



The Psychology of False Confessions: Cognitive and Emotional Factors Influencing False Self-Incrimination

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Abstract

False confessions represent one of the most significant challenges to the fairness and reliability of criminal justice systems, often leading to wrongful convictions and undermining public confidence in legal institutions. While confessions are traditionally regarded as compelling evidence of guilt, research has demonstrated that innocent individuals may admit to crimes they did not commit under the influence of various psychological, cognitive, emotional and situational factors. This paper examines the psychological mechanisms underlying false self-incrimination, with particular emphasis on the interaction between cognitive vulnerabilities, emotional distress, and interrogation practices. The analysis explores the principal categories of false confessions—voluntary, coerced-compliant and coerced-internalized—and discusses the individual characteristics that increase susceptibility, including youth, intellectual disabilities, mental disorders, heightened suggestibility, memory distortions and elevated stress levels. Particular attention is given to the impact of psychologically coercive interrogation techniques, prolonged questioning, authority pressure, fatigue and social isolation on decision-making processes. The paper further evaluates empirical findings from forensic psychology and criminology, highlighting the role of cognitive biases, compliance and emotional regulation in shaping confession behavior. From a legal perspective, the study emphasizes the importance of procedural safeguards designed to minimize the risk of false confessions, including mandatory electronic recording of interrogations, access to legal counsel, evidence-based interviewing methods and specialized protections for vulnerable suspects. By integrating psychological and legal perspectives, this paper contributes to a more comprehensive understanding of false confessions and underscores the need for investigative practices that prioritize both the effective administration of justice and the protection of fundamental human rights.

Keywords: false confessions; false self-incrimination; forensic psychology; criminal investigations; interrogation techniques; cognitive vulnerability; emotional factors; suggestibility; wrongful convictions; human rights

1 Introduction

The issue of false testimony and false self-incrimination represents one of the most sensitive and complex dimensions of contemporary criminal proceedings. Within judicial procedures, statements made by the individuals involved—whether as witnesses, suspects, or defendants—constitute an important form of evidence.

False self-incrimination occurs when an individual admits to committing an offence that they did not, in fact, commit. Although at first glance this phenomenon may appear paradoxical, empirical studies and international judicial cases have demonstrated that psychological pressure, suggestibility, fatigue, fear, or emotional vulnerability can lead to such situations. In this context, an interdisciplinary analysis integrating law and psychology becomes essential for understanding the mechanisms underlying such declarative behaviour.

The interest in this topic stems from the need to emphasize that self-incrimination is not always an expression of actual guilt but may instead result from complex psychological mechanisms. Furthermore, the analysis of a real-life case study provides a concrete understanding of how cognitive and emotional factors can influence individuals' statements and confessional behaviour.

From a theoretical perspective, this paper contributes to strengthening the connection between cognitive psychology, social psychology, and criminal procedural law. Understanding phenomena such as false memory, suggestibility, and social conformity provides a robust explanatory framework for interpreting statements obtained during criminal investigations.

The aim of this study is to examine the cognitive and emotional factors that contribute to false confessions and false self-incrimination, with particular emphasis on the role of memory distortions, suggestibility, psychological pressure, stress, fear, and emotional vulnerability. The study also seeks to highlight the importance of integrating psychological knowledge into criminal proceedings in order to improve the assessment of confession reliability and reduce the risk of wrongful convictions.

2 Conceptual Distinctions Between Memory Errors and Intentional False Testimony

Distinguishing between memory errors and intentional false testimony is a fundamental issue in the assessment of testimonial evidence in criminal proceedings. Although both phenomena may result in statements that are objectively inaccurate, they differ substantially in terms of their psychological mechanisms and legal implications. An inaccurate statement does not necessarily indicate an intention to deceive; it may instead reflect the reconstructive and inherently fallible nature of human memory. Consequently, determining whether an inaccurate account results from an involuntary cognitive process or from deliberate deception is essential when evaluating both evidentiary reliability and potential criminal liability.

2.1 The Nature of Memory Errors

Contemporary cognitive psychology conceptualizes memory not as a literal recording of past events but as a dynamic and reconstructive process. Individuals do not simply retrieve an exact representation of an event; rather, recollection involves reconstructing information from stored fragments that may be altered by subsequent experiences, expectations, contextual information, and external suggestions (Loftus, 1996; Schacter, 2001).

This reconstructive character of memory has particular relevance in judicial proceedings. A witness may provide inaccurate information while genuinely believing that the recalled

information is correct. Such inaccuracies may arise from difficulties during encoding, storage, or retrieval and may be further influenced by stress, the passage of time, repeated questioning, or exposure to post-event information (Loftus, 1996).

One of the most extensively documented mechanisms underlying memory distortion is the misinformation effect, whereby information presented after an event becomes incorporated into the individual's subsequent recollection. The classic experimental research conducted by Loftus and Palmer (1974) demonstrated that relatively subtle variations in the wording of questions could influence participants' subsequent estimates and recollections of a witnessed event. Their findings provided important empirical evidence that eyewitness memory can be modified by information introduced after the original experience.

Accordingly, a memory error should be distinguished from deliberate deception. In cases of memory distortion, the individual may sincerely believe in the accuracy of the information being reported, even when the account differs from objective reality.

2.2 Intentional False Testimony

Intentional false testimony involves a fundamentally different psychological and legal mechanism. Unlike an involuntary memory error, deliberate false testimony requires awareness that the information communicated is inaccurate and an intention to misrepresent, conceal, or distort relevant facts.

Under Article 273 of the Romanian Criminal Code, false testimony involves knowingly making false statements or failing to disclose relevant information concerning essential facts or circumstances about which a witness is questioned in judicial proceedings. From a criminal-law perspective, therefore, the mere existence of inaccuracies or inconsistencies in a statement is insufficient to establish false testimony. The intentional component of the conduct must also be demonstrated.

This distinction is particularly important because normal memory processes may generate inconsistencies without any deceptive intention. Minor variations between successive accounts, uncertainty regarding peripheral details, or difficulty recalling specific contextual information may reflect ordinary memory limitations rather than deliberate fabrication.

Intentional deception, by contrast, may involve strategic modification of information, selective omission of relevant facts, or deliberate construction of an alternative version of events. Nevertheless, behavioural indicators should be interpreted cautiously because no single verbal or non-verbal sign can reliably establish deception (Vrij, 2008).

Credibility assessment therefore requires an integrated analysis of the content of the statement, the circumstances in which it was obtained, its consistency with other available evidence, and the cognitive and emotional characteristics of the individual providing it. Psychological credibility-assessment methods may contribute to this process, but they cannot independently establish the legal existence of intentional false testimony.

2.3 Cognitive Factors Involved in Statement Formation

Statements provided during criminal investigations emerge from the interaction of several cognitive processes, including perception, attention, memory, reasoning, and language. Testimony should therefore not be regarded as a direct reproduction of an objectively experienced event. Instead, it represents a reconstruction shaped by both the circumstances in which the event was originally perceived and the conditions under which it is subsequently recalled.

Perception and Attention

The reliability of a later statement is partly determined by the quality of the initial perception of the event. Attention is selective and depends on factors such as expectations, emotional arousal, environmental conditions, duration of exposure, and the perceived relevance of particular stimuli.

During threatening or highly stressful situations, attentional resources may become concentrated on central or emotionally salient elements of the event, potentially reducing the amount of peripheral information that is encoded. Consequently, inaccuracies appearing in a subsequent statement may originate at the perceptual stage rather than during later recollection.

Encoding, Storage and Retrieval

Information that has been perceived must subsequently be encoded and stored in memory. These processes may be affected by numerous variables, including attention, exposure time, emotional involvement, fatigue, environmental conditions, and interference from other information.

Furthermore, memories may change between the occurrence of an event and their later retrieval. Discussions with other witnesses, media exposure, repeated interviews, and suggestive questioning can introduce post-event information that may eventually become integrated into the individual's recollection (Loftus, 1996).

Retrieval itself is an active reconstructive process. Individuals may unconsciously fill gaps in their recollections by relying on existing knowledge, expectations, schemas, or information encountered after the event. Schacter (2001) emphasizes that such memory distortions are not exceptional anomalies but are related to the normal functioning and adaptive characteristics of human memory.

Suggestive Questioning and the Misinformation Effect

The influence of suggestive questioning is particularly relevant in investigative settings. Loftus and Palmer (1974) demonstrated experimentally that changing a single verb in a question concerning a traffic collision influenced participants' estimates of vehicle speed and aspects of their subsequent recollection.

These findings have significant implications for investigative interviewing because they demonstrate that the formulation of questions may affect the information subsequently reported by witnesses. Repeated exposure to an investigator's interpretation of events may similarly influence recollection, particularly among highly suggestible individuals.

In more extreme circumstances, the interaction between suggestion, psychological pressure, memory uncertainty, and interrogation dynamics may contribute not only to inaccurate statements but also to false confessions or false self-incrimination (Gudjonsson, 2003).

Cognitive Biases

Statement formation and interpretation may also be influenced by cognitive biases. These biases may affect both the person being interviewed and the investigators responsible for interpreting the information obtained.

Confirmation bias may lead investigators to preferentially seek or interpret information that supports an existing hypothesis of guilt. Hindsight bias may produce the retrospective impression that an event was more predictable than it actually was. Authority-related influences may increase an interviewee's tendency to accept information presented by investigators, while

the availability heuristic may lead individuals to overestimate the likelihood or significance of information that is particularly salient or easily recalled.

These mechanisms are particularly relevant when an investigation becomes organized around an early hypothesis that is subsequently treated as established fact. In such circumstances, questioning strategies may unintentionally become confirmatory rather than exploratory.

Fatigue and Prolonged Questioning

Fatigue constitutes another important factor affecting the reliability of statements. Prolonged questioning and insufficient sleep can impair attention, working memory, executive functioning, and decision-making abilities. Cognitive exhaustion may also reduce an individual's capacity to critically evaluate information presented during an interrogation.

When fatigue interacts with stress and psychological pressure, individuals may become increasingly motivated to terminate the interrogation rather than maintain resistance to suggestions or accusations. Such circumstances may contribute to compliance and increase vulnerability to false admissions (Gudjonsson, 2003).

Emotional Factors Influencing Statement-Giving Behaviour

Cognitive processes involved in testimony cannot be separated from the individual's emotional state. Stress, anxiety, fear, shame, guilt, and perceived threat may influence attention, memory retrieval, decision making, and interpersonal behaviour during questioning.

Stress and Anxiety

Criminal investigations and interrogations are inherently stressful situations. Individuals may be confronted with formal authority, uncertainty, reputational consequences, and the possibility of criminal punishment. Elevated anxiety may reduce attentional control and interfere with the effective retrieval and organization of information.

Under these circumstances, the person being questioned may become increasingly focused on the potential consequences of the investigation rather than on accurately reconstructing the event. This may result in fragmented accounts, inconsistent responses, or increased responsiveness to suggestions from investigators.

Importantly, such behaviour should not automatically be interpreted as evidence of deception. Stress-related inconsistencies may reflect the cognitive consequences of emotional arousal rather than an intention to provide false information.

Fear, Threat and Compliance

Fear and perceived threat may substantially modify behaviour during interrogation. When individuals perceive the situation as threatening, they may adopt strategies designed primarily to reduce immediate psychological discomfort.

Gudjonsson (2003) identifies **compliance** as an important mechanism in understanding interrogation behaviour and false confessions. A compliant individual may accept or repeat information suggested by an authority figure without necessarily believing that information to be true. The immediate objective may simply be to escape an aversive situation or obtain an anticipated short-term benefit.

This mechanism helps explain why false self-incrimination should not automatically be regarded as irrational behaviour. From the perspective of the individual experiencing intense psychological pressure, making an admission may represent a short-term strategy for terminating an intolerable interrogation situation, even when the long-term legal consequences are severe.

Psychological Pressure and Interrogation Dynamics

Interrogation practices can significantly influence the psychological state of the person being questioned. Isolation, repeated accusations, confrontation with alleged evidence, assertions that guilt has already been established, and prolonged questioning may progressively undermine resistance and confidence in one's own recollection.

The risk may become particularly significant when psychological pressure interacts with fatigue, anxiety, suggestibility, cognitive limitations, or emotional vulnerability. Gudjonsson's (2003) analysis of interrogation processes demonstrates that false confessions cannot be adequately understood without examining the interaction between individual vulnerabilities and situational pressures.

Social Pressure, Shame and Guilt

Statement-giving behaviour may also be influenced by interpersonal and social motivations. Individuals may alter their accounts to protect relatives or other significant persons, avoid social rejection, preserve relationships, or reduce anticipated stigma.

Feelings of shame and guilt may further complicate the distinction between legal and subjective responsibility. An individual may experience moral responsibility for an event without being legally responsible for the offence itself. In certain circumstances, such emotional processes may contribute to inaccurate admissions or self-incriminating statements.

Vulnerability and Individual Differences

Susceptibility to suggestion and psychological pressure varies considerably between individuals. Age, cognitive functioning, intellectual ability, educational background, psychological characteristics, previous traumatic experiences, and familiarity with the criminal justice system may influence how an individual responds during questioning.

Children and adolescents require particular attention because developmental characteristics may increase susceptibility to suggestion, compliance, and authority pressure. Similarly, psychologically or cognitively vulnerable adults may have difficulty understanding the long-term consequences of their responses or resisting persistent suggestions.

For these reasons, the reliability of testimonial and confessional evidence should be assessed not only by examining the final statement but also by considering how the statement was produced. A psychologically and legally informed assessment must examine the interaction between memory processes, individual vulnerabilities, interrogation conditions, and the broader evidentiary context.

3 Research Methodology

This study adopts a qualitative documentary research design to examine the cognitive, emotional, individual, and situational mechanisms associated with false confessions and false self-incrimination. The methodological approach combines qualitative case analysis with thematic analysis of secondary documentary material drawn from psychological and forensic research, documented false-confession cases, judicial materials, and relevant legal scholarship.

The unit of analysis is the documented false-confession case, understood as a case in which an admission of guilt was subsequently challenged, demonstrated to be unreliable, contradicted by independent evidence, or associated with a documented wrongful conviction or exoneration. The analysis does not seek to estimate the prevalence of false confessions. Rather, it aims to identify recurring psychological and situational mechanisms across sufficiently documented cases and to interpret these mechanisms within an interdisciplinary psycho-legal framework.

Case selection was therefore purposive rather than statistically representative. Cases were eligible when the available documentation contained sufficient information to reconstruct relevant aspects of the interrogation process and the psychological condition of the suspect, including, where available, interrogation duration and intensity, psychological pressure, fatigue or sleep deprivation, suggestibility or compliance, cognitive or emotional vulnerability, age or developmental status, the evolution and content of the confession, evidence contradicting the admission, and the subsequent judicial outcome.

Cases were excluded when the available documentation was insufficient to establish the circumstances surrounding the confession; when the reliability of the confession could not be meaningfully evaluated from independent documentary sources; when the material provided only a general description of interrogation practices without a documented false-confession component; or when the case lacked sufficient psychological, situational, or legal information to address the research questions.

The selected material was subjected to thematic analysis using a combined deductive–inductive coding strategy. Initial deductive coding categories were derived from established false-confession research and included memory distortion and uncertainty, suggestibility, compliance, cognitive biases, stress and anxiety, fear and perceived threat, fatigue, psychological pressure, interrogation conditions, authority influence, and individual vulnerability. The analysis remained open to additional themes emerging from the documentary material. Coding focused not only on the presence of individual factors but also on their co-occurrence and interaction within particular interrogation contexts.

To strengthen analytical consistency, the same structured coding framework was applied across the documentary material. Each case was examined according to common analytical domains: (1) cognitive factors, (2) emotional factors, (3) situational/interrogation factors, (4) individual vulnerability, (5) behavioral responses, and (6) legal consequences. Interpretations were cross-checked against the underlying documentary evidence and, where possible, across psychological, judicial, and legal sources. This triangulation was used to reduce reliance on a single source or interpretation and to strengthen the credibility of the thematic findings.

Because the study is based on secondary documentary analysis rather than independently coded primary interview data, formal inter-rater reliability coefficients were not calculated. This represents a methodological limitation and is acknowledged explicitly. Analytical reliability was instead supported through the use of predefined coding domains, consistent application of the coding framework, transparent inclusion and exclusion criteria, and triangulation between psychological research, documented cases, and legal sources.

The final qualitative case sample comprised 10 documented false-confession cases from multiple jurisdictions, covering the period 2020–2025.

Case Sampling Framework and Eligibility Criteria

The empirical component of the study was based on a purposive qualitative sample of documented false-confession cases. The final qualitative case sample comprised 10 documented false-confession cases from multiple jurisdictions, covering the period 2020–2025. The purpose of the sampling strategy was not to achieve statistical representativeness or estimate the prevalence of false confessions, but to select information-rich cases capable of illustrating the cognitive, emotional, individual, and situational mechanisms examined in the study.

Cases were identified through peer-reviewed psychological and forensic literature, published case studies, judicial materials, and other authoritative legal sources. Selection focused on cases for which sufficiently detailed documentation was available to reconstruct both the

circumstances surrounding the interrogation and the subsequent assessment of confession reliability.

Cases were included when they met the following criteria: **(1)** the case involved a confession or self-incriminating statement whose reliability was subsequently seriously challenged or contradicted by independent evidence; **(2)** sufficient documentary information was available concerning the circumstances in which the statement was obtained; **(3)** the documentation contained information relevant to at least one of the principal psychological dimensions examined in the study, including memory uncertainty or distortion, suggestibility, compliance, stress, fear, fatigue, cognitive or developmental vulnerability, or psychological pressure; **(4)** sufficient information was available concerning interrogation practices or situational conditions; and **(5)** the subsequent legal or evidentiary development of the case could be established from reliable sources.

Cases were excluded when the available material consisted only of brief or unverified media accounts; when insufficient information was available concerning the interrogation or confession process; when the disputed statement could not reasonably be distinguished from deliberate deception; when the case did not contain a meaningful psychological or interrogation-related dimension; or when the available documentation was insufficient to evaluate the relationship between the confession and independent evidence.

For each included case, the analysis considered the jurisdiction and year, characteristics of the individual, relevant vulnerabilities, interrogation conditions, duration and intensity of questioning where documented, presence of psychological pressure, fatigue or sleep deprivation, suggestibility and compliance, development and content of the confession, independent evidence contradicting or corroborating the confession, and the subsequent judicial outcome.

Coding Procedure and Analytical Framework

A structured thematic coding procedure was used to ensure that the 10 cases were examined according to a common analytical framework. Coding combined deductive and inductive thematic analysis. The deductive coding framework was derived from the theoretical literature on false confessions, interrogative suggestibility, memory reconstruction, compliance, and psychologically coercive interrogation. At the same time, inductive coding was used to identify recurrent mechanisms or configurations that emerged from the cases but were not fully anticipated by the initial framework.

Six principal coding domains were applied across the cases: (1) cognitive factors, including memory distortion, memory uncertainty, misinformation, suggestibility, and cognitive biases; (2) emotional factors, including stress, anxiety, fear, shame, guilt, emotional distress, and perceived threat; (3) situational and interrogation factors, including interrogation duration, isolation, repeated accusations, presentation of alleged evidence, authority pressure, and psychologically demanding questioning; (4) individual vulnerability, including age, developmental or cognitive characteristics, emotional vulnerability, fatigue, and susceptibility to influence; (5) behavioral responses, including compliance, modification of accounts, acceptance of investigator-provided information, reduced resistance, and eventual self-incrimination; and (6) legal and evidentiary outcomes, including corroborating or contradictory evidence, challenges to confession reliability, exoneration where applicable, and consequences for the criminal proceedings.

Each case was examined using the same analytical categories, allowing both within-case and cross-case comparison. Particular attention was given not merely to the presence of individual risk factors but to their interaction. This procedure made it possible to identify recurrent

configurations such as the convergence of psychological pressure, fatigue, emotional distress, suggestibility, and compliance.

Reliability and Analytical Credibility

Because the documentary material was coded by a single researcher, formal inter-rater reliability coefficients were not calculated. Analytical consistency was instead strengthened through the use of a predefined coding framework, systematic application of the same coding domains across all included cases, and repeated comparison between coded material and the original documentary sources.

Methodological triangulation was additionally used to strengthen the credibility of the interpretations. Where possible, case-level information was compared across psychological or forensic scholarship, judicial or legal documentation, and other authoritative documentary sources. Interpretations were retained only when they could be supported by the underlying documentary evidence rather than inferred solely from the final outcome of the case.

An audit-oriented analytical matrix was maintained for the included cases, recording the source of the information, relevant psychological and situational factors, coding decisions, contradictory or corroborating evidence, and the resulting thematic classification. This procedure increased transparency and facilitated consistent comparison across cases.

Nevertheless, the absence of independent double coding constitutes a methodological limitation. Future research could strengthen reliability through independent coding by two or more researchers and the calculation of inter-rater agreement for the principal thematic categories.

3.1 Research Objectives

To identify the main cognitive factors contributing to false confessions and false self-incrimination.

To examine the influence of stress, anxiety, fear and psychological pressure on statement-giving behaviour.

To analyse the role of memory distortion, suggestibility and cognitive biases in producing inaccurate statements.

To assess how interrogation techniques, fatigue and prolonged questioning may increase vulnerability to false admissions. To explore the impact of individual vulnerability and social pressure on compliance and self-incrimination.

To highlight the importance of integrating psychological evidence into legal assessments of confession reliability and the prevention of wrongful convictions.

3.2 Research Questions

Against this background, the present study adopts a qualitative perspective to explore the psychological mechanisms underlying false confessions and false self-incrimination. Particular attention is given to the interaction between cognitive processes, emotional vulnerability, and situational pressures occurring during criminal investigations. By examining documented cases of false confession, the study seeks to identify recurring patterns that may contribute to a better understanding of confession reliability and the psychological mechanisms associated with false admissions. Accordingly, the analysis is guided by the following research questions:

- **RQ1.** How do cognitive processes, particularly memory distortion, suggestibility, and cognitive biases, contribute to the development of false confessions and false self-incrimination?
- **RQ2.** How do emotional and situational factors, including stress, anxiety, fear, psychological pressure, fatigue, and interrogation practices, shape individuals' experiences and increase their vulnerability to false admissions?
- **RQ3.** What recurring psychological and situational patterns can be identified across documented cases of false confession, and how can these patterns inform the assessment of confession reliability and the prevention of wrongful convictions?

3.3 Research Hypotheses

Based on the theoretical framework and the existing literature on false confessions and false self-incrimination, the following research hypotheses were formulated:

- **H1.** Cognitive factors, particularly memory distortion, suggestibility, and cognitive biases, contribute to increased vulnerability to false confessions and false self-incrimination.
- **H2.** Emotional and situational factors, including stress, anxiety, fear, psychological pressure, fatigue, and prolonged interrogation, increase the likelihood of false admissions.
- **H3.** The interaction between individual vulnerability and coercive or psychologically demanding interrogation conditions represents a recurring pattern in documented cases of false confession and is associated with an increased risk of unreliable confessions and wrongful convictions.

These hypotheses provide a conceptual framework for examining the cognitive, emotional, and situational mechanisms underlying false self-incrimination and guide the qualitative analysis of the selected cases.

3.4 Data Collection Procedure and Sources Analysed

The data collection procedure was designed in accordance with the qualitative and interdisciplinary nature of the study. Rather than relying on primary data obtained through interviews or experimental procedures, the research was based on the systematic collection and qualitative examination of secondary documentary sources concerning false confessions, false self-incrimination, interrogation practices, memory processes, psychological vulnerability, and wrongful convictions.

The analysed material was selected from several complementary categories of sources in order to provide both a psychological and a legal understanding of the phenomenon.

3.4.1. Peer-reviewed Psychological Literature

The first category consisted of peer-reviewed psychological studies and major academic works addressing the mechanisms associated with false confessions and unreliable statements. Particular attention was given to research concerning **memory reconstruction, memory distortion, the misinformation effect, suggestibility, compliance, cognitive biases, stress, anxiety, fatigue, and psychological pressure.**

Foundational research on reconstructive memory and eyewitness testimony was considered particularly relevant because it demonstrates that recollection is not a literal reproduction of

past events but a reconstructive cognitive process. The work of Loftus and Palmer (1974) on the misinformation effect and subsequent research by Loftus (1996) provided a theoretical basis for examining how post-event information and suggestive questioning may alter recollection.

The analysis also incorporated Schacter's (2001) theoretical perspective on memory distortions and the normal fallibility of human memory. These sources were used to distinguish involuntary memory errors from intentionally deceptive statements.

3.4.2 Literature on Interrogations and False Confessions

A second major category consisted of psychological and forensic literature specifically addressing interrogation processes and false confessions.

Particular attention was given to the work of Gudjonsson (2003) on the psychology of interrogations and confessions. This framework was used to examine mechanisms such as suggestibility, compliance, perceived authority, psychological pressure, and individual vulnerability.

The literature on interrogation practices was analysed in relation to circumstances in which individuals may become increasingly vulnerable to accepting externally suggested information or making admissions that do not accurately reflect their actual behaviour.

Special consideration was given to the interaction between situational pressures and individual characteristics rather than treating false confession as the consequence of a single psychological variable.

3.4.3 Documented False-confession Cases

The empirical component of the qualitative analysis focused on documented cases in which a confession was subsequently challenged, demonstrated to be unreliable, or contradicted by independent evidence.

Cases were considered relevant when the available documentation provided sufficient information concerning:

- the circumstances of the interrogation;
- the duration and intensity of questioning;
- the presence of psychological pressure or coercive elements;
- the suspect's cognitive and emotional condition;
- fatigue or sleep deprivation;
- suggestibility and compliance;
- age or other individual vulnerabilities;
- the content and evolution of the confession;
- evidence contradicting the confession;
- the subsequent judicial outcome.

The purpose was not to determine the statistical prevalence of particular factors but to examine how different psychological and situational mechanisms interacted within individual cases.

3.4.4 Judicial and Legal Sources

The analysis also included judicial and legal materials relevant to the admissibility, reliability, and assessment of confessional and testimonial evidence.

These sources were examined from a psycho-legal perspective, with particular attention to procedural safeguards, the circumstances in which statements were obtained, and the protection of vulnerable individuals during criminal proceedings.

Relevant European Court of Human Rights case law was considered where it addressed the fairness of criminal proceedings, access to procedural safeguards, the treatment of vulnerable suspects, and the conditions surrounding questioning. This legal dimension provided a framework for understanding how psychological vulnerabilities intersect with the requirements of a fair criminal process.

The analysis therefore did not consider false confession exclusively as a psychological phenomenon but as an issue situated at the intersection of forensic psychology, criminal procedure, evidentiary reliability, and human rights protection.

3.4.5 Interdisciplinary Academic Literature

A further category included interdisciplinary publications combining perspectives from psychology, criminology, forensic science, and criminal law.

These sources were particularly important for interpreting the relationship between psychological mechanisms and their legal consequences. They helped contextualize the findings in relation to confession reliability, evidentiary assessment, investigative decision making, and the risk of wrongful conviction.

3.4.6 Source Selection Procedure

The collection and selection of materials followed a multi-stage procedure.

In the first stage, sources were identified using combinations of thematic concepts such as “false confession,” “false self-incrimination,” “interrogation,” “suggestibility,” “compliance,” “memory distortion,” “misinformation effect,” “psychological pressure,” “interrogation fatigue,” “vulnerable suspects,” and “wrongful conviction.”

In the second stage, the identified materials were screened for relevance to the research questions and objectives. Priority was given to peer-reviewed publications, established academic books, documented judicial cases, and authoritative legal sources.

In the third stage, sources were included when they provided substantive information concerning at least one of the principal analytical dimensions of the study: cognitive factors, emotional factors, interrogation conditions, situational pressure, or individual vulnerability.

Sources containing only general descriptions of criminal interrogation without a clear connection to false confession or false self-incrimination were not considered central to the qualitative dataset.

3.4.7 Data Extraction

Following source selection, relevant information was extracted using a structured qualitative framework.

For each documented case or source, information was organized according to several analytical categories:

Cognitive factors: memory distortion, memory uncertainty, suggestibility, misinformation, cognitive biases, and difficulties in information processing.

Emotional factors: stress, anxiety, fear, shame, guilt, emotional distress, and perceived threat.

Situational factors: duration of questioning, isolation, repeated accusations, confrontation with alleged evidence, authority pressure, and interrogation dynamics.

Individual vulnerability: age, cognitive characteristics, emotional vulnerability, fatigue, previous experiences, and susceptibility to influence.

Behavioural responses: compliance, changes in the individual's account, acceptance of investigators' narratives, withdrawal of resistance, and eventual false admission or self-incrimination.

Legal consequences: use of the confession as evidence, subsequent challenges to its reliability, contradictory evidence, exoneration where applicable, and implications for wrongful conviction.

3.4.8 Preparation for Thematic Analysis

After extraction, the information was organized into a qualitative analytical matrix. The material was then coded according to the main conceptual categories while remaining open to additional themes emerging from the cases.

The analysis combined a deductive and inductive logic. The deductive component was informed by the theoretical framework concerning memory, suggestibility, compliance, stress, and interrogation pressure. At the same time, an inductive component allowed recurring patterns not predetermined by the theoretical framework to emerge from the documentary material.

The coding process therefore focused not only on the presence of individual factors but also on their interaction. Particular attention was given to cases in which cognitive vulnerability, emotional distress, and interrogation pressure occurred simultaneously.

This approach made it possible to identify recurrent configurations across documented cases and to examine how the interaction between individual vulnerability and situational pressure may contribute to false self-incrimination.

3.4.9 Analytical Rationale

The use of multiple categories of documentary sources allowed for methodological and theoretical triangulation. Psychological research provided explanations of the underlying cognitive and emotional mechanisms; documented cases illustrated how these mechanisms may operate in real investigative contexts; and judicial and legal materials allowed their consequences to be interpreted within the framework of criminal procedure and the protection of fundamental rights.

Accordingly, the data collection strategy was designed not merely to catalogue cases of false confession, but to reconstruct the psychological and situational processes through which an unreliable confession may emerge.

The resulting dataset provided the basis for the subsequent thematic analysis aimed at identifying recurring patterns and explaining how cognitive vulnerability, emotional distress, social influence, and interrogation conditions may interact in the production of false confessions and false self-incrimination.

4 Discussion

The qualitative analysis suggests that false confessions and false self-incrimination cannot be explained by a single psychological mechanism. Rather, they emerge from a complex interaction between cognitive vulnerabilities, emotional distress, individual characteristics, and situational pressures associated with interrogation. This multidimensional perspective is consistent with previous research showing that false confessions are often produced through the interaction between individual vulnerability and interrogation-related risk factors (Gudjonsson, 2003; Kassin et al., 2010).

Contemporary scholarship continues to conceptualize false confession as the product of interacting individual, situational, and interrogation-related factors. Gudjonsson's (2021) science-based review identifies misclassification, coercion, and contamination as important pathways through which investigative processes may contribute to false confessions and wrongful convictions. The review further emphasizes the contribution of real-life cases, experimental research, community studies, and psychometric assessment to the contemporary scientific understanding of interrogative suggestibility, compliance, and psychological vulnerability (Gudjonsson, 2021).

More recently, Welner et al. (2025) have emphasized the need to distinguish carefully between established false confessions, disputed confessions, and broader forms of incriminating admissions. Their integrative review also highlights an important methodological limitation of the field: much experimental false-confession research relies on student or volunteer samples and low-stakes laboratory paradigms that cannot fully reproduce the psychological and legal consequences of real criminal interrogation. This limitation reinforces the value of combining experimental evidence with carefully documented real-world cases when evaluating false-confession mechanisms.

Recent research has also examined whether characteristics of confession narratives themselves can assist in understanding confession reliability. Rizzelli et al. (2021) conducted a corpus analysis comparing 98 confessions presumed to be true with 37 confessions demonstrated to be false. Although linguistic differences were identified between the two groups, the authors explicitly cautioned against using such patterns as diagnostic indicators in individual cases. This finding is particularly important from a psycho-legal perspective: confession reliability cannot be determined from the apparent plausibility, detail, or linguistic characteristics of the statement alone, but requires examination of the interrogation process, potential contamination, and independent corroborating evidence.

4.1 Cognitive Mechanisms and Memory Vulnerability

The first major theme concerns the role of cognitive processes in the development of inaccurate or false statements. Memory should not be understood as a passive and exact record of past events, but rather as a reconstructive process that is susceptible to distortion, interference, and post-event information (Loftus, 1996; Schacter, 2001).

The findings indicate that memory uncertainty, suggestibility, and cognitive biases may become particularly relevant during repeated or psychologically demanding questioning. Suggestive questions and repeated exposure to an investigator's interpretation of events may influence the way individuals subsequently reconstruct their memories. This interpretation is consistent with the classic misinformation effect demonstrated by Loftus and Palmer (1974), according to which post-event information and the wording of questions can influence subsequent recollection.

Within an interrogation context, memory uncertainty may become particularly problematic when it interacts with suggestibility and pressure from an authority figure. Gudjonsson (2003) emphasizes the importance of interrogative suggestibility in understanding why some individuals may become more receptive to externally introduced information during questioning.

Importantly, memory distortion should not automatically be interpreted as intentional deception. Individuals may provide inaccurate information while genuinely believing it to be correct. From a psycho-legal perspective, this distinction is essential because inconsistencies in a statement may reflect the reconstructive nature of memory rather than a deliberate intention to mislead investigators.

4.2 Emotional and Situational Pressure

A second major finding concerns the interaction between stress, anxiety, fear, fatigue, and psychological pressure. These factors may progressively affect attention, memory retrieval, critical reasoning, and decision-making during interrogation. Previous research has identified prolonged interrogation, psychological pressure, and particular interrogation tactics as important situational risk factors for false confession (Gudjonsson, 2003; Kassin et al., 2010).

Under conditions of intense psychological pressure, an individual's immediate objective may shift from providing an accurate account of events to terminating an aversive situation. This mechanism is particularly relevant to compliant false confessions. Gudjonsson (2003) describes compliance as a process through which an individual may accept or repeat information suggested by an authority figure, not necessarily because it is believed to be true, but because doing so may provide an immediate means of reducing psychological distress.

Consequently, false confession should not necessarily be interpreted as irrational behaviour. From the subjective perspective of a highly distressed individual, admitting responsibility may appear to provide a short-term escape from an intolerable interrogation situation, despite the potentially severe long-term legal consequences (Gudjonsson, 2003; Kassin et al., 2010).

4.3 Individual Vulnerability and Interrogation Conditions

The findings further indicate that interrogation conditions do not affect all individuals in the same manner. Age, cognitive vulnerability, emotional vulnerability, fatigue, susceptibility to suggestion, and sensitivity to authority may influence the individual's capacity to resist psychologically demanding interrogation practices.

Research on false confessions has consistently identified vulnerable suspect characteristics as important risk factors. Adolescents and individuals with cognitive or psychological vulnerabilities may be particularly susceptible to interrogation pressure, suggestion, and compliance (Gudjonsson, 1992; Kassin et al., 2010).

False confession can therefore be understood through an interactional model. Individual vulnerability alone does not necessarily produce a false confession, just as interrogation pressure does not inevitably result in false self-incrimination. The risk becomes particularly significant when vulnerable individuals are exposed to prolonged, suggestive, accusatorial, or psychologically coercive questioning (Gudjonsson, 2003; Kassin et al., 2010).

This interaction between person-related and situation-related factors represents one of the central patterns emerging from the qualitative analysis.

4.4 Recurring Patterns in False-confession Cases

Across the analysed material, a recurring mechanism can be conceptualized as follows:

Psychological pressure → cognitive and emotional exhaustion → increased suggestibility → compliance → false admission.

A second pathway may involve:

Memory uncertainty → repeated suggestion → incorporation of externally provided information → reduced confidence in one's own recollection → false self-incrimination.

These pathways should not be interpreted as rigid causal sequences applicable to every case. Rather, they represent recurring psychological configurations identified through the qualitative analysis and supported by established models of interrogative suggestibility, compliance, and false confession (Gudjonsson, 2003; Kassin et al., 2010).

These findings reinforce the idea that a false confession should be understood as a dynamic process rather than an isolated behavioural event. The final admission may emerge gradually from the interaction between interrogation practices, emotional distress, cognitive uncertainty, and individual vulnerability.

4.5 Psycho-legal Implications

From a legal perspective, the findings reinforce the importance of evaluating not only what a suspect confessed, but also how the confession was obtained. The circumstances surrounding an admission are essential to assessing both its voluntariness and its evidentiary reliability.

The evidentiary value of a confession should therefore be considered in relation to the duration and conditions of interrogation, the use of suggestive or psychologically coercive techniques, fatigue and emotional distress, individual vulnerability, and the extent to which the confession is independently corroborated by objective evidence (Kassin et al., 2010).

An interdisciplinary psycho-legal approach is particularly important because psychological research provides evidence concerning memory distortion, suggestibility, compliance, decision-making under pressure, and individual vulnerability that may not be apparent from the content of the confession alone (Gudjonsson, 2003; Kassin et al., 2010).

4.6 Implications for the Prevention of Wrongful Convictions

The findings also have important implications for preventing wrongful convictions. Investigative procedures should seek to minimize interrogation practices that unnecessarily increase psychological pressure and should provide additional safeguards when vulnerable individuals are questioned.

Evidence-based recommendations include electronic recording of interrogations, greater protection for vulnerable suspects, and the reduction of interrogation practices associated with an increased risk of unreliable admissions (Kassin et al., 2010). Research comparing interrogation approaches also suggests that information-gathering methods provide important advantages over more accusatorial approaches in reducing the risk of false confessions (Meissner et al., 2014).

Confession evidence should therefore be evaluated in conjunction with independent evidence rather than being treated as inherently reliable evidence of guilt. Particular attention should be paid to whether details contained in a confession originated independently from the suspect or may have been introduced during the interrogation process.

Overall, the findings support the central assumption of the present study: false confessions emerge from the interaction of cognitive, emotional, individual, and situational factors. Understanding this interaction is essential for improving the assessment of confession reliability, developing psychologically informed interrogation practices, protecting vulnerable

suspects, and reducing the risk that false self-incrimination contributes to wrongful convictions (Gudjonsson, 2003; Kassin et al., 2010).

Recent evidence provides stronger empirical support for the transition from accusatorial interrogation toward information-gathering interviewing. Catlin et al. (2024), in an updated systematic review and network meta-analysis of 29 independent experimental studies, found that information-gathering approaches were associated with more true confessions and fewer false confessions than accusatorial approaches. In particular, accusatorial approaches produced significantly more false confessions than information-gathering approaches. These findings strengthen earlier evidence supporting investigative interviewing models oriented toward information elicitation rather than confession seeking. The PEACE framework represents an important example of this approach, emphasizing preparation and planning, rapport-based engagement, open and exploratory questioning, clarification and challenge based on available evidence, and subsequent evaluation of the interview process (Catlin et al., 2024).

From the perspective of false-confession prevention, the significance of information-gathering interviewing extends beyond the avoidance of overt coercion. Open-ended questioning, rapport building, and hypothesis-testing reduce the risk that investigators contaminate a suspect's account with crime details or prematurely structure the interview around an assumption of guilt. This is particularly important where suspects display cognitive, developmental, or psychological vulnerabilities that may increase compliance or suggestibility.

4.7 European Human Rights Jurisprudence and Procedural Safeguards

The psychological findings discussed above also have direct relevance to European human-rights standards governing suspect questioning. The European Court of Human Rights has developed a substantial body of case law under Article 6 §§ 1 and 3(c) of the European Convention on Human Rights concerning access to legal assistance during the initial stages of criminal investigation. The Court's jurisprudence requires the fairness of proceedings to be assessed in light of the circumstances in which statements were obtained, including the suspect's vulnerability, the availability of legal assistance, the conditions of questioning, and the subsequent use of self-incriminating statements.

In *Simeonovi v. Bulgaria* [GC] (2017), the Court reiterated the importance of access to legal assistance from the early stages of police questioning while assessing the overall fairness of the criminal proceedings. The case illustrates that procedural safeguards surrounding initial questioning constitute an integral component of the reliability and fairness analysis rather than a purely formal procedural requirement.

More recently, *W.R. v. the Netherlands* (2024) provides a particularly relevant illustration. The ECtHR examined the absence of legal assistance during initial police interviews and expressly considered whether the applicant was vulnerable, together with the manner in which the interviews had been conducted and the role of his statements in the proceedings. The judgment demonstrates the continuing importance of assessing legal assistance, vulnerability, interview conditions, and the overall fairness of proceedings when self-incriminating statements are obtained during the investigative stage.

4.8 Legal and Procedural Implications in the Romanian and European Union Context

The psychological findings identified in this study have direct implications for Romanian criminal procedure and should be interpreted within the broader framework of European procedural safeguards. In Romania, the Code of Criminal Procedure provides several safeguards that are particularly relevant to the prevention and subsequent assessment of unreliable confessions. Under Article 109, suspects and accused persons have the right to

consult a lawyer before and during questioning and may exercise the right to remain silent in relation to the facts or circumstances about which they are questioned. Article 110 further provides that, during the criminal investigation, the questioning of a suspect or accused person is to be audio- or audiovisually recorded; where recording is not possible, the specific reason must be documented. These procedural guarantees are particularly relevant from a psychological perspective because access to legal assistance and preservation of the interrogation process permit subsequent scrutiny of the conditions under which a confession developed.

These Romanian procedural rules operate within a broader European framework. Directive 2013/48/EU establishes standards concerning access to a lawyer in criminal proceedings, while the European Commission Recommendation of 27 November 2013 specifically addresses procedural safeguards for vulnerable suspects and accused persons. The Recommendation emphasizes early identification of vulnerability, appropriate assistance, access to legal representation, audiovisual recording of police questioning, and specific training for law-enforcement and judicial professionals dealing with vulnerable individuals. From the perspective of false-confession prevention, these safeguards are highly relevant because psychological vulnerability may arise from developmental, cognitive, mental-health, communication, or situational characteristics that impair an individual's capacity to understand proceedings or resist external pressure.

The relationship between psychological science and these procedural standards is therefore complementary. Procedural compliance alone does not establish that a confession is psychologically reliable. Even where formal rights have been respected, the reliability assessment should consider interrogation duration, fatigue, suggestibility, emotional distress, cognitive or developmental vulnerability, the formulation of questions, exposure to potentially contaminating information, and the extent to which the resulting confession is independently corroborated. The present findings therefore support a distinction between the formal admissibility of confession evidence and its psychological reliability.

For Romanian practice, this distinction has particular practical significance. Audiovisual recording should be understood not merely as a formal procedural requirement but also as an evidentiary safeguard enabling courts, defence lawyers, prosecutors, and forensic experts to reconstruct the development of a confession. A complete recording can help determine whether relevant details originated spontaneously from the suspect, were disclosed by investigators during questioning, or emerged after repeated or suggestive questioning. Similarly, early recognition of vulnerability can support appropriate adaptations to the questioning process before psychological pressure, fatigue, or misunderstanding compromises the reliability of the resulting statement.

A comparative perspective further illustrates that the prevention of false confessions depends not only on individual procedural rights but also on the underlying philosophy of investigative interviewing. Information-gathering models, most prominently the PEACE framework developed in England and Wales, emphasize preparation, rapport, open-ended questioning, active listening, clarification, appropriate challenge, closure, and evaluation rather than obtaining a confession as the primary objective of the interview. This approach contrasts with historically more accusatorial interrogation traditions, particularly those associated with confession-oriented practices in the United States.

The distinction is relevant to Romanian and European practice because information-gathering interviewing is consistent with the broader objective of obtaining accurate and reliable information while reducing the psychological conditions associated with compliance, contamination, and false admission. The comparison does not imply that procedural models

can simply be transferred unchanged between legal systems. Rather, it demonstrates that psychological evidence concerning suggestibility, compliance, memory distortion, and vulnerability can inform the implementation of existing Romanian and European procedural safeguards.

Accordingly, the practical contribution of the comparative analysis lies in identifying transferable principles rather than advocating the wholesale adoption of a foreign interrogation model. These principles include early vulnerability assessment, complete audiovisual recording, access to legal assistance, preference for open and non-leading questions, avoidance of unnecessary psychological pressure, careful management of interview duration and fatigue, prevention of evidentiary contamination, and independent corroboration of confession evidence.

4.9 Practical Implications and Implementable Recommendations

The findings of the present study have practical implications for law-enforcement agencies, legal practitioners, forensic psychologists, prosecutors, and courts. Translating psychological knowledge about false confessions into practice requires more than general recommendations to avoid coercive interrogation. Effective prevention requires structured procedures that can be incorporated into interviewer training, vulnerability assessment, investigative decision-making, and the evaluation and corroboration of confession evidence.

Training Programs for Investigative Interviewers

Law-enforcement agencies should implement structured and recurrent training programs in evidence-based investigative interviewing. Such programs should move beyond instruction in procedural rules and incorporate psychological knowledge concerning memory reconstruction, interrogative suggestibility, compliance, confirmation bias, stress, fatigue, developmental vulnerability, and decision-making under pressure.

Training should include scenario-based exercises in which investigators practice information-gathering interviewing with suspects presenting different vulnerability profiles. Particular emphasis should be placed on rapport building, open-ended questioning, active listening, avoidance of leading or suggestive questions, appropriate disclosure of evidence, management of interview duration, and recognition of behavioral changes potentially indicating fatigue or psychological deterioration.

Training effectiveness should also be evaluated rather than assumed. Agencies could use periodic competency assessments based on recorded simulated interviews and structured evaluation criteria. Relevant indicators could include the proportion of open versus leading questions, premature disclosure of case information, interviewer interruptions, recognition of vulnerability indicators, management of breaks, and adherence to information-gathering principles.

Structured Vulnerability Assessment

A second practical recommendation concerns the implementation of a brief, structured vulnerability-screening procedure before substantive questioning. The purpose should not be to assign a diagnostic label but to identify conditions requiring procedural adaptation.

The screening process should consider developmental age, cognitive or communication difficulties, known mental-health conditions, medication or substance-related impairment where relevant, sleep deprivation, fatigue, acute emotional distress, comprehension of legal rights, suggestibility-related concerns, and the individual's apparent capacity to understand and respond to questioning.

Vulnerability assessment should also be dynamic. Investigators should reassess relevant indicators during prolonged interviews because fatigue, anxiety, confusion, or emotional distress may emerge or intensify after questioning has begun. A short pre-interview checklist combined with scheduled reassessment points could therefore provide a practical decision-support mechanism.

When relevant vulnerability indicators are identified, the decision-support tool should prompt consideration of specific adaptations, including shorter interview periods, additional breaks, simplified language, confirmation of comprehension, legal or specialist assistance, and avoidance of unnecessarily confrontational or suggestive techniques.

Interviewer Decision-Support Tools

Psychological findings can also be translated into structured decision aids designed to reduce cognitive bias during investigations. Before substantive questioning, investigators could complete a brief pre-interview hypothesis matrix identifying the principal investigative hypothesis, plausible alternative explanations, evidence supporting and contradicting each hypothesis, and information that remains unknown.

This procedure could reduce premature closure and confirmation bias by requiring investigators to consider evidence inconsistent with their initial theory of the case.

A second decision aid could be used immediately after the interview. Investigators would document: (1) which material facts were spontaneously provided by the suspect; (2) which facts had already been disclosed by investigators; (3) whether the suspect modified an account following disclosure or suggestion; (4) any vulnerability indicators observed; (5) periods of substantial fatigue or emotional distress; and (6) which incriminating details still require independent corroboration.

Such documentation would create an auditable distinction between suspect-generated information and investigator-generated information, which is particularly important when evaluating possible confession contamination.

Audiovisual Recording and Interview Integrity

Where questioning is audiovisually recorded, the entire substantive interview process should be preserved rather than only the final confession. Recording from the beginning of substantive interaction allows subsequent decision-makers to assess the evolution of the suspect's account, the formulation of questions, disclosure of crime details, psychological pressure, requests for breaks, and possible changes in the suspect's cognitive or emotional condition.

Recordings should be accompanied by standardized interview documentation identifying interview start and end times, breaks, persons present, relevant vulnerability indicators, major evidence disclosures, and any procedural adaptations implemented during questioning.

This would transform recording from a predominantly procedural safeguard into an instrument for evaluating interview integrity and confession reliability.

Corroboration Standards for Confession Evidence

A particularly important recommendation concerns the development of structured corroboration standards. A confession should not terminate the investigative process and should not be considered self-validating merely because it contains apparently accurate crime details.

For each material incriminating assertion contained in a confession, investigators should determine whether the information was:

1. independently known by the suspect before questioning;
2. spontaneously disclosed during questioning;
3. previously disclosed by investigators or otherwise publicly available; and
4. independently supported by physical, digital, forensic, testimonial, or other evidence.

Particular evidentiary weight should be given to verifiable information that was not previously disclosed to the suspect and that can subsequently be independently confirmed. Conversely, details potentially introduced during questioning should not be treated as independent corroboration of the confession.

A standardized confession-corroboration matrix could therefore accompany cases in which confession evidence plays a substantial role. The matrix would identify each material confession detail, its likely source, whether it was independently verified, the evidence supporting or contradicting it, and whether contamination can reasonably be excluded.

Judicial and Prosecutorial Review

Prosecutors and courts should assess confession evidence through a structured set of reliability questions rather than focusing exclusively on whether an explicit admission occurred. Relevant questions include whether the entire interview was recorded; whether vulnerability was assessed; whether the suspect had access to applicable procedural safeguards; whether questioning involved leading, repetitive, or psychologically pressuring techniques; whether fatigue or distress was documented; whether crime details originated from the suspect or investigators; and whether material elements of the confession were independently corroborated.

Forensic psychological expertise may be particularly valuable where the reliability of a confession is disputed and the case involves developmental limitations, cognitive impairment, pronounced suggestibility, compliance, severe emotional distress, or other psychological vulnerabilities.

Taken together, these measures would create a multilayered prevention framework based on training, vulnerability screening, decision support, interview integrity, independent corroboration, and structured judicial review, rather than relying on a single procedural safeguard.

Future Research: Testable Propositions Derived from the Thematic Findings

The thematic findings also generate propositions that can be subjected to empirical testing. This represents an important transition from the present qualitative analysis toward future experimental, observational, and field-based research.

P1 – Cognitive vulnerability and suggestion. Individuals displaying higher levels of interrogative suggestibility and memory uncertainty will show a greater probability of incorporating investigator-provided information into subsequent accounts than individuals displaying lower levels of these characteristics.

P2 – Cumulative interrogation pressure. The combination of prolonged questioning, fatigue, and psychological pressure will be associated with greater compliance and a higher frequency of inaccurate or false admissions than exposure to any of these factors individually.

P3 – Dynamic vulnerability. Suspect vulnerability will increase over the course of psychologically demanding questioning, such that later stages of prolonged interviews will be associated with greater suggestibility, reduced resistance, and poorer decision-making than earlier stages.

P4 – Information-gathering interviewing. Information-gathering interviewing will produce a more favorable ratio of accurate information to inaccurate or contaminated information than strongly accusatorial or confession-oriented questioning.

P5 – Vulnerability screening. Interviews preceded by structured vulnerability assessment and appropriate procedural adaptations will contain fewer indicators of psychological deterioration and fewer potentially unreliable admissions than interviews conducted without systematic vulnerability screening.

P6 – Investigator confirmation bias. Investigators required to document alternative hypotheses before questioning will use fewer confirmatory or leading questions than investigators who begin an interview without a structured hypothesis-testing procedure.

P7 – Evidentiary contamination. Confessions obtained after investigators disclose substantial crime-specific information will contain a higher proportion of investigator-originated details than confessions obtained through open-ended information-gathering interviewing.

P8 – Recording and reliability assessment. Decision-makers provided with complete audiovisual recordings of the interrogation will more accurately identify potentially coercive, suggestive, or contaminating interview practices than decision-makers provided only with the final written confession or a recording of the final admission.

P9 – Independent corroboration. Confessions containing independently verifiable, suspect-generated details will demonstrate greater evidentiary reliability than confessions whose principal incriminating details were previously disclosed by investigators.

P10 – Interaction hypothesis. The relationship between interrogation pressure and false-confession risk will be moderated by individual vulnerability, such that the effect of psychologically demanding interrogation conditions will be stronger among individuals characterized by elevated suggestibility, compliance, developmental vulnerability, cognitive limitations, or emotional distress.

5 Limitations of the Study

Several limitations should be considered when interpreting the findings of this study. First, the research is based on secondary documentary material rather than primary interviews, experimental data, or direct observation of interrogation practices. Consequently, the analysis depends on the completeness, accuracy, and level of detail available in published psychological research, judicial materials, case reports, and other documentary sources. Some psychological or situational characteristics relevant to false confession may therefore be incompletely documented.

Second, the qualitative case sample is purposive and is not intended to be statistically representative of false-confession cases more generally. Cases that become sufficiently documented in academic or judicial sources may disproportionately involve unusual, serious, or subsequently contested outcomes. The thematic patterns identified in this study should therefore be interpreted as recurring mechanisms within the analysed material rather than estimates of their prevalence in criminal investigations.

Third, cross-jurisdictional comparison presents inherent limitations. Criminal procedure, interrogation practices, evidentiary rules, access to legal assistance, and safeguards for vulnerable suspects vary across legal systems. Consequently, findings derived from one jurisdiction cannot automatically be transferred to another. The comparative analysis therefore focuses primarily on psychologically and procedurally relevant principles rather than assuming institutional equivalence between national systems.

Fourth, the coding of documentary material was conducted within a single-researcher qualitative framework. Although analytical consistency was strengthened through predefined coding categories, systematic comparison across cases, and triangulation between psychological, legal, and case-based sources, independent double coding and formal inter-rater reliability statistics were not employed. Future research could strengthen methodological reliability through multiple independent coders and formal assessment of inter-rater agreement.

Finally, establishing a causal relationship between a particular interrogation practice or psychological vulnerability and a false confession remains difficult in retrospective case analysis. False confessions typically emerge through interactions among multiple factors rather than a single identifiable cause. Future research should therefore combine documented case analysis with experimental, longitudinal, and field-based research and should examine how vulnerability assessment and information-gathering interviewing operate in actual investigative settings.

6 Conclusion

This study demonstrates that false confessions and false self-incrimination are best understood as the product of interactions among cognitive vulnerability, emotional distress, individual characteristics, and interrogation conditions rather than as the consequence of a single psychological mechanism. Memory uncertainty, suggestibility, compliance, fatigue, fear, and psychological pressure may become particularly consequential when they converge within prolonged or psychologically demanding investigative settings.

The findings also reinforce an important psycho-legal distinction between the existence of a confession and its reliability. An admission of guilt should not be treated as self-validating evidence. Its evidentiary assessment should consider how the statement was obtained, the psychological and developmental characteristics of the person questioned, possible contamination of confession content, and the extent to which material details are independently corroborated.

For Romanian and European criminal justice, this analysis supports the substantive use of existing procedural safeguards, including access to legal assistance, audiovisual recording of questioning, identification and protection of vulnerable suspects, and respect for the right against self-incrimination. These safeguards are most effective when complemented by psychologically informed, information-gathering interviewing practices that prioritize accurate information over confession seeking.

The comparative perspective further indicates that evidence-based interviewing principles can inform national practice without requiring the wholesale transplantation of another jurisdiction's procedural model. Early vulnerability assessment, non-leading questioning, management of fatigue and psychological pressure, complete recording of interviews, prevention of information contamination, and independent corroboration represent transferable safeguards capable of strengthening both investigative accuracy and procedural fairness.

Ultimately, integrating psychological science with criminal procedure provides a stronger framework for distinguishing reliable admissions from statements produced under conditions associated with false self-incrimination. Such integration can contribute simultaneously to more accurate fact-finding, stronger protection of vulnerable individuals, and a reduced risk of wrongful conviction.

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