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Date: April 19, 2022

I, Erin McCauley, hereby submit this work as part of the requirements for the degree of:

Master of Arts in Criminal Justice

It is entitled:

Juvenile Vulnerabilities During Police Interrogations and the Need for Additional Safeguards

This work and its defense approved by:

Thesis Chair:

Michael Bachmann

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JUVENILE INTERROGATIONS

Master's Student Thesis

Juvenile Vulnerabilities During Police Interrogations and the Need for Additional Safeguards

Presented to:

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In Partial Fulfillment of Requirements for the

Master of Arts in Criminal Justice, Criminology, and Forensics

Seattle University

Erin McCauley

April 2022

Abstract

In the United States, the juvenile justice system was created by the acknowledgement that adolescents should not be treated the same as adults. However, police interrogation techniques today are the same for both adults and juveniles. By using the same interrogation techniques for both populations, juveniles are potentially vulnerable during police interrogations. With very little empirical research on the variables that lead a juvenile to falsely confess, it is difficult to implement safeguards to protect juveniles during an interrogation. The purpose of this thesis is to contribute to the research on juvenile police interrogations by examining each of the three main sources of juvenile interrogation information through a systematic review of the recent empirical research on juvenile interrogation and the relevant U.S. Supreme Court cases as well as through a content analysis of police department interrogation manuals. The goal of this thesis is to highlight the gap between science and practical application as well as provide meaningful results that will inform policy implications moving forward.

Keywords: Juveniles, false confessions, interrogations techniques, Miranda warnings

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CHAPTER ONE

INTRODUCTION, BACKGROUND, AND IMPORTANCE OF THE RESEARCH

Introduction

Each year, a significant number of juveniles come into contact with the law enforcement and the legal system (Redlich et al., 2004). In 2019, 696,620 juveniles (17 years old or younger) were formally arrested, 32% (approx. 222,918) were younger than 15 years old, 31% (approx. 215,952) were female, and 63% (approx. 438,870) were white (Puzzanchera, 2021). It should be noted that these numbers only account for juveniles who were formally arrested, meaning that many more adolescents could have come into contact with law enforcement but were never arrested. During early childhood development, police interactions can have a significant impact on the trajectory of an adolescent's life and their passage into the Criminal Justice System (Redlich et al., 2004), especially when admitting guilt is powerful and being labeled a juvenile is stigmatizing. In a society that is rooted in social control, people are predisposed to believe that a confession is an automatic sign of guilt. So, what does this mean for juveniles who falsely confess?

Across the U.S. there are numerous examples of juveniles confessing to crimes they did not commit as a result of coercive police interrogation tactics. Probably the most famous, the Central Park jogger case in 1989, led to the wrongful conviction of five juveniles as a result of false confessions (Scott-Hayward, 2007). While exercising in Central Park on April 19, 1989, Trisha Meili was beaten, raped, and left unconscious until she was found several hours later by the police (Stratton, 2015). After the initial investigation, the police arrested five juveniles: Kharey Wise, sixteen years old, Kevin Richardson, fourteen years old, Antron McCray, fifteen years old, Yusef Salaam, fifteen years old, and Raymond Santana, fifteen years old. During the initial questioning, the five boys confessed to participating in most of the assaults, but they all denied having any involvement in the rape of Meili. After enduring hours of police

interrogations, all but one of the boys confessed to having a minor involvement in the rape despite the lack of any physical evidence tying the boys to the rape (Scott-Hayward, 2007). The five juveniles were eventually convicted based on the videotape confessions and sentenced to between five and fifteen years in prison (Reppucci, Meyer, & Kostelnik, 2010).

In 2002, a convicted murderer and serial rapist, Matias Reyes, who was unaffiliated with the juveniles, confessed to the rape of Meili and DNA testing corroborated his confession. By the time Reyes had confessed, four of the five boys had already completed their sentences. Years later, in the documentary, *The Central Park Five*, the five juveniles (now men) detailed how the police officers used coercive interrogation tactics to get them to confess to the rape of Meili (Burns, Burns, & McMahon, 2012). While these five men will never be able to get those years of their lives back, they did accept a 41-million-dollar settlement from the New York City Police Department in 2014 (Stratton, 2015). The Central Park Five case, and countless other cases like this, illustrate the consequences that can result from the use of repetitive, suggestive, and psychologically coercive interrogation techniques on juveniles during interrogations (Reppucci et al., 2010). These cases also shed light on the imminent concerns regarding the welfare of juveniles. In particular, questioning whether the Criminal Justice System gives consideration to the developmental immaturity of youth and how this impacts the reliability of juvenile confessions.

Background

Starting at a young age, most adolescents are raised to memorize the number 9-1-1 and are taught to trust law enforcement officials. They are consistently reaffirmed that the sole purpose of the police is to protect them when they are in trouble. However, this blind trust that is instilled in adolescents throughout their childhood can leave them vulnerable to the coercive

nature of police interrogations. During an interrogation, adolescents tend to be unaware of their right to remain silent and may even state what they think police officers want to hear as a result of their developmental immaturity and the inherent need to please authority figures (Kohlman, 2012). Due to this ingrained childhood trust in law enforcement, there exists a general assumption that police will not seek to obtain a confession from an innocent suspect and most innocent suspects will not willingly incriminate themselves (Reppucci et al., 2010).

Ascertaining information from suspects is an integral part to all criminal investigations (Feld, 2012). Confessions and admissions of guilt can hold the key to successful criminal and delinquent prosecutions since the majority of these lead to plea bargains or convictions. Within the Criminal Justice System, a confession is defined as a “detailed written or oral statement in which a person admits to having committed some transgression, often acknowledging guilt for a crime” (Kassin & Gudjonsson, 2004, p. 8). When an individual decides to plead guilty, the investigators stop evaluating the relevant evidence and the individual forgoes their right to a jury trial (Malloy, Shulman, & Cauffman, 2014). Thus, the question of whether admissions of guilt are definitive proof of actual guilt is critical in understanding why juveniles falsely confess. A false confession is defined as an “admission to a criminal act – usually accompanied by a narrative of how and why the crime occurred – that the confessor *did not* commit” (Kassin et al., 2010, p. 4). Among those who give false confessions, juveniles are significantly overrepresented (Leo, 2008). The majority of these false confession can be attributed to the psychologically coercive nature of police interrogations (Meyer & Reppucci, 2007). Malloy et al. (2014) state, “as police interrogations have moved toward psychological manipulation rather than exertion of brute force, researchers have tried to elucidate the aspects of interrogations that may induce false confessions” (p. 181). Since the United States has not developed a statistical method for

recording wrongful conviction occurrences or causes of conviction errors, it is difficult to determine precisely how often false confessions transpire (Meyer & Reppucci, 2007).

During an interrogation, once an individual decides to confess, procedural safeguards become relatively useless (Feld, 2012). This can become problematic when the primary goal of an interrogation within the Criminal Justice System is to obtain a confession from an individual who is presumed to be guilty (Scott-Hayward, 2007). Thus, the goal of an interrogation is not necessarily centered around ascertaining the truth. This has the potential to lead to serious consequences in a society that is socially constructed to believe that individuals who confess during an interrogation are automatically guilty, especially in relation to the juvenile population. However, there is much debate surrounding the interrogation of juveniles, including what techniques should be used and what potential safeguards are needed (Feld, 2006a). Due to this lack of consensus, police are allowed to operate under ambiguous guidelines concerning what interrogation techniques to use on adolescents, which can lead to adolescents being interrogated the same as adults (Owen-Kostelnik, Reppucci, & Meyer, 2006). These ambiguous interrogation guidelines, coupled with the growth-complex mentality of the United States Criminal Justice System, can very easily lead to juveniles being interrogated and convicted as an adult regardless of the severity of their offense.

Currently, very little empirical research has been conducted on how police question juveniles when they are suspected of committing a crime (Feld, 2006a; Feld, 2013; Kostelnik & Reppucci, 2009; Meyer & Reppucci, 2007; Owen-Kostelnik et al., 2006). There are a few reasons for this. First, police departments can be reluctant to allow researchers unrestricted access to observe their personnel and practices (Feld, 2006a). Second, social observational research is very costly and police research tends to be behavioral rather than jurisprudential

(National Research Council et al., 2004). With the potential threat that an interrogation room poses to the rights of juveniles, there has been a major push in the scientific community for evidence-based interrogation techniques for juveniles (Dopp et al., 2017). However, there seems to be a disconnect between the scientific findings of research and the practical application within the Criminal Justice System. Despite the fact that the majority of research suggests juveniles are vulnerable to interrogation techniques and should not be treated the same as adults, very few interrogation guidelines explain how juveniles and adults should be treated differently.

Importance of the Research to the Field of Criminal Justice

The only consistent way of discerning false confessions from true confessions is through DNA or other clear-cut evidence (Villamarin, 2013). In the largest sample of proven false confessions ever studied in the United States (125 cases), Drizin and Leo (2004) found that 63% of the false confessions were under the age of 25 and 32% were under the age of 18. Similarly, Gross et al. (2005) examined 328 exoneration cases and found that 44% of juvenile exonerees falsely confessed while only 13% of adult exonerees falsely confessed. Among the juvenile exonerees who falsely confessed, 75% were between the ages of 12 to 15. Garret (2011) also studied reported DNA exonerations and found that juveniles constituted one-third (32.5%) of false confessions; however, they only made up less than 10% of those convicted. The results from these three studies suggest that there is a relationship between vulnerability to make a false confession and a suspect's age. However, very little empirical research has been conducted on the variables that lead a juvenile to falsely confess, which makes it difficult to determine what factors cause juveniles to confess to a crime they did not commit.

Similar to the Criminal Justice System, the Juvenile Justice System has an overwhelming number of cases that avoid adjudicatory hearings or trial as a result of plea bargains (Streib,

2010). However, unlike the adult system, juvenile cases are seldom reviewed on appeal resulting in juvenile wrongful convictions going undocumented in the appellate or post-conviction process. Due to the growing awareness of the frequency of false confessions, social scientists began systematically evaluating what factors could potentially lead an innocent person to confess, which included distinctive characteristics that may render an individual more vulnerable to police questioning as well as the pervasive influence certain interrogation techniques can have on the production of false confessions (Kelly & Meissner, 2014). Therefore, the present thesis attempts to explore the potential risk factors that cause juveniles to be more vulnerable during police interrogations and lead them to falsely confess.

For the purpose of this thesis, juveniles are defined as an individual 17 years or younger, which is based on the U.S. Federal Code (U.S. Department of Justice, 2020). However, it should be mentioned that 22 states have set a minimum age for the prosecution of a minor that ranges from ages 6-12 (National Juvenile Defender Center, n.d.). The varying definitions of the term “juvenile” speaks to the growing research from neuroscientists and psychologists who have suggested that a juvenile’s developmental maturity needs to be considered when an adolescent is being read their Miranda rights and when officers are deciding what techniques to use during an interrogation (Cleary, 2014; Feld, 2006a; Kostelnik & Reppucci, 2009; Meyer & Reppucci, 2007; Sharf, Rogers, & Williams, 2017).

Available information on juvenile interrogations can be gathered from three general sources: interrogation manuals, extant empirical studies on juvenile interrogations, and court decisions (Redlich et al., 2004). While interrogation manuals provide the initial starting point for evaluating interrogation practices, literary scholars frequently lack access to where and how police question suspects (Milne & Bull, 1999). Even social scientists are often restricted from

examining the innerworkings of interrogation rooms. Currently, there is a limited number of scholarly literature on juvenile's vulnerability to police interrogation techniques and the legal safeguards in place to protect juvenile's rights during an interrogation (Cleary, 2014; Cleary & Vidal, 2016; Feld, 2006a; Feld, 2013; Grisso et al., 2003; Malloy et al., 2014; Redlich, Shteynberg, & Nirider, 2019; Vidal, Cleary, Woolard, & Michel, 2016; Viljoen, Klaver, & Roesch, 2005; Viloen, Zapf, & Roesch, 2007). Court decisions are also an integral part in assessing juvenile interrogations because they set the legal precedent for law enforcement officials to follow regarding the rules and regulations of interrogations. However, these court decisions that frame the rules of interrogations may be based on a "narrow and biased sample of cases" (Feld, 2012, p. 14). However, in the last four decades, only a few empirical studies have examined what actually occurs inside an interrogation room (Leo, 1996; Feld, 2006a; Feld, 2006b) and no observational studies have been conducted on how police question juveniles.

Currently, there is very limited empirical research that examines juveniles' culpability to make informative decisions during an interrogation as well as the suggestibility of juveniles to interrogation techniques (Cleary, 2014; Cleary & Vidal, 2016; Feld, 2006a; Feld, 2013; Grisso et al., 2003; Malloy et al., 2014; Redlich et al., 2019; Viljoen et al., 2005). Even fewer studies have directly examined the techniques police use to interrogate juveniles (Cleary & Warner, 2016; Kostelnik & Reppucci, 2009; Meyer & Reppucci, 2007; Reppucci, Meyer, & Kostelnik, 2010). Since the empirical research on juvenile interrogations is sparse, comparing and contrasting the current research could highlight where scholars should focus their research efforts and aid in identifying what interrogation techniques are potentially harmful to juveniles. This could ultimately assist practitioners with the implementation of additional safeguards for juveniles during interrogations.

Purpose and Limitations of the Study

The present paper aims to assess and elucidate the research on juvenile interrogations by presenting a comprehensive analysis of the existing literature on interrogations and juvenile vulnerabilities during interrogations. Following the literature review, an examination of the three main sources of juvenile interrogation information will be conducted through the use of a systematic review and a content analysis, for the purpose of contributing to the research on juvenile police interrogations. Through a quantitative examination, the systematic review will highlight the recent empirical research on police officer interrogations and juvenile interrogations as well as the relevant U.S. Supreme Court cases involving juveniles. Then, the content analysis will quantitatively examine a sample of police interrogation manuals with the goal of illustrating the practical application of interrogation techniques and juvenile procedural safeguards. The goal of these two analyses is to highlight the gap between science and practical application as well as provide meaningful results that will inform policy implications moving forward. With this in mind, the present study has notable limitations in range and scope.

Both studies within this thesis are limited in scope to an analysis of juvenile interrogations by the material that is readily available through Seattle University Online Library and readily accessible on the internet. As such, the intention of this study is not to generalize the findings and outcomes of a sample of research/interrogation manuals to the broader juvenile population and police interrogation manuals. Rather these samples were selected out of convenience and based on a set of criteria with the goal of establishing what is known about the juvenile interrogations and what has yet to be discovered in this emerging field of study. Within this thesis, the terms *juvenile*, *youth*, and *adolescence* are used interchangeably to accurately reflect the way in which the terms are used by the referenced authors in the research and in

police interrogation manuals. Having established the limitations of this paper, a brief narrative of the remainder of this thesis will be provided.

To achieve a comprehensive examination of juvenile interrogations, this thesis takes a multipronged approach. Chapter 2 will review the relevant scholarly literature about the history of interrogations, the relationship between interrogation techniques and false confessions, juvenile vulnerabilities during interrogations, and the important U.S. Supreme Court cases involving juveniles. Chapter 3 will discuss the methods of the systematic review that will analyze the current empirical research on juvenile vulnerabilities to police interrogations. Chapter 4 will discuss the results of the four analyses within the systematic review: police officers' perceptions of juvenile interrogation techniques, juveniles' experiences during an interrogation, scholars' viewpoints on juvenile vulnerabilities to police interrogations and the need for additional safeguards in the Criminal Justice System, and important U.S. Supreme Court rulings. Chapter 5 will discuss both the methods and results of the content analysis of police department interrogation manuals. Chapter 6 and Chapter 7 will conclude this thesis by discussing how each of the analyses within this thesis intersect and draw conclusions on the gap between scientific findings and legal precedent. A discussion of limitations, future research, as well as policy and practical implications will also be provided.

CHAPTER TWO

LITERATURE REVIEW

Interrogation History

Before examining the current interrogation guidelines for juveniles, one must understand how these guidelines came to fruition. In the United States, it is extremely difficult to have a precise census of investigative interviewing and interrogation practices within American law enforcement agencies as a result of the country's size and diversity as well as its decentralized Criminal Justice System (Kelly & Meissner, 2014). For instance, there is no consensus on how law enforcement personnel should be trained between federal, state, or local agencies as well as within the various branches of the federal, state, or local agencies. For example, at the local and state level, where the majority of crimes take place, law enforcement personnel tend to operate through a mixture of formal and on-the-job training (Kelly & Meissner, 2014). Formal training within law enforcement agencies can range from in-house training to popular third-party training courses such as Kinesic Interview (Walters, 2003), the Reid Technique (Inbau, Reid, Buckley, & Jayne, 2013), or Wicklander-Zulawski & Associates (Zulawski, Wicklander, Sturman, & Hoover, 2001). Compared to other countries (i.e., England and Wales) that have standardized investigative interviewing and interrogation training and practices, a uniform American interrogation system is nearly impossible to identify (Kelly & Meissner, 2014).

While the lack of a precise (and concise) American investigative interviewing and interrogation strategy can be problematic, there is a common thread among the various law enforcement agencies: the adversarial nature of the Criminal Justice System. Through the adversarial model of criminal justice, an accusatory model of interrogation emerges (Leo, 2008). Within the accusatory model, extracting a confession is the priority and the onset of an interrogation is determined by a presumption of guilt (Meissner et al., 2014). The model is rooted in psychological manipulation which replaced physical coercion also known as the third degree

(Drizin & Colgan, 2004; Kassin et al., 2010; Leo, 2008). Over the last 50 years, police interrogation models have moved away from physical intimidation (i.e., shine-a-bright-light-in-you-face tactics) and towards tactics that rely on coercive psychological manipulation (Gudjonsson, 2003; Kassin, 1997; Redlich et al., 2004). Hallmarks to the accusatorial model include using closed-ended questions that confirm what the interrogators believes to be true, establishing control over the suspect, and judging deceit determined by the suspect's level of anxiety (Meissner et al., 2014).

The earliest systematization of psychologically coercive methods within the accusatorial model was in W.R. Kidd's (1940) *Police Interrogation* manual, which continues to be taught and practiced within American contemporary interrogations (Kassin & Gudjonsson, 2004). In Kidd's interrogation manual, three successive tactics are used with the purpose of inducing the suspect to confess: isolation, confrontation/maximization, and minimization. To start, interrogators leave the suspect alone in a small room prior to questioning to contemplate the impending interrogation. After, interrogators present the suspect with the evidence that implicates them in the crime, while not allowing the suspect to deny accusation as well as foretelling what will happen to the suspect if they do not cooperate. The goal of this second tactic is to overwhelm the suspect by maximizing their perception of culpability and the likelihood of the consequences to follow. Finally, interrogators take a gentler approach by offering more favorable explanations for the crime to the suspect with the purpose of minimizing both the suspect's perception of culpability and likely impending consequences. Together, these three successive interrogation tactics produce optimal conditions for police interrogators to achieve their goal of obtaining a confession; however, these tactics leave the suspect vulnerable to false confessions (Kassin et al., 2010; Meissner et al., 2014).

Moving forward, what is known about contemporary police interrogation techniques is “largely derived from the training manuals of commercially marketed interrogation training programs” (Cleary & Warner, 2016, p. 271). However, before delving into the discussion of contemporary police interrogation techniques, it is important to emphasize the difference between an interrogation and an interview.

Interview vs. Interrogation

The distinction between the interview and interrogation process is crucial for both the investigator and the suspect to understand because each process involves a different set of interrogation techniques, which, in turn, involve a different set of legal standards. The dynamics of the two processes are the exact opposite so the distinction must be made before any line of questioning begins (Zulawski & Wicklander, 2015). Within the context of police officers questioning an individual, an interview is defined as a:

Nonaccusatory, structured interview during which specific behavior-provoking questions are asked with the purpose of eliciting interpretable behavior that is typical of innocence or guilt. Additional factual information concerning the case and/or suspects may also be developed during this nonaccusatory interview (Zulawski et al., 2001, p. 5).

Interviews typically take place before a formal interrogation in order for the police to determine whether an interrogation is necessary (Redlich et al., 2004). During an interview, the suspect does the majority of the talking through the interviewers use of open-ended questions that encourage narrative responses (Zulawski & Wicklander, 2015). Typically, interviewers will switch to using closed-ended questions to establish and/or confirm specific details of the suspects prior responses. The main purpose of an interview is to determine whether a suspect is guilty or innocent (Redlich, 2010). However, the interviewer should not seek to elicit a confession. They

should only pursue the confirmation or denial of information from the suspect (Zulawski & Wicklander, 2015). Within this context, an interview is also known as a non-custodial interrogation.

On the other hand, an interrogation is based on the suspect's presumed guilt (Redlich, 2010) and is defined as a "conversation between the interrogator and suspect, during which the suspect is accused of involvement in a particular incident or group of incidents" (Zulawski et al., 2001, p. 5). The sole purpose of an interrogation is to search for the truth in order to elicit admissions or a confession (Zulawski & Wicklander, 2015). Through their search for the truth, the interrogator is seeking to confirm their investigative findings. During an interrogation, interrogators will ask questions that establish the suspect's culpability and mental state in order to provide the necessary evidence to prosecute, charge, and discipline the suspect. Within this context, an interrogation is also known as a custodial interrogation. A very thin line exists between an interview and an interrogation (Redlich et al., 2004). That being said, the two can easily be distinguished by the reading of Miranda warnings. In order for police officers to proceed to an interrogation, the suspect must waive their Miranda rights. Understanding the distinction is critical to the research of juvenile vulnerability to police interrogations because many interrogators will use the terms interview and interrogation interchangeably.

Kinesic Interview

Among contemporary police interrogation models, Kinesic Interview is a popular third-party training course used by police departments. Kinesics is the study of observable physical behaviors of the body with the purpose of determining the individual's present emotional state and body's role in communicating that information (Walters, 2003). By understanding the "vocabulary" of body language, an interrogator will be able to easily assess the truthfulness or

deception of a suspect. The foundation of the Kinesic interview and interrogation technique is based on human being's everyday behavior and diverse communication abilities. The concepts of Kinesic interviewing combine observed behavior in terms of speech and body language, as well as behavior displayed in written statements. This model suggests:

Speech and body language behaviors can give insight into the individual's personality type, indicating the "psychological fingerprint" of that person. By combining the information received through diagnosis of verbal and nonverbal behavior with this psychological fingerprint, an interviewer can conduct an interview and interrogation that is specifically tailored for the subject (Walters, 2003, pp. 2-3).

In this model, there are five basic principles for interrogators to follow. First, no singular behavior (verbal or nonverbal) can prove an individual's truthfulness or deception. Second, when the stimuli are repeated the behaviors of the individual must be fairly consistent. Third, the interrogator must determine what is normal/constant behavior for that particular individual. Only when the constant behavior has been determined can the interrogator look for changes in the individual's behavior, which are reliable for diagnosing deception. Fourth, significant behavior must be timely; meaning, that interrogators are cautioned not to make a blanket decision about the entire interview. Fifth, the interrogator needs to monitor their own behavior so that they can avoid contaminating the suspect's behavior. From the use of Kinesic interview and interrogation techniques, investigators will be able to elicit more admissions and confessions with greater efficiency and more positive results (Walters, 2003).

Wicklender-Zulawski Technique

Another popular third-party training course used by police departments is the Wicklander-Zulawski Technique. While the Kinesic technique focuses on analyzing the

suspect's various behavior, the Wicklander-Zulawski Technique focuses on establishing a complementary conversation with the suspect that encourages them to make a rational decision to confess (Zulawski et al., 2001). The foundation of this technique is based upon the fears of the suspect and the investigator's ability to address and overcome the suspect's resistance to a confession. When a suspect decides to confess, it means that the investigator has successfully made the suspect address and resolve their fears. Under the Wicklander-Zulawski Technique, there are five categories of fears that the investigator must address and overcome. First, fear of termination or financial repercussions describes suspects who are reluctant to confess because it could possibly affect their ability to get or preserve a job. This category cautions investigators to note when suspects focus heavily on their financial obligations and bills that are due. Second, fear of arrest or prosecution refers to suspects whose fear of the consequences is greater than the circumstances warrant. Under this category, investigators should pay close attention to suspects who have had minimal previous contact with the police. Third, fear of embarrassment applies to suspects who are reluctant to confess out of fear of destroying their self-image. This category cautions investigators to note when suspects focus on the reactions of their family, friends, or co-workers and the fear of losing their respect. Fourth, fear of restitution describes suspects who are unwilling to confess because they are not able to compensate the victim for the loss their actions have caused. Fifth, fear of retaliation refers to suspects who are resistant to confess because they fear for their safety and/or the safety of their loved ones. This category of fear is more prevalent among gang violence and child molestations (Zulawski et al., 2001). By understanding the fears that hinder a suspect's ability to confess, an investigator can better create an environment and strategy that elicits a confession.

Reid Technique

The most commonly practiced third-party training course is the Reid Technique, which teaches a nine-step method of extracting a confession (Tepfer, Nirider, & Drizin, 2014). In the United States over the last decade, more than 500,000 law enforcement officers have been trained in the Reid Technique (Reppucci et al., 2010). Founded by John E. Reid, the Reid Technique is based on an interview process that evaluates an individual's honesty without the use of a polygraph machine by following psychological principals developed by Fred Inbau (Jayne & Buckley, 2014). In this technique, police use a Behavioral Analysis Interview (BAI) to begin all criminal questioning and determine if they are the prime suspect in the case (Meyer & Reppucci, 2007). During the BAI, interrogators evaluate the suspects' verbal and nonverbal behavior to identify indicators of guilt (Reppucci et al., 2010). If the interrogator is "reasonably certain of the suspect's guilt" (Inbau et al., 2013, p. 5), the BAI then becomes an accusatory interview and the interrogator automatically begins the interrogation process. According to Inbau and his colleagues, investigators who are trained in BAI are able to differentiate between truth and deception at an 85% level of accuracy (Meyer & Reppucci, 2007). However, caution is placed on police officers to only use this technique when they are confident the suspect is guilty. This caution is placed as a result of the psychological manipulation that is used within the Reid Technique (Redlich et al., 2008). In relation to juveniles, the Reid Technique does not specifically state how investigators should approach juvenile suspects differently; however, the technique does suggest that caution is needed when interrogating a juvenile and special precautions should be taken, such as modifying their approach (Jayne & Buckley, 2014).

Emerging Formal Training Models

While the three models explained above are the most commonly used third-party courses, there are other formal third-party training programs that are readily available to law enforcement personnel (Cleary & Warner, 2016). Developed in 1992 by law enforcement officials in England and Wales, the PEACE model (Planning and Preparation, Engage and Explain, Account, Closure, Evaluation) was created as the antidote to the Reid Technique (Milne & Bull, 1999). In contrast to the psychologically coercive methods of the accusatory models, the PEACE model employs a nonaccusatory method where officers are trained to compare new information against the available evidence and the suspects' previous statements. Considered a successful alternative to accusatory interrogations, various nations have begun to adopt the PEACE model within their law enforcement organizations (Bull, 2014). Even several U.S. police departments have "commissioned discrete, customized training packages in the PEACE model" (Schollum, 2017, p. 35). However, there is no current research on the effective implementation of the PEACE model within U.S. law enforcement organizations.

Newer formal methods of interviewing and interrogation have begun to emerge that are geared toward child victims and witness. These formal methods, such as the ChildFirst method (National Children's Advocacy Center, 2021), employ forensic interviewing strategies that resemble the PEACE model. The foundation of these programs is in information gathering with the primary goal of maintaining a nonaccusatory atmosphere for the suspect. Similar to the research on the PEACE model, little empirical research has been conducted on how these newer nonaccusatory interviewing and interrogation models have been implemented within U.S. law enforcement organizations.

Interrogation Techniques & False Confessions

While third-party training courses are the most common method of formal interrogation, the decision is ultimately left to the police departments as to what interrogation techniques to include in their police officer training. That being said, there is one common denominator among all police interrogation manuals: they all suggest using the same interrogation techniques for both adult and juveniles (Redlich, 2010; Redlich, Quas, & Ghetti, 2008). Outside of the popular third-party training courses, various formal interrogation techniques are taught to police officers through in-house training programs. During an interrogation, all psychological techniques rely on the social influence and persuasion to extract a confession (Gudjonsson, 2003). Since people are social beings, most interrogation techniques rely on the ability to influence individuals' perceptions of the given situation while also emphasizing short term over long term consequences (Feld, 2012). These include, but are not limited to, minimization and maximization, isolation, length of interrogation, reward/punishment, suggestive questioning, selective reinforcement, repetition, and negative feedback.

Minimization & Maximization

The two most commonly used psychologically oriented interrogation techniques used by police to extract a confession are minimization and maximization (Kassin & McNall, 1991; Redlich et al., 2004). The technique of minimization is used during interrogations to get the suspect to weigh the benefit of confessing versus the cost of maintaining innocence (Tepfer et al., 2014). The minimization technique involves a "gentle" approach in which interrogators minimize the seriousness of the offense in an attempt to gain the suspects trust (Villamarin, 2013). These techniques lessen the strength of the evidence, for example, pretending to have sympathy, to be friends, to understand, and to flatter the suspect (e.g., "Only someone with your

smarts could have pulled this off”) (Redlich et al., 2004). The opposite of the minimization technique is the maximization technique where interrogators use harsh questions or “scare tactics” in order to emphasize the seriousness of the situation. These techniques exaggerate the strength of the evidence, for example, using veiled threats, intimidation, and trickery to obtain confessions from suspect (e.g., “We have eyewitness testimony placing you at the scene, so you might as well tell us the truth”) (Redlich et al., 2004). Minimization and maximization techniques can be extremely harmful to juveniles as a result of their developmental maturity.

Isolation & Length of Interrogation

Isolation is another prominent technique used by police officers during an interrogation. To begin an interrogation, police officers often leave the suspect alone in the interrogation room for a period of time (Drizin & Colgan, 2004). They then return to the room and begin their interrogation. Interrogators often repeat this process several times during the interrogation process. The use of isolation can be extremely problematic for adolescents whose cognition and recollection of events in later parts of the interrogation could potentially be altered by the information suggested by the police officers in earlier parts of the interrogation (Bruck et al., 1998; Myers, Saywitz, & Goodman, 1996).

Length of interrogation is another technique used by police officers during interrogations. Before prosecutors file formal charges, there is a narrow window of opportunity for interrogations to take place (approximately 36-48 hours) after the police take the suspect into custody (Feld, 2012). Many scholars have suggested that police departments place limits on the length of interrogations due to the likelihood that an interrogation will produce an involuntary false confession the longer a suspect is subjected to the coercive interrogation techniques (Perina, 2003; White, 1997). Scholars have also noted that the length of an interrogation may be even

more detrimental when adolescents are being interrogated (Drizin & Colgan, 2004). Since youth have a different conception of time, interrogations that last longer than four to five hours can seem even longer to a child, which can cause them to lose focus making them vulnerable to coercion.

Reward/Punishment & Suggestive Questioning

Another technique prominent within police interrogations is the use of rewards and punishments. When presenting the suspect with the insurmountable evidence against them, interrogators often offer assistance to the suspect pending their confession. This “suggestion of reward, or in the alternative, punishment, is one of the most pervasive techniques that police use in interrogating suspects” (Drizin & Colgan, 2004, p. 136). During an interrogation, police typically offer suspects two options to choose from: confess to the crime I know you committed and I can help you, or do not confess to the crime I know you committed and I cannot protect you from the harsh punishment that follows. By suggesting that the suspect will be better off if they confess can have detrimental consequences for juveniles who are extremely malleable to the suggestions of an authority figure such as a police officer (Ofshe & Leo, 1997).

Suggestive questioning is another interrogation technique used during police interrogations. This type of questioning entails interrogators asking the suspect questions that force them to pick between said answers (Drizin & Colgan, 2004). In these scenarios, interrogators purposefully do not ask open-ended question because this would lead the suspect to answer based on their own experiences rather than the suggested responses of the interrogator (Bull & Milne, 2004). This type of questioning can lead to the testing of a single hypothesis, confirmation bias, and an increased likelihood for false reports (Bruck, Ceci, & Hembrooke, 1998). Confirmation bias can cause police officers to “attempt to gather only confirmatory

evidence and to avoid all avenues that may produce negative or inconsistent evidence” (Bruck et al., 1998, p. 140). This can be highly problematic for juveniles because it takes advantage of the suggestibility of adolescents. During an interrogation, juveniles are more likely to choose the first-choice answer suggested by the police officer even though it may not be the correct answer (Lyon, 1999). By using selective questioning on juveniles, the police are conveying to the juvenile that what they are suggesting is true, which can lead the juvenile to falsely affirm the information as a result of their developmental vulnerabilities. Thus, by the police working under the assumption that juvenile suspects are presumed guilty can potentially increase the possibility of false confessions (Bruck et al., 1998).

Selective Reinforcement, Repetition, & Negative Feedback

By responding positively to information that incriminates the suspect or by responding negatively to information that exonerates the suspect, interrogators are selectively reinforcing the responses of suspects (Bruck et al., 1998; Ofshe & Leo, 1997). When used on juveniles, selective reinforcement can be highly effective, especially when repeated frequently (Lyon, 1999). During an interrogation, police officers will typically repeatedly ask questions to suspect until they elicit the desired response. However, even innocent juveniles “who were asked the same question more than once may assume they gave the ‘wrong’ answer the first time and feel pressure to provide the ‘right’ answer when the question is repeated” (Myers, 1996, p. 23). Due to their developmental maturity, adolescents are often more compliant than adults and are more willing to please authority figures (Drizin & Colgan, 2004). The use of selective reinforcement is typically paired with the repetitive use of negative feedback, which is also extremely problematic for juvenile suspects. When using negative feedback, interrogators prevent the suspect from claiming their innocence and telling their side of the story by abruptly interrupting the suspect

and cutting off their denial (Drizin & Colgan, 2004). This technique can be particularly harmful to juveniles who tend to be compliant with authority figures such as police officers.

In summary, there are three main concerns pertaining to juveniles' vulnerabilities to interrogation techniques:

(1) the influence of adult language, confusing questioning and trickery on the ability of young suspects to comprehend police questioning and thus respond reliably, (2) the fallibility of deception detection using the behavior of young suspects, and (3) the influence of suggestive, leading, and repeated questioning on the reliability of reports from young suspects. (Meyer & Reppucci, 2007, p. 762).

These concerns can lead to significant consequences for juveniles, particularly false confessions.

Interrogation Techniques Relationship to False Confessions

As a result of the above interrogation technique concerns, two types of false confessions can arise: coerced-compliant and coerced-internalized (Scott-Hayward, 2007). The first type, coerced-compliant, is when an individual retracts their confession shortly after the interrogation is over. The individual's false confession is attributed to the pressures or coercive nature of the interrogation where they give into the pressures for some immediate instrumental gain (Scott-Hayward, 2007). The second type of false confession, coerced-internalized, is when the individual who confessed starts to believe that they actually committed the crime. This type of false confession is also attributed to the pressures of an interrogation, but, in this case, these pressures result in the individual distrusting their recollection of events and trusting the interrogators' version of events (Scott-Hayward, 2007). Due to the coercive nature of interrogations and the discretion used by police departments pertaining to which techniques to

implement, juveniles may be more susceptible to both coerced-compliant and coerced-internalized false confessions.

Juvenile Vulnerabilities During Interrogations

Despite the U.S. Criminal Justice System's belief that it is "better to let 10 guilty people go free than to incarcerate one innocent person" (Redlich & Goodman, 2003, p. 153), the justice system still allows the use of coercive interrogation techniques that have been associated with a large number of false confessions (Scott-Hayward, 2007). Today, juveniles are led to falsely confess through one of two avenues during an interrogation. One avenue is through the use of deception, which encapsulates a majority of the third-party training courses and is implemented through the interrogation techniques described above. The second avenue is through the use of interviews rather interrogations. By classifying the "conversation" as an interview, police officers can get the juvenile to confess without ever reading the juvenile their Miranda warnings because during an interview the adolescent is technically not in custody meaning the warnings are not required (Tepfer et al., 2014). These types of tactics can be very harmful to juveniles because most adolescents are taught from a young age to respect authority and are punished if they do not. During a police interrogation, the average adolescent has no idea they could end an encounter with a police officer when Miranda warnings are not given. This is where the gap between research and legal precedent becomes apparent. Even though science has shown that adolescents' neurological and psychological abilities are not fully developed, adolescents are often perceived at the same level of dangerousness as adults (Owen-Kostelnik et al., 2006). Thereby, it is important to understand the neurological and psychological research on adolescent brain development and how these developmental processes can make juveniles vulnerable during interrogations.

Neurological & Psychological Development of Adolescent

Marked by cognitive, psychological, and neurobiological development, adolescence is known as a period of transition in an individual's life (Scott & Steinberg, 2008). This definition lends support to the notion that adolescents and adults differ in fundamental ways, particularly in the way they respond to stressful and potentially coercive situations such as being interrogated. This, in large part, is directly linked to the differences in brain development between adolescents and adults, particularly in relation to two specific parts of the brain. The prefrontal cortex (PFC) located in the frontal lobe of the brain functions as the chief executive officer by controlling all executive functions (Gruberand & Yurgelun-Todd, 2006). These executive functions include strategic planning, impulse control, and abstract thinking. The amygdala, which is located in the limbic system at the base of the brain, controls instinctual and emotional behavior (i.e., fight-or-flight responses). When the PFC (executive functions) and the limbic system (impulsive or instinctual behavior) interact, adolescents are more susceptible to poor decision making (Feld, 2012). That being said, when adolescents encounter stressful situation, they tend to rely more on the amygdala and less on the PFC in comparison to adults (Arredondo, 2006). This can lead adolescents to underestimate the likelihood of risk and focus on instant gains rather than pending losses (Grisso, 2000).

The MacArthur Foundation Network on Adolescent Development and Juvenile Justice (ADJJ) has been studying adolescents' decision making and judgement, criminal culpability, and adjudicative competence since the mid-1900s (Scott & Steinberg, 2003). The main focus of their research is to distinguish between cognitive ability and psychosocial maturity of judgement, which involves temporal orientation, risk assessment, susceptibility to external influences, and capacity for self-regulation (Bishop & Farber, 2007). The ADJJ research reveals a disjunction

between adolescents' cognitive abilities and maturity of judgement. Specifically, they found that some adolescents exhibited cognitive abilities similar to adults, but all lacked the psychosocial developmental maturity (Scott & Steinberg, 2003).

Research pertaining to the development of juveniles and the role it should have in the Criminal Justice System is a growing field of study (Werner, 2015). The main concern within this research is the diminished cognitive abilities juveniles possess, making them unable to comprehend the consequences of their actions. Several criminological theories have attempted to explain this growing field of research; however, rational choice theory has been the most prominently used (Apel, 2013). Rational choice theory explains how individuals weigh the potential consequences of what might happen to them if they were to be apprehended before making a conscious, rational choice to commit a crime (Cornish & Clarke, 1987). The point of contention with juveniles is that their brain is not fully developed to properly weight the potential consequences of committing a crime (Werner, 2015). Scott and Steinberg (2008) argue that due to their diminished capacity, juveniles have less culpability when committing crimes. Adolescents experience substantial developmental needs that should not be managed the same as adults (Arredondo, 2003; Scott & Steinberg, 2008). Thus, juveniles should receive leniency when they come into contact with the Criminal Justice System.

Within neuroscience, research examines the differences between juveniles and adults in relation to maturity, risky behaviors, real-world decision making, impulsivity and pleasure seeking, time perspectives, and peer influences (Kambam & Thompson, 2009). Results from this neuroscience research have shown that juveniles' brain development is not complete until their early to mid-20s; however, juveniles are continuously treated the same as adults during police interrogations. Research in social and neurological science shows that while adolescents develop

at varying rates, adolescents are more likely to suffer from deficiencies in their decision-making capacity compared to adults (Scott-Hayward, 2007). These deficiencies can affect the way juveniles are able to understand Miranda warnings as well as knowing and intelligently invoking or waiving their rights (Feld, 2006a). A juvenile's psychological development can impact their response to interrogation in two ways:

First, it can impact their ability to understand and waive their Miranda rights (this waiver is important because all false confessions involve a waiver of the right to remain silent).

Second, it can impact how adolescents respond to the techniques used by police during an investigation, which may ultimately result in false confessions (Scott-Hayward, 2007, pp. 62-63).

As this research indicates, juveniles are particularly prone to falsely confessing as a result of the developmental vulnerabilities and the coercive nature of police interrogations.

Impact of Age

Classic decision-making theories for juveniles, such as rational choice theory, predict that youth are driven by the maximization of benefits and the reduction of costs when deciding whether to plead guilty. Redlich (2010) states that "20% to 70% of youth in juvenile detention settings are estimated to have learning disabilities, compared to 5% of the general population" (p. 949). For this reason, age is one of the primary risk factors for police-induced false confessions (Redlich, 2010). According to Grisso et al. (2003), the younger the juvenile is the more emotionally volatile they are when having to defend themselves from pressures and influences of authority figures. Emotions play an integral role in decision making (Aaronson, 2007). Specifically, mood volatility, stress, and an appetite for excitement can adversely affect adolescents' ability to make decisions compared to adults (Steinberg & Cauffman, 1996).

Streib (2010) described police interrogations from an adolescents' point of view by stating, "remaining silent in the face of stern paternal questioning was an additional offense that aggravated the primary offense. No one would suggest that he had a right to an attorney present during his paternal questioning" (p. 165). When adolescents are kept in interrogation rooms for extended periods of time, they are also more likely to make impulsive decisions in order to evade their current situation. As a result of a juvenile's vulnerability and susceptibility to outside pressures, Tepfer et al. (2014) state, "their difficulty in weighing long term consequences, and their limited understanding of the Criminal Justice System in the rules of the institutional actors within it, make children and teenagers particularly vulnerable during custodial interrogations" (p. 5). With age, adolescents are continually developing their cognitive, emotional, and social skills. As adolescents become adults, their ability to engage in hypothetical and logical decision making, to extend their thinking into the future and consider long-term consequences, to reliably remember and report events, and to participate in social perspective increases (Redlich et al., 2004). However, these deficiencies can influence an adolescent's performance during an interrogation making them vulnerable and susceptible to police interrogation techniques.

Juvenile minorities from low socioeconomic status (SES) communities are at an even higher risk of false confession because they are more likely than other juveniles to be suspected of committing a crime (Walker, 2004). In 2019, black youth were arrested at a higher rate for both murder, motor vehicle theft, and robbery compared to youth of other races (Puzzanchera, 2021). Specifically, 50% of the juveniles arrested for murder in 2019 were black, as well as 62% of the juveniles arrested for robbery, and 50% of the juveniles arrested for motor vehicle theft. In relation to false confession, Meyer and Reppucci (2007) stated, "Children from lower SES backgrounds are more suggestible than children from higher SES backgrounds, and after

accounting for SES, African-American children are more suggestible than Caucasian children” during police interrogations (pp. 764-765). Especially if psychologically manipulative and high-pressure interrogation techniques are used, juveniles have the potential to be swayed by the implications of lenient treatment for confessing and disregard the long-range implications that are associated with confessing. Research has begun to explore the developmental characteristics, such as immature judgement, impulsivity, lower status relative to adults, and susceptibility to social influence, to help explain juveniles’ greater propensity to plead guilty to offenses they did not commit (Malloy et al., 2014). However, the age and authority discrepancy between juveniles and police interrogators has yet to be addressed within interrogation manuals increasing the possibility of the officer’s obtaining self-incriminating statements (both true and false) from juvenile suspects (Grisso et al., 2003).

The Reid Technique

By neglecting the vast amount of social and neurological science literature that suggests the Reid Technique may not be appropriate for young suspects, police officers’ use of these tactics during juvenile interrogations can be extremely harmful to this adolescent population (Reppucci et al., 2010). In fact, in a full 4-day, 32-hour Reid & Associates “Interviewing and Interrogation” training program, only 10 minutes of instruction was dedicated to juveniles with the purpose of advocating that the same techniques be used for both adults and juveniles (Reppucci et al., 2010). During this training program, the trainees are taught that “the principles discussed with respect to adult suspects are just as applicable for use with young ones” (Inbau et al., 2001, p. 298), and are even encouraged to use the same adult language with juveniles. Nowhere in the Reid Technique training is there a discussion of the developmental issues that

have the potential to affect the reliability of deceptive and coercive interrogation techniques (Reppucci et al., 2010).

For this reason, scholars have noted four main concerns for the use of the Reid Technique on juvenile suspects. The first concern is the influence of leading, suggestive, and repeated questioning on the reliability of juvenile statements during an interrogation. The second concern pertains to the use of adult language, confusing questions, and trickery and how this can impact the juvenile's ability to comprehend police questioning thus impacting their reliability (Reppucci et al., 2010). Third, the influence of psychologically coercive questioning (i.e., presenting false evidence and reducing the moral seriousness of the crime) on the juvenile's decision-making process. This is of particular concern since adolescents experience diminished psychosocial maturity such as being eager to please, lacking self-confidence, weighing short-term outcomes (e.g., getting to go home) over long-term consequences (e.g., being incarcerated for a significant time), as well as demonstrating an increased obedience to authority and a desire to impress peers (Reppucci et al., 2010). The final concern is the unreliability of the interrogators' ability to detect deception regarding the behavior of adolescent suspects. As previously mentioned, police officers trained in the Reid Technique believe that they can detect deception with 85% accuracy (Meyer & Reppucci, 2007); however, this confidence can be extremely detrimental to juveniles during police interrogations through the use of BAI tactics. While no literature or empirical research has examined the accuracy of detecting deception in juveniles, through analysis of the Reid Technique manual, it appears that adolescents in general are prone to the behaviors that the BAI labels deceptive (Meyer & Reppucci, 2007). For example, adolescents are known to make less eye contact with adults; yet, the Reid Technique labels lack of eye contact as a deceptive behavior regardless of age. The fact that the same Reid Technique is used for both adults and

juveniles is not only harmful to adolescents but can also be an indicator of why juveniles falsely confess.

Legal System

Adolescents face many limitations due to their understanding of the legal system, their rights, and what confessing to a crime really implies (Redlich et al., 2008). These limitations are perpetuated by the juvenile's age, immaturity, lack of cognitive ability, and psychosocial skills. In the context of police interrogations, these limitations can have serious consequences on a juvenile's ability to make an accurate decision that is in their best interest. According to Feld (2013), these limitations during a police interrogation are amplified when a juvenile is younger than 15 years old. It is believed that those under the age of 15 are unable to understand the significance of their Fifth Amendment right to remain silent and their right to have an attorney present during questioning. It is also believed that juveniles from lower SES experience greater vulnerabilities in relation to understanding Miranda warnings. Viljoen and Roesch (2005) believe that "children from lower socioeconomic backgrounds are less likely to grow up believing they are entitled to rights and may have fewer opportunities to try out social roles in which they are able to assert their rights" (p. 38). These vulnerabilities are further magnified by the fact that Miranda comprehension requires at least an eight-grade level of education (Rogers et al., 2008). Currently, there are no policies in place that require police officers to use developmentally appropriate language. Police officer's only requirement is to make sure they convey the substance of the rights to the suspect (Duckworth v. Eagan, 1989). In fact, surveys of police departments around the country reported that police officers utilize over 500 different variations of the Miranda warnings (Rogers et al., 2008). This lack of consistency further amplifies juveniles' vulnerabilities during police interrogations.

Under the U.S. Constitution, the fundamental fairness doctrine requires the protection of a defendant's due process rights (Feld, 2006a). Therefore, a defendant must have the ability to understand the legal proceedings in order to make rational decisions and to assist counsel. For Miranda warnings "to stand up in a court of law, it must be made knowingly, intelligently, involuntarily" (Redlich et al., 2004, p. 108). This means that suspects must clearly and unambiguously invoke their Miranda rights (Owen-Kostelnik et al., 2006). If an adolescent is unable to understand their Miranda Rights and make rational decisions, then their due process rights may be called into question and their confession may not hold up in a court of law. However, the vague language of the law has created loopholes that allow interrogators to forgo reading juvenile's their Miranda warnings altogether.

In summary, many researchers believe that adolescents who are 15 years and younger are at greater risk of vulnerability during an interrogation (Feld, 2006a; Feld, 2013; Malloy et al., 2014). Yet, current interrogation techniques ignore developmental vulnerabilities of young suspects, which also stands in direct contrast to the reasons the Juvenile Justice System was created (Malloy et al., 2014). The legal system has already acknowledged the existence of adolescents' diminished competence and impaired reasoning ability when they created the Juvenile Justice System. Nevertheless, juvenile interrogation research is still missing a key piece of the literature, which is the understanding of the developmental factors that need to be considered when working with adolescents (Cleary, 2017). Being cognizant of the cognitive developmental abilities of adolescents and the developmental stages of the juvenile being interrogated can lead to the implementation of more useful techniques and interventions by the legal system regarding juvenile interrogations (Arndorger, Malloy, & Cauffman, 2015).

Important U.S. Supreme Court Cases

While juvenile court cases rarely make their way to the U.S. Supreme Court, the rulings the Court has made in relation to juveniles provide a solid foundation for the examination of juvenile constitutional rights and the factors that lead to false confessions (McGuire, 2000). In fact, in comparison to all other aspects of the juvenile justice administration, the majority of the cases that have made it to the U.S. Supreme Court have involved juvenile interrogations (Feld, 2012). Specifically, these interrogation cases have involved the analysis of interrogation techniques used by police as well as the age and maturity of adolescents (McGuire, 2000). The impact of these U.S. Supreme Court cases can be seen through their influence on the lower courts' laws and regulations.

The first U.S. Supreme Court case to address juvenile differences was *Haley v. Ohio* in 1948. Haley's case was the first time the Supreme Court evaluated the conduct of the police during a juvenile custodial interrogation (McGuire, 2000). During this time, before the implantation of Miranda warnings, the requirement under the Fifth Amendment was the "voluntariness" test, which examined the circumstances of an interrogation and the subsequent confession (Dickenson v. United States, 2000).¹ Specifically, this test explored whether the conduct of law enforcement overcame the suspect and prevented them from exercising their rights against self-incrimination (Colorado v. Connelly, 1986). In *Haley v. Ohio* (1948), the Court applied the "voluntariness" test to examine the methods used to extract a confession by analyzing Haley's age, the intensity of questioning, the number of hours interrogated, and the

¹ Dickenson v. United States (2000) describes the history and basis of the "voluntariness" test. See Dickenson v. United States, 530 U.S. 428, 432-33.

lack of advising counsel. The Court ruled that youth are in need of special protections of counsel as well as adult support during an interrogation. In particular, the Court found that at 15 years old an adolescent “needs counsel and support if he is not to become the victim first of fear, then of panic,” (*Haley v. Ohio*, 1948, p. 600) and rejected the notion that informing the juvenile of his constitutional rights could have replaced the investigator’s need to consider the suspect’s age in the “voluntariness” test. Thus, *Haley v. Ohio* (1948) was the first step in acknowledging that “interrogations are innately coercive and that giving mere warnings to children, who cannot fend for themselves, whether due to societal constructs or natural development, is wholly insufficient” (Kohlman, 2012, p. 1626).

Almost 15 years later in *Gallegos v. Colorado* (1962), the U.S. Supreme Court revisited the subject of juvenile custodial interrogation (Scott-Hayward, 2007). In this case, the Court overturned the confession of a 14-year-old by citing that he was too immature to understand and assert his constitutional rights (*Gallegos v. Colorado*, 1962). The Court noted that while the nature of the interrogation was less coercive in previous cases, the defendant’s mother was denied access to advocate for her son, which left the defendant alone when making the decision to either speak to the police or invoke his right to remain silent (Drizin & Colgan, 2004). In both *Haley* and *Gallegos*, the first two major U.S. Supreme Court cases to discuss juveniles, the youthfulness and immaturity of adolescents were emphasized by the Court (Redlich et al., 2004).

The next U.S. Supreme Court ruling did not involve a juvenile case, but the ramifications of the Court’s decision had lasting effects on the juvenile justice system. *Miranda v. Arizona* (1966) represented a shift from the physically abusive to the psychologically manipulative interrogation tactics (Leo, 1992). In the famous U.S. Supreme Court ruling, the Court found that police use inherently compelling pressures to undermine the individual’s will to resist during an

interrogation, which compels the individual to speak where they would otherwise not freely do so (Tepfer et al., 2014). The decision required police officers to read suspects their rights before custodial interrogation and prohibited officers from using threats, promises, or physical abuse (Meyer & Reppucci, 2007). Within this decision, the Court noted two distinct dimensions that were to be associated with the Fifth Amendment protections (McGuire, 2000). The first dimension stated that an individual must waive their rights voluntarily and free from police intimidation or coercion. The second dimension stated that an individual must waive their rights intelligently and with full knowledge of the consequences of the waiver. In summary, the decision in *Miranda v. Arizona* (1966) reaffirmed a custodial suspect's rights against self-incrimination and enacted the well-known requirement of law enforcement officials reminding suspects of their rights prior to questioning.

However, after the Court's decision, the law enforcement community (who were adherent to traditional crime control measures) argued that the new requirements would place undo restrictions on police investigations (Kelly & Meissner, 2014). Yet, social science research has consistently found that suspects overwhelmingly waive their Miranda rights, suggesting these fears are unfounded (Cassell & Hayman, 1996; Feld, 2013; Kassin et al., 2007; Leo, 1996). One explanation for the vast number of suspects waiving their rights is that police officers became experts at delivering the warning in a way that convinced suspects it was in their best interest to waive their rights (White, 2001). While *Miranda v. Arizona* (1966) was a monumental case, the idea of a waiver "created a significant loophole because it assumed that the simple act of having the interrogator read the warnings to the suspect could offset the coercive atmosphere" (Kohlman, 2012, p. 1626).

The next landmark juvenile U.S. Supreme Court case was the first to award juveniles the same due process rights as adults in the Criminal Justice System. In *In re Gault* (1967), the Court ruled that juveniles within the Juvenile Justice System were still bound by the requirements of the Fifth and Fourth Amendments despite its less formal and less adversarial nature. The Court also ruled that juveniles were not just the property of their parents, meaning that juveniles and adults should both be granted safeguards. More specifically, the Court suggested that when a juvenile's attorney is not present, special care must be taken to "assure that the admission was voluntary, in the sense not only that it was not coerced or suggested, but also that it was not the product of ignorance of rights or of adolescent fantasy, fright or despair" (Kohlman, 2012, p. 1627). With this ruling the Court recognized that juveniles may require a higher degree of protection during custodial interrogations when a parent is not present to make sure the admission was made voluntarily (McGuire, 2000). More importantly, *In re Gault* (1976) emphasized the Court's concern that age can adversely affect the voluntariness of a juvenile's statement.

From the dissents in both *Miranda* (1966) and *In re Gault* (1967), the majority opinion of the Court began to shift leading to a monumental court decision in the late 1970s. In these dissents, the Court was critiqued for hindering law enforcement's ability to investigate by being overprotective of juveniles (Kohlman, 2012). The Court's decision in *Fare v. Michael C.* (1979) led to the creation of the "totality of the circumstances" test, which had a substantial impact on the Juvenile Justice System (Scott-Hayward, 2007). In *Fare v. Michael C.* (1979), the Court held that requesting to see a probation officer was not an exact invocation of a juvenile's Fifth Amendment rights under *Miranda*. The Court ruled that the "totality of the circumstances" test was an adequate way to determine if a juvenile knowingly, intelligently, and voluntarily waived

their rights. As such, the courts must use the “totality of circumstances” test to evaluate the voluntariness of a juvenile’s confession (McGuire, 2000). However, as this approach is written, the language used does not ensure juveniles understand their Miranda rights, which calls into question their ability to waive them (Scott-Hayward, 2007). According to Scott-Hayward (2007):

Under the totality of circumstances test, it is usually sufficient for a police officer to tell the child his or her rights, using the same language used with adults, and to ask if he or she understands them; if he or she says yes, the interrogation may proceed (p. 65).

The new “totality of circumstances” test, combined with the questioned ability of juveniles to understand their rights, creates a tendency for youth to weigh the short-term consequences rather than the long-term consequences of their decisions. It has unfortunately resulted in juveniles receiving “the worst of both worlds” (Kohlman, 2012, p. 1629); for juveniles to obtain the constitutional protections of adults, they will no longer obtain the *parens patriae* protections of the State (i.e., the juvenile is treated without consideration for the importance of their age). Unlike the U.S. Supreme Court cases that came before it, the Court’s ruling in *Fare* refused to provide juveniles with greater procedural protections (Feld, 2006a).

Similar to the Court’s decision in *Fare*, the Court chose to not encroach on law enforcement’s investigative abilities in their decision in *Yarborough v. Alvarado* (2004). In this case, police officers interrogated a 17-and-a-half-year-old suspect for two hours before he confessed to murder and robbery, all while never reading Miranda warnings. The Court ruled that age would not be considered because there was not a mandate set from previous Miranda cases stating that age should be considered as a factor in a custody analysis (*Yarborough v. Alvarado*, 2004). However, the Court did place emphasis on the defendant’s advanced age, suggesting that there may be a time when age is relevant when determining if a suspect is in

custody (Kohlman, 2012). That being said, the Court chose to not overly protect the juvenile population and, ultimately, left the custody analysis unaltered.

The last four significant U.S. Supreme Court rulings all recognized juvenile's youthful immaturity and the highly coercive nature of police interrogations. In *Roper v. Simmons* (2005), the Court held that adolescents under the age of 18 cannot be charged with the death penalty by developing the "kids are different" Eighth Amendment jurisprudence (Tepfer et al., 2014). The Court concluded that juveniles' susceptibility to negative influences, transient personality, and immature judgement inhibited their criminal responsibility compared to adults (Feld, 2012). Shortly after the Court's ruling, the "kids are different" approach was applied to the Fifth Amendment's jurisprudence in relation to custodial interrogations. Next, in *Graham v. Florida* (2010), the Court ruled that when juveniles are charged with non-homicidal offenses, they cannot be sentenced to life in prison without parole. In their decision, the Court relied on "Roper's categorical diminished-responsibility rationale" to ban juveniles from being sentenced to life without parole (Feld, 2012, p. 46). Specifically, *Graham* (2010) echoed juvenile-diminished criminal responsibility found in *Roper* (2005). Together, *Roper* and *Graham* provided three reasons why youth should not be punished as severely as adults (Feld, 2012).

First, juveniles' immature judgment and limited self-control cause them to act impulsively without full appreciation of consequences. Second, juveniles' greater susceptibility than adults to negative peer influences diminishes their criminal responsibility. Third, juveniles' personalities are more transitory and less fully formed, and their crimes provide less reliable evidence of "depraved character" than do those of adults (Feld, 2012, p. 46).

In *J.D.B. v. North Carolina* (2011), the U.S. Supreme Court ruled that when in custody, a suspect's age must be considered by law enforcement when delivering Miranda warnings. Due to the fundamental differences in range of experience, maturity of judgement, and reactions to authority, the Court held that "children cannot be viewed simply as miniature adults" (*J.D.B. v. North Carolina*, 2011, p. 2404). The Court also emphasized that the scientific evidence of adolescent's vulnerability cannot be ignored. However, despite the Court's warning about a suspect's age, no specific laws were created to make sure juveniles understand their Miranda rights. The creation of such laws and regulations were left up to state and local governments to protect juveniles from coercive police interrogations. Lastly, in *Miller v. Alabama* (2012) the Court ruled that juveniles under the age of 18, at the time of the offense, cannot be sentenced to mandatory life without parole.

All these court cases provide important precedent on how the legal system should handle juveniles. The majority of the reviewed U.S. Supreme Court rulings have found that juveniles should be treated differently than adults within the Criminal Justice System. However, very few of these court decisions address juvenile differences in relation to interrogations. The rulings that address juvenile interrogations are written in a vague language that enable the lower-level courts to use discretion when making decisions.

Role of the Lower Courts

While the U.S. Supreme Court rulings carry the most weight in providing safeguards to juveniles within custodial interrogations, it is important to note the various efforts being made to implement juvenile interrogation safeguards at the state level. The vast majority of the juvenile cases are disposed of at the state level of the Criminal Justice System (McGuire, 2000). In the area of juvenile custodial confessions, the burden typically falls to the state courts to interpret the

Fifth Amendment's protection against self-incrimination and the "totality of circumstances" test. Several states have begun to move beyond the constitutional minima by establishing additional protections for juveniles (Larson, 2003). Examples of these protections include (a) access to the advice of an adult whose interests do not conflict with those of the adolescent, (b) meaningful conference with an adult who must be present for any subsequent waiver, and (c) right of counsel before a waiver can be considered valid (King, 2006). These three examples of additional protections can be categorized into three different types of protections: totality test, per se test, and interested adult test.

Totality Test

Since the ruling in *Fare*, 35 states and the District of Columbia have adopted their own version of a "totality of the circumstances" test for the waiver analysis (King, 2006). Elements of the test include age, education, experience, background, and intelligence as well as the juvenile's capacity to understand Miranda warnings, the importance of Miranda rights, and the consequences of waiving Miranda warnings (Kohlman, 2012). Those in favor of the totality test praise that it "allow[s] the court the necessary flexibility" (*Fare v. Michael C.*, 1979, p. 725) to circumvent the inflexibility of an over-inclusive and bright-line rule. New Hampshire Supreme Court, for example, affirmed the use of a totality test on juveniles by stating "[c]ourts employing the totality of the circumstances test do so under the belief that juvenile courts are equipped with the expertise and experience to make competent evaluations of the special circumstances surrounding the waiver of rights by juveniles" (*State v. Benoit*, 1985, p.15).² However, those in opposition of the totality test suggests that the flexibility of the waiver does not protect against coercion and, as such, only protects juveniles after an interrogation during the admissibility

² Describing New Hampshire's state history of the totality test

hearing (King, 2006). This is why the New Hampshire Supreme Court ultimately decided to create their own version of the totality test called the *Benoit* warning (State v. Benoit, 1985). The *Benoit* warnings uses developmentally appropriate language that are more suitable for a juvenile's comprehension of Miranda rights (Rogers et al., 2012). For example, *Benoit* warnings emphasize pre-existing Constitutional safeguards in manner that is easily understood by adolescents such as "you will not be punished for deciding to use these rights" (p. 22) and "things you say to the lawyer cannot be used in court to prove what you may have done" (p. 23). While the Benoit warning presents Miranda warnings in a developmentally appropriate way, scholars criticize the length of the warning and waiver (713 words) stating that the length surpasses the average adolescent's attention span (Rogers et al., 2012).

Per Se Test

Another test that has been adapted by state courts to implement additional protections for juveniles is the per se test. A total of 10 states have acknowledged a bright-line rule where juveniles under a certain age (typically ages 13 to 16) do not have the developmental capacity to effectively waive their Miranda rights (King, 2006). The per se test utilizes the bright-line rule, meaning it is clearly defined and easily administered. Under the per se test, if the police officer conducting the interrogation has not met various statutory requirements, then any attempt by a juvenile to waive their rights is automatically invalid (Huang, 2001). Additionally, in contrast to the totality test, the per se test focuses on police officer's conduct during an interrogation and creates "creates easily identifiable thresholds that must be completed before an interrogation rather than relying on a combination of ambiguous factors to later justify the police interrogation" (Kohlman, 2012, p. 1640).³ However, critics suggest that the per se test is a

³ See Huang (2001), supra note 92, p. 449

burden to the legal system because it restricts juveniles from giving useful information therefore delaying police investigations (King, 2006).

Interested Adult Test

Other than the per se test, several states have also started to mandate that additional procedural requirements be provided to juveniles beyond the totality approach (Feld, 2006a). More specifically, 14 states have implemented the interested adult test, which states that juveniles under a certain age must have a guardian or parent present for a waiver to be considered admissible (King, 2006). The purpose of an “interested adult” is to provide “opportunity for the adult to explain the rights and significance of a waiver to the juvenile” (Oberlander & Goldstein, 2001, p. 462).⁴ Within these jurisdictions, the presence of a parent or “interested adult” is required for the juvenile’s waiver of their Miranda rights during an interrogation for a confession to be valid. These jurisdictions operate under a per se rule, which assumes that juveniles require an adult’s assistance to make a decision because they lack the competence to exercise or waive their Miranda rights (Feld, 2006a). For example, the Supreme Judicial Court of Massachusetts adopted the “interested adult” rule after the ruling in *Commonwealth v. A Juvenile* (1988).

Within their ruling, the Massachusetts High Court noted that caution should be used in evaluating juvenile confessions to make sure confessions were not made out of fantasy, fright or despair. The court held:

That the only way for the state to prove that a juvenile had made a knowing and valid waiver of his Fifth Amendment rights was to show that an interested adult was present,

⁴ “Interested adult” was first cited with approval by the U.S. Supreme Court in *Gallegos v. Colorado* (1962)

understood the warnings, and had the opportunity to explain those warnings and 5th Amendment rights to the juvenile (McGuire, 2000, p. 1379).

However, requirement of the “interested adult” does not always provide the juvenile with more protections. Privacy mandates are extremely fickle “with officers sometimes encouraging private, thorough conversation, and other times hovering and interrupting to inquire if the consultation is finished” (Oberlander & Goldstein, 2001, p. 462). For example, the Minnesota Supreme Court requires juveniles to repeatedly request access to a parent, both prior to and after the admission of a Miranda warning, for the court to address the voluntariness of the juvenile’s waiver of rights (Feld, 2006a). Another way this requirement may fall short in protecting the juvenile’s Miranda rights is when the “interested adult” does not have the necessary knowledge to provide good advice (Redlich, 2010). For example, in the Central Park Five case, the juvenile boys had their parents or other family members present during the interrogation and were still coerced into falsely confessing (Redlich et al., 2004). In these cases, the “interested adult” may not understand the legal language themselves, which would make them ill-equipped to aid in the juvenile’s waiver of rights.

Bringing the Pieces Together

Based on the scholarly literature described above, a strong argument can be made for the need of additional safeguards in relation to juvenile interrogations (Cleary, 2014; Feld, 2006a; Feld, 2013; Grisso et al., 2003; Jayne & Buckley, 2014; Malloy et al., 2014; Owen-Kostelnik et al., 2006; Scott-Hayward, 2007). Research has also shown that juveniles are at a time in their lives where their cognitive, psychosocial, and neurological composition is still developing and adolescents’ decision making is very malleable (Arndorger et al., 2015; Arredondo, 2003; Feld, 2006a; Redlich et al., 2008; Redlich, 2010; Scott-Hayward, 2007; Scott & Steinberg, 2008;

Tepfer et al., 2014). Even the U.S. Supreme Court has consistently highlighted juvenile's lack of maturity and diminished capacity within their rulings (Rogers et al., 2012). All these developments in both research and the court of law, along with a greater understanding of the prevalence of wrongful convictions that has been fueled by the new DNA technologies, has further emphasized the need for a reexamination of the law and practice in the realm of juvenile interrogations (Drizin & Colgan, 2004). In relation to procedural safeguards, most states do not provide extra safeguards for juveniles despite the Court's frequent references to youthful immaturity, developmental differences, and heighten vulnerability in their decisions (Feld, 2012). Rather, states use adult standards to measure juveniles' competence to waive rights and stand trial. Therefore, the main purpose of this thesis is to examine the views of the recent empirical research on whether juveniles are more vulnerable to police interrogation techniques and what additional safeguards are needed compared to the current legal precedent set forth by the U.S. Supreme Court.

CHAPTER THREE:

SYSTEMATIC REVIEW METHOD

Systematic Review

This thesis will utilize a systematic review approach to analyze the present literature about juvenile interrogations, focusing on the interrogation techniques police use and the potential factors that make juveniles vulnerable during interrogations. A systematic review is a comprehensive collection of relevant resources on a particular topic used to identify, appraise, and synthesize the data from multiple studies into a scientific summary of the evidence (Petticrew & Roberts, 2008). The goal of this systematic review is to assess how juveniles are potentially vulnerable to police interrogation techniques and what additional safeguards empirical researchers recommend as well as compare the existing research to the current legal standards set forth by the U.S. Supreme Court rulings. For this systematic review, the following four questions will be addressed:

- 1) What interrogation techniques are police officers trained in and what techniques do police officers believe produce the most effective results?
- 2) What do juveniles experience during a police interrogation and how does this compare to the police officers' perceptions of effective interrogation techniques?
- 3) Is there a general consensus on the vulnerability of juveniles during a police interrogation and what additional safeguards are recommended?
- 4) What is the current legal precedent on juvenile vulnerabilities within police interrogations and how does this relate to the empirical research findings?

A systematic review is appropriate for this field of research because a review of the literature on juvenile interrogations can more accurately address the limitations within the research, make stronger recommendations for future research, and suggest policy implications that will ultimately improve how juveniles are represented within the Criminal Justice System.

Data Collection Strategy

This systematic review utilized several different data sources such as electronic databases, grey literature (i.e., reports, government documents, etc.), and literature reference lists. The majority of the articles were gathered from electronic databases available through the Seattle University Online Library. Articles were also gathered through a comprehensive search of the Google Scholar search engine. The following academic databases were utilized to get a comprehensive collection of empirical studies on juvenile interrogations: Criminal Justice Abstracts with Full Text, PsychINFO, Academic Search Complete (Ebsco), JSTOR, Research Library (ProQuest), HeinOnline Law Journal Library, and SAGE Premier. All articles collected were peer-reviewed and published between 2003 to 2019 with the exception of four landmark juvenile U.S. Supreme Court cases. All Supreme Court case summaries were collected from the Case Law section of Google Scholar. Within the available databases, key words such as “juvenile interrogation,” “police interrogation techniques,” and “juvenile wrongful convictions” were used. The following search strings were also used:

String 1: (“juveniles” OR “juvenile delinquency” OR “juvenile offenders”) AND (police interrogations)

String 2: (“juvenile wrongful convictions” OR “juvenile false confessions” OR “juvenile vulnerabilities”) AND (police interrogations)

String 3: (“juvenile Miranda warnings” OR “juveniles” OR “juvenile suggestibility”) AND (police interrogation techniques)

All articles were thoroughly reviewed to verify that they contained relevant information regarding juvenile interrogations, police interrogation techniques, juvenile vulnerabilities during interrogations, and/or recommended safeguards for juvenile interrogations (See Table 1).

Additional sources were also found through the reference sections of previous literature reviews as well as scholarly journals in order to fully saturate the existing literature.

Table 1. Initial Search Results Using String Cites (N=4,852).

Keywords	Frequency	
	SU Online Library	Google Scholar
Juveniles AND Police Interrogations	1,234	1,590
Juvenile Delinquency AND Police Interrogations	170	375
Juvenile Offenders AND Police Interrogations	298	627
Juvenile Wrongful Convictions AND Police Interrogations	1	7
Juvenile False Confessions AND Police Interrogations	28	110
Juvenile Vulnerabilities AND Police Interrogations	10	2
Juvenile Miranda Warnings AND Police Interrogation Techniques	0	1
Juvenile Right to Counsel AND Police Interrogation Techniques	58	337
Juvenile Suggestibility AND Police Interrogation Techniques	1	3
Total	4,852	

Article Exclusion Strategy

With the exception of the four landmark juvenile U.S. Supreme Court cases in 1948, 1962, 1967, and 1979, all articles that were published before the year 2003 were excluded from this analysis. As a result of the increase rate of false confessions among juveniles in the past two decades, the decision was made to narrow the analysis of juvenile interrogation research to the past 15 years. Further, all articles that included information solely about adult interrogations

were also excluded since the purpose of this systematic review was to analyze juvenile vulnerabilities during police interrogations. Regardless of their decision date, all U.S. Supreme Court cases that were not believed to have a considerable impact on juvenile rights in the Criminal Justice System and/or were not discussed within the juvenile interrogation literature were excluded from this analysis. Articles that did not conduct original research and/or were not peer-reviewed were also excluded from this study. Lastly, all articles that were conducted outside the United States were excluded from the systematic review (See Table 2).

Table 2. Article Screening & Edibility (N=4,282).

Exclusion Criteria	Frequency	
	SU Online Library	Google Scholar
Published before 2003	390	599
Did not conduct original research	412	20
Was not written in English	4	0
Was not peer reviewed	301	2,344
Was not conducted in the U.S.	144	10
Total	4,282*	

Notes: *Indicates number of articles after duplicates were removed.

Article Inclusion Strategy

For an article to be included in the present systematic review, the article had to include information about juvenile police interrogations in general and/or information about juveniles' potential vulnerabilities during police interrogations. One article that did not meet these parameters was included because the article was the first empirical study to survey police officers' interrogation beliefs and practices. This article provides a foundation for analyzing how police officers are trained and provides officers' perceptions of the effectiveness of interrogation

tactics. All articles included in this systematic review were selected on the basis that they were original research, peer-reviewed, published between 2003 and 2019, written in English, and conducted in the United States (See Table 3). Previous juvenile U.S. Supreme Court decisions were also analyzed alongside the peer-reviewed articles to illustrate the current precedent in place regarding juveniles and police interrogations. A total of nine Supreme Court cases were included for analysis. While the first four U.S. Supreme Court cases did not meet the timeframe criteria, they were chosen because they were landmark cases for juvenile rights in the Criminal Justice System. The last five U.S. Supreme Court cases were chosen because the court rulings were made in the last 15 years and reflected the continuous shift in juvenile policy in the Criminal Justice System.

Table 3. Summary of Article Inclusion (N=25).

Articles	Frequency
Initial Articles	4,852
Excluded Articles	4,828
Included Articles	24
Additional Articles	1*
Total	25

Notes: *Indicates relevant research that did not meet all the inclusion criteria.

Procedure

This systematic review will be divided into four separate analysis that highlight the four key topics found within the juvenile police interrogation literature. These analysis will also each seek to answer one of the four research question. The four analysis being conducted are police officer interrogation research, juvenile interrogation research, juvenile vulnerability during police interrogations and additional safeguards, and important U.S. Supreme Court cases.

The first analyses conducted examines five original research articles on police interrogations conducted between 2007 to 2016 (See Table 4). Specifically, these articles provide information on what interrogation techniques police officers are trained in and offers their perspective as to what interrogation techniques police officers believe produce the best results. Understanding what is experienced in an interrogation room from a police officer's point-of-view provides a great foundation to understanding juvenile vulnerabilities during police interrogations. For this analysis, three tables were created to allow for a more efficient and clear presentation of the six descriptive categories needed to properly examine the first research question.

Table 4. Police Officer Interrogation Research (N=5).

Articles	Descriptive Categories					
	Location	Age	Level of Law Enforcement	Sample Size	Technique Trained In	Important Interrogation Findings
Kassin et al. (2007)	16 police departments from 5 American States	21-62 year of age	Local PD – 91% Federal LE – 9%	Local PD (N=574) Federal LE (N= 57)	Special Interview/Interrogation training – 82% Reid Technique Training – 11% of those who received special training	Longest reported interrogation lasted an average of 4.95 hours The average interrogation length was 1.6 hours 67% of interrogations resulted in self-incriminating statements 38% of interrogations resulted in partial confessions 30% of interrogations resulted in full confessions
Meyer & Reppucci (2007)	Baltimore County PD	Mean age of 35 years	Local PD – 100%	N=332	17-87% reported using various forms of the Reid Technique 33% of police indicated the need for structured police training for youth	83% of officers reported using body language to detect deception Officers reported 55% accuracy in distinguishing the truth

Table 4. Continued.

Articles		Descriptive Categories				
	Location	Age	Level of Law Enforcement	Sample Size	Technique Trained In	Important Interrogation Findings
Kostelnik & Reppucci (2009)	10 police agencies across the United States	Mean age of 36 years*	Local PD – 100%	Total (N=1,828)	Reid Technique (RT) – 29% Non-Reid Technique (non-RT) – 71%	83% of RT police agreed that youth understand Miranda warnings compared to fewer than 69% of non-RT RT reported using higher rates of deception and less sensitivity to developmental maturity of youth during an interrogation
				70% were Patrol Officers* 23% were Detectives*		
Reppucci, Meyer, & Kostelnik (2010)	10 police agencies across the United States	Mean age of 37 years*	Local PD – 100%	Total (N=1,828)	24% of all respondents and 54% of detectives received Reid Technique training 36% of all respondents and 44% of detectives received specific training pertaining to youth (50% of this training was less than 10 hours)	49% of respondents acknowledged that children do not comprehend Miranda warnings* 54% do not agree that adolescents are more suggestible* 94% believed that youth are suggestible outside of interrogations* Respondents believed they could depict deception 65% of the time Respondents believed they could determine if confession was false 90% of the time 76% of respondents recognized more youth interrogation training was needed
				60% were Patrol Officers* 23% were Detectives* 11% were other ranks* 6% did not provide info*		

Table 4. Continued.

Articles	Descriptive Categories					
Location	Age	Level of Law Enforcement	Sample Size	Technique Trained In	Important Interrogation Findings	
Cleary & Warner (2016)	Students at the FBI National Academy (LE officers from both local and state agencies)	Mean age of 45 years*	Local PD – 80%* State Agencies – 16%* Other – 5%*	Total (N=340)	56% were trained in the Reid Technique* 8% received PEACE training* 49% received other formal training Most common techniques respondents were trained in building rapport (96%)*, observing body language (93%)*, offering things for comfort (89%)*, victim blaming (62%)*, and discouraging denials (56%)*	Reid trained respondents used manipulation tactics more often than non-Reid trained respondents 70% of respondents reported using one or more maximization technique

Notes: Data gathered from each subsequent study indicated in table. PD = Police Department. LE = Law Enforcement. *Indicates an approximation.

The second analysis conducted examines articles pertaining to original juvenile interrogation research conducted between 2003-2019 (See Table 5). These articles analyzed juvenile interrogations, the techniques juveniles experience during an interrogation, and juveniles' vulnerabilities to interrogation techniques. More specifically, the seriousness of the crime, location and/or status at the time of the interrogation, the length of interrogation, and Miranda rights waiver/request for counsel were summarized from thirteen studies. For this analysis, six tables were created to allow for a more efficient and clear presentation of the six descriptive categories needed to properly examine the second research question.

Table 5. Juvenile Interrogation Research (N=13).

Articles		Descriptive Categories				
	Age	Race	Seriousness	Location and/or Status at the time of Interrogation	Length of Interrogation & Techniques Used	Miranda Rights & Confessions
Grisso et al. (2003)	11-17 years old (N=927)	African American (40%)	Youth – primarily offenses against persons & offenses against property (~80%).	Not disclosed – original interrogation location*	N/A	~60% of 11–13-year-old confessed to police rather than remaining silent
	18-24 years old (N=466)	Hispanic (23%) Non-Hispanic White (35%) Asian (1%) Other (1%)	Drug related offenses (10%) Adult – primarily offenses against persons or against property (~80%). Drug related offenses (32%)			
Viljoen, Klaver, & Roesch (2005)	11-17 years of age (N=152)	Non-Hispanic White (60%) African American (26.32%) Hispanic (7.89%) Native Indian (3.95%) Asian (1.32%)	Violent offense against person (37.5%) Property offense (36.84%) Other offense (25.66%)	Not disclosed – original interrogation location***	N/A	No defendants (N=0) 14 and under requested counsel 4 defendants 15 and older requested counsel

Table 5. Continued.

Articles		Descriptive Categories				
	Age	Race	Seriousness	Location and/or Status at the time of Interrogation	Length of Interrogation & Techniques Used	Miranda Rights & Confessions
Feld (2006a)	16-17 years old (N=66)	White (69%)	Person offense (52%)	Detention center (66%)	N/A	Person offense – 91% waived rights
		Asian (18%)	Property offense (33%)			Police station (30%)
		African American (12%)	Drug offense (8%)	Non-custodial (5%)		Drug offense – 60% waived rights
		Native American (2%)	Firearm offense (8%)			Firearms offense – 100% waived rights
Feld (2006b)	16-17 years old (N=66)	White (69%)	Person offense (52%)	Detention center (66%)	1-15min (66%)	Juveniles confessed some involvement in 53% of the cases
		Asian (18%)	Property offense (33%)		16-30mins (9%)	
		African American (12%)	Drug offense (8%)	Police station (30%)	31-45min (9%)	Juveniles confessed all involvement in 17% of cases
		Native American (2%)	Firearm offense (8%)	Non-custodial (5%)	46-60mins (8%)	Juveniles denied involvement in 30% of cases
					61-90min (8%)	
					93% of cases involved closed-ended questions	
					49% of cases involved leading questions	
					45% of cases involved the use of several minimization techniques	
					70% involved police confronting juvenile with evidence	
					62% involved police using BAI questions	
					49% involved police accusing juvenile of lying	

Table 5. Continued.

Articles		Descriptive Categories				
	Age	Race	Seriousness	Location and/or Status at the time of Interrogation	Length of Interrogation & Techniques Used	Miranda Rights & Confessions
Viljoen, Zapf, & Roesch (2007)	11-17 years old (N=152)	Non-Hispanic White (60%)	Offense against person (37.5%)	Not disclosed – original interrogation location***	N/A	58% of respondents aged 11-13, ~33% aged 14-15, and ~8% aged 16-17 were impaired on the “Understanding Only Standards” test
		Black (26.3%)	Property offense (36.8%)			
		Hispanic (7.9%)	Other (25.7%)			78% of respondents aged 11-13, ~63% aged 14-15, and ~35% aged 16-17 were impaired on the “Understanding and Appreciation Standard”
		Native Indian (3.9%)				
		Asian (1.3%)				
Woolard, Harvell, & Graham (2008)	11-17 years old (N=927)	Black (40%)	Offense against person (40%)	Not disclosed – original interrogation location***	N/A	~70% of respondents knew if they had to respond to police questioning
		Non-Hispanic White (35%)	Offense against property (40%)			
		Hispanic (23%)	Drug offense (10%)			50% of respondents recognized that police lie during an interrogation
		Other (2%)				Only 5% of respondents acknowledged that police are not required to notify parents before interrogations
						Age and low SES increased likelihood of confession during an interrogation

Table 5. Continued.

Articles		Descriptive Categories				
	Age	Race	Seriousness	Location and/or Status at the time of Interrogation	Length of Interrogation & Techniques Used	Miranda Rights & Confessions
Feld (2013)	16-17 years old (N=307)	White (52%)	Offense against person (31.6%)	None (46.3%)	77.2% reported less than 15min 13.3% reported 16min to 30min 1.1% reported more than 1.5hr	Person offense – 94.8% waived rights
		Black (34.9%)	Property offense (55%)	Prior supervision (19.9%)		Property offense – 92.9% waived rights
		Asian (5.5%)	Drug offense (6.2%)	Current Probation/Parole (24.4%)		Drug offense – 84.2% waived rights
		Hispanic (4.9%)	Firearm offense (5.5%)	Current placement (5.5%)		Firearm offense – 88.2%
		Native American (1.6%)	Other (1.6%)			Other – 100%
Cleary (2014)	13-17 years old (N=58)	White (41.4%)	Offense against person (72.4%)	Brought from secure custody (1.7%)	Reported range – 6min to 4hr and 48min 68% concluded in less than 1hr 84% concluded in less than 2hr	6.9% of youth invoked Miranda rights
		Black (41.4%)	Property offense (20.7%)	Just arrested (27.6%)		
		Latino/Latina (5.2%)	Status offense (1.7%)	Not under arrest (31%)		
		Unknown (12.1%)	Public order/public safety (5.2%)	Unknown (39.7%)		
Malloy, Shulman, & Cauffman (2014)	14-17 years old (N=193)	White (5.7%)	Violent offense against person (72.9%)	Not disclosed – original interrogation location**	Reported range – 1min to 48hr 65.1% of youth reported 2hr or more 34.9% of youth reported 2hr or less	7% had a lawyer present during interrogation
		African American (28%)	Property offense (10.4%)			20.5% invoked their right to counsel
		Hispanic (55.4%)	Public order/weapon (8.3%)			15% asked for a parent to be present
		Other (9.8%)	Drug offense (4.2%) Other (4.2%)			3.3% asked for a friend to be present

Table 5. Continued.

Articles		Descriptive Categories				
	Age	Race	Seriousness	Location and/or Status at the time of Interrogation	Length of Interrogation & Techniques Used	Miranda Rights & Confessions
Cleary & Vidal (2016)	13-17 years old (N=57)	White (25%)	Offense against person (85.7%) Property offense (3.6%) Public order/public safety offense (10.7%)	Under arrest (50%)	N/A	90% of juveniles waived their rights to silence and counsel
		Black (57%)		Voluntary (25%)		
		Latino/Latina (7%) Race could not be determined (11%)		Unknown (25%)		
Vidal, Cleary, Woolard, & Michel (2016)	12-17 years old (N=98)	White (30%)	Offenses against person (57%) Property offenses (28%) Drug related/other offenses (15%)	Not disclosed – original interrogation location***	N/A	2/3 of respondents showed a factual and functional understanding of their right to remain silent
		Black (27%)				
		Hispanic (27%)				
		Other (9%)				
Haney-Caron, Goldstein, & Mesiarik (2018)	12-19 years old (N=168)	Black (51%)	N/A	Not disclosed – original interrogation location**	N/A	The younger the respondent the greater likelihood of false confession as a result of interrogation techniques and inability to comprehend Miranda warnings
		White (17%)				
		Hispanic (2%)				
		Asian/Asian American (13%)				

Table 5. Continued.

Articles		Descriptive Categories				
	Age	Race	Seriousness	Location and/or Status at the time of Interrogation	Length of Interrogation & Techniques Used	Miranda Rights & Confessions
Redlich, Shteynberg, & Nirider (2019)	13-17 years old (N=89)	Minorities (73%) Non-minorities (27%)	N/A	Hypothetical Interrogation Scenario – kids were from an at-risk community organization	N/A	Respondents equated confessing to being able to go home and not confessing to receiving a harsher sentence Respondents believed that officers showed leniency when trying to extract a confession

Notes: Data gathered from each subsequent study indicated in table. N/A = Data not available in study. ~ Indicates an approximation. *Indicates a sample obtained from detained youth in juvenile detention facilities and from adults detained in jail. **Indicates a sample obtained from a secure juvenile justice facility. ***Indicates a sample obtained from juvenile detention facility. “Understanding Only Standards” is used to examine a respondents comprehension of Miranda rights. “Understanding and Appreciation Standard” is used to examine a respondents appreciation of the significance of their Miranda right (a standard used by several states).

The third analysis conducted examines juveniles' vulnerability during police interrogations and the need for additional safeguards among all twenty-five research studies in the systematic review (See Table 6). More specifically, this analysis seeks to evaluate whether that particular article believes juveniles are vulnerable during police interrogation and whether that article has suggestions for additional safeguards for juveniles within the Criminal Justice System. For this analysis, five tables were created to allow for a more efficient and clear presentation of the two descriptive categories needed to properly examine the third research question.

Table 6. Juvenile Vulnerability During Police Interrogations and Additional Safeguards (N=25).

Articles	Descriptive Categories	
	Are Juveniles Vulnerable During Police Interrogations?	What Additional Safeguards should be Implemented?
Grisso et al. (2003)	Yes – Juveniles are less likely to recognize the risks inherent in the various choices they face during an interrogation or to consider the long-term consequences of their legal decisions.	Special protections are needed in relation to juveniles Fifth Amendment rights during custodial interrogations, such as the per se rule that requires the presence of an attorney during an interrogation.
Viljoen, Klaver, & Roesch (2005)	No – Found that cognitive abilities of juveniles do not affect their decision-making.	N/A – Since juveniles do not have differing cognitive abilities, no additional safeguards need to be implemented.
Feld (2006a)	<p style="text-align: center;">Mixed Results:</p> No – For juveniles 16 years old and older. Yes – For juveniles 15 years old and younger.	While specific safeguards are not specified, findings suggest that additional protections are needed for juveniles 15 years old and younger.
Feld (2006b)	Yes – Juveniles are vulnerable during police interrogations due to the coercive nature of interrogation techniques.	<p style="text-align: center;">Two main safeguards are needed:</p> <ol style="list-style-type: none"> 1. Every interrogation needs to be recorded in its entirety. 2. Policy needs to be created to hinder the use of false evidence during police interrogations. 3. More research is also needed on the effect length of interrogation has on juveniles’ likelihood of falsely confessing.
Owen-Kostelnik, Reppucci, & Meyer (2006)	Yes – Due to juveniles’ lack of maturity, they are more susceptible to police interrogation techniques and should be awarded more protections.	Suggests that the per se approach should be adapted, which advocates for requiring juveniles be afforded the protection of an advocate during an interrogation.
Kassin et al. (2007)	N/A – Focused on how law enforcement officers are trained in interrogation tactics and their perceptions of what techniques are effective.	N/A – Focused on how law enforcement officers are trained in interrogation tactics and their perceptions of what techniques are effective.

Table 6. Continued.

Articles	Descriptive Categories	
	Are Juveniles Vulnerable During Police Interrogations?	What Additional Safeguards should be Implemented?
Meyer & Reppucci (2007)	N/A – Focused on how law enforcement officers are trained in interrogation tactics and their perceptions of what techniques are effective during juvenile interrogations.	Suggests mandatory video recordings for all police interrogations and the development of precautionary procedures to obtain reliable information from juveniles.
Scott-Hayward (2007)	Yes – Juveniles are more vulnerable to police interrogation techniques and should be provided mandatory counsel in a pre-interrogation setting.	<p>Three suggestions:</p> <ol style="list-style-type: none"> 1. Mandatory non-waivable right to counsel. 2. Modification of police procedures for interrogating juveniles. 3. Mandatory videotaping of all juvenile interrogations.
Viljoen, Zapf, & Roesch (2007)	Yes – Adolescents 15 years and younger are more vulnerable during an interrogation due to the impaired ability to understand and appreciate their Miranda rights.	Right to counsel should be required for all adolescents during an interrogation or while being questioned by law enforcement officials.
Woolard, Harvell, & Graham (2008)	Yes – Adolescents, especially minority adolescents, are more vulnerable to police interrogation techniques as a result of their legal knowledge and Miranda comprehension.	Future research is needed on the relationship between cognitive and psychosocial development and a juvenile’s decision to confess. More safeguards are needed to protect minority youth from false confessions during police interrogations.
Kostelnik & Reppucci (2009)	N/A – Focused on how law enforcement officers are trained in interrogation tactics and their perceptions of what techniques are effective during juvenile interrogations.	Law enforcement needs to implement developmentally sensitive interrogation training programs for officers.

Table 6. Continued.

Articles	Descriptive Categories	
	Are Juveniles Vulnerable During Police Interrogations?	What Additional Safeguards should be Implemented?
Reppucci, Meyer, & Kostelnik (2010)	N/A – Focused on how law enforcement officers are trained in interrogation tactics and their perceptions of what techniques are effective during juvenile interrogations.	Encourages a public policy that mandates training in developmental differences among children, youth, and adults. Also, a public policy that recognizes the relationship between youthful capacities and the use of various interrogation techniques to develop a more impartial justice system.
McLachlan, Roesch, & Douglas (2011)	Yes – Younger juveniles and juveniles with lower IQ are highly vulnerable to making poor decisions in the context of a custodial interrogation.	More safeguards should be implemented to ensure juveniles fully comprehend their Miranda rights during custodial interrogations.
Feld (2013)	<p style="text-align: center;">Mixed Results:</p> No – For juveniles 16 years old and older. Yes – For juveniles 15 years old and younger.	While specific safeguards are not specified, additional protections are recommended for juveniles 15 years old and younger. Findings also suggest that juveniles 15 years old or younger should be accompanied by a “professional.”
Cleary (2014)	Yes – Juveniles are vulnerable to long-drawn out police interrogations and are vulnerable to providing incriminating information without the advice of counsel.	More evidence-based interviewing strategies are needed that achieve both law enforcement goals and protect the rights of juveniles.
Malloy, Shulman, & Cauffman (2014)	Yes – Juveniles ages 14-17 are more vulnerable. Reform policies are needed regarding police interrogation of juvenile suspects.	<p style="text-align: center;">Three recommendations:</p> <ol style="list-style-type: none"> 1. Law enforcement should receive special training on questioning juveniles. 2. Warning should be placed on lengthy interrogations, depriving juveniles of counsel or other requests, and juveniles with a friend present. 3. Interrogations with juveniles should be video recorded with cameras placed with an equal-focus perspective of the interrogator and suspect for the entire interrogation.

Table 6. Continued.

Articles	Descriptive Categories	
	Are Juveniles Vulnerable During Police Interrogations?	What Additional Safeguards should be Implemented?
	Mixed Results	
Arndorfer, Malloy, & Cauffman (2015)	<p>No – Age is not the sole cause for juvenile vulnerability.</p> <p>Yes – Their perceptions of the police paired with their age cause juveniles to be more vulnerable during police interrogations.</p>	Law enforcement needs to be trained in developmentally appropriate interrogation techniques.
Cleary & Vidal (2016)	Yes – Juveniles’ developmental vulnerabilities affect their ability to be constitutionally protected during custodial interrogations.	Developmentally appropriate modifications are needed to the delivery of Miranda warnings during juvenile interrogations to ensure full comprehension of constitutional interrogation rights.
Cleary & Warner (2016)	N/A – Focused on how law enforcement officers are trained in interrogation tactics and their perceptions of what techniques are effective during juvenile interrogations.	Law enforcement needs specialized training in the interrogation of youth and other vulnerable suspects.
	Mixed Results:	
Vidal, Cleary, Woolard, & Michel (2016)	<p>No – A juveniles age does not make them more vulnerable.</p> <p>Yes – A juvenile’s legal socialization can impact their interpretation of legal procedures, which, in turn, can have a negative effect on the interrogation process.</p>	Law enforcement training on youth development is needed to help mitigate juveniles varying degrees of legal socialization.
Cleary (2017)	No – Juveniles themselves are not more vulnerable. The interrogation techniques are the problem, and all age groups would benefit from reforming tactics.	N/A – suggests promoting overall justice for youth population by focusing resources on improving interactions between law enforcement and youth.
Sharf, Rogers, & Williams (2017)	Yes – Juveniles’ developmental vulnerabilities impact their comprehension of Miranda warnings during a custodial interrogation.	While specific safeguards are not specified, the need for special protections in relation to juveniles’ Fifth Amendment rights during custodial interrogations are suggested.

Table 6. Continued.

Articles	Descriptive Categories	
	Are Juveniles Vulnerable During Police Interrogations?	What Additional Safeguards should be Implemented?
Haney-Caron, Goldstein, & Mesiarik (2018)	Yes – Juveniles are more vulnerable to false confessions as a result of the interrogation techniques used and the juvenile’s ability to comprehend their Miranda rights.	Two recommended interrogation reforms: 1. Police interrogation training should emphasize juveniles’ developmental characteristics and the ways in which these characteristics increase their vulnerabilities. 2. All juvenile interrogations should be videotaped.
Kassin et al. (2018)	Yes – Adolescents are at risk of undue influence and false confessions as a result of the coercive police interrogation techniques.	More regulations are needed to assist courts in determining true confessions from false confession with respect to age and interrogation techniques.
Redlich, Shteynberg, & Nirider (2019)	Yes – Juveniles ages 13 to 17 are more susceptible to coercion interrogation techniques. These techniques can serve to heighten their risk of involuntary and unreliable confessions.	More constraints need to be placed on interrogator due to the developmental immaturity of juveniles.

Notes: Information gathered from each subsequent study indicated in table. N/A = Information not provided by author(s). Reasons for information not provided follow each N/A.

The fourth, and final, analysis conducted examined important U.S. Supreme Court cases involving juveniles (See Table 7). These cases were included to demonstrate the important precedent currently in place regarding juvenile vulnerabilities in the Criminal Justice System. While the vague language of the rulings leaves room for interpretation in relation to what safeguards are in place for juveniles during police interrogations, the rulings of these nine U.S. Supreme Court cases analyzed provide a starting point to addressing juvenile safeguards.

Table 7. Important U.S. Supreme Court Cases Involving Juveniles (N=9).

Court Cases	Rulings
Haley v. Ohio (1948)	The first S.C. case to address juvenile difference. Age, the intensity of questioning, the number of hours interrogated, and the lack of advising counsel should be considered when determining the appropriate methods to use to extract a confession.
Gallegos v. Colorado (1962)	Age and maturity should be considered when assessing whether a juvenile has the ability to understand and assert their constitutional rights.
In re Gault (1967)	This case gave juveniles the same safeguards as adults by recognizing that juveniles may require a higher degree of protection during custodial interrogations when a parent is not present to make sure the admission was made voluntarily.
Fare v. Michael C. (1979)	This case refused to provide juveniles with greater procedural protections. Instead, the Court created the “totality of circumstances” test, which is used to determine if juveniles’ knowingly, intelligently, and voluntarily waived their rights. This test has since become the standard within various lower court jurisdictions.
Yarborough v. Alvarado (2004)	Age should not be considered when determining if a suspect is in custody and when Miranda warnings are needed.
Roper v. Simmons (2005)	Adolescents under the age of 18 cannot be charged with the death penalty as a result of the “kids are different” approach.
Graham v. Florida (2010)	Adolescents under the age of 18 cannot be sentenced to life in prison without parole when charged with a non-homicidal offense.
J.D.B. v. North Carolina (2011)	Age must be considered by law enforcement when delivering Miranda warnings during a custodial interrogation.
Miller v. Alabama (2012)	Adolescents under the age of 18 at the time of the offense cannot be charged with a sentence of mandatory life without parole.

Notes: Information gathered from each subsequent U.S. Supreme Court case indicated in table.

Limitations

This method has several key limitations. First, the use of secondary data and the reliance on a limited number of databases prevented the review's ability to fully identify all eligible sources. Second, systematic reviews are subject to random error due to the use a retrospective, observational research design (Owens, 2021). For example, selection bias and selective outcome reporting are two common types of errors associated with conducting systematic reviews. Lastly, there is uncertainty among the scientific community regarding the generalizability of systematic review results to individual population, which must be considered when generalizing research findings (Nasser et al., 2012). However, the addition of court cases allows this systematic reviews to offer a unique starting point for drawing broad conclusions about the most recent empirical research.

CHAPTER FOUR:

SYSTEMATIC REVIEW RESULTS

Police Officer Interrogation Research

In this section, information was gathered from five research studies that systematically recorded interrogation practices in the United States through the implementation of self-report surveys. The five research studies depicted in Table 4 were included for two purposes: to illustrate police officers' perspective on interrogations/interrogation techniques and to create a foundation for the juvenile interrogation research. Kassin et al. (2007) depict what interrogation techniques police officers are trained in through the use of self-report surveys. While Cleary and Warner (2016), Kostelnik and Reppucci (2009), Meyer and Reppucci (2007) and Reppucci et al. (2010) depict the police officers' perceptions and procedures during juvenile interrogations through the use of self-report surveys. Among all five articles, police officers reported using interrogation manuals such as the Reid Technique and the PEACE model as well as various formal interrogations techniques such as minimization and maximization, length of interrogation, and suggestive questioning. Only one article, Reppucci et al. (2010), reported respondents receiving specific training pertaining to juveniles. Specifically, 36% of all respondents and 44% of detectives received specific training pertaining to youth. However, 50% of this training was less than 10 hours and the specific techniques that were utilized were not discussed. As mentioned above, law enforcement officers are typically trained to use the same interrogation techniques for both adults and juveniles (Redlich, 2010; Redlich et al., 2008). This is important because these interrogation techniques leave room for the police officers to use discretion when determining a defendant's vulnerability during an interrogation.

For this reason, it was very important to examine the results of all five research studies in order for the present systematic review to provide a cohesive analysis of police officers' training on interrogation techniques compared to their perceptions of the juvenile's developmental

maturity and sensitivity to police interrogations. In relation to demographics, the data from all five studies came from 37 police departments collectively across the United States (Cleary & Warner, 2016; Kassin et al., 2007; Kostelnik & Reppucci, 2009; Meyer & Reppucci, 2007; Reppucci et al., 2010). All police officers surveyed were between the ages of 21 to 62 years old and the majority of the respondents were male officers. The majority of the police officers surveyed were patrol officers; however, 32% of respondents in the Kostelnik and Reppucci (2009) and the Reppucci et al. (2010) studies were detectives. In relation to employment, all respondents in Meyer and Reppucci (2007), Kostelnik and Reppucci (2009), and Reppucci et al. (2010) were from local police departments. In the Kassin et al. (2007) study, 91% of respondents were from local police departments while 9% were from Federal Law Enforcement. Additionally, in the Cleary and Warner (2016) study 80% of respondents were from local police departments while 16% were from state agencies, and 5% were from undisclosed sources.

A key finding in all five studies was that all respondents received some form of specialized interrogation training. Among the specialized training reported, the Reid Technique and the PEACE model were the only two interrogation models that were mentioned by name. Regarding the Reid Technique, 11% of the 82% of respondents in Kassin et al. (2007) who reported receiving special interrogation training were specifically trained in the Reid Technique, while 56% of respondents in Cleary and Warner (2016) were trained in the Reid Technique. Approximately 70% of respondents reported receiving various forms of the Reid Technique (Meyer and Reppucci, 2007), 29% of respondents reported receiving training in the Reid Technique (Kostelnik & Reppucci, 2009), and 24% of all respondents and 54% of detectives received training in the Reid Technique (Reppucci et al., 2010). Regarding the PEACE model, 8% of the respondents in Cleary and Warner (2016) were trained using this training course.

Regarding general interrogation findings, Kassin et al. (2007) found that 67% of interrogations resulted in self-incriminating statements, 38% of interrogations resulted in partial confessions, and 30% of interrogations resulted in full confessions. In relation to interrogation findings and juveniles, Meyer and Reppucci (2007) found that 55% of respondents reported being able to accurately distinguish the truth during a juvenile interrogation, while Reppucci et al. (2010) found that 65% of respondents reported being able to accurately distinguish the truth during a juvenile interrogation. The most notable interrogation technique used was deception. Eighty-three percent of respondents reported using body language to detect deception (Meyer & Reppucci, 2007) and 93% of respondents indicated that observing body language was one of the most common interrogation techniques they were trained in (Cleary & Warner, 2016). Cleary and Warner (2016) also reported that 70% of respondents utilized one or more maximization technique during an interrogation. Along with observing body language, these techniques included building rapport (96%), offering things to comfort suspect (86%), victim blaming (62%), and discouraging suspect from denying actions (56%). Kassin et al. (2007) was the only study to report on the length of an interrogation. The longest reported interrogation was on average 4.95 hours and the average interrogation length was 1.6 hours.

Lastly, respondents trained in the Reid Technique reported using manipulation tactics more often than non-Reid trained respondents (Cleary & Warner, 2016) and reported using deception at a higher rate compared to other interrogation techniques (Kostelnik & Reppucci, 2009). Respondents trained in the Reid Technique also reported that juveniles are fully capable of understanding Miranda warnings during an interrogation (Kostelnik & Reppucci, 2009). However, Reppucci et al. (2010) reported approximately half of respondents acknowledged that youth do not comprehend Miranda warnings. When the juvenile interrogation technique findings

are analyzed with the general police interrogation results, questions of a juvenile's vulnerability during police interrogation are raised. These results tie to Meyer and Reppucci (2007) findings that 33% of respondents indicated that more structured training was needed for juvenile interrogations and Reppucci et al. (2010) finding that 76% of respondent recognized that more youth interrogation training was needed.

Juvenile Interrogation Research

Information in this section was gathered from 13 research studies that systematically recorded juveniles' perceptions of interrogation practices in the United States through the implementation of one of three methodologies: self-report surveys of juveniles who had been previously incarcerated, interviews with juveniles currently incarcerated, and transcripts of juvenile interrogations (i.e., written or electronic recordings). The 13 research studies depicted in Table 5 were conducted between 2003 and 2019 and were included for the purpose of examining interrogations and the techniques used during an interrogation from a juvenile's perspective as well as examining juveniles' vulnerabilities to interrogation techniques. All participants in the studies were between the ages of 11-19 (Cleary, 2014; Cleary & Vidal, 2016; Feld, 2006a; Feld, 2006b; Feld, 2013; Grisso et al., 2003; Haney-Caron et al., 2018; Malloy et al., 2014; Redlich et al., 2019; Viljoen et al., 2005; Viljoen et al., 2007; Vidal et al., 2016; Woolard et al., 2008). It is important to note that all 13 articles followed the U.S. Federal Code definition of a juvenile and capped the juvenile participant age range at 17 years old, with the exception of Grisso et al. (2003) and Haney-Caron et al. (2018) who also examined adult participants to compare results to their juvenile participants. As far as minimum age range of juvenile participants, the majority of the articles classified their minimum age of juvenile participants between 11-14 years old. Feld

(2003) and Feld (2013) were the only two articles that chose to examine participants who were between 16-17 years old.

Regarding race, the majority of the articles published in the early 2000s, with the exception of Grisso et al. (2003), found that the most common race of juveniles represented in the interrogation room was White. Articles published after 2008 saw a shift in the race of juveniles represented in the interrogation room. In these articles, the majority of juveniles found in the interrogation room were minorities, with Black and Hispanic among the predominate races. Regarding the seriousness of the offense, the majority of the participants committed offenses against persons and offenses against property. Only two studies, Haney-Caron et al. (2018) and Redlich et al. (2019), did not report the seriousness of the offense among their participants.

Among the studies in this section, only two (Feld, 2006a; Feld, 2006b) articles reported the location the interrogation took place. Location of the interrogation can be used as a way for officers to further establish their authority figure role during juvenile interrogations. Both articles reported 66% of interrogations took place at a detention center, 30% at a police station, and 5% were classified as non-custodial interrogations (Feld, 2006a; Feld, 2006b). The remaining studies either did not disclose the location of the original interrogation (Grisso et al., 2003; Haney-Caron et al., 2018; Malloy et al., 2014; Viljoen et al., 2005; Viljoen et al., 2007; Vidal et al., 2016; Woolard et al., 2008), conducted hypothetical interrogation scenarios (Redlich et al, 2019), or examined the status of the juvenile at the time of the interrogation (Cleary, 2014; Cleary & Vidal, 2016; Feld, 2013). Interestingly, Cleary and Vidal (2016) found that 50% of juveniles were under arrest at the time of interrogation; however, Cleary (2014) and Feld (2013) found that over 30% of juveniles were not under arrest at the time of interrogation.

Only four studies specifically examined the length of the interrogation, which is another interrogation technique used by officers. Two of these articles, Feld (2013) and Cleary (2014), found conflicting results in relation to length of interrogation. Cleary (2014) found that 84% of interrogations concluded in less than two hours; while Feld (2013) found that 72.2% of interrogations concluded in less than 15 minutes and 13.3% concluded in under 30 minutes. Feld (2006b) also found that the majority of interrogations concluded in less than 15 mins (66%) and also reported that 93% of the interrogations involved the use of closed-ended questions. As noted in the above literature review, the duration of an interrogation can be a key technique and can potentially lead to impulsive decision making by juveniles. With that in mind, Malloy et al. (2014) was the only article to gather information on both length of interrogation and type of confession. The authors found that 65.1% of youth reported an interrogation lasting two hours or more and 17.1% of youth reported falsely confessing to the police.

While most articles did not report on the length of the interrogation, the majority of the articles did report findings on whether or not the juvenile requested counsel and/or waived their Miranda rights. Interestingly, Cleary and Vidal (2016) found that 90% of juveniles waived their right to council, while Cleary (2014) found that only 6.9% of juveniles invoked their Miranda rights and Malloy et al. (2014) found that 20.5% invoked their Miranda rights. Both Feld (2006a) and Feld (2013) also found that over 90% juveniles who were arrested for crimes against person waived their right to council. Viljoen et al. (2005) found that none of the juvenile participants under 14 years old requested to have counsel present during their interrogation, while Grisso et al. (2003) found that 60% of juveniles 11-13 years old confessed to police rather than invoking their Miranda rights. Feld (2006b) also found that 53% of the interrogations involved juveniles confessing to some involvement in the crime.

Regarding Miranda rights comprehension, Viljoen et al. (2007) discovered that 58% of respondents ages 11-13 were impaired in their understanding of the Miranda warnings, while Vidal et al. (2016) found that 2/3 of juveniles showed a functional understanding of their Miranda rights. In general, Woolard et al. (2008) found that age and low SES increased the juvenile's likelihood of confessing during an interrogation. Haney-Caron (2018) also found that age increased the likelihood of false confession due to the juvenile's inability to comprehend Miranda warnings. Lastly, Redlich et al. (2019) found that juveniles equated a confession to the ability to go home and silence to receiving harsher punishment. Thus, these conflicting results further highlight the questions surrounding juveniles' vulnerabilities during an interrogation.

Juvenile Vulnerability During Police Interrogations and Additional Safeguards

In this section, information was gathered from all 25 research studies to analyze and compare what the literature reports in relation to juvenile vulnerability during a police interrogation and additional safeguards needed for juvenile interrogations (See Table 6). Among the articles analyzed, 14 found evidence suggesting that juveniles are vulnerable during police interrogations (Cleary, 2014; Cleary & Vidal, 2016; Feld, 2006b; Grisso et al, 2003; Haney-Caron et al., 2018; Kassin et al., 2018; Malloy et al., 2014; McLachlan, Roesch, & Douglas, 2011; Owen-Kostelnik et al., 2006; Redlich et al., 2019; Scott-Hayward, 2007; Sharf et al., 2017; Viljoen et al., 2007; Woodlard, 2008). These articles highlighted that juveniles are less likely to recognize inherent risks involved in their decision-making processes, juveniles lack maturity making them more susceptible to interrogation techniques, and juveniles are vulnerable to poor decision making. Cleary and Vidal (2016), Sharf et al. (2017), and Owen-Kostelnik et al. (2006) noted that juveniles' developmental vulnerabilities jeopardize their ability to be constitutionally protected during custodial interrogations and increases their likelihood of false confessions.

Other notable factors that can influence a juvenile's decision making during an interrogation included lower IQ (McLachlan et al., 2011) and race, specifically minorities, (Woolard et al., 2008). Malloy et al. (2014) and Redlich et al. (2019) found age to be a factor in deciding whether a juvenile is vulnerable during a police interrogation. The articles noted that juveniles ages 13-17 (Redlich et al., 2019) and 14-17 (Malloy et al., 2014) are more vulnerable to police interrogation techniques.

Several articles found mixed results when examining whether juveniles are more vulnerable during police interrogations (Arndorfer et al., 2015; Feld, 2006a; Feld, 2013; Vidal et al., 2016). The consensus among these articles was that being a juvenile was not the reason for the presence of vulnerabilities during an interrogation. Meaning, that an individual's age is not the only factor in deciding whether a juvenile is vulnerable to police interrogations. Both Arndorfer et al. (2015) and Vidal et al. (2016) found that age was not the cause for juveniles' vulnerabilities, but rather the juveniles' perceptions of the police and/or their legal socialization paired with their age that caused them to be vulnerable. Feld (2006) and Feld (2013) found that juveniles 16 years or older were not vulnerable during police interrogations; however, juveniles 15 years or younger were vulnerable during police interrogations.

Two of the 25 articles found evidence suggesting that juveniles are not vulnerable during police interrogations (Cleary, 2017; Viljoen et al., 2015). The addition of these articles is important to this systematic review because they address the opposing viewpoint of the articles previously discussed as well as the psychological and neurological research discussed in the above literature review. Contrary to a majority of the articles analyzed in this systematic review, Viljoen et al. (2005) believed that juvenile's developmental cognitive abilities had no effect on their decision-making abilities during an interrogation and did not make them vulnerable to

interrogation techniques. Cleary (2017) believed that the interrogation techniques, not juvenile's developmental vulnerabilities, are the problem as a result of their innate coercive tendencies and that all age groups would benefit from interrogation technique reform. The remaining five articles in this systematic review did not provide applicable information because they examined police officers' perceptions of interrogation techniques rather than examining juveniles' potential vulnerabilities during police interrogations (Cleary & Warner, 2016; Kassin et al., 2007; Kostelnik & Reppucci, 2009; Meyer & Reppucci, 2007; Reppucci et al., 2010).

Of the 25 articles examined, 12 suggested that additional safeguards are needed for juveniles during an interrogation. Seven of these articles specifically stated what additional safeguards are needed to protect juveniles (Feld, 2006b; Grisso et al, 2003; Malloy et al., 2014; Owen-Kostelnik et al., 2006; Redlich et al., 2019; Scott-Hayward, 2007; Viljoen et al., 2007). These safeguard suggestions included adopting the per se rule in order to protect juveniles' Fifth Amendment rights during custodial interrogations, providing juveniles with mandatory non-waivable right to counsel, placing warnings on lengthy interrogations of juveniles, and creating policy that hinders the use of certain interrogation techniques on juveniles. The remaining four articles suggest that additional safeguards are needed, in general, but do not go into detail about specific safeguards (Feld, 2006a; Feld, 2013; McLachlan et al., 2011; Sharf et al., 2017; Woolard et al., 2008). Among these articles, Feld (2006a) and Feld (2013) were the only two articles to provide age restrictions to their suggestions. Both articles suggested that additional safeguards were only needed for juveniles 15 years or younger. Woolard et al. (2008) was the only article to discuss safeguards through the lens of race and age. Specifically, the article suggested that more safeguards are needed to protect minority youth during police interrogations.

Rather than discussing safeguards specifically, several of the articles suggested the need for more training in developmentally appropriate interrogation techniques, more evidence-based interviewing strategies, the mandatory video recording of all police interrogations, and developmentally appropriate strategies for the delivery of Miranda warnings (Arndorfer et al., 2015; Cleary, 2014; Cleary & Vidal, 2016; Cleary & Warner, 2016; Haney-Caron et al., 2018; Kostelnik & Reppucci, 2009; Meyer & Reppucci, 2007; Reppucci et al., 2010; Vidal et al., 2016). Kassin et al. (2018) was the only article to discuss the intersection between law enforcement and the courts by suggesting the need for more regulations to help the courts determine false confessions from true confessions in relation to age and interrogation techniques. Cleary (2017) took a different approach to the suggestion of safeguards by recommending that reform resources be used to improve interactions between law enforcement and youth with the hopes of achieving overall justice for the youth population. Viljoen et al. (2005) was the only article to suggest that no additional safeguards were needed for juveniles during an interrogation because juveniles do not have differing cognitive abilities. This article was also the only article within this systematic review to suggest that juveniles were not vulnerable during police interrogations while also suggesting that no additional safeguards or interrogation reform was needed. The remaining article included in this analysis, Kassin et al. (2007), did not provide applicable information because the authors focused on how law enforcement officers are trained in interrogation techniques rather than how juveniles are interrogated.

Important U.S. Supreme Court Cases Involving Juveniles

Information in this section was gathered from nine U.S. Supreme Court rulings (See Table 7). These court cases were included to provide a starting point for addressing juvenile safeguards within the Criminal Justice System. While many of these cases are not directly related

to juvenile interrogations, they all have established the current precedent in place regarding juvenile vulnerabilities in the Criminal Justice System. The first three court cases analyzed were landmark cases that established the need for juvenile safeguards during an interrogation. *Haley v. Ohio* (1948) was the first Supreme Court ruling to address juvenile differences within the confines of a custodial interrogation. The Court found that age, the intensity of questioning, the number of hours interrogated, and the lack of advising counsel should all be considered when determining the appropriate methods used to extract a confession. *Gallegos v. Colorado* (1962) found that age and maturity should be considered when assessing whether a juvenile has the ability to understand and/or assert their constitutional rights. Lastly, *In re Gault* (1967) recognized that juveniles may require a higher degree of protections during a custodial interrogation in order to ensure the admission was made voluntary. With this decision, juveniles were awarded the same safeguards as adults in relation to custodial interrogations.

The next two cases shifted the view on juvenile safeguards. The first case, *Fare v. Michael C.* (1979), was a landmark court case for juveniles because it was the first time the Court refused to provide juveniles with greater procedural protections. Instead, the Court created the “totality of circumstances” test, which is used to determine if a juvenile knowingly, intelligently, and voluntarily waived their rights. This test has since become the standard within various lower court jurisdictions. The second case, *Yarborough v. Alvarado* (2004), occurred within the last 15 years and held that age should not be considered when determining if a suspect is in custody and/or when Miranda warnings are needed. With their decision, the Court chose not to protect juveniles’ during an interrogation by ultimately choosing not to infringe on law enforcement’s investigative abilities.

The last four Supreme Court cases analyzed established the most recent precedent in relation to juveniles' vulnerabilities in the Criminal Justice System. *Roper v. Simmons* (2006) found that adolescents under the age of 18 could not be charged with the death penalty as a result of the "kids are different" approach. *Graham v. Florida* (2010) ruled that adolescents under the age of 18 could not be sentenced to life in prison without parole when charged with a non-homicidal offense. *J.D.B. v. North Carolina* (2011) decided that age must be considered when delivering Miranda warnings during a custodial interrogation. Lastly, *Miller v. Alabama* (2012) ruled that adolescents under the age of 18 at the time of the offense could not be sentenced to life without parole. From these U.S. Supreme Court decisions, important precedent is provided for how the legal system should handle juveniles. Although there seems to be a lack of consensus among the rulings, the majority of the Court decisions reviewed have found juveniles to be vulnerable in some capacity within the Criminal Justice System. While a few of these court cases mention what juvenile vulnerabilities should be taken into consideration during an interrogation, none of them specifically mention interrogation techniques or how they can be harmful to juveniles. All these Supreme Court decisions were heavily reliant upon neurological and psychological research on juvenile brain development, which is a prime example of how the High Court can bridge the gap between scientific findings and legal precedent.

CHAPTER FIVE:

CONTENT ANALYSIS METHOD & RESULTS

Method

As previously mentioned, general information regarding juvenile interrogations is gleaned from three main sources: interrogation manuals, court cases, and empirical research. The above systematic review was only able to analyze two of the three general sources of information, which leaves one main source in need of analysis. From the preliminary findings of the systematic review, questions were raised as to the practical applications of the findings which can only be answered by analyzing what information is already within interrogation manuals. Currently, no research has been conducted that analyzes the communicative messages within police department interrogation manuals. A content analysis is a quantitative process for determining the frequency of specific concepts, ideas, terms, and other source characteristics with the goal of making comparisons between communicative messages (Allen, 2017). With the consideration of the questions raised from the above systematic review, the intent of the current content analysis is to examine the remaining general source of interrogation information in order to provide a comprehensive investigation into juvenile interrogations.

While a content analysis of all interrogation manuals in the United States is beyond the scope of this thesis, a convenience sample was gathered in order to pilot the analysis into police department interrogation manuals. For the current study, a quantitative content analysis was used which is where the researcher codes and counts the occurrence of designated terms and/or content (Coe & Scacco, 2017). A convenience sample was obtained through online search engines that provided access to police department's policy and/or procedure manuals. Selection criteria for manuals were as followed: had to be published by a police department within the United States, had to be the most current publication, and had to include information about interrogation procedures. All manuals that were published before 2003 were excluded from the

sample in order to keep cohesion with the above systematic review. After an exhaustive online search, 25 police department manuals were found and analyzed (See Table 8).

Table 8. Content Analysis Interrogation Manuals (N=25).

Police Department Manuals	Code Assigned
Minneapolis Police Department Policy and Procedure Manual	1
Michigan Commission of Law Enforcement Standards	2
State of New Hampshire Law Enforcement Manual	3
Town of Shalimar Police Department Policy Manual	4
Dyersville Police Department Policy Manual	5
Abington Township Police Department Policy and Procedure Manual	6
New Orleans Police Department Operations Manual – Miranda Rights	7
Baltimore Police Department Policy 1105 – Custodial Interrogations	8
Pittsburg Bureau of Police Interview and Interrogation Order	9
Philadelphia Police Department Directive 5.23 – Interviews and Interrogations	10
New Orleans Police Department Operations Manual – Custodial Interrogations	11
Spokane Police Policy Manual	12
San Francisco Police Department General Order	13
Memphis Police Department Policy and Procedure Manual	14
Austin Independent School District Police Department Policy Manual	15
Austin Police Department General Orders	16
Tampa Police Department Standard Operating Procedures	17
San Diego Police Department Procedure	18
Albuquerque Police Department Procedural Orders	19
Atlanta Police Department Policy Manual	20
Durham Police Department General Order Manual	21
Phoenix Police Department Operations Order	22
Salt Lake City Police Department Policy Manual	23
Culver City Police Department Policy Manual	24
Oklahoma City Police Department Operations Manual	25

The following coding schema was used for all manuals (N=25). Content within the manuals were coded for existence; meaning, concepts were only counted once upon appearance regardless of how many times it appeared. Recording units were defined by certain words or phrases that pertained to the coding categories. The coding categories were defined based on the key results that were gathered from the 11 questions raised from the systematic review. These categories included the distinction between an interview and an interrogation, the presence of interrogation procedures, the presence of interrogation safeguards, the presence of Miranda warning procedures, the presence of juvenile interrogation procedures, the presence of interrogation techniques, and the distinction in how language of the safeguards presented. Numerical codes were assigned to each recording unit within the various coding categories (See Appendix A for full coding sheet). Coding responses were manually imputed by researcher and frequency outputs were generated using the software SPSS Statistics provided by Seattle University.

Limitations

This method has several key limitations. First, the reliance on electronic policy and procedural manuals prevented the ability of the analysis to fully identify all eligible police department. Second, content analyses are subjective, leaving researchers to interpret the meaning of the content, which can affect the reliability and validity of the findings (Bhasin, 2020). Lastly, content analyses are prone to increased error, particularly when trying to achieve a greater level of interpretation (Krippendorff, 2018). In turn, this can affect the generalizability of content analysis findings. Thus, the goal of this content analysis is not to generalize findings to all police policy and procedural manuals, but rather serve as a starting point for future research into the content of these manuals.

Results

The first two major questions that were left unanswered after the above systematic review were:

Question 1: Do police department manuals discuss juvenile safeguards?

Question 2: If so, what types of safeguards are discussed within these manuals?

To analyze these questions, a simple frequency analysis in SPSS was completed and included the variables of safeguard and safeguard type (See Table 9). Of the police department manuals analyzed, more than half (68%) discussed the need for some type of safeguard pertaining to a juvenile interrogation. The most frequent safeguard discussed were video/audio recordings (44%) of interrogations. This finding supports previous research on juvenile interrogations that calls for the mandatory video recording of all juvenile interrogations to be added to police procedure manuals (Haney-Caron et al., 2018; Malloy et al., 2014; Meyer & Reppucci, 2007; Scott-Hayward, 2007). However, the current descriptive statistic is only able to report on the frequency the concept appeared. The language of safeguards will be analyzed later in this content analysis. Interested adult was the second most frequent safeguards (28%) present in the manuals. The interested adult safeguards requires that juveniles under a certain age must have a guardian or parent present for a waiver to be considered admissible (King, 2006).

Table 9. Main Safeguards (N= 25).

	freq	%
Recordings	11	44
Interested Adult	7	28
Special Miranda Warning	3	12
Juvenile Interrogation Procedures	5	20
Length of Interrogation	3	12
Totality of Circumstances Test	3	12
Multiple Present Indicator	11	44
Total Safeguards	17	68

Notes: Total safeguards represents the number of manuals that discussed any type of safeguard.

Next, 20% of police manuals discussed the implementation of special juvenile interrogation procedures. While the frequency is low, this finding coincides with previous research that has emphasized the need for separate, developmentally appropriate interrogation procedures for youth (Arndorfer et al., 2015; Cleary & Warner, 2016; Redlich et al., 2019; Reppucci et al., 2010; Scott-Hayward, 2007). The last three types of safeguards, special Miranda warnings, length of interrogation, and totality of circumstances test (i.e., a test to determine if a juvenile knowingly, intelligently, and voluntarily waived their rights), were all discussed at the same rate (20%) within the interrogation manuals. Regarding special Miranda warnings and length of interrogation, previous research on juvenile interrogations has highlighted the need for developmentally appropriate Miranda warnings as well as mandates on how long a juvenile can be interrogated (Cleary & Vidal, 2016; Grisso et al., 2003; Kostelnik & Reppucci, 2009; Malloy et al., 2014; McLachlan et al., 2011). Lastly, 44% of the manuals discussed the implementation of two or more types of safeguards.

Eight additional questions were left unanswered from the conclusion of the above systematic review:

Question 1: Are interrogation procedures discussed in police department manuals?

Question 2: Do police department manuals highlight the distinction between an interview and an interrogation?

Question 3: Do police department manual use the terms interview and interrogation interchangeably?

Question 4: Do police department manuals discuss Miranda warnings?

Question 5: Do police department manuals discuss interrogation techniques?

Question 6: Do police department manuals highlight caution pertaining to interrogating certain demographics?

Question 7: Do police department manuals discuss juveniles?

Question 8: Do police department manuals discuss if juvenile should be interrogated differently?

To analyze these questions, a simple frequency analysis in SPSS was completed and included the variables of interrogation procedures, interview vs. interrogation distinction, interview and interrogation interchangeable, interrogation techniques, Miranda warnings, caution placed on certain demographics, juveniles, juveniles treated differently (See Table 10). The two most frequent variable discussed were interrogation procedures (100%) and Miranda warnings (100%). This is important to note because Miranda warnings and procedures indicating how an officer should interrogate a suspect are two essential elements to conducting an interrogation. Next, the comparison between the way police manuals present the concepts of interview and interrogation was significant finding of this analysis. Only 48% of the manuals discuss the distinction between an interview and an interrogation, while 52% used the two terms interchangeably. As previously discussed in this thesis, the distinction between the interview and interrogation is critical for both investigators and suspects to understand because each process involves a different set of interrogation techniques and a different set of legal standards. When the two are used interchangeably, individuals, especially juveniles, may not know whether they have the right to end the conversation.

Table 10. Coding Category Totals (N=25).

	freq	%
Interrogation Procedures	25	100
Interview vs. Interrogation Distinction	12	48
Interview & Interrogation Interchangeable	13	52
Interrogation Techniques	0	0
Miranda Warnings	25	100
Caution Placed on Certain Demographics	18	72
Juveniles	21	84
Juveniles Treated Differently	16	64

Other significant findings pertained to the two variables regarding juveniles and the interrogation technique variable. First, juveniles were discussed in 84% of the interrogation manuals; however, only 64% of the manuals discussed how juveniles should be treated differently during interrogations. This finding is significant because research indicates that juveniles' brains are not fully developed to properly weight the potential consequences of committing a crime (Werner, 2015). Due to these developmental differences, scholars note that juveniles should not be managed the same as adults (Arredondo, 2003; Scott & Steinberg, 2008). The last, and probably the most significant, variable analyzed within these eight questions was interrogation techniques. None of the 25 manuals discussed what interrogation techniques officers should use during an interrogation. This finding is consistent with the findings from the five police interrogation articles in the above systematic review where the specific interrogation techniques taught to officers were not disclosed. By not establishing what techniques officers should use during an interrogation, officers are seemingly free to use whatever techniques they deem necessary during an interrogation. As research has shown, this can be extremely detrimental to juveniles (Meyer & Reppucci, 2007).

The last question that was left unanswered from the above systematic review related to how manuals presented information regarding safeguards.

Question: What type of language do police department manuals use when discussing safeguards?

To start, 20% of the manuals used conditional language when discussing how their safeguards should be implemented into their department. Conditional language was operationally defined as any language that places stipulations on when or how the safeguards should be implemented. For example, Oklahoma City Police Department placed stipulations on who was entitled to have a parent, guardian, or attorney present during questioning based on the persons age and status offense (e.g., the presence of parent, guardian, or attorney is not required for ages 13-17 being charged for kidnapping but is required for ages 16-17 being charged for aggravated assault of a police officer). Next, 20% of the police department manuals used discretionary language for the implementation of their safeguards. Discretionary language was operationally defined as any language that allows officers to use their judgement when deciding whether to implement safeguards. For example, the State of New Hampshire law enforcement manual uses the language “strongly encourage” when discussing how officers should implement video recordings of juvenile interrogations.

Table 11. Type of Safeguard Language (N=25).

	freq	%
Conditional	5	20
Discretionary	5	20
Mandatory	1	4
Mixture	6	24
N/A	8	32
Total	17	68

Notes: N/A refers to the manuals that did not discuss safeguards.

Only one manual (4%) used mandatory language when discussing how their department should implement their safeguards. Mandatory language was operationally defined as any language that requires officers to implement safeguards without the use of any stipulations or conditions. For example, New Orleans Police Department states that any juvenile must have a parent, legal guardian, or child advocate present during an interview or interrogation. Lastly, the majority of the manuals (24%) used a mixture of the three types of language previously discussed. The use of mixed languages tended to be more prominent within manuals that discussed multiple safeguards. The most common combination was mandatory and discretionary language. For example, the Memphis Police Department used discretionary language when stating how officers “should” implement the interested adult safeguard and then used mandatory language when stating how officers “must” take a break after interrogating juveniles for a particular length of time. The variable N/A refers to the manuals (32%) that did not discuss safeguards, therefore their language could not be analyzed. Understanding the language behind the safeguards provides more meaningful context the safeguard frequencies mentioned above. Knowing how police department manuals present their safeguards is extremely important in understanding how juveniles can be better protected during an interrogation.

CHAPTER SIX:

DISCUSSION

The goal of this thesis was to examine the three prominent sources of information regarding juvenile interrogations to better understand the gap between scientific findings and practical application in order to provide well-informed policy implications. To understand the existing gap, two analyses were conducted: (1) a systematic review of the recent empirical research on juvenile interrogations and important U.S. Supreme Court cases; (2) a content analysis of a sample of police department policy and procedure manuals. From the systematic review and the content analysis, the conclusion can be made that there is an apparent need for additional juvenile safeguards in relation to juvenile interrogations.

While there is speculation surrounding the vulnerability of juveniles during an interrogation, the majority of the recent empirical research indicates that juveniles are indeed vulnerable to interrogation techniques and recommend more developmental interrogation training for police officers (Cleary, 2014; Cleary & Vidal, 2016; Grisso et al., 2003; Haney-Caron et al., 2018; Kassin et al., 2018; Malloy et al., 2014; McLachlan et al., 2011; Owen-Kostelnik et al., 2006; Redlich et al., 2019; Scott-Hayward, 2007; Sharf et al., 2017). This is important because none of the articles analyzed in the systematic review reported on whether or not police officers received separate interrogation training for juvenile suspects. Similar results were found within the content analysis. Only 20% of the interrogation manuals reported separate interrogation procedures for juveniles and none of the manuals reported what techniques officers should during an interrogation. The only interrogation technique reported in this thesis came from police officer self-report surveys on what techniques they believed to be the most effective (Cleary & Warner, 2016; Kassin et al., 2007; Kostelnik & Reppucci, 2009; Meyer & Reppucci, 2007; Reppucci et al., 2010). Among these articles, there was no consistency in the type of

interrogation techniques used or the type of interrogation training police officers received, which gives police officers the power to use discretion when implementing interrogation techniques.

Past and present U.S. Supreme Court rulings have also established guidelines on the vulnerabilities juveniles may face in a custodial interrogation (*Fare v. Michael C.*, 1979; *Gallegos v. Colorado*, 1962; *Haley v. Ohio*, 1948; *In re Gault*, 1967; *J.B.D v North Carolina*, 2011; *Yarborough v. Alvarado*, 2004) as well as how juveniles should be treated in the Criminal Justice System (*Graham v. Florida*, 2010; *Miller v. Alabama*, 2012; *Roper v. Simmons*, 2005). Currently, no Supreme Court rulings have directly addressed techniques used during a juvenile interrogation and only a limited number of decisions have addressed juvenile vulnerabilities during a custodial interrogation. However, recent scientific findings suggest that interrogation techniques can be harmful to juveniles and reform is needed regarding how police officers are trained to interrogate juveniles (Arndorfer et al., 2015; Cleary, 2014; Cleary & Warner, 2016; Haney-Caron et al., 2018; Malloy et al., 2014; Redlich et al., 2019; Vidal et al., 2016). Unfortunately, since law enforcement takes their cues from the legal precedent set forth by the Supreme Court, the scientific findings are not being consistently translated into the interrogation manuals taught to law enforcement personnel. For instance, results from the content analysis showed that only 12% of police manuals had developmentally appropriate Miranda warnings for juveniles, only 12% had limitations for how long a juvenile could be interrogated, and 28% had policy in place for juveniles to have an adult present during interrogation. Furthermore, only one police manual used mandatory language to discuss the implementation of juvenile safeguards; meaning, the majority of the manuals used conditional language, discretionary language, or a mixture of the three. These findings are consistent the U.S. Supreme Court rulings that are

written in a vague language that enable the lower-level courts to use discretion when making decisions.

In order for positive reform to take place, it is important to compare police officer's perceptions on the effectiveness of juvenile interrogation to the juvenile's perceptions and experiences during an interrogation. A comparison can be made between the police officer's perceptions of juvenile's understanding of Miranda warnings and the percentage of juveniles who waive their right to counsel. Kostelnik and Reppucci (2009) found the majority of police officers report that juveniles are fully capable of understanding Miranda warnings during an interrogation, which correlates to Cleary and Vidal (2016) finding that 90% of juveniles waive their right to counsel. However, the argument can be made that juveniles who waive their right to counsel do not fully comprehend the magnitude of their Miranda warnings, which would be the opposite of the police officer's perceptions. As neurological research has shown, adolescents are more likely than adults to suffer from deficiencies in their decision making, which can have an effect on their ability to knowingly and intelligently invoke or waive their Miranda rights (Scott-Hayward, 2007).

Similarly, researchers have noted that juveniles are at a disadvantage of recognizing inherent risks, are susceptible to interrogation techniques due to lack of maturity, and are vulnerable to poor decision making (Cleary, 2014; Cleary & Vidal, 2016; Grisso et al., 2003; Haney-Caron et al., 2018; Malloy et al., 2014; McLachlan et al., 2011; Owen-Kostelnik et al., 2006; Scott-Hayward, 2007; Sharf et al., 2017). Yet, police officers report using techniques such as deception and body language cues to accurately differentiate the truth from juveniles during an interrogation (Meyer & Reppucci, 2007; Reppucci et al., 2010). More importantly, the police officer research does not examine what the officers define as accuracy or truth. With no proper

way to measure the accuracy or truth of the interrogation, there is no way to definitively determine if the admission of guilt is proof of actual guilt. The inconsistency between police officer's and juvenile's perceptions seemingly reiterates the need for stricter guidelines regarding interrogation manuals.

Interestingly, two articles among the police officer's perceptions research found that more structure is needed in relation to juvenile interrogations (Meyer & Reppucci, 2007; Reppucci et al., 2010). These conclusions are consistent with the content analysis findings that 84% of the police manuals mentioned juveniles in some capacity; yet only 64% discussed how juveniles should be treated differently compared to adults, and only 20% mentioned juvenile specific interrogation procedures. When these findings are examined with the juvenile interrogation research findings, a correlation can be made between the need for more procedural structure and the juvenile research findings regarding the location and length of interrogation. Findings showed there was no consistency in where juveniles were being interrogated (i.e., police station, detention center, etc.) and how long juveniles were allowed to be interrogated. Similarly, the content analysis found that only 12% of the police manuals discussed length of interrogation safeguards for juveniles. These findings further suggests that stricter guidelines are needed in relation to juvenile interrogation techniques.

Within the systematic review, 10 articles suggested reforming interrogation techniques to incorporate more evidence-based interview strategies that are developmentally appropriate, especially in relation to the delivery of Miranda warnings and the length of interrogation (Arndorfer et al., 2015; Cleary, 2014; Cleary & Vidal, 2016; Feld, 2006b; Haney-Caron et al., 2018; Kostelnik & Reppucci, 2009; Meyer & Reppucci, 2007; Redlich et al., 2019; Vidal et al., 2016; Woolard et al., 2008). That being said, how are law enforcement agencies supposed to

reform interrogation techniques when they are rarely, if ever, discussed within department policy and procedure manuals? As previously mentioned, the content analysis found that none of the 25 police manuals discussed what type of interrogations techniques officers should use. While this is admittedly a small sample size, the fact still remains that these 25 police departments would not be able establish developmentally appropriate interrogation strategies without first establishing clear guidelines on what techniques officers should use during an interrogation. If the Criminal Justice System is to increase the likelihood of eliciting a truthful confession and ensuring the safety of juvenile suspects, uniformity needs to be added to the way law enforcement officials interrogate juvenile suspects.

Findings from both the systematic review and content analysis reiterate the fact that there is no consistency or uniformity to the way police officers are trained to interrogate both adult and juvenile suspects. The lack of uniformity within interrogation manuals can possibly explain why interrogation techniques are not specifically mentioned within the current legal precedent set forth by the U.S. Supreme Court. If there are no clear procedures for juvenile interrogations, then the Criminal Justice System is at a disadvantage when trying to determine whether or not juveniles are vulnerable during interrogations. Among U.S. Supreme Court rulings, there also seems to be a disconnect between the scientific research the courts use to support their rulings, the actual rulings themselves, and the protections set forth by the court rulings. For example, several of the Supreme Court decisions analyzed in this thesis note age, maturity, and Miranda rights as vulnerabilities juveniles face during a custodial interrogation. However, as seen in both the police officer perception research and the juvenile interrogation research, no additional protections have been established for juveniles during an interrogation. Similarly, the content analysis found that these vulnerabilities are rarely discussed within police manuals. When they

are mentioned, most juvenile safeguards are either discussed in a conditional manner (20%) or a discretionary manner (20%), both of which give leniency on when to implement the safeguards.

The vagueness of the language within the Supreme Court rulings is also a point of contention in relation to the Criminal Justice System's ability to protect juveniles during an interrogation. For example, the first Supreme Court case to rule on juvenile interrogations, *Haley v. Ohio* (1948), used the term "should be considered" in relation to the intensity of questioning and the number of hours interrogated when determining what methods are appropriate to elicit a confession. The Reid Technique interrogation training course used similar language when discussing how special precaution "should" be taken when interrogation juveniles (Jayne & Buckley, 2014). Similarly, 20% of the police manuals within the content analysis used discretionary language when discussing how officers should implement juvenile safeguard procedures. Also similar to the content analysis finding, only one U.S. Supreme Court, *J.D.B. v. North Carolina* (2011), case to used definitive language when ruling that age "must be" considered when delivering Miranda warnings to juveniles. However, no practical applications have been implemented regarding what measurements interrogators should use to consider age (i.e., risk assessments, age requirements, etc.). Application of the age consideration is left up to individual law enforcement agencies to implement how they see fit. Thus, while the U.S. Supreme Court has been able to bridge the gap between scientific findings and legal precedent through the use of scientific evidence in their decision making, the Criminal Justice System needs to find a way to bridge the gap between legal precedent and practical application.

This gap between legal precedent and practical application is further complicated by the fact that the majority of juvenile cases are handled by lower courts. While the U.S. Supreme Court's decisions set the precedent for the lower courts to follow, the vague language used gives

the lower courts discretion on how to consider the age and experience of the individual during an interrogation. This discretion has allowed both police departments and lower courts in various states to abstain from recognizing that the Constitution requires defendants to have the ability to understand the legal proceedings in order to make rational decisions and to assist counsel (Feld, 2006). Without more continuity between the states in relation to the proper protection of juveniles, law enforcement officials will be allowed to continue using discretion when interrogating adolescents.

CHAPTER SEVEN:

CONCLUSION

A systematic review and content analysis on juvenile interrogations is an appropriate step in furthering this field of research by accurately addressing the limitations within the research, making stronger recommendations for future research, and implementing policy changes that will ultimately improve how juveniles are represented within the Criminal Justice System. The findings from the present thesis suggest that the current Criminal Justice System might be flawed regarding its approach to juveniles, specifically in terms of juvenile interrogations. These flaws can have significant repercussions on youth whose lives are impacted by these unethical approaches. By the Criminal Justice System allowing coercive interrogation techniques to be used on juveniles, the system is going against the ethical principles of justice and fairness in which the system was built on. As a result, youth become collateral damage of these unethical practices where they are exposed to undo trauma at the hands of a system that was built to protect them. In the era of social construction, once a child is marked a convict (i.e., the Scarlet C), the mark can never be erased (Bernstein, 2014). Thus, youth whose brains are not fully matured until their early 20s need extra protections from the unethical coercive interrogation practices that can result in them being socially branded with the Scarlet C for the rest of their lives.

Positive strides are being made to combat these unethical practices regarding coercive interrogations. The fact that the majority of the relevant research argues for juvenile vulnerabilities during an interrogation and advocates for the implementation of additional safeguards is a promising first step. Even the U.S. Supreme Court has begun to acknowledge the research on juvenile development and the potential vulnerabilities juveniles face during an interrogation, providing the groundwork for the implementation of juvenile safeguards. From the U.S. Supreme court rulings analyzed in this thesis, legal precedent has been set pertaining to

procedural safeguards for juveniles. The purpose of these procedural safeguards are to preserve individual autonomy, reduce the risk of error, and prevent states from convicting innocent youth (Feld, 2012). As shown in the above literature review, a few states have already begun implementing their own additional safeguards for juveniles during an interrogation, which provides a promising first step in bridging the gap between the research and practical application.

The challenge now is to completely close this gap by cohesively implementing the research and procedural safeguards into law enforcement agencies across the country. The present content analysis of police department interrogation manuals illustrated this very challenge where all 25 police departments had their own unique interrogation procedures and implementation of juvenile safeguards. Due to America's decentralized Criminal Justice System, size, and diversity, law enforcement agencies at all levels are left to their own devices regarding the implementation of interrogation procedures. This lack of cohesion allows law enforcement agencies to pick and choose what safeguards they want to implement to protect juveniles. Without a more systematic and cohesive interrogation protocol throughout the United States, juveniles will continue to become victims of coercive interrogation techniques.

Limitations

While promising results were found pertaining to juvenile vulnerabilities during interrogations, this thesis is not without limitations. Regarding the systematic review, by only having access to the databases accessible through Seattle University's online library, there may be more information present on the topic that was not accessible for this paper. There is also a limited number of original research that specifically examines juvenile interrogation. Juvenile interrogation research is scarce because, in general, juvenile cases are sealed making them hard to access for researchers. Recreating a legitimate interrogation environment is also challenging

for researchers on its own but recreating an interrogation environment with a juvenile participant increases the difficulty for researchers. Most juvenile interrogation research is reliant on police department transcripts of interrogations and juvenile self-report surveys, which both are susceptible to reporting bias. Some other limitations are in relation to the lack of interrogation-related policy, that specifically addresses how law enforcement officials are trained to interrogate juveniles and how law enforcement agencies screen juveniles for cognitive ability. Regarding limitations of the content analysis, the sample size was small due to limited access to police interrogation manuals. Research was constrained to manuals that were only available on the internet. With these limitations in mind, future research is needed regarding juveniles within the Criminal Justice System and the safeguards currently available for juveniles in order to enact positive policy change regarding juvenile interrogations.

Future Research

Future research should focus on examining active juvenile interrogations across multiple police departments to get a full perspective on what policies to create that will lead to the implementation of better practices. There is a need for more criminological research regarding the effectiveness and ethicality of juvenile interrogations as a result of research arising from neurosciences and psychology. Kostelnik and Reppucci (2009) suggest that future research should explore the extent to which the type of interrogation training and specific factors about the training either increase or decrease the risk of a juvenile falsely confessing. In a study examining 320 exonerations, Crane, Nirider, and Drizin (2016) found that 42% of exonerees were juveniles and that youth were two-to-three times more likely to admit to a crime they did not commit during an interrogation. These statistics illustrate the importance of researching the effects of interrogation techniques so practitioners can implement additional safeguards that

decrease the likelihood of a juvenile falsely confessing. Future research should also focus on examining the legal knowledge of adolescents as well as the decision-making process of juveniles during an interrogation. Understanding the extent to which youth comprehend their Constitutional rights and how youth decide whether or not to confess to a crime can help enact policy changes, which, in turn, can help reform law enforcement interrogation training.

Policy Implications

Moving forward, creating policy that is based on the recent and significant research will allow safeguards to be put in place to protect juveniles during an interrogation. Many of the articles analyzed in this systematic review have recommended promising policy that safeguards juvenile interrogations. Several researchers have called for the implementation of developmentally appropriate interrogation techniques, mandatory video recording of all juvenile interrogations, and more evidence-based interview strategies that achieve both law enforcement's goal and protect juvenile's rights (Arndorfer et al., 2015; Cleary, 2014; Haney-Caron et al., 2018; Malloy et al., 2014; Scott-Hayward, 2007; Vital et al., 2016). Law enforcement agencies need to make video recordings of interrogations mandatory because audio and video recordings have the ability to expose the inner workings of juvenile interrogation rooms (Feld, 2012). As such, only mandatory recordings of juvenile interrogations can allow judges to know what happened when police elicited a confession and rule on its voluntariness and reliability.

Policy is also needed regarding the distinction between interviews and interrogations. Interviews are conducted to gather information and determine the truth, while interrogations are conducted to elicit a confession (Feld, 2012). By allowing law enforcement officials to use the concepts interchangeably, suspects are left to wonder if they are free to leave or need a lawyer. This is also why scholars stress the need for more evidence-based interview strategies (Cleary,

2014). Implementing evidence-based interview strategies will reduce the use of minimization techniques that lead juveniles vulnerable to falsely confess (Feld, 2012). Research has found that models that employ evidence-based interviewing strategies are a more ethical approach to investigations because they can reduce the risk of suspects making false confessions by eliciting more reliable information about an alleged offense from the individual in question (Brewer & Williams, 2005). European countries have seen promising results through their implementation of the PEACE model, which teaches non-coercive investigative interviewing strategies for officers when questioning suspects. Specifically, research on the PEACE model concluded that officers trained in the PEACE model were able to secure full and more accurate accounts from suspects (Walsh & Bull, 2010) as well as provide suspects with additional safeguards through the supervision (i.e., officers are observed during investigative interviews and given feedback on their tactics) component of the model (Clarke & Milne, 2001; Clarke et al., 2011). By implementing these more evidence-based interviewing strategies, like the PEACE model, into U.S. interrogation manuals, juvenile suspects will be afforded better protection from false confessions.

Another commonality among the research is the need to adopt special protections regarding juveniles Miranda rights and the requirement of counsel during all juvenile interrogations (Cleary & Vidal, 2016; Grisso et al., 2003; McLachlan et al., 2011; Owen-Kostelnik et al., 2006; Scott-Hayward, 2006; Sharf et al., 2017). Miranda warnings alone do not effectively empower suspects, ensure voluntary and reliable statements, or maintain a well-functioning adversary process, especially in relation to juvenile suspects (Feld, 2012). Miranda rights scholars have suggested that juveniles are in need of simplistic and easily understood Miranda warnings that are based on adolescents' cognitive limitations (Rogers et al., 2008). The

Benoit warnings, created by New Hampshire Supreme Court, are a prime example of how developmentally appropriate language can be implemented to help youth easily understand Miranda warnings (Rogers et al., 2012). While Benoit warnings are the right first step in providing youth with additional Miranda warning safeguards, they are still reliant on law enforcement agencies to enforce the procedural safeguard.

The key component to the creation of these policy implications lies in their implementation, which can only be accomplished by standardizing interrogation training within law enforcement agencies. Procedural safeguards are only as strong as the means available to enforce them (Feld, 2012). For instance, many interrogation procedures use conditional or discretionary language regarding procedural safeguards, which leaves the decision to individual officers on if/when to implement the safeguards in question. While small strides have been taken to safeguard juveniles during an interrogation (e.g., through the use of research in recent Supreme Court rulings and through the addition of procedural safeguards with police manuals), there is much work that still needs to be done. The only way to truly make sure juveniles are protected during an interrogation is through a collaborative effort by both the Criminal Justice System and the scientific community that bridges the gap between legal precedent, scientific findings, and practical application. Youth are the future of our society. With the policies we create and the procedural safeguards we choose to enact, we hold the true power over whether to breed criminals or shape tomorrow's leaders.

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Appendix A

CONTENT ANALYSIS CODING INSTRUMENT

Categories	Codes
Procedure: Are interrogation procedures discussed in police department manuals?	0) No, 1) Yes
Interview vs. Interrogation Distinction: Do police department manuals highlight the distinction between an interview and an interrogation?	0) No, 1) Yes
Interview & Interrogation Interchangeable: Do police department manual use the terms interview and interrogation interchangeably?	0) No, 1) Yes
Miranda: Do police department manuals discuss Miranda warnings?	0) No, 1) Yes
Techniques: Do police department manuals discuss interrogation techniques?	0) No, 1) Yes
Warnings: Do police department manuals highlight caution pertaining to interrogating certain demographics?	0) No, 1) Yes
Juvenile: Do police department manuals discuss juveniles?	0) No, 1) Yes
Juvenile Differences: Do police department manuals discuss if juvenile should be interrogated differently?	0) No, 1) Yes
Safeguards: Do police department manuals discuss juvenile safeguards?	0) No, 1) Yes
Safeguard Type: What types of safeguards are discussed in the police department manuals?	0) Does not discuss safeguards, 1) Recordings, 2) Interested adult, 3) Special Miranda warnings, 4) Juvenile interrogation policy, 5) Length of interrogation, 7) "Totality of circumstances" test
Safeguard Type 2: What other safeguards are discussed in the police department manuals?	0) N/A, 1) Recordings, 2) Interested adult, 3) Special Miranda warnings, 4) Juvenile interrogation policy, 5) Length of interrogation, 7) "Totality of circumstances" test

<p>Safeguard Type 3: What other safeguards are discussed in the police department manuals?</p>	<p>0) N/A, 1) Recordings, 2) Interested adult, 3) Special Miranda warnings, 4) Juvenile interrogation policy, 5) Length of interrogation, 7) "Totality of circumstances" test</p>
<p>Safeguard Type 4: What other safeguards are discussed in the police department manuals?</p>	<p>0) N/A, 1) Recordings, 2) Interested adult, 3) Special Miranda warnings, 4) Juvenile interrogation policy, 5) Length of interrogation, 7) "Totality of circumstances" test</p>
<p>Language: What type of language do police department manuals use when discussing safeguards?</p>	<p>0) N/A, 1) Circumstantial language, 2) Discretionary language, 3) Mandatory language, 4) Mixture of language</p>