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Experts see red flags in confession

John Mark Karr's admission he murdered JonBenet Ramsey has signs of being untrue, say scholars who study such false statements

By Judith Graham

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DENVER -- It seemed a spontaneous admission, without any element of coercion. John Mark Karr faced the cameras and told the world he was with child beauty queen JonBenet Ramsey the night she was murdered.

But was this a voluntary confession of complicity in the 6-year-old's slaying as it first appeared? Or was it something else?

The question is puzzling U.S. legal experts who have studied false confessions for years. They see signs that police interrogation may have helped shape the American schoolteacher's public statements. But they're not sure because so many details about Karr's arrest in Bangkok aren't available.

"There's something going on here that's very strange ... and no reason on God's green earth to assume that this is a voluntary confession," said Richard Ofshe, a sociology professor at the University of California, Berkeley.

It's not clear how much questioning he was subjected to in the custody of Thai police. Nor is there any indication he was forced to speak with reporters.

Sometimes, people offer confessions without prompting because they're overcome by guilt over a crime; often, a religious conversion can motivate someone to admit culpability they had previously

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concealed. And sometimes, the prospect that someone else has been wrongly convicted serves as an incentive to set the record straight.

The lure of attention or publicity associated with infamous cases has also inspired people to confess to crimes they never committed, among them the Lindbergh kidnapping in the 1930s.

But consider: Most people who volunteer confessions offer their mea culpas to authorities, rather than evading law enforcement for years and fleeing overseas as Karr did after a 2001 arrest on child pornography charges in California.

"What happens is, someone walks into a police station and turns himself in," said Steven Drizin, legal director of Northwestern University School of Law's Center on Wrongful Convictions and a clinical professor at the law school. "In this case, authorities had to go all the way across the world to bring this guy into custody."

Indication of police influence

The language of Karr's televised confession troubles Drizin and Ofshe. Both said a red flag was raised in their minds when the slight, intense-eyed 41-year-old insisted that JonBenet's death in Boulder, Colo., was "an accident" and "unintentional."

"This is a classic example of the kind of language someone would use after a police interrogation," said Ofshe, one of the foremost experts on false confessions in the U.S.

"Clearly, the killing of this girl was not an accident, so why would he say that?" Drizin asked. "Police officers are trained to suggest to a suspect that a crime was an accident ... a less heinous account ... in order to elicit a confession."

And why would anyone proclaim that their involvement in a crime merited a charge of "second-degree murder" as Karr is reported to have told police in Thailand, without being told by police that a lesser charge might be possible?

"Suspects just don't come forward and say 'I committed second-degree murder.' It doesn't happen," Drizin said.

Research shows that aggressive interrogation can cause people to admit to crimes they did not commit out of fear, anxiety, a desire to escape punishment, suggestibility and misunderstanding of the

consequences, among other reasons.

Of Death Row inmates later found to be innocent because of DNA evidence, as many as 15 percent to 25 percent had confessed without just cause, according to New York's Innocence Project.

Despite these warning signs, it remains possible that Karr's statements were voluntary, both experts cautioned.

Even if Karr didn't have a hand in JonBenet's death, his willingness to take responsibility may be entirely his own. False confessions are surprisingly common. Especially in high-profile cases, people are frequently more than ready to admit to crimes they didn't commit, said Saul Kassin, a professor at Williams College and an expert on false confessions.

In one of the more famous examples, about 200 people claimed they had kidnapped and killed aviator Charles Lindbergh's baby son in 1932. Hundreds stepped forward with bogus accounts of murdering O.J. Simpson's ex-wife Nicole Brown Simpson in 1994. And a young South Carolina janitor was one of many people who took responsibility, wrongly, for abducting Elizabeth Smart from her family's home in Salt Lake City in 2002.

Some causes of confession

Why do they do it? Some people are racked by guilt over other matters and want to punish themselves, Kassin said. Others are delusional or mentally ill. Still others have a pathological need for attention and want their 15 minutes in the spotlight. And some people are trying to protect someone else, such as a friend, a family member or another member of a gang.

With someone like Karr, who spent the last decade obsessing about JonBenet, self-delusion may be involved.

"Under the influence of external or internal suggestions, people can come to believe they did things, saw things, and experienced things that never really happened to them," said Elizabeth Loftus, a professor of psychology, criminology and law at the University of California, Irvine.

Years of researching JonBenet's case may have fed Karr's ability to "visualize the situation of her death, using all the details that came out in the media, and visualize himself in it," Loftus said, adding she had no knowledge whether this was the case.

That may have been what was going on when Karr reportedly told his father that he was jailed in California in 2001 because of suspicions that he was involved in JonBenet's death. And it may have played into the numerous e-mails the divorced father of three sons sent to a Colorado journalism professor over four years professing his love for JonBenet.

"It sounds like this guy was in a confessional mode long before any police were involved," said Kassin,

the Williams College psychology professor. "My guess is that his confession was a product of his belief system. The real question I have is, Was this a public show or does he really believe it?"

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