



E50 Why Would an Innocent Person Confess? How DNA Has Proven the Unreliability of Certain Confessions and Interrogation Tactics

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After attending this presentation, attendees will have a brief overview of documented false confessions, the problems with how some interrogation tactics lead to a seemingly true confession from an innocent person, and how a false confession shapes a criminal investigation and leads to a conviction. This presentation will focus on the case of John Watkins, who confessed to a rape but who was later exonerated by DNA evidence. This presentation will educate the legal and forensic community by discussing interrogation tactics that sometimes result in false confessions which, consequently, shape the criminal investigation and conviction — often in the face of other contradictory evidence.

This presentation will impact the forensic science community by exploring how the justice system can become better equipped to weed out the true confessions from the false confessions, not only with changes in the methods law enforcement uses to elicit such confessions, but also through the use of DNA evidence.

A confession is “probably the most probative and damaging evidence that can be admitted.”¹ Why would a person confess to a rape, or worse, a rape and murder, if he was innocent? And, how could this person know details about the crime if he wasn’t there?

For the last two decades, DNA exonerations have shown that innocent people confess to crimes they did not commit. According to the Innocence Project’s statistics, 80 of the 311 DNA exoneration cases (25.7%) involved an admission or confession from an innocent person.² In many of the DNA exoneration cases, the confessions were deemed voluntary and were sometimes corroborated by other evidence or even a co-defendant.³

The alarmingly high number of proven false confessions illustrates that interrogation techniques employed by law enforcement do not always lead to true, reliable confessions. The Reid technique is the common method of law enforcement training on how to analyze a suspect’s behavior and to interrogate a suspect in order to obtain a confession. Research has shown problems with both law enforcement and the courts being able to detect a false confession obtained through the Reid technique.³

Arizona is no stranger to false confessions. In 2003, John Watkins, a 19-year-old from Texas, moved with his parents to Gilbert, Arizona. Within the first week of their arrival, a woman had been raped in their neighborhood. The case went unsolved for ten days before John became a suspect due to discovery of his pornography stash. A police interview which began as a few questions about pornography soon turned into a four-hour interrogation on the rape case. After 68 denials of culpability, constant interruptions by police each time John tried to explain himself, being told he failed a lie detector test, that a DNA test could prove whether or not he was the rapist, that his alibi did not check out, that witnesses had identified him, and that his prints matched those left at the crime scene, John Watkins admitted he did the rape. The police and prosecutor had no doubt they had their man. The confession was the State’s strongest evidence against Watkins and he was convicted.

Seven years later, DNA testing on the rape kit samples showed Watkins did not commit the crime. This meant the confession could not be true. Police interpretation of Watkins’ body language was wrong. Police use of minimization tactics, promises of leniency, appeals to his moral character, and justifying the act were not tactics that ultimately extracted a confession from a criminal — but rather the lies about evidence, creating a sense of hopelessness, and accusing Watkins of lying when he denied the accusations ultimately broke Watkins down and led to a false confession.

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References:

1. *Arizona v. Fulminante*, 499 U.S. 279 (1991)
2. <http://innocenceproject.org> (“Know the cases / search the profiles”)
3. Brandon L. Garrett. *Convicting the Innocent: Where Criminal Prosecutions Go Wrong*, p. 14-44. 2011.

DNA Evidence, False Confession, Wrongful Conviction