

False Confessions: A Current Matter of Life and Death

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Update: On April 25, the Texas Court of Criminal Appeals granted a stay of execution for Melissa Lucio. News coverage can be read [here](#).

On April 27, Melissa Lucio is scheduled to be executed in Texas for the alleged murder of her 2-year-old daughter (the girl died 2 days after falling down stairs). Lucio had no history of violence; there was no physical evidence to implicate her. Yet her family's 911 call unleashed a torrent of events often seen in wrongful convictions, yielding what Scherr et al. (2020) have called a "cumulative disadvantage."



Saul Kassin

First, police made an instantaneous determination based on a hunch that Lucio was a culprit and that her 100-plus denials were lies. Her demeanor was too passive, the lead detective would later testify, as he nitpicked at her eye contact and slumped posture. Over the years, research has consistently shown that such demeanor-based cues have no diagnostic value when it comes to distinguishing between truth and deception (e.g., Luke, 2019; Vrij et al., 2010).

Second, with Lucio presumed guilty, four detectives and a Texas Ranger interrogated her for over 5 hours, until 3 a.m. They yelled at her, forced her to look at photos of her deceased daughter, and used the kinds of psychological weapons of interrogation that are known to increase the risk of false confessions (Kassin & Gudjonsson, 2004). Eventually, Lucio capitulated and said, “I guess I did it.”

Third, Lucio went to trial but was convicted by a jury and sentenced to death. Confession evidence is powerfully persuasive. Mock-jury research shows that when a case contains a confession in evidence, conviction is the likely outcome—even when the confessor is a vulnerable suspect and even when the interrogation is seen as coercive (Kassin, 2022). Now, importantly, some of the jurors who convicted Lucio in 2008 are having second thoughts.

This past week, citing newly discovered evidence of actual innocence, attorneys for the Innocence Project filed a petition for a stay of execution and reversal of Ms. Lucio’s conviction. The American Psychological Association also just submitted an amicus curiae brief to the Texas Court of Criminal Appeals. The psychological science on false confessions is clear and of relevance to this life-or-death case.

A related op-ed in *Time* is published here:

<https://time.com/6168512/melissa-lucio-texas-execution-confession/>

Additional insights by Saul Kassin are in the July/August 2021 *Observer* article “[Communicating Psychological Science: Advocacy, Outreach, and Passion for the Profession.](#)”

Saul Kassin accepts the 2020 APS James McKeen Cattell Award and speaks about his research and career.

Feedback on this article? Email apsobserver@psychologicalscience.org or scroll down to comment.

References

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