

False Confessions of Women

Research

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WHAT IS A FALSE CONFESSION

- *Incriminating statement an individual makes regarding a crime they were not involved in, or a significant exaggeration of crime involvement
- *In our research, it is important to consider that false confessions come about in various ways and it can be difficult to determine the veracity of a confession.
- *Nonetheless, once made, it is difficult to get people to believe it was a false statement.

Legal v. Factual Innocence

Legal innocence is a judicial, executive, or legislative acknowledgment (exoneration)

- Factual innocence is when evidence supports that the individual did not commit the crime in question
- A confession can be factually proven false when evidence supports that the individual could not have committed the crime in question
- However, even when facts are proven false, it is difficult to exonerate someone legally.

Why Do Research

- False confessions in men studied 20+ years
- Few women were being included in research
- Research showed various reasons for why men made a false confession
- Men often misidentified by eye witness testimony but confess anyway
- Most common was police interrogation techniques for vulnerable men
- Vulnerable defined as confused, intellectual disabilities, culture & language problems & mentally ill.
- DNA helped exonerate men falsely convicted. Rarely present for women.

Why Study Women?

- The underrepresentation of women in false confession exonerations
- •Female cases are harder to identify
- •Female cases are harder to prove innocence
- •Gender-specific research into the phenomenon of female false confessions necessary to determine commonalities and differences between male and female cases

Creating a Database

- The Innocence Network and the National Registry of Exonerations ($n=24$)
- Previous FC literature (185 cases, $n=12$ W)
- –Methodology adopted and search expanded (Drizin & Leo, 2004; Leo & Ofshe, 1998)
- Legal sources ($n= 50$)
- News sources ($n=11$)
- Total of 97 claimed cases included in original database
- Now almost 120 cases.

Women Different From Men

- Fewer women commit serious crimes.
- Fewer women have DNA identification issues.
- Over 40% women in our sample falsely confessed to crimes against children
- Most were involved with an co-defendant who was abusive to them and the children
- Some were protecting the abuser or afraid of him.

Why Did Women Say They Gave a False Confession?

- Protect herself, her children, or the abuser.
- Fear of direct or indirect threats from abuser.
- Interrogation pressures and submission to authority (vulnerable because of trauma/BWS)
- Internalized guilt because of trauma history, memory disturbance, dissociation.
- Difficulty remembering incident, or confusion about details.
- Externalized guilt about not being a “good enough” mother who could fit the image of the middle class TV image.

Vulnerabilities for Women

- Trauma (PTSD &/or BWS)
- Substance Abuse
- Threats to take away children (Abuser & CPS)
- Threats to kill her & family
- Threats to harm children
- Other mental illnesses
- Intellectual Disability

Trauma Backgrounds in Women

- Nearly 50% of women in database had histories of trauma and abuse.
- Think this is low estimate as many others stated they were not permitted to discuss abuse in their trial.
- Over 40% women were wrongfully convicted of crimes against children as compared to 22% of the men (National Registry of Exonerations).
- 30% exonerated women wrongfully convicted of killing a child as compared to 17% of men.
- Even after facts proved wrongful conviction, many women accepted a plea rather than re-trial usually due to being released on time-served or medical reasons.

Types of Trauma & Abuse*

- 42% Trauma & Abuse
- 19% Childhood Abuse
- 20% Sexual Abuse
- 22% Domestic Violence
- 10% Diagnosed with BWS

*Some had more than one

Research Findings To Date

Unique to Women

- Women who falsely confess are more likely than men to have trauma backgrounds.
- Women who falsely confess are more likely involved in crimes against children.
- Women who falsely confess often protect the abuser out of love and/or fear.
- Women internalize guilt about not protecting children better due to their own abuse and inability to persuade batterer to seek help.
- Women who falsely confess are more vulnerable to authoritarian police interrogation, get confused, and believe promises similar to battering relationships.