

Detecting Deception

The majority of the scholarly literature suggests that trained professionals cannot detect deception using verbal or nonverbal behaviors any better than chance. These studies appear to contradict the many books and videos whose authors claim that they can detect deception through the observation of both verbal and nonverbal behaviors. Many in law enforcement are trained to believe that they can identify deception through nonverbal behaviors, such as direction of eye gaze, crossing one's arms or legs, or even through the observation of microexpressions on the face. However, the empirical evidence does not support these claims. Unfortunately, when an interrogator is convinced that a suspect is lying, the interrogator may start to use deceptive and coercive tactics to elicit a confession. Research supports that most confessions occur early in the interrogation process and that despite claims to the contrary, the interrogation process appears to have little effect on the movement from submission to admission.

Research does support that the interrogation process can be improved through videotaping. Although both law enforcement officials and forensic mental health professionals have suggested that all interrogations should be videotaped, some law enforcement officials are against the idea. The argument is that a videotape of the interrogation process may be misleading to a jury and cause the jury to question the credibility of the confession. Some states have passed laws requiring interrogations to be taped. When taping, the focus should be equally on the suspect and the interrogator.

Research also supports that interrogations should be treated as investigative interviews and not an accusatory process with the goal of coercing a confession. Coercive techniques, presumed to be effective with guilty individuals, should only be used with the intention of also applying them to innocent individuals. These strategies help reduce the occurrence of false confessions. The problem with a false confession is that even when recanted and evidence suggests that it was coerced, it is still very powerful evidence for a jury to convict an innocent individual.