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Posted February 8, 2016

A look at false confessions

False confessions may be a rare occurrence, but they can have a devastating impact on the legal system.

VIDEO PRODUCTION: Gina Benigno

The popularity of the program *Making a Murderer* has brought heightened attention to the U.S. legal system and significant buzz to water coolers around the country. One of the most talked about issues the show raises is whether or not the coercive interrogation techniques used by investigators led a suspect to give a false confession.

The suspect in question is Brendan Dassey, who was a juvenile when he was questioned about the murder of a woman without a lawyer or parent present. Dassey ultimately confessed to the crime during what many viewers considered a coercive interrogation, and that confession was the key piece evidence used to convict him of murder in his subsequent trial.

About the Pennsylvania Innocence Project

The Pennsylvania Innocence Project was launched in 2009 and is housed in the [Beasley School of Law at Temple University](#), and works to exonerate those convicted of crimes they did not commit and to prevent innocent people from being convicted.

The Project has 22 cases in litigation throughout the Commonwealth, and is actively investigating dozens more. Clients served by the Project have served more than 475 combined years in prison.

The Project works with all stakeholders in the criminal justice system to develop policy reforms aimed at the primary causes of wrongful convictions including eyewitness misidentifications, false confessions and misuse of government informants.

A rare but harmful phenomena

When it comes to cases that involve false confessions, Marissa Bluestine, *LAW '95*, legal director for the [Pennsylvania Innocence Project](#), is something of an expert. She's worked on nearly a dozen cases—all homicides—that have involved false confessions. In addition to litigating cases, she trains police officers and prosecutors how to spot false confessions and how to interrogate effectively without coercion.

In fact, before *Making a Murderer* hit the airwaves, she was using Dassey's confession in her trainings. "It's pretty clear from parts of that interrogation that the information that he was spinning out was not his own, but was coming directly from law enforcement," Bluestine said.

Bluestine acknowledges that false confessions are generally a fairly small percentage of confessions, but when one is given, its impact cannot be understated. "It taints the entire case from the very beginning," she said.

So why would someone confess to a crime he didn't commit? It's complicated.

"The person who is confessing could be somebody who knows what they're saying is false, but they want to get out of the situation. It could be somebody who has been convinced that what [the investigators] are saying is true and they've come to believe it themselves, or it could be anywhere in between on that spectrum," she said.

Typically the person is giving in to the psychological pressure the investigators apply. "When you talk to people who have given a false confession, that's what they say: 'I just wanted it to stop,'" she said.

Pushing for change

In the U.S. it's not unconstitutional for law enforcement to lie during an interrogation. "The technique that's used is not geared toward finding out what happened, but creating a situation for the person who's being interrogated to believe that giving a confession is the most logical choice," said Bluestine. "The question is, is it really the right way to go about trying to find out what happened?"

According to Bluestine, other countries do not employ deceptive techniques when interrogating suspects, yet they are still solving complex crimes. "That is, we think, a key factor that leads to people who are innocent confessing to a crime they didn't commit, because they're faced with evidence that they believe proves that they were there," she said.

Popularity of programs such as *Making a Murderer* bring increased awareness to these types of issues. While the Pennsylvania Innocence Project does not comment publicly on pending cases, the attention given to cases like Dassey's benefits the project's mission.

"It certainly helps in terms of educating people to help be advocates for change," said Bluestine.

- [Meaghan Bixby](#)

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