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Videotaped Confessions: Is Guilt in the Eye of the Camera?

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The medium is the message. (Marshall McLuhan)

The selectivity of any medium may lead to its use having influences of which the user may not always be conscious, and which may not have been part of the purpose in using it. (Daniel Chandler)

The camera...may presume, intrude, trespass, distort, exploit, and, at the farthest reach of metaphor, assassinate. (Susan Sontag)

I. Introduction

There is a crisis within the American system of justice. According to the Death Penalty Information Center, since 1973, 87 death-row inmates have been exonerated--some only days prior to their scheduled executions--because of newly discovered evidence. In an opinion handed down by an Illinois Supreme Court Justice concerning a death row inmate's appeal, it was emphatically stated that

> The system is not working. Innocent people are being sentenced to death. If these men dodged the executioner [13 of the 87 released death row inmates were in Illinois state prisons], it was only because of luck and the dedication of the attorneys, reporters, family members and volunteers who labored to win their release. They survived despite the criminal justice system, not because of it....One must wonder how many others have not been so fortunate. (quote obtained from the Chicago Tribune Internet Edition, November, 14, 1999)

The problem, however, is not limited to one or two states, it appears pervasive. An unprecedented systematic examination of several thousand capital-sentence appeals (Liebman, Fagan, & West, 2000, p. i) reported that during a 23-year period (1973-1995)

> **the overall rate of prejudicial error in the American capital punishment system was <u>68</u>%**. In other words, courts found **serious, reversible error in nearly 7 of every 10 of the thousand of capital sentences that were fully reviewed during that period**. Capital trials produce **so many mistakes** that it takes three judicial inspections to catch them--leaving **grave doubt whether we <u>do</u> catch**

them all. [emphasis in original]

These chilling facts have recently captured national attention and have galvanized various members of the legal community to generate possible reforms to the system that could prevent innocent people from being imprisoned, or worse, executed. Citing a "shameful record of convicting innocent people and putting them on death row," Governor George Ryan of Illinois took the bold step of suspending executions in his state until a special commission can thoroughly study the flaws in the system. The director of the American Civil Liberties Union's Capital Punishment Project has called on other death-penalty states to impose similar moratoriums until solutions can be found.

Some factors likely contributing to the current dismal state of affairs have already been identified--for example, egregiously incompetent defense lawyers, erroneous eyewitness accounts, scientifically unreliable evidence, and prosecutorial misconduct (Dwyer, Neufeld, & Scheck, 2000). In addition, many mistakes in the judicial process can be traced to the interrogation phase of criminal investigations where coerced or false confessions are sometimes extracted from detained crime suspects (cf. Dwyer et al., 2000). A "simple" solution has been advanced to correct this particular problem: videotape all custodial interrogations.

Supporting the widespread implementation of this seemingly easy fix, Barry Scheck, co-founder of the Innocence Project which is dedicated to obtaining the release of wrongfully convicted prisoners with new DNA tests and evidence, stated that with videotapes "there's no dispute later--what did the person say, what didn't he say, was it coerced, was it not coerced" (comments aired on ABC World News Tonight, May 11, 2000). Similarly, the Attorney General of Illinois has argued that the "use of videotape will materially advance the interests of all parties to the criminal justice process by providing the most reliable evidence of what is said by and to a subject, and under what circumstances" (quoted in the Chicago Tribune Internet Edition, October 28, 1999).

Although these remarks imply that videotaping police interrogations and confessions will remedy, at least, one cause of errors in the capital-punishment system, a substantial theoretical

and empirical literature on how people process and evaluate information suggests there may be a fly in the ointment. More specifically, research derived largely from attribution theory points to the potential for a subtle, but nonetheless serious, bias associated with the use of videotaped confessions as evidence in courts of law. In this chapter, we briefly review the relevant body of work that gave rise to the above assertion and then describe findings from a programmatic series of studies that demonstrate that confession evidence presented in a videotaped format may indeed, in certain instances, introduce an undesirable bias (if not outright error) in the evaluation of such evidence by trial decision-makers. Results from other experiments that examined the basic processing mechanisms underlying this bias are also reported. Finally, the policy implications of the present research for our system of jurisprudence are discussed.

II. Confession Evidence--Background

In criminal trials, fact finders (judges and jurors) make decisions based on an evaluation of the evidence presented. The kind of evidence that possibly has the greatest impact on the decision-making of these trial fact finders is a defendant's prior admission of guilt (Cohn & Udolf, 1979; Kassin & Neumann, 1997; Wigmore, 1970). In fact, according to McCormick (1972, p. 316) the probative value of a confession is so great that its introduction "makes the other aspects of a trial in court superfluous." This sentiment, when considered together with estimates that admissions of guilt make their way into as many as 68 percent of criminal trials (see Kassin & Wrightsman, 1985), suggests that the outcome of the majority of such legal proceedings is largely determined by confession evidence. Given its clearly significant role in the administration of criminal justice, there is surprisingly little empirical research devoted to how confession evidence is actually evaluated by trial decision-makers (cf. Kassin, 1997).

Kassin and Wrightsman and their colleagues (Kassin & McNall, 1991; Kassin & Sukel, 1997; Kassin & Wrightsman, 1980; Kassin & Wrightsman, 1981; Kassin & Wrightsman, 1985) have generated one of the few systematic programs of research investigating this important issue (see Kassin, 1997 and Wrightsman & Kassin, 1993 for reviews of this program of research). The factors that influence fact finders' judgments concerning the voluntary status of a confession

has been the focus of much of their work. The law requires that before a confession can be treated as evidence in the courtroom, the determination must be made that it was voluntarily given rather than the result of some form of coercion--for example, a threat of punishment or a promise of leniency (Grano [1993] and Kassin & Wrightsman [1985] provide discussions of the law pertaining to the use of confessions). Depending on the jurisdiction, this issue of voluntariness is usually decided by the presiding judge or ultimately by the jury (see Kamisar, LaFave, & Israel [1994] or Kassin & Wrightsman [1985] for more detailed information concerning the procedures for determining voluntariness). In instances of the latter, the jurors have to be convinced that a confession was made freely and intentionally, otherwise they are instructed to disregard it entirely (Mathes & DeVitt, 1965).

Although a U. S. Supreme Court decision (Lego v. Twomey, 1972) is based on the assumption that jurors are readily capable of differentiating voluntary from involuntary confessions and thereby discounting the latter, the research evidence is far less optimistic. Kassin and Wrightsman (1980, 1981) had mock jurors read a detailed transcript of a criminal trial. In one version of the trial, the defendant was said to have confessed to the crime in response to a threat of punishment and in another version to a promise of leniency. As noted above, the law considers both of these strategies for eliciting confessions coercive. Yet, Kassin and Wrightsman's studies demonstrated that mock jurors were not able to totally disregard confession evidence that resulted from a promise of leniency. More specifically, mock jurors who read that the confession followed a threat of punishment judged both the confession to be involuntary and the defendant to be not guilty, whereas mock jurors who read that the confession followed a promise of leniency judged the confession to be involuntary, but rendered a guilty verdict anyway.

A more recent study by Kassin and McNall (1991) demonstrates that if a confession is elicited by an interrogator's use of a minimization strategy--that is, "a 'soft-sell' technique in which the interrogator tries to lull the suspect into a false sense of security by offering sympathy, tolerance, face-saving excuses, and even moral justification, by blaming a victim or accomplice,

by citing extenuating circumstances, or by playing down the seriousness of the charges" (p. 235)--mock jurors tend to react in the same manner as they do to admissions of guilt following promises of leniency, namely judging the confession to be less than voluntary, but still viewing the confessor as largely culpable for the crime. Kassin and Wrightsman (1980, 1981) have labeled this pattern of results the positive coercion bias and have noted that it is consistent with the literature on attribution which indicates that individuals tend to view behaviors enacted to secure a positive outcome as more freely and intentionally caused by an actor than equivalent behaviors enacted to avoid a negative outcome (Bramel, 1969; Kelley, 1971; Wells, 1980).

How concerned should we be that trial fact finders may fall prey to judgment errors such as the positive coercion bias? Very. Techniques like minimization are in fact endorsed in police manuals that are used to train police detectives on how to conduct an "effective" interrogation (e.g., Inbau, Reid, & Buckley, 1986), and observational studies confirm that detectives do indeed employ the minimization tactic, as well as a complementary strategy called maximization, quite frequently in their interrogations of crime suspects (Gudjonsson, 1992; Leo, 1992, Leo, 1996b; Wald, Ayres, Hess, Schantz, & Whitebread, 1967). Maximization is a "hard-sell" approach designed to elicit a confession by sheer intimidation. As described by Kassin (1997, p. 223),

> This intimidation is achieved by overstating the seriousness of the offense and the magnitude of the charges and even by making false or exaggerated claims about the evidence (e.g., by staging an eyewitness identification or a rigged lie-detector test, by claiming to have fingerprints or other types of forensic evidence, or by citing admissions that were supposedly made by an accomplice).

Whereas courts reject confessions that are obtained by direct threats of punishment or promises of leniency, confessions that result from threats or promises that are merely implied (as is the case with the minimization and maximization interrogation strategies [Kassin & McNall, 1991]) are often ruled voluntary and thus admissible as evidence at trial (Ayling, 1984; Heavner, 1984; Sasaki, 1988; Thomas, 1979; White, 1979). That confessions produced in this manner are

being used to convict defendants seems unconscionable in light of the growing belief that such "subtle" or psychologically oriented interrogation approaches may actually elicit false confessions from the truly innocent. Dwyer et al. (2000, p. 89) in their book, Actual Innocence, argued that minimization and maximization are high-risk techniques, noting

> A suspect is told he is being fitted for a first-degree murder charge, but the detective thinks there might be a better explanation for his actions. Perhaps the killing was an accident or was done in self-defense. This often leads guilty suspects to confess. And under circumstances of high pressure, with vulnerable people, the "maximization - minimization" technique also provides a strong incentive for innocent people to make false admissions.

Evidence is accumulating to support such claims (Ofshe, 1989; Ofshe & Leo, 1997). Leo and Ofshe (1998) reviewed 60 cases involving alleged police-induced false confessions and concluded that in 48% of these cases the false confession was instrumental in producing a wrongful conviction--which in one instance, they claim, led eventually to a wrongful execution! (Cassell [1999] has challenged some of Leo and Ofshe's conclusions.) These false confessions arose not from third-degree torture tactics, but from the kind of psychological coercion personified in techniques like minimization and maximization (cf. Leo, 1992, Leo, 1996b). A recent experimental demonstration conducted by Kassin and Kiechel (1996) provides the most compelling proof to date of the power of psychological pressure to induce false confessions. Kassin and Kiechel (1996, p. 126) found that psychologically based methods of influence commonly employed by interrogators led innocent people "to confess to an act they did not commit and, more important, to internalize the confession and perhaps confabulate details in memory consistent with that new belief." These findings leave no doubt that the apparent inability of trial fact finders to adequately detect and/or adjust for these types of coercive pressures is reason for great concern.

III. Presentation Format of Confession Evidence:

The Growing Emphasis on Videotape

The type of interrogation pressure used to induce an admission of guilt is but one factor that may bias the evaluation of confession evidence. Another factor that surprisingly could have a systematic and pernicious influence on the evaluation of confession evidence is simply the manner in which that evidence is presented in the courtroom. Before elaborating on this possibility, we will first briefly describe the rapid and dramatic change that has been taking place with respect to the typical presentation format of confession evidence.

Until the 1980's, most confession evidence was recorded and presented in either a written or audiotaped format. However, as a result of the advances that have taken place in videotape technology during the past two decades--for example, improvements in the quality, portability, and cost of videotape equipment--law-enforcement agencies throughout the country have begun videotaping interrogation sessions and any admissions of guilt that such interrogations might yield (Cutler, 1988; Domash, 1985). For example, in 1983 the district attorney's office in one borough of New York City alone estimated that it would use videotaped confessions on approximately 500 different occasions ("Smile, You're on", 1983).

In a 1992 report to the National Institute of Justice, Geller presented national survey data indicating that a third of law enforcement agencies in the United States were videotaping some interrogations in the early 1990's. Furthermore, Geller (1992) reported that 97 percent of all departments in the nation that were videotaping either confessions or full interrogations found the procedure to be "very useful" or "somewhat useful." The San Diego police expressed strong support for the practice, stating

> Not using video would be like not using state-of-the art fingerprint analysis equipment. If better technology comes along, and its cost is reasonable, police should experiment with it if there is a reasonable chance that it can assist them in their work. (Geller, 1992, p. 153)

Geller (1992, p. 154) concluded from his data that "the videotaping of suspect statements is a useful, affordable step on the road toward a more effective, efficient, and legitimate criminal

justice system." He also noted that "excluding the smallest agencies, the percentage of departments videotaping confessional evidence will likely exceed 50 percent within a few years."

There are already two states--Alaska and Minnesota--in which videotaping interrogations is required. As of this writing, Illinois is considering a bill to make videotaping mandatory as well. The practice of videotaping police interrogations has many proponents in the legal community as well as in allied fields (Cassell, 1996; Dwyer et al., 2000; Gudjonsson, 1992; Johnson, 1997; Leo, 1996a), and it appears only a matter of time before the videotaped format becomes the norm for introducing confession evidence at trial. In fact, this growing emphasis on videotape technology within the criminal justice establishment is so pervasive that the Institute of Police Technology and Management has initiated courses to train police personnel on how to use videotaping to record and present lineups, crime scene descriptions, surveillance footage, and various other forms of evidence in addition to confessions (Cutler, 1988).

Those who advocate videotaping interrogations usually argue that the presence of the camera will 1) deter the use of coercive methods to induce confessions, and 2) provide a more complete and objective record of the interrogation so that judges and jurors can evaluate more thoroughly and accurately the voluntariness and veracity of any confession. At least one proponent is so sure of the soundness of the videotaping procedure, that he has gone so far as to argue that legally required Miranda warnings to suspects concerning their rights to silence and counsel can be dispensed with if interrogations are routinely videotaped (Cassell, 1996). In the United States and many other countries, interrogations are typically recorded with the camera positioned behind the interrogator and focused squarely on the suspect (Geller, 1992; Kassin, 1997). Positioning the camera in this manner seems straightforward and logical because trial fact finders presumably need to see directly what the suspect is saying and doing to best assess the voluntariness and veracity of his or her statements. The rub, however, is that judgments of voluntariness may be influenced by the camera's perspective.

IV. Summary of the Literature on Point-of-View/Salience Effects

in Causal Attribution

The basis for this disturbing suggestion lies in the extensive scientific literature concerning how people go about attributing causality to the behaviors and events that they observe in their environment. Research and theory on this attribution process and the factors that influence it has been accumulating for half a century. In his seminal theoretical work on the topic, Heider (1944, 1958) argued that people are motivated to determine the causes of the events happening around them. According to Heider, knowing the cause of some event or another person's behavior provides people with a sense of control and predictability--a necessity, if they are to interact effectively with their environment. Heider pointed out that "fundamental to the question of why someone behaves as he or she does...is whether the locus of causality for that behavior is in the person (internal) or in the environment (external), or both" (Fiske & Taylor, 1991, p. 25). In developing his theory of naive epistemology, Heider (1958, p. 54) was perhaps the first to note that "behavior... has such salient properties it tends to engulf the total field rather than be confined to its proper position as a local stimulus whose interpretation requires the additional data of a surrounding field." This insight foreshadowed later empirical findings demonstrating that people often strongly favor internal attributions over external attributions for the behaviors they observe.

Subsequent theoretical work derived from Heider's initial formulation sought to spell out more clearly how people ought to proceed in order to rationally identify the cause or causes of a given event or behavior (e.g., Jones & Davis, 1965; Jones, Kanouse, Kelley, Nisbett, Valins, & Weiner, 1972; Kelley, 1967, 1972; Weiner, Frieze, Kukala, Reed, Rest, & Rosenbaum, 1972). Although empirical tests indicated that people do sometimes make attributions in the logical and reasonable ways prescribed by such rational models (e.g., McArthur, 1972), they also clearly showed that, in certain instances, people exhibit strong systematic biases in their attributional analyses--biases of which they are oftentimes seemingly unaware (e.g., Jones & Harris, 1967; Jones & Nisbett, 1972; Jones, Rock, Shaver, Goethals, & Ward, 1968; L. Ross, Amabile, & Steinmetz, 1977; L. Ross, Greene, & House, 1977; M. Ross & Sicoly, 1979). One such bias--

consistent with Heider's earlier intuition--is the pronounced inclination for people to overemphasize internal causes for another person's behavior (e.g., intentions and dispositions) and to seemingly neglect aspects of the surrounding situation that alone could sufficiently account for the behavior (cf. Gilbert & Malone, 1995; Jones, 1979; Nisbett & L. Ross, 1980; L. Ross, 1977).

The documentation of this so-called "fundamental attribution error" (L. Ross, 1977) and other biases like it led investigators to focus their theoretical and empirical efforts on trying to account for these various intriguing deviations from rationality. Jones and Nisbett's (1972) stimulating work on actor - observer differences in attribution suggested one possible factor--a person's perceptual perspective or point of view--that might explain or at least contribute to the fundamental attribution error. The idea that something as trivial and nondiagnostic as a person's observational vantage point could affect his or her attributions for some event at first blush probably seemed implausible to many. Nonetheless, numerous studies have since been conducted which convincingly demonstrate that people's attributions of causality are indeed strongly influenced, quite literally, by their point of view. This so-called "salience effect" specifically indicates that there is a pervasive tendency for people observing a social interaction to overestimate the causal role of the individual who is most visually prominent--that is, the one who can be seen most clearly (see McArthur, 1981 and Taylor & Fiske, 1978 for extensive reviews of this literature). Considered together, the findings regarding the fundamental attribution error and salience effects lead to the conclusion that observers routinely fail to appreciate fully the causal influence of external factors or pressures on another individual's behavior and that the problem is compounded when those situational forces are rendered even less visible or salient by virtue of observers' visual perspective.

V. Implications of the Salience Effects Literature for the Use of Videotaped Confessions

The developments in attribution theory and research we have just described were largely achieved prior to the actual existence of videotaped confessions. Nonetheless, it is our

contention that they have alarming implications for the use of videotaped confessions as a tool to facilitate the administration of justice. That is, it seems reasonable to assume that in arriving at a judgment concerning possible coercive influences, observers of an interrogation might first try to determine who or what caused, or was the most responsible for, the act of confessing. To the extent that this assumption is valid, the above findings suggest that the use of videotaped confessions could produce judgments of coercion which vary systematically with the camera's point of view. More specifically, observers might judge, all things being equal, that a relatively small degree of coercion was used when the camera focused primarily on the confessor (because the act of confessing would presumably be largely attributed to the confessor), that a relatively large degree of coercion was used when the camera focused primarily on the interrogator (because the act of confessing would presumably be largely attributed to the interrogator), and that a relatively moderate degree of coercion was used when the camera focused on both participants equally.

This hypothesis, derived from the attribution literature, takes on even greater significance when one considers, as noted above, that most interrogations are videotaped with the camera focused primarily on the suspect or confessor (Geller, 1992; Kassin, 1997). That being the case, it is possible that the use of videotaped confessions is causing judges and/or jurors to be biased to perceive such confessions as voluntary, which in turn could have the detrimental effect of increasing the number of truly coerced or false confessions that are considered as reliable evidence in courts of law. Moreover, a recent U. S. Supreme Court ruling highlights the significance of this issue even further. Prior to 1991, if in the trial process an error was committed that allowed a coerced confession into evidence and the defendant was convicted, an appeal on behalf of the defendant would automatically nullify the verdict and produce a new trial. In a startling reversal of this long-standing precedent, the U. S. Supreme Court ruled in Arizona v. Fulminante (1991) that the improper use of an involuntary confession in a trial resulting in a conviction is not in and of itself sufficient reason to invalidate the conviction. That is, if other evidence in a particular case was adequate to justify a conviction, then the admission

of an involuntary confession could be viewed as "harmless error." There is concern among some legal scholars that this ruling could increase the willingness of prosecutors to introduce as evidence confessions whose voluntary status is dubious (e.g., Kamisar, 1995). Such a possibility suggests that attention to factors that may potentially prejudice determinations of voluntariness is more critical than ever before.

VI. A Program of Research Investigating the Potential for Bias in Videotaped Confessions

Because of its clear practical importance to the legal community, we have conducted a program of research aimed at testing the above hypothesis that the ostensibly trivial variable of camera perspective may actually bias people's evaluations of videotaped confession evidence.[1] Several aspects of this research are notable.

1) The research provides a excellent example of what Lassiter and Dudley (1991) call the a priori value of basic research. One value of basic research and theory is that it can be used to address real world issues in an a posteriori fashion. That is, some threat to the general well-being of society (e.g., rampant aggression) clearly exists before any research is initiated to provide a scientific basis for its possible attenuation or elimination. The second way that basic research and theory can contribute to the maintenance of a healthy society is perhaps less obvious and, in our view, certainly under acknowledged. It is the notion that basic research is also capable of pointing out potential problems that could ultimately arise as a result of society's ever-changing and increasingly complex nature. That is, the knowledge base provided by basic research (in this case the work on attribution processes) can actually help detect hidden or newly developing problems that might otherwise go unrecognized if such knowledge were unavailable. Thus basic research and theory can be used to address real world issues in an a priori fashion as well.

2) Wells (1978) has distinguished between system-variable and estimator-variable research. Wells (1978, p. 1552) defines the former as investigating "variables that are manipulable by the criminal justice system, whereas the latter investigates variables whose influence can be estimated
(but not controlled) by the criminal justice system." Wells (1978, p. 1555) noted that "system-variable research...may, as a general rule, have greater applied utility for criminal justice than does estimator-variable research." Thus another positive feature of the research to be described is that it is system-variable, rather than estimator-variable, research, and therefore has the potential to yield information that could ultimately be used to alter the criminal justice system for the better.

3) Bray and Kerr (1982) have suggested that a reasonable approach to addressing the generality or external validity of some effect that has been previously shown to be internally sound or valid "is to conduct a series of carefully planned studies that collectively provide data that determine the limits of generalizability." We adopted this strategy in our research program. Thus, although no single study will adequately address the external validity question, together they should provide a solid indication of whether or not the criminal justice system needs to be seriously concerned about how it acquires and utilizes videotaped confession evidence.

4) Diamond (1997) has argued that trial simulations at Stage One of a research program that involve relatively "easy" methods (e.g., using college-student participants, brief stimulus materials) should be followed up with Stage Two research that involves more elaborate, representative methods (e.g., using community adults as participants, extensive videotaped trials as stimuli). This two-stage approach advocated by Diamond was followed in our series of investigations.

5) The present research also includes what we are designating a Stage Three--that is, studies designed to identify the mediator(s) of the point-of-view/salience bias. Gaining a clearer understanding of the psychological mechanism(s) underlying this bias will better enable researchers to develop strategies for combating it.

6) Finally, the research to be described has already had real-world impact. Lani Takitimu, Police Officer in Charge of the National Electronic Interview Unit situated at the Police National Headquarters in Wellington, New Zealand, has informed us that a national policy in New Zealand regarding the videotaping of police interrogations was directly influenced by portions of the work to be described (personal communication, November 3, 1993).

VII. Stage One: Establishing the Existence and Robustness of the Camera Perspective Bias in Videotaped Confessions

Stage One of the research comprised eight studies that were, for the most part, relatively simple in their design and in the stimulus materials used. The mock confessions that we constructed for Studies 1 - 5 were designed to be composites of various elements that have been documented to occur in real interrogations or that police manuals advise should occur. None of the stimulus tapes resulting from these staged interrogations and confessions lasted longer than 5 min. (Observational data by Leo [1996b] suggest that interrogations of this length are not typical, but they do occur.) For Studies 6 - 8, we developed our confession stimulus from the transcript of an actual police interrogation and it was approximately 30 min in duration. With the exception of Study 7, all of the experiments in Stage One employed only continuous (rating scale) measures of participants' judgments because they often exhibit greater sensitivity than dichotomous responses and because they are amenable to more powerful parametric analyses. (In a true courtroom, judgments concerning voluntariness and guilt would ultimately be rendered in a dichotomous fashion. However, at this point we were most concerned with being able to detect the bias, if it actually existed. Issues of mundane realism could always be addressed later--and were in Stage Two.) Finally, all participants in Studies 1 - 8 were college students recruited from psychology department subject pools.

A. STUDY 1: AN INITIAL DEMONSTRATION OF THE BIAS

We (Lassiter & Irvine, 1986) began by using three cameras simultaneously to videotape a mock police interrogation. One camera was positioned so that the front of the "suspect" from the waist up and the back of the "detective" (part of his head and one shoulder) were visible. A

second camera was positioned in a similar manner, but it was the detective's front and suspect's back that were visible. The third camera was positioned so that the sides of both the suspect and detective from the waist up could be seen equally well. All three cameras were set at an approximately 90 degree angle to the vertical plane. During the interrogation, the detective (a male) asks the suspect (a female) several questions about her recent activities. At one point he accuses her of stealing an article of clothing from a shopping center, which she denies. The detective continues his inquiry and ultimately the suspect confesses to the crime.

Twenty-four participants were told their task in the experiment would be to assume the role of jurors in a courtroom and to evaluate individually the voluntariness and other aspects of a criminal confession obtained during a police interrogation. Participants were then shown one of the three videotapes of the mock police interrogation. (In this study, the videotapes were black and white; in all remaining studies they were in color.) Following the videotape presentation, participants were asked to indicate to what degree they thought the suspect was coerced into confessing. Participants responded on a 9-point scale with higher numbers reflecting a judgment that greater coercion was involved. Participants also indicated how confident they were in their coercion judgments on a second 9-point scale (1 = <u>not at all</u>, 9 = <u>completely</u>). Finally, participants filled out several items from which an attribution index was formed. Higher values on this index indicated that participants' attributions for the suspect's behavior (e.g., her level of nervousness and loquacity) were relatively more dispositional (or relatively less situational).

Consistent with our hypothesis, it was found that subjects rated the interrogation the least coercive when the camera focused primarily on the suspect, rated it more coercive when the camera focused on the suspect and detective equally, and rated it the most coercive when the camera focused primarily on the detective (see Table I for means on all measures). This linear trend in coercion ratings was significant, thereby providing evidence that the point of view from which a confession is videotaped can have a considerable impact on observers' judgments of whether that confession was voluntary or coerced.

TABLE I
MEANS FOR THE DEPENDENT MEASURES (STUDY 1)

Measure	Camera point of view		
	Suspect-focus	Equal-focus	Detective-focus
Coercion[a]	3.13	4.75	6.75
Confidence[b]	6.88	6.88	6.63
Attribution index[c]	3.50	-2.43	-4.63

[a]The higher the number, the greater the perceived coercion. [b]Confidence in coercion judgments with higher numbers indicating greater confidence. [c]Higher numbers indicate relatively more dispositional (or relatively less situational) attributions for the suspect's behavior. (Data from Lassiter & Irvine, 1986)

It might be argued that this pattern of results simply reflects the fact that participants were reluctant to say the confession was voluntarily given (i.e., not coerced) when they could not get a good look at the suspect, as was the case in the detective-focus condition and to a lesser extent in the equal-focus condition. This interpretation is rendered implausible, however, by the fact that participants indicated a high degree of confidence in their voluntariness judgments, with no significant differences across conditions.

The attribution index revealed that subjects made the most dispositional attributions in the suspect-focus condition, less dispositional attributions in the equal-focus condition, and the least dispositional attributions in the detective-focus condition. Again this linear patterning of means was significant. These data, then, are supportive of the assumption that differences in judgments of coercion are mediated in part by causal attributions, with more dispositional attributions for the suspect's behavior being associated with a judgment of less coercion or greater voluntariness.

B. STUDY 2: AN EXAMINATION OF ADDITIONAL ISSUES

In our first study, participants viewed and evaluated only a single interrogation in which a suspect confessed to the crime of shoplifting. An important first step in building on this work,

then, was to determine if the pattern of results found in Study 1 generalized to different interrogations and to different crimes. To examine this issue we (Lassiter, Slaw, Briggs, & Scanlan, 1992) devised three new mock interrogations (this time with a male suspect) each concerned with a different crime (i.e., rape, drug trafficking, or burglary). Replication of our Study 1 results across each of these interrogations and crimes would provide further evidence that the camera perspective bias in videotaped confessions is a real and pervasive phenomenon.

Study 1 also lacked any non-videotaped presentation formats that could serve as "control" conditions. Without such comparison groups we cannot know whether the camera focusing on the confessor increased perceptions of voluntariness, or whether the camera focusing on the interrogator or on both individuals actually decreased perceptions of voluntariness. As noted in Section III, confession evidence has traditionally been presented in either a written or an audiotaped format. To our knowledge these two presentation formats have been used successfully for many years with no suggestion of any inherent prejudicial impact. For this reason we also included in the present experiment written and audiotaped versions of the confessions to provide a baseline so that the exact nature of any biasing effect of the videotaping procedure could be more clearly established.

A third way in which we extended the previous research was to investigate the extent to which any bias in voluntariness judgments resulting from camera point of view would in turn prejudice likelihood-of-guilt assessments. That is, will individuals who perceive a videotaped confession as more voluntary simply because of a particular camera point of view also judge the confessor more likely to be guilty? Although it seems reasonable to assume that judgments of voluntariness and likelihood-of-guilt assessments would be positively correlated, some earlier findings indicate that this may not always be the case. As discussed in Section II, Kassin and Wrightsman (1980, 1981; Kassin & McNall, 1991) have shown that, in certain instances, individuals may recognize that a confession is involuntary, but nonetheless still judge the confessor to be guilty of the confessed crime. Such results clearly indicate that additional data

are needed to clarify the relationship between judgments of voluntariness and assessments of guilt.

A final focus of Study 2 was to explore a possible individual difference in the extent to which people are susceptible to the biasing effect of camera perspective. That is, individuals who are inclined to process information in a careful and thorough manner might be expected to be relatively unaffected by something as seemingly irrelevant and trivial as camera point of view. An instrument designed to measure this very tendency--the Need for Cognition Scale--has been developed by Cacioppo and Petty (1982; Cacioppo, Petty, & Kao, 1984). According to these researchers, individuals who derive great enjoyment from engaging in effortful and extensive cognitive processing are said to be high in need for cognition, whereas individuals who derive little enjoyment from such activities are said to be low in need for cognition (cf. Cacioppo & Petty, 1982; Lassiter, Briggs & Slaw, 1991). A sizable body of research provides support for this distinction (see Cacioppo, Petty, Feinstein, & Jarvis, 1996 for a review). On the basis of this literature, then, we examined the possibility that the judgments of individuals who exhibit a high (relative to low) need for cognition would be determined primarily by a thoughtful evaluation of the content of an interrogation and confession and therefore would be minimally influenced by the specific format in which such information was presented.

The three interrogations begin with the detective questioning the suspect about his whereabouts at a given date and time. Although the suspect initially denies any wrongdoing, the detective uses various ploys (e.g., minimization and maximization) to induce self-incriminating statements from the suspect. The suspect is informed that there is evidence linking him to the crime in question, but the suspect repeatedly denies the accusation. The detective continues to confront the suspect with reasons why he should admit his guilt (e.g., in one interrogation the detective says, "...any confession you make now will certainly be held in your favor"). All three mock interrogations end with the suspect finally confessing to the crime under investigation. Audiotapes and transcripts of the interrogations were generated from the videotaped versions

(only two camera perspectives--suspect-focus and equal-focus--were used in this study) resulting in 4 different presentation formats for each of the three mock interrogations.

A single voluntariness index was formed by summing three items assessing participants' (N = 172) perceptions of the extent to which the confession was given freely and intentionally (Cronbach's alpha = .74). This index was submitted to a 3 (nature of crime) x 4 (confession-presentation format) analysis of variance (ANOVA). (A preliminary analysis indicated no significant effects of need for cognition.) The results of this two-way ANOVA revealed a significant main effect for the crime factor--participants perceived the drug-trafficking confession to be less voluntary than either the rape or burglary confessions. More important, the ANOVA also revealed a significant main effect for confession-presentation format. The means corresponding to this effect are presented in Table II. As can be seen, the suspect-focus videotape produced judgments of voluntariness that were greater than those produced by the other confession-presentation formats. A planned contrast showed this pattern was reliable. A comparison of the equal-focus-videotape, audiotape, and transcript formats indicated no significant differences among these groups in terms of the judgments of voluntariness they produced. Finally, the ANOVA revealed no significant two-way interaction, thereby indicating that the effect of confession-presentation format on voluntariness judgments was consistent across the different crimes and interrogations.

TABLE II
MEANS FOR VOLUNTARINESS INDEX AS A FUNCTION OF CONFESSION PRESENTATION FORMAT (STUDY 2)

Confession-presentation format			
Suspect-focus videotape	Equal-focus videotape	Audiotape	Transcript
17.32	14.27	14.75	15.42

Note. Higher scores on the voluntariness index indicate judgments of greater voluntariness (possible scores = 3 to 27). (Data from Lassiter et al., 1992)

Participants indicated their assessments of the suspect's probable guilt on a single 9-point scale, with higher numbers denoting a greater perceived likelihood of guilt. A three-way ANOVA (Nature of Crime x Confession-Presentation Format x Need for Cognition) performed on these ratings revealed a significant main effect of crime--the suspect was judged more likely to be guilty when he confessed to a rape, as opposed to a drug-trafficking or burglary, charge. The only other reliable effect to emerge from this analysis was a main effect of need for cognition. Participants high in need for cognition (based on a median split) judged the suspect to have a greater likelihood of being guilty than did participants low in need for cognition.

The fact that, at the group level, confession-presentation format influenced voluntariness judgments but not likelihood-of-guilt assessments would appear to suggest that the two variables were unrelated in the present study. Further correlational analyses of the data, however, indicated that such a conclusion is not entirely correct. Across all subjects, voluntariness judgments were found to be weakly, but significantly, related to likelihood-of-guilt assessments, $\underline{r} = .18$. On the individual level, then, subjects who judged the confession to be more voluntary also assessed that the suspect was more likely to be guilty.

The results of Study 2 increased our confidence that, relative to other confession-presentation formats, suspect-focus videotapes tend to enhance voluntariness judgments. This tendency is robust enough that it affects even those individuals who are presumably predisposed to process information in an effortful and a systematic manner (i.e., those high in need for cognition). Our failure to find that a high need for cognition did not eliminate, or at least attenuate, the camera perspective bias is consistent with two other reported studies (Briggs & Lassiter, 1994) showing that, when viewing a "getting-acquainted" conversation, high-need-for-cognition individuals' judgments of causality were no more resistant to a salience manipulation than were those of low-need-for-cognition individuals. From a theoretical standpoint these demonstrations of a lack of any effect of need for cognition on susceptibility to the salience bias would seem to imply that the mechanism underlying this bias is not related very strongly to the degree of high-level cognitive effort generated during information processing. From a practical

standpoint such results suggest that we cannot take comfort in the assumption that a real courtroom situation will engender a high motivation to engage in effortful cognitive processing among trial participants. With respect to determining the voluntariness of videotaped confessions, it appears that a high level of motivation or involvement is no protection against potential bias. (We will return to this issue again in later studies.)

Our Study 2 results, however, do not paint an entirely negative picture with regard to the use of videotaped confessions in the courtroom. Videotaped confessions that focused on both the suspect and the interrogator equally were found to generate voluntariness judgments that were comparable to those based on more traditional presentation formats--that is, audiotapes and transcripts. Thus, it is clear that the videotaping procedure per se is not inherently prejudicial. Rather, it is the manner in which the videotaping procedure is implemented that holds the potential for bias. It appears, then, that the advantages associated with the videotape method--for example, a more detailed record of the interrogation is provided to trial participants--can be maintained without introducing bias if an equal-focus perspective is taken by the video camera. Unfortunately, as noted in Section III, at this point in time this is not the perspective that is typically taken when the videotape method is employed.

C. STUDY 3: DOES DELIBERATION MAKE A DIFFERENCE?

A possible safeguard against the camera perspective bias in videotaped confessions that is already present in our current system of justice is the requirement that jurors must deliberate before rendering their judgments. Kaplan (1982; Kaplan & Miller, 1978) has argued, based on an information integration perspective (Anderson, 1974; Kaplan, 1975), that juror biases can be reduced by increasing the weight jurors give to evidential information. The process of deliberation is one way of achieving this goal. That is, according to Kaplan (1982, p. 213), the "advantage of a deliberating jury over a single juror...is that among the jurors more legal facts are noticed, remembered, and taken into account. If these facts are then shared in deliberation, more facts will be available to the single juror to counteract the preexisting disposition and/or extralegal information" (cf. Ellsworth, 1989; McCoy, Nunez, & Dammeyer, 1999).

An important question addressed in our third study, then, was whether the point-of-view bias in videotaped confessions still persists even after individuals deliberate (Lassiter, Beers, Geers, Handley, Munhall, & Weiland, in press, Study 1). Also, in our last study, the results did not demonstrate conclusively that the bias also affects assessments of guilt. Obviously, the overall applied significance of this line of work can be called into question if camera perspective is not shown ultimately to influence decisions concerning guilt and innocence. Therefore participants' guilt judgments were collected again in Study 3 and in most of the subsequent studies in Stages One and Two.

Three hundred sixty-two participants were run in groups of 5 or 6 at a time. After examining the confession evidence (regarding either the burglary or rape crimes used previously), participants were informed that, similar to real jurors, they would now have the opportunity to discuss the issue of the confession's voluntariness. More specifically, they were asked to determine whether the confession was given freely by the suspect and therefore should be considered valid evidence in court. Participants were told they could discuss whatever they thought would help them decide the voluntariness question. Participants were given as much time as they needed for deliberation. Following the deliberation, participants received separate questionnaires that they were instructed to complete individually.

TABLE III
MEANS FOR DEPENDENT MEASURES (STUDY 3)

	Confession-presentation format				
Measure	Suspect-focus videotape	Equal-focus videotape	Detective-focus videotape	Audiotape	Transcript
Voluntariness index	20.97	19.65	18.48	19.31	19.30
Likelihood of guilt	8.22	8.13	7.55	8.07	7.95

Note. Higher scores on the voluntariness index and guilt measure indicate judgments of greater voluntariness and more probable guilt, respectively. (Data from Lassiter et al., in press, Study 1)

Using the three camera angles employed in Study 1, plus audiotape and transcript formats as in Study 2, we again found the bias in voluntariness judgments observed previously. (Because participant's individual judgments could no longer be considered independent after they had deliberated, analyses were performed on the mean voluntariness index of the separate groups.) Most important, a significant main effect of camera point of view on likelihood-of-guilt assessments was obtained, with the suspect-focus videotape resulting in higher estimates of guilt than either the equal- or detective-focus videotapes (see Table III for means on both measures). As was the case with the voluntariness judgments, the audiotape and transcript formats yielded guilt assessments comparable to that of the equal-focus videotape. It should be noted that none of the above results was qualified by the nature-of-crime factor.

We assumed that, to a large extent, the impact of confession-presentation format on likelihood of guilt assessments was mediated by judgments of voluntariness. To directly test this assumption, we conducted a path analysis following procedures outlined by Kenny (1979; Kenny, Kashy, & Bolger, 1998). Regression analyses were performed to estimate the magnitude and significance of the path coefficients (standardized beta weights). The resulting values are presented in Figure 1.

Consistent with our assumption, the paths from confession-presentation format to voluntariness judgments and from voluntariness judgments to likelihood-of-guilt assessments were both significant. The direct path from confession-presentation format to likelihood-of-guilt assessments (after partialing out the effect of voluntariness judgments) was not significant. Overall, this analysis suggests that with regard to guilt assessments, the biasing effect of confession-presentation format occurs primarily via its influence on voluntariness judgments.

The fact that the point-of-view bias was still obtained after deliberation suggests that the process of exchanging information and discussing one's views about the evidence with others is not an effective antidote to the prejudicial effect of camera perspective. It is also important to

note that, for the second time, the camera perspective that produced judgments that were the most comparable to the written and audiotaped versions of the confessions (i.e., the more traditional presentation formats) was the equal focus.

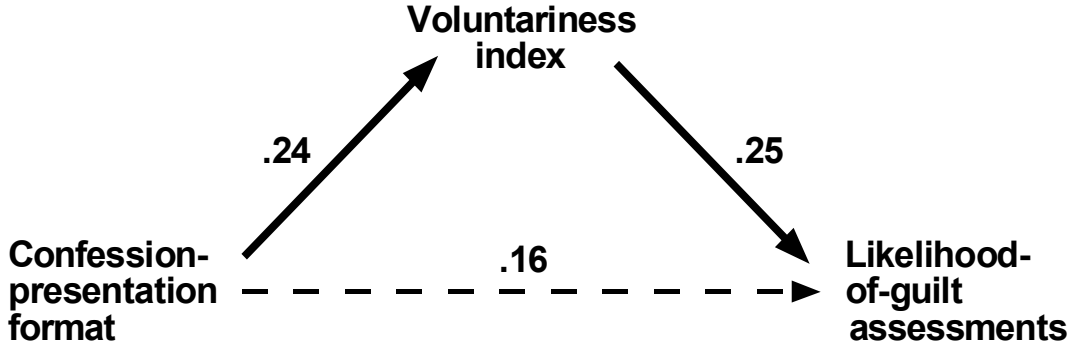

Figure 1. Path diagram and coefficients (standardized beta weights) for Study 3. Solid paths are significant, $p < .05$. (Data from Lassiter et al., in press, Study 1)

D. STUDY 4: CAN FOREWARNING ELIMINATE THE BIASING EFFECT OF CAMERA PERSPECTIVE?

Informal examinations of the content of the group discussions in Study 3 revealed that the issue of camera perspective never came up in deliberations. If no one thought to bring up this issue, then a lack of awareness of it altogether might explain why individuals are not able to correct or eliminate the influence camera point of view is having on their judgments (cf. Wilson & Brekke, 1994). This insight led us to consider the straightforward question, can people obviate the biasing effect of camera point of view when they are explicitly alerted to its possible prejudicial impact? A fourth study was conducted to provide an answer to this question (Lassiter et al, in press, Study 2).

To make the experimental sessions seem more like an actual trial, testimony from two witnesses for the prosecution and two witnesses for the defense was provided in transcript form. (The testimony of the prosecution and defense witnesses was presented before and after the presentation of the confession, respectively.) The strength of the evidence presented by both the defense and the prosecution witnesses was designed to be approximately equivalent. The inconclusive nature of the testimony made the confession the central piece of evidence in the case.

Before viewing the videotaped confession, half of the participants were warned about potential effects of watching the videotaped confession from a particular perspective. More specifically, the experimenter said: "Because the confession was videotaped you should be aware that your judgments could be affected by the angle of the camera. In thinking about the videotape, you should focus on what the detective and the defendant actually said and how they behaved. Do not allow the angle of the camera to influence your decision about whether the confession was voluntary or coerced." This warning was omitted for the remaining participants. All participants (N = 104) then viewed either the suspect-focus or detective-focus version of the videotaped confession (regarding the crime of burglary used previously). As in Studies 1 and 2, no deliberation occurred.

Separate 2 (suspect-focus vs. detective-focus videotape) x 2 (forewarning vs. no forewarning) ANOVAs were performed on participants' judgments of voluntariness and guilt. Both analyses revealed a significant main effect of camera perspective indicating that participants who viewed the suspect-focus videotape rated the confession as more voluntary and the defendant more likely to be culpable than did participants who viewed the detective-focus videotape (see Table IV). The attempt to eliminate or at least attenuate the point-of-view bias was unsuccessful as neither the main effect of forewarning nor the two-way interaction attained significance.

TABLE IV
MEANS FOR THE DEPENDENT MEASURES (STUDY 4)

	No Forewarning		Forewarning	
Measure	Suspect-focus	Detective-focus	Suspect-focus	Detective-focus
Voluntariness				

index	20.52	16.96	18.63	16.48
Likelihood of guilt	8.08	7.24	8.07	7.41

Note. Higher scores on the voluntariness index and guilt measure indicate judgments of greater voluntariness and more probable guilt, respectively. (Data from Lassiter et al., in press, Study 2)

To determine if voluntariness judgments were mediating the effect of camera perspective on guilt assessments, a path analysis was conducted as in Study 3. The pattern of results was once again consistent with the notion that camera perspective has an indirect effect on guilt assessments (see Figure 2). That is, the paths from camera focus to voluntariness judgments and from voluntariness judgments to likelihood-of-guilt assessments were both significant, whereas the direct (nonmediated) path from camera focus to likelihood-of-guilt assessments was not.

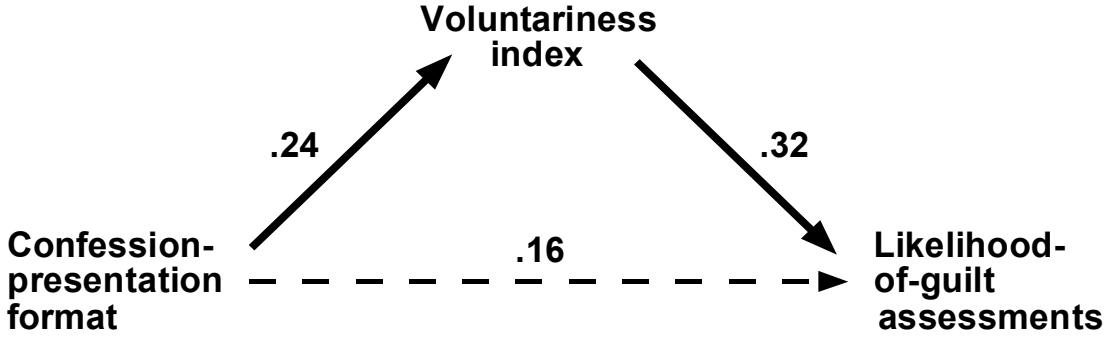

Figure 2. Path diagram and coefficients (standardized beta weights) for Study 4. Solid paths are significant, $p < .05$. (Data from Lassiter et al., in press, Study 2)

E. STUDY 5: WILL DIRECTING ATTENTION TO CONTENT DIMINISH THE BIAS?

Our very direct and straightforward attempt to eliminate the biasing effect of camera perspective failed in Study 4. This lack of success led us to try a diametrically opposite strategy in our next study. That is, instead of calling attention to the camera perspective and hoping people can minimize its effect on their judgments, we decided in a fifth experiment (Lassiter et al., in press, Study 3) to induce individuals to pay even greater attention to the content of the interrogation and confession. If more of their focus and concentration is on the content and the

information revealed therein, people's judgments may be less swayed by the tangential factor of camera perspective.

Prior to presenting the videotaped confession, roughly half of the 87 participants were told to direct their full attention to the content of the interrogation. More precisely, the attention-to-content participants were instructed to identify the important aspects of the interrogation by pressing a hand-held button. Each time the suspect or the detective said or did something significant or informative, participants were to press the button, which tallied their judgments. The experimenter emphasized that it was the participant's important task to determine what aspects of the interrogation were to be considered significant. The remaining participants did not receive these instructions nor did they engage in the button-pressing task. All participants then viewed either the suspect-focus or detective-focus videotaped confession (of the burglary crime) and completed the dependent measures.

Participants' responses to the voluntariness and guilt measures were entered into separate 2 (suspect-focus vs. detective-focus videotape) x 2 (attention-on-content vs. no attention-on-content) ANOVAs. From these analyses, only a significant main effect of the camera perspective emerged such that the suspect-focus participants judged the confession as more voluntary and the suspect as more likely guilty than did detective-focus participants (see Table V). The same path analysis was conducted as before and the results were comparable to those in Studies 3 and 4 (see Figure 3). That is, the two paths involving voluntariness judgments were both significant, but the remaining direct path was not.

TABLE V
MEANS FOR DEPENDENT MEASURES (STUDY 5)

	No attention-on-content task		Attention-on-content task	
Measure	Suspect-focus	Detective-focus	Suspect-focus	Detective-focus

Voluntariness				
index	20.60	16.85	18.08	15.91
Likelihood of				
guilt	8.25	7.45	8.29	8.13

Note. Higher scores on the voluntariness index and guilt measure indicate judgments of greater voluntariness and more probable guilt, respectively. (Data from Lassiter et al., in press, Study 3)

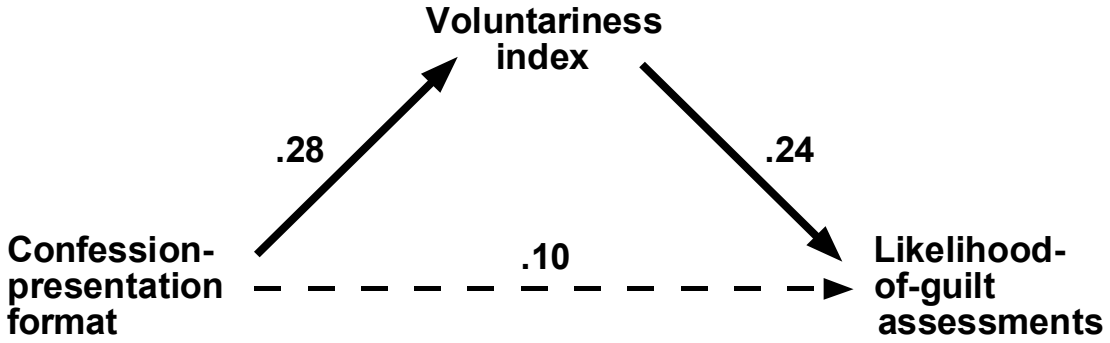

Figure 3. Path diagram and coefficients (standardized beta weights) for Study 5. Solid paths are significant, $p < .05$. (Data from Lassiter et al., in press, Study 3)

Although an examination of the button-pressing responses of attention-on-content participants indicated they understood the task and that they were taking it seriously, their concentration on identifying the most important and meaningful aspects of the interrogation and confession was not sufficient to prevent the point-of-view bias from affecting their judgments of voluntariness and guilt.

F. STUDY 6: ARE LONGER/CASE-BASED CONFESSIONS BIAS-PROOF?

As noted in Section VII, none of the mock confessions constructed for Studies 1 - 5 was derived entirely from a specific, actual police interrogation and overall they were relatively short in duration. It is possible that the content of a single, case-based police interrogation and confession could contain certain kinds of information or more impactful information that could cause people to give more weight to the content and thus be less likely to be influenced by the camera's point of view (cf. Kaplan, 1982). We also speculated that the biasing effect of camera perspective may be most likely to occur when the amount of content information available for

people to consider is limited--that is, when the confession is brief. If that were indeed the case, then confessions of greater length may be less likely to produce a camera perspective bias. The primary purpose of Study 6 (Lassiter et al., in press, Study 4), then, was to examine both these possibilities by presenting mock jurors with a videotaped confession that was based closely on an actual police interrogation and that was significantly longer in duration (approximately 30 min).

The videotaped confession was a recreation of portions of the interrogation and confession of Bradley Page, a college student, who was convicted of the manslaughter of his romantic partner, Bibi Lee, based largely on his disputed confession. (We are very grateful to Richard Leo for providing us with a transcript of the Page interrogation.) Many psychological and legal experts view Page's confession as an instance of a coerced-compliant confession (cf. Kassin & Wrightsman, 1985) and his ensuing conviction as a miscarriage of justice (e.g., Leo & Ofshe, 1998; Pratkanis & Aronson, 1991; Wrightsman & Kassin, 1993). Elliot Aronson, who testified at Page's trial as an expert on "noncoercive" persuasion, was given access to audiotapes of the interrogation and provided the following brief account of what essentially transpired while Page was in custody.

> After inducing Brad to waive his rights to an attorney ("we're all friends, here, aren't we?"), the police interrogators had him go over his story several times. During the interrogation, they kept asking him how he could possibly have left his girlfriend alone in the park and driven back home. Brad felt terribly guilty about it, saying several times, "It was the biggest mistake of my life!" Each time they asked the question, his guilt seemed to grow.
>
> Finally, the interrogators told Brad that late on the night that Bibi had

> disappeared he had been seen near the site of the shallow grave [where Lee's body was recovered] and that his fingerprints had been found on a rock that had been used as the murder weapon. Neither of these statements was true [maximization ploy]. Brad said that he had no recollection of having left his apartment that night and had no idea how his fingerprints could have gotten on the murder weapon (he didn't even know what the weapon was). But he had no reason to distrust the interrogators, so, understandably, he became terribly confused and asked them if it is possible for a person to "blank it out." The interrogators informed him that such things were common occurrences and that it might help him relieve his guilty conscience if he closed his eyes and tried to imagine how he might have killed Bibi if he had killed her" [minimization ploy]. Brad proceeded to do as he was told, inventing what he later described as an imaginative scenario. Two hours after his alleged confession, when he was told that the police considered it to be a confession, he seemed genuinely astonished and immediately recanted. (Pratkanis & Aronson, 1991, pp. 175-176, emphasis in original)

Our partial reenactment of the Page interrogation and "confession" was recorded simultaneously by three video cameras that yielded a suspect-focus, equal-focus, and detective-focus version of the confession. Eighty-six participants viewed one of the versions of the confession and then completed mostly the same measures as used in the prior studies. One addition of note was the inclusion of a 9-point scale item that asked participants, "if the suspect were convicted, how severe should his sentence be?" (1 = minimum sentence and 9 = maximum sentence). This question was added to see if the influence of camera perspective would extend

to judgments beyond voluntariness and guilt, and would actually taint other related decisions such as sentence recommendations.

All three measures produced the same significant linear trend in means (see Table VI). The suspect-focus version of the confession led to the highest voluntariness, likelihood-of-guilt, and severity-of-sentence ratings, whereas the detective-focus version led to the lowest ratings across the various measures. Another path analysis was conducted with sentence recommendations included as an additional variable. The resulting path diagram is depicted in Figure 4 (only the significant paths are shown). Consistent with the first three studies, the impact of camera point of view on guilt assessments was mediated by voluntariness judgments. Interestingly, camera perspective influenced sentence recommendations in a direct manner, but also indirectly, via its effect on voluntariness and guilt judgments.

TABLE VI
MEANS FOR DEPENDENT MEASURES (STUDY 6)

	Camera point of view		
Measure	Suspect-focus	Equal-focus	Detective-focus
Voluntariness index	20.32	18.14	16.29
Likelihood of guilt	8.62	8.34	8.21
Recommended sentence	7.72	7.31	6.57

Note. Higher scores on the voluntariness index and guilt measure indicate judgments of greater voluntariness and more probable guilt, respectively. Higher scores on the sentence recommendation measure signify a more severe sentence. (Data from Lassiter et al., in press, Study 4)

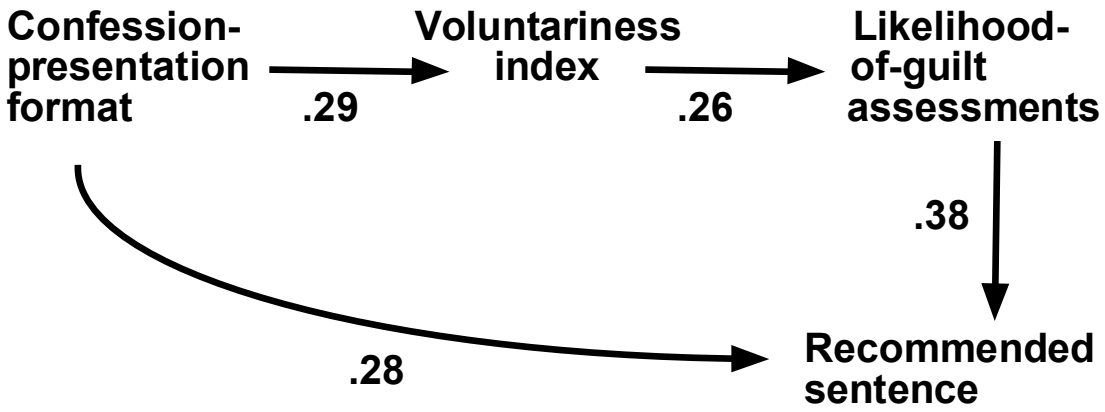

Figure 4. Path diagram and coefficients (standardized beta weights) for Study 4. Only significant paths are depicted, $p < .05$. (Data from Lassiter et al., in press, Study 4)

At this point it was becoming increasingly clear that the potential for some degree of prejudicial impact associated with videotaped confessions was disquietingly real. Having participants witness simulated events that occurred in an actual police interrogation, and exposing them to nearly 30 min of content information did not diminish one iota the biasing effect of camera perspective. In addition, for the first time the point-of-view bias in videotaped confessions was shown to have the potential to also influence decisions regarding the severity of sentence that might be imposed.

G. STUDY 7: IS ACCOUNTABILITY THE KEY?

When the first author of this chapter presented some of the above findings to colleagues at another university, a question arose about the accountability of our participants. That is, the questioner felt that the evidence of bias might evaporate if our research participants were made to feel truly accountable for, or had to justify, the judgments they were producing. Research on the effects of accountability (see Lerner & Tetlock, 1999 for a review) on judgments does suggest that, in certain instances, increased accountability can attenuate bias. However, this literature also provides empirical examples of accountability amplifying bias, or having no effect at all on people's judgments. Lerner and Tetlock (1999, p. 263) argued that "predecisional accountability to an unknown audience will improve judgment to the extent that a given bias results from lack of effort, self-critical awareness of one's judgment processes, or both." The

fact that, in Study 2, we found no reduction in the biasing effect of camera perspective for individuals who are naturally motivated to be effortful and critical thinkers (i.e., those high in need for cognition), led us to believe an accountability manipulation might not be effective in this case. Nonetheless, Study 7 (Lassiter, Munhall, Geers, Weiland, & Handley, 2000) was conducted to find a data-based answer to the questioner's query.

After being told that they would be assessing the voluntariness of a videotaped confession, participants (N = 63) were assigned to either a low accountability or high accountability condition. In the high accountability condition, participants were told

> We are also interested in whether the basis of your judgments about the confession are consistent with the way judges believe jurors make decisions. A local judge, [name], has been helping us with this project and has agreed to meet with you to review your judgments about the confession and to determine if the manner in which you arrived at your judgments is correct.

The experimenter then scheduled a time for the participants to meet individually with the judge so that they could "explain your decisions concerning the confession to him." Participants were told they would be compensated monetarily for their time (up to $50). (Participants really believed the meeting was going to take place as in all cases they spontaneously made a point to write down all the details of the scheduled appointment). In the low accountability condition, these instructions were omitted.

All participants then saw a brief videotape of the above named judge (an actual retired judge from the community) providing some guidelines concerning the determination of voluntariness. The videotape depicts the judge, dressed in his judicial robe, sitting at the bench in the local court house. Seeing the judge like this further conveyed a sense of reality about having to justify their judgments for those in the accountability condition. Participants then viewed either the suspect-focus or equal-focus version of the Page confession used in Study 6.

Because the judge's remarks directed participants' attention specifically to the question of the confession's voluntary status, we made this the sole judgment they would have to justify.

However, unlike previous studies that relied exclusively on rating scale measures, participants also had to declare their judgments of voluntariness in a dichotomous fashion. We did this to preclude the possibility of them hedging their bets by simply choosing the midpoint on the rating scale items. We asked participants to also provide an indication of their confidence in their dichotomous judgments of voluntariness on a 9-point rating scale similar to that used in Study 1.

To assess whether the accountability manipulation was effective in inducing a more thoughtful consideration of the confession evidence, we additionally had participants write down which aspects of the videotaped confession were most important to them and why. Participants could write as much as they wanted. We used participants' responses to this open-ended question as a gauge of the extent of cognitive elaboration they engaged in while evaluating the confession evidence. The number of lines of text produced by participants was interpreted as an indication of the amount of thought they devoted to the judgment task, with more lines assumed to reflect greater thought.

The cognitive-elaboration measure was subjected to a 2 (accountability) x 2 (camera perspective) ANOVA. This analysis yielded a highly significant main effect of the accountability manipulation. High-accountability participants wrote down more thoughts (i.e., lines of text) about the confession than did their low-accountability counterparts (see Table VII for means). Interestingly, there was also a significant effect of camera perspective. Participants who viewed the equal-focus version of the confession engaged in more cognitive elaboration than did those who viewed the suspect-focus version. Finally, the two-way interaction was not significant.

As noted above, all participants in the high-accountability condition wrote in their date books the details of their scheduled appointment with the judge. In addition, these same participants were genuinely surprised when they were informed that no such meeting would take place. These behaviors, combined with the results of the elaboration measure, led us to conclude that the accountability manipulation was successful.

An Accountability Condition x Camera Perspective ANOVA performed on the continuous measure of voluntariness revealed only a significant main effect of camera perspective. As can been seen in Table VII, the suspect-focus version of the confession once again produced higher judgments of voluntariness than did the equal-focus version. An analysis of the dichotomous measure of voluntariness produced an identical pattern of results. That is, the suspect-focus version of the confession produced significantly more voluntary (vs. involuntary) judgments than did the equal-focus version in both the low- and high-accountability conditions. Finally, there were no significant effects of camera perspective or the accountability manipulation on participants' confidence in their voluntariness judgments (overall $\underline{M}$ = 6.81).

TABLE VII
RESULTS ON THE VOLUNTARINESS MEASURES (CONTINUOUS AND DICHOTOMOUS) AND ON THE COGNITIVE ELABORATION MEASURE (STUDY 7)

	Low accountability		High accountability	
Measure	Suspect-focus	Equal-focus	Suspect-focus	Equal-focus
Continuous	16.63	12.50	17.87	15.20
Dichotomous	.76	.43	.73	.41
Cognitive elaboration	5.53	7.93	8.27	10.88

[a]Higher scores indicate judgments of greater voluntariness. [b]The proportion of participants judging the confession voluntary. [c]Amount of thought about the confession as measured by the number of lines of written text generated by participants. (Data from Lassiter, Munhall, Geers, Weiland, & Handley, 2000)

The unexpected finding that the equal-focus version of the confession elicited more cognitive elaboration from participants than did the suspect-focus version suggests that the effect of camera focus on voluntariness judgments might have been mediated by the quantity of thought about the confession. To examine this possibility, we again conducted a path analysis. As can be seen in Figure 5, the direct paths from camera perspective to cognitive elaboration and

to voluntariness judgments were both significant. The path from cognitive elaboration to voluntariness judgments, however, was not significant. Overall, this analysis indicates that with regard to judgments of voluntariness, the biasing effect of camera perspective is not mediated by the amount of thoughtful consideration given to the confession.

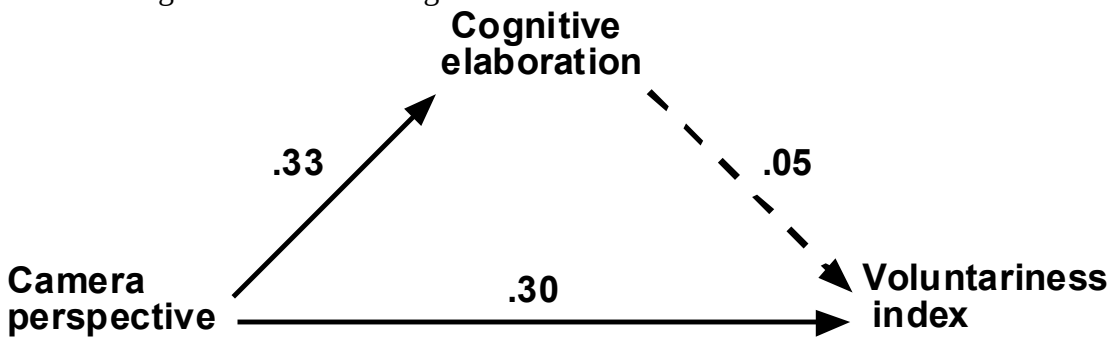

Figure 5. Path diagram and coefficients (standardized beta weights) for Study 7. Solid paths are significant, $p < .05$. (Data from Lassiter, Munhall, Geers, Weiland, & Handley, 2000)

The results of Study 7 indicate that an increased sense of accountability (that, in turn, induces greater processing effort) is not enough to minimize the biasing effect of camera perspective. This finding, taken in combination with Study 4's demonstration that forewarning is also an insufficient corrective, may be consistent with the following point made by Wilson and Brekke (1994, p. 131).

> [Sometimes] even when people are aware that information can bias them and are motivated to resist the bias, they either adjust responses too little or too much. The reason, we suggest, is that they are unaware of how much they have been biased and thus do not know how much to alter their responses.

Thus, as Lerner and Tetlock (1999, p. 263) concluded "bias correction hinges not only on the motivation to correct, but also on the ability to correct one's mental processes." It may be the case that the camera perspective bias in videotaped confessions, and salience effects more generally, may be especially hard to undo on account of "a lack of awareness of mental processes, the limitations of mental control, and the difficulty of detecting bias" (Wilson & Brekke, 1994, p. 117).

H. STUDY 8: DOES CAMERA PERSPECTIVE AFFECT HOW BELIEVABLE THE SUSPECT APPEARS?

It is possible that the effects reported in the preceding studies may have something to do with how believable/credible the statements made by the suspect are judged to be. More specifically, when the camera is focused on the face of the suspect, he or she may be perceived to be more truthful, which in turn leads observers to see the statements as more voluntary and hence the suspect more likely to be guilty. This idea (first suggested to us by Rich Petty) can be derived from the vast literature on deceiving and detecting deceit (Ekman, 1992; Kraut, 1980; Zuckerman, DePaulo, & Rosenthal, 1981) which indicates that people at least perceive another's eyes (are they shifty? avoidant?) to be an important cue as to whether the person is lying or telling the truth (cf. DePaulo, Stone, & Lassiter, 1985). Because observers may have a harder time determining the gaze of the suspect in the equal-focus videotapes, and certainly so in the detective-focus videotapes, they may come to distrust the confession more which could perhaps explain the previous findings. Study 8 (Lassiter, Munhall, Geers, Handley, & Weiland, 2000) examined this possibility.

TABLE VIII
MEANS FOR THE VOLUNTARINESS
AND CREDIBILITY INDEXES (STUDY 8)

	Camera perspective	
Measure	Suspect-focus	Equal-focus
Voluntariness index	19.01	17.14
Credibility index	14.18	14.55

Note. Higher numbers indicate that the confession was judged more voluntary and more credible for the voluntariness and credibility indexes, respectively. (Data from Lassiter, Munhall, Geers,

Handley, & Weiland, 2000)

One hundred thirty-eight participants viewed either the suspect-focus or equal-focus version of the Page confession. A three-item voluntariness index and three-item credibility index were generated from participants responses to the dependent measures and entered into a 2 (camera perspective: suspect-focus or equal-focus) x 2 (index: voluntariness or credibility) between - within ANOVA. There was no overall effect of camera perspective, but this was due to the significant Perspective x Index interaction (see Table VIII). Simple effects tests indicated that voluntariness, but not credibility, judgments were significantly affected by the camera perspective. Given this divergence in the way the two judgments were affected by camera perspective, it is not surprising that the voluntariness - credibility correlation turned out to be nonsignificant, $\underline{r} = .12$. It appears from these data, then, that the biasing effect of camera perspective on voluntariness, guilt, and severity-of-sentence judgments is not due simply to a focus-induced change in how believable the confessor comes across.

VIII. Stage Two: Examining the Camera Perspective Bias in Videotaped Confessions in the Context of Elaborate Trial Simulations

As with any research of this kind, there are limitations of the preceding investigations that need to be acknowledged. First, our experiments did not involve actual confession evidence, an actual trial, or actual jurors. Therefore, the extent to which our findings generalize to real situations can be questioned. However, concern about this issue should be diminished to some extent by MacCoun's (1989, p. 1046) review of a large body of mock juror research in which he concluded that "mock jurors do not appear to reach decisions by a fundamentally different process than actual jurors."

Because Studies 1 - 8 were part of our Stage One research (cf. Diamond, 1997), we used relatively simple stimulus materials and excluded many other trial components. For example, other than in Study 4, there was no additional evidence for participants to consider other than the confession itself. Obviously, in real trials, fact finders are almost always presented with other evidence in addition to the confession. Although the research presented

so far provides strong proof that the camera perspective bias in videotaped confessions is a robust phenomenon, it is not inconceivable that the presence of other kinds of evidence could cause a dilution of this prejudicial effect. Study 4 did not provide an adequate test of this dilution possibility because the witness testimony was presented in a written format and therefore was likely experienced by participants as less vivid and "real" than the confession, which was in a videotaped format (cf. Taylor & Thompson, 1982).

Also, for reasons of convenience, in Stage One we used only college students as our mock trial participants. Some investigators (e.g., Feild & Barnett, 1978; Foss, 1976) have questioned the use of students as participants in jury-simulation studies. The responses of students, it is argued, may be quite different from those of jury-eligible adults, in which case the generalizability of the findings of studies using student mock jurors is likely to be severely limited. Recent reviews of the mock juror/jury literature (Bornstein, 1999; MacCoun, 1989), however, indicate that the judgments of student and adult mock jurors are comparable. Despite such reassuring findings, the impact of the present program of research on the criminal justice establishment will no doubt be increased if it is demonstrated that the point-of-view bias in videotaped confessions is manifested not only by students but by older, nonstudent adults as well.

Another drawback of the Stage One studies has to do with the fact that participants made their judgments only on continuous rating scales (with the exception of Study 7). This was done to ensure that our measures were as sensitive as possible in detecting any evidence of a biasing effect of camera point of view. However, verdicts in actual courtrooms are made in an either/or manner, and we cannot be certain that the bias observed with rating scales will still obtain with cruder, but more ecologically valid, dichotomous measures (cf. Kerr, 1978). (Study 7 did not require participants to render a verdict of guilt or innocence, so this all-important question still needs to be answered.)

If the present program of research is going to have an impact on the legal community, it is incumbent upon us to deal with these issues as best we can. As noted by Bornstein (1999, p. 88),

"courts have not welcomed psycholegal research findings with open arms, especially when derived from methods that are neither very realistic nor representative of actual legal processes." (The tide may be turning somewhat. Recently, the U.S. Department of Justice released the first national guide for collecting and preserving eyewitness evidence. Psychological science contributed significantly to the development of this document [see Wells, Malpass, Lindsay, Fisher, Turtle, & Fulero, 2000].)

Our Stage Two research, then, comprises three studies that are notable for their, in Bornstein's (1999, p. 88) words, "harder, more representative methods." All three studies involved extensive videotaped trial simulations that required from 3 to 5 hours of participants' time. (As noted by MacCoun [1989, p. 1046], "manipulations of many variables [that may affect juror decision making]...are not ethically or legally feasible in actual trial settings." Therefore, mock jurors--formulating judgments regarding a simulated legal trial--are used for most experimental tests of juror decision making and the variables that influence it.) In Studies 9 and 11, all participants were nonstudent, jury-eligible adults recruited from both rural and urban communities in Ohio. In Study 10, both nonstudent and student participants were used so that a systematic comparison of their responses could be made. In all Stage Two studies, dichotomous measures of participants' judgments were obtained. In addition to addressing these concerns of mundane realism, we continued to explore in Stage Two other possible limits on, and maybe even a possible benefit of, the influence of camera perspective on the judgment process of observers.

A. STUDY 9: IS THERE ANY EFFECT OF MULTIPLE VIEWINGS OF THE CONFESSION ON THE CAMERA PERSPECTIVE BIAS?

In real courtroom trials, fact finders most likely have the opportunity to evaluate confession evidence more than once if they feel the need to do so before rendering any decisions. (This was indeed the case in the actual trial that will serve as the basis for our stimulus materials in this study.) Could such repeated observation of a videotaped confession affect the magnitude of the bias associated with camera point of view? The existing body of literature on salience effects

does not provide any insights on this point. However, the argument could be made that the opportunity to examine a videotaped confession more than once should work to reduce the influence of camera point of view on observers' judgments. That is, drawing once again on the work of Kaplan and Miller (1978), additional viewings of a videotaped confession could cause the contents to become more salient or to be given more weight in observers' integration of the information (cf. Anderson, 1974; Kaplan, 1975), which in turn could increase the effect of the contents on judgments while concurrently inhibiting the manifestation of the bias.

The possibility also exists that repeated observation of a videotaped confession could further intensify the biasing effect of camera point of view. Such a result would be consistent with some findings from the literature on mere exposure effects (Harrison, 1977; Zajonc, 1968). Studies by Cacioppo and Petty (1989), Grush (1976), Perlman and Oskamp (1971), and Swap (1977) indicate that initial evaluations of a stimulus can become more polarized with increasing exposure. Thus the bias (found with suspect-focus videotapes) toward judging the defendant as having confessed freely and to be guilty, rather than being minimized, may become even more pronounced with additional observation. Study 9, then, was conducted to empirically determine which, if either, of these two possibilities might occur.

The case of Peter Reilly was used to generate the stimulus materials. Gudjonsson (1992, p. 252) provides the following synopsis of the particulars of this case.

> In 1973, Reilly was an easy-going and well-liked 18-year-old-youth. He lived in Canaan, Connecticut, with his 51-year-old mother. At 8 p.m. on the 28th of September he went to a Methodist Church for a Youth Centre meeting. He returned home around 9:50 p.m. to discover his mother's mutilated body. She had been brutally murdered minutes before Reilly arrived home. He immediately called for an ambulance and was clearly in a distressed state. Within hours he became the prime suspect for the murder and after intensive interrogation he made a self-incriminating confession, which resulted in his arrest and conviction for manslaughter.

Reilly's confession is considered by many to be a prime example of a coerced-internalized confession (cf. Kassin & Wrightsman, 1985)--that is, Reilly eventually came to accept as true, at least for a short time, the assertions of his interrogators that he was indeed a perpetrator of matricide! Key aspects of Reilly's interrogation and confession are summarized in this unnerving account by Kenrick, Neuberg, and Cialdini (1999, p. 152).

> At the scene and even when taken in for questioning, Reilly waived his right to an attorney, thinking that if he told the truth, he would be believed and released in short order. This was a serious miscalculation. [Recent research by Kassin and Fong (1999), however, suggests that most of us share Reilly's belief that our innocence will surely be discerned by others.] Over a period of 16 hours, he was interrogated by a rotating team of four officers, including a polygraph operator who confidently informed Reilly that, according to the lie detector, he had killed his mother. The chief interrogator told Reilly, falsely, that additional evidence proving his guilt had been obtained [maximization]. He also suggested to the boy how he could have done the crime without remembering any such thing: Reilly had become furious with his mother [employing minimization, the interrogators further suggested that Reilly's reaction was justifiable because of his mother's constant antagonisms], had erupted into a murderous fit during which he slaughtered her, and now had repressed the horrible memory. It was their job, Reilly's and the interrogator's, to "dig, dig, dig" at the boy's subconscious until the memory was recovered.
>
> Dig, dig, dig they did, exploring every way to bring that memory to the surface, until Reilly did begin to recall--dimly at first but then more vividly--slashing his mother's throat and stomping on her body. Analyzing, reanalyzing, and reviewing

these images convinced him that they betrayed his guilt. Along with his interrogators,

> who pressed him relentlessly to break through his "mental block," Reilly pieced together from the scenes in his head an account of his actions that fit the details of the murder. Finally, a little more than 24 hours after the grisly crime, though still uncertain of many specifics, Peter Reilly formally confessed in a signed, written statement. This statement conformed closely to the explanation that had been proposed by his interrogators and that he had come to accept as accurate--even though he believed at the outset of his questioning and even though, as later events demonstrated, none of it was true. [Two years after his conviction it was determined that the prosecution had suppressed exonerating evidence, leading to a repeal of Reilly's conviction and the dismissal of all charges.]

Detailed accounts of the case provided by Barthel (1976) and Connery (1977) were used to recreate portions of the actual interrogation (of which there is an audiotaped record). As was done in Study 1, this partial recreation of the interrogation and confession of Peter Reilly was videotaped simultaneously by three cameras: one taking a suspect-focus position, another a detective-focus position, and the last an equal-focus position. A reenactment of key events occurring in Reilly's actual trial was also staged based on the Barthel and Connery accounts. The trial simulation was elaborate and was professionally videotaped in an actual courtroom with the assistance of the telecommunications department at Ohio University. A local retired judge portrayed the role of the presiding judge in the trial and two practicing attorneys assumed the roles of prosecutor and defense counsel. Individuals who were mostly recruited from local theater groups enacted the roles of the other trial principals. All actors received some monetary remuneration for their participation. The trial reenactment was video recorded from the vantage point of the jury box. The camera remained stationary throughout the recording. Some zooming and panning of the camera occurred; for example, during witness testimony the camera would at

points focus more closely on the witnesses' faces. The total cost of making the videotaped trial simulation was approximately $10,000.

Included in the videotaped simulation were the testimony of 2 prosecution and 3 defense witnesses (one of which was "Reilly" himself), Reilly's confession, the introduction of other items of evidence, opening and closing arguments of the prosecution and defense, and the judge's rulings on points of law as well as his explication of the requirements of proof to the jurors. The videotaped trial lasted approximately 2.5 hours, with the confession accounting for just over 40 min of that time.

The 52 participants were residents of the town of Lancaster, Ohio that is located in the southeastern portion of the state approximately 40 miles from Columbus, the state capital. They were recruited via an ad placed in the local newspaper that offered $15 dollars to volunteers wishing to participate in a federally funded mock jury research project. (In subsequent Stage Two studies, the amount of money paid to nonstudent participants ranged from $15 up to $60, depending on the particular study and its location.) Two-thirds of these volunteers were female and their mean age was 51. Based on their responses to a preliminary "Juror Profile" questionnaire, 57% had no more than a high school education, 40% were democrats, 45% were republicans, and 13% were independents. The group was 90% white and 62% indicated they were currently married. Thirty percent reported that they had served as actual jurors on at least one occasion.

Participants viewed the trial with one of the three versions of the confession. At the conclusion of the trial, but prior to rendering any decisions, half the participants were shown the confession a second time (because, it was explained, that was what happened in the actual trial). Finally, all participants individually provided their verdicts (guilty or not guilty) and their assessments of the voluntary status of the confession (voluntary or involuntary). Participants were asked to make these same judgments on rating scales as well.

TABLE IX
MEANS FOR DEPENDENT MEASURES (STUDY 9)

Camera point of view

Measure	Suspect-focus	Equal-focus	Detective-focus
Voluntariness index	12.66	11.60	7.46
Likelihood of guilt	5.89	5.11	3.09

Note. Higher scores on the voluntariness index and guilt measure indicate judgments of greater voluntariness and more probable guilt, respectively. (Data from Lassiter, Beers, Geers, & Munhall, 2000)

The dichotomous measures yielded no significant effects. Scale ratings were thus examined in subsequent analyses. A two-item voluntariness index was created and entered into a 3 (camera perspective) x 2 (number of confession viewings: one vs. two) ANOVA. No significant effects were associated with the number of viewings. However, the same linear pattern of voluntariness ratings as a function of camera perspective we found in previous studies was once again significant (see Table IX). A second 2-way ANOVA performed on a continuous measure of participants' assessments of Reilly's likelihood of guilt also yielded a reliable linear effect of camera perspective. The more of Reilly (or the less of the detective) they could see, the more likely they thought he was guilty of the killing of his mother. Finally, a path analysis conducted on the data revealed, as before, that the effect of camera perspective on likelihood of guilt assessments was mediated, at least in part, by voluntariness judgments (see Figure 6).

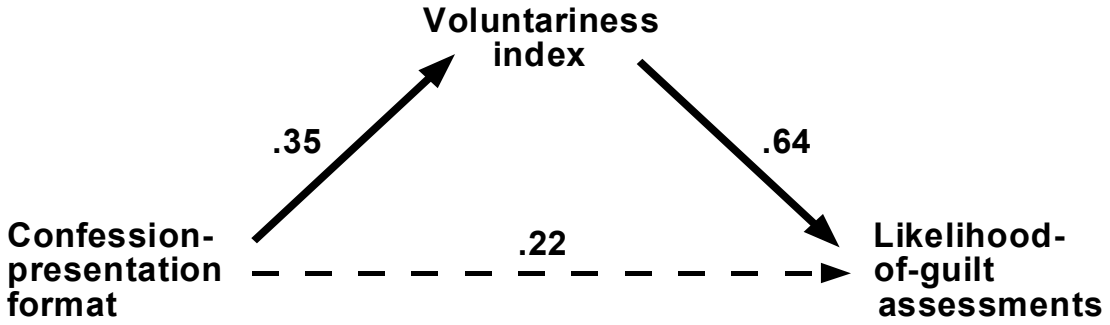

Figure 6. Path diagram and coefficients (standardized beta weights) for Study 9. Solid paths are significant, $p < .05$. (Data from Lassiter, Beers, Geers, & Munhall, 2000)

Even in the context of a realistic, videotaped simulation of an actual trial that included the direct testimony and cross-examination of several witnesses, the presentation of physical evidence, prosecution and defense arguments, judicial rulings on points of law, and most of the other trappings associated with such legal proceedings, camera perspective still biased mock jurors' judgments. However, this effect did not come out on the critical dichotomous measures of voluntariness and guilt. We had intended to run more participants in this study, but it turned out that many of our participants were not sanguine about sitting through a second viewing of the 40 min Reilly confession. Therefore, we made the decision to cut the experiment short. The resulting smaller number of participants than anticipated may be a factor that weakened our chances of finding clear results on the dichotomous measures. It also appears from this study that viewing a videotaped confession for a second time does not diminish the biasing effect of camera perspective. However, given the difficulties described above, we view this finding with caution.

B. STUDY 10: DOES JUDICIAL INSTRUCTION CURB THE BIASING EFFECT OF CAMERA PERSPECTIVE?

One common courtroom procedure that could possibly prevent the occurrence of the camera perspective bias is the judge's instruction to the jury. Generally speaking, evidence supporting the effectiveness of judicial instruction designed specifically to counteract certain juror biases is sparse (e. g., Mitchell & Byrne, 1973; Wolf & Montgomery, 1977). However, Kassin and Wrightsman (1981) reported on some data that indicate that judicial instruction may hold some potential as a corrective influence on jurors' biased evaluations of confession evidence. As described in Section II, these researchers had previously found (Kassin & Wrightsman, 1980) that mock jurors exhibited a positive coercion bias--that is, in rendering their verdicts, mock jurors failed to discount fully a confession that was induced by a promise of leniency. In their 1981 experiments, Kassin and Wrightsman attempted to reduce this bias by presenting mock jurors with various forms of judicial instruction: one form directed jurors to

ignore a coerced confession; a second form additionally defined the legal concept of coercion and emphasized the unreliability of such confessions; a third form defined coercion and emphasized the unconstitutionality and unfairness of such confessions; and a fourth form defined coercion and emphasized both the unreliability and unfairness of such confessions. Results showed that the first three forms of instruction had no effect either on subjects' judgments of voluntariness or on their verdicts. The instructions that emphasized both the unreliability and unfairness of coerced confessions, however, did successfully lower judgments of voluntariness for illegally coerced confessions. Still, the effectiveness of this form of instruction was not complete as verdicts remained unaltered.

The possibility exists, then, that some form of judicial instruction may help curb the camera perspective bias in videotaped confessions. Drawing on Kassin and Wrightsman's (1981) earlier work, Study 10 tested the effectiveness of judicial instruction as a means of reducing the influence of camera point of view on mock jurors' voluntariness and guilt judgments (Lassiter, Geers, Munhall, Handley, & Weiland, 2000, Study 1). More specifically, two forms of judicial instruction were examined. One form--similar to the version used by Kassin and Wrightsman (1981)--emphasized the need for mock jurors to be cognizant of both issues of reliability and fairness in evaluating confession evidence. This form of judicial instruction was included because, as noted above, it has been shown to reduce, to a certain degree, the biased evaluation of some kinds of confession evidence. The second form of judicial instruction was the same as the first; however, it further emphasized to mock jurors that they should not allow the perspective from which the confession was videotaped to influence in any way their evaluation of the confession. This form of judicial instruction was included because it more specifically directs mock jurors' attention to the source of the bias and thus provides a strong (second) test of their ability to override the bias when alerted to its existence.

Previous research (Feldman, 1978 cited in Horowitz & Willging, 1984; Kassin & Wrightsman, 1979) also suggests that the timing of judicial instruction may determine its effectiveness. Kassin and Wrightsman (1979), for example, found that a judge's requirement-of-

proof instruction had more impact on mock jurors' verdicts when made prior to the presentation of evidence than when made after the presentation of evidence. Therefore, another purpose of Study 10 was to examine whether the timing of judicial instruction (before vs. after the presentation of the confession evidence) moderates to any extent its possible effectiveness in minimizing the effect of camera point of view on judgments.

Participating in small groups, 73 jury-eligible adults (mean age = 41) from relatively small (Athens, population approximately 21,000), medium (Lima, population approximately 69,000), and large (Cincinnati, population approximately 1,200,000) localities in Ohio, and 132 undergraduates from Ohio University were asked to assume the role of jurors in a new trial simulation. In the adult sample, 53% were female, 71% were white (85% if missing data are excluded), 23% had obtained a college degree, 37% were married, and approximately 65% had one or more children. The modal reported income range of this group was $15,000 to $30,000; however, 15% chose not to respond to this item. Ten adults indicated an income exceeding $45,000. Finally, 30% considered themselves political independents and approximately half identified Christianity as their religious affiliation.

The new trial simulation was based on the case of Bradley Page described in Study 6. The Page trial simulation was developed, staged, and recorded in a manner similar to that used to produce the Reilly simulation (also at a comparable cost). The Page simulation included an additional prosecution witness and was longer than the Reilly simulation by approximately 45 min.

The experiment comprised a 2 (camera perspective) x 5 (judicial instruction) design. Approximately half of the participants viewed the trial simulation with the suspect-focus version of the confession, and the rest viewed the simulation with the equal-focus version of the confession. Orthogonal to the camera perspective manipulation, five different judicial instruction groups were run. Participants either heard the judge state that issues of reliability and fairness should be foremost in their minds when drawing conclusions about the confession (taken from approved instruction manuals used by the judiciary) or heard him additionally warn them

specifically not to let the camera perspective influence their judgments regarding the confession. Participants received one of these two forms of judicial instruction either just before they viewed the confession or at the end of the trial when the judge gave his charge to the jurors to consider all the evidence that had been presented (the usual timing of such instruction). The fifth and final judicial instruction group was a no-instruction control. After the judge gave his charge to the mock jurors to consider all the evidence that had been presented, they individually completed the dependent measures.

Before discussing the results we want to point out that participants in this study showed clear signs of being very engaged in the proceedings. For example, even after 4 hours of participation, many of them chose to stay after the simulation was completed to ask thoughtful questions, gather more information about the actual Page case, and discuss their concerns about bias creeping into real jurors' decisions. We take this behavior as an indication that participants were highly involved and treated the trial simulation very seriously.

TABLE X
PROPORTION OF GUILTY VERDICTS, MEAN CONFIDENCE IN VERDICT, AND PROPORTION ASSESSING CONFESSION WAS VOLUNTARY AS A FUNCTION OF CAMERA PERSPECTIVE AND PARTICIPANT STATUS (STUDY 10)

	Camera perspective	
Measure	Suspect-focus	Equal-focus
	Nonstudents	
Guilty verdicts	.28	.12
Mean confidence[a]	7.80	7.88
Voluntariness assessments	.33	.12
	Students	

Guilty verdicts	.33	.17
Mean confidence[a]	7.52	7.55
Voluntariness assessments	.30	.18

[a]Rated on a 9-point scale, with higher numbers denoting greater confidence. (Data from Lassiter, Geers, Munhall, Handley, & Weiland, 2000, Study 1)

Preliminary analyses revealed no significant effects of the judicial instruction manipulation on any of the dependent measures; therefore the data were collapsed across this variable. As can be seen in Table X, the proportion of guilty verdicts rendered in the suspect-focus condition was twice as great as that observed in the equal-focus condition and this difference was significant. Participants were highly confident of their verdicts, regardless of camera perspective. The pattern of results on judgments of voluntariness was very similar to that obtained for verdicts. The proportion of participants judging the confession to be voluntary in the suspect-focus condition reliably exceeded that found in the equal-focus condition. The correlation between voluntariness assessments and verdicts was substantial, phi = .80. Finally, it is important to note that both student and nonstudent participants evinced very similar patterns of responses (i.e., no significant effects related to this factor).

This realistic, fact-based trial simulation demonstrates that a suspect-focus camera perspective can cause triers of fact to judge a videotaped confession to be more voluntary and, more important, can increase their tendency to convict a defendant on the basis of such evidence. Furthermore, this effect is not easily eliminated. Judicial instruction emphasizing the need to be cognizant of reliability and fairness concerns in evaluating the confession and, in some cases, directly alerting mock jurors to the potentially prejudicial effect of camera perspective did not mitigate the bias. This was true whether the judicial instruction preceded or followed the presentation of the confession.

C. STUDY 11: CAN VIDEOTAPED CONFESSIONS IMPROVE OBSERVERS' ABILITY TO DETECT COERCIVE INFLUENCES?

As noted in Section III, one reason supporters of the videotaping practice recommend its widespread acceptance is because it provides an objective record of the interrogation process that all parties can examine (cf. Gudjonnson, 1992; Leo & Ofshe, 1998). Urging more states to require such electronic recordings, Leo and Ofshe (1998, p. 494) argued

> The existence of an exact record of the interrogation is crucial for determining the voluntariness and reliability of any confession statement, especially if the confession is internally inconsistent, is contradicted by some case facts, or was elicited by coercive methods or from highly suggestible individuals.

This statement implies that more accurate assessments of the voluntariness and reliability of confessions can be obtained via the videotape method. Certainly, if interrogators use obvious, assaultive, coercion, any reasonable observer will recognize the illegitimacy of the confession. However, as discussed earlier (Section II), such third-degree intimidation has been replaced by non-assaultive psychological manipulation that is not always recognized as coercive but, as research has shown, can nonetheless lead to false admissions of guilt.

Our previous 10 studies suggest that videotaping confessions--rather than improving accuracy--might actually lead to less accurate assessments of voluntariness and reliability, at least when the camera's eye is pointed directly at the suspect--currently the norm. Remember, however, that in Studies 2 and 3, we found that videotaped interrogations with the camera positioned so that both the confessor and interrogator were equally visible produced judgments that were comparable to those based on either reading a transcript or listening to an audiotape of the interrogations. Thus, if implemented judiciously--that is, if an equal-focus camera perspective is taken--the videotape method probably will yield voluntariness and reliability assessments that are no less "accurate" than those based on the more traditional presentation formats. But can we do better? Maybe.

As we noted in our first published paper on this topic, perhaps the best way to videotape custodial interrogations is to position the camera so that it records the visual perspective of the accused. "This would allow those charged with evaluating the status of a confession the

maximum opportunity to spot coercive influences should they be at work" (Lassiter & Irvine, 1986, p. 275). Although most criminal justice practitioners, and even the average person on the street might condemn this approach as cockeyed, its logic is borne out in the empirical literature. Storms (1973) demonstrated that the tendency to overattribute another person's behavior to internal, dispositional causes (i.e., the fundamental attribution error) could be corrected to some degree by having observers view a videotape that depicted exactly what the other person saw. Having the opportunity to literally "put yourself in another's place" enabled observers to better appreciate the external forces experienced by that person because those forces were now more "exposed" and thus more likely to be detected by observers. Consistent with this result, a number of other studies found, using a variety of methods, that when situational factors are made especially salient or obvious, those factors are much more likely to be taken into account in the shaping of observers' causal impressions (e.g., Arkin & Duval, 1975; Duval & Wicklund, 1972; Lassiter, 1986; Regan & Totten, 1975; M. Ross, 1975; Wilson & Lassiter, 1982). In Study 11, then, we attempted to determine if a videotaped confession recorded from the perspective of the accused (i.e., focused on the interrogator) can facilitate observers' capacity to detect coercive influences, internal inconsistencies, or contradictions with other known case facts, thus leading them to conclude the confession is unreliable (Lassiter, Geers, Munhall, Handley, & Weiland, 2000, Study 2).

We again had participants view the videotaped simulation of the trial of Bradley Page. Leo and Ofshe (1998) categorized Page's self-incriminating statements obtained during his interrogation as a highly probable false confession. These authors arrived at this conclusion primarily because there was no other evidence to corroborate Page's account of what supposedly happened. Leo and Ofshe (1998, p. 456) give the following as examples:

> Page…stated that he made love to the dead body on a blanket taken from his vehicle; in fact, the blanket contained no evidence of sexual activity, no blood stains from Lee's massive head wounds, no signs of having been washed, and the hairs found on the blanket were not Lee's. Page guessed that he used a

> spare hubcap that was in his vehicle in an attempt to bury Lee, but the fibers and soil from the hubcap did not match either the fibers of Lee's clothing or the soil where her body was found. Page also stated that he dragged Lee's body more than 100 yards before burying it. Had this happened there would have been a trail of blood that surely would have been found by the various search and rescue and dog tracking teams that, beginning the day after her disappearance, spent hundreds of hours combing the area where Lee's body was eventually found.

Leo and Ofshe's conclusion is further buttressed by Pratkanis and Aronson's (1991) analysis of the social influence factors that likely induced Page to falsely incriminate himself.

We chose the Page stimulus materials because, as mentioned earlier, we had a transcript of Page's actual interrogation, at least the portions that were audiotaped (less than 4 hours), so these materials allowed us to come as close as possible to retaining the critical aspects of his confession and the circumstances surrounding its elicitation. The numerous discrepancies between Page's statement and other facts that came out in the trial were largely reproduced in our simulation. Page's own testimony about how the interrogators implored him to help them solve the case by imagining how the crime might have occurred, if he were to have done it, was also presented and was based on trial excerpts that we obtained from various legal, academic, and journalistic research materials.

Participants viewing the trial simulation, then, found themselves in a quandary: How to explain Page's, as Leo and Ofshe (1998, p. 455) described it, "vague, confused, and speculative" admission of guilt when nothing else in the trial conformed very well to the specifics of his narrative. Mock jurors essentially had two choices. They could decide that the prosecution's argument that the interrogators skillfully extracted the truth from Page was in fact what happened despite the evidence to the contrary. Or they could accept the defense's position that during a protracted interrogation, Page was persistently manipulated until the detectives were able to finally convince him to tell a "what if" story about how the killing might have unfolded.

We thought that the version of the videotaped confession participants viewed might tip the balance in their decision to convict or acquit Page. More specifically, when the camera focused equally on Page and his interrogator, we anticipated--due to the prevailing proclivity of observers to view the causes of a person's actions as emanating from that person--that participants would be more inclined to decide that Page's confession was voluntary and thus find Page guilty as charged. However, when the camera focused on the interrogator--the source of the pressure that was impinging on Page--we anticipated, consistent with the literature described above, that participants would pay greater heed to the influence of the interrogator, and consequently be more inclined to decide the confession was involuntary and thus find Page not guilty.

Because the overall rate of conviction was low in Study 10, we made some adjustments to try to increase the number of guilty verdicts. From discussions with participants in the preceding study we learned that several of them felt the prosecution should have presented DNA evidence to support their case. Such evidence was not widely obtained or used at the time of Page's actual trial. The simulation did not specify a date, so participants were assuming it was more current than it actually was. In this study, then, we informed them that the murder of Bibi Lee happened in the mid-1980's, which is the case. Some participants also wondered whether the confession should have been admitted into evidence at all. We clarified this issue by explicitly noting that the judge determined in a pretrial hearing that the confession could be admitted into evidence, which is also the case. Finally, some participants were uncertain as to the legal distinction between voluntary and involuntary manslaughter and this was noted as a reason for their hesitancy to convict. We thus added a more detailed definition of these legal concepts that we extracted from various legal resources. Piloting showed these adjustments to be effective.

One other important difference between this study and the last is that mock jurors were directed to deliberate before rendering their verdicts. Up to forty-five min was allowed for deliberation. On average, jurors required 25 min to conclude their deliberations.

Volunteers were 42 jury-eligible adults recruited from the Youngstown, Ohio area who received $60 in return for up to approximately 5 hours of participation. This group was the youngest of the three adult samples we examined with a mean age of 37 and a half. The racial mix was also more diverse than preceding samples. Sixty-three percent listed white, 27% listed black, and 10% listed other. Finally, there were many more declared democrats in this sample (69%).

Participants viewed the trial simulation with either the equal-focus or detective-focus version of the confession included. Unlike Study 10 judicial instruction was not manipulated. Instead mock jurors received only the reliability/fairness instruction just prior to their deliberations. After their deliberations, participants rendered their verdicts individually. As was the case in Study 10, all indications pointed to the participants being very involved in the proceedings.

TABLE XI
PROPORTION OF GUILTY VERDICTS
AND PROPORTION ASSESSING CONFESSION WAS VOLUNTARY
AS A FUNCTION OF CAMERA PERSPECTIVE (STUDY 11)

	Camera perspective	
Measure	Equal-focus	Detective-focus
Guilty verdicts	.40	.05
Voluntariness assessments	.40	.09

Note. Data from Lassiter, Geers, Munhall, Handley, & Weiland, 2000, Study 2.

The direction of the differences obtained was as predicted, but the magnitude of those differences was startling. As can be seen in Table XI, the conviction rate dropped 35 percentage points by simply changing the camera angle from an equal focus to a detective focus. This difference was highly significant. This effect is quite remarkable, but even more so because it

came about after mock jurors had discussed the evidence intently, in some cases for the full 45 min that had been allotted. (Participants were highly confident in their verdicts [M = 7.68], with no significant differences due to camera perspective.) The pattern of results for judgments of voluntariness was similar and also statistically significant. The correlation between the two judgments was again very large, phi = .80.

We will discuss the implications of these results and all of the other Stage One and Two findings in more detail, but first we turn our attention to the issue of the basic mechanisms or processes that underlie the potent point-of-view/salience effects that we have observed in the present studies and that have been found more generally in the attribution literature.

IX. Stage Three: Exploring Possible Mediators of the Biasing Effect of Camera Perspective

Stage Three comprised four experiments whose main purpose was to elucidate the judgmental impact of one's mere visual perspective. Like Stage One, these studies used rather simple stimulus materials and participants were drawn from college populations. Because the focus of this stage of the research was on pinning down the basic mechanisms underlying the point-of-view/salience bias, the stimuli we used in 3 of the experiments were similar to those in the original studies conducted by Taylor and Fiske (1975) and their colleagues (Taylor, Crocker, Fiske, Sprinzen, & Winkler, 1979)--that is, 5-minute "getting acquainted" conversations between two college students. In the remaining experiment, however, we demonstrated that the same basic effects found with these stimuli do generalize to the kinds of videotaped confession materials we used in Stage One.

Although salience effects in causal attribution and related judgments have proven to be robust and generalizable, the process or processes underlying them have remained elusive. Early attempts to identify a mediator of salience effects focused on memory processes (e.g., Fiske,

Kenny, & Taylor, 1982; Smith & Miller, 1979). Generally, the argument is that salient information tends to be more memorable than nonsalient information, and this difference in memory is responsible for the greater causality ascribed to salient information. The evidence consistent with a solely memory-mediated explanation of salience effects, however, is quite limited (cf. McArthur, 1980).

Newtson and his colleagues (Newtson, Rindner, Miller, & LaCross, 1978) and McArthur (1980) have suggested that salience effects may have more to do with how people initially pick up or register information from an observed interaction than with how they subsequently remember that information. That is, the point of view from which individuals observe an interaction is argued to influence the initial registration or perceptual organization of information from the ongoing interaction, which in turn directly influences causal attributions and related judgments. Although an intriguing hypothesis, the position that salience effects are perceptually mediated has not, to date, been empirically evaluated. Studies 12 - 15, then, were designed to determine if the manner in which people subjectively register or segment information from an observed interaction does indeed play a mediating role in the production of the point-of-view/salience bias.

All four studies employed the behavior segmentation technique developed by Newtson (1973, 1976, 1980; Newtson, Hairfield, Bloomingdale, & Cutino, 1987). Briefly, this technique involves having participants view an ongoing behavior sequence and instructing them to identify the most informative segments in the sequence by pressing a button (that activates a recording device) each time, in their judgment, a meaningful action occurs. Participants' button-pressing responses provide an indication of the number of actions discriminated or registered (i.e., segmentation rate), with more actions, or a higher segmentation rate, associated with the extraction of a greater amount of information from the observed behavior. Considerable data are

available attesting to the reliability, validity, and nonreactivity of this technique (Newtson & Engquist, 1976; Newtson, Engquist, & Bois, 1976; Newtson, Engquist, & Bois, 1977; Newtson et al., 1978). Moreover, the segmentation procedure has been used successfully to investigate the possible role of perceptual processing in a variety of social judgment effects (Cohen & Ebbesen, 1979; Geers & Lassiter, 1999; Graziano, Moore, & Collins, 1988; Hanson & Hirst, 1989; Hogue & Atkinson, 1989; Lassiter, 1988; Lassiter, Briggs, & Bowman, 1991; Lassiter, Geers, Apple, & Beers, in press; Lassiter, Koenig, & Apple, 1996; Lassiter & Slaw, 1991; Lassiter & Stone, 1984; Lassiter, Stone, & Rogers, 1988; Markus, Smith, & Moreland, 1985; Massad, Hubbard, & Newtson, 1979; Newtson, 1973; Newtson & Rindner, 1979; Wilder, 1978a, 1978b).

A. STUDY 12: AN INITIAL TEST OF THE PERCEPTUAL SEGMENTATION HYPOTHESIS

In his seminal article on behavior segmentation processes, Newtson (1973) reported that a higher segmentation rate produced more dispositional attributions for an actor's behavior. Newtson noted that this result was consistent with Kelley's (1967) suggestion that observers in a higher information state regarding an actor are more likely to interpret his or her behavior in dispositional terms. This link between segmentation rate and causal attribution appears robust as it has been replicated on several occasions (Deaux & Major, 1977; Lassiter et al., 1988; Wilder, 1978a, 1978b). Newtson and his colleagues (Newtson et al. 1978) later discovered that the availability of feature changes in an ongoing behavior sequence influenced the number of meaningful actions observers could differentiate in the sequence. That is, when certain feature changes in the sequence were not visible to observers, they were unable to use those hidden changes as the basis for organizing the behavior into meaningful actions, even though they could readily infer that such changes were occurring.

Combining their results with the finding that a higher segmentation rate is associated with more dispositional attributions for an observed other's behavior, Newtson et al. (1978) suggested that point-of-view effects in causal attribution might be, in part, a consequence of differences in segmentation, since not all the same feature changes would be available to observers who are viewing an event from different perspectives. According to this argument, then, observers' divergent perspectives would cause them to segment an interaction differently, which in turn would lead them to arrive at disparate causal attributions. Study 12 provided an initial test of this possibility (Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 1).

The stimulus conversation between two male undergraduates was recorded simultaneously by three video cameras each taking a different perspective. These differing camera perspectives (Person A focus, Person B focus, equal focus) served as our manipulation of perceptual salience (cf. Taylor et al., 1979, Experiment 3) and were essentially identical to the camera angles employed in the studies involving the confession stimuli. In an attempt to make the actual contribution of both interactants objectively equal, each of them initiated the same number of questions during the conversation.

Recruited for an experiment on "social observation," 104 volunteers (participating individually) were asked to view one version of the videotaped conversation. Participants were given two buttons (one labeled "A" and one labeled "B") and were instructed to press the "A" button whenever Person A did anything meaningful in the videotape and to press the "B" button whenever Person B did anything meaningful. Cards with the letters "A" and "B" on top of the video monitor reminded participants of who was who. After viewing and segmenting the conversation, all participants completed a short questionnaire. Included in this questionnaire were 3 items taken from previous research (e.g., Taylor & Fiske, 1975) designed to assess participants' perceptions of causality. Participants were asked to indicate on separate 9-point

scales how much a particular interactant "set the tone of the conversation," "determine[d] the kind of information exchanged," and "cause[d] his partner to behave as he did." Participants responded to each of these items twice; once for Person A and once for Person B, with the order counterbalanced.

The results (depicted in Figure 7) were consistent with the perceptual-mediation hypothesis outlined above. Participants identified relatively more meaningful actions in the behavior of the interactant who, by virtue of the camera perspective, was most visually salient to them. This interaction of camera perspective and target person (A vs. B) was highly significant. Following Taylor and Fiske (1975) and others, the 3 attribution items were summed to create a single causality index. A second 3 (camera perspective) x 2 (target person) ANOVA performed on this measure revealed the typical salience-effect pattern (i.e., a significant two-way interaction). Participants ascribed relatively greater causality to the interactant who was most clearly visible to them, and this visibility was determined wholly by the camera perspective.

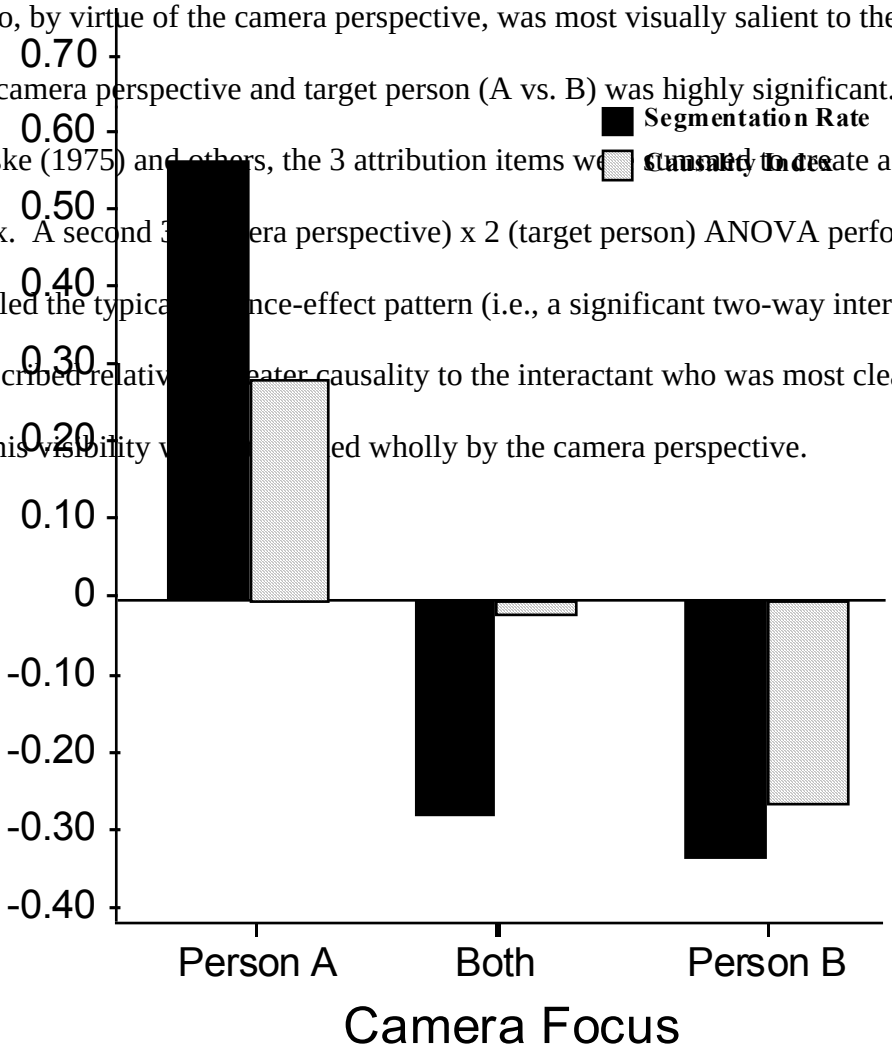

Figure 7. Difference scores (Person A - Person B in SD units) as a function of camera focus for the segmentation and causality measures (Study 12). (Data from Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 1)

As was done in several of the previous studies, we conducted a path analysis to determine if segmentation rate was a viable mediator of participants' causality judgments. The results of this analysis are presented in Figure 8. Again, consistent with the perceptual-mediation hypothesis, the paths from camera perspective to segmentation rate and from segmentation rate to causality index were both significant. The direct path from camera perspective to causality index (after partialing out the effect of segmentation rate) was not significant.

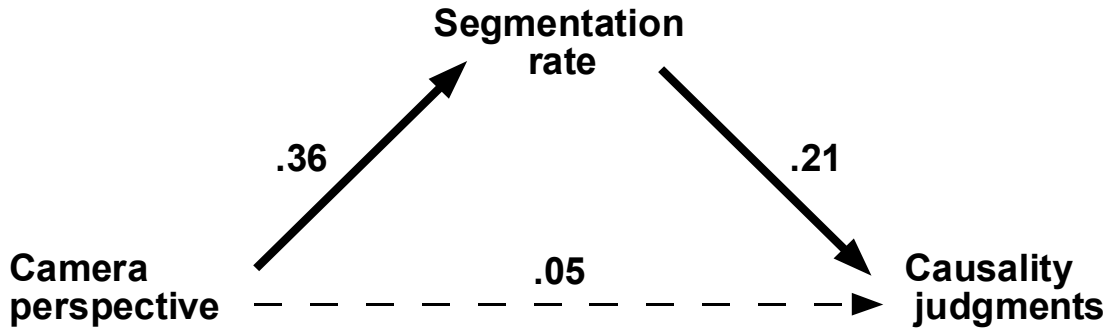

Figure 8. Path diagram and coefficients (standardized beta weights) for Study 12. Solid paths are significant,
$p < .05$. (Data from Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 1)

B. STUDY 13: DOES THE SEGMENTATION TASK ALTER OBSERVERS' CAUSALITY JUDGMENTS?

Study 12 provided initial evidence for the perceptual mediation of point-of-view/salience effects. One possible problem with this study, however, is that engaging in the segmentation task itself may have altered or influenced participants' causality judgments in some manner. Although, as noted above, the segmentation procedure has been shown to be nonreactive, we wanted to be certain that the pattern of causality judgments obtained was not simply an artifact of participants' having had explicitly segmented the observed interaction. To address this concern, in Study 13 (Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 2) only half of the participants engaged in the segmentation task. All participants, however,

provided causality judgments. In this experiment we also used the videotape of the burglary confession from Stage One as our stimulus. This was done to ensure that the effects found with the conversation stimulus are generalizable to the more unusual kind of interaction that occurs in police interrogations.

Eighty-three participants were assigned to segment or only view either the suspect-focus or detective-focus version of the videotaped confession. Those having to segment were once again given two buttons to press, only this time one was to record the meaningful actions of the suspect and the other was to record the meaningful actions of the detective. Following the presentation of the confession evidence, participants provided their judgments of the confession's voluntariness on rating scales like those used in Stage One.

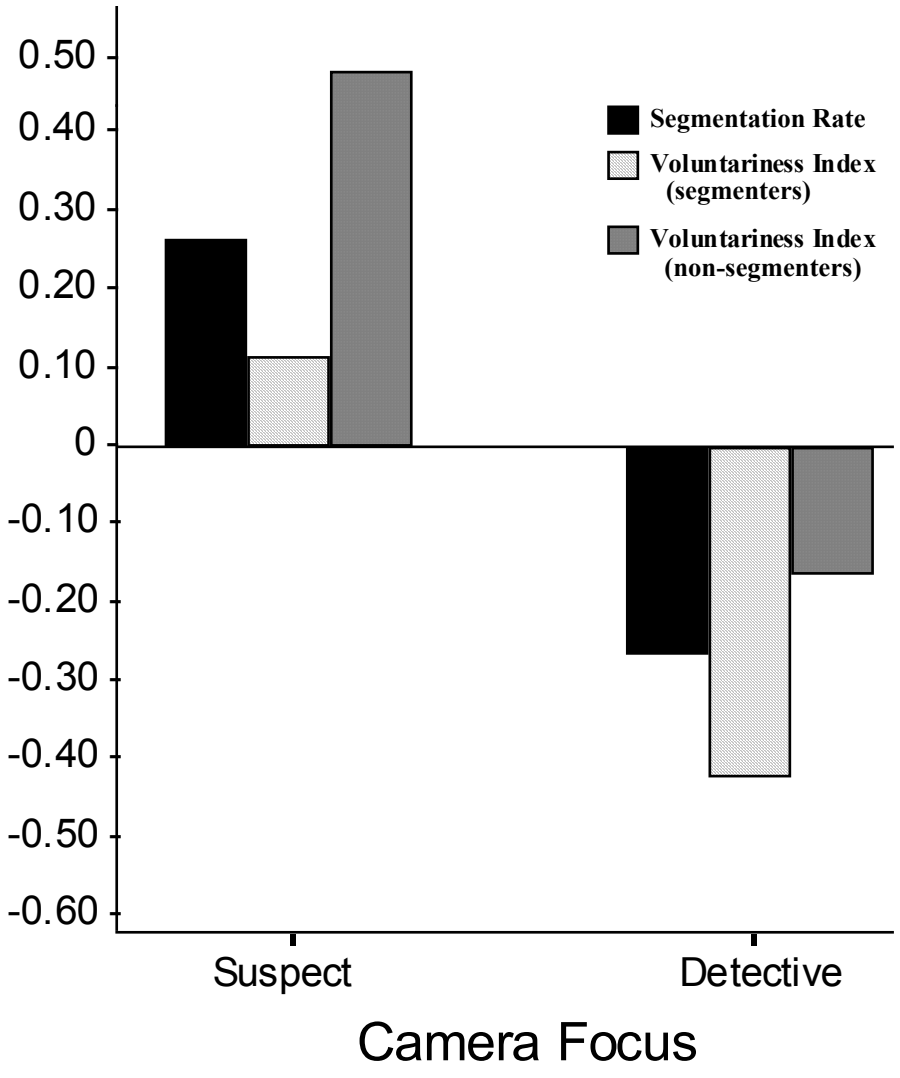

Figure 9. Dependent measures in SD units (Study 13). For the segmentation measure only, a difference score (Suspect - Detective) is displayed. (Data from Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 2)

Similar to the results of Study 12, participants perceived the suspect's behavior as relatively more meaningful when the camera was focused on him. The pattern was just the opposite when the camera was instead focused on the detective. In this condition, the behavior of the detective was perceived to be relatively more meaningful. The interaction testing this overall pattern was significant (see Figure 9 for means on both measures). Participants' voluntariness judgments were once again significantly altered by the camera's perspective. Those viewing the suspect-focus version of the confession judged it to be more voluntary than did those viewing the detective-focus version. Importantly, this difference was obtained whether participants were segmenting the interrogation or not (i.e., no significant two-way interaction). Finally, a path analysis indicated for the second time that the effect of camera perspective on judgments was mediated, at least in part, by the manner in which the observed information was initially segmented. That is, the paths from camera perspective to segmentation rate and from segmentation rate to voluntariness index were
both significant, whereas the direct (nonmediated) path from camera perspective to voluntariness index was not (see Figure 10).

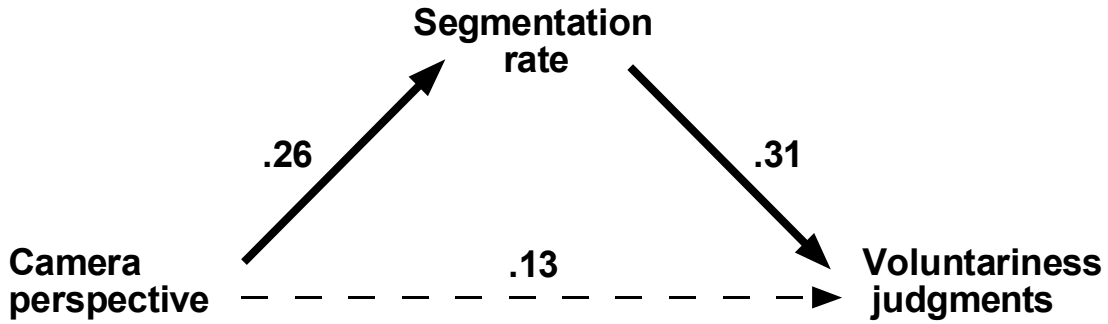

Figure 10. Path diagram and coefficients (standardized beta weights) for Study 13. Solid paths are significant,
$p < .05$. (Data from Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 2)

C. STUDY 14: IS SEGMENTATION RATE CONFOUNDED WITH THE AMOUNT OF INFORMATION RECALLED?

Studies 12 and 13 indicated that variation in perceptual segmentation is a possible mediator of the point-of-view/salience bias. However, these studies did not permit a clear demonstration of a direct effect of segmentation rate on causality/voluntariness judgments. That is, several previous studies (Geers & Lassiter, 1999; Hanson & Hirst, 1989; Lassiter, 1988; Lassiter & Slaw, 1991; Lassiter et al., 1988) have shown that segmentation rate influences the later recall of information from an observed event, with a higher rate of segmentation leading to greater subsequent recall. Thus consistent with a memory-mediation account, it could be that the greater recall which typically results from a higher rate of segmentation is ultimately responsible for the bias in judgments (see Figure 11). The goal of Study 14, then, was to establish whether segmentation rate still contributes significant variance to the biasing effect of camera perspective once the effect of recall is partialed out (see Figure 12).

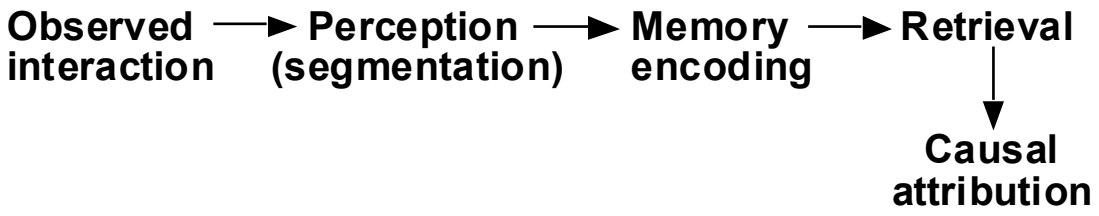

Figure 11. Memory-mediated model of point-of-view/salience effects in causal attribution. (Adapted from Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000)

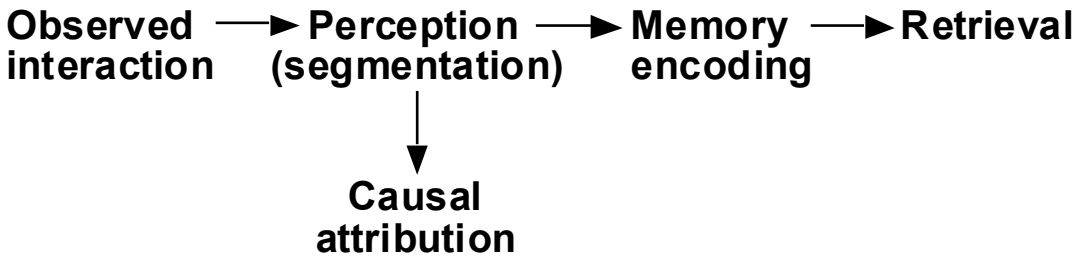

Figure 12. Perception-mediated model of point-of-view/salience effects in causal attribution. (Adapted from Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000)

The experiment (Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 3) was identical to Study 12 except for the following changes: the equal-focus version of the conversation was not used, half of the participants (total N = 66) did not perform the segmentation task, and a measure of the number of meaningful actions recalled was obtained after participants completed the causality items.

Results on all three measures are displayed in Figure 13. First, it is important to note that the act of segmenting the observed interaction did not significantly alter responses on any of the dependent measures. However, consistent with the two preceding studies, significant two-way interactions (Camera Focus x Target Person) were found for both the segmentation and causality measures, indicating that more meaningful information was extracted from, and greater causality attributed to, the most visually salient interactant. This same pattern was also evident on the recall measure. That is, participants remembered significantly more about the interactant who was most directly in the camera's focus. This latter finding lends credence to the possibility that recall is perhaps a more proximate mediator of salience effects than segmentation.

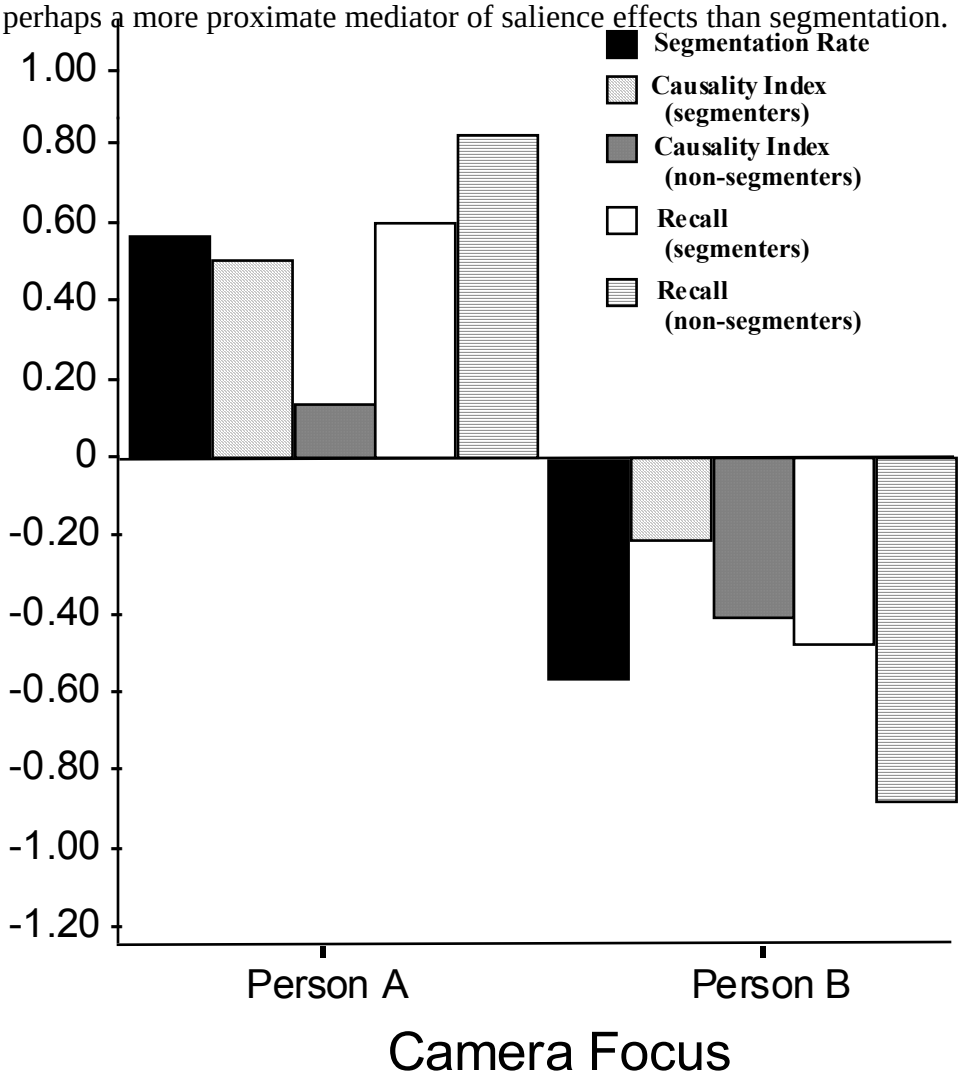

Figure 13. Difference scores (Person A - Person B in SD units) for Study 14. (Data from Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 3)

A path analysis was conducted to isolate the effects of segmentation and recall and determine if one, both, or neither mediates the influence of camera perspective on causality judgments. The results of this analysis can be seen in Figure 14. Segmentation and recall independently accounted for significant portions of variance. Once segmentation and recall were partialed out, the remaining direct effect of camera perspective on causality judgments was rendered insignificant.

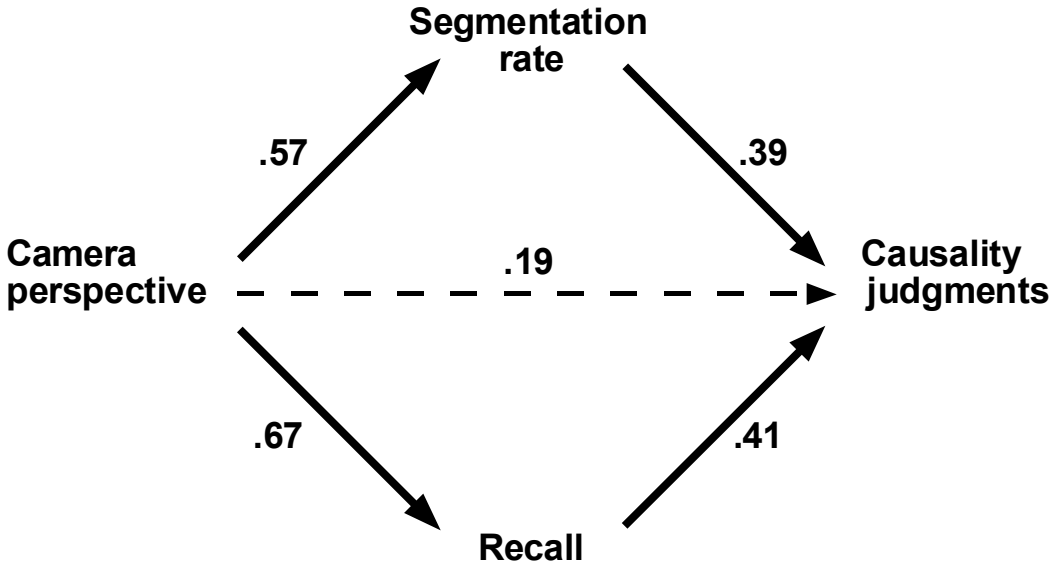

Figure 14. Path diagram and coefficients (standardized beta weights) for Study 14. Solid paths are significant,
$p < .05$. (Data from Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 3)

D. STUDY 15: AN EXPERIMENTAL DEMONSTRATION OF A DIRECT EFFECT OF SEGMENTATION ON CAUSALITY JUDGMENTS

Study 14 showed that segmentation rate contributed unique variance to the effect of camera perspective on causality judgments. However, because the data in support of this conclusion were correlational in nature, the evidence favoring the kind of direct effect of perceptual segmentation on causality judgments depicted in Figure 12 is not as compelling as it could be. The purpose of Study 15, then, was to tease apart experimentally the independent effects of segmentation from recall in order to establish more conclusively whether there is indeed a direct

effect of segmentation on the point-of-view/salience bias (Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 4). The experiment replicated the design of Study 14 except for the following critical changes: All participants performed the segmentation task, but half additionally counted backward aloud as they viewed one of the two versions of the interaction sequence. This type of counting task has been found to reduce reliably the amount of information that can be encoded into long-term memory (Reitman, 1971; Shiffrin, 1973) without, however, hindering the segmentation process (Lassiter, 1988; Lassiter, Apple, & Beers, 2000; Lassiter, Geers, Flannery, & Ploutz-Snyder, 1999). If memory truly mediates the effect of segmentation on the point-of-view/salience bias, then the counting manipulation should affect not just recall but the measures of perceived causality as well. However, if only the recall measure is affected by the counting manipulation, it would suggest that any effect of segmentation on the point-of-view/salience bias is a relatively direct (nonmemory-mediated) one.

The counting task used in Study 15 should not only interfere with memory encoding processes, it should also disrupt subjects' ability to engage in higher-order reasoning processes (cf. Fleming & Arrowood, 1979; Lassiter, Apple, & Beers, 2000). That being the case, Study 15 will also allow for a test of an explanation of the point-of-view/salience bias that can be derived from Gilbert's (1989, 1995) three-stage model of social inference. According to Gilbert, upon observing another's behavior, perceivers first categorize the behavior, or identify what the person is doing (e.g., acting anxiously). Next, perceivers characterize the behavior, or identify a dispositional cause for it (e.g., the person is the anxious type). Finally, perceivers correct their dispositional characterization of the behavior by taking into account situational constraints on the behavior (e.g., the person was waiting to hear the results of a biopsy). Gilbert further contends that the first two stages of this process are largely spontaneous or perception-based and therefore require minimal cognitive resources. The correction stage, however, is said to be relatively resource dependent and thus more susceptible to disruption than the categorization or

characterization stages. Several studies (e.g., Gilbert, Krull, & Pelham, 1988; Gilbert, Pelham, & Krull, 1988) have shown this model to be tenable.

It might be the case, then, that the point-of-view/salience bias is the result of a combination of perceptual and higher-level cognitive processing. More specifically, the bias might initially arise as a result of a spontaneous, perceptual process; yet with sufficient cognitive resources available to the perceiver, it could be corrected, at least partially, by a higher-order reasoning or deliberation process. This line of explanation leads to the prediction that the bias is most likely to occur when perceivers do not have adequate cognitive resources available to engage in the relatively effortful correction process. In terms of Study 15, then, there is the possibility that the point-of-view/salience bias will be more pronounced in the counting condition than in the no-counting condition. Such a result would imply that some post-perception inference process is perhaps necessary to fully account for the biasing effect of visual perspective.

Two hundred twenty-one volunteers participated. After all participants were given the segmentation-task instructions, half of the them were additionally told to simultaneously perform the counting task. To further assess the generalizability of our findings, a second conversation tape was presented to half the participants. Counting and noncounting participants then viewed the stimulus conversation with either Person A salient or Person B salient.

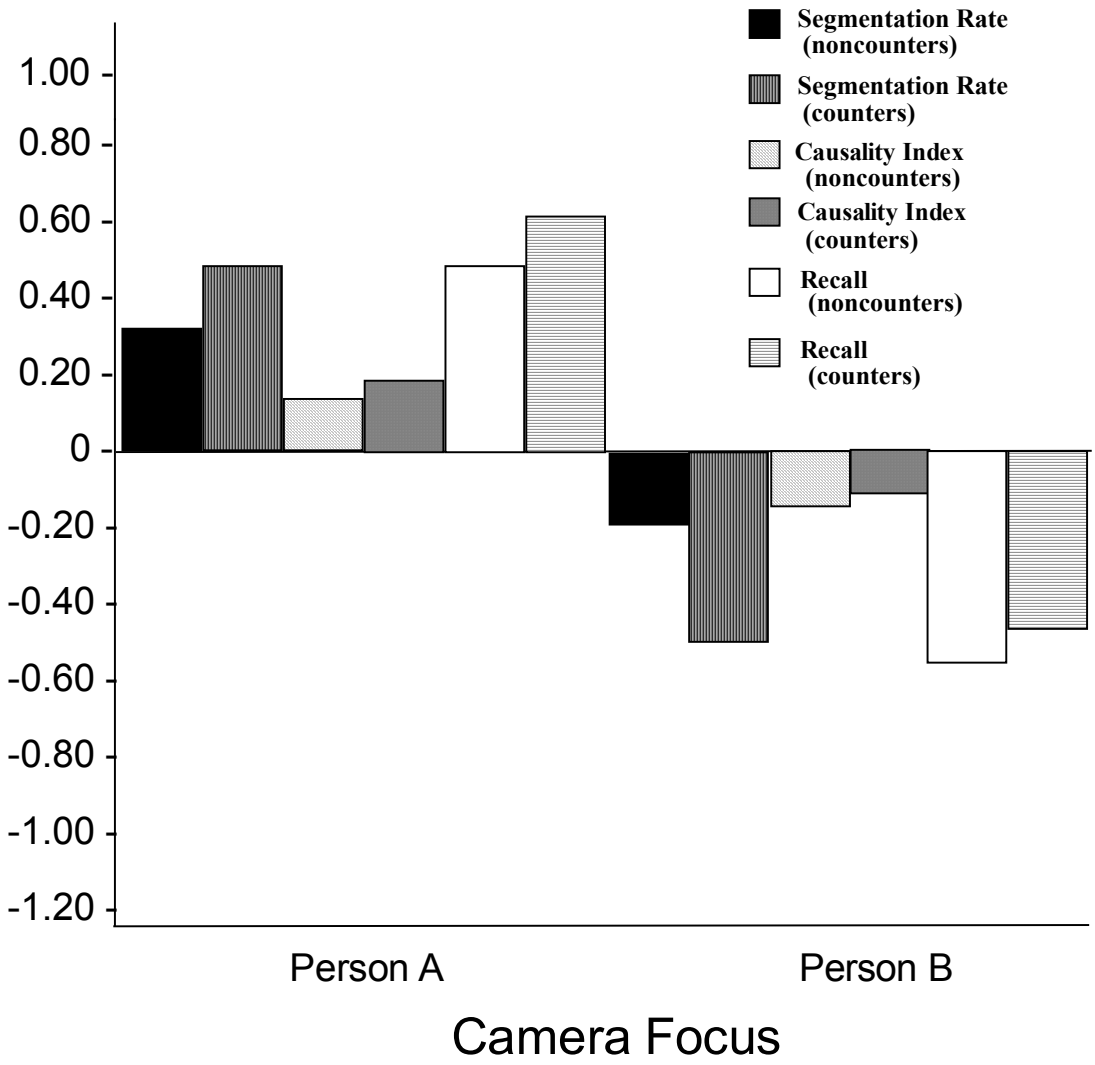

Figure 15. Difference scores (Person A - Person B in SD units) for Study 14. (Data from Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 4)

The main pattern of results for the segmentation, recall, and causality data are presented in Figure 15. (Note that as displayed--in terms of difference scores--no main effect of the counting task would be evident.) First of all, the counting manipulation was successful in significantly impairing participants' recall for the observed interaction. Whereas noncounters recalled a mean of 12.61 distinct pieces of information from the conversation, counters could only come up with a mean of 9.51. Importantly, neither the segmentation or causality data revealed any reliable effects of the counting manipulation. As can be seen in Figure 15, however, all three dependent measures produced the characteristic salience-effect interaction pattern (which was significant in each case). The same path analysis was performed as in the previous study. Unlike in Study 14,

recall was not a reliable mediator of the influence of camera perspective (see Figure 16). Nonetheless, segmentation continued to account for a significant portion of variance in causality judgments. Finally, all results held true for both of the stimulus conversations.

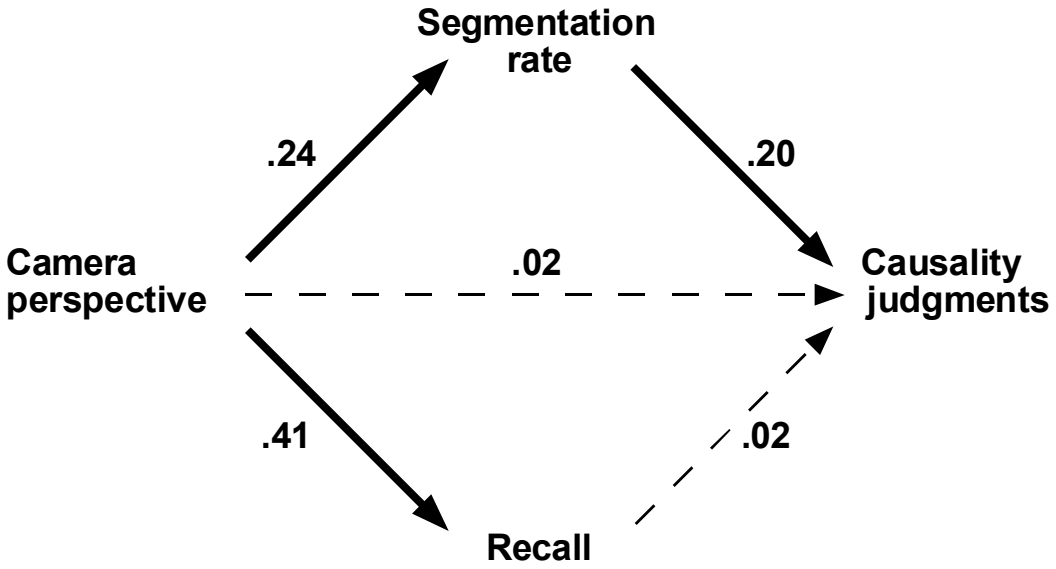

Figure 16. Path diagram and coefficients (standardized beta weights) for Study 15. Solid paths are significant,
$p < .05$. (Data from Lassiter, Geers, Munhall, Ploutz-Snyder, & Breitenbecher, 2000, Study 4)

Overall, the findings of Study 15 provide the strongest results yet that differences in the initial perceptual registration of information likely contribute to the point-of-view/salience bias in causal attribution. Even when memory processes (and presumably other higher-order reasoning processes) were considerably degraded, the manner in which participants perceptually segmented the interaction into its meaningful components--which was determined largely by their visual perspective--continued to influence impressions of the relative causal agency of the two interactants.

X. Theoretical and Practical Implications of the Present Program of Research

Taken as a whole, the present investigations dramatically confirm what film theorists have long surmised:

> The camera angle can force the viewer to observe a subject from a particular point of view, concentrate his attention on some aspect or characteristic of

> the subject, [or] shift his attention....The manipulation of camera angles can be...significant in distorting and accenting content...thereby adding... psychological import not inherent in the material. (Jacobs, 1970, p. 26)

As noted in Sections I and III, many legal scholars, criminal justice practitioners, political leaders, and social scientists have called for the universal adoption of videotaping as a "quick fix" for the problem of some innocent people being induced to incriminate themselves when confronted by standard police interrogation tactics. Our research indicates that the indiscriminate application of the videotaping procedure to solve the problem of coerced or false confessions slipping through the system could potentially exacerbate an already deplorable situation.

As pointed out at the beginning of this chapter, in the United States and in many other countries (such as Canada, Australia, and the United Kingdom) videotaped interrogations and confessions are customarily recorded with the camera lens zeroed in on the suspect. One reason for this particular positioning of the camera is likely the belief that a careful examination of not only the suspects' words, but also their less conspicuous actions or expressions, will ultimately reveal the truth of the matter. As stated by Geller (1992, p. 44),

> The opportunity to assess a defendant's veracity based on nonverbal cues is considered a very substantial benefit of videotaping--indeed, it is the principal reason many urge that criminal justice systems incur the expense of shifting from audio to video recording. As the New South Wales Police point out, Sigmund Freud in 1905 observed the way gestures and expressions provide a window into the psyche: "He that has eyes to see and ears to hear may convince himself that no mortal can keep a secret. If his lips are silent, he chatters with his fingertips, betrayal oozes out of him at every pore."

The empirical validity of such beliefs aside,[2] we have shown that focusing the video camera primarily on the suspect in an interrogation has the effect of impressing upon viewers the notion

that his or her statements are more likely freely and intentionally given and not the result of some form of coercion. Moreover, a comparison of judgments derived from suspect-focus videotapes with judgments based on "control" media--transcripts and audiotapes--leads to the conclusion that the greater perceptions of voluntariness associated with suspect-focus videotapes is an unmistakable bias of the most serious kind--one that runs contrary to the cornerstone of our system of justice, the presumption of innocence. The camera may "never blink," but that doesn't mean what it "sees" can be considered an unadulterated view of reality. As the celebrated communications theorist Marshall McLuhan (1962, 1964, 1968) maintained, the information being conveyed is not entirely independent of the method of conveyance.

A. THE CAMERA PERSPECTIVE BIAS--A CASE OF MENTAL CONTAMINATION?

Both for appreciating the tenacious nature of the camera perspective bias and for generating possible strategies for combating it, we believe it is useful to think about the bias in terms of the notion of mental contamination (Wilson & Brekke, 1994). Wilson and Brekke (1994, p. 117) defined mental contamination as

> the process whereby a person has an unwanted judgment, emotion, or behavior because of mental processing that is unconscious or uncontrollable. By unwanted, we mean that the person making the judgment would prefer not to be influenced in the way he or she was.

These authors reviewed several factors that, to varying degrees, appear to contaminate, or "render impure or unsuitable," people's judgments and decisions in a variety of situations. Based on this review, Wilson and Brekke abstracted what they considered to be the four elements most responsible for instances of mental contamination. These are 1) a lack of awareness of the unwanted bias, 2) an absence of motivation to correct the bias, 3) an inability to accurately gauge the direction and magnitude of the bias, and 4) insufficient control over one's mental processes or responses that potentially could correct the bias. According to Wilson and Brekke, all four of these impediments must be surmounted to avoid mental contamination or biased judgments.

The present findings, when combined with the mental contamination framework, suggest that the prospects for overcoming the camera perspective bias, or salience effects in general, are bleak indeed. In none of our experiments was there even a scintilla of evidence to indicate that participants spontaneously, and on their own, became aware that their judgments were being affected by the camera angle. Thus, from the outset the deck is stacked against viewers--they are not the least bit suspicious that their judgments could be influenced by the camera's point of view. Even when the potential prejudicial effects of camera positioning are explicitly brought to their attention, however, viewers appear to be no better off. Studies 4 and 10 showed that participants who received clear warnings about the biasing effect of camera perspective, nonetheless manifested levels of mental contamination similar to those who did not receive the warning.

Why would such straightforward attempts to debias the prejudicial effects of camera perspective fail so completely? Wilson and Brekke (1994) offered a couple of possibilities. First, they suggested that people may underestimate their own susceptibility to a given bias. Consistent with this notion, Wilson and Brekke described data showing that people believe others are more likely to be biased by various factors than they would be. Related to this, Wilson and Brekke noted that people were less likely to heed debiasing information if it was incongruent with their causal theories about what factors might reasonably be expected to sway their judgments. It is not hard to imagine that most people would not seriously entertain the possibility that their judgments about the content of a videotape could be altered simply by the positioning of the camera used to record it. The second reason why calling participants' attention to the camera perspective bias didn't immunize them against it may have to do with the fact that, according to Wilson and Brekke, people also overestimate their own mental control. Again, data discussed by Wilson and Brekke indicate that people do indeed seem to exhibit unwarranted faith in their ability to control their own thoughts and feelings and, as a result, speciously believe they can resist the influence of potentially biasing factors.

Perhaps the evidence we obtained for a biasing effect of camera perspective is due to the fact that our participants were not sufficiently motivated to form accurate judgments and therefore failed to correct the bias--the second hurdle in the mental contamination framework. We believe, however, that this is very unlikely given a number of diverse findings that lead to the conclusion that, at least in several of our studies, the motivation to be accurate and avoid bias was quite high. First, in Study 2 we measured participants' level of need for cognition which is associated with individual differences in the extent to which people desire accuracy and are willing and able to cognitively exert themselves to achieve it (cf. Cacioppo et al., 1996). Those individuals with the relatively highest level of cognitive motivation faired no better in correcting the bias than did those whose cognitive motivation was lower. This result is not a fluke as Briggs and Lassiter (1994) replicated it twice using two different conversation stimuli (similar to those used in Stage Three). Second, the findings of Study 7 in which we directly manipulated the degree of accountability participants experienced regarding their judgments, also belie an interpretation of our results as being due to inadequate motivation for accuracy. Finally, we believe in all of our Stage Two experiments participants were taking the mock trial quite seriously and were doing their utmost to reach a fair and just decision based on the evidence that was presented. Many participants in the Stage Two studies who found the defendant not guilty seemed genuinely surprised and concerned upon learning their verdict was different than the one rendered in the actual trial. Remember also that in Study 11, after nearly 4 hours of participation, our volunteers chose to deliberate about the evidence for on average 25 min, with on more than one occasion that being stretched to the full 45 min maximum. These are not the reactions we would expect from participants if they were truly blasé about their role in the whole proceedings.

Given that, at least in some of our studies, participants were likely both cognizant of the point-of-view bias and motivated to prevent it from intruding on their judgment processes (for example, in the Study 10 trial simulation, especially those who received the explicit warning of the camera's possible prejudicial impact), why were they still unsuccessful at nullifying the bias?

The third stage of the mental contamination framework suggests one possible explanation. That is, participants likely would have a difficult, if not impossible, task on their hands trying to ascertain exactly how much their judgments had been biased--a necessary precondition if they are to effect the appropriate correction. Participants would have to decide, for example, if their initial inclination to convict was swayed by the camera perspective and to what extent. In this instance, participants might asked themselves: "Could I have been affected so much by the camera angle that I should reconsider my decision and actually vote to acquit?" In light of this conundrum, it is little wonder no systematic evidence that participants could override the camera perspective bias was obtained in our experiments.

A final factor, suggested by the mental contamination framework, that could have played a part in producing our results is that people just are not very efficacious with regard to controlling the various mental processes that can contribute to the decisions and judgments they make (cf. Wegner & Pennebaker, 1993). Consistent with this possibility, our Stage Three experiments do indicate that the camera perspective bias is, to some degree, tied to the earliest stages of information processing over which people may have somewhat less control. That is, confirming the earlier data of Newtson et al. (1978, p. 380), we found in Studies 12 - 15 that "behavior that differs systematically in the availability of action-defining changes...[was] segmented into perceived actions in a systematically different way." Although it is true that people can typically vary their perceptual processing of events to a considerable degree (e.g., Newtson, 1973), our Stage Three studies and Newtson et al.'s experiment clearly demonstrate that our visual perspective places constraints on how much and what kind of information we can extract from observed behavior sequences.

B. EXPOSURE CONTROL AS A REMEDY FOR THE BIASING EFFECT OF CAMERA PERSPECTIVE

In light of our pessimistic characterization of the camera perspective bias as an instance of mental contamination that in all likelihood cannot be readily undone, is there any recommendation that we can suggest for preventing this bias from finding its way into real

courtrooms? Wilson and Brekke (1994, p. 134) argued that when all else fails, "a final strategy for avoiding mental contamination is to make sure that it never has the opportunity to occur by avoiding contaminants that might bias one's judgments." Applying this strategy to the case of videotaped confessions would mean not allowing suspect-focus videotaped confessions to ever be introduced at trial.

Are we thus recommending that videotaped interrogation and confession evidence not be used at all in courts of law? No, because our data indicate that when the camera perspective allows for the suspect and detective to be viewed equally well, there appears to be no discernible bias associated with the videotaping procedure. Interestingly, this very approach to preventing the point-of-view bias in videotaped confessions has already been established in New Zealand. In the early 1990's, the Police Executive Committee of New Zealand approved the videotaping of police interviews/interrogations on a national basis. In implementing this policy, various procedural guidelines were established. One critical issue that had to be dealt with was where to point the camera. In a letter we received from one of the authors of "The New Zealand Video Interview Project" (Lani W. Takitimu, personal communication, November 3, 1993), we were informed that

> After reading your earlier literature on camera angle, we opted for showing side profiles of both the Police Officer and the suspect, although we knew at the time, this was different to how they were recording interviews in parts of Australia, Canada and the United Kingdom.

Thus, New Zealand made it a national policy that police interrogations be videotaped from an equal-focus perspective based only on the first study conducted in this research program (Lassiter & Irvine, 1986). With the greater wealth of data that we now have on this topic, we do not hesitate to recommend that a similar policy be adopted in the United States as well as in the other aforementioned countries.

However, those who must make policy decisions regarding the implementation of the videotape method should not rule out the possibility of directing the camera primarily at the

interrogator(s) whom a detained suspect must face. As the vast literature on attribution processes, and our Study 11 especially, indicate, this particular camera perspective may hold the greatest potential for facilitating judges and jurors' all-important evaluations concerning the reliability of a given videotaped confession.

C. CONCLUDING REMARKS

In its landmark Miranda v. Arizona (1966) ruling, the U.S. Supreme Court stated that individuals held for interrogation must be advised of their constitutional rights to silence and counsel, otherwise any statements they make--even if highly incriminating--would be considered inadmissible in a court of law. Prior to the Miranda ruling, a confession would be suppressed only if the determination was made that it resulted from some actual coercion--which in this age of psychological interrogation (cf. Leo & Ofshe, 1998) is no easy task. In an article appearing in the FBI Law Enforcement Bulletin, Hendrie (1997) reviewed a number of important developments affecting custodial interrogations since Miranda. From his review, Hendrie drew the following conclusion.

> The Supreme Court has implicitly abandoned the underlying principle of the Miranda decision--that custodial police interrogation is inherently coercive--and has carved out many exceptions to the Miranda exclusionary rule. Consequently, a violation of the Miranda ruling does not necessarily mean that a statement will be inadmissible. The Supreme Court has made it clear that the Miranda warnings are not constitutionally required but are only prophylactic rules designed to protect a suspect's rights against compelled self-incrimination. Voluntariness remains the constitutional standard that must be met when obtaining a statement from a suspect. (p. 30, emphasis added)

To the extent that Hendrie is correct, we believe it would be, in the words of William James (1897, p. 19), an "awfully solemn" error to continue to permit suspect-focus videotaped confessions to be introduced as evidence in actual courts of law.

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Footnotes

[1] Scientific evaluation of the feasibility of new technologies and techniques as potential aids in criminal justice administration and operations has proven to be vitally important. In the early 1980's, for example, police investigators turned increasingly to hypnosis in an attempt to enhance the memories of victims and witnesses of crime (Reiser, 1980). Rigorous, systematic examination of this technique, however, subsequently revealed that the use of hypnosis as a forensic tool was fraught with serious problems (Dywan & Bowers, 1983; Laurence & Perry, 1983).

[2] Generally, people (with no special training) are not especially good at detecting deception and reading leaked cues (DePaulo et al., 1985; Kraut, 1980; Zuckerman et al., 1981). Interestingly, a recent study (Kassin & Fong, 1999) demonstrated that individuals who were taught to distinguish truth from deception by viewing videotapes used to train police interrogators (John E. Reid and Associates, 1991) were actually worse at accurately assessing the veracity of a "suspect's" statements than untrained individuals. In addition, trained individuals--despite their lower accuracy--were <u>more</u> confident that their judgments were correct!