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Reducing Youth False Confessions With Attorney Presence

Rosa Bowden-MacCalla
Walden University

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Walden University

College of Psychology and Community Services

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Rosa Bowden-MacCalla

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Walden University
2026

Abstract

Reducing Youth False Confessions With Attorney Presence

by

Rosa Bowden-MacCalla

MPhil, Walden University, 2023

MS, Walden University, 2021

BS, Florida Institute of Technology, 2016

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Forensic Psychology

Walden University

February 2026

Abstract

Interrogation techniques are influenced by the interrogator's style and the individual being interviewed. Most law enforcement agencies use adult-centered interrogation methods, leading to suboptimal results when working with youth. The research has focused on youth offenders in the interrogation room and the choices they make, often leading to false confessions when an attorney is absent. This suggests that the presence of legal representation helps protect youths' vulnerability, suggestibility, and rights, thereby reducing the likelihood of false confessions. This qualitative collective case study aimed to understand why youth offenders falsely confess by collecting seven anonymous questionnaires from multigender U.S. practicing attorneys involved in youth interrogations. The study was grounded in the interrogation decision-making model and prospect theory, which identified the reasons and conditions under which individuals falsely confess or deny wrongdoing in interrogations. The framework also examined which interrogation techniques are most effective for youth. The main research question explored how the presence of an attorney decreases the likelihood of youth falsely confessing. Themes from the anonymous questionnaire responses were coded to reflect participants' views, experiences, opportunities for improvement, and policy suggestions related to interrogation. The results of these analyses indicated elevated guilty confession rates even with an attorney present, preferred use of adult-centered interrogation tactics, and lack of consideration of youth coping mechanisms and behavioral reactions. The study contributes to positive social change by enhancing and standardizing current or new policies and protocols regarding youth vulnerability in the interrogation room.

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Dedication

I dedicate this work to my Mami, who left us too soon on May 27, 2019.

Although you were unable to physically see all the sacrifices made to bring this project to fruition, you asked me to finish what I started, and I did. I miss you; I love you, and thank you for guiding me to the finish line. Que en paz descanses.

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To my husband and my children, I am forever grateful for your unwavering patience and constant encouragement. Thank you for taking the lead on so many fronts that allowed me to accomplish my goals. I love you, and I am eternally thankful! To my Chairperson, Dr. Kia Cain-Russell, and my second Chair, Dr. Jana Price-Sharps, your support throughout this journey was exceptional! Your encouragement never wavered; your feedback taught me to look beyond obstacles, and with your full support, I reached the finish line. Thank you!

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Chapter 1: Introduction to the Study

Introduction

The information-gathering process is a necessary act conducted mainly by law enforcement to determine a potential suspect or witness's involvement in a crime. The interrogator initiates the process by determining whether the suspect is guilty or innocent, based on the evidence obtained. The interrogator's suspicion of guilt alone, without physical proof, is sufficient to proceed with questioning and begins the interrogation process with deficiencies in fair treatment, increasing the likelihood of generating false confessions (Luna, 2017). If the individual is vulnerable and susceptible, as are youths, false confessions are known to be the outcome (American Academy of Child and Adolescent Psychiatry [AACAP], 2013; Cleary, 2017; Haney-Caron et al., 2018; International Association of Chiefs of Police [IACP], 2012; Kramers-Olen, 2015; Luna, 2017). In addition, interrogations may be conducted in a manner conducive to eliciting false confessions, particularly if the individual under questioning is unfamiliar with the techniques or terminology used, thereby allowing coercion to occur unbeknownst to the interviewee (Kelly et al., 2016). Therefore, monitoring for signs of coercion from the confessions obtained from the youth is essential. Instances where coercion thrives include the absence of a parent or guardian, the presence of high levels of emotional distress, presenting the youth with evidence assumed to support their guilt or innocence, and presuming the interviewee's innocence or guilt based on their behavioral reactions. The interrogator's reliance on a false sense of ability to distinguish between truth and deceit is another added coercive tendency. The most important aspect of youth interrogations, and

the focus of this research, is the lack of legal representation during interrogations and how the presence of an attorney can alter the dynamics of the process and reduce the likelihood of false confessions (Kassin, 2008; Luna, 2017).

The presence of an attorney is known to provide youth offenders with interventions that clarify and help them understand concepts, such as Miranda Rights. Legal representation can help clarify complex legal terminology, address questions about the interrogation process, provide additional legal advice on rights, and offer professional and personal support to youths (Haney-Caron et al., 2018; Schoovaerts et al., 2021). The presence of an attorney is also known to shorten the time the youth spends in the interrogation process, thereby reducing the likelihood of false confessions and the risk of subsequent wrongful convictions (Alvarez-Toro & Lopez-Morales, 2018; Winerdal et al., 2019). The American Civil Liberties Union (ACLU) of Connecticut (2023) reports the national rate of false confessions at 36%. This rate includes the 211 individuals who were exonerated for crimes that they falsely confessed to as youths. This data supports the necessity to decrease false confessions of the youth offender population, places youth advocacy at the forefront of invested organizations, and highlights the inefficiency of the protocols and processes used during interrogation sessions.

It is essential to include a comprehensive history of adult and youth interrogation techniques and training, as well as research data on youth cognitive development and deficiencies, risk factors, and how these factors affect interrogations and the dispositions of youths during the interrogation process, with and without legal representation, to understand the background of the phenomenon. The problem statement supports the

relevance and shifting interrogation dynamics of the attorney's presence. The study section explores why youth offenders are more likely to falsely confess without an attorney present during interrogations. The research question's design allows one to understand how an attorney's presence during interrogation yields positive outcomes. A qualitative case study gathers firsthand experiences through an anonymous questionnaire from select attorneys with past or current experience with youth interrogations. The interrogation decision-making model (IDDM) framework supports this research by examining the reasons and conditions by which individuals falsely confess or deny wrongdoing during custodial interrogations. An explanation of key concepts, descriptions of limitations, and discussions on the significance of this research will close Chapter 1.

The data gathered in this research are valuable for assisting youth attorneys, advocates, court personnel, and organizations involved in youth social justice in strengthening interactions with youths and supporting the presence of legal representation, which decreases the likelihood of false confessions. Policy and protocol amendments concerning youth interrogations and standardization of interrogation techniques are other positive outcomes of this research. Emphasizing the potentially promising effects while simultaneously advocating for the well-being of the youth population contributes to local positive social change, with opportunities for change extending to state and federal levels.

Background

Tailored treatment and confinement of offenders, including youths, began in the 1800s when all criminal offenders were confined, regardless of sex, age, or mental

capacity. The confinement procedures set the expectation that all criminal offenders' capacities and their treatment would be inclusive and uniform. The continuous rise of poverty, which involved youths, led to the creation of Houses of Refuge in 1825, marking the recognition of youth vulnerabilities and the inception of punitive and highly disciplined youth detention centers. Unable to address the vulnerabilities of housed youths, Youth Courts implemented judges as the acting parental figures in determining the type of treatment or rehabilitation needed. As with every previous process in treating youth offenders, the justices varied in their recommended guidelines, creating additional harm to the youths (Center on Youth and Criminal Justice, n.d.; Gossard, 2019).

Attorney representation and specification of guidelines for remanding a youth to adult court became the focus of youth justice through the 1970s. Due to the rise in youth crime, punitive measures within youth detention centers are implemented to deter future offenders' actions, neglecting to address youth vulnerabilities (Center on Youth and Criminal Justice, n.d.; Gossard, 2019). From the 1990s to the present, the emphasis on considering youth vulnerabilities has increased, with many states overhauling their youth offender policies and laws to improve favorable outcomes. However, the process by which youth interrogations were conducted minimally changed, causing false confessions and subsequent wrongful convictions to increase and negatively impact the youth's future (Gudjonsson, 2020). Research gaps in youth interrogation analysis have directed future researchers to analyze the lack of youth-centered interrogation techniques, including how the presence of attorneys positively impacts interrogation outcomes. Some policy recommendations from previous research and case law have yet to be considered. These

recommendations include the mandated presence of attorneys or responsible adults during interrogations, retraining of law enforcement personnel on conducting youth interrogations, mandatory recording of interrogations, strong consideration of youth vulnerability and susceptibility, and standardization of youth interrogation techniques across the country to minimize adverse outcomes (Feld, 2006; Gudjonsson, 2020).

The physical, cognitive, and psychological differences between youths and adult offenders, the risks associated with youth vulnerability, susceptibility, and suggestiveness, the likelihood of youths waiving Miranda rights, the inadequacy of interrogation techniques, and the lack of legal representation during youth interrogations have prompted researchers in highlighting inadequacies and creating a platform from which reforms can be derived (Alvarez-Toro & Lopez, 2018; Cleary & Warner, 2016; Haney-Caron et al., 2018; Redlich & Kassin, 2009; Schoovaerts et al., 2021; Waxman, 2020). Studies on youth vulnerabilities have been presented since the 1940s; however, efforts for protocol change are complicated by an interrogator's guilty presumptions and assumptions of a youth's capability for violence as that of adults, hindering standardization of adequate youth interrogation reform (Alvarez-Toro & Lopez-Morales, 2018; Cleary & Warner, 2016; Gooch & von Berg, 2019; Grove & Kukucka, 2021; Redlich & Kassin, 2009).

Research on the involvement of attorneys during youth interrogations has clarified several roles of attorneys. The first role empowers the attorney to intervene when the interrogation is deemed inadequate, and to provide legal advice, explain legal terms and conditions, and offer professional and personal support to the youth. The most significant

result of an attorney's presence is a decrease in the duration of interrogation sessions, which is known to reduce the likelihood of false confessions (Haney-Caron et al., 2018; Schoovaerts et al., 2021; Winerdal et al., 2019). The adverse outcomes associated with a lack of attorney presence during youth interrogations include the use of improper and psychologically coercive interrogation techniques (Alvarez-Toro & Lopez-Morales, 2018; Cleary & Warner, 2016), lack of consideration for the immaturity and capability of the youth due to age (Grove & Kukucka, 2021; Haney-Caron et al., 2018), a disregard for comorbidities such as mental health history (Gudjonsson et al., 2016; Mogavero, 2020), and the presence of guilt presumption (Redlich & Kassir, 2009). Although previous research has highlighted the issues associated with a lack of attorney representation during youth interrogations, there is a notable lack of literature on the experiences of attorneys specializing in youth criminal matters and specifically participating in youth interrogations. This research examined the importance of United States-based attorneys' representation during youth interrogations to determine the positive outcomes associated with their presence.

Problem Statement

The minuscule reduction in false confession rates of exonerated youth offenders since 2016 (University of Michigan Law School, 2022) and previous research supporting the presence of an attorney as a protective measure against false confessions suggest that the mere presence of a legal representative protects a youth's vulnerability, suggestibility, and legal rights. What is known from research is that youth offenders tend to falsely confess during interrogations due to their immaturity and underdeveloped cognitive

skills, and a diminished comprehension of legal definitions and proceedings. In addition, the presence of a parent, guardian, or responsible adult does not provide favorable outcomes, as does the presence of an attorney (Cleary, 2017; Haney-Caron et al., 2018; Henning & Omer, 2020).

The interrogation process begins unfavorably towards the youth due to the assumption of guilt imparted by interrogators minimally trained to decipher truth from lies. Several studies indicate the difficulty in assessing whether an individual (expert or layperson) is telling the truth or lying, further endangering the outcome of the interrogation (Adams-Quackenbush et al., 2022; Lidén et al., 2018; Portnoy et al., 2019). Most behaviors or responses expected or witnessed by an interrogator can also be confused with normal youth reactions. Behaviors such as flinching, defensiveness, and avoiding eye contact indicate a youth's immaturity, cognitive underdevelopment, and a proper response to an induced high-stress event and are not necessarily a sign of dishonesty (Cleary, 2017; Haney-Caron et al., 2018; Henning & Omer, 2020; Portnoy et al., 2019). The most utilized interrogation tactic developed for adults is still highly criticized as coercive, disregarding youth vulnerabilities and susceptibility (Cleary, 2017). Regardless of how the youth offender is interrogated (via adult or youth-friendly techniques), the presence of legal representatives reduces the youth's inclination to confess, thereby decreasing the likelihood of false confessions (Henning & Omer, 2020).

Purpose of Study

This collective qualitative study focused on understanding youth offenders' tendency to falsely confess during interrogations from the descriptive first-hand

experiences of United States-based attorneys who have participated in youth offender interrogations. The experiences gathered from participants highlight the inadequacies and scattered uniformity of youth interrogation policies and protocols, and the inconsistent application of youth-friendly interrogation techniques, contributing to youth offenders' false confessions.

Participants' experiences were examined to investigate the relationship between a youth offender's tendency to falsely confess and the presence of an attorney. The presence of attorneys during youth interrogations, as indicated by minimal previous research, decreases the likelihood of false confessions. This research specifically explored whether the presence of attorneys would generate the same results. Another goal of this research was to help interpret the attorney's experiences concerning the type of interrogation techniques utilized and determine if youth offender vulnerabilities and suggestibility play a role in interrogation outcomes.

Research Question

To address the phenomenon of why youth offenders refrain from falsely confessing when an attorney is present during interrogation, the central research question (RQ) for this study examined the relationship between the presence of an attorney and the youth's restraint.

RQ: How does the presence of an attorney during a youth interrogation decrease youth false confessions?

Theoretical Framework

The interrogation decision-making model (IDMM) is a framework that explains how individuals process their decisions to voluntarily or involuntarily falsely confess, deny wrongdoing, or change their confession type during the interrogation process. Derived from utility theory, which posits that an individual's personal preferences are evident in their behavior during engagement with an event, IDMM aims to support the notion that all responses (including the psychological processing of the response) to an event are individualized by personal choices. The heightened pressure of the interrogator's techniques can influence how the individual chooses to confess and complicate the outcomes by potentially leading to a false confession (Hilgendorf & Irvin, 1981; Ofshe & Leo, 1997; Yang et al., 2017).

The IDMM framework is an appropriate fit for the proposed research, as it helped to explain the various reasons why youth offenders falsely confess, including the cyclical change in internal processing that occurs during interrogation and how cognitive underdevelopment plays an integral role in the negative outcome of the interrogation. The framework also explains how a false confession is categorized due to the use of coercive interrogation tactics or external influences. Younger youths are more likely to protect older youths, friends, or family members involved in the crime for which the youth is accused, categorizing these individuals as external influences (Kassin, 2008; McCann, 1998). A youth's time-continuum awareness creates the illusion that time is much longer than it is, regardless of the minutes or hours spent in the interrogation room. The IDMM framework explains the decision to falsely confess due to the youth's time-constraint

interpretation and inability to weigh the immediate and future consequences of their choices while under stress (Cleary, 2017; Yang et al., 2017). IDMM supports the notion that the interrogation outcome can be positively influenced by the presence of an attorney, whom the respondent may presume is attending to the youth's best interests and thereby discouraging a decision to confess falsely (Henning & Omer, 2020).

Nature of Study

The research design employed a collective case study approach to address the RQ in this qualitative study. This research has increased the understanding of how the presence of an attorney during interrogation can decrease youth false confessions. Utilizing a collective case study approach enables the phenomenon to be explored in depth, directly from the experiences of participating youth attorneys. The data gathered supports the change in dynamics that occurs during interrogations when an attorney is present (Bhatta, 2018; Kekeya, 2021). Case studies enable researchers to gather, analyze, and draw conclusions from participants' lived experiences within a specified professional group, such as youth attorneys (Kekeya, 2021; Starman, 2013). The multipart process involved gathering participants' firsthand experiences, appropriately coding the collected data, and assisting the reader in understanding the connection between the phenomena and the associated variables.

Participant recruitment and pre-screening were accomplished via social media, mail, and email, including a snowball sampling process. Snowball sampling provided access to participants who are otherwise difficult to reach by other means. One participant's access to another potential participant who shares professional similarities

serves as a recruiting mechanism for the researcher, helping expand recruitment efforts while maintaining participant inclusion and exclusion criteria (Fereshteh Ghaljaie et al., 2017). The data from the questionnaires yielded a collective understanding of views, experiences, and opportunities for improvement in policies and protocols regarding youth offenders in the interrogation room (Kekeya, 2021). The recruitment of multi-gender youth attorneys working within the United States bar associations, Department of Youth Services, youth justice organizations, the public defender's office, and local court systems with five years or more of youth practice and participation (past or present) in youth interrogations, solidified the inclusion criteria for this research. Including attorneys outside the participant criteria would have breached the research parameters and decreased the chances of collecting "information-rich cases," as Merriam and Tisdell (2016, p. 98) explained. Thus, maintaining the inclusion and exclusion criteria for participants maintained the integrity and balance of the research topic.

Participant anonymous questionnaires were provided via direct email, social media postings, and postal mail. Accommodating participants to participate and respond in a manner that is comfortable and convenient increased participation rates and provided reassurance that the information and experiences shared were kept confidential (Heath et al., 2018). Microsoft Excel analysis was used to effectively process and categorize recurring themes from participants' responses to open-ended questionnaires, providing a visual representation that facilitated data interpretation and connected the reader with the youth attorney's lived experiences as described (Allsop et al., 2022).

Definitions

The following terms are defined and are used operationally and interchangeably in this study.

False confessions: Several types of false confessions can be derived from youth interrogations. The categories of false confessions are detailed by Yang et al. (2017) and observed through the IDDM framework. The categories include involuntary false confessions, voluntary false confessions, denial of wrongdoing, or a change in their confession while engaged in custodial interrogation. Each type of confession is based on the personal understanding and interpretation of what occurs during the interrogation.

Guilty presumption: Law enforcement and interrogator biases about a youth offender's capability, capacity, and comprehension of the crime committed are consistent with the guilty presumption allotted to an adult committing the same crime (Alvarez-Toro & Lopez-Morales, 2018; Gooch & von Berg, 2019). A guilty presumption imparted by the interrogator can shift the dynamics of the questioning process and create a harmful opportunity for the youth to confess falsely.

Interrogation techniques or tactics: Interrogators utilize questioning techniques or tactics developed for adult offenders, which may encourage or persuade the youth offender to falsely confess (Alvarez-Toro & Lopez-Morales, 2018; Cleary & Warner, 2016;). Most interrogation techniques or tactics are developed with adult offenders in mind, disregarding the youth offender's vulnerability, suggestibility, susceptibility, and cognitive underdevelopment.

Juvenile: The term 'juvenile' appears in some participants' responses instead of 'youth'. The anonymous questionnaire used the term 'juvenile', and some respondents chose to refer to the target population in that manner. During participant recruitment, a receiving party informed me of the negative connotations associated with 'juvenile'; as a result, I decided to refer to the population as 'youth' to respect the receiving party's request. The language in the anonymous questionnaire remained unchanged.

Time continuum: A youth's interpretation of time creates an illusion of lengthening rather than accurately representing the time spent on an activity (Cleary, 2017). When a youth offender is under duress during interrogation, as is often the case, and time perception is distorted (Casey et al., 2020; Cleary, 2017), the youth may falsely confess to end the discomfort of the process, although the time spent in interrogation may have been shorter than perceived. Youths will make rapid decisions in a temporary situation to achieve immediate gratification and relief, often without pre-evaluating consequences.

Youth: Youth between the ages of 10 to 17 whose physiological and psychological differences are notably different from adults. Differences that are also acknowledged by the Supreme Court as hindrances to understanding and comprehending the law, legal definitions and processes, and consequences to decisions made based on the youth's limited capacity and cognitive underdevelopment (AACAP, 2013; Casey et al., 2020; Normile & Scherr, 2018; Troutman, 2018).

Youth suggestibility: Persuading a youth to physically act or verbally respond in a manner outside of the youth's norm is a component of suggestibility. Given a youth's

ongoing brain development and consistent immaturity, emotional responses are more likely than controlled, logical reactions (Casey et al., 2020). A youth's suggestive state during the interrogation process allows persuasive questioning tactics to evoke emotional responses outside of the youth's norm and capacity (Casey et al., 2020; Haney-Caron et al., 2018)

Youth susceptibility: Youths receive and process verbal and non-verbal cues from social interactions with other youths or adults that subsequently influence or alter their responses and behaviors (Haney-Caron et al., 2018; Waxman, 2020). Youth offender susceptibility is unprotected during the interrogation process, creating adverse outcomes, including false confessions.

Youth vulnerability: The natural tendency of a youth to readily accept and trust an adult's intentions, including verbal and behavioral actions, without the ability to differentiate between genuine or coercive objectives. Youth vulnerability increases the likelihood of interpreting the interaction as truthful and trustworthy, leading to coercion into making truthful or false confessions (Feld, 2013; Haney-Caron et al., 2018; Kramers-Olen, 2015).

Assumptions

The first assumption identified was the gender of the attorney participant and how interactions in the interrogation room may be affected, yielding experiences that differ depending on the attorney's gender. The attorney participants in August and Henderson's (2021) study were predominantly female, and the study focused on the protective factors that attorneys provide when present in the interrogation room. The researchers did not

deviate from the research focus to examine how the attorney's protective influence differed by gender. Given that at least 38% of attorneys in the United States are female, compared to over 60% of male attorneys, the experiences and interactions with youth offenders may vary depending on the attorney's gender, experience, and commitment to advancing youth justice reforms (Statista, 2023). The questionnaire's anonymity did not reveal participants' gender. The experiences shared in this research, regardless of the participant's gender, yielded information-rich data supporting the need for systemic change in the protocols and policies on youth offenders in the interrogation room.

Attorney participation was expected to be at the minimum level, partly due to the attorney's lack of trust in research participation and in the sharing of sensitive data concerning vulnerable youth clients. Protecting attorney-client privilege may supersede the attorney's willingness or interest to participate in this study (Richmond, 2022). Participants were assured of confidentiality and data protection, and that no client-identifiable information would be collected; instead, the focus would be on documenting their past or current experiences. Highlighting how the research outcomes of this study can support, protect, and advocate for their youth clients also encouraged the sharing of their experiences. Attorneys have the opportunity to access valuable information from the results of this study, data that can sometimes be difficult to obtain when not involved in research tasks (Murphy et al., 2021). The working relationships established with attorneys during this research process created future opportunities for the participants to contact the researcher directly, as someone who specializes in youth offender matters and with whom they have established rapport.

Scope and Delimitations

The scope of this study and its focus were on changes in dynamics (the youth choosing to or refraining from falsely confessing) during youth interrogation when an attorney is present (Haney-Caron et al., 2018; Schoovaerts et al., 2021). By increasing the understanding of a youth's tendency to falsely confess when attorney representation is lacking, better outcomes (a decrease in false confessions) can be achieved by acknowledging and prioritizing the vulnerability, susceptibility, and suggestibility of youth offenders (Cleary & Warner, 2016; Waxman, 2020)

The population of interest consisted of United States-based attorneys specializing in youth matters, with at least 5 years of experience in representation and active or past participation in youth interrogations. The identified delimitation was the inclusion of attorney participants with experience representing both adults and youth. Their views expanded the scope of the study by helping to understand the tendencies of youths and adults to falsely confess when they lack attorney representation during interrogation. This study was not intended to investigate in depth whether youth offenders falsely admit due to interrogation tactics; however, questions about the use of such tactics were included in the anonymous questionnaire. An overview and history of interrogation tactics is provided as reference as well. Full inclusion of this variable can misalign the research focus and diminish attention to the effects of an attorney's presence in the interrogation room (Miles, 2019).

Several theories were explored during the research alignment preparation stage. The first was the reframing theory, which is based on reversing negative beliefs into

positive ones through exposure to information or data, allowing re-evaluation to take place that may change an individual's point of view or perception (Changing Minds, n.d.). Providing evidence-based research on the positive effects of attorney presence during youth interrogations may reframe the reader's perspective on the importance of systemic change in policies and protocols that affect the interrogation of youth offenders.

Dr. Carol Dweck developed several theoretical concepts derived from implicit theory research with the help of Mary Bandura, Albert Bandura's daughter. Dr. Dweck's focus on youths and their perceptions of change, how they handle self-regulation, and the effects of these variables as they adapt to their surroundings supports the malleability and capacity for change in the rehabilitative potential of youth. However, the bulk of Dr. Dweck's teachings is based on the youth's mindsets regarding their learning abilities, methods to improve those mindsets, and the provision of self-improvement skills to achieve educational progress (American Academy of Arts and Sciences, 2023; Armstrong, 2019). This theoretical concept, although useful for youths in the self-improvement field, does not fully support the focus of this study, which was to explore the effects of an attorney's presence during youth interrogations.

Potential transferability from the data gathered may be applied to youths over 18 through their mid-20s (considering that brain and cognitive development continues well into their mid-20s), to in-school questioning of youths conducted by school resource officers, and to adult interrogations. All parties mentioned may not have the opportunity to have an attorney present during their questioning, creating opportunities for false confessions. The additional opportunities for future research, enabled by the data

transferability from this study, allow for a deeper understanding of the importance of attorney presence during interrogations, regardless of age group or demographic, and facilitate the replicability of the study, thereby reinforcing its transferability (Makel et al., 2022).

Limitations

Participant reluctance to share their lived experiences about vulnerable populations, such as youth offenders, was identified as an assumption, but it also applies to research limitations. Protecting the attorney-client privilege may override an attorney's willingness or interest to participate (Richmond, 2022). Increasing attorney participation in the research process facilitates access to current, evidence-based data that is valid for implementation in court processes and improves communication between researchers and policymakers, thereby decreasing adverse outcomes for the individuals represented (Murphy et al., 2021). Additional limitations included maintaining the reliability and validity of qualitative studies (Coleman, 2021), the ability for study results to replicate, transfer, or generalize into different populations (Coleman, 2021; Tuval-Mashiach, 2021), and the appropriateness of the questionnaire developed (Yonnie) Chyung, 2018). The limitations listed were minimized to the best of the researcher's ability, balancing all components of the research design, including careful data analysis and organization and the establishment and thorough explanation of the connections between the data gathered and the phenomenon under study (Bengtsson, 2016).

Objectivity bias is recognized when a researcher's dual role is as both data collector and interpreter (Florczak, 2021). Subjective views can be introduced during the

research process. An explicit account was provided of the researcher's role, the methods used, and how data were interpreted; the study's reliability and validity were met, thereby reducing reader misinterpretations. Addressing all questionnaire responses from participants, regardless of their impact on the research, provided transparency to the reader and increased trust in the interpretation and applicability of the data to the study phenomenon (Florczak, 2021; Johnson et al., 2020).

Significance

Previous research has established that the disposition of youth offenders confessing falsely during interrogations is due to their immaturity, lack of understanding, and underdeveloped cognitive skills. In addition, the presence of a parent, guardian, or responsible adult does not provide the necessary support and increases the likelihood of adverse outcomes (Cleary, 2017; Haney-Caron et al., 2018; Henning & Omer, 2020). This research successfully filled a gap in understanding how the presence of attorneys alters interrogation dynamics and offers the possibility of reducing the predisposition of youth offenders to falsely confess (Henning & Omer, 2020). The data presented helps to enhance policy and protocols concerning youth interrogations and creates opportunities to standardize interrogation techniques that are mindful of youth vulnerabilities.

Youth false confessions due to inadequate interrogation practices concern professionals and advocates who continue to fight for the improvement or initial implementation of youth-friendly criminal processes. The Office of Juvenile Justice and Delinquency Prevention (OJJDP, 2022) emphasizes that the treatment of children and youths involved in any aspect of the criminal system remains inadequate, causing

harmful effects on their physical and psychological well-being, with adverse outcomes persisting into adulthood. Continuing to research, address, and provide solutions to the disparities encountered by youth in their journey through the law and criminal justice system supports past and current advocacy initiatives. Also, it helps professionals maintain the relevance of their activism. This study contributed to the existing evidence by drawing on firsthand experiences of attorneys exclusively engaged in youth interrogations, complementing recent data from August and Henderson (2021). The data produced reinforced the need to assist youth advocates and professionals in mandating the use of understandable interaction techniques during interrogations with youths and supporting the elimination of adult interrogation tactics.

Influencing change within established systems or procedures begins at the individual level (as reflected in a researcher's reportable findings). It then transitions to a collaborative, progressive effort with local and state organizations to achieve positive social change. Evidence-based research data fills the void in protecting the physical and psychological well-being of youth offenders, regardless of their country of residence. The powerful effects of research, particularly research centered on youth interests, are numerous and highly beneficial to youth-centered organizations and youths who may lack positive support in their homes, educational settings, and social circles (Chan & Chan, 2020). Emphasizing the many potential benefits of having an attorney present while simultaneously advocating for the well-being of the youth population contributes to local systemic change, with the opportunity to extend these modifications to state and national levels.

Summary

Chapter 1 provided an overview of the youth offender interrogation process, how a youth's vulnerability and susceptibility contribute to adverse outcomes in the interrogation room, and how the opportunity for false confessions increases if the youth is not provided adequate support in the process that protects their interests (AACAP, 2013; Cleary, 2017; Haney-Caron et al., 2018; IACP, 2012; Kramers-Olen, 2015; Luna, 2017). The adequate support previously referenced and the gap identified for this research study are the presence of attorneys during youth interrogations and the change in dynamics during the interrogation process that reflects a decrease in false confessions (Alvarez-Toro & Lopez-Morales, 2018; Winerdal et al., 2019). In this study, the feedback gathered from attorneys with youth offender interrogation experiences and building the connection between positive outcomes and attorney presence created a blueprint for best practices concerning suitable youth offender interrogation tactics and revision of existing protocols or new implementations thereof (Haney-Caron et al., 2018; Schoovaerts et al., 2021; Winerdal et al., 2019).

The use of the IDMM theoretical framework (Hilgendorf & Irvin, 1981; Ofshe & Leo, 1997; Yang et al., 2017) in conjunction with a collective case study approach (Bhatta, 2018; Kekeya, 2021) allowed for the phenomenon of interest to be explored in depth, yielding information-rich data useful for connecting participants' lived experiences with relevant data outcomes. Participant prescreening, selection, and demographics were also discussed, along with the questionnaire type and distribution process. Concluding

Chapter 1 are descriptions of the study's potential assumptions, delimitations, and limitations.

Chapter 2 presents the literature search strategy, literature review, and theoretical foundation. Chapter 3 will discuss the research design and rationale, the role of the researcher, the research methodology, and issues with trustworthiness, including ethical procedures. A discussion of the pilot study, participant demographics, data collection, data analysis, evidence of reliability, and a summary of research results will be incorporated into Chapter 4. Concluding the dissertation in Chapter 5, this chapter will provide an interpretation of the findings from the gathered data, discuss study limitations, offer recommendations for future research, and outline the positive social change implications derived.

Chapter 2: Literature Review

Introduction

The minuscule reduction rates of false confessions amongst exonerated youth offenders since 2016 (University of Michigan Law School, 2022) and limited research supporting attorney presence as a protective measure suggests that the mere presence of a legal representative protects a youth's vulnerability, suggestibility, and legal rights (Alvarez-Toro & Lopez-Morales, 2018; Cleary & Warner, 2016; Gooch & von berg, 2019; Mogavero, 2020; Redlich & Kassin, 2009; Schoovaerts et al., 2021; Volbert, 2019; Waxman, 2020). The lack of cognitive and moral understanding, immaturity, high vulnerability, and suggestibility place youth offenders in an unprotected state in the presence of interrogators and unequipped to handle the unique circumstances present during interrogations without the assistance of legal representation (August & Henderson, 2021; Cleary, 2017; IACP, 2012; Kassin, 2008; Malloy et al., 2014).

What is known from previous research is that youth offenders tend to confess falsely during interrogations due to impulsivity (Haney-Caron et al., 2018). The youth's immaturity and underdeveloped cognitive skills (Haney-Caron et al., 2018; Gooch von Berg, 2019; Redlich & Kassin, 2009; Waxman, 2020) lead to a diminished comprehension of legal definitions and proceedings and subsequently lead to a false confession (Gudjonsson, 2020; Mogavero, 2020; Volbert et al., 2019). In addition, the presence of a parent, guardian, or responsible adult does not provide favorable outcomes (Cleary, 2017; Haney-Caron et al., 2018; Henning & Omer, 2020). The presence of an attorney allows the youth offender to understand the legalities of the interrogation process

(Helm et al., 2018; Schoovaerts et al., 2021) and protects the youth from experiencing unnecessary exposure to tactics not specifically formulated to address a youth's level of understanding (Schoovaerts et al., 2021; Shook et al., 2021; Winerdal et al., 2019).

Gaining insight into youth offenders' tendency to falsely confess during interrogations from descriptive first-hand experiences of attorneys who have participated in youth offender interrogations allows the experiences gathered to highlight the inadequacies and scattered uniformity of youth interrogation training and policies (Alvarez-Toro & Lopez-Morales, 2018; Cleary & Warner, 2016; Gudjonsson, 2020). In addition, the protocols and the inconsistent application of youth-friendly interrogation techniques will be highlighted as a contributing cause to false confessions and recommended for change to benefit the physical and mental well-being of youth offenders (Alvarez-Toro & Lopez-Morales, 2018; Cleary & Warner, 2016; Gudjonsson, 2020; Schoovaerts et al., 2021).

The remaining sections of Chapter 2 begin with a detailed description of the literature search strategy, including key search terms, library databases, and search engines utilized, as well as an exploration of sound research on attorneys' firsthand experiences with youth offender interrogations. The theoretical foundations chosen, along with their roles in assisting this research, are presented, followed by an exhaustive literature review that supports the research problem and question.

Literature Search Strategy

Relevant literature was obtained from the Walden Library, selecting psychology as the subject field and narrowing the search to the APA PsycInfo database. Additional

literature searches were conducted in the field of criminal justice, using the Criminal Justice Database and independent searches of Nexis Uni and ProQuest. The exact keywords and key phrases listed in Appendix A were entered into each database and filtered to include only peer-reviewed journals, narrowing down the articles' publication dates to 2018 through the present. The Criminal Justice Database and Nexis Uni included additional document type filters, such as scholarly journals, magazines, law reviews, briefs, pleadings, and motions, as source types. Other document restrictions included peer-reviewed documents and those published in 2018. Google Scholar was also used as a reference point; the articles found there were entered into the Walden Library for accurate analysis to determine their relevance to the topic and their appropriate peer-reviewed status.

This literature search provided a solid foundation and a collection of peer-reviewed articles supporting the notion that youth offenders falsely confess during interrogations. Another goal of the literature search was to identify articles that emphasized the presence of attorneys during youth interrogations, for which limited reports were available. The search highlighted the databases that produced abundant, relevant articles, including law briefs, pleadings, and motions, as well as the preferred keywords or key phrases that yielded substantial information supporting the research topic. For example, the Nexis Uni database generated over 400 articles using the key phrase "false confessions AND youth" with specific criteria selected that limited the results to law reviews, journals, briefs, pleadings, and motions. However, only one article was selected from the generated results that applied to the research topic, despite a few

hundred articles meeting the search criteria. Conversely, the Criminal Justice database, using the key phrase "youth interrogations," yielded seven articles, all of which were selected for the literature review due to their relevance and supportive content.

The literature search log displayed in Appendix A was a live document that was periodically updated until the final dissertation process was completed, allowing it to evolve and expand with content relevant to a youth offender's inclination to confess without legal representation.

Theoretical Foundation

IDMM

Yang et al. (2017) developed the IDMM, which serves as the theoretical framework for this study. The IDMM supports the reasons and conditions under which individuals falsely confess or deny wrongdoing at any point during a custodial interrogation. The approach details specific factors contributing to false confessions, focusing on the individual's characteristics as influences on guilt admissions or denials. In response to interrogation tactics and other situational and interrogator dispositional factors, the interrogee will choose how to respond based on past interrogation experiences or experiences gained during the current process (Yang et al., 2017). Although Yang et al.'s article focuses on two interrogation outcomes (confess or deny), the IDMM model can identify additional factors that exacerbate a youth's tendency to confess falsely. Determining those other factors enhances the model's ability to explain the various decision-making processes involved during custodial interrogations.

IDMM was presented by Yang et al. (2017) as a new framework capable of explaining the reasons guilty or innocent individuals confess, including the influence that situational factors can have on the ultimate decision. Of the several factors listed by Yang et al. that influence decision-making during interrogations, the characteristics of the individual are most prominent. Emphasis is placed on the age and maturity of the individual, with youths more than likely to falsely confess due to their underdeveloped cognitive functions and inability to measure future outcomes during a high-stress environment, as is the interrogation process.

The application of the Yang et al. (2017) IDDM framework to this research supported the use of the model in determining why youths choose a specific outcome during interrogation. The physical and mental condition of the custodial individual, the age and maturity of the interrogee, the interrogator's characteristics and demeanor, the interrogation tactics used, and the overall interrogation experience are among the factors Yang et al. address as adverse effects. The absence of legal representation during interrogations was not explored, but it can be categorized as a situational factor that can positively or negatively affect the outcome of the interrogation. IDDM applied to attorney absence highlighted the deficiencies in the interrogation process known to increase adverse effects, referring to false confessions for this research, when youth offenders are not provided legal support.

Prospect Theory (PT)

The IDMM framework cannot function independently, as it closely considers the individual's traits as an intertwined mechanism in the decision-making process, thereby

directly affecting interrogation outcomes. The application of the PT helped to explain why an individual may consider the variety of choices available during a high-risk event, taking into account individual traits and personalized reactions to adverse situations (Yu et al., 2021). The theory was first presented by Dr. Daniel Kahneman and Dr. Amos Tversky in 1979 within the field of business management to explain an individual's economic choices and risk-taking behavior (Smith, 2002). However, PT can thoroughly support the decision-makers' rationale by describing how they process a decision about a current situation and how the individual anticipates the decision outcome as a gain or loss, based on the risk levels associated with each (Yu et al., 2021).

Kahneman and Tversky (1979) explained the risk decision-making process in two parts. The first part involves editing (categorizing available choices), followed by the individual's evaluation of said choice. After evaluating the choices, the individual will likely select an outcome with a high value output, which may involve a high or low level of risk. The choice evaluation process is incomplete for youth offenders, as their ability to accurately edit or process choices and weigh future outcomes has not yet fully developed (Haney-Caron et al., 2018; Gooch & von Berg, 2019; Redlich & Kassin, 2009; Waxman, 2020). The youth offender, lacking in this capacity, eventually chooses an outcome with the highest risk value, such as a false confession. The choice made by the youth offender may end the interrogation session quickly, providing anticipated reprieve (Cleary, 2017; Michel et al., 2012), but it also allows the interrogator to accept the youth's decision and select an outcome that is not in the youth's best interest.

PT is observed in Cicerale et al. (2022), highlighting the importance of an individual's perceptions of adverse situations and the ability to choose an outcome contingent on the current experience. Most significantly, the researchers note that an individual's choice depends on the severity of the event. High-stress-inducing events lead to risky decisions, increasing the chances of adverse outcomes; in par with how a youth may select a risky choice during a high-stress interrogation, stress is exacerbated without the direction and guidance of legal representation. The conclusion of Cicerale et al.'s (2022) study confirms that decision-making is contingent on stress levels during an event, thereby increasing high-risk choices and leading to adverse outcomes.

Literature Review Related to Key Variables and/or Concepts

Interrogation Training

Insufficient use of youth interrogation techniques, inadequate interrogator training, the consistent use of adult-based tactics, and lack of legal representation is identified and acknowledged by researchers, attorneys, law enforcement agencies, and youth-centered organizations as a continuous concern affecting youth justice (August & Henderson, 2020; Cleary, 2017; Cleary & Warner, 2016; Feld, 2013; Haney-Caron et al., 2018; Kassin, 2008). The deficiencies introduced into the youth interrogation process by inadequately trained interrogators (Cleary & Warner, 2016; IACP, 2012) create an atmosphere conducive to coercion and increase the potential of youth false admissions. Adult interrogation tactics, most used in law enforcement, manipulate the youth to cooperate by over-emphasizing truthfulness as the only option (Haney-Caron et al., 2018), regardless of innocence or guilt, and encourage the youth to admit guilt in

exchange for leniency or escape from the interrogation process (Cleary, 2017; Kassin, 2008; Schoovaerts et al., 2021).

The lack of standardization of youth offender interrogation practices, the training of law enforcement professionals by untrained but seasoned interrogators, and the lack of knowledge of youth vulnerability and susceptibility are known deficits that prevent fair and adequate treatment for at-risk youth offenders (Cleary & Warner, 2016; Gooch & von Berg, 2019; Grove & Kukucka, 2021; Haney-Caron et al., 2018; Mogavero, 2020; Redlich & Kassin, 2009; Waxman, 2020). Standardized youth interrogator training is not established in England and Wales, according to law enforcement survey respondents in Gooch and von Berg (2019). In the United States, Mogavero (2020) revealed the ongoing use of deceptive interrogation tactics on youths and adults alike, as well as law enforcement and court official misconduct stemming from interrogation sessions and leading to a high rate of false confessions and convictions.

Misconceptions about the interrogator's ability to determine guilt or deception based on a personal distinguishing characteristic bias the interrogation process and increase the likelihood that a youth offender will falsely confess (Alvarez-Toro & Lopez Morales, 2018; Gudjonsson, 2020; Redlich & Kassin, 2009). With most interrogators trained with and utilizing the adult-based interrogation method known as the Reid technique (Alvarez-Toro & Lopez-Morales, 2018; Cleary & Warner, 2016; Feld, 2013; Gudjonsson, 2020; Redlich & Kassin, 2009; Grove & Kukucka, 2021), youth offenders cannot resist the manipulation of the coercive interrogation created by the Reid interrogation process.

Recurrent survey answers from law enforcement respondents reveal the continued controversial use of the Reid method and a lack of integrated youth interrogation training, with no distinction on the use of interrogation tactics based on the offender's age (Cleary & Warner, 2016; Feld, 2013). Knowledge of the ability to apply interrogation techniques that consider a youth's capacity was found among law enforcement respondents; however, interrogation techniques were not adjusted to reveal the interrogator's understanding and provide the youth offender with an adequate and protective process (Grove & Kukucka, 2021; Redlich & Kassin, 2009). Law enforcement has shown interest in learning appropriate youth interrogation techniques and applying standardized youth interrogation policies (Grove & Kukucka, 2021). Continuous efforts to engage policymakers in ensuring the standardized use of existing youth interrogation policies and the discontinuation of adult-based techniques known to elicit false confessions from youths have not led to significant changes in processes (AACAP, 2013; August & Henderson, 2021; Grove & Kukucka, 2021).

Interrogation methods and training focused on the best interest of youth offenders exist in some localities but in limited forms (IACP, n.d., *Strategies for Youth*, 2017b); however, the standardization of youth-centered interrogation techniques, protocols, and interrogator training is sparse and not mandatory, contingent on state regulations (Strategies for Youth, 2017a). Due to the sparsity of interrogator training, the required presence of legal experts is recommended (Alvarez-Toro & Lopez-Morales, 2018; Gooch & von Berg, 2019; Haney-Caron et al., 2018; Mogavero, 2020; Redlich & Kassin, 2009; Schoovaerts et al., 2021; Waxman, 2020), but not fully enforced to assist the youth in

deciphering the legalities and jargon not understood and also to ensure the use of youth friendly techniques leading to a decrease in adverse outcomes (Helm et al., 2018; Schoovaerts et al., 2021; Shook et al., 2021). Assistance with procedural accurateness from legal representatives is protective of a youth offender's cognitive deficiencies and vulnerabilities (AACAP, 2013; August & Henderson, 2021; Casey et al., 2020; Henning & Omer, 2020), further supporting an overhaul of youth interrogation practices, to include mandatory attorney presence, favoring youth offenders in the interrogation room (August & Henderson, 2021; Sahdev, 2018; Schoovaerts et al., 2021).

Youth Cognitive Deficiencies, Vulnerabilities, and Comorbidities

Jean Piaget's 1930s cognitive research on the developmental stages of children and youths has been utilized as broad guidelines by developmental experts. Piaget's approaches are open to revision and interpretation to help establish the presence of youth deficiencies and vulnerabilities affecting the progression of cognition and comprehension (Carey et al., 2015; Feldman, 2004). The nonlinear progression of Piaget's cognitive stages are influenced by internal and external circumstances involving sociocultural, psychosocial, environmental, and biological systems, with all systems working in unison as an explanation of how children and youths progress from one developmental phase to the next (Carey et al., 2015; Feldman, 2004; Gooch & von Berg, 2019; Kramers-Olen, 2015; Redlich & Kassin, 2009; Waxman, 2020). Due to a youth's nonlinear progression of cognitive development, completion of the process does not occur until their late 20s (Perlin & Lynch, 2021), creating the opportunity for impulsive reactions because of unregulated emotions (Cleary, 2017; Kramers-Olen, 2015; Mandelbaum & Crossman,

2014; Perlin & Lynch, 2021). A youth's need to achieve immediate gratification increases risk-taking during any decision-making process to end a high-stress situation (Mercurio et al., 2020), including interrogations (Haney-Caron et al., 2018), and predisposes the youth to falsely confessing as a result (Cleary, 2017; Feld, 2013; Haney-Caron et al., 2018; IACP, 2012; Kassin, 2008; Kramers-Olen, 2015; Luna, 2017). In comparison to adults, youths lack appropriate reaction time resulting in delayed responses (Cleary, 2017), are lacking moral capacity and mental maturity that increases their susceptibility and suggestibility (Haney-Caron et al., 2018; Mercurio et al., 2020; Waxman, 2020), consequently increasing false confessions (Gudjonsson, 2020; Mogavero, 2020; Volbert et al., 2019), and wrongful convictions (August & Henderson, 2020; Cleary, 2017; Haney-Caron et al., 2018; IACP, 2012; Kramers-Olen, 2015; Luna, 2017;).

Historical neuroscience data on youths' brain development and social development and adaptation, including data gathered from chimpanzees- the closest living relative to humans (Feld, 2013; Ma et al., 2021; Reddy et al., 2022; Schlein, 2020), demonstrates the lack of adequate decision-making skills affecting youth during interrogation, specifically if the interrogation tactics applied are stress-inducing and coercive. Current neuroscience data (Ma et al., 2021; Mercurio et al., 2020; Schlein, 2020) confirms a youth's inability to maintain self-control, regulate emotions, manage external influences, apply moral discernment, and appropriately weigh future consequences that establish their neurological vulnerability, susceptibility, and suggestiveness as weaknesses during interactions (Cleary, 2017; Kramers-Olen, 2015; Mandelbaum & Crossman, 2014; Perlin & Lynch, 2021). Considering the incomplete

physical development of the youth brain and the consistent malleability and evolvment thereof, the skills necessary to participate in a process associated with high stress are lacking and therefore place the youth in a vulnerable position needing assistance to decipher the unfamiliar information (Ma et al., 2021; Mercurio et al., 2020; Perlin & Lynch, 2021).

The adverse outcomes of a false confession are clear for both adults and youths (Gudjonsson, 2020; Mogavero, 2020; Volbert et al., 2019); however, the youth's unique demeanor in attempting to demonstrate cooperation and truthfulness creates an opportunity for interrogators to plant doubt and alter memory recall resulting in a skewed recollection of events (August & Henderson, 2020; Cleary, 2017; Gooch & von Berg, 2019). The developmental stages of children and adolescents progress differently compared to those of adults (Cleary, 2017). Legal involvement complicates youth development and hinders the natural progression into adulthood (Cleary, 2017). Ultimately, the adolescent process cannot be altered to achieve faster maturity and understanding of the legalities involved with interrogations, but the interrogation process and the techniques used can accommodate youth vulnerabilities and deficiencies detailed by past and present research (Alvarez-Toro & Lopez-Morales, 2018; Cleary, 2017; Cleary et al., 2016; Cleary & Warner, 2016; Grove & Kukucka, 2021; Schoovaerts et al., 2021).

In addition, an interrogator's presumption of guilt (Alvarez-Toro & Lopez-Morales, 2018; Cleary & Warner, 2016; Gooch & von Berg, 2019; Grove & Kukucka, 2021; Redlich & Kassin, 2009) alters the line of questioning and word usage, lengthens the number of questions asked of the individual, and reinforces the interrogator's guilt

presumption supporting the unwavering biased beliefs regardless of the information obtained from the respondent (Adams-Quackenbush et al., 2022; Portnoy et al., 2019). Adams-Quackenbush et al. (2022) found that respondents shaped their answers to the interrogator's word choice, with negative or accusatory wording prompting them to admit guilt regardless of the interrogation technique used and of the respondent's guilt or innocence. Studying the respondent's physical behaviors during the interrogator's questioning increased the presumption of guilt and led to the conclusion that the respondent was guilty. However, the interrogators who found their respondents innocent based their decision on the respondents' verbal responses rather than their physical behavior (Adams-Quackenbush et al., 2022).

Youths' behavioral responses captured during interrogations are often misinterpreted as deceitful behaviors commonly observed in adult offenders, particularly when the youth is under duress or participating in high-stress events (Cleary, 2017). The IACP (2012) recommends that interrogators not rely on youth offenders' behavioral cues during questioning, as this can exacerbate or reinforce preconceived interrogator biases and hinder the determination of truth from deceit. The formal arrest of a youth or adult encourages the interrogator to create their line of questioning and behavior towards the respondent consistent with guilt bias (Lidén et al., 2018; Portnoy et al., 2019) rather than eliminating the presumption of guilt before beginning the interrogation, thereby stimulating adverse physical reactions, increasing guilt presumptions (Normile & Scherr, 2018), and encouraging false confessions (Lidén et al., 2018).

Case Law Supporting Youth Deficiencies

Miranda V. Arizona

Protecting the rights of criminal defendants before and during custodial interrogation lies within the framework established by *Miranda v. Arizona* (1966). During the custodial interrogation of Mr. Miranda, law enforcement failed to inform the suspect of their rights, resulting in statements that aligned with a false confession and ultimately led to Mr. Miranda's conviction for the alleged crime (Garavito & Koch, 2023). Comprehension of *Miranda* rights is integral to the due process afforded to both adults and youths. Without adequate delivery of *Miranda*, a complete comprehension of custodial rights, and the understanding of the right to avoid self-incrimination creates the likelihood of false confessions and wrongful convictions, as seen in the *Miranda* case (AACAP, 2013; August & Henderson, 2020; Baker et al., 2023; Cleary, 2017; Luna, 2017). The capacity to understand and interpret *Miranda* as a youth has been thoroughly addressed in previously published research, most recently in 2023, in a study by Baker et al. The obvious yet unaddressed concerns by researchers, advocates, and organizations interested in the well-being of youth offenders on the vulnerability and susceptibility of youth offenders in the interrogation room continue in many jurisdictions and states without adequate resolutions or policy reforms (Baker et al., 2023).

In addition, *Miranda* emphasizes the importance of an individual's right to the presence of an attorney during custodial interrogation, thereby decreasing the opportunities for the custodial party to self-incriminate and reducing the likelihood of false confessions (Baker et al., 2013; Henning & Omer, 2020; Luna, 2017). At least three

states (California, Washington, and Illinois) have instituted, and at least one state has mandated attorney consultation or presence during custodial interrogations, with a few additional states following suit (Baker et al., 2023). However, standardized *Miranda* statements and vocabulary that accommodate a youth's comprehension level remain scarce, thereby eroding much of the progress *Miranda* has brought to youth legal matters and diminishing the importance of an attorney's presence (Baker et al., 2023).

A youth offender's typical behaviors or reactions (Palmieri, 2022), consistent with vulnerability and susceptibility, are acknowledged by the *Miranda* case, child development experts, and neuroscience researchers (AACAP, 2013; Baker et al., 2023; Icenogle et al., 2019; Troutman, 2018). Reactive behaviors are consistent with vulnerability (underdeveloped comprehension skills, lack of legal understanding, and inability to analyze future consequences) and are expected youth characteristics that deprive the youth of fair and adequate legal processes (August & Henderson, 2021; Baker et al., 2023; Henning & Omer, 2020; Luna, 2017; Palmieri, 2022). A youth's vulnerability and susceptibility are consistently highlighted by researchers, including the most recent evidence-based study by Icenogle et al. (2022), a cross-sectional, multinational study of children, youths, and adolescents. The study revealed that their essential cognitive functions matured into more complex functions as age increased. As time progressed, psychosocial maturity increased from the age of ten to the mid-to-late 20s. Icenogle et al. (2022) and Palmieri (2022) also discussed the complicated decision-making process that youth encounter during interrogations. They suggested that assistance be provided to the

youth that enables emotion regulation, helping maintain the youth's basic cognitive functions intact and thereby reducing the stress imposed by the process.

J.D.B. v. North Carolina

Several contributing factors can increase a youth's likelihood of confessing to a crime during custodial interrogations, even if the confession is false. In the case of *JDB v. North Carolina*, the purposeful and untimely mention of *Miranda* by the interrogating party, the interrogation of the youth without notification to legal guardian, a muddled understanding of custodial standing, erroneous encouragement from a responsible adult, the youth's lack of comprehension of the interrogation process due to age, and the coercive threats by law enforcement was considered by the United States Supreme Court as a clear violation of *Miranda* (Garavito & Koch, 2023). The presentation of *Miranda* Rights without an understandable explanation of their implications and application, combined with a lack of complete comprehension by the youth, can result in false confessions, the possibility of remanding to an adult court, and subsequent wrongful convictions (ACLU, 2011; Garavito & Koch, 2023; Oyez, n.d.).

The American Academy of Child and Adolescent Psychiatry (2013) has highlighted youths' inability to understand *Miranda* rights, further supporting *JDB v. North Carolina* in ensuring that youth offenders clearly understand these rights at a level they can comprehend, thereby decreasing adverse outcomes in the criminal process and increasing fair and equitable treatment. The acknowledgment of age as a factor of a youth's vulnerability and susceptibility by the ruling in *JDB v. North Carolina* established the inadequacy faced by a youth offender in the interrogation room, who is subjected to

coercive interrogation practices and without legal representation, as ineffective and unconstitutional (Troutman, 2018).

Roper v. Simmons

Death penalties for youth offenders under 18 violate the rights embedded in the 8th Amendment of abstaining from imposing cruel and unusual punishment, as presented in the case of *Roper v. Simmons*. The Amicus Brief submission by the American Psychological Association reiterates the vulnerability of youth offenders, categorizing them as incapable of fully understanding the consequences of their actions, possessing the inability to weigh the risks and benefits of their decisions, highlighting their underdeveloped yet progressive cognitive capacities, and other psychosocial deficiencies that support a youth offender's exclusion from death penalties (APA, n.d.). The APA (n.d.) refers to youth offenders as "moving targets" and their development as "transitory [in] nature," a comparison that highlights the constant changes across developmental stages, signifying the inconsistency in youth behavior due to incomplete cognitive maturity.

The APA (2022) also recommended extending the death penalty age up to 21 (currently set at 18 years), citing peer-reviewed research supporting the continuous development (psychosocially and cognitively) of youths beyond the age of 18 and into their mid-20s, accentuating the importance of the Supreme Court's ruling in *Roper v. Simmons*. Youth offenders' malleability, vulnerability, and susceptibility are recognized weaknesses, as acknowledged by the highest court (DPIC, 2018) and the APA (2022), which state that these characteristics are considered fluctuating aspects of youths in a

continuous state of brain and body development. In addition, the United States Supreme Court also addresses youth death penalties as a violation of the United Nations Convention on the Rights of the Child and the International Covenant on Civil and Political Rights (OHCHR, 1966, Part 3, Article 6). The OHCHR (1966) refers to youth death penalties as a violation of the quality of life deserving of every human being.

Graham v. Florida

Life imprisonment without the possibility of parole is found to be unconstitutional for youth offenders under the guidance of the 8th and 14th Amendments, which states that the proportionality of the sentencing and the crime committed must not be unbalanced. Sentencing must be equal to that of an adult offender committing the same type of crime (Justia Law, n.d.). In addition, the sentencing must allow the youth offender an opportunity to improve their condition and rehabilitate, thereby preventing adverse outcomes. The Supreme Court ruled in *Graham v. Florida* that youth offenders should be permitted to rehabilitate, and that successful rehabilitation requires maturity. Thus, sentencing to life imprisonment without the possibility of parole for a non-homicidal crime does not permit youths to rehabilitate and prevents a successful reintegration into society (APA, n.d.2; Cornell Law School, n.d.; Justia Law, n.d.).

Graham v. Florida also considered the vulnerabilities of youth offenders, citing that *Roper* established youth vulnerabilities as hindrances to the understanding a youth must possess in comprehending the severity of a crime committed, the ability to weigh consequences of their actions, and the ability to recognize their constitutional rights (APA, n.d., p. 2; Youth Law Center, n.d.; McInniss et al., 2020). Difficulties determining

if a youth intended to commit a crime (homicide, non-homicide, or a combination thereof) or if the offense results from their transient development exacerbate the decision-making process by courts of law and lead to inappropriate sentencing or recommending rehabilitation (Youth Law Center, n.d.). However, the Supreme Court, with support from the American Psychological Association, American Bar Association, National District Attorneys Association, American Medical Association, American Academy of Child and Adolescent Psychiatry, several youth detention, correctional, probation, parole associations, and educational associations understands the risks and complications associated with youth cognitive development and how this development plays an integral role in legal outcomes (APA, n.d.2; Youth Law Center, n.d.).

In re Winship (1970)

The overall cognitive impairments and behavioral actions of youths are misinterpreted by observers (Alvarez-Toro & Lopez-Morales, 2018; Gudjonsson, 2020) and place them at risk for maltreatment, subsequently violating the due process clause emphasized in the 14th Amendment, as seen in the case of *In re Winship* (Levy, 2013; Oyez, n.d.2; Troutman, 2018). *In re Winship* clarifies that a crime must be established beyond a reasonable doubt, rather than relying solely on the preponderance of the evidence, an embedded safeguard that is available to both youths and adults, and decreases the chances of false convictions (Oyez, n.d.; Shealy, 2013). Given the unpredictability of youth behavior, proving their crimes beyond a preponderance of evidence is crucial to their continued development and to safeguarding their future endeavors (Shealy, 2013).

The procedural changes, which favor sentencing youths as adults while simultaneously providing youths with adult legal rights to protect due process, were achieved in *In re Winship* (Bennett & Cooper, 2023). Adult sanctions imposed on youth offenders by the courts must allow the benefit of due process. Ideally, preventing a youth offender from being charged as an adult for the same crime committed would consider the youth's vulnerabilities and maintain the integrity of due process, as required by the 14th Amendment (Bennett & Cooper, 2023; Levy, 2013; Shealy, 2013).

In re Gault (1967)

Under the Due Process Clause of the 14th Amendment, *In re Gault* highlighted the importance of timely notification to parents or guardians of youth offenders. Judges were then relieved from their *parens patriae* (legal protector duties) and allowed the parents or guardians and youths to be informed of their rights to legal representation (whether hired or assigned by the courts) the process was the first admission by the Supreme Court on the importance of legal representation for youth offenders (Bennett & Cooper, 2023; McInniss et al., 2020).

Additionally, the Supreme Court recognized that the vulnerability and susceptibility of youth offenders affect their ability to distinguish right from wrong, weigh future consequences, and understand the legal process, compared to adult offenders (McInniss et al., 2020). The legitimacy of youth false confessions obtained during high-stress interrogation sessions was also highlighted in *In re Gault*, categorizing interrogations as a conduit to the likelihood that a youth offender, because of their

vulnerability, would be left with no other alternative but to admit guilt (McInniss et al., 2020).

Criminal Capacity (doli incapax) and mens rea

The average age of criminal capacity, or *doli incapax*, for youths begins at approximately 10 years and is determined through a forensic psychological examination (Pillay, 2019). All factors of *doli incapax* are considered during a forensic evaluation, including youth development, cognitive abilities, and an assessment to ensure competency is present (Kramers-Olen, 2015; Pillay, 2019). Youth criminal capacity evaluations may be flawed because they lack structured instruments that accurately measure *doli incapax*, thereby creating a perception of criminal capacity where none exists (Pillay, 2019). In conjunction with *doli incapax*, *mens rea*, or an individual's intentions or moral reasoning and comprehension before, during, and after the commission of a criminal act, is also assessed during forensic examination. The youth's ability to develop *mens rea* involves judging right from wrong and understanding the consequences of their actions, which they are often unable to do (Kramers-Olen, 2015; Pillay, 2019).

Research has established, and many Supreme Court cases have emphasized, that youths lack the cognitive ability of moral understanding due to incomplete neurological development, placing them in a state of incompetence and vulnerability (Kramers-Olen, 2015; Pillay, 2019). Additionally, the following mitigating factors affecting a youth *doli incapax* and *mens rea* are identified as contributing to cognitive deficiencies: their willingness for risk-taking, impulsivity, reward-seeking behaviors, poor decision-making,

being easily influenced by peers, suggestibility, mental health impairment, puberty hormone imbalances, low IQ levels, and substance influences (Cleary, 2017; Haney-Caron et al., 2018; IACP, 2012; Kassin, 2008; Kramers-Olen, 2015; Luna, 2017; Malloy et al., 2014; Pillay, 2019).

Role of Attorneys

Irrespective of how the youth offender is interrogated (via adult or youth-friendly techniques), the presence of legal representatives reduces the youth's inclination to waive Miranda Rights, waive legal representation, falsely confess, and therefore reduces wrongful convictions (Feld, 2013; Gooch & von Berg, 2019; Henning & Omer, 2020; Schoovaerts et al., 2021). Previous research has uncovered additional concerning facts regarding the disposition of youth offenders who falsely confess during interrogations, attributing their actions to immaturity, a lack of understanding, and underdeveloped cognitive skills (Cleary, 2014; Gooch & von Berg, 2019; Redlich & Kassin, 2009). In addition, the presence of a parent, guardian, or responsible adult does not provide the necessary legal support, and since they are not well-versed in legal matters, the opportunity for an increase in adverse interrogation outcomes is more than likely to occur (Cleary, 2014; Cleary, 2017; Feld, 2013; Gooch & von Berg, 2019; Haney-Caron et al., 2018; Henning & Omer, 2020; Redlich & Kassin, 2009) in comparison to outcomes of youths interrogated in company of a legal representative (Gooch & von Berg, 2019).

Pertinent case studies, although outdated, demonstrates a youth's tendency to waive their rights due to vulnerability and cognitive deficiencies also revealed that the lack of legal representation during law enforcement interrogations generates adverse

outcomes since at least the mid-1970s (Grisso & Pomicter, 1977; Cleary, 2014), with adverse effects continuing into the early 2000s (Cleary, 2014; Redlich & Kassin, 2009). Most recent research, to name a few, by Baker et al. (2023), Gooch von Berg (2019), Grove and Kukucka (2021), Haney-Caron et al. (2018), and Schoovaerts et al. (2021) demonstrates how cognitive deficiencies and vulnerability levels of youth offenders negatively affect interrogation outcomes and the increased likelihood of a youth to confess falsely when lacking safeguards (attorney presence included) during custodial interrogations. The Office of Juvenile Justice and Delinquency Prevention (OJJDP; 2022) emphasizes that the treatment of children and youths involved in any aspect of the criminal system remains inadequate, causing harmful impacts on their physical and psychological well-being, with adverse outcomes persisting into adulthood.

A highly relevant Belgian study by Schoovaerts et al. (2021) directly observed video recordings of youth interrogations, with a specific focus on the presence of lawyers and the role of legal representation in the interrogation process. Although mandatory recording was required in the study's jurisdiction, the presence and interventions provided by legal representation in Schoovaerts et al. were passive, and intervention was not enacted when deemed necessary by the observers' criteria. The researchers concluded that mandatory attorney presence during youth interrogations, although beneficial, needs improvement. Limited by the observation of 17 prerecorded youth interrogations, Schoovaerts et al. established protective factors when interventions were provided by attorneys, including explanations of the interview process, rewording and clarifying of questions, a reminder of the youth's legal rights, and the provision of a support system.

Additional protective factors attributed to the presence of attorneys by other researchers include a decrease in harsh treatment, protection of youth interests, decreased interrogation times, decreased false confessions, better understanding of *Miranda* rights, decreased *Miranda* waivers, better understanding of the legal process, and providing professional support outside of the attorney-client relationship (Alvarez-Toro & Lopez-Morales, 2018; Baker et al., 2023; Gooch & von Berg, 2019; Gudjonsson, 2020; Helm et al., 2018; Mogavero, 2020; Schoovaerts et al., 2021; Volbert et al., 2019; Winerdal et al., 2019).

Summary and Conclusions

Youth interrogations have a lengthy history of resulting in adverse outcomes due to flawed, coercive, and adult-based interrogation techniques that are unstandardized across youth criminal systems, generally guilt presumptive, and preferably passed down by internal and informal interrogator training protocols. With many interrogators minimally versed on the vulnerability and susceptibility of youth offenders, the interrogation process becomes a hostile and stressful environment for an unsuspecting and cognitively challenged youth. With no legal assistance present and the utilization of adult-based interrogation tactics, such as the Reid technique, created to increase truth-telling with an added emphasis on obtaining any confession, cognitively deficient youth offenders, by nature, will more than likely choose to confess falsely as an attempt to end a stressful encounter.

Established research on youth cognitive levels, as conducted via neuroscience, as early as the 1930s, reiterates the challenges youths face daily. Cognitive deficiencies

exacerbate their inadequacies in high-stress situations, as is often the case in interrogation and legal processes. The nonlinear cognitive development of youths involves sociocultural, psychosocial, environmental, and biological systems that develop at different cognitive stages, leaving youths in a state of vulnerability and susceptibility until approximately their late 20s. Behavioral cues in the youth population, particularly when involved in a high-stress environment, mimic adults' untruthful behavioral cues that interrogators misinterpret as dishonesty—a component of the Reid technique, which was developed with adult offenders in mind. Case laws supporting the vulnerability of youth offenders have attempted to circumvent and highlight the deficiencies found in the youth legal processes and interrogations. However, the success of each case law depends on law enforcement interrogators recognizing and accepting a youth's vulnerability and the necessity of including legal representation during interrogations, which will drive standardized changes in legal processes, benefiting the physical and psychosocial well-being of the youth offender.

A youth offender's *doli incapax* and *mens rea* are also questioned, given the youth's cognitive immaturity. A proper assessment of both ensures the youth offender is competent and aware of their criminal actions and consequences. Youth competency assessment designs are flawed because they have been created to measure competency in adult offenders and fail to account for youth cognitive deficiencies. Case law and established research have also addressed additional mitigating factors, such as risk-taking behaviors, impulsivity, and peer influences, that affect the youth offender's ability to thoroughly understand, process, and weigh current and future options.

The recognition by researchers, past and present, of the positive outcomes of legal representation during youth interrogations and subsequent legal proceedings is vital to reconfiguring and expanding youth justice practices. However, the limited data on first-hand experiences of attorneys who have participated in youth interrogations and their views on a youth's reasons for falsely confessing create a gap in the literature that this study addresses. This literature review discussed the history of interrogations (adult and youth alike), the lack of youth-centered interrogation techniques and processes, youth cognitive deficiencies and vulnerabilities, and the effect on interrogation outcomes, case law supporting youth-focused treatment during the legal process including interrogations, and a discussion on the minimal data available about the experiences of attorneys who have participated in youth interrogations. Chapter 3 presents a detailed plan for the research design and methodology employed in this qualitative study, explaining how it facilitated an investigation into whether the presence of an attorney during youth interrogations reduces the likelihood of false confessions.

Chapter 3: Research Method

Introduction

This qualitative study gathered descriptive firsthand experiences from United States attorneys who have been involved (past or current) in youth interrogations. The focus was on understanding the youth offenders' tendency to falsely confess during interrogations when attorney representation is lacking. The experiences gathered highlight the inadequacies and scattered uniformity of youth interrogation policies and protocols, and the inconsistent application of youth-friendly interrogation techniques, contributing to youth offenders' false confessions.

Participants' experiences were explored, categorized into themes, and discussed to conclude why youth offenders falsely confess without attorney representation. The presence of attorneys during youth interrogations, determined from previous research, decreases the likelihood of false confessions. This research explicitly explored whether the presence of United States attorneys who have been exclusively involved in, or are currently involved in, youth interrogations yielded the same results. Another goal of this research was to interpret the attorney's experiences concerning the type of interrogation techniques utilized and discovered that youth offender vulnerability and suggestibility, in conjunction with the type of interrogation tactic used, determined interrogation outcomes. This study was approved by the Internal Review Board (IRB) and granted approval number 05-01-24-1031126.

Chapter 3 discusses this qualitative collective case study approach through the lens of the IDMM and PT and rationales, the role of the researcher, the management of

biases within the researcher role, identification of the population to be surveyed, issues of trustworthiness, delivery of a structured and open-ended anonymous questionnaire, data collection methods and coding, ethical procedures, and the protection of collected data.

Research Design and Rationale

The central RQ for this study was: How does the presence of an attorney during a youth interrogation decrease youth false confessions? The central concepts of this study's phenomena were to explore why youth offenders refrain from falsely confessing when an attorney is present during interrogation and to establish the connection between the attorney's presence and the youth's restraint. The utilization of a qualitative collective case study approach was the best fit for this study as it required the careful collection of first-hand experiences from a specified population of attorneys, who are involved in providing legal assistance specifically to youths but are not particularly part of the same organization or law firm (Crowe et al., 2011; Starman, 2013; Tomaszewski et al., 2020).

Qualitative case studies (QCS) enable the researcher to personally gather, analyze, and provide conclusions from the lived experiences of a participant or participants within a specified professional group, as youth attorneys (Bhatta, 2018; Crowe et al., 2011; Im et al., 2023; Kekeya, 2021; Starman, 2013). The multipart process involves gathering participants' firsthand experiences, analyzing the collected data, and assisting the reader in understanding the connection between the phenomena and the associated variables. The in-depth analysis of a collective case study through a qualitative study approach, predominantly used in the social sciences, allows for a meaningful and profound understanding of a complex issue with possibly different interpretative conclusions

involving a group of participants whose population of interest (youths) is centered in this study (Bhatta, 2018; Crowe et al., 2011; Starman, 2013; Tomaszewski et al., 2020). A description of the data from each case enhances understanding of the phenomena of interest, facilitates cross-case identification of data, and encourages future researchers to replicate the study (Crowe et al., 2011; Kekeya, 2021; Starman, 2013).

Data gathered from case studies facilitate the development of theory or concepts, particularly when a collective case study is used as the design (Bhatta, 2018). Theory building enables the researcher to develop a new theory or concept that reveals the connections derived from the collected data, explaining why and how the data relate to the phenomenon of interest. Additionally, the developed theory can be utilized to rationalize the occurrence of a present or future phenomenon and provide an in-depth understanding of its underlying mechanisms (Bhatta, 2018). Limitations that may arise from a case study research design can be addressed through careful documentation in data processing and reporting, including awareness of data saturation to limit the amount of data collected to a manageable level. Additional limitations include the potential difficulties in interpreting and analyzing the gathered data, as it requires careful organization and coding (Crowe et al., 2011; Kekeya, 2021; Starman, 2013).

Role of the Researcher

Critical thinking skills, including the ability to analyze and interpret data and integrate them into the population of interest in an unbiased manner, are vital skills that enable the researcher to communicate an objective representation of the data to both professional and lay readers (Clark & Vealé, 2018). While quantitative researchers

remain detached from the experiences of participants in their research, qualitative researchers are immersed in the environment and experiences in which participants engage with the phenomena of interest, sharing first-hand knowledge and gathering rich data not found in quantitative research (Clark & Vealé, 2018).

In this qualitative study, my role as the researcher was to gather rich information from participants through an anonymous questionnaire administered via the Qualtrics survey platform. Properly collecting and recording participant responses for this study entailed emphasizing confidentiality and anonymity while carefully controlling for the exclusion of researcher bias (Karagiozis, 2018). Researcher bias was controlled by entering the research arena with objectivity, professionalism, and application of ethical standards, documenting all shared experiences as accurately as possible, coding and interpreting those experiences solely based on the data gathered and not from the researcher's personal perspectives, values, or beliefs, and maintaining a researcher's personal log addressing perspectives and thoughts that arise during the data gathering process (Clark & Vealé, 2018; Karagiozis, 2018; Stadtlander, 2015).

There were no personal or professional relationships to disclose with the participants chosen for this study. No ethical issues arose, as this research study was not conducted at my place of employment or in establishments with which I have or have had a personal or professional relationship. The only incentive offered to participants was the opportunity to access and use the data from this research study for professional purposes and to share the knowledge with peers whose interests concern the physical and mental well-being of youth offenders at any stage of the criminal justice system. With careful

monitoring by the IRB and the lack of coercion in the type of reward offered to participants, it was considered fair and just compensation for participants' time and knowledge shared (Paying Participants?, 2021). The interest or motivation for professional participation in this study, as with the attorneys in this research pool, relied on the intrinsic motivation of the phenomena being explored, how the professional can contribute to change or improvements to the phenomena, participation to satisfy curiosity with the topic, and the maintenance of confidentiality of participants and data. Interest in participation was not driven by monetary compensation, but rather by a sense of contributing to a cause that required attention and reform (Silber et al., 2023).

Methodology

Participant Selection

The population examined in this study consisted of United States-based youth attorneys with more than 5 years of experience in the legal field who had either participated in or observed youth interrogations. Seven multigender attorneys were recruited from organizations throughout the United States, including the Bar Associations, Department of Youth Justice, youth justice organizations, the public defender's office, and local court systems, by providing the participants with a pre-screening survey embedded into the anonymous questionnaire, which filtered out attorneys not meeting the participant criteria. The recruitment size was based on achieving saturation, the goal of qualitative research, where no new data or information is obtained from search attempts. Saturation can be achieved with a sample size ranging

from 5 to 25 participants, with a mean of at least 13 participants (Hennink & Kaiser, 2022).

Participant recruitment and prescreening were conducted through flyers posted on social media, mailed and emailed flyers, and snowball sampling. Snowball sampling involves one participant referring another potential participant who shares professional similarities, serving as a recruiting mechanism for the researcher and helping expand recruitment efforts while maintaining participant inclusion and exclusion criteria (Fereshteh Ghaljaie et al., 2017). The data from the questionnaires yielded a collective view of the experiences, opportunities for improvement, and policies and protocols regarding youth offenders in the interrogation room (Kekeya, 2021).

Instrumentation

The anonymous questionnaire I created consisted of prompts that captured the attorneys' experiences, beginning with their educational background and reasons for choosing their career, the number of youth and adults they represented or currently represented, and concluding with a series of questions detailing their experiences with youth interrogations. The goal and structure of the questionnaire, as shown in Appendix B, were to obtain enough background information to filter and preselect the appropriate participants, collect their perceptions about adult and youth interrogation techniques as witnessed by their work, and gather their observations, suggestions, or information on additional methods to improve the youth interrogation process. The flexibility of the anonymous questionnaire allowed participants to expand on their answers and, most

importantly, to establish rapport by providing the opportunity to complete it anonymously and at their own pace (Hamilton & Finley, 2019; Jacob & Ferguson, 2012).

Creswell & Creswell (2018) discussed the characteristics of a valid measuring instrument. Those characteristics include establishing the tool's purpose, using the tool to measure what is intended to be measured, and determining whether the results are consistent across participants. The instrument's reliability is enhanced by its replicability; the consistent use of the same instrument with all participants involved in this research increased its validity and credibility. The questionnaire was trialed with a doctoral student peer and two additional participants with no legal background or experience, as a requirement for an assignment in a Walden University doctoral class (Sukal, 2022). The questionnaire was devised from key phrases and words identified in a preliminary literature review conducted for this course on the phenomena of interest. It was revised several times based on feedback from Dr. Sukal and the doctoral student peer. The questionnaire was then administered via email to one participant and via a one-on-one Zoom interview to the second participant.

The participant's handwritten responses from the emailed questionnaire were transcribed manually. The participant's Zoom interview was initially transcribed using the iPhone app TapeACall (2023), followed by a detailed review of the transcription to correct errors. I then reviewed the transcriptions for repetitive words and phrases and color-coded them into themes. The themes derived from the responses clearly distinguished the questionnaire's effectiveness and aligned with the key terms and words identified during the preliminary literature review. As additional literature reviews were

added to the keyword and key phrase banks, the themes expanded, as did the types of questions; the questionnaire was revised accordingly. To enhance the questionnaire's validity and reliability, it was revised before distribution to the participant pool.

Procedures for Recruitment, Participation, and Data Collection

After obtaining participants' consent, the data were collected directly from multigendered United States-based youth attorneys affiliated with various organizations focused on youth offender matters. The organizations included, but were not limited to, the bar associations, the Department of Youth Justice, youth justice organizations, the public defender's office, and local court systems. Data collection events were conducted daily, and their duration was expanded to accommodate saturation. In-person interviews were initially offered, but due to low participation, recruitment was subsequently changed to an anonymous questionnaire, with IRB approval. The duration of participant recruitment was extended because there was no control over how quickly participants would complete the questionnaire. Anonymous responses were received and recorded.

The responses received via the Qualtrics platform were downloaded into an Excel file for data coding preparation. This data recording process and transcription were trialed as described above, with successful results, and will be discussed further in the data analysis section of this dissertation.

Anticipated participant recruitment ranged from 7 to 10, with seven responses recorded. The recruitment size was based on achieving saturation, the goal of qualitative research, where no new data or information is obtained from search attempts. Saturation can be reached with a sample size ranging from five to 25 participants and a mean of at

least 13 participants (Hennink & Kaiser, 2022). If fewer than five participants are achieved, the inclusion criteria will be expanded to include attorneys specializing in adult and youth offender matters, as implemented after recruitment efforts that contacted only youth attorneys did not yield enough participants. Therefore, this research study was conducted with a median of 5 to 13 participants, falling short of the anticipated 7 to 10 participants, but with data saturation accounted for.

Debriefing of participants was not conducted because the questionnaire was anonymous. A question included in the anonymous survey asked participants to include additional information they believed was not covered in the questionnaire. This allowed each participant to self-debrief, should they choose to add clarity to their answers or provide information deemed important to this study. Each participant was provided with the researcher's contact information to ask any clarifying questions that would ease or eliminate confusion, or to reinforce the anonymity of their participation and the confidentiality of their answers (Knott et al., 2022).

Data Analysis Plan

To address the phenomenon of why youth offenders refrain from falsely confessing when an attorney is present during interrogation, the central RQ for this study was: How does the presence of an attorney during a youth interrogation decrease youth false confessions? The data collected from participants via Qualtrics, after anonymity and confidentiality were established, were transcribed and categorized into themes of keywords and key phrases. These were preliminarily downloaded into a Microsoft Excel document for visual coding, and then manually coded by me.

The goal of all qualitative research is to gather information and experiences from key participants who have firsthand knowledge of the phenomenon of interest, through well-structured interviews or questionnaires, generating rich, valuable data that is valuable for enhancing policies and systems that advance youth matters (Hamilton & Finley, 2019). Highlighting views and experiences from a human perspective, analyzing and building connections between them, and finding potential solutions to a known issue are also essential goals of this qualitative study (Jacob & Furgerson, 2012).

Identifying patterns or themes in qualitative research establishes the connection to the phenomena. After the data analysis was completed, no discrepant cases or data were identified that did not align with the phenomenon. Regardless, these outliers may have helped to explain new themes not previously considered and would not have been indicative as a discredit to the phenomena of interest but rather an added extension to the credibility of the research and an opportunity to explore how the outliers connected to future research on the same topic with differing or additional variables (Booth et al., 2012; Saldaña, 2021). Discrepancies were avoided during data extraction by correctly identifying and selecting the appropriate participants, avoiding sampling and participant selection errors, and monitoring for missing data or low response rates (Pubrica, 2021).

Issues of Trustworthiness

Credibility

Research can be challenged and rejected when the research protocols are not followed or maintained. The quality of a study depends on the researcher's conduct toward participants, the handling of data gathered, and the alignment of these with

credible and trustworthy research (Kekeya, 2021; Merriam & Tisdell, 2016). Because qualitative research is known for “assumptions” rather than numerical data, it will be essential to meet the standards of qualitative research by achieving data saturation and ensuring that the collected data fully answer the RQ (Kekeya, 2021; Stenfors et al., 2020). Additionally, achieving triangulation by obtaining different views or perspectives from members of the same group, as in this research with youth attorneys, also enhanced the study's credibility (Adler, 2022; Kekeya, 2021).

A clear description of the data collection process, including the chosen methodology, the role of the data collector or researcher, and the researcher’s participant selection process, provides transparency and honesty, demonstrating credibility and dependability (Stenfors et al., 2020). The researcher's goal in establishing research credibility is to maintain the integrity of the data, protect participants, maintain participant engagement and rapport, support participants' contributions to the shared experiences, and report truthful, neutral findings free of bias. All the criteria mentioned enhance the trustworthiness and credibility of the researcher and the study's outcomes (Adler, 2022; Korstjens & Moser, 2018).

Although dissertations are not necessarily peer-reviewed by external auditors, the dissertation is continuously and rigorously reviewed for content, methodology, and grammar and subjected to constructive feedback by the doctoral student’s dissertation panel (Walden University, n.d.). However, to increase the credibility and trustworthiness of this research study and to properly engage professionals and laypersons, an external

peer reviewer would not impede but would assist in developing an objective and logical dissertation (Chong & Lin, 2022).

Transferability

The careful alignment of segments, consistent with trustworthy qualitative research, includes the ability of the data to be transferable or applicable to “another setting, context, or group” (Stenfors et al., 2020). The power of future researchers to utilize step-by-step processes and rich data gathered from this study or previous studies to duplicate, replicate, or draw their conclusions within a different circumstance, from various individuals or groups boosts the strength of the study’s transferability, establishes meaningfulness, and supports the trustworthiness of the research (Kekeya, 2021; Korstjens & Moser, 2018; Merriam & Tisdell, 2016).

Purposive sampling of participants narrowed down the type of attorneys who described their experiences with youth offenders in the interrogation setting. Snowball sampling enabled the study to expand and reach other youth attorneys who were unknown to the researcher during the purposive sampling period (Moser & Korstjens, 2018).

Dependability

Establishing the credibility of how a research study will be conducted, including how the data is gathered and interpreted, is crucial. This involves demonstrating consistency in the methods and validating and verifying the information, a process known as triangulation (Adler, 2022; Korstjens & Moser, 2018). Audit trails, including the researcher’s processes and all field notes recorded for this study, allowed the reader to

establish transparency and reliability with all aspects of this research (Adler, 2022; Korstjens & Moser, 2018).

Confirmability

Confirmability in qualitative research emphasizes the flow and connection between the collected data and how they relate to the researcher's neutral conclusions or findings, based solely on the collected data (Korstjens & Moser, 2018; Stenfors et al., 2020). Within confirmability, trust in the researcher's capability to remain objective throughout the research process addressed the study's reflexivity. The researcher's ability to share with readers and acknowledge any biases that may arise during the research process increased trust and neutrality, not only in the data gathered and interpreted by the researcher, but also in establishing and strengthening the confidence built within the researcher-participant relationship (Adler, 2022; Korstjens & Moser, 2018).

Ethical Procedures

No agreements were executed with the participants of this study. The data were collected through the voluntary participation of youth attorneys, who were selected and invited to participate. The invitation to participate in the research detailed my background and contact information, the purpose of the study, and how the data would be collected and stored, with an emphasis on confidentiality, anonymity, and privacy. It also provided a thorough explanation of voluntary participation and an overview of how the anonymous questionnaire would be distributed, collected, and archived.

The IRB at Walden University ensures that research is conducted accurately and that data are collected to represent and maintain the ethical integrity of participants and

the research process (Walden University ORDS Dissertation Guidebook, n.d.; Walden University ORDS Research Ethics, n.d.). The protection of participants throughout this research included ensuring their safety, respect for their autonomy, and the careful inclusion and exclusion of participants to maintain the integrity of the study (American Psychological Association, 2017; Stadtlander, 2015). IRB approval was obtained in accordance with university protocols. The Research Ethics Planning Worksheet (Walden University ORDS Research Ethics Planning Worksheet, n.d.) also reinforced the maintenance of an ethically sound research process.

Attorney-client privilege and the priority of participants in protecting their relationships with clients minimally limited participation and data collection (Richmond, 2022). However, the questionnaire was designed to elicit only personal experiences from attorney participants, without collecting personally identifiable information about themselves or their clients. No identifiable information was collected or released. The collected data is stored on a secure, password-protected external drive. Access to the data is reserved for this researcher, and the data will be permanently deleted at the 5-year storage mark. Additional ethical considerations included assurances of privacy and confidentiality, as well as an emphasis on redacting identifiers (both for participants and client data, if released) to increase participation.

After the invitation to participate was sent and participation accepted, an informed consent document embedded in the anonymous questionnaire was obtained from all eligible participants. The consent ensured full disclosure of voluntary participation, with the option to withdraw at any time without penalty. It provided the participant with

background information on the study's purpose, explained the risks and benefits associated with participation, and reassured them that their identity and the information they shared would be protected (Stadtlander, 2015).

Respondents were not given a response deadline for either informed consent or questionnaires, as the Qualtrics platform option automatically expired the questionnaire at a specific deadline and notified participants of the questionnaire's expiration.

Participants who ceased involvement in the study were excluded from all data results, and their declination was noted in the participant list. Incomplete or partial data collected supported the phenomena of interest beyond traditional qualitative or quantitative data-supportive methods and highlighted future research avenues (Osborne, 2013, p. 105).

Respondents who ceased participation or did not complete the questionnaire were replaced with new qualifying participants to meet the required number of respondents.

Recognizing participants' contributions to this study and future research projects, and verbalizing their importance, built rapport, increased trust in participation, and acknowledged the vitality of the information participants shared (Kerr et al., 2019). It is essential to maintain open lines of communication with participants to ease uneasiness or decrease hesitation during the research process. As an incentive, providing participants with access to the valuable results of this research study at no cost will advance their advocacy efforts and will continue to bring about positive social change within their respective fields (Murphy et al., 2021).

Summary

Chapter 3 detailed the researcher's unique role in this qualitative case study research and how the data were carefully collected from vetted participants and categorized into emerging themes. Attorney participant selection criteria were based on relevant work experience with youth offenders, including experience in the interrogation room. The inclusion criteria were purposeful and helped exclude attorneys with no experience involving youth offenders or working with youths in the interrogation room, thereby narrowing the data collected from vetted participants and supporting the purpose of this research study.

A researcher-created instrument was tailored to collect participants' demographic information and experiences via an anonymous questionnaire administered via the Qualtrics web-based collection system. Participation was made easier by allowing participants to complete the anonymous questionnaire electronically at their convenience. Anonymity and confidentiality were maintained throughout the collection process. Careful collection and coding were conducted in Qualtrics and Excel, which also assisted in theme development. All data related to this research study are stored on a password-secured external storage drive, and the data will be destroyed five years after the last collection.

The trustworthiness of this study was established through transparency to the reader, as evidenced by a detailed participant selection process, clear data collection techniques, a concrete interpretation of results supported by the data collected, and the transferability, dependability, and confirmability of the results, all of which were shaped

and supported by the study's methodology. A report of the results is discussed in Chapter

4.

Chapter 4: Results

Introduction

This collective qualitative study aimed to understand why youth often falsely confess during interrogations, based on firsthand experiences shared by United States-based youth attorneys who have recently or previously participated in interrogations of youth offenders. The research aimed to investigate why youths either refrain from or resist falsely confessing when an attorney is present, and how this resistance helps reduce the likelihood of false confessions. Multiple manual coding cycles were conducted to thoroughly examine the data in relation to the RQ. The primary RQ was as follows: How does the presence of an attorney during a youth interrogation decrease youth false confessions? This chapter covers participant demographics, the data collection process, data analysis, results, and the study's reliability and evidence of trustworthiness.

Setting

Participants were recruited via an anonymous questionnaire distributed by email, mail, and cold calling. The anonymous questionnaire was created by this researcher on the Qualtrics platform, an online survey tool. The survey tool allowed customization, enabling participants to add comments to specific questions for clarification. Their IP address was automatically removed to protect their identity. Qualtrics also stored data, sent email notifications of new responses, and enabled data downloads into Excel for coding. Respondents were provided with my contact details to clarify questions or provide additional information pertinent to the study; a few chose to do so and their responses are discussed in the results section of this chapter.

Demographics

A total of seven participants took part in this qualitative collective case study. The attorneys' years of experience ranged from 5 to 40; all practiced law in the United States and served either youth or adult clients, or both. They also participated in youth interrogations, either currently or in the past (see Figures 1, 2, 3). Because most recruitment efforts occurred via email, a thorough Google search of company websites was conducted to verify their eligibility for this study before contact was made, as these sites displayed information about their specialized degrees, training, office locations, and contact details.

Figure 1

Attorneys' Years of Practice



Figure 2

Attorney Presence

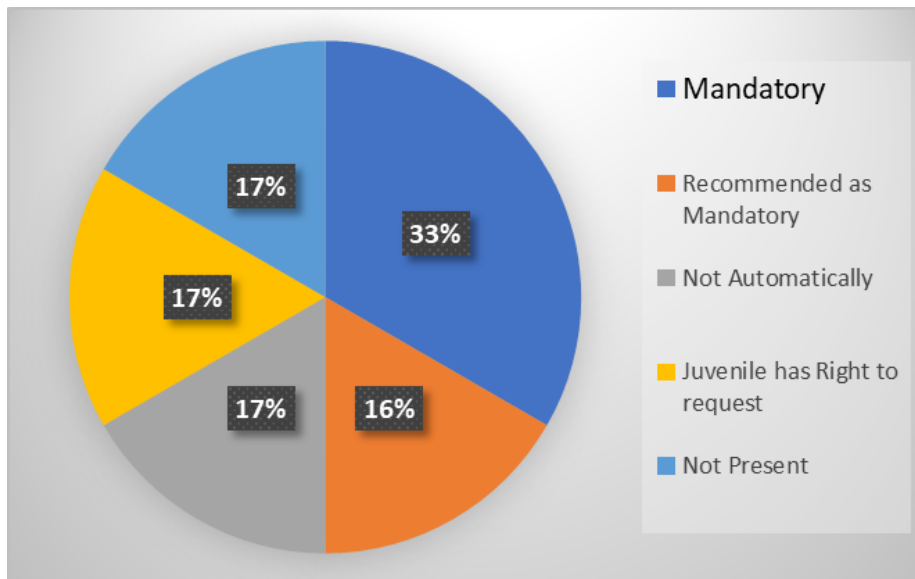
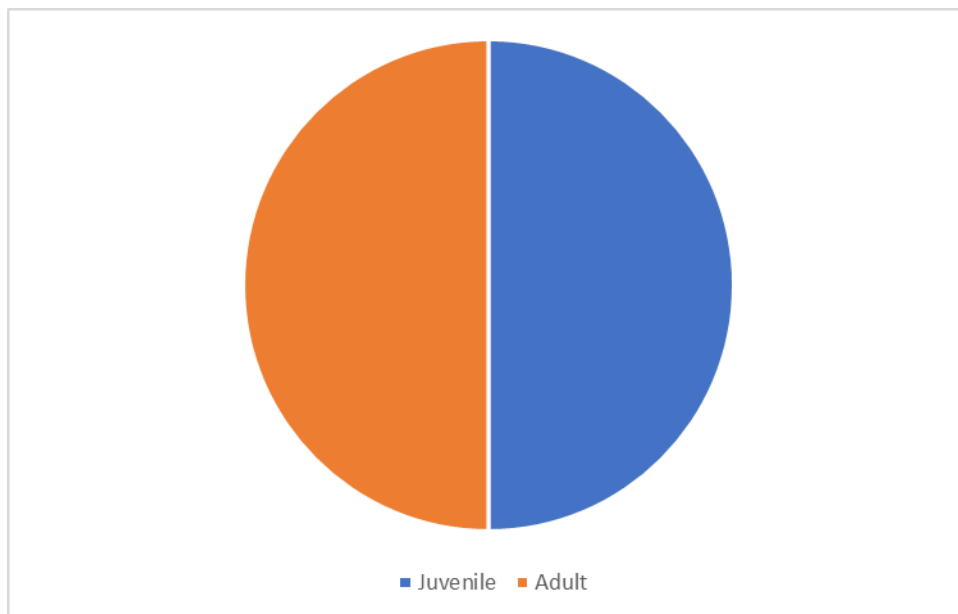


Figure 3

Attorney Specialization



Attorney specialization varied; legal services were delivered through advocacy groups, attorney bar associations, public defenders' offices, victim services, courts, and various social justice organizations. All attorneys contacted were either experts in youth and/or adult issues or affiliated with organizations where attorneys actively used their legal services. Attorneys who completed the anonymous questionnaire were pre-screened with questions about their years of experience and the demographics of their clients. This enabled categorizing their practice as serving youth, adults, or both, excluding attorneys who did not meet the inclusion criteria, and facilitated the organization and analysis of the data.

Data Collection

After several IRB consultations and approvals to modify recruitment efforts — including expanding the geographic area from which participants were recruited, shortening interview questions, and switching from individual interviews to an anonymous questionnaire — participants were recruited using the methodology outlined in Chapter 3. A detailed list of participants was compiled in Excel using public online information. Every attempt to contact a participant was documented, along with all acceptances, refusals, and comments from respondents.

A total of 1,613 participants were contacted and added to the participant list through repeated efforts, including email, cold calling, and mailing. Seven participants were successfully recruited. Twenty-four declined to participate due to not meeting the participant criteria, lack of interest, undeliverable email or mailing addresses, concerns about potential attorney-client privilege violations, or because I was referred to contact a

different department within or affiliated with the organization. The latter was linked to snowball sampling and helped in recruiting additional participants. A total of 4,432 contact attempts were recorded, including emails, mailings, phone calls, and social media flyer postings. Recruitment attempts were conducted daily, with follow-up attempts made between 1 and 2 weeks after the initial contact. Participant recruitment started in May 2024 and ended in August 2025. The anonymous questionnaire link remained open until final approval by the dissertation committee, ensuring no further participants or data were needed.

The anonymous questionnaire was uploaded to the Qualtrics platform, a free cloud-based software for data collection that offers customization, enhances participant anonymity, facilitates survey distribution, maintains accurate data record-keeping, and allows data export. These features enabled efficient, trackable data collection, with daily notifications when new responses became available for analysis. The raw data was then exported from Qualtrics to Excel without any transfer or download issues, preserving data integrity. All answers were recorded and thoroughly analyzed.

As previously noted, several IRB consultations were initiated, and the requests to increase study participation were approved. The requests were to reduce the questionnaire from 28 to 22 questions and to remove both in-person and virtual interviews, allowing participants to complete the questionnaire anonymously and at their convenience. The study was also expanded beyond Connecticut to include New York, New Jersey, Massachusetts, and Rhode Island. Ultimately, participation was extended to attorneys nationwide, all while maintaining recruitment procedures.

Data Analysis

At the end of data collection, the data were exported from the Qualtrics platform into Excel format to begin manual analysis and coding. Manual analysis was essential for this study because it allowed for a detailed review of the participant responses, word by word, and helped me become familiar with the data. This process facilitated the categorization of responses into themes, patterns, opportunities for improvement, and areas for future research.

The data underwent an initial coding cycle using Structural Coding and In Vivo Coding, as discussed by Saldaña (2021). Structural coding enables researchers to code and categorize data, identifying relationships between raw data and themes. Questions answered by respondents were categorized by topic to maintain the organization of both topics and data. In Vivo Coding uses respondents' responses exactly as recorded; responses are not altered, and raw data are coded and categorized in the same way as with Structural Coding (Saldaña, 2021). In Vivo Coding was applied to open-ended questions, which required respondents to submit answers beyond a simple yes or no. These open-ended responses were separately color-coded by keyword in Microsoft Word to reach consensus on their answers, which would be included in a summary report discussed below.

This initial coding cycle effectively summarized the data and identified themes, creating a code frequency report (CFR) that visually organized the data into categories and subcategories. Saldaña (2021) stated that "code frequency report can help identify which themes, ideas, or domains were common and which rarely occurred" (p. 132).

Charts were then generated from the categories and subcategories identified in the CFR, providing additional visual insights into the raw data. To complete the coding process, a pie chart coding method was applied to all the individual charts generated from the CFR, offering visual representations of the overall categories and subcategories discussed, condensed into major themes, and reinforcing the scope of this study.

The following themes are listed in order of their importance to this study, and the conclusions based on the final data analysis will be discussed in the Interpretation of Findings in Chapter 5.

Adult Interrogation Techniques (AIT) and Reid Technique

Emerging themes in this study aligned with those identified by earlier researchers, particularly regarding law enforcement's preference for using AIT or the Reid technique. Both methods are closely related, share similar adult-focused interrogation methods, and are known to be significant factors in false confessions among both youth and adults. Respondents observed that at least 40% of youth confessions involved admissions of guilt, indicating that using AIT or Reid techniques could be linked to coerced confessions, which may still be false even when an attorney is present.

Youth Disposition During Interrogation

Respondents observed that a youth's disposition, such as their immaturity related to their developmental stage, susceptibility, and vulnerability, results from the use of AIT or Reid during interrogations. Youth coping mechanisms during the interview process align with previous studies, emphasizing their vulnerability, lack of emotional control, inability to resist coercive interrogation tactics, and physical reactions that demonstrate

their immaturity. These exact coping mechanisms were also seen in youth who were not first-time offenders and had prior experience in the interrogation room.

Attorney Presence

Attorney presence during youth interrogations was reported as mandatory in respondents' jurisdictions, with parents most often requesting an attorney's presence. The presence of an attorney during youth interrogations has been shown to yield positive outcomes, including helping the youth understand legal concepts and terminology and providing support and information about their legal rights. However, if AIT or Reid techniques are used during interrogation with an attorney present, there is a risk of obtaining a false confession, contrary to the RQ for this study. This is supported by the 40% guilty confession rate among youth interrogations reported in this study, which was based on the attendance of attorneys.

Evidence of Trustworthiness

The data collection process, as described in the Data Analysis section, was clear and systematic. The roles of the data collector and the participant selection process promoted transparency and honesty by safeguarding data integrity and participant anonymity. The study's credibility was confirmed through careful analysis, thorough coding, and re-coding of the data, which uncovered themes based solely on participant responses.

The replicability or transferability of this research can be achieved by using detailed recruitment methods, including purposive and snowball sampling, and by employing the data collection instrument developed specifically for this study.

Triangulation of data was not conducted through member checking because participation shifted from in-person or virtual interviews to strictly anonymous responses via a questionnaire. However, the interpretation of the data remained consistent and was validated through multiple coding cycles, thereby constituting triangulated data (Adler, 2022; Korstjens & Moser, 2018).

The interpretation of the data remained consistent during coding and re-coding sessions, resulting in the same themes and establishing a dependable, reliable, and credible consensus of the information collected. This consistency, along with the objectivity of data interpretation, demonstrates the confirmability of this study and the objective connection between data analysis, results, and conclusions.

Results

The categories and subcategories identified from the first and second coding cycles revealed that at least 33% of attorney presence during youth interrogations was reported as mandatory in the participants' respective states of practice, based on their responses regarding their knowledge of youth interrogation policies. Additionally, 16% of respondents indicated that the attorney's presence should be a mandatory protocol. Similarly, 17% reported that an attorney was not automatically present at the start of interrogations, suggesting that attorneys were sometimes absent even though their presence may have been mandatory. Based on respondents' professional knowledge of interrogation policies, it was also reported that youths have the right to request legal representation (see Figure 2).

Respondents estimated that the attorney's presence in the interrogation room ranged from 0% to 25% (see Figure 4). Only two participants, who answered anonymously and voluntarily, reported the states where they currently practice or have practiced—namely, New York and California (see Figure 5). Requests for an attorney were mainly made before the start of the interrogation, primarily by a parent, followed by the youth and their guardians (see Figures 6 and 7). The interrogation participants included the interrogator and the youth as the primary participants (see Figure 8), and the interactions during the interrogation were generally amicable (see Figure 9).

Figure 4

Percentage of Attorney Presence

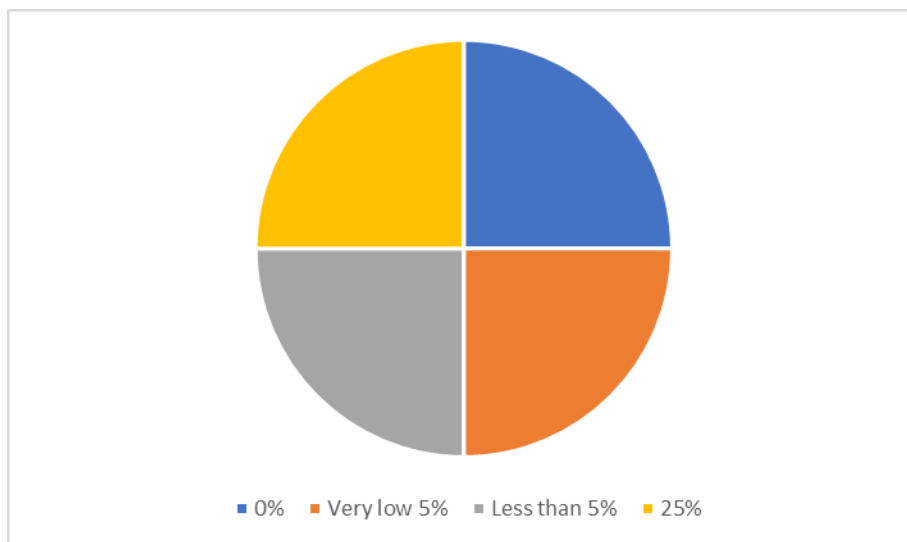


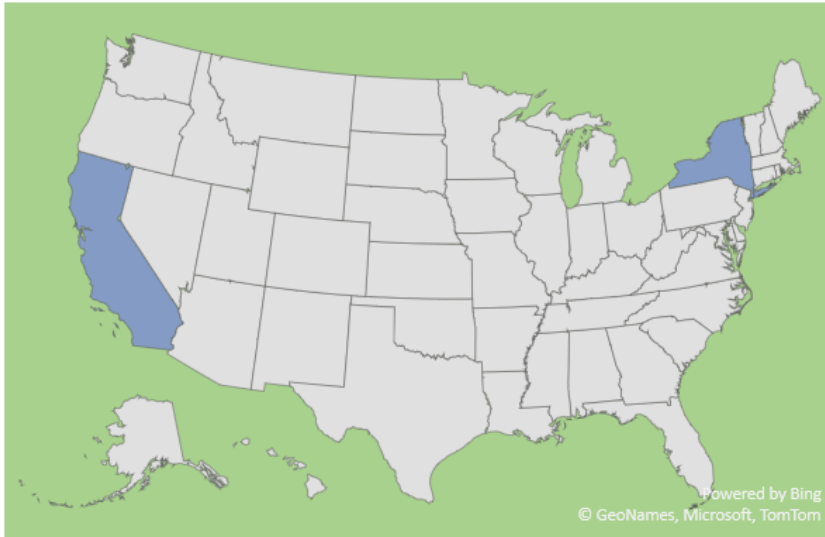
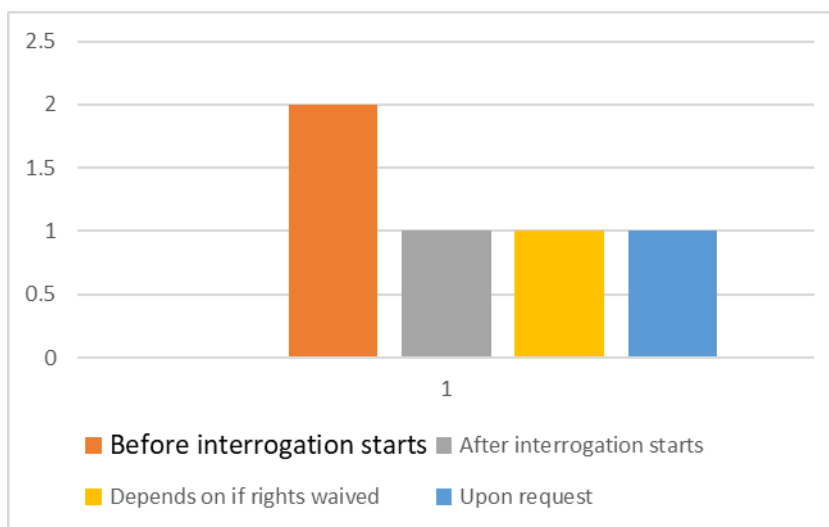
Figure 5*State Name Provided***Figure 6***Attorney Requested*

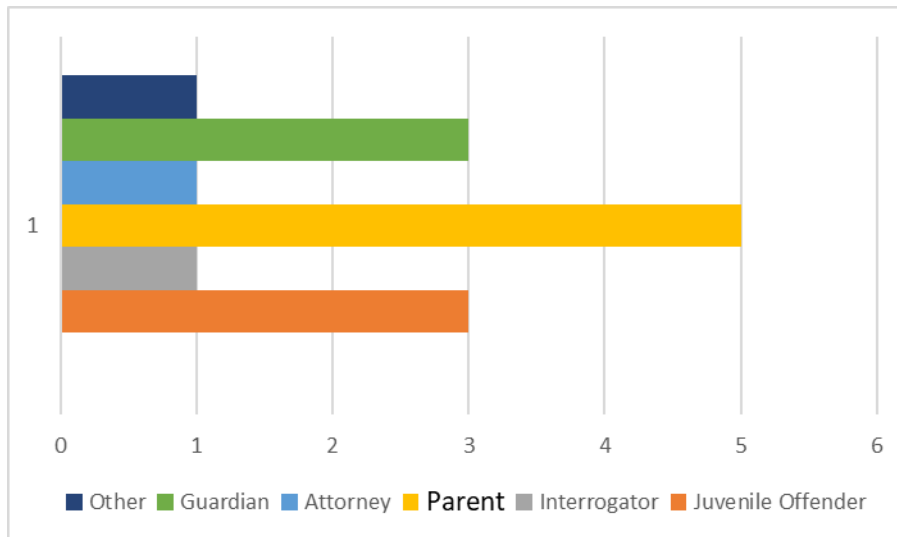
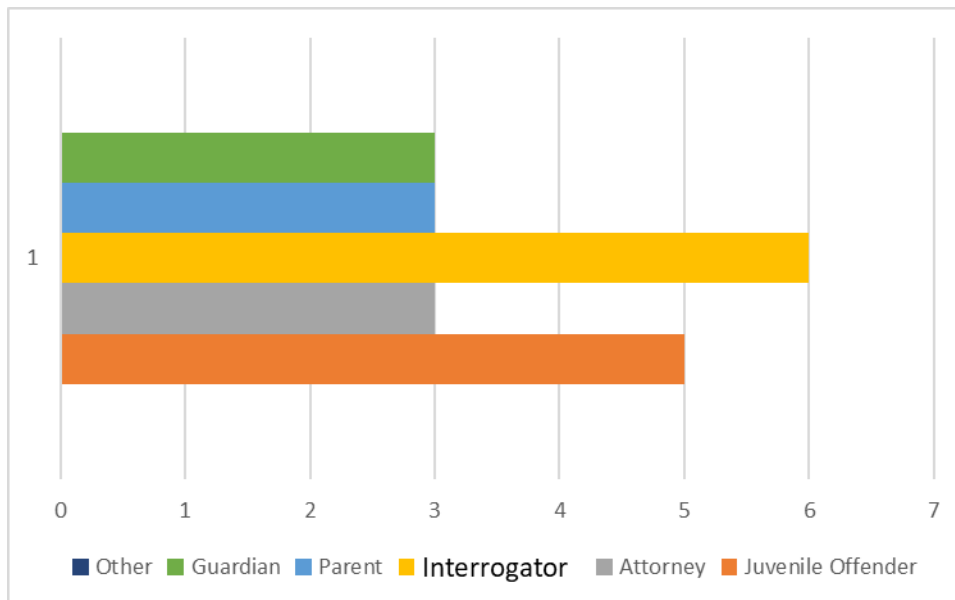
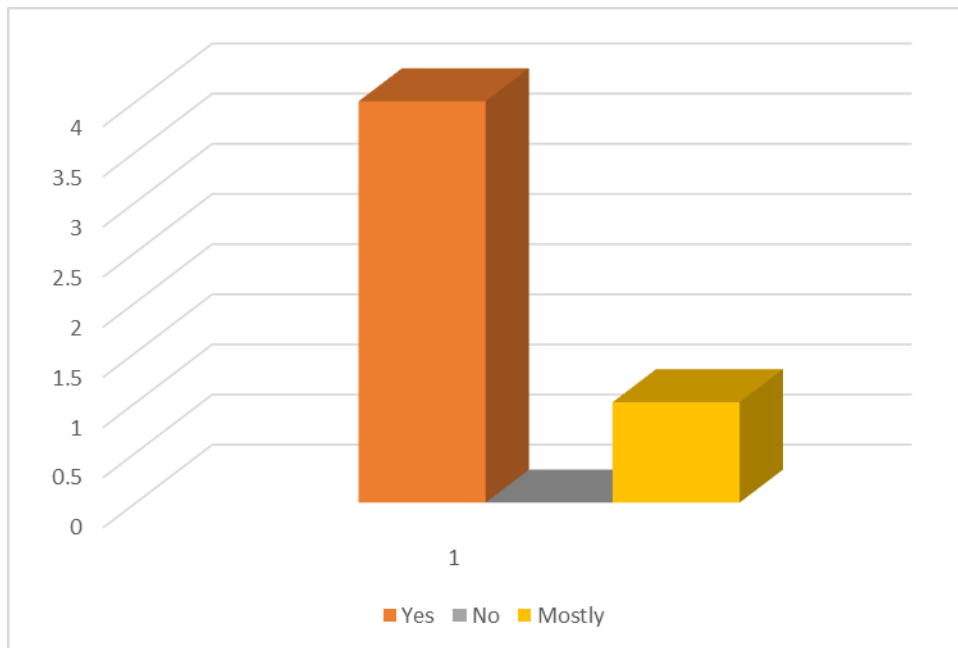
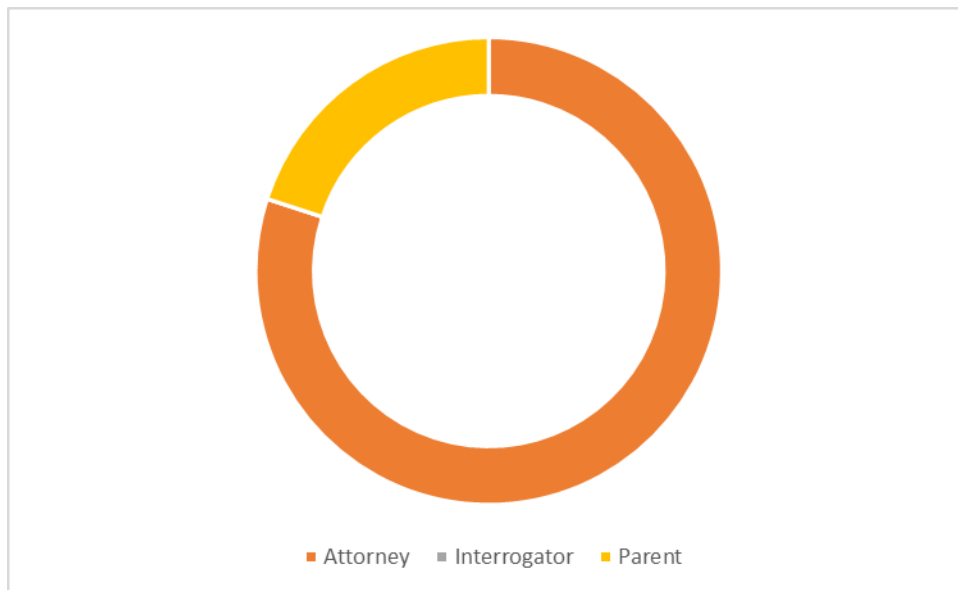
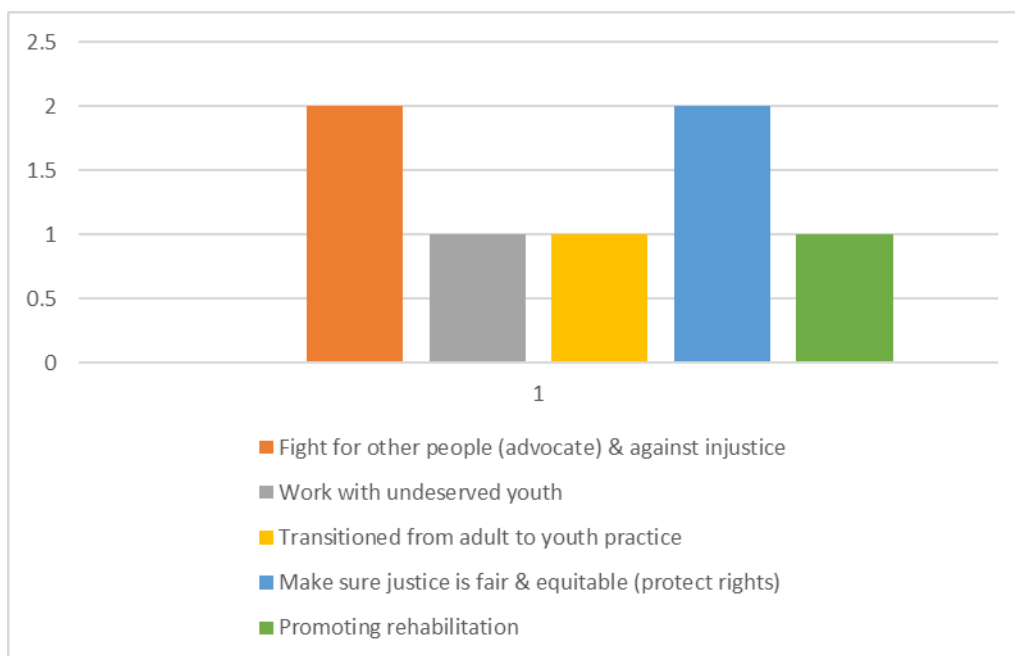
Figure 7*Attorney Requested By***Figure 8***Interrogation Attendees*

Figure 9*Amicable Interactions During Interrogations*

During interrogation sessions, the best interests of the youth were highly prioritized mainly by the attorneys, followed by the parents (see Figure 10). It is worth noting that the respondents were attorneys who, before seeing this question on the survey, had expressed their intent to advocate for youth involved in legal matters. Their answers reflect their attention to youth issues and the importance of providing adequate services for an underserved group. Therefore, it is notable that some of the attorneys who participated in this study chose their careers for reasons such as: “to fight for other people and against injustice,” “to work with underserved youth in my area... transitioned from adult to youth [practice],” “to advocate for victims and ensure that justice is fair and equitable,” and “promoting rehabilitation and protecting the rights of youth” (see Figure 11).

Figure 10*Best Interest in Outcome for Youth***Figure 11***Career Decision*

Respondents' interrogations were recorded; however, most were uncertain whether the recordings were transcribed or if the recordings or transcriptions were used for performance improvement purposes (see Figures 12, 13, 14). Attorneys present during youth interrogations were permitted to pause questioning and clarify to the youth what was being asked or required of them (see Figure 15). This is a significant action, given the immaturity and vulnerability of youth involved in high-stress events and their difficulty in processing information and requests compared to adults (see Figure 16), indicating a notable shift in practice from previous research that reported a passive demeanor by attorneys present during interrogations (Schoovaerts et al., 2021).

Figure 12

Interrogations Recorded

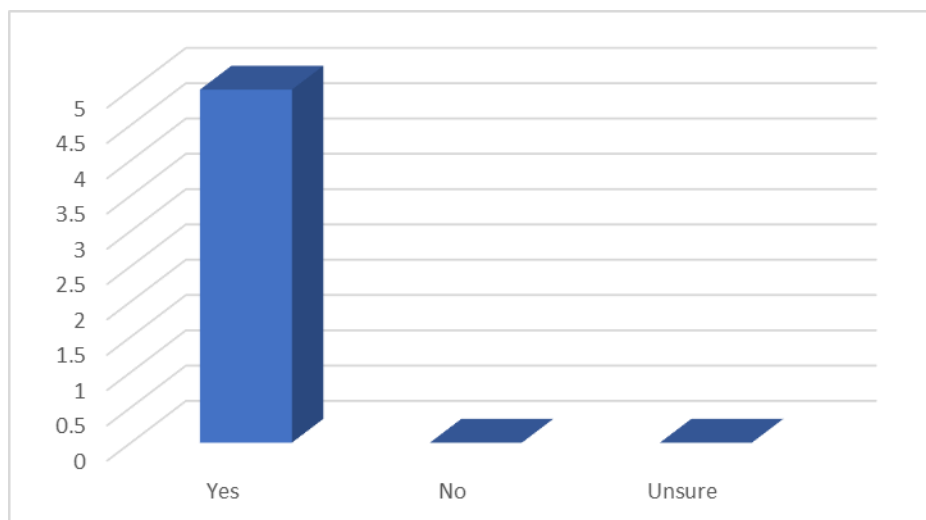


Figure 13

Interrogations Transcribed

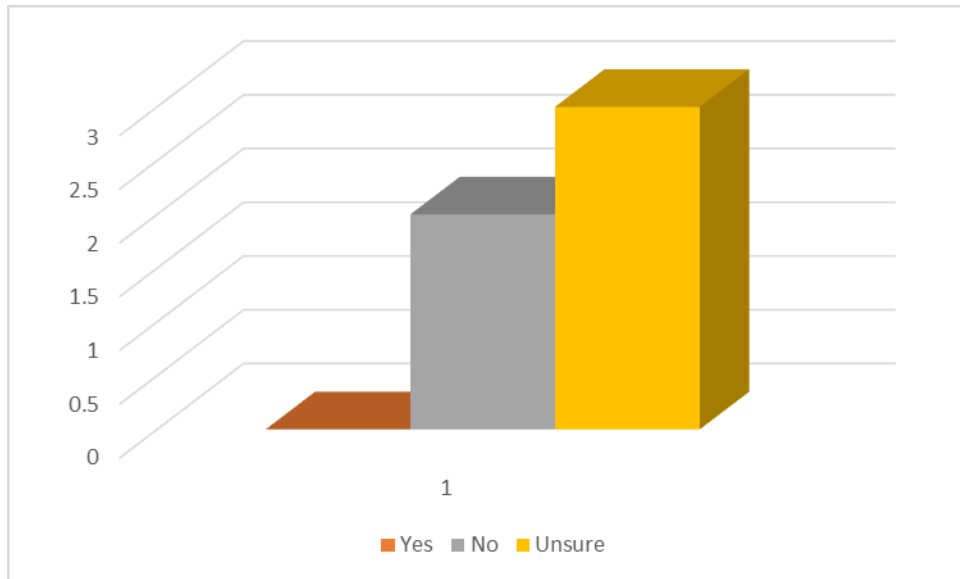


Figure 14

Recording/Transcription Used for PI

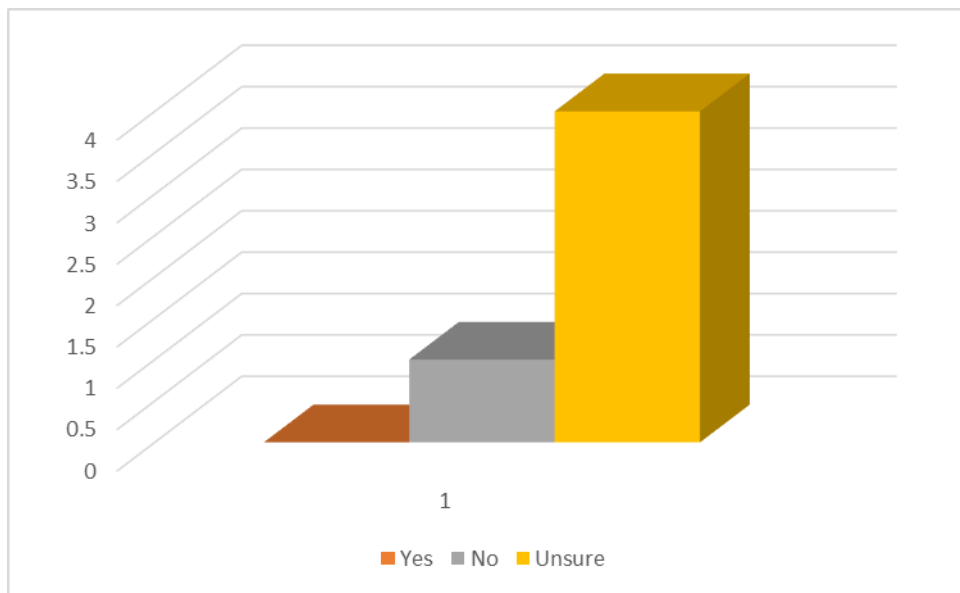


Figure 15

Attorney Allowed to Pause Interrogation & Clarify

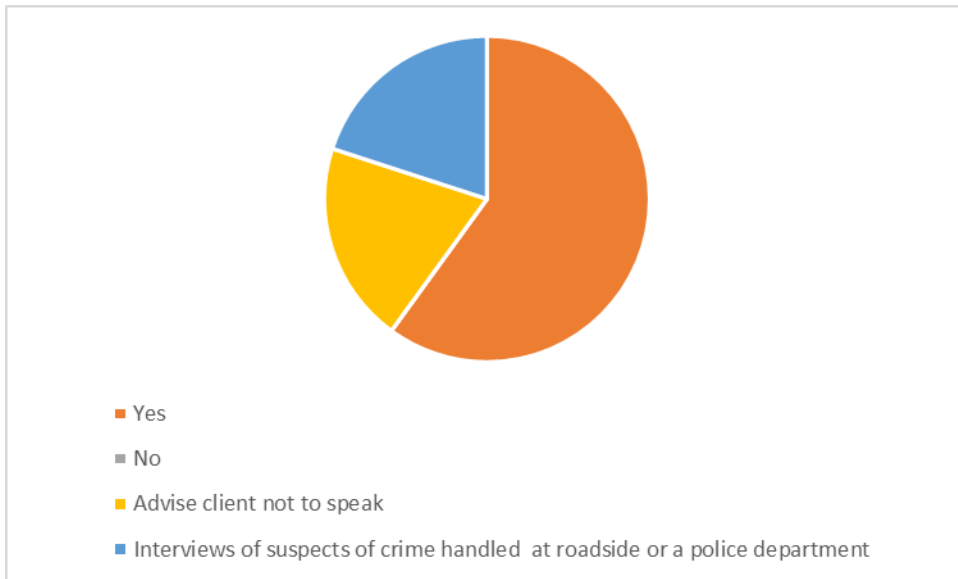
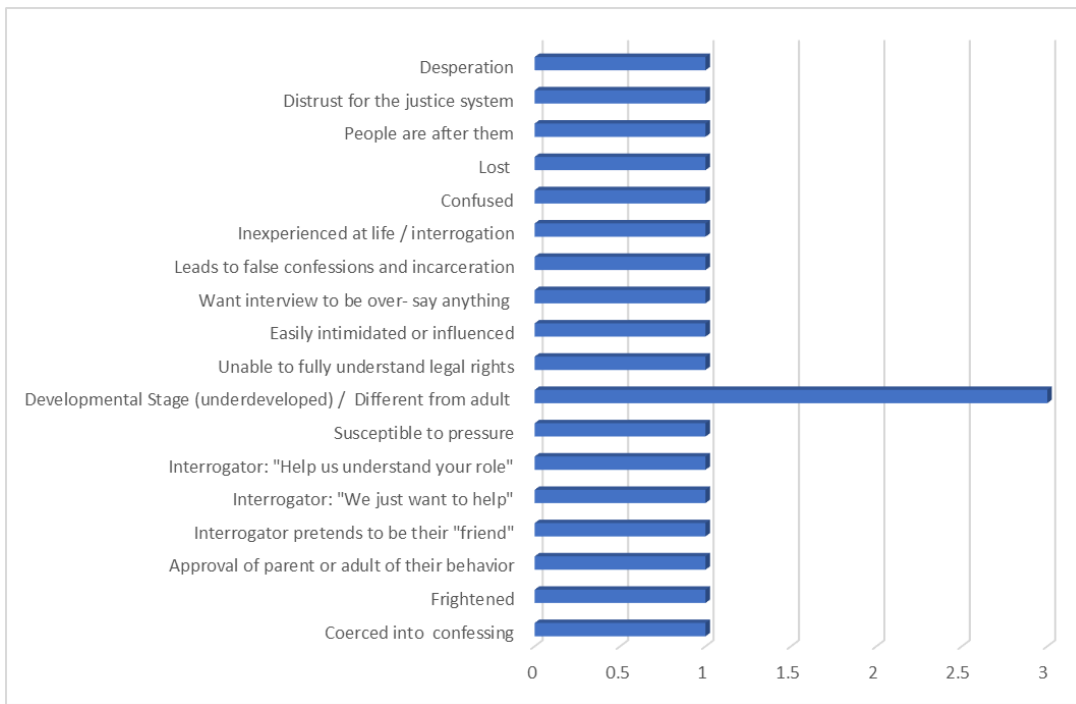


Figure 16

Effects of Youth- Use of Adult Interrogation Techniques (AIT)



The use of AIT was reported by 71% of respondents, with the Reid technique explicitly used in 29% of youth interrogations (see Figure 17). Law enforcement primarily decided which interrogation techniques to employ. The decision-makers varied based on factors such as state laws, the youth's age, intellectual capacity, and the nature of the crime, which occurred less frequently (see Figure 18). As discussed in Chapter 2, Literature Review, the Reid technique, developed for adult offenders, does not account for a youth's underdevelopment or the significant risks of coercive tactics associated with AIT or Reid. The data clearly showed that when an interrogation involved either technique and a lawyer was present, at least 40% of defendants confessed guilt. In contrast, 20% of youth denied the event or crime, unintentionally revealed unhelpful information, or the parent chose to end the interrogation (see Figures 8, 9, 10).

Figure 17

Adult Interrogation Techniques (AIT)

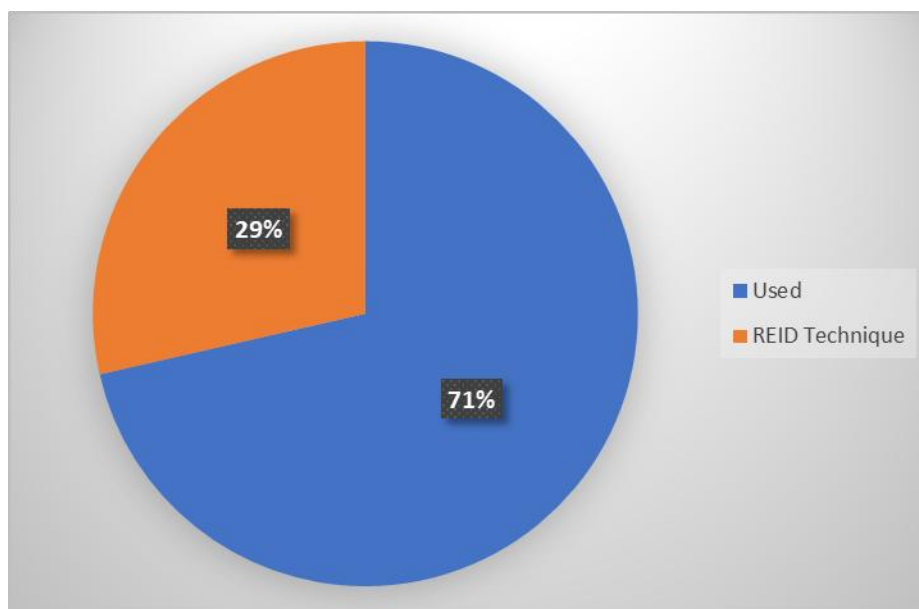
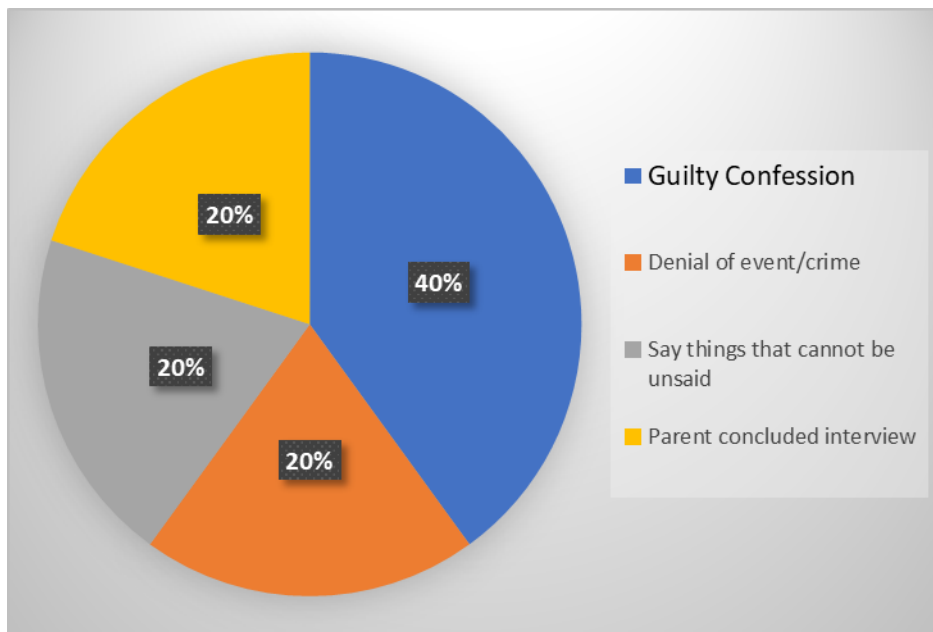
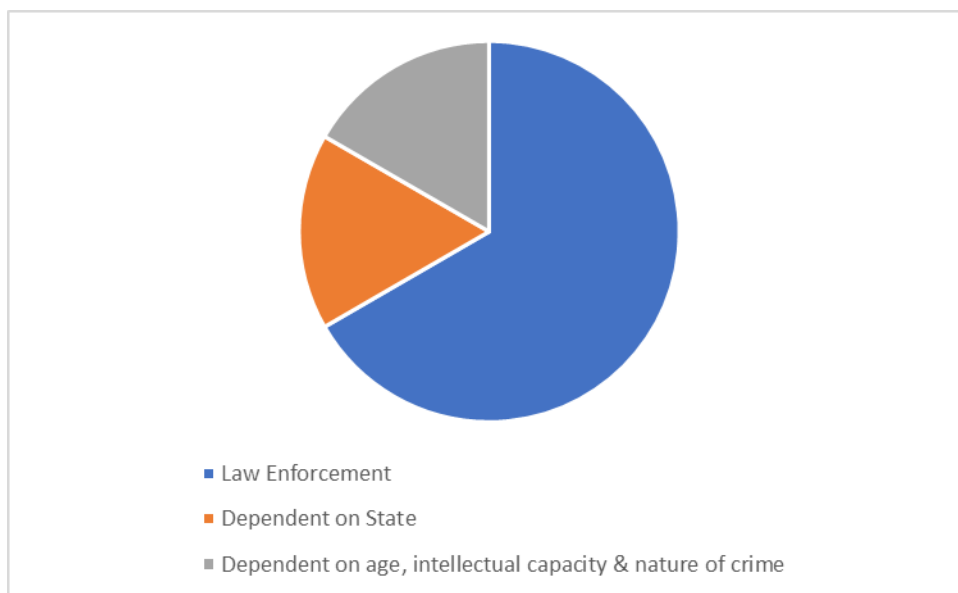
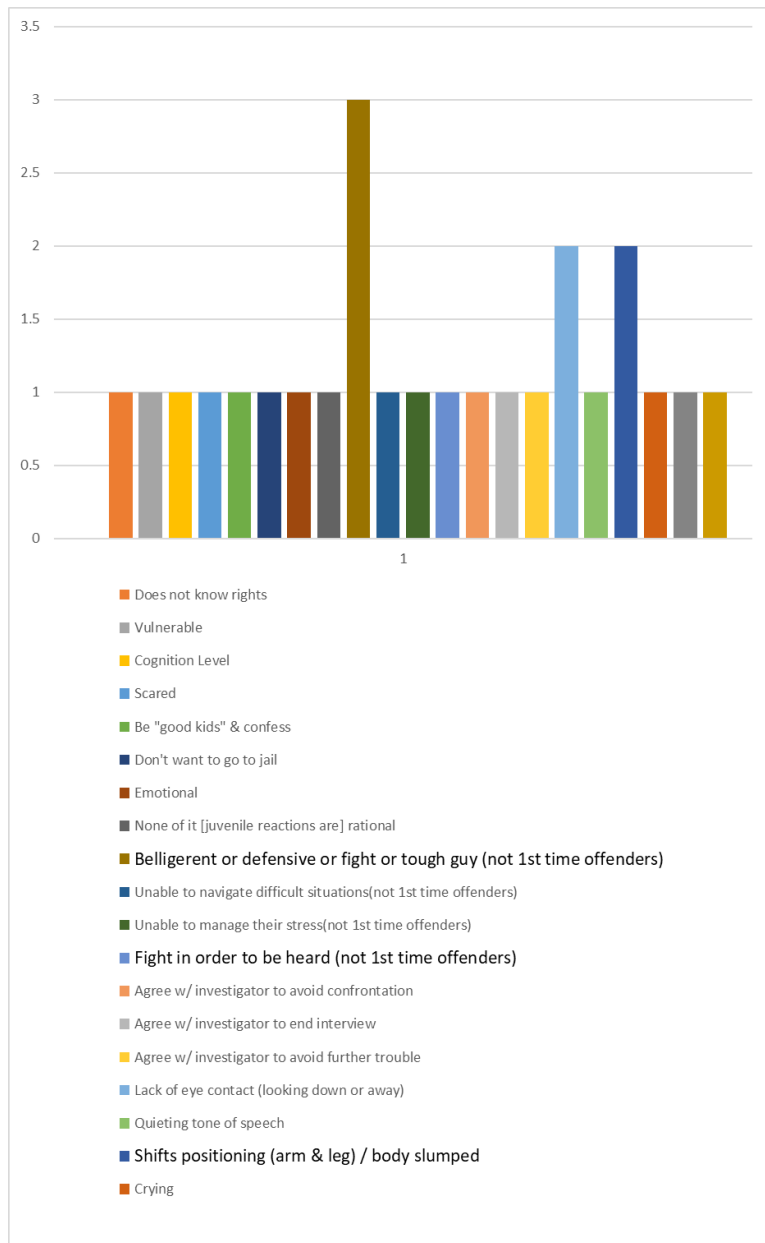


Figure 18*Interrogation Outcomes***Figure 19***Who Chooses Interrogation Technique*

Additionally, Figures 16 and 20 illustrate the various types of youth dispositions and coping strategies exhibited during interrogations. These support the idea that youth are often immature and impulsive, and that they struggle to understand the consequences of their actions or inaction when exposed to high-stress situations. It is essential to observe the youth's physical behavior during interrogations, which includes shifting positions, avoiding eye contact, and agreeing with the interrogator even when innocent—all of which are perceived as avoidance tactics by interrogators who may not be familiar with youth development or their involuntary responses.

Figure 20

Youth Coping Mechanisms During Interrogation



Participating attorneys also reported how witnessing the use of AIT during their attendance at interrogations affected their practices and subsequent discussions with youth clients and their parents or guardians. Figures 21 and 22 illustrate that “[advising]

client to remain silent” was the predominant wording used to emphasize and encourage the youth to invoke their Miranda Rights. At least 33% of attorneys advised their youth clients to “Invoke their right to counsel.” Other helpful advice to youth mentioned by respondents included the following: “Request [of] a lawyer before asking any questions,” “Educate the juvenile and parent on law and rights,” and directional advice to interrogators to “cease and desist contact.”

Figure 21

Effects on Attorneys Who Witnessed Use of AIT

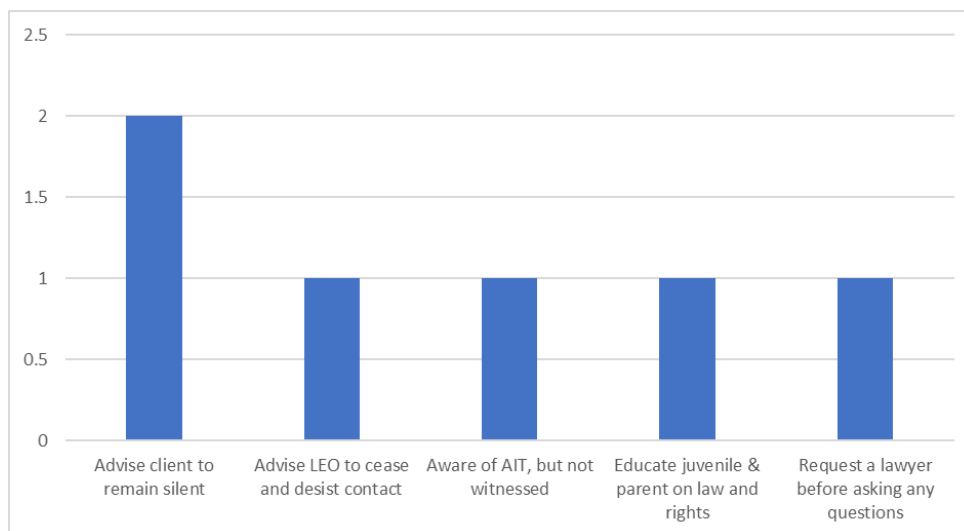
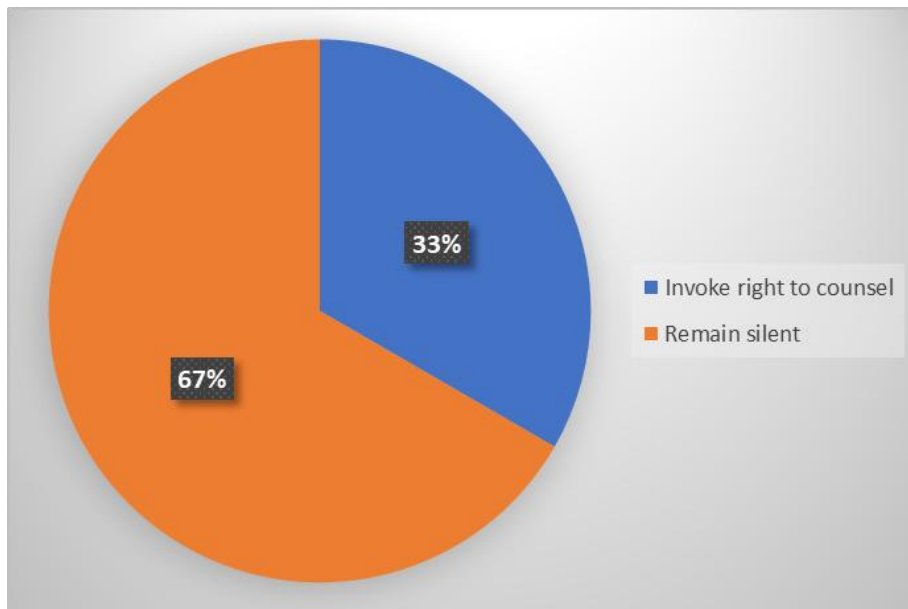
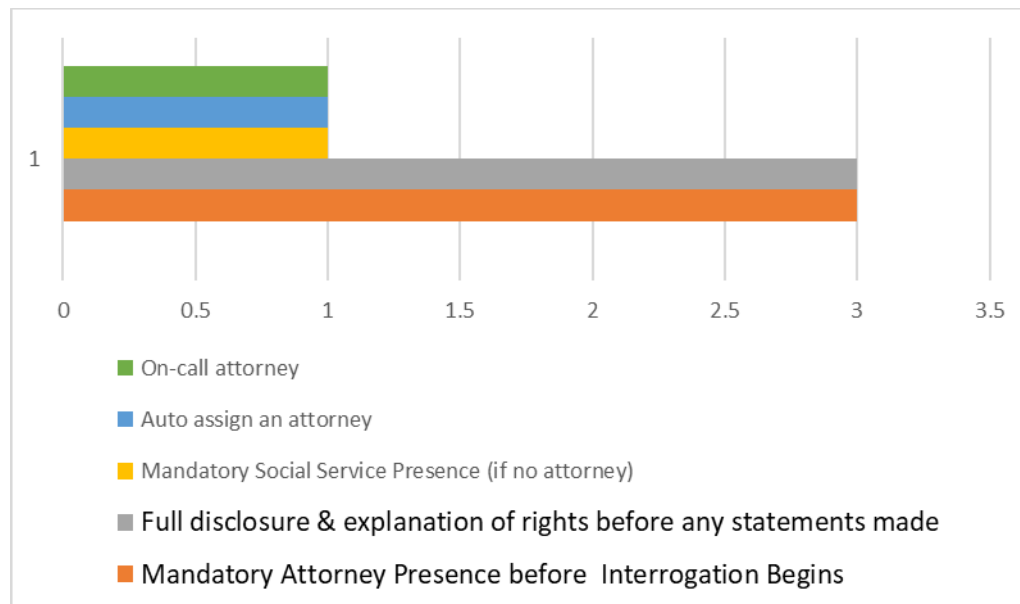


Figure 22*Advice to Youth*

Respondents freely suggested changes to improve youth interrogation practices. However, they were also prompted in the questionnaire to identify specific types of changes or actions they would like to see implemented, especially those currently not in place, to benefit youth and improve interrogation outcomes, thereby reducing the likelihood of false confessions among youth in the near future. Some recorded recommendations include “full disclosure and explanation of rights before any statements made” and “mandatory attorney presence before interrogation begins” (see Figure 23). Other notable suggested changes include starting a protocol of providing “on-call attorney” services, “auto-assign an attorney,” and “mandatory social service presence if no attorney available.” These recommendations, along with others, will be discussed further in Chapter 5.

Figure 23*Recommended Changes of Interrogation Process*

One of the anonymous questionnaire respondents, who was unable to participate but provided suggestions on the use of the words “juvenile,” “juvenile offender,” “juvenile false confession,” and “juvenile attorney,” stated that the

Use of the word “juvenile” strips a young person of their identity, carries with it negative and racist connotations, and the word “juvenile offender” presumes that the young person committed the offense alleged. We also recognize that using this language in front of young people is harmful and can impact their perception of themselves.

The wording suggested by the respondent has been adopted in this dissertation, and “juvenile” has been replaced with “youth” unless “juvenile” was used in a participant's response, in which case the original data and word preference were not altered to maintain data integrity.

An additional recipient declined to participate but responded to the invite as follows: “I cannot discuss any element of the conversations that I had with any of my clients that would violate attorney-client privilege”. The recipient was reassured that no questions about identifiable information would be asked and that the questionnaire would be completely anonymous. Nevertheless, a few referrals from recipients who did not qualify were made to those who met the participation criteria, showing that Snowball Sampling also helped recruit additional participants for this study.

Summary

This qualitative collective case study aimed to explore why youth would refrain from falsely confessing in the presence of an attorney during interrogation and to examine the relationship between an attorney’s presence and the youth’s restraint. Data were collected through an anonymous questionnaire from seven participants who met the study's criteria. All participants provided consent beforehand and were informed of the researchers' contact information in case they needed to clarify study requirements or the questionnaire. The data were collected via an anonymous questionnaire facilitated by the Qualtrics platform and uploaded into Excel and Word for proper coding, recoding, and classification of themes.

Several themes emerged at the end of the coding process, including the frequent use of AIT or the Reid technique as the preferred interrogation method, mainly chosen by law enforcement. The use of these adult interrogation tactics often led to guilty confessions, even when an attorney was reported to be present. Youth disposition and coping mechanisms during the interrogation, as reported by respondents, aligned with a

lack of consideration for a youth's vulnerability and susceptibility during high-stress environments, as interrogations typically are. Lastly, participants noted that the mandatory presence of an attorney was in accordance with their jurisdiction, with variations in the requirement depending on the youth's age or developmental stage, and that the youth's parent was the party most often requested an attorney.

Other sections covered in Chapter 4 included the study's setting, respondent demographics, relevant characteristics, data collection, coding, evidence of trustworthiness, and data analysis. Chapter 5 will summarize and conclude the interpretation of findings, discuss study limitations, provide recommendations, outline implications for future research, and explain how this study contributes to social change.

Chapter 5: Discussion, Conclusions, and Recommendations

Introduction

This collective qualitative case study aimed to understand why a youth might falsely confess during interrogations, using the firsthand experiences of U.S.-based youth attorneys involved in the youth interrogation process. The study aimed to investigate the tendency of youth to falsely confess when an attorney is present, the influence of the attorney's presence on interrogation dynamics, and to gather attorneys' insights into their experiences during youth interrogations. This included the interrogation techniques used and whether a youth's vulnerability and susceptibility affected the outcomes.

Participant prescreening and recruitment were implemented to ensure that respondents met the inclusion criteria, thereby strengthening the research parameters. This involved collecting detailed responses through an anonymous, structured, and open-ended questionnaire, allowing respondents to elaborate on their answers, clarify their role in the interrogation room, and help link the phenomena of interest with the interpretation of findings. By offering participants the convenience of completing the anonymous questionnaire at their own pace, respondents provided data that contributed to this study's conclusions.

Key findings derived from this research included the consistent preferred use of AIT or Reid techniques by law enforcement interrogators, techniques known to coerce false confessions, the lack of consideration of youth coping mechanisms and behavioral reactions during interrogation sessions, and the elevated guilty confession rates found

even when an attorney was present during interrogations. These key findings will be discussed in detail in the Interpretation of Findings section of this chapter.

Interpretation of Findings

Attorney Presence

Although legal experts recommend having an attorney present during youth interrogations, as noted in the literature review, this study found that mandatory attorney presence is required in most jurisdictions. Respondents estimated that the attorney's presence in the interrogation room ranged from 0% to 25% (see Figure 4). While 16% of attorneys in this study stated that legal presence should be mandatory, at least 17% reported that attorney presence did not happen automatically, leaving it up to the youth to understand and initiate their right to request legal representation (see Figure 2). When legal representation was requested, it was typically requested at the start of the interrogation, primarily by the parent, followed by the youth and guardian (see Figures 6 and 7). Therefore, legal representation—whether requested or not—is not occurring as often as recommended or mandated. Further research should examine how to increase the presence of an attorney during youth interrogations by reviewing current jurisdiction protocols and enforcement policies, and by educating those involved in the interrogation process to encourage the request for an attorney before questioning begins.

Literature review data suggests that simply having legal representation protects a youth's vulnerability, suggestibility, and legal rights from the use of coercive interrogation tactics such as AIT or Reid. It also helps reduce the waiving of Miranda Rights, waiving of legal representation, and false confessions. However, data from this

study showed that even when legal representation was present, at least 40% of confessions were found to be guilty, 20% involved denial of the event or crime, and the youth provided unintentional and unhelpful information to the interrogator. One respondent reported that a parent chose to end the interrogation for reasons unspecified (see Figure 18). It is important to note that, although attorneys could pause questioning to help the youth clarify what was being asked, guilty confessions still occurred. Regarding the pausing of interrogations, Figure 15 shows respondents advising their clients not to speak, indicating that suspect interviews were often conducted at the roadside or at the police department. This suggests that attorneys attempted to be involved but may have been hindered when questioning occurred outside their presence.

The reasons for high false confession rates, despite the presence of an attorney in the room, could include the youth being truthful about their involvement or guilt, the attorney's presence not being helpful during interrogation, or insufficient attorney intervention to clarify the questions asked. Further examination is needed to clarify these factors. The benefits of an attorney's presence, as discussed in the literature review, include less harsh treatment, shorter interrogation times, and fewer instances of Miranda waivers. Respondents reported that interactions in the interrogation room were mainly friendly, supporting the idea that attorney presence can still be beneficial, even in a passive way, as noted in the literature review (see Figures 18 and 9).

For this study, the literature review did not include data on attorneys' feedback regarding their experiences with witnessing the use of AIT in youth interrogations; existing research on this subject is currently unknown. The new data collected showed

how attorneys changed their discussions with youth, their parents, or guardians after witnessing AIT in the interrogation room. Respondents' primary advice to clients was to exercise their right to remain silent and to request the presence of counsel before questioning. They also emphasized the importance of educating both parents and young people about the law and their rights going forward (see Figures 22 and 21).

The data indicated that having an attorney present during youth interrogations did not reduce the likelihood of a guilty confession, contrary to the study's RQ. Instead, guilty confessions were more common when an attorney was present, and the type of interrogation tactic used (AIT or Reid), which the interrogator mainly chose, worsened the rates of guilty confessions among youth.

Youth Disposition

Supported by several case laws discussed in the literature review (*Roper v. Simmons*, *Graham v. Florida*, *In re Gault*), a youth's underdeveloped cognition and limited moral understanding contribute to their vulnerability and suggestibility. Impulsiveness, diminished comprehension of legal proceedings, behavioral responses that interrogators can misinterpret, and a lack of emotional regulation all depend on a young individual's level of maturity and understanding, which is known to remain incomplete until their late 20s (Perlin & Lynch, 2021). The findings from this study confirm that youths are unable to effectively process high-stress environments like interrogations, which can lead to adverse outcomes and long-term negative consequences as they age and continue their involvement in the criminal justice system. The impulsive reaction of youth to falsely confess to end the interrogation is supported by both previous research

and this study. Many behavioral responses shown in Figures 16 and 20 align with prior literature, including neuroscience data, emphasizing the significant immaturity and vulnerability of youth compared to adults.

Determining a youth's psychological development in relation to their maturity level and ability to commit a criminal act is difficult, as the reliability of tools used to measure *doli incapax* is questionable. The current instruments can lead to false attribution of criminal responsibility for the alleged act (Pillay, 2019). *Mens rea*, the capacity to distinguish right from wrong, is also hard to assess, as neuroscience data discussed in the literature review show that brain development in youth is inconsistent and continuously developing as compared to that of adults, raising doubts about the youth's disposition and questioning their capacity for *mens rea* and *doli incapax* (Pillay, 2019). The anonymous questionnaire did not explicitly ask for feedback on *doli incapax* and *mens rea*; however, respondents provided information on how AIT use during interrogations affected youth and the coping mechanisms they displayed, as observed by attorneys. All descriptive actions are aligned with factors that support the absence of *doli incapax* and *mens rea*, including, but not limited to, confusion, emotional instability, defensiveness, stress, impulsivity, inability to consider future consequences, and a tendency to agree with the interrogator to end the interrogation or avoid confrontation. These behaviors indicate poor decision-making skills and impulsive reactions, which are characteristic of underdeveloped cognitive skills among youth (see Figures 16 and 20).

Interrogations

The data in this study clearly showed that AIT is the preferred method used by interrogators, with 71% favoring it and 29% specifically using the Reid technique. Comments made by respondents, especially the wording or phrases used by interrogators, are typical of either AIT or Reid techniques and do not guarantee a truthful confession from the youth (see Figures 17 and 16). Interrogators are primarily responsible for selecting the type of interrogation tactics, which depend on state laws, the youth's age, their capacity to understand, and the nature of the crime (see Figure 19); therefore, the choice of technique may change. Previous literature confirms the use of adult interrogation tactics and the increased likelihood of false confessions in youth interrogations, supporting data from this study that indicate these outdated, adult-based interrogation practices are still being employed and experienced by attorneys with their youth clients at the time of this report.

The unchanged youth interrogation processes also confirm that interrogator training is passed down from experienced interrogators to new ones, and the documented preferred interrogation techniques, which are not well-suited for the youth population, are likely part of the training process. The ongoing use of AIT, as documented by Mogavero (2020), along with the lack of clear and consistent interrogator training (Cleary & Warner, 2016; IACP, 2012), continues to increase the risk of youth giving false confessions during interrogations. Combined with respondents in this study, who were unaware that interrogation transcripts occurred during their sessions or that recordings or transcriptions were used for performance improvement (see Figures 12, 13, 14), this

highlights opportunities to improve education on youth vulnerability and susceptibility during interrogations for all involved. It also underscores the need for proper and mandatory interrogator training tailored to benefit the youth population, which is not being fully explored or implemented.

Findings Based on Theoretical Foundation

IDMM

During custodial interrogations, individuals base their confessions or denials of wrongdoing on specific factors that the IDMM considers highly relevant to the interrogation's outcome. An individual's characteristics, including age and maturity, physical and mental condition, situational factors such as the type of interrogation tactic used, and the interrogator's disposition, are all factors that can influence the outcome of the interrogation, whether positive or negative (Yang et al., 2017). The absence of legal representation was not noted in the IDMM but may be considered a situational factor affecting interrogation outcomes. As seen in this study, the presence of attorneys during youth interrogations did not diminish guilty confessions; instead, respondents reported guilty confessions during their attendance at a rate of 40%, followed by 20% in denial of the event or crime (see Figures 2 and 18). The IDMM supports the findings in this study, not in the claim that attorney presence should have diminished guilty confessions, but in the claim that the use of AIT or Reid tactics may be a more significant situational factor in exacerbating guilty confessions than attorney presence (see Figure 17).

PT

The decision-making process described in PT is linked to IDMM, as it considers an individual's traits or characteristics as the main factor influencing decisions. This process involves assessing the current situation and then predicting the outcome as either a gain or a loss (Yu et al., 2021). Although PT was initially introduced in the context of business management, similar risk-taking behaviors seen in financial or economic decisions are also evident in youth during interrogations. A young person's failure to accurately evaluate future consequences and select an outcome that fosters favorable conditions suggests their decision-making process is flawed and hindered by their limited capacity, susceptibility to pressure in stressful environments, vulnerability to coercive interrogation tactics, and a desire to satisfy the interrogator's demands. These factors also play a role in guilty confessions, even when legal representation is present during questioning (see Figures 2, 8, 16, and 18, 20).

Limitations of the Study

An anticipated limitation discussed in Chapter 1 was hesitation to participate due to concerns about violating the attorney-client privilege, mentioned by only one respondent, which led to that respondent's decision not to participate. The Qualtrics survey platform's ability to collect responses anonymously and conveniently for respondents, along with the researcher's assurance that anonymity would be protected, helped build respondents' trust and reduced the number of declines.

The second limitation faced was low participation, which was not primarily due to concerns about violating the attorney-client privilege. Most declines were due to

participants not meeting all participation criteria, such as representing only adult clients rather than youth, or to participants refusing without giving a reason. Participation began to increase after the questionnaire was revised to include fewer questions and to include respondents practicing within the United States rather than a localized area. This may suggest that the lack of participation was due to a demanding legal workload and time constraints, preventing participants from contributing to the questionnaire.

The sample size for this study was seven participants. Although the number of participants was limited, the rich data collected underwent multiple coding sessions to achieve saturation. Data were interpreted based on the results of repeated coding, which aligns with the goal of this qualitative research. An increased sample size would further enhance the knowledge gained from these results and continue to support the findings.

Recommendations

A few recommendations are derived from this study's results. Previous research has already presented some of the same or similar suggestions; however, they remain essential for ongoing efforts to reduce false confessions among youth in interrogation rooms and serve as a reminder of the persistent issues identified in youth interrogations to this day.

Youth Centered Interrogation Techniques

Surmounting documented criticism of adult-based behavioral analysis, suggestiveness, and coercive content in AIT and Reid, or outdated on-the-job interrogation training modules, highlights the importance of developing and implementing, and mandating youth-friendly interrogation practices. The aim is to create

a fair and balanced due process that youth are entitled to (August & Henderson, 2020; Cleary, 2017; Malloy et al., 2014; see Figures 16 and 17). This study recommends reforming or enhancing youth interrogation techniques to prioritize the best interests of criminally involved youth, taking into account their vulnerability and suggestibility, and reducing the risk of false confessions caused by inappropriate interrogation methods.

Some well-known youth-friendly interrogation techniques detailed by previous researchers include PEACE (Feld, 2013; Cleary & Warner, 2016; Gudjonsson, 2020), ChildFirst Method (Cleary & Warner, 2016), and PACE (Feld, 2013; Police and Criminal Evidence Act 1984; Redlich & Kassin, 2009), all of which consider youth vulnerabilities. Additionally, other relevant training available to all law enforcement agencies and their staff can be found on the Strategies for Youth website, which currently offers training seminars on “Policing the Teen Brain”. These sessions are held at law enforcement agencies for convenience and provide valuable insights into a young person’s development and the limits of their processing abilities due to neurocognitive deficits (Strategies for Youth, n.d).

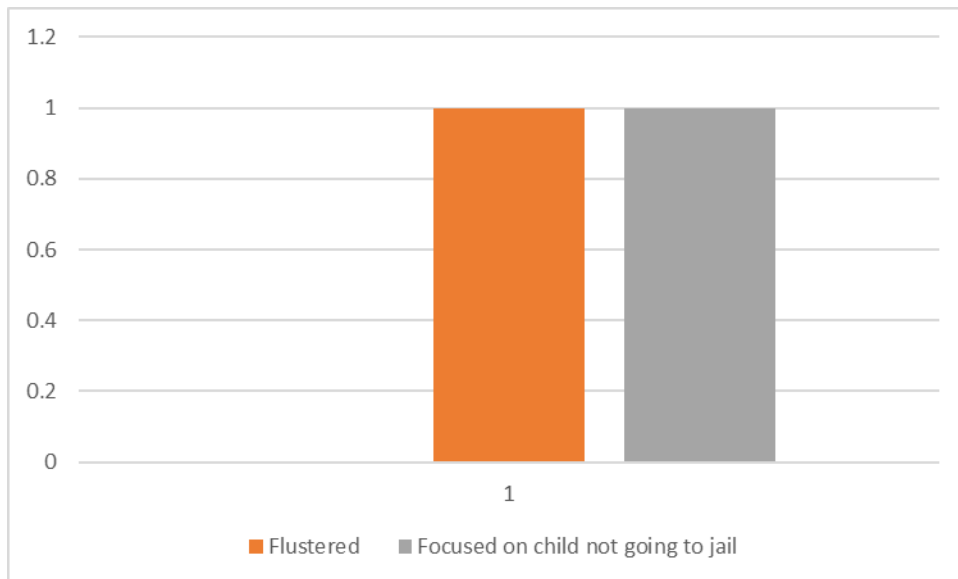
Law Enforcement Education Opportunities

Strategies for Youth also offers the “12 Model Law Enforcement Policies for Youth Interaction,” a set of guidelines that advise law enforcement on youth interactions from initial contact through custody. This includes policies that address a youth’s vulnerability and suggestibility (Strategies for Youth, n.d.). Policy 4 specifically covers youth brain development, lack of Miranda understanding, false confessions, susceptibility, coercion, and attorney representation—factors that this study and previous

research have shown influence youth interrogation outcomes. It is highly recommended that these resources, including youth-friendly interrogation techniques such as the PEACE, ChildFirst Method, and PACE, be shared and integrated into the curricula of law enforcement training academies and agencies nationwide, especially if a similar curriculum is not mandated or currently available.

Legal Education for Youth, Parents, Guardians

An additional recommendation based on the data analysis results, and previously suggested by Alvarez-Toro and Lopez Morales (2018), Cleary and Warner (2016), Cleary (2017), and Gooch and von Berg (2019), is to educate both youth and their parents or guardians about legal processes and rights. This includes understanding Miranda Rights, the right to call an attorney, and the right to remain silent (see Figures 21, 22, 23). Prior research indicates that having a parent, guardian, or responsible adult present does not guarantee a positive outcome for the youth, primarily because of inadequate legal knowledge. This includes unfamiliarity with interrogation procedures and the use of AIT or Reid methods, which are often unclear to youth, their parents, or guardians (Cleary, 2017; Haney-Caron et al., 2018; Henning & Omer, 2020). This study aligns with earlier research, showing that respondents often describe parent behavior during interrogations as “flustered” and “focused on the child not going to jail,” highlighting the parent’s or guardian’s lack of preparedness to notice, clarify, and intervene during the interrogation when necessary (see Figure 24).

Figure 24*Parent Disposition*

To best support youth during interrogation and achieve a positive outcome, educating all parties—whether attorneys or advocacy groups—about the legal aspects of the criminal process and what occurs in the interrogation room can help reduce false confessions.

Mandated Attorney Presence

Previous research has shown that reduced false confessions are common when individuals have legal representation, regardless of the interrogation method used (Feld, 2013; Gooch & von Berg, 2019; Henning & Omer, 2020; Schoovaerts et al., 2021). However, this study's findings indicate that attorney representation did not affect the decline in guilty confessions (see Figure 18), even though attorneys are required in respondents' jurisdictions (see Figure 2). Support for mandated attorney presence has been documented (Alvarez-Toro & Lopez-Morales, 2018; Gooch & von Berg, 2019;

Haney-Caron et al., 2018; Mogavero, 2020; Redlich & Kassin, 2009; Schoovaerts et al., 2021; Waxman, 2020), and respondents still endorse it in this study, as shown in Figures 2 and 23.

Mandatory attorney presence is still recommended, regardless of whether AIT or Reid interrogation techniques are used and their outcomes. Legal representation, expertise-based clarification, and increased proactive legal intervention remain crucial protective factors during youth interrogations and may still help reduce false or guilty confessions. Enhancing attorney involvement in interrogation sessions is essential to achieving better outcomes for youth, as attorney intervention is often passive, as noted in Schoovaerts et al.'s (2021) study.

Video Recording of Interrogations

Although mentioned but not extensively covered in the literature review, a Belgian study by Schoovaerts et al. (2021) on mandated video recordings of interrogations found that attorney intervention was passive, enacted only when deemed necessary. It concluded that there was a limited benefit to attorney representation and that improvements are needed. Analyzing interrogation recordings of justice-involved youth can help improve how youth are treated during a critical process known to result in adverse outcomes.

Regularly reviewing interrogation recordings for performance improvement purposes adds a layer of protection to a flawed process. This includes reinforcing the use of appropriate youth-centered interrogation techniques, ensuring compliance with mandated attorney presence requirements per jurisdictional protocols, and providing

constructive feedback to attorneys, interrogators, youth advocates, parents, or guardians on their roles and conduct during the interrogation. Such reviews help determine how each party can influence a positive or negative outcome. Additionally, video reviews serve an educational purpose for all parties involved, including the youth and their parent or guardian, regarding their legal rights to invoke counsel or remain silent before the interrogation begins (see Figures 21 and 22). This can reduce false confessions or limit the release of unhelpful information to the investigation (see Figure 18).

Rehabilitation v. Punitive Measures

In *Graham v. Florida*, the justices acknowledged that a youth's potential for rehabilitation should take precedence over punishment. Emphasizing rehabilitation rather than incarceration provides the youth a better chance to reintegrate into society successfully without experiencing adult prison treatment methods. However, maturity must be considered when assessing their ability to rehabilitate, as these factors are interconnected and mutually dependent for success. Respondents in this study, when asked about their career choices, mentioned advocating against injustices in the legal system, protecting legal rights, and promoting rehabilitation as part of their advocacy efforts (see Figure 11). The attorney's responses emphasize the importance of recognizing a youth's vulnerability and susceptibility, especially when involved with the criminal justice system. Therefore, recommending rehabilitation instead of punishment aligns with better outcomes for youth involved in crime.

Implications

The study's results emphasize the potential impact of social change across all levels of involvement in the youth justice system, from justice-involved youth to existing jurisdictional protocols for youth interrogations. Although attorney representation in the interrogation room was not the primary protective factor in this study, as previous researchers found, it remains crucial for youth to have mandated legal protection, since attorneys can still offer support and remind youth, their parents, or guardians of their legal rights in environments where adult interrogation tactics often lead to guilty confessions (see Figures 21 and 22). Attorneys are authorized to intervene during interrogations as needed, whether to clarify what is being asked of the youth or to inform them of their rights, including the right to remain silent (see Figure 15). Legal representatives should continue to increase their intervention efforts in the interrogation room to help reduce youth guilty confessions, including recognizing and discouraging the use of AIT or Reid interrogation techniques and advocating for youth-centered interrogation methods.

Law enforcement agencies, especially interrogators, continue to use adult-based techniques when interviewing youth suspects (see Figures 17 and 19). These adult-centered methods are known to increase false confessions among youth and elicit physical responses (interpreted as deceitful), similar to those observed when AIT or Reid techniques are used ineffectively with young people (see Figures 18 and 20). Additionally, these effects on the youth are recognized by attorneys, leading to changes in how they explain legal rights to their young clients and their parents or guardians (see

Figure 21). Training law enforcement agencies and their interrogators on existing youth-centered interrogation techniques and mandating the use of can significantly reduce adverse outcomes, including a decrease in false confessions that often result in wrongful incarceration and convictions.

Youth advocacy groups, some of which are embedded within the youth justice system, have increased their presence over time and continue to support justice-involved youth in achieving positive outcomes that enhance their overall well-being as they navigate an often tumultuous and evolving justice system. At the time of writing the final chapters of this dissertation, the United States House of Representatives introduced and passed several bills that directly impact youth in Washington, D.C., and across the country, perpetuating the criminalization of youth and rolling back progress to the 1970s, when punitive measures were seen as the only way to rehabilitate and deter future youth crime (Bernstein, 2025; Center on Juvenile and Criminal Justice, n.d.; Gossard, 2019). The findings from this study aim to inform and support youth advocacy groups and all stakeholders interested in advancing youth justice reform by highlighting the vulnerability and susceptibility of youth involved in the criminal justice system from initial contact with law enforcement through sentencing or rehabilitation, with an emphasis on utilizing youth-centered interrogation techniques and mandating the provision of legal representation that may help reduce adverse outcomes.

Conclusion

Decades of research have consistently emphasized the importance of providing adequate, fair, and equitable protection for youth involved in the criminal justice system,

who require ongoing intervention and protection due to their limited psychosocial development. Having an attorney present during youth interrogations continues to be essential; however, as discovered in this study, the interrogation tactics used can adversely affect the outcomes and may unnecessarily force the youth further into the justice system.

This study's findings address a gap in the literature regarding an attorney's perspective in the interrogation room and the effects of their intervention efforts that change the dynamics of the interrogation process and its outcomes. These findings prompt further inquiry into additional reasons youth may confess to guilt even when most respondents reported mandated legal representation. One possible mitigating factor to consider is the continued use of AIT or Reid tactics, which are adult-centered, disregard the developmental needs of the youth involved, and are coercive.

Recognition and continued outspoken criticism on behalf of interrogation primary attendees (youth, parent or guardian, attorney, and interrogator) about the witnessed detrimental effects of utilizing AIT, Reid, or outdated on-the-job interrogation training modules must continue until youth interrogation protocols are streamlined for every jurisdiction. In addition, educating youth, parents, or guardians about their legal rights prior to or at the inception of their involvement with the justice system remains a critical component of advocacy that helps prevent false confessions and subsequent erroneous incarceration and convictions of innocent youth.

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Appendix A: Database, Keywords, Key Phrases Search Log

Database	Search Terms	Results
APA PsycInfo	Juvenile AND offender AND interrogation; Peer-Reviewed Journals; 2018- Present	1
APA PsycInfo	Juvenile offenders AND interrogation techniques; Peer-reviewed journals; 2018- Present	1
APA PsycInfo	Juvenile AND interrogations AND false confessions; Peer-reviewed journals; 2018- Present	3
APA PsycInfo	False confessions AND juveniles; Peer-reviewed journals; 2018- Present	5
APA PsycInfo	Interrogation techniques AND juvenile; Peer-reviewed journals; 2018- Present	1
Criminal Justice	Juvenile interrogations; Peer-reviewed journals; 2018- Present	7
Nexis Uni	Juvenile Interrogation; 2017-2022; Magazines & Journals;	2 pages of results
Nexis Uni	False confessions juvenile; 2018-2022; Law reviews & journals; Briefs, pleadings & motions	453
Pro Quest- Criminal Justice Database 3/25/2023	juvenile AND interrogation AND a history of No date range Peer reviewed	3
Pro Quest- Criminal Justice Database 3/25/2023	Juvenile AND interrogation AND techniques No date range Peer reviewed	7

Nexis Uni 6/14/2023	Interrogation techniques Guided search: law reviews 2019 to Present	0
Nexis Uni 6/14/2023	Interrogation techniques Guided search: law reviews No dates selected	10,000
Nexis Uni 6/14/2023	Interrogation techniques Guided search: law reviews No dates selected Additional search term: juvenile	6,437
Nexis Uni 6/14/2023	Interrogation techniques Guided search: law reviews No dates selected Additional search term: juvenile Jurisdiction: CT	139
Nexis Uni 6/14/2023	Interrogation techniques Guided search: law reviews No dates selected Additional search term: juvenile Jurisdiction: CT Dates: 2019 to present	21
Nexis Uni 6/14/2023	Attorney presence Guided search: law reviews Include: juvenile and interrogation Dates: 2018 to present Jurisdiction: CT and Federal	41
Google Search 7/19/2023	"List of states with juvenile interrogation laws"	
Walden Library search 7/26/2023	"Juvenile brain development" Peer reviewed 2018-present	51
Walden Library search 7/26/2023	Health Professions Database "Juvenile brain development" Peer reviewed 2018-present	44
Walden Library search 7/26/2023	Health Professions Database "Juvenile AND brain AND development" Peer-reviewed 2018-present	1387

Walden Library Search 8/5/2023	Nursing Database CINAHL & Medline Juvenile AND brain AND development Peer-reviewed 2018-present	569
Walden Library Search 8/15/2023	All databases <i>Miranda v. Arizona</i> Peer reviewed 2018-present	66
APA Psyc Net 8/18/2023	Email received from APA Editor's Choice Articles with Baker et al. (2023) listed as one of the articles	1
Walden Library Search 8/18/2023	All databases <i>J.D.B v. North Carolina</i> Peer-reviewed 2018-present	3
Walden Library Search 8/18/2023	All databases <i>Roper v. Simmons</i> Peer-reviewed 2018-present	41
Google Search 8/18/2023	<i>Roper v. Simmons</i>	numerous
Walden Library Search 8/22/2023	All databases <i>Graham v. Florida</i> Peer reviewed 2018- present	14
Google Search 8/22/2023	<i>Graham v. Florida</i>	numerous
Google search 8/22/2023	<i>In re Winship</i>	numerous
Walden Library Search 8/22/2023	All databases <i>In re Winship</i> Peer-reviewed No dates selected	9
Walden Library Search 8/23/2023	Criminal Justice Database <i>In re Winship</i> No dates selected	2

Walden Library Search 8/23/2023	Criminal Justice Database <i>In re Gault</i> No dates selected	8
Walden Library Search 9/29/2023	<i>In re Gault</i> Peer-reviewed 2018 to present	7
Walden Library Search 9/30/2023	<i>Doli incapax</i> Peer-reviewed 2018- Present	5
Walden Library Search 10/29/2023	<i>Qualitative case study AND research design</i> Peer-reviewed 2018- present	2,783
Walden Library Search 10/30/2023	<i>Role of researcher AND qualitative study</i> Peer-reviewed 2018-present	960
Walden Library Search 11/4/2023	<i>Incentives AND research participants</i> Peer-reviewed 2018-present	1,164
Walden Library Research 11/4/2023	<i>Incentives AND professional AND research participants</i> Peer-reviewed 2018- present	166
Walden Library Research 11/11/2023	<i>Creating AND qualitative AND questionnaire</i> Peer-reviewed 2018-present	2,010
Walden Library Research 11/11/2023	<i>Creating AND qualitative AND measurement tool or assessment tool</i> Peer-reviewed 2018- present	243
Google Internet Search 11/24/2023	<i>What are discrepant cases in qualitative research</i>	471,000

Appendix B: Anonymous Questionnaire

- Q1. Tell me about your educational background, why you decided on your current career, and how many years you have practiced law?
- Q2. How many juvenile offenders and adult offenders have you represented or currently represent?
- Q3. Do you prefer to represent juvenile, adult, or both and why?
- Q4. What is your knowledge about juvenile interrogation policies?
- Q5. Are you aware of or have you witnessed juvenile offenders interrogated using adult interrogation techniques?
- Q6. Please list examples of wording, behaviors, or mannerisms used by the interrogators during a juvenile interrogation.
- Q7. Did the juvenile provide a guilty confession or denial of the event/crime?
- Q8. Describe the juvenile offenders' coping mechanisms(including body language, verbal expressions) during the interrogation.
- Q9. In your opinion, describe the effects (physical or psychological) that could be experienced by juvenile offenders who are interrogated with the use of adult interrogation techniques.
- Q10. If you have witnessed adult interrogation techniques used during a juvenile interrogation, what did the experience mean to you, has your experience changed your views about juvenile interrogations, and has the experience changed the way you practice law?

Q11. Was the outcome of the juvenile interrogation you participated in fair or unfair?

Please explain your choice.

Q12. Which party (law enforcement, attorney) determines the type of interrogation used?

Q13. What percentage (your best estimate) of juvenile interrogations include the presence of an attorney?

Q14. At what point of the juvenile interrogation process is the attorney contacted to be present?

Q15. Who are the parties present during the juvenile interrogation?

Q16. Who initiates the request for attorney presence?

Q17. As the juvenile attorney, what role(s) do you acquire during interrogation?

Q18. Are you given the opportunity to pause the interrogation and clarify what is being asked of the juvenile? If not, explain why.

Q19. Are the interactions between all parties amicable during interrogation?

Q20. In your opinion, who has the best interest of the juvenile offender and is interested in producing a positive outcome during the interrogation process?

Q21. To your knowledge, are the juvenile interrogations recorded?

Q22. To your knowledge, are the juvenile interrogations transcribed manually after video recording?

Q23. To your knowledge, are the juvenile interrogation transcriptions or recordings reviewed for performance improvement purposes?

Q24. Describe your suggestions on the type of changes needed that would benefit juvenile offenders in the interrogation room based on your experiences.

Q25. What would you like to see happen during juvenile interrogations that is not occurring now?

Q26. What influenced your decision to participate in this study?

Q27. Explain any interests you may have in juvenile justice reform.

Q28. Is there anything you would like to add that was not covered in this questionnaire?