Guilt Presumptions in Police Suspect Interviews:

The Effect of Confirmation Bias on Guilt Judgement and Deception Detection

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Abstract

Despite modern forensic technology for the identification of perpetrators, confirmation bias in the form of police officers' guilt assumptions can cause an innocent suspect to be wrongfully convicted for a crime. This study investigates whether confirmation bias continues to have an effect on police's guilt judgement when questioning is standardised by using an interview script, with neutrally formulated, open questions. Also, we hypothesised that confirmation bias will affect how police officers decide if a suspect is lying or telling the truth (deception judgement) and what behavioural cues they attend to, to make that judgement. Participants received a fictional case description and evidence against a suspect about investigating the suspect's involvement in a case of drug dealing, while the guilt primed group received a guilt manipulation, with the purpose of priming the participants to think that the suspect is guilty. The innocent primed group received identical information about the case, while instead received a manipulation that the suspect is likely to be innocent. Participants reported their guilt judgement ratings, before and right after conducting the role played interview. The suspect in the role play was actually innocent and explained the found evidence against them during the interview. The guilt manipulation was just about not effective, while the guilt group condition did show higher guilt judgement scores than the innocent group condition prior to the interview, suggesting that there was possible confirmation bias at hand. However, there was no effect found between the groups on post - interview guilt judgement, therefore we rejected our hypothesis that guilt assumptions affect ultimate guilt judgement. Importantly, both groups, primed with innocence and with guilt, tended to judge the innocent suspect as guilty, before and after conducting the interview. Also, we did not find any significant difference between the conditions, in how participants made their deception judgement, and what behavioural cue they attended to.

The Effect of Guilt Presumptions on Police Suspect Interviews

In 1989, five African American teenage boys , all between the age of 14-16 years old, got suspected of the rape and attempted murder of a woman in central park. The boys, assuring the police from the beginning, that they were not involved in this crime, had to undergo many hours of interrogation by the police, in which the police pressured the boys heavily to confess, also by means of beating them and making false promises (BBC, 2019). All were convicted and given sentences between 6 and 15 years in prison. In 2002, the real perpetrator confessed to having committed the crime. The boys received 41 million dollars as compensation for the misconduct, however the police officers remained free of consequences. This example is just one of many cases, showing the severe consequences of biassed, guilt-assuming police officers, who try confirming a suspect's guilt, even when there is contradicting evidence, or when the evidence can be fully accounted for.

The process of determining a person's guilt in the legal process is based on investigative interviewing. It is therefore of great importance that investigative interviews with suspects are conducted in a neutral manner with the purpose to seek information by gathering and testing the present evidence. One would assume that police officers are well trained experts in conducting suspect interviews while remaining neutral and gathering information. However, in reality, police officers conducting suspect interviews do not always seek the purpose of information gathering, but rather of obtaining a confession from the suspect. One example of an accusatory interview method is the Reid technique of investigative interviewing, which is widely used in several countries like the USA, Canada or Israel (Inbau et. al, 2013). Police officers learning the Reid technique are trained to confirm the evidence, by pressuring the suspect into confessing to the crime, even if the suspect denies any guilt from the beginning (Kassin &McNall, 1991). These interrogations are led by an assumption of a suspect's guilt to begin with, which is problematic in many ways. In some cases, this can lead innocent suspects being wrongfully convicted for the crime, sometimes facing jail sentences. Simultaneously, the real perpetrators are not being convicted and remain free of consequences. The University of Exeter (2022) found 346 reported cases of people being wrongfully convicted between 1970 and 2016 within the UK and Wales alone.

Sufficient evidence against a person needs to be given, in order for them to become a suspect of a crime. In some countries, it is common practice for police officers to get trained with the idea that the role of the interviewer, in police suspect interviews, is to confirm a suspect's guilt. For this they make use of coercive interviewing techniques, which follow the purpose of "breaking the suspect" and making one confess (Kassin, 2008). A widely used model is the Reid technique. It includes steps like interrupting the suspect when denying and

even presenting false evidence (Inbau et. al, 2001). The Reid model uses the behavioural analysis interview (BAI) to determine if a suspect is guilty, and therefore should undergo the interrogation. BAI is based on the assumption that suspects behave differently, if they tell the truth vs. if they are lying and uses specific behavioural cues in order to detect a lying person, however this assumption did not prove to be true and its methods have not been empirically established (Vrij et. al, 2006). It falsely expects lying suspects to behave consistently differently than innocent suspects such as e.g liars to feel uncomfortable, move more in their chair, cross their legs, while it expects innocent suspects to remain confident and hold eye contact (Inbau et. al, 2001).

The Reid model is highly persuasive, which can make suspects fearful of consequences for their denial or even cause them to start believing in their own guilt (Gudjonson, 2003). Consequently, this can lead innocent suspects to make false confessions (Kassin & Kiechel, 1996). False confessions have been proven to be responsible for up to 12% of all known wrongful convictions of an analysis with 3000 cases (NRE, 2020). While this puts innocent suspects at risk for being punished for a crime they did not commit, the real perpetrator continues to be unpunished.

Fortunately, the practice of coercive interviewing in some countries, like England and Wales has been reduced since the introduction of the PEACE model, which aims at rapport-building with the suspect and a non-judgemental approach, while other countries such as Germany and the Netherlands still make use of accusatory interviewing. The PEACE model is a 5 step approach to investigative interviewing, including steps like a phase of preparation and planning or evaluation, which aim to ensure a fair, accurate and well-conducted investigation. The College of Policing in the UK (2013) has established seven principles for quality interviewing, based on the PEACE model. It includes that investigators must act fairly when questioning the suspects, or that vulnerable people such as children or people with a disability need extra protection when being questioned as a suspect. Different from the Reid model, police are encouraged to be open-minded, to obtain accurate and truthful information while listening to the suspect's account (College of policing, 2013). Having a quality standard for investigative interviewing which aims at neutral information gathering, instead of confirming guilt by obtaining confessions from a suspect, is important to avoid police displaying confirmation bias. Although, in practice the PEACE model is often applied unsatisfactory, as a study found that at least 10% of conducted interviews were breaking PEACE standards (Clarke & Milne, 2001). Consequently, with breaking PEACE standards,

police officers tend to again practise accusatory interview techniques and ask more guilt presumptive questions.

Confirmation Bias

Confirmation bias refers to the tendency to seek out information confirming pre-existing beliefs, expectations, or a hypothesis at hand while disapproving information contradictory to prior beliefs (Nickerson, 1998). It can lead people to filter and approve confirmatory information, while avoiding, misinterpreting contradictory ones. Police officers sometimes fall victim to confirmation bias and misinterpreting evidence, sometimes doing so unconsciously. When police officers are primed to believe that a suspect is guilty, they will likely interpret the evidence to confirm their beliefs (Kassin et. al, 2003).

Confirmation bias is a cognitive bias, which is caused by the way people process information (Nickerson, 1998). It is just natural for humans to be limited in their information processing capacity (DePaulo et. al, 2003). A skilled interviewer would need to possess skills of adaptability, responsiveness and critical thinking when facing new and possibly contradictory information. Police officers face an especially difficult task, as they pursue contracting goals. They pursue the goal of remaining impartial at all times on one side while simultaneously trying to ultimately find the guilty perpetrator, in order to solve the crime. When people are confronted with a highly stressful situation, such as determining a suspect's guilt, people tend to make decisions rather quickly, based on prior beliefs and heuristics, instead of thoughtful information processing (De Neys, 2012).

The use of heuristics can at times be beneficial (Kahneman, 2003) but possibly result in biassed interviewing and police officers trying to obtain a confession instead of neutral information gathering (Kassin, 2014). Often then, police switch from a hypothesis testing mode, which is collecting all evidence to build a hypothesis about a case, to case- building-mode, which refers to now collecting evidence to prove the case (Kassin, 2014). Also, it has been shown that people, including police officers, have a tendency to believe initial information as true unless strongly proven otherwise (Evans, 2007). This means that once police officers have built a hypothesis of the guilt or innocence of a suspect, it is much harder to change that later. Therefore, police officers who assume a suspect's guilt prior to the interview, are likely to keep their beliefs, despite what the suspects said during the interview. By these guilt assumptions, police are seeking information to prove their hypothesis, while avoiding information that disproves it.

In the context of a suspect interview this can have severe consequences. It has been shown that police officers with prior guilt assumptions were more likely to formulate

accusatory questions, were less likely to change their view on the suspect and were more likely to identify behavioural cues of presumed guilt, than police with no guilt assumptions (Quackenbush et.al, 2020). In a study by Kassin et. al (2003), participants had to listen to tape recordings about a person suspected to have stolen 100$, and afterwards conduct a suspect interview. The people that were primed to believe that the suspect is guilty were more likely to choose guilt-confirmatory questions as well as putting more pressure on the suspect to obtain a confession, compared to the people who believed the suspect was innocent. This shows presuming guilt does influence the choice and wording of the questions asked during the interview. Also, police officers with guilt presumptions reported to be more confident in their judgement, then the ones without guilt presumptions (Hill et. al, 2010). This is especially concerning, as police are more confident in their judgement when they are biassed by their belief of a suspect's guilt, therefore express to have more confidence in their wrongful judgments. Also, expressing more confidence in a suspect's guilt, might lead to continued legal actions against them such as follow up interviews and eventually court trials. Guilt assumptions of police officers therefore can potentially lead to wrongfully convicting innocent people.

Many studies have investigated the effect of confirmation bias on the wording of questioning, filtering of information and interpreting of the suspects behaviour. However, it is not yet established whether guilt assumptions still affect police officers' belief of a suspect's guilt when the police is enforced to use non-accusatory, open questions instead of guilt assuming ones. That way, the effect of confirmation bias on formulating guilt assumptive questions is accounted for. So, when police officers are enforced to ask neutral rather than guilt assumptive questions, one would assume that the effect of confirmation bias would be eliminated or reduced.

In this study, an interview transcript will be provided to ensure high quality questioning, therefore questioning itself cannot be influenced by confirmation bias and its effects on formulating guilt presumptive questions. The question remains, if police guilt assumptions have an influence on guilt judgement, despite the phrasing of interview questions themselves, are set before, and respectively remain unbiased.
In other words, the question remains whether confirmation bias will prevail, when high-quality questioning is enforced.

Deception

To determine whether a suspect is guilty, police officers often judge whether the suspect is lying or telling the truth during the investigative interview. If police officers falsely

judge a suspect as deceiving, as an outcome of their confirmation bias, this can also lead to similar consequences as the ones of using guilt assumptive questioning.

Deception is defined as purposely misleading other people (DePaulo et. al, 2003). Detecting deception is a difficult process, as police officers' ability in detecting deception has been shown to be none better than the ability of lay people, which is the probability of chance (Bond & DePaulo, 2006). One may think that experience is an indicator of judgement accuracy, however it is negatively affecting judgement. Police and law enforcement agents with more years of experience showed a tendency to falsely detect deception and have been less accurate in their judgements, making them more susceptible to potential confirmation bias , which is known as the investigator bias effect (Meissner & Kassin, 2002). Therefore, it is important that police are skilled in accurately detecting liars from truth tellers, however this seems far off reality and not an easy task to approach. Ekman & O'Sullivan (1991) found that even experts, defined as people performing lie detection in their profession, such as police officers, psychiatrists, judges or FBI agents, are highly susceptible to errors. Having a confirmation bias makes police officers more confident in their wrongful judgments (Kassin, 2003).

Indirect Deception

One may wonder, why it seems so hard for experts to correctly distinguish truth from lie. An alternative way of detecting deception is indirectly by observing behavioural and verbal cues. However, there is no such standard of deceptive cues which is agreed upon and applicable to all contexts, which makes the task of lie detection so difficult. Multiple researches have been conducted on this topic in order to attempt this.

Generally, cues of deception include suspects seemingly being less cooperative, less plausible in their statements, and being nervous or tense (Vrij et al., 2006). Zuckerman et. al (1981) claimed that lying is cognitively more complex than telling the truth, whereas liars show longer response times and more speech hesitation. He also states that lying causes a state of higher arousal in the person, which can result in a higher pitch, pupil dilation and more frequent blinking. Deceptive cues also depend on which emotions are caused by the act of deception in that person, so it is possible that liars may feel guilty, fearful while lying, which results in different cues, than when liars feel proud of their success (DePaulo et. al, 2003). Buller & Burgoon (1996) believed that the motivation of a person to lie plays a role as well, where people with a motive in self interest are more strategic in the process, than people with other motives and are therefore harder to be identified. Also, liars may not be as emotionally invested in their self-presentation as truth tellers, so liars are likely to tell their

narrative in a less compelling manner, less pleasant and with less details (Vrij, 2000). Because truth tellers generally expect credibility naturally, liars need to work harder to seem credible, and therefore have a higher sense of deliberateness when they succeed (DePaulo & Epstein, 1991). As lying takes more mental resources than truth telling, liars need to focus more on their overt behaviour, but this can at times result in the opposite outcome, e.g. when a liar tries deliberately not to sound anxious it might result involuntarily in a higher pitch (DePaulo & Friedman, 1998). In the end, it remains extremely difficult to establish a list of behavioural cues for detecting liars, which makes the task of deception detection for lay people, and experts, challenging at the least.

Nevertheless, police officers tend to be very confident in their deception judgement, (Bond& DePaulo, 2006). As confirmation bias influences police officers' guilt judgement, making them ask accusatory questions and leading them to think the suspect is guilty, we were interested if the effect of confirmation bias also extends to the decision of police officers whether a suspect is lying or telling the truth, respectively their deception judgement.

Cues of Deception and Confirmation bias

In a study by Kassin et. al (2003), suspects, who got interviewed by participants manipulated priorly to believing the suspect is guilty, showed more defensiveness in their behaviour. This in turn then may have a confirming aspect on the police officer conducting the interview, as one will be interpreting these behavioural, verbal, and non-verbal, cues as deceptive and be less likely to believe the suspects narrative. By interrogative interview techniques, such as pressuring the suspect to confess like in the Reid model, innocent suspects may feel intimidated. As a result, they might show natural behaviour like looking away, slouching, sighing in despair, which is often inaccurately interpreted by police as cues of guilt (Inbau et. al, 2001). Most disturbing is the finding, that a suspect's attempt of plausible denial of guilt seems to confirm the prior belief of the interrogator that the suspect is guilty, as denial was perceived to be defensive by police (Kassin et. al, 2003). As guilt assumption seems to influence how police officers perceive behavioural cues of the suspect as deceptive, we expect that police officers with confirmation bias will interpret more behavioural cues as deceptive. Also, in light of lacking a clear standard of deceptive cues, we were interested in how police officers come to their deception judgement and if the cues they attend differ when they assume a suspect's guilt before the interview.

Purpose of this Study

As shown, confirmation bias influences the judgement of police officers in deciding whether a suspect is guilty or not. If police officers believe that a suspect is guilty before the

interview, they will be more likely to interpret information in favour of that hypothesis, and consequently, judge the suspect guilty. From what is known is that confirmation bias mainly influences the wording of questions by leading police to ask guilt presumptive questions. The purpose of this study is to investigate whether confirmation bias, induced by a guilt assumption, prevails even when interviewing is standardised by open, neutral, information gathering questions. Additionally, it has been shown that police are not better than chance in accurately detecting lies from truth. We are interested in whether confirmation bias affects direct and indirect deception judgments. Finally, we aim to investigate how people attend to behavioural cues (that are commonly seen as indicators of deception), how relevant the cues were for their deception judgement and whether this differed when participants are assuming guilt in the suspect.

Therefore, the following hypotheses were formulated:

H1: Interviewers, assuming a suspect's guilt prior to the interview, will be more likely to judge the suspect as guilty after the interview, than interviewers who did not assume a suspect's guilt.

H2: Interviewers, assuming a suspect's guilt prior to the interview, will be more likely to judge the suspect as deceptive, than interviewers who did not assume a suspect's guilt.

H3: Interviewers, assuming a suspect's guilt prior to the interview, will report attending to different behavioural cues of deception, than interviewers who did not assume a suspect's guilt.

Methods

Design

The study was conducted as an experimental between- subject design, where the independent variable guilt assumption was manipulated by a statement included in the case description, which participants had to read before starting the interview. A role play suspect interview was designed, where one of the researchers played the suspect and the participants took the role of the police officer. The groups read a different statement indicating guilt vs. innocence according to the conditions. The dependent variables were guilt judgement, to measure participants' ratings on guilt judgement, before (pre-guilt measure) and after (post-guilt measure) the interview took place. Deception was measured as direct deception and indirect deception, and additionally it was measured what behavioural cues of deception

participants reported attending too. Participants had to answer questions via the online questionnaire. Additionally, the questionnaire entails different questions such as items on rapport ratings between the suspect and the participant or the participants rating on the intention to further investigate. However, these questions are not subject of this paper, therefore not further analysed.

Participants

Participants were recruited by convenience sampling, via the test subject pool SONA of the University of Twente, as well as personal acquaintances of the researcher, who were asked to participate by one of the researchers. The requirements to take part in the study were an age of at least 18 years and fluency in English. There were 35 participants in total, with 19 given a guilt prime and 16 given an innocence prime. No participants had to be excluded from the data. The sample consisted of 19 females and 16 males. The age of participants ranged from 20 participants in the age of 18 to 25, 7 participants in the age of 26 to 39, 6 participants in the age between 40 to 59, and 2 participants above an age of 60. Participants originated from Dutch (n=18), German (n= 8), other European (n= 6) and Non-European nationalities (n=3). 17 participants were students, while 18 participants practised a profession. The study adhered to guidelines for ethical research and was approved by the ethics committee of the University of Twente (Reference number: 230575).

Materials

An online questionnaire via the software Qualtrics was created to measure the dependent variables.

Case description and evidence against the suspect

The case description and interview guideline used was from a Bachelor project at the University of Twente in the year 2022, investigating the same phenomenon (Hülscher, 2022). The case description is displayed in Qualtrics and entails the details about the case (see Appendix A). It states that a woman called Ms. Brown was arrested for dealing drugs in the park, and she proved to be guilty indeed. Then, the suspect is introduced by stating that he is suspected to be Ms Brown's accomplice in dealing drugs. The suspect is a taxi driver who drove Ms. Brown to the park. Participants then received a list of evidence against the suspect. The evidence included that traces of the same drugs, Marijuana, that Ms. Brown dealt in the park, have been found in the suspect's car. Also Ms. Brown stated that she knows the suspect, but refused to disclose the nature of their relationship, and there was a phone call from Ms. Brown on the suspect's phone. Furthermore, witnesses, an old woman with schizophrenia and a 12-year-old child, have seen the suspect together with Ms. Brown around that time of the

offence. Witnesses being of a young age and having a mental illness were specifically chosen, as they are generally seen as less credible or unreliable witnesses by the general public (Gous et. al, 2022). Therefore, the intention was to make participants think that this is considered rather weak evidence against the suspect.

Table 1

Pieces of evidence (for both conditions identical)

Pieces of evidence
An old woman with schizophrenia saw someone that looked like the suspect together with Mrs Brown in the park, 5 minutes before and after Mrs Brown dealt the drugs.
A 12-year-old child saw the suspect that might have been the suspect driving together with Mrs Brown to the crime scene, shortly before Mrs Brown dealt the drugs.
There was one phone call from Mrs Brown on the suspect′s phone on the day of the crime, though the content of this call is unknown.
Mrs Brown says that she knows the suspect but refused to disclose the nature of their relationship or whether the suspect is directly involved in her drug dealing .
There were traces of marijuana found in the car of the suspect.

Guilt manipulation

Guilt was manipulated by a statement "your supervisor reminds you that 4 out of 5 (80%) suspects did not commit the crime" for the innocent condition and "your supervisor reminds you that 4 out of 5 (80%) suspects actually did commit the crime" for the guilt condition. This guilt manipulation was identical to the guilt manipulation in the experiment by Kassin et. al (2003). The statement was included after the participants had read the case description and the list of evidence against the suspect and just before the start of the interview. The rest of the materials remain identical between the conditions. In reality, the suspect in both conditions is innocent and can provide plausible explanations for the evidence

against them during the interview. Also, in reality the suspect is played by one of the researchers, which was not known to participants.

The interview guideline

This guideline provides the participants with all the questions that they should be asking in the role of the police officers. It follows the purpose of simulating an interview which could take place within a real investigation (see Appendix B). The questions are all non-judgemental, open questions, where the police officer presents the aforementioned evidence against the suspect and gives the suspect a chance to explain it. It follows the purpose of resembling high-quality police suspect interviews, where the police remain unbiased in their questions. Also participants only ask questions with the information the suspect provided during the interview, so the participants are not able to introduce new information, as some police officers in accusatory interviews do introduce false information. The interview script stated that the police officer has already opened the interview and explained the reason for investigating the suspect and the suspects legal rights to them.

The first question then is "can you tell me your version of events", which gives the suspect the chance to explain freely anything about the account, however the suspects answers are also scripted. Follow up questions include e.g. "can you tell me what you did in the afternoon of the 30th of march 2023" or " do you remember any clients you had that day". Every aforementioned piece of evidence is investigated during the interview, e.g., the witnesses who have seen the suspect by asking "*An old woman saw you were together with Ms. Brown in the park, 5 minutes before and after she dealt drugs.* So, can you explain why you were with Ms. Brown if you do not know her? ". The same accounts for the phone call on the suspect's phone, the statement of Ms. Brown that she knows the suspect, and the traces of Marijuana found in the suspects' car.

Before each next question is asked, the suspect answers each question without being interrupted. This way the suspect is given the chance to explain anything in one's own time, only being asked open questions, and only based on the information that is known to the suspect, the given evidence, and in plausible sequence to the aforementioned answer. This ensures high quality questioning based on principles of the PEACE model and counteracts interview techniques with closed, suggestible, leading, or inappropriately sequenced questions, which results in more accurate, detailed responses compared to using closed questions (Oxburgh et. al, 2010).

The suspects answers clearly state from the beginning that one is not involved in any drug dealing with Ms. Brown and provides an explanation for each of the evidence found

against him, e.g. the suspect received a phone call from Ms. Brown because she was a client and asked the suspect to drive her to the park, which added up to build a consistent narrative from the suspect. The suspect is a compliant interviewee and answers each question extensively. All questions and answers of the suspect are set in the interview script, whereas the role of the suspect saw the whole script, including the police questions, while the role of the police officer saw only the scripted questions. Participants received a printed-out version of the interview guideline to be able to follow along easily while conducting the interview.

Questions guilt judgement

Guilt judgement was measured twice, before and after the interview (pre - and post guilt measure). After presenting the case description and the evidence against the suspect to the participant, the participant had to answer a question about how they would judge the suspect's guilt prior to the interview. Guilt judgement was measured by the question "based on the information I have at this moment about the current case" and gave the participant six answer options, ranging from "I am very sure that the suspect is innocent", "I am quite sure the suspect is innocent", "I think the suspect is more likely innocent but I'm not sure", "I think the suspect is more likely guilty but i am not sure", "I am quite sure the suspect is guilty" to "I am very sure the suspect is guilty". Higher scores indicate a stronger belief in guilt, while lower scores indicate a stronger belief in innocence. Then the actual interview took place and right afterwards the same question on guilt judgement was asked to the participants again, now including the information they received about the suspect during the interview.

Questions direct & indirect deception

Direct deception. Direct deception was measured by asking participants to rate the following statement "I think the suspect was telling the truth during the interview" on a seven-point Likert scale, ranging from "strongly disagree" to "strongly agree" on the scale. Higher scores indicated a stronger belief in honesty. The direction of this scale was reversed during data analysis to fit the direction of the guilt judgement scale.

Indirect deception. Indirect deception was measured by several items, measuring cues of deception that people attend to, to decide whether a person is telling the truth or not. The scale showed moderate internal consistency (α =.67). The four items measuring indirect deception include "the suspect had to think very hard about their answers during the interview", "the suspect's responses seemed fluent", "the suspect seemed cooperative" and "the suspect seemed nervous". These items were answered on a 5-point-likert scale, ranging from "strongly disagree" to "strongly agree". Higher scores indicate a stronger belief in guilt.

For this reason, item two and item three were reversed during data analysis to fit the direction of the scale.

Cues of deception. Cues of deception were measured by a series of 9 items measuring how relevant the participant thought these cues to be in their deception judgement, whether the suspect is lying or not. These cues are based on an analysis of behavioural cues of liars vs. truth tellers, where it was shown that liars are less forthcoming, less compelling in their answers, and seem to be more negative and more tense than truth tellers (DePaulo et. al, 2003). Nine items, including "the amount of eye contact the suspect made with you", to "the suspect's facial expressions" or "whether what the suspect said contradicted the evidence" were measured on a 5-point Likert scale from "not relevant at all" to "very relevant" (see Table 2).

Table 2

Cues of deception items 1 to 9 (as found in the participants questionnaire)

Cues of deception items
1.) "The amount of eye contact the suspect made with you"
2.) "The way the suspect moved their hand"
3.) "The suspects facial expressions
4.) "Coherence in the suspect's answers"
5.)"Whether what the suspect said explained the evidence against them"
6.) "Whether what the suspect said contradicted the evidence"
7.)"Whether the suspect sounded stressed in their voice"
8.) "Whether the suspect blinked too much/ too little"
9.) "Whether the suspect moved too much/ too little"

*Note. Measured on a 5-point-Likert-scale

Questions on participants' level of immersion in the experiment. Lastly, questions were asked to investigate the overall level of how immersed the participants were in the task, with items such as "I took the task seriously" and "The interview felt real to me", rated on a 5 point-Likert scale ranging from "strongly disagree" to "strongly agree". This was done to see to what degree participants felt the experiment was simulating a real suspect interview.

Procedure

First, participants were instructed to fill out their demographic information, read through the instructions, case description, and interview guideline, in which also the manipulation is included. They were given the opportunity to ask any question if they like before the start of the experiment. Importantly, participants gave their informed consent for taking part in the study via the online questionnaire Qualtrics. Then, the participants received the case description, including the evidence against the suspect, and read through it carefully. After that, they filled out the pre- measurement question of guilt judgement. Then, participants received the interview guideline and the actual interview took place.

 The interview consisted of a role play where one of the researchers played the suspect, which was hidden from participants during the experiment, while the participant took the role as the police officer. To indicate authenticity and exclude possible bias, participants were told that the person playing the suspect is another participant. To assign people to one of the two conditions, participants were sequentially allocated by the one researcher who was present during the experiment and instructed the participants. The researcher, who played the suspect, was not knowing which condition the participant was assigned to, to exclude a bias on trust- and rapport ratings of the researcher towards the suspect, which were not further analysed within the scope of this research. The participants then had to follow the interview guidelines, where questions and answers were given, without coming up with questions themselves. This was done to enforce a standard of interviewing, where participants could not find their own questions, as previous studies have demonstrated that confirmation bias can influence questioning (Kassin et. al, 2003). With a standardised questionnaire with set questions, the effect of confirmation bias on questioning will be accounted for, so that a potential remaining effect on guilt judgement will be investigated. The participants were told that having set questions was done for them to not have to think about formulating questions but being able to fully listen to the suspects answers instead.

The purpose of the interview was to simulate an investigative interview, which could have taken place within a real investigation. The interview itself took approximately six minutes to complete. After the interview, participants filled out all the post-experiment

measures via the online questionnaire, which approximately took the participants 10-15 min minutes. Importantly, participants were asked to rate their guilt judgement again, after the interview. After the questionnaire has been filled out, debriefing about the real purpose of the study was shown to participants. Also, any measures of deception, such as the suspect was played by a researcher, and the right to withdraw any data was shown to participants. If no uncertainties remained from any side, the experiment was declared finished.

Data analysis

The collected data was analysed via the statistical software R (Version:1.4.1717). To see if the guilt manipulation worked, a Wilcoxon rank sum test for independent samples was conducted, on pre- guilt judgments, comparing both groups, conditions. Furthermore, Wilcoxon rank sum test for independent samples was conducted, to investigate a difference between the conditions on the dependent variable post guilt judgement to investigate our hypothesis. Finally, it was investigated whether there was a difference of direct and indirect deception measures between the two conditions, innocent and guilt, by conducting further Wilcoxon rank Sum test for independent samples. A significance level of alpha 0.05 is used.

Results

Descriptive statistics

The mean of the participants' guilt judgments pre (M = 3.71, SD = 1.13), and post-interview (M =3.60, SD = 1) show similar values for the guilt condition group. The mean for guilt judgement in the innocent condition group did not change at all, pre- and post-measurement (see Table 3). Also, the mean of the ratings for indirect deception were at (M = 3.98, SD = .61). The overall mean score for direct deception indicated by the item "I think the suspect was telling the truth during the interview" lies at a mean of 3.57, (SD =1.09).   Table 4 shows the correlation between the main variables of interest. Cues of deception items one, two and three (namely: the amount of eye contact of the suspect, the way the suspect moved their hands and the suspect's facial expressions) were moderately strongly correlated to post guilt measures, indicating that these cues could have been relevant in participants' post guilt judgement. Also, different cues of deception were strongly to moderately correlated with each other (see Table 4), indicating that there is a relationship between participants attending to these cues and their deception decision making.

Table 3

Mean scores of variables of interest

Variable	Mean (*SD*)	Minimum	Maximum
Pre-Guilt Measure	3.71 (1.13)	1	6
Post Guilt Measure	3.60 (1)	1	5
Direct Deception	3.57 (1.09)	2	6
.1. "The suspect had to think very hard about their answers during the interview"	3.06 (1.51)	1	7
2. "The suspects responses seemed very fluent"	4.94 (1.37)	1	6
3. "The suspect seemed cooperative"	5.09 (1.27)	2	7
4. "The suspect seemed nervous"	2.83 (1.18)	2	6

Note. Pre-Guilt and Post guilt can be interpreted on a 6-point- likert scale and variables of deception on a 7-point-likert scale.

Table 4

Pearson Correlation for the dependent variables post-guilt judgement, direct deception and cues of deception 1 to 9

	Post Guilt	Direct Deception	Cues of dc_1	Cues of dc_2	Cues of dc_3	Cues of dc_4	Cues of dc_5	Cues of dc_6	Cues of dc_7	Cues of dc_8	Cues of dc_9
Post Guilt	-	-.54	.46	.44	. 38*	.01	-.09	-.27	-.13	.08	.13
Direct Deception	-	-	-.10	-.16	-.05	.03	-.11	.14	.14	-.15	-.12
Cues of dc_1	-	-	-	.81	.68**	.11	-.09	-.05	.13	.49**	.56**
Cues of dc_2	-	-	-	-	.68**	.27	.09	-.01	.24	.53**	.60**
Cues of dc_3	-	-	-	-	-	.56**	.24	.13	.35*	.33	.55**

Cues of dc_4	-	-	-	-	-	-	.61**	.45**	.39*	.05	.21
Cues of dc_5	-	-	-	-	-	-	-	.67**	.11	-.11	.07
Cues of dc_6	-	-	-	-	-	-	-	-	.33	.20	.07
Cues of dc_7	-	-	-	-	-	-	-	-	-	.52**	.61**
Cues of dc_8	-	-	-	-	-	-	-	-	-	-	.67**
Cues of dc_9	-	-	-	-	-	-	-	-	-	-	-

*Note. *p < .05; **p < .01, for Cues of deception variables see Table 2*

Effectiveness of Guilt Manipulation

Both groups, the innocent- condition group and the guilt- condition group assumed guilt prior to the interview. The mean for the innocent condition group was at 3.38 ($SD =$ 1.15) and for the guilt-condition group 4 ($SD = 1.05$). To test the effectiveness of the guilt manipulation, non-parametric testing was applied for an ordinal outcome variable. For the pre guilt scores a Wilcoxon rank sum test for independent samples was conducted with the following results, $W = 207.5$, p-value = .051. This analysis served as the manipulation check. As this did not show a significant result, meaning that the guilt manipulation did not have the intended effect, participants in the guilt condition group, where guilt was primed, did not have a significant difference in guilt judgement pre-interview than the innocent condition group. Both groups, primed with guilt and innocence, had similar high guilt judgements before the interview. However, this is considered a borderline value, as the p-value is close to the significance level of .05, meaning that an effect was almost observed.

Guilt Judgement Hypothesis

Our first hypothesis was that guilt assumptions will lead to higher guilt judgments from participants after the interview compared to participants not assuming guilt. However, we cannot test the full effect of this, as the guilt manipulation did not have the intended effect on the guilt condition group. The means for post guilt judgement for the innocence condition group was 3.38 ($SD =.72$) while for the guilt condition group was at 3.79 ($SD =1.18$). A Wilcoxon rank sum test for independent samples was conducted to test this hypothesis. The results were as follows ($W=198, p =.11$). There was no effect of guilt assumptions on participants' guilt judgements post- interview.

Within group comparison

A Wilcoxon signed rank test for paired samples has been performed to detect the difference between pre- and post-guilt judgements within the innocent vs. the guilt condition group. For the guilt condition group there was some change between pre – and post judgement scores, with a mean of 4 ($SD =1.05$) pre- interview and a mean of 3.79 ($SD = 1.18$) post- interview. However this change in guilt judgement was not significant ($V =22, p = .31$). In the innocent-condition group, the mean for pre- and post guilt judgement were identical with a mean of 3.38 ($SD = 1.15$) pre-interview and a mean of 3.38 ($SD = .72$) post-interview. Therefore, there was no change at all between pre- and post-interview guilt judgements ($V=18, p =1$). Concludingly, it can be observed that there was no significant change of guilt judgements within the groups, whether innocent, nor guilt condition group. However, there

was a small change in the guilt condition group, where guilt judgement was reduced from before to after the interview, which was not the case for the innocent condition group.

Deception

Our second hypothesis was that people primed with guilt will be more likely to judge the suspect as deceiving than people primed with innocence. Thereby, we differentiated between direct deception and indirect deception. Additionally, nine other items serve as cues of deception, therefore indicating what behavioural cues participants reported attending to in order to detect deception and whether there is a difference in this between the groups, which was our third hypothesis.

Direct deception

Again, the distribution deviated from normal. Therefore, a Wilcoxon rank sum test for independent samples was chosen for this analysis. It turns out that there is no effect of guilt assumptions on the ratings of direct deception, therefore no difference between both conditions, on direct deception ($W =164$, $p = .639$).

Indirect deception

Similar results have been observed for the distribution of indirect deception. The overall mean score of the indirect deception items have also been analysed in regard to group differences. The results are ($W= 133.5$, $p = .546$). This means that there was no difference on the overall mean of indirect deception between the guilt- and the innocent condition group. Additionally, indirect deception consists of 4 items, which have been analysed separately as well as an overall mean. All four items did not show any significant result in regard to group differences.

Table 5

Descriptives and p values of direct deception and indirect deception variables 1-4 per group

	Guilt prime group		Innocence prime group			
Outcome	*M*	*SD*	*M*	*SD*	*W*	*p*
Direct deception	3.37	1.01	3.5	1.21	164	.64
Overall mean indirect	3.92	.67	4.05	.56	133.5	.55

deception

1. "The suspect had to think very hard about their answers during the interview"	2.74	1.33	3.44	1.67	113.5	.19
2. "The suspects responses seemed very fluent	1.89	1.15	2.25	1.61	164	.68
3. "The suspect seemed cooperative"	2.84	1.42	3	1.09	169.5	.56
4. "The suspect seemed nervous"	2.68	1.06	3	1.32	131	.45

Cues of Deception

For cues of deception (see Table 2) there has been no difference in answers between the groups observed for none of the items. A Wilcoxon signed rank test for independent samples was conducted to see whether there is a difference in participants' answers in what cues they attended to. None of the cues showed a difference in how participants answered in regard to their groups (see Table 6).

Table 6

Descriptives and p-values for cues of deception variables 1-9 per group

Outcome	Guilt primed group		Innocence primed group			
	M	*SD*	*M*	*SD*	*W*	*p*
Cues of deception 1	3.12	1.29	2.94	1.18	165.5	.65
Cues of deception 2	2.53	1.07	2.06	1.39	193	.16
Cues of deception 3	3.11	.99	2.88	1.36	168	.60
Cues of deception 4	3.84	1.07	3.63	1.20	165	.65
Cues of deception 5	3.74	1.19	4.13	.81	127	.40
Cues of deception 6	3.84	.96	4.06	1	129	.43
Cues of deception 7	2.58	1.22	2.50	1.26	157.5	.86
Cues of deception 8	2.21	1.23	2.31	1.45	150.5	.97
Cues of deception 9	2.05	1.13	2.75	1.18	102	.09

*Note. See Cues of Deception Variables in Table 2, all Variables are interpreted on a 5-point-likert scale

Discussion

The main purpose of this study was to test the effect of confirmation bias, in the form of guilt assumptions, on the guilt judgement of police officers when a non- accusatory questioning method is enforced. Also, the study aimed to investigate whether confirmation bias affects the deception judgement of police officers in the context of police suspect interviews.

There was no significant effect found of assuming a suspect's guilt vs. assuming innocence on the ultimate guilt judgement of participants, therefore we rejected our first hypothesis .There was also no significant difference found between the conditions on guilt judgement before the interview, however participants primed with guilt seemed to have a somewhat higher guilt judgement than participants primed with innocence. This indicates though, that the used guilt manipulation only had a weak effect. Also, no significant change from before to after the interview in guilt judgement was found, although guilt primed individuals seemed to show a decrease in guilt judgement, whereas innocent primed individuals did not. Interestingly, in both conditions, participants judged the innocent suspect somewhat guilty, even after listening to the suspect's account during the interview.

Similarly, there was no effect found of assuming guilt on participants' direct deception judgement, namely whether they thought the suspect was lying or telling the truth during the interview, therefore the second hypothesis was not supported. Also, there was no difference between the conditions on indirect deception judgement, and participants did not show any significant difference on what behavioural cues of deception they attended to in order to make their direct deception judgement (tell if the suspect was lying or not), therefore our third hypothesis was not supported.

Guilt judgement

The current study predicted that people who were primed to believe a suspect is guilty, will be more likely to judge that suspect as guilty after conducting a suspect interview, compared to people who were not primed to believe in a suspect's guilt. This prediction was not supported, as there was no difference in guilt judgement post- interview in the two conditions, meaning that there was no effect found of guilt assumptions on people's ultimate guilt judgement in our study. People rated participants' guilt after the interview similar in the innocent - and in the guilt condition, while people in the guilt condition showed some decrease in guilt judgement from pre-judgement to post-judgements scores, however this

change was not significant. Pre-guilt scores differed to an extent, although not significantly, between participants assuming guilt vs. assuming innocence. Regardless of the condition, participants judged an innocent suspect as guilty and did not change their mind after listening to the suspects account, despite the fact that the evidence was rather considered to be weak and the suspect was able to perfectly account for the found evidence against them.

This could be due to a confirmation bias in participants in both conditions, as participants seemed to attend and interpret information only when it is confirming their initial guilt hypothesis (Nickerson, 1998). This is also in line with previous studies who examined confirmation bias in police officers, such as Hill et. al (2010) et. al has found that investigator bias can cause police officers to judge a suspect as guilty, no matter the evidence, or what the suspect has to say during the interview. Also, it is possible that confirmation bias had a stronger effect on participants who primed to believe the suspect to be guilty, but only on initial guilt judgement (pre -interview). Although not significantly, participants' initial guilt judgement in the guilt condition group was higher than the guilt judgments from participants primed with innocence. Although we can not say with certainty that this finding was due to a displayed confirmation bias, it is in line with previous studies who have shown that confirmation bias leads police officers to more likely judge a suspect as guilty (Meissner & Kassin, 2020).

As an example the study of Kassin et. al (2003) showed that guilt assumptions affect police officers' guilt judgement, when they are free to generate their own questions. Therefore, confirmation bias affects mainly the questioning style of the interviewers, leading to guilt assumptive questions, which in turn strengthens the police officer's initial guilt hypothesis (Kassin et. al, 2003). Studies suggest therefore, that improving the interview quality may have an effect in reducing confirmation bias. Interviewers who were better in adhering to open questions, were less likely to use leading questions in their interview, and therefore less likely to exhibit confirmation bias, than interviewers who only poorly adhered to open questions (Powell, et. al. 2012). We tested the use of high quality questioning in our study, however, it cannot be determined for sure, if the interview indeed had an effect on reducing confirmation bias in participants, as guilt judgments did not decrease significantly from pre- to post interview judgments.

Another possible explanation for rejecting the hypothesis that guilt assumptions will ultimately lead to higher guilt judgments, is likely due to the ineffectiveness of our guilt manipulation. It is likely that the chosen manipulation was not strong enough to have the

intended effect on participants after all, therefore participants might have not paid much attention to the chosen innocence vs. guilt prime, to begin with.

Although, we can not rule out the possibility that the enforced high quality questioning did have somewhat an effect, although not significant, in reducing a possible confirmation bias in the guilt condition group.

Direct & indirect deception

Our study predicted that people who received a guilt assumption , will be more likely to perceive the suspect as deceiving. This prediction did not hold true, as there was no difference found between the people receiving a guilt assumption vs. assuming innocence on their judgement of deception.

The task of deception detection remains difficult, as studies have shown that police officers, among other professionals, often do not perform better than lay people, who do not exceed the probability of chance in accurately determining guilt (Bond & DePaulo, 2006). Also, there is no standard of how deception can be more accurately detected, nevertheless police officers have high confidence in their deception judgement, despite the absence of their judgement accuracy (DePaulo et. al, 2003). Police officers often base their judgement on whether a suspect is lying or telling the truth on behavioural cues that the suspect shows during the investigative interview, however there is not a reliable list of behaviours that police could follow in order to accurately identify a lying suspect (DePaulo et. al, 2003). Confirmation bias has been shown to influence the deception judgement of police officers. However, our study did not show a certain effect of confirmation bias on deception judgement, likely due to the failed manipulation.

Also, participants in both conditions seemed to have similar deception judgments on indirect deception. There was no difference between the innocence vs. guilt prime, when being asked if participants thought the suspect to be nervous, perceived them as thinking hard, as cooperative or fluent in their answers (indirect deception measures).

Cues of deception

This study aimed to investigate whether people perceived different behavioural cues which would indicate deception based on whether they are assuming a suspect's guilt vs. assuming a suspect's innocence. It turned out that there is no significant difference between the two conditions on the perception of these cues. Participants assuming guilt did not find certain cues more relevant to their decision whether the suspect was lying or telling the truth, than participants assuming innocence, but it was on average the same. Also, the cues itself

seemed to be approximately equally relevant, meaning that there were no particular cues that were especially relevant or especially irrelevant to participants' decisions.

One reason why there was no effect found could be that, people in general, including police officers have an underlying assumption that certain behavioural cues such as e.g a decrease in eye contact or an increase in body movements, are reliable predictors for deception (Global Research Deception Team, 2006), although this assumption turned out false (Vrij, 2008). This is especially concerning, when police officers interpret behaviours of innocent suspects, who might not have a particular reason for the shown behaviours but are rather products of coincidence, such as e.g looking away, as reliable indicators of deception, as this can increase the risk of false guilt judgments of police officers and its consequences for the suspect.

Strengths, Limitations & Suggestions for Future Research

One limitation is surely, the lack of authenticity caused by an experimental role play scenario, which does not fully resemble real police- suspect interviews. In reality, police receive much more information about a case, and the suspect respectively, before even conducting suspect interviews, than given in this experiment. The case description entailed only limited information about the account and did not include any background information whatsoever. Also, normally police officers would ask follow up questions during the interview, to collect missing information or clarify something. This opportunity was also not given in this study, as the interview questions were previously set on purpose, however this was necessary for the study design in order to make sure only neutral, non- accusatory questions are being asked.

Additionally, participants in this study were mostly undergraduate students, who do not have knowledge about police investigations and have mostly never conducted a suspect interview or similar before. Although, as previously mentioned, the police does not always outperform lay people, such as in distinguishing truth from deception, it is to be expected that police officers would have different heuristics they rely on, based on their experience in the field, which could lead to a different outcome. Therefore, the study reflected real life police investigation only to a limited extent.

Also, participants were aware that they were taking part in an experiment, although the true nature was disclosed, the environment (at home or at the university campus) was truly different from an interview conducted at a police station. This influenced how emerged or real the experiment felt to participants, which speaks for a rather low ecological validity (Andrade, 2018). Also, a sample size of 35 participants as taking part in our study, is very

little and therefore difficult to make general claims about a population (Faber & Fonseca, 2014). For future research the experiment would ideally be conducted with police officers at a police academy, to increase authenticity and include a larger sample.

However, the current study also provided some insights into the effect of confirmation bias in high quality interviewing by using neutral, open, information-gathering questions (e.g such as suggested by the Peace model). Although it is hard to tell whether the interview technique directly had any effect on participants' guilt judgement, it remains an important topic to investigate in future studies. Additionally, to increase the authenticity of the study, future research could focus on directly comparing the effects of accusatory (such as Reid model) vs. non- accusatory interview techniques on confirmation bias, guilt judgement and deception detection in police officers.

Conclusion

Police and law enforcement are in desperate need to find better techniques to counteract confirmation bias and conduct suspect interviews which are led by objective information gathering. The current study examined whether confirmation bias has an effect on guilt judgements, the detection of deception and how people perceive different cues of deception, in the context of police suspect interviews while enforcing a high quality interview. There was no effect found in either of this. However, there was likely an effect of confirmation bias observed on initial guilt judgement, for the people who were primed with guilt assumptions. This is in line with previous studies which show that confirmation bias can affect police guilt judgements. Previous studies have also shown that confirmation bias can be especially strong in interviews with innocent suspects compared to guilty ones. Also in our study, people who were not primed with guilt, still judged the suspect as guilty to an extent. Furthermore, the study builds a basis for further investigation into the question whether highly qualitative, non-coercive interviewing with neutrally formulated open questions (such as implemented by the PEACE model) can to some extent counteract the effect of confirmation bias. As from the evidence of this current study, this conclusion cannot be clearly established, but there is a possibility at the least. This possibility should not be dismissed, as every possible solution to counteract or reduce confirmation bias in police officers and other law enforcement agents, should be taken seriously. The effects of confirmation bias can be severe, therefore it is important to continue researching about this topic, to gain a better understanding of what can prevent confirmation bias and improve the accuracy of criminal investigations.

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Appendix A

Case description (including list of evidence) in the shown case with the manipulation for the guilt condition group

<div align="center">

Case Description

Background information about the case and list of allegations

</div>

Imagine yourself being a police officer at the police station in your city. Your supervisor asks you to interview the suspect involved in a new case. In the following text, your supervisor gives you some more information about the crime the suspect is accused of. This includes the evidence gathered against the suspect.

<div align="center">

Alleged offence

</div>

On 30/03/2023 the police arrested a woman named Mrs Brown for dealing drugs. The woman was caught selling different types of drugs in the park in your town. The woman dealt with Opiates (Heroin, morphine), Hallucinogens (LSD), and Marijuana. She was arrested at 4.30 pm by two police officers who were on street patrol in the park. The suspect is alleged to be her accomplice and therefore is also suspected of dealing drugs. The evidence gathered against the suspect that may indicate they were implicated in the drug dealing offence of 30/03/2023 is listed here:

- An old woman with schizophrenia saw someone that looked like the suspect together with Mrs Brown in the park, 5 minutes before and after Mrs Brown dealt the drugs.
- A 12-year-old child saw the suspect that might have been the suspect driving together with Mrs Brown to the crime scene, shortly before Mrs Brown dealt the drugs.
- There was one phone call from Mrs Brown on the suspect´s phone on the day of the crime, though the content of this call is unknown.
- Mrs Brown says that she knows the suspect but refused to disclose the nature of their relationship or whether the suspect is directly involved in her drug dealing.
- There were traces of marijuana found in the car of the suspect.

Your supervisor reminds you that four out of five (80%) people interviewed as suspects for this crime actually **committed** the crime.

Your task is to question the suspect, who will be played by another participant. To help you, a script has been provided which gives you the questions you should put to the suspect. You

can assume that the introduction part of the interview, where you introduce yourself to the suspect and explain the legal rights to the suspect, is already done. It has also been explained that the suspect is being questioned because of the suspect's links to a woman who was arrested for dealing drugs. Now you are only collecting the suspects version of events. This means you can directly ask the questions we have provided without having to introduce yourself. Please read these questions in order, think carefully about the suspect's responses, and afterwards, we will ask you questions about your experience in the interview.

Indicate to the researcher that you are ready to conduct the interview and later in the questionnaire enter the letter **A** at the question: "Did you receive the letter A or B at the start of this experiment?".

Appendix B

Interview Script (for both conditions identical)

<u>Interview Script</u>

Interviewer: Can you please tell me your version of events?

Interviewee: I don't really have a lot to say. I don't even know this woman and now I am suspected of being involved in a crime with her. I don't really know what to say.

Interviewer: Can you tell me what you did on the afternoon of the 30th of March 2023?

Interviewee: It was a Thursday. On Thursday afternoons I am usually working. I am a taxi driver in my town, and my work shift is always from 2 pm until 8 pm. I remember that this day was a really busy day, and I had a lot of clients.

Interviewer: Do you remember any of the clients you had that day?

Interviewee: I am sorry. I don't remember the clients I had that day, because there were so many. But I can ask my boss if he still has the list of clients I drove on that day.

Interviewer: Do you remember anything else?

Interviewee: No, sorry. You could explain why you are questioning me because at this point I don't know why I am being suspected of the crime.

Interviewer: *An old woman saw you were together with Mrs Brown in the park, 5 minutes before and after she dealt drugs.* So can you explain why you were with Mrs Brown if you do not know her?

Interviewee: Mhh... so ... sometimes during my break, which is usually at around 4 pm, I go in the park and walk around a bit. You can ask my colleagues, I have done that since I started working at the taxi company, even when it is a busy day. I am sorry, I forgot to mention that earlier. Sometimes, I feel like talking with other people in the park, so I just ask them how

their day was. Most of them are quite friendly, so I have a short chat with them while walking around in the park. Maybe this Mrs Brown could have been one of the people I talked to.

Interviewer: *A 12-year-old child saw you together with Mrs Brown in a car, driving to the crime scene, shortly before Mrs Brown dealt the drugs.* Can you also explain this?

Interviewee: Probably this woman was a client of mine. Probably she wanted me to drive her to the park, and then I decided to use my break to talk to her in the park. I mean, to be honest, I don't remember all the people I drive, even if I have good conversations with them. There are just too many to remember them all. I am sorry.

Interviewer: *We know that there was one phone call from Mrs Brown on your phone.* Do you know why this is?

Interviewee: My boss does not arrange my clients for me but I schedule my own clients. I have the same phone number for my work and my private stuff. A lot of people contact me outside of my work shift. Most of them are desperately trying to get a taxi, as there are not a lot of taxi drivers around our town. So, when I start my shift in the afternoon, I already have a lot of phone calls and messages from clients wanting me to drive at a certain time and to a certain location.

Interviewer: Earlier you said that you don't know Mrs Brown. *However, she said she knows you, but refused to disclose the nature of your relationship or whether you are directly involved in her drug dealing.* Can you explain this?

Interviewee: As I already mentioned, I like to chat with people. I am a social person and a lot of people know me. I mean, as a taxi driver, you get around quite a lot in town and the people just know you. Many people get to know you, but the
the problem is that I am really bad at remembering their names and faces. I mean, I might have talked with this woman at some point. However, I am certain that I am not involved in any drug business with her, that is how much I can tell you.

Interviewer: *Why do you think that there were traces of Marijuana found in your car?*

Interviewee: I am telling you, you could basically find traces of drugs in every taxi driving around the city. I mean it is not like all my clients are saints. They certainly like to have fun. Just because there were traces of drugs in my car, it doesn't mean that they belong to me. I would never risk my job by transporting drugs in my taxi. But you said that I drove this woman, this Mrs Brown to the park. I mean if she dealt drugs in the park, she already had drugs on her and this is the reason why you found traces of drugs in my taxi. There is no reason to assume the drugs were from me.

Interviewer: Okay, that is the end of the interview.