

BETWEEN A ROCK AND A HARD PLACE

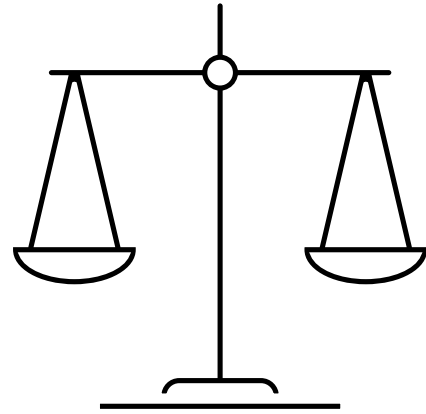
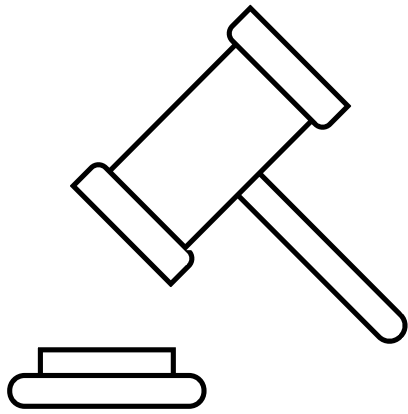
MARCELO ESPINOZA

WHY SHOULD WE CARE?



Does the Confessions rule = protection from coercion?

Do criminal justice workers experiences reflect case law findings?



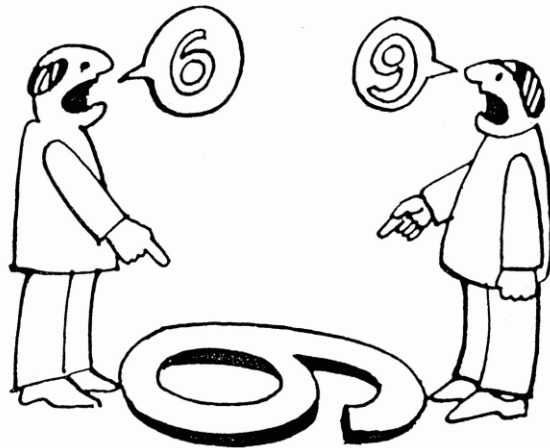
METHODS

Case-Law Analysis

- Explores practical use of the confessions rule.
- 8 Supreme Court cases.

Semi-Structured Interviews

- Explores alternative perspectives.
- 2 Interviews:
 - 1 former polygraph examiner.
 - 1 criminal defence lawyer.

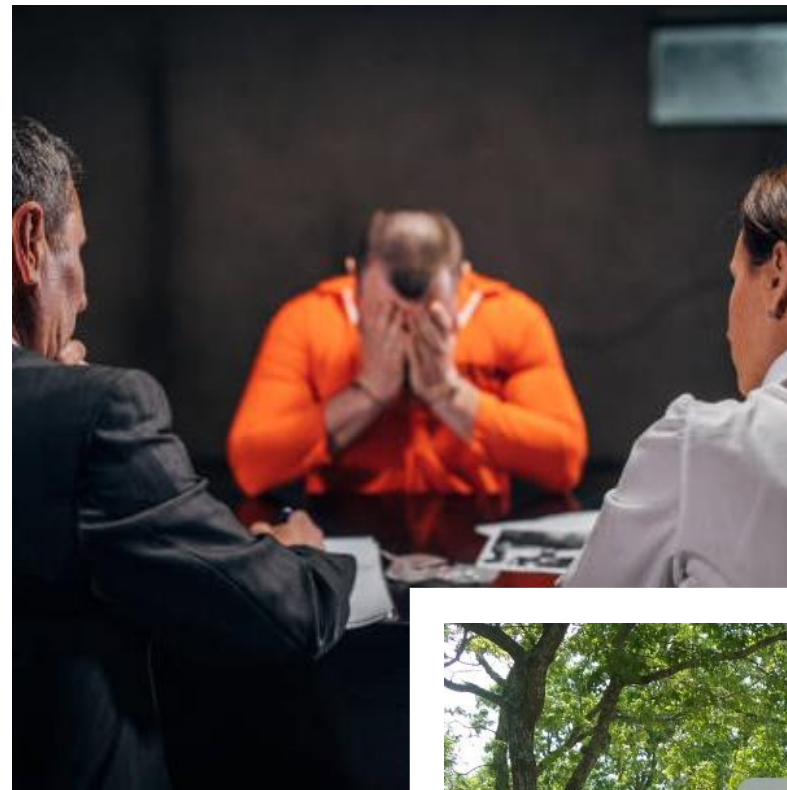


MAIN FINDINGS

Case-Law Analysis

Court stresses legal rights.

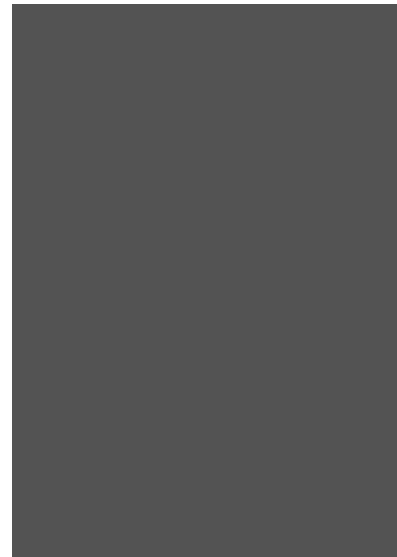
Yet, often dismisses coercive interrogations.



Semi-structured interviews

Participants stress importance of voluntariness.

Interrogations/polygraphs can lead to coercion if misused.



WHAT IS THE IMPACT OF THIS?



Coercion occurs in investigations.



Involuntary confessions.



Can increase distrust in CJS.

Analyzing Case law.



Offers a practical understanding on how 'protections' of coercion are used.



Offers new avenues to explore coercion in the CJS.



Perspectives of CJS workers.



Offers more understanding of coercion.



Can indicate possible disparity between suspect and investigator perspectives.

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