5.95	2.38	38	5.84	2.35	4	7.00	2.71
Black	Weak	40	1.95	1.83	35	2.03	1.93	5	1.40	0.55
	Strong	31	5.55	2.85	18	5.33	2.57	13	5.85	3.29

**Table 4.2**

*Guilt Determinations Across Conditions*

<b>Participant Race</b>	<i>Defendant Race</i>				<i>Confession Evidence</i>			
	<i>White</i>		<i>Black</i>		<i>Weak</i>		<i>Strong</i>	
	<i>Guilty</i>	<i>Not Guilty</i>	<i>Guilty</i>	<i>Not Guilty</i>	<i>Guilty</i>	<i>Not Guilty</i>	<i>Guilty</i>	<i>Not Guilty</i>
White	30	39	16	37	13	53	33	23
BIPOC	4	1	9	9	1	5	12	5

**Table 4.3**

*Independent Samples t-Tests with Perceptions of Voluntariness as an Outcome Across Overall Sample*

	<i>n</i>	<i>M</i>	<i>SD</i>	<i>t</i>	<i>p</i>	LLCI	ULCI
<b>Participant Race</b>							
White	122	3.66	2.74	-1.744	.092	-2.82	0.23
BIPOC	23	4.97	3.35				
<b>Defendant Race</b>							
White	74	4.20	2.79	1.435	.077	-0.26	1.62
Black	71	3.52	2.93				
<b>Confession Evidence</b>							
Weak	81	1.93	1.55	-10.916	<.001	-4.55	-3.15
Strong	73	5.78	2.58				

*Note.* LLCI = Lower Level Confidence Interval; ULCI = Upper Level Confidence Interval

**Table 4.4**

*Independent Samples t-Tests with Perceptions of Voluntariness as an Outcome Across White and BIPOC Samples*

	<i>n</i>	<i>M</i>	<i>SD</i>	<i>t</i>	<i>p</i>	LLCI	ULCI
<i>White Participants</i>							
<b>Defendant Race</b>							
White	69	4.06	2.75	1.831	.035	-0.07	1.89
Black	53	3.15	2.66				
<b>Confession Evidence</b>							
Weak	66	1.95	1.60	-9.853	<.001	-4.45	3.01
Strong	56	5.68	2.41				
<i>BIPOC Participants</i>							
<b>Defendant Race</b>							
White	5	6.20	2.95	0.935	.180	-1.94	5.12
Black	18	4.61	3.45				
<b>Confession Evidence</b>							
Weak	6	1.67	0.82	-5.383	<.001	-7.17	1.73
Strong	17	6.12	3.12				

*Note.* LLCI = Lower Level Confidence Interval; ULCI = Upper Level Confidence Interval



**Table 4.5***Logistic Regression Analyses with Perceptions of Guilt as an Outcome Across Overall Sample*

Variable	$\beta$	SE	Wald's	$p$	Odds Ratio ( $e^\beta$ )
Intercept	-0.938	0.393	5.695	.017	0.391
Defendant Race	-1.008	0.619	2.650	.194	0.365
Confession Evidence	1.324	0.503	6.917	.009	3.758
Defendant Race x Confession Evidence	1.220	0.789	2.389	.122	3.387

*Note.* Defendant Race Referent Group = White; Confession Evidence Referent Group = Weak**Table 4.6***Logistic Regression Analyses with Perceptions of Guilt as an Outcome Among White Participants*

Variable	$\beta$	SE	Wald's	$p$	Odds Ratio ( $e^\beta$ )
Intercept	-1.056	0.410	6.620	.010	0.348
Defendant Race	-0.736	0.634	1.347	.246	0.479
Confession Evidence	1.375	0.526	6.834	.009	3.953
Defendant Race x Confession Evidence	0.869	0.862	1.016	.313	2.385

*Note.* Defendant Race Referent Group = White; Confession Evidence Referent Group = Weak

**Table 4.7**

*Logistic Regression Analyses with Perceptions of Guilt as an Outcome Among BIPOC Participants*

Variable	$\beta$	SE	Wald's	$p$	Odds Ratio ( $e^\beta$ )
Intercept	-0.402	1.508	0.071	.790	0.669
Defendant Race	-1.592	1.433	1.234	.267	0.203
Confession Evidence	2.597	1.300	3.992	.046	13.418

*Note.* Defendant Race Referent Group = White; Confession Evidence Referent Group = Weak