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FACULTAD DE FILOSOFÍA Y HUMANIDADES

DEPARTAMENTO DE LINGÜÍSTICA

Categorization of Questions and Responses Types in Intellectually Disabled Witnesses' False Confessions: An Analysis of Four Statements from Central Park Five and West Memphis Three.

Informe final de Seminario de Grado para optar al grado de Licenciado/a en Lingüística y Literatura Inglesas

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DICIEMBRE, 2020

SANTIAGO, CHILE

Dedicated to Korey Wise and Jessie Misskelley

Acknowledgments

Quiero agradecer en primer lugar a Dominique por haberme mostrado este programa, sin tu guía y consejos nada de esto me habría sido posible. Tu inteligencia y apoyo me fueron esenciales desde comienzo a fin de la carrera —y claramente lo seguirán siendo, porque la vida sigue.

A mis papás, mis hermanas y hermano, que me ayudaron a estudiar al escucharme hablar de temas desconocidos, que me hicieron tecitos para las noches largas, pero aún más importante, que me soportaron bajo mucho estrés. Por eso y más, muchísimas gracias.

Quiero agradecer cariñosamente a todas las personas que conocí por esta carrera y son ahora parte de mi círculo cercano. Hicieron que la vida universitaria fuera una experiencia buena a pesar de todo. Me alegran mucho la vida, y las aprecio demasiado.

Terminar este ciclo fue particularmente difícil, y no hubiera sido posible sin el apoyo de las profes que nos apoyaron a mí y a las personas que amo. Porque estuvieron ahí cuando muchos no quisieron, infinitas gracias.

Profe Pascuala, profe Rosa: su apoyo me sirvió para restaurar mi fe en el mundo; y su sabiduría me acompañará de por vida.

Claudia Chandía Morales

En primer lugar, quiero agradecer a mi familia por aguantarme, y por todo el apoyo que me dieron en estos difíciles cuatro años. A mi mamá por entregarme todo lo que sé, por insistir en que no dejara la carrera, y por ser el mejor ejemplo de admiración, persistencia y superación que pude haber tenido. A mis dos hermanos y mi abuela, que estuvieron ahí cuando necesitaba un abrazo y una lloradita después de un mal día. Me gustaría tenerles para siempre conmigo.

Le agradezco también a Neliana Velasco, Matías Cruz, Josefa Bojanic, Paula Gatica, Tamara C. Tahá, Daniela Mellado, Ángela Páez, Catalina Puelma y Matías Valdés por las risas, el apañe, y todo el amor genuino y recíproco en todo momento. Quiero que sepan que me siento muy afortunado de tenerles.

Por último, a mis compañeros de seminario y a la profesora Pascuala Infante, por la paciencia, dedicación y trabajo en todas las fases de nuestro trabajo, y de la pandemia. A todos y cada uno de los profesores que he tenido, a aquellos que incentivaron el gusto por el idioma y la enseñanza, y a aquellos dignos de admirar por su lucha y aguante.

Nicolás Gálvez Herrera

Quisiera agradecerle a mi familia, pero en especial a mi mamá y a mi hijo. Constantemente ayudándome en mi vida además de ser una mujer de inspiración y la persona que me ayudo a estar en donde estoy hoy en día. A mi niño hermoso quien no solo me daba las ganas de seguir adelante y mejorar la vida de ambos, sino que también me ha convertido en una mejor persona. Has llegado a mi vida solo para hacerme feliz.

Mis más sinceros agradecimientos son para nuestra Profesora Pascuala Infante. Su continuo apoyo, tanto moral como académico permitieron que diéramos el máximo de cada uno y que lográramos producir un trabajo del cual estamos muy orgullosos. Siempre ha sido un soporte para sus estudiantes, busca ayudarnos en lo que este en sus manos para que podamos seguir mejorando tanto como estudiantes como personas. Una de las mejores profesoras con las que he tenido el gusto de aprender.

Por último, quisiera agradecerles a profesoras, profesores, así como también a mis compañeras y compañeros de universidad. Este viaje ha sido un largo camino que ha sido posible llevar a cabo gracias a la ayuda de todas y todos ustedes. Siempre me acompañaran las cosas que he aprendido durante estos años, muchísimas gracias.

Lizette Lizama Mella

La verdad no sé cómo comenzar esto, así que seré directo: gracias. Quiero agradecer a mi familia por acompañarme en este proceso tan duro en un año tan inestable. Mamá, Mari, gracias por darme el apoyo y amor que un hijo necesitaba en estos duros momentos; hermanita, Vivi, mi cable a tierra; agradezco mucho tus consejos y aguante mientras comenzamos una nueva etapa en esta vida tan especial; y papá, toçayo, Bruno, gracias por siempre acompañarme en las decisiones que tomé, en las que, si todo resulta bien, podremos decir que valió la pena estar distanciados en estos años de universidad. Los amo mucho a los tres, no pude ser más afortunado.

También quiero agradecer a mis compañeros y compañeras de seminario, quienes hicieron un arduo trabajo en un contexto social bien demandante. Sin embargo, quiero enfatizar en ti, Angie, compañera querida. Gracias por todas esas charlas, y por todos los recuerdos que hemos hecho durante estos años. Además, tengo que mencionar a nuestra profe guía: Pascuala Infante, que nos apoyó fuertemente durante esta investigación, y a las siguientes profes también: Natalia Tranchino, Carmen Nabalón, y Francesca Bonfanti, quienes fueron mis guías en estos cuatro años de felicidad, frustración, tristeza, y gratitud. Por docentes como ustedes es por las que vale la pena seguir el camino que a uno le apasiona.

Ahora, no podía dejar afuera a mis amigos y amigas de Iquique, mi tierra natal. Nico y Nicole, los más grandes, gracias por estar siempre ahí para una buena conversa; Germán, el inigualable, gracias por todas las risas sacadas mientras moría en la tristeza; Cate y Coni (aunque la Coni está de colada porque es santiaguina), las más bacanes, esas salidas a la playa siempre garantizaron buenos momentos de pop y amor; y Cristobal, un gran amigo que irradia simpatía hasta en los momentos de mayor demanda emocional.

La gente que conocí en Santiago tampoco se queda atrás: Gabriel y Manuel, gracias por una amistad sincera; Amanda, mi cinéfila, mi gran amiga; Alicia y Rodrigo, esas reflexiones nocturnas con alcohol en mano siempre fueron de un gusto inigualable; Tomás, otro cable a tierra, gracias por tus palabras y actos de cariño; Mandy y su familia, mis pilares fundamentales durante estos años, siempre agradeceré todas las buenas memorias que construimos en algún momento; y Catalina, agradecido estoy de que hayamos generado este vínculo mientras la distancia no sea un impedimento.

Y para el final, debo agradecer a las personas que en algún momento pensé que no merecía tener en mi vida, y aquí estamos, todavía gozando de buenos momentos, borracheras, caminatas, y más: Luna y Rocío, son todo lo que está bien cuando todo está mal. Amistad más pulenta no se ha conocido. Las amo con todo mi ser.

Debo hacer una mención especial a toda la gente que se sigue manifestando en las calles. Chile cambió el 18 de octubre, y tuvo su primera victoria con el Apruebo. Ahora hay que seguir luchando por una sociedad más justa para todas y todos. También agradecer a todos los médicos que no se han detenido desde que comenzó esta pandemia. Ustedes son los verdaderos héroes y heroínas, a diferencia de los que nos invitan a tomar tecito y comer empanada para la once, esperando a que el virus se vuelva buena persona.

Todo lo dicho, dicho está, y para terminar, como diría mi ángel eléctrico: “Gracias Totales”.

Bruno Márquez Pérez

Qué año más maldito ¿no? Whatever, it is what it is. Para comenzar con mis agradecimientos me gustaría dedicar unas palabras a mi maravillosa mamá. He llegado hasta aquí y soy lo que soy hoy porque nunca me has dejado sola, nunca te has rendido conmigo, has realizado este trabajo de madre a la perfección y no puedo expresar en palabras lo inmenso de mi amor hacia ti, gracias mamita por tanto amor del bueno, eres mi propio solcito para cuando los inviernos se hacen insoportables.

Para mi hermana no hay nada menos que devoción, gracias por tu gran ejemplo y compañía durante todo este proceso, te amo con mi vida y espero que sepas el infinito orgullo que siento al ser tu hermana menor. Para Sebastián, el mejor hermano político (¿puede ser esto cierto? Espero que sí porque suena bonito) que me pudo haber entregado el destino, gracias por tu eterno apañe y tu luz para con nuestra familia, eres el mejor nuevo integrante que esta familia haya podido tener (nos has salvado, estamos agradecidos).

A mi padre le agradezco sus esfuerzos para traerme hasta aquí y su fe infinita hacia mi. No ha sido fácil pero aquí estamos, queda un largo proceso hacia adelante pero confío en que como buen equipo avanzaremos frente a lo que sea que nos depara el destino.

Debo mencionar a nuestra profesora guía Pascuala Infante, quien nunca nos dejó de apoyar y motivar para conseguir el brillante informe de grado que presentaremos a continuación, gracias profe por tremendo apañe. También quiero agradecer a mis compañeros de seminario les cuales nunca me dejaron de sorprender con su infinita dedicación a nuestra investigación y a sus largas etapas.

A mis eternos rayitos de sol, mis preciosos amigos que a pesar de que este año nos quitó tanto, también nos entregó la bendición de recibir un 2021 todes sanes y ansioses por la próxima vez que podamos disfrutar de cualquiera que sea el reemplazo del 813.

A mi bendición, mi hermosa y especial Moon. Querida Mooncita Chimuela gracias por tus locuras que me hicieron sonreír durante momentos de estrés y llanto infinito. Has sido un regalo desde que llegaste, definitivamente mi mejor decisión.

Finalmente quiero agradecer al universo por cada persona, momento, y experiencia que me ha entregado durante estos 22 años, soy una eterna agradecida de la vida, especialmente de la mía. Prometo nunca dar por sentado el estar viva en un universo donde existen Harry Potter, Los Vengadores, Jane Austen, y obvio que el mismísimo Bad Bunny.

Ángela Páez Zúñiga

Quién hubiera imaginado que terminaríamos todo en medio de una pandemia. Ha sido difícil, pero al fin llegamos hasta aquí, así que sin más demora empezemos con los agradecimientos: Primero que nada quiero agradecer a mi mamita preciosa, mil gracias por cuidar de mí en estos tiempos tan difíciles y estresantes, por escucharme hablar de estos casos y compartir mis frustraciones (porque pucha que duelen las injusticias), sin ti me sentiría muy sola ¡te amo, te amo y te amo!

A mi papá, que muchas veces me hizo dudar, pero aquí está. A veces me gustaría llamarte w*ón (y otras cosas más jkajaja), pero en cambio te voy a agradecer porque es verdad que te has preocupado por mí. ¡Solo baja la música viejo sordo no ves que mis tímpanos son sensibles!

A mi cachorro no tan cachorro más guatón y precioso de este mundo, *Kangachi Pepe Le Pew* jajajaa eres ruidoso y extremadamente mamón, pero tu cara es tan tierna que no puedo enojarme contigo hehe gracias por hacerme compañía.

A mis amiguitas de la U, siempre lo digo y lo voy a volver a decir ¡qué suerte haberlas conocido desde el primer día de clases! unas se han ido y otras han llegado, pero aquí seguimos y aquí estamos. Sin ustedes la Universidad hubiera sido un infierno ¡las quiero a todas! (y también a las que han ido en busca de un mejor camino y no pudieron estar aquí). Empiecen a preparar las maletas chiquillas que después de esto sí o sí nos vamos de viaje! (al menos a una playita de por aquí cerca jajaaj).

A mis chingus del Kpop! cómo no agradecerles a quienes me han dado ánimos desde el 2018. Es toda una fantasía poder compartir y bailar con ustedes! ya saben ya, próximo debut “Las esperancitas” en Corea del Sur jakjajakja 사랑해 여러분!

A mis compañeros de seminario, estuvo difícil pero lo logramos! nos queda la última patita y seremos libres ¡vamos que se puede!

Por último, agradecer a la profesora más bacán, Ms Pascuala Infante. Gracias por ser nuestro apoyo y guía, sin usted no sé qué sería de nosotres ¡la queremos mucho profe! (y cuídese por favor!)

Francisca Ortiz Pardo

En primer lugar, quisiera expresar mi profunda gratitud a la profesora Pascuala Infante, quien nos guió y compartió su conocimiento. Le agradezco por su paciencia, cariño y completa disposición a lo largo de este proceso. Fue una pieza fundamental para el desarrollo de este trabajo.

También agradecerle a mi familia, mi mami, la mejor mamá del mundo, mi más grande inspiración y ejemplo de vida. Gracias por tu constante apoyo y por soportarme siempre. A mi hermana, Dani, por escucharme, por tus consejos y compañía. Shout-out para mi perrita Nala por su cariño incondicional.

A mis amigas del colegio: Milly, Natita, Ale. Gracias por su apoyo y palabras de aliento, por las risas y por estar siempre ahí cuando las necesité. A mis amigas de la U, estos cuatro años no habrían sido lo mismo sin ustedes, soy demasiado afortunada por conocerlas y espero que se queden conmigo por muchos años más.

Finalmente, gracias a mis compañeros de seminario. Fue un año complicado, se sufrió y se rió pero también se trabajó bien y la tesis quedó bacán.

Karla Pérez Valenzuela

Quiero comenzar por agradecerle a mi familia. Especialmente a mi mamá, la mujer más fuerte que conozco. Supiste sacarme adelante a pesar de todas las dificultades y adversidades que se nos presentaron. Jamás hubiera llegado a donde estoy si no hubiera sido por ti. También me gustaría agradecer a mi tía, quien me enseñó que no es necesario tener vínculo sanguíneo para ser familia. Tu apoyo y preocupación incondicional es algo que no podré retribuir ni siquiera en mil años. Agradezco que hayan estado ahí incluso en mis años de rebeldía adolescente. A mis abuelitas Ana y Alis, quienes me vieron crecer. A mi tío Cristian. Él que me defendía cuando me quería vestir como la Nea de Los Pulentos y quien siempre dejó que expresara mi verdadero ser. A mis hermanos Kai y Nalú por animarme y esperarme siempre para jugar al Minecraft. Por último, a mi gato Bran y a mi perro Vienesita. Sé que me están mirando desde donde estén. Los extraño demasiado.

También a Alison, my fuchsia queen. Te agradezco enormemente tus palabras de aliento, tus bromas, tu paciencia para escucharme hablar sobre un tema por tres horas seguidas como disco rayado, y sobretodo, tu paciencia por escuchar completo cada álbum que Taylor Swift sacó en estos tiempos pandémicos. Tu apoyo ha sido indispensable durante estos años, especialmente cuando me sentí parax sobre arena movediza. A mis amigas de la u por estar ahí siempre para mí y darme recuerdos gratos, incluso en momentos difíciles. Ustedes saben quienes son. También a mis amigas de infancia, Daniela y Valentina, quienes siempre han estado ahí a pesar de que seguimos caminos distintos y lo inconsistente que soy para comunicarme. Sé que para todes se vienen cosas maravillosas.

A nuestro profe guía, Pascuala Infante, quien a pesar de la distancia pandémica supo transmitirnos todos sus conocimientos para hacer de esta tesis un proceso soportable dentro de lo posible. También a todos los profesores que conocí a lo largo de estos cuatro años. Todes me entregaron conocimientos no solo académicos sino también humanos que atesoraré para siempre.

Vaitiare Soto

Abstract

Past investigations have largely recognized and commented on the high-stake nature of the communicative interaction during police interrogations (Haworth, 2012), emphasizing different risk factors that can facilitate the elicitation of a false confession (Feld, 2013; Slobogin, 2017; Janzen, 2019). However, there is still ample space for more specific research on the interrogators' techniques used on vulnerable young witnesses, who have been identified as more likely to falsely confess when faced with coercive tactics (Leo, 2008; Feld, 2013; Gudjonsson, 2018; Schatz, 2018). Therefore, the purpose of this study is to examine questions and responses formulated by interrogators and vulnerable suspects, respectively, during a police interrogation. The analysis focuses on identifying the manipulation orientation of interrogators' questions, and their effects on the responses of intellectually disabled suspects.

The corpora analyzed is constituted by four now legally determined coerced confessions; two statements are from the Central Park Five case, and the other two from the West Memphis Three case, two well-known criminal cases that took place in Central Park, New York and West Memphis, Arkansas. Findings indicate that during interrogations, interrogators and interrogated suspects formulated specific types and subtypes of questions and responses, respectively. Moreover, the amount of speech spoken by interrogators and suspects during interrogations also proved to be relevant for the analysis of false confessions. These findings were discussed in relation to the most and least typical realizations of each type and subtype of interrogators' questions and suspects' responses, as well as to the amount of speech of each interrogation, taking into consideration the number of questions and responses and the length of interrogation in terms of number of words and minutes.

The study concludes that the asymmetrical power relationship between the interrogator and interrogated suspect during police interrogations increased the effects that questions with a manipulation orientation had on the intellectually disabled suspects' responses in the context of a coerced confession. Although at the beginning of the suspects' respective first statements a few attempts to resist interrogators' coercive tactics can be

perceived, the eagerness to please authorities —which is characteristic in people with intellectual disabilities (Leo, 2008; Feld, 2013; Schatz, 2018)— was apparent in the suspects’ responses, as they finally corroborated most of the crime details conveyed in the interrogators’ formulations, which led them to take responsibility for the alleged offenses, and therefore, produce a false confession.

Key words: forensic linguistics, police interrogation, coercive tactics, false confessions, vulnerable suspects, intellectual disabilities, type of questions, type of responses, power asymmetry.

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1. Introduction

Our investigation focuses on questions and responses in false confessions given by vulnerable witnesses in police interrogations. Therefore, it is fundamental to introduce and become familiar with concepts such as police interrogations and legal language. Moreover, an introduction to Forensic Linguistics and its connection with this investigation will be described. Finally, our research will be presented.

1.1. *Police Interrogations*

Police interrogations are one of the areas in which language and law intertwine. According to Gibbons, language is used as a legal instrument for argumentation (Gibbons, 1994, cited in Falces Sierra & Santana Lario, 2002). Police interrogations are events that aim at the collection and synthesis of relevant information about a specific case in which the interrogated suspects give voluntary testimony into written statements as primary evidence to be presented in court (Coulthard & Johnson, 2007; Haworth, 2012).

Several legal requirements must be followed during police interrogations to prove that any kind of statement was willingly given. In order for a police interrogation to be legal, it must be preceded by the enunciation of the individual's legal rights when facing any kind of interrogation. These are known in the United States as 'Miranda rights' or 'Miranda warnings' (Heydon, 2005), a set of statements that go from the right to remain silent, to the right to have an attorney present¹.

Although police interrogations are institutional procedures governed by a strict framework of legislation, rules, and guidance (Haworth, 2012), they commonly focus on the construction of reality through the social control in the interview, the power asymmetry of roles in the interaction interrogator-interrogated, and the limited influence of interrogated

¹ <http://www.mirandawarning.org/whatareyourmirandarights.html>

suspects on the police report (Watson, 1976; Linell & Jönsson, 1991, cited in Coulthard & Johnson, 2007). One of our main interests during this study was how language shapes a police interrogation, therefore an introduction of language in police interrogations will be presented next.

1.2. Language in police interrogations

Language in legal processes is full of archaisms and convoluted syntax. It is characterized for including binomial expressions, complex prepositions, and long, complex, multi-clause sentences (Gustafsson, 1984; Bhatia, 1993; Quirk, 1982, cited in Coulthard & Johnson, 2007). Different instances of the legal process, such as the reading of the Miranda Warnings or police cautions, use this style (Coulthard & Johnson, 2007). Falces Sierra & Santana Lario (2002) state that the language in the legal process goes beyond features of legal language, since discursive choices and competencies are also part of this social interaction that involves the police, lawyers, and the public. Legal language's difficulty to be understood might be a disadvantage to the lay participant, since it requires the acquisition of interpretative skills to understand legal style (Falces Sierra & Santana Lario, 2002).

Politeness, expected cooperation between de interlocutors, distribution and length of speaking, and control by the legal professional over the organization of the dialogue are typical linguistic aspects of police interrogations. While in these instances the interrogators' turns serve to elicit information or confirmation, interrogated suspects' turns are often short and function to confirm, deny, or doubt (Coulthard & Johnson, 2007). As for politeness, different rules operate inside these interrogations, with institutional speakers having negative rather than positive needs (Goffman, 1967; Jaworski & Coupland, 2006, cited in Coulthard & Johnson, 2007), which represents the desire not to be imposed upon, intruded, or otherwise put upon. Cooperation is also expected in the interrogation, since many of the asked questions are not really information-seeking, as the questioner and the interrogated usually know the answer. Police interrogations consist of asymmetrical interactions since the power and

control are located on the interrogator rather than being equally distributed, which results in an interaction directed and controlled mostly by the interrogator (Coulthard & Johnson, 2007). Moreover, speech acts in these types of interrogations are sometimes indirect, and the questions asked by the interrogators go from eliciting information to requesting confirmations (Coulthard & Johnson, 2007). The analysis of language in police interrogations is a common area of research for linguists. Among the several disciplines that applied linguistics presents, forensic linguistics is the one in charge of the study of every aspect in which language and law could be related. Therefore, since this investigation focuses on a specific area of forensic linguistics, a review of this discipline must be presented.

1.3. *Forensic linguistics*

Forensic linguistics focuses on the link between law and language, specifically the study of language as evidence (Ramirez Salado, 2017). Among the main areas of research that forensic linguistics has, we can find issues of authorship (*i.e.*, whether a particular person said or wrote something with legal value); problems of meaning and communication (Gibbons, 1999, cited in Ramírez Salado, 2017); the language of legal documents; the language of the police and law enforcement; interviews with vulnerable witnesses in the legal system; courtroom interaction; linguistic evidence and testimony of experts witnesses in courtrooms; authorship attribution and plagiarism; and forensic phonetics and speaker identification (Coulthard & Johnson, 2007).

Forensic linguistics is a quite new discipline. The two major forensic linguistics associations —the *International Association for Forensic Phonetics* and the *International Association of Forensic Linguist*— were founded in the 1990's. Alongside these associations, the first academic journal concerning this branch of applied linguistics began to be published. Even when this discipline can be traced back to the 90's, there was a previous breakthrough moment for forensic linguistics in 1968, when Jan Svartvik published *The Evans Statements: A Case for Forensic Linguistics*. In this study, Svartvik demonstrated that significant

grammatical differences of style were observed in Evans' four statements, which proved through the use of language as evidence that Evans was innocent. At that moment, a new area of research for forensic linguists was born (Coulthard & Johnson, 2007).

1.3.1. The Evans case

The Evans case is essential for understanding the importance of forensic linguistics inside the legal system. In November of 1949, Timothy Evans was charged for the homicide of his wife and baby daughter after giving four different statements, of which the first two were denials of the offence, and the last two, confessions. The court's decision was unanimous, even when he had pointed out a plausible suspect; his neighbor John Reginald Halliday Christie. Nonetheless, to the eyes of the Crown, Evans' confessions were enough evidence and he was found guilty and executed. Three years later, six female bodies were found in Christie's house. He was charged and found guilty for the six homicides, and for the crime wrongly attributed to Evans, which resulted in his posthumous pardon. In 1968, the Swedish linguist Jan Svartvik published a linguistic analysis of Evans' four statements which stated that the testimonies regarded as confessions were not proper from Evans (Coulthard & Johnson, 2007; Ramírez Salado, 2017).

1.3.2. "The Birmingham 6" case

Another important case in the history of forensic linguistics is the one popularly known as *Birmingham Six* case. "The Birmingham Six" were six Irishmen: Hugh Callaghan, Patrick Joseph Hill, Gerard Hunter, Richard McIlkenny, William Powell, and John Walker, who in 1975 were accused, and later sentenced to life imprisonment for the bombing of the Birmingham pub, where several people died. Their alleged actions were associated with the Provisional Irish Republican Army (IRA). In the third appeal trial, after a detailed analysis of elements such as the global coherence of the text, the over-specificity of some details, the

use of repetition, and other discursive elements, Coulthard was able to show that one of the alleged confessions had been fabricated by the police officers and not by the accused. As a result, after spending seventeen years in prison, Powell and the other “Birmingham Six” were released and exonerated, since the jury dictated that the evidence presented by the police was “unsafe” (Coulthard, 1994 cited in Falces Sierra & Santana Lario, 2002; Coulthard & Johnson, 2007).

1.4. Presentation of the study

Both the Evans and “The Birmingham Six” cases were crucial for the development of forensic linguistics as a discipline, particularly for the analysis of false confessions. False confessions occur when an individual admits culpability and provides factual descriptions of a crime that they did not perpetrate (Gudjonsson, 2018; Janzen, 2019). The fact that innocent people could not only confess, but also give quite specific details about an investigation has been long debated by society and authorities (Schatz, 2018). However, the reality of this situation has been proved through the analysis of the United States’ DNA exonerations and post-conviction exculpations, which show that 15-25% of wrongful convictions are the result of false confessions (Drizin & Leo, 2004; Garrett, 2010; Gross *et al.*, 2005, cited in Feld, 2013).

False confessions are usually elicited through the use of the ‘Reid Technique.’ This method presents three main steps, which are isolation, confrontation, and minimization. These three stages are organized for the individual to break at some point due to the coercive goal behind the techniques presented by the specific authority in charge (Feld, 2013; Schatz, 2018; Janzen, 2019). The coercive nature of this specific technique frequently causes vulnerable witnesses to falsely confess, since they demonstrate high levels of suggestibility and compliance (Farrugia & Gabbert, 2019).

Eades (2006) identified the following vulnerable groups: children, intellectually or physically disabled people, survivors of abuse, and cultural and linguistic minorities. Our research will focus on false confessions produced by individuals with intellectual disabilities. Since false confessions and vulnerable witnesses are a pivotal aspect of our research, we will give further details of these topics in our Theoretical Framework section.

The lack of specificity concerning false confessions given by vulnerable witnesses in police interrogations has made us question ourselves about the specific characteristics observed in questions asked by police officers, or others, and the resulting responses by vulnerable witnesses. In order to analyze both aspects of police interrogations, two legal cases were chosen: The Central Park Five, and the West Memphis Three. From these cases, four statements were analyzed to present a complete study: two by Korey J. Wise, one of the Central Park Five's teenagers (Kevin Richardson, Raymond Santana, Antron McCray, Yusef Salaam, and Korey Wise); and two by Jessie Misskelley Jr., one of the West Memphis Three's teenagers (Damien Echols, Jason Baldwin, and Jessie Misskelley).

Korey Wise was a sixteen-year-old African American teenager who, alongside other four teenagers, was tried for his alleged involvement in the assault and sexual abuse of Trisha Meili, in New York's Central Park in 1989. Wise's first and second statements were given after twenty-four hours of constant questioning without a guardian or attorney present in the room. After a series of coercive techniques that resulted in false confessions coerced by the police, Wise was sentenced to serve thirteen years in an adult prison. In 2004, he was exonerated from the crime after the real perpetrator confessed the total responsibility of the offense.

Jessie Misskelley, on the other hand, was a seventeen-year-old white American who was interrogated and later sentenced to prison for the murder of three children in West Memphis in 1993. Misskelley's two statements, which led him to a sentence to life and two twenty-year sentences, were given in a twelve-hour-long police interrogation. Both statements were later recanted by Misskelley. In 2011, Misskelley was freed from prison

after the court accepted the ‘Alford plea’, a formal claim which denotes the acceptance of the outcome of the trial, but still claims innocence (Cornell Law School, n.d.).

Our research will concentrate on the following research questions: 1) How can the different interrogators’ questions in the four statements analyzed be described and classified?; 2) What are the manipulation orientations of interrogators’ questions in the four statements analyzed?; 3) How can the different interrogated suspects’ responses in the four statements analyzed be described and classified?; and 4) What are the manipulation effects on interrogated suspects’ responses in the four statements analyzed?

Our main objectives are the following: 1) categorize all the instances of interrogators’ questions into specific types and subtypes; 2) categorize all the instances of interrogated suspects’ responses into specific types and subtypes; and 3) identify and describe the main confession manipulation orientations and effects in the formulation of interrogators’ questions and interrogated suspects’ responses. In order to fulfill our objectives, a taxonomy was created from an extensive revision of previous literature which will be further explained in our Results section. Regarding our results, it was possible to observe how they were directly related to several observations made in previously revised literature, such as Schatz’s examination of statements concerning vulnerable witnesses and their tendency to “respond affirmatively to questions, regardless of their content or truth” (Clare & Gudjonsson, 1993, cited in Schatz, 2018, p. 670).

False confessions are more common than what we would have wanted as a society. According to the *Innocence Project* (2020), in the United States, false confessions represent 29% of the total exonerations. The lack of regularization by the state concerning the malpractices during police interrogations, specifically when these have been harming vulnerable witnesses, goes against the Universal Declaration of Human Rights (1948) to ensure the dignity of each individual within legal institutions. Therefore, this study finds its relevance under the criticism toward manipulation techniques in police interrogations, especially when facing vulnerable witnesses.

1.5. *Structure of the Text*

As from here, our investigation will be divided and ordered in five main sections: Theoretical Framework, Methodology, Results, Discussion of Results, and Conclusions. In the Theoretical Framework, the most important aspects of police interrogations, alongside with the role of the participants in the legal encounter will be discussed, to finally address the nature of questions and responses of interrogations. The Methodology section aims to describe the process in which our corpus was collected, and to provide relevant information of both cases, as well as to present our research questions and objectives. While the Results section will describe the questions' and answers' categories that allowed us to carry out the analysis of our corpora, the Discussion of Results section will present the results of our analysis concerning types and subtypes of questions, responses, and the amount of speech of our corpora. Finally, the Conclusions section will not only explain our findings in general terms but also mention our investigation's limitations and projections for further research.

2. Theoretical Framework

The aim of our investigation is to analyze all questions and responses formulated during Wise's and Misskelley's respective interrogations, and to identify, on the one hand, the instances in which questions with a manipulation orientation were formulated by a legal figure, and on the other hand, the effects those questions had on the suspects' responses. Consequently, it is necessary to gain an understanding of the legal aspects that are involved in the police interrogation genre, as well as the linguistic elaborations and strategies that are used by legal authorities throughout this speech situation. On that account, in the subsections below we will describe some of the most important aspects of police interrogations, together with the role that the participants take on during this legal encounter. Finally, we will address the nature of the questions and responses while an interrogation is conducted.

2.1. *Police interrogation framework*

Unlike other more common social practices, police interrogations are framed within a forensic setting in which lay interactants find themselves largely controlled by the questions formulated by a member from the legal sphere (Holt & Johnson, 2010), as is typically the case in most —if not all— communicative instances situated in the institutional context (Heritage & Sorjonen, 1994; Matsumoto, 1999; Hale, 2004; Haworth, 2006; Coulthard & Johnson, 2007; Holt & Johnson, 2010; Feld, 2013; Thornborrow, 2013; Rock, 2015). The social interaction carried out in the interview room can be particularly challenging for those who are not familiar with the legal system, for police officers own a significant degree of power over the lay interviewee, having the faculty to make vital decisions about the individual's liberty and future based on the interrogation's outcome (Haworth, 2006). That being the case, this advantageous position allows officers to employ coercive tactics when they see it necessary (Feld, 2013; Janzen, 2019). Therefore, emphasizing the far-reaching consequences that this communicative activity may bring on the lay participants, we will now define and describe police interrogations in more detail.

2.1.1. Description of the police interrogation genre

Police interrogation is a regulated, controlled speech environment in which a police member or a legal authority conducts an interview with suspects or witnesses of alleged crimes (Haworth, 2012; Rock, 2015). This institutional procedure marks the evidence-gathering phase of a criminal investigation, which in most legal systems is usually recorded in written, audio or video versions, since the interrogation may be potentially presented as a piece of evidence later in the judicial process. However, the use of the recorded interrogation as criminal evidence will depend on whether the interrogated person is considered a suspect of a crime or not (Haworth, 2012).

Generally speaking, the purpose of a police interrogation is to obtain investigative or evidential information through the interviewee's free narration (Haworth, 2012; Rock, 2015).

Nevertheless, in case that the interrogated person is known or believed to be a potential suspect, the interrogation will have as its prime goal to elicit a voluntary confession (Heydon, 2005). For that reason, it is important to distinguish whether it is a suspect of committing an offense or a witness that is being interrogated. Since the whole interrogation context is likely to change, especially those aspects related to procedure such as the use of confrontational tactics (Schatz, 2018), officers will adopt different strategies depending on each circumstance (Haworth, 2012; Rock, 2015).

That being said, this institutional discourse is governed by strict rules, which are meant to shape and guide the entire course of action during the police interrogation (Haworth, 2012). Overall, the interrogation is divided into three parts: opening, information gathering, and closing. Throughout the interaction, the interviewer, the interviewee and the police institution will occupy different discursive roles such as the *principal*, *author*, and *animator* according to the participation framework. In the opening and closing phases, the interviewers are assigned the role of the *animators*, as they act on behalf of the police institution, which, on the other hand, is assigned the roles of *principal* and *author* (Heydon, 2005). In both opening and closing segments, police officers have to make sure to fulfill the legislative requirements dictated by the institutionally defined goals, which are to inform suspects about their right to silence, right to counsel, and obligations. Otherwise, if these requirements are not met, it will weaken the legitimacy of interrogation as a piece of evidence, and consequently it will be inadmissible at a criminal trial (Heydon 2005; Slobogin, 2017; Schatz, 2018).

At the beginning of a police interrogation, officers from Australia, Britain, United States, Chile², among other countries, formulate a set of statements to perform various functions (Heydon, 2005). Among those, and following what has been previously mentioned, the most important ones are the utterances that state the individual's right to silence and right to contact a lawyer or friend, largely known either as Miranda rights in the United States

² Código Procesal Penal, Art. 93 letra G. (<https://www.bcn.cl/leychile/navegar?idNorma=176595>)

(Heydon, 2005; Ainsworth, 2010). The aim of Miranda warnings is to protect suspects in police custody from coercive interrogation; however, for reasons that will be explained later, these warnings may at times fail their chief purpose (Ainsworth, 2010). Moreover, Miranda rights can be considered as legally efficacious only if the invocations occurred felicitously, that is to say, that they have been formulated using clear, unequivocal, unambiguous, and highly formulaic language (Ainsworth, 2007; Rock, 2015).

Once the formulaic opening has been performed, the information gathering phase commences. Here, the participants' roles change according to the goal of this segment, which is for the suspect to produce a monologue. In the best-case scenario in which the confession is voluntary, the suspects are assigned the role of *animator*, *author* and *principal*, which means that they are responsible for the production, the meaning, and the consequences of their words; on the other hand, the police interrogator should not, ideally, take on any of these roles at least throughout this phase. However, in many other non-ideal occasions, officers are pushed to negotiate the ownership of the information in order to elicit it directly from the suspect, thus trying to maintain and invoke the participation framework of this segment (Heydon, 2005).

In regard to the interrogation's organization, police institutions can adopt different techniques. Among the most widely known ones, we find the 'PEACE method' (Preparation and Planning; Engage and Explain; Account; Closure; and Evaluation) and the 'HIG technique' (High-Value Interrogation Group Research Unit), which are considered to be more effective and less coercive techniques, since the first one focuses on confronting the suspects with valid evidence and discrepancies in their story, while the second one relies on the idea that liars are less likely to keep a story straight than truth-tellers (Slobogin, 2017). Another well-known technique is the 'Reid Technique,' which has been previously mentioned in the Introduction and will be discussed in more detail in section 2.1.3.

Finally, it can be seen that this social interaction between legal figures and lay individuals is largely asymmetrical in terms of power. The whole interview interaction

suggests that questioners have more control over the discourse, as they are in charge of invoking the participation framework; and are also the only participants, in contrast with lay ones, to be aware of the requirements and goals that this type of situation summons (Haworth, 2012).

2.1.2. Asymmetric dynamics of power and control in a police interrogation

In institutional discourse, such as police interrogations, the role that each participant gets to adopt is clearly defined and restrained (Haworth, 2006). Besides the participation framework proposed by Heydon (2005), the roles that both the police and lay participants take on, in general terms, are those of the questioner and respondent, respectively. This establishes a dynamic in which the interviewer holds more control over the speech situation in comparison to the lay individual, getting to determine the setting in which the interaction takes place as well (Haworth, 2006, 2012).

Other features that highlight the asymmetrical relationship between police officers and suspects are their institutional status and their knowledge about topic-control, question type, and question-answer sequence (Haworth, 2006; Rock, 2015). The first feature refers to the participant's professional role, being used by the respondent —when suitable— to shorten distances between their discursively weaker position in respect to that of the interviewer; however, police officers may also use their status to their favor, although unnecessarily since their role as questioner already grants them enough power. Secondly, the topic-control feature alludes to the interviewer's organization of topics established according to the case's agenda, which limits suspects' narration and restrains them, as far as possible, from shifting from one topical line to another. In the third place, the question type factor establishes questions as a powerful and influential tool that largely helps to control the discourse, since depending on whether the type of question is information-seeking, confirmatory-seeking, explanation-seeking, or accusatory, may potentially shape the suspects' answers, and therefore, determine the interrogation's content. Lastly, the question-answer sequence refers

to the expected turn-taking structure in which the interviewer is allowed to decide on the acceptability of the other participant's turn, besides having the power to sanction the responder if the answer is not deemed satisfactory. Most of these contextual factors are not familiar to the interviewee, but known to a great extent by the members of the legal community (Haworth, 2006).

The use of other discourse markers has also proven to be useful means for interrogators when seeking to control the orientation of the speech interaction. Discourse markers, such as question prefaces "well", "now", "so", "and", among others, are often employed to execute functions that permit the interviewer to steer the conversation back to the main topic when the interviewee diverges; to mark changes in the speaker orientation in order to lead the suspect back to the desired line of evidence; to impose limits on the information to be presented as evidence; to present a reformulation of the interviewee's previous narration, which implies that the given information may be edited and transformed at some extent in order to put emphasis on incriminating aspects; to encourage a "yes" answer or agreement from the suspect, etc. (Matsumoto, 1999; Hale, 2004; Thompson & McCabe, 2016).

Having said that, this asymmetrical speech situation may bring serious consequences on the interviewee's future (Haworth, 2006, 2012). Overall, the disadvantageous position of the lay individuals is an important aspect to take into account, for the limited knowledge and control that they hold over the legal context makes them vulnerable to certain police strategies, techniques, or even coercive tactics. Accordingly, the unequal relationship established in police interrogations in terms of power and control favors police participants' position, since they can resort to procedures that may be crucial to determine the interviewee's liberty when believed necessary (Haworth, 2006).

2.1.3. Police coercive tactics during interrogations

The considerable degree of power that police officers have in an interrogation in comparison with the powerless position of lay respondents certainly aids and entitles them to make key decisions in order to elicit a full confession from suspects (Feld, 2013; Schatz, 2018). However, not always the decisions and strategies used by police members in this setting are correct or morally permissible (Slobogin, 2017). Unlike past days, interrogators now do not engage in brutal physical torture tactics; instead, they may resort to psychologically coercive tactics, which are defined as coercive methods that exert influence on the suspect's perception of their situation, future expectations, and motivation to shift from denial to admission. Although these tactics can elicit truthful confessions, in various cases it has been demonstrated that such strategies may result in false confessions, and therefore, wrongful convictions (Janzen, 2019).

The most famous psychologically coercive strategies used by the police come from the manual published by Inbau *et al.*, which is better known as the Reid manual (Slobogin, 2017). According to the Reid method, the first step requires a behavior analysis of the suspect, who is in most cases isolated in a room; then, if the interrogator considers that the suspect is lying, they will proceed to make use of coercive tactics (Feld, 2013; Schatz, 2018; Janzen, 2019). The confrontation phase starts by utilizing techniques such as *maximization*, in which the officer insists, by using valid or false claims, that the suspect indeed committed the crime; to then be followed up by *minimization*, in which the interviewer plays down the seriousness of the crime (Schatz, 2018; Janzen, 2019). The purposes of these techniques are first, to instigate a hopeless feeling to the suspect, and second, to provide moral justification so the suspect believes that confessing is the only way to escape or get leniency (Janzen, 2019).

Thereafter, when the police officer obtains an admission from the suspect, they will ensure to build a believable confession narrative. In order to do so, the interrogator will make sure that the storyline is coherent, that there was a motive and explanation for the suspect's

actions, and that the crime details are clearly stated by the interrogated suspect. However, in coerced interrogations, most of the time officers will provide the details of the case, either in an explicit way —such as reasoning of what could have happened, filling gaps in the narrative, correcting statements deemed wrong, etc.— or in an implicit fashion —in which the questioner conveys information by formulating leading questions or guiding the suspect to certain conclusions (Schatz, 2018).

Overall, these techniques are used based on the interrogation practices recommended by the Reid method, which are *impersonation*, *rationalization*, *evidence fabrication* and *negotiation*. These practices suggest police officers to show sympathy toward the suspect, to assure the liberating feeling of confessing to the suspect, to insist that the suspect is guilty, and to promise a more lenient punishment or release from detention, respectively (Slobogin, 2017).

According to Feld (2013), a factor that is also related to coercion is the length of interrogations. It is said that interrogations that exceed two or more hours are frequently problematic, as most of them usually last between ten and twenty minutes, maximum thirty minutes or one hour. Usually, suspects of committing more serious crimes such as rapes, homicides, etc. are interrogated for more than one hour. It is in these prolonged interrogations when police officers may use coercive techniques such as threats, implications of benefits, and lengthy monologues; for in order to elicit a false confession, the interrogator must go through a rigorous questioning process, which tends to take a longer time.

At last, the most coercive interrogations are set in motion after misclassifying an innocent person as guilty (Feld, 2013). Generally, the psychologically coercive tactics push subjects to the point of feeling anxious and broken down, reinforcing a sense of confusion and uncertainty, which sometimes results in suspects doubting their own innocence. Consequently, the use of strategies associated with the Reid method together with lengthy interrogations may result in the production of false confessions (Feld, 2013; Janzen, 2019).

2.2. *False confessions and vulnerable witnesses*

Confessions have proven to be of great value in the courtroom, as they are considered to be the most powerful piece of evidence, influencing conviction rates even more than eyewitnesses (Henkel & Koffman, 2004; Schatz, 2018). People tend to intuitively believe in them, which actively encourages the police to pursue confessions from suspects often using psychologically coercive tactics to elicit them (Schatz, 2018). The use of these techniques is justified by the police as a resource to elicit truthful confessions; nevertheless, their highly persuasive nature often leads to false confessions (Henkel & Koffman, 2004; Leo, 2008; Garrett, 2010; Feld, 2013; Janzen, 2019), which have become one of the main causes of wrongful convictions (Leo, 2008; Feld, 2013). Furthermore, coercive tactics become extremely problematic when exercised on vulnerable populations (Feld, 2013). Vulnerable witnesses are more likely to succumb to interrogation tactics and provide false confessions due to their high levels of suggestibility and compliance (Farrugia & Gabbert, 2019). The concepts of false confessions and vulnerable witnesses will be further explained in the subsections below.

2.2.1. Description of false confessions

In a false confession, an individual admits culpability and provides factual descriptions of a crime that they did not perpetrate (Gudjonsson, 2018; Janzen, 2019). False confessions are more likely to occur in high profile cases such as murder or rape, as the police experience more pressure to solve these violent crimes (Feld, 2013; Slobogin, 2017). As a result, they usually employ aggressive techniques endorsed by the Reid method (Henkel & Koffman, 2004; Leo, 2008; Feld, 2013; Slobogin, 2017). For an innocent to falsely confess, the police must first follow a sequence of interrogative missteps. First, they misclassify the person as guilty. Then, they subject them to coercive tactics until the person admits guilt to the crime. Finally, they pressure the person to provide a narrative description of the crime that the police shape by providing facts of the crime (Leo, 2008; Feld, 2013).

False confessions can be classified into three types: *voluntary*, *coerced-internalized*, and *coerced-compliant*. In a voluntary false confession, an individual professes authority of a crime they did not commit, without any form of pressure exercised by the police. A coerced-internalized false confession, in turn, occurs when an innocent individual confesses to a crime because they have come to believe they are the authors of the crime. Finally, a coerced-compliant false confession occurs when a person succumbs to coercive tactics and confesses to a crime they did not commit, with complete knowledge of their innocence (Kassin & Wrightsman, 1985, cited in Leo, 2008). Rogal (2017), though referring to the same types, uses the terms “voluntary”, “internalized”, and “compliant.”

Studies have identified different elements that increase the likelihood of a false confession. These triggering factors include false evidence, length of the interrogations, and confrontational questioning (Feld, 2013). Although concurring with Feld (2013), Slobogin (2017) refers to each confrontational technique as a separate trigger, and Gudjonsson (2018) uses “interrogation tactics” to refer to all three. Some authors have also mentioned innocence as a risk factor (Schatz, 2018; Feld, 2013) because innocent suspects tend to be overconfident in the justice system, thus believing that justice will prevail and they will be cleared of charges (Feld, 2013).

The use of false evidence by the police is not prohibited; in fact, it is justified and considered a necessary tool to convict the guilty and clear the innocent (Feld, 2013; Gudjonsson, 2018). Studies have reported that false confessions are usually the product of lengthy interrogations, that last around 4 to 6 hours (Leo, 2008; Feld, 2013; Slobogin, 2017). Techniques endorsed by the Reid method, such as maximization and minimization, have been considered to be confrontational, used to intimidate and pressure people into speaking (Feld, 2013; Slobogin, 2017). Among confrontational techniques, Feld (2013) also adds sleep deprivation. These tactics may amplify a person’s sense of despair, hopelessness, helplessness, stress, and anxiety, thus, instigating them to confess falsely in order to escape the stressful situation that is a police interrogation (Feld, 2013).

2.2.2. Description of vulnerable witnesses

Although aggressive interrogative techniques are a cause of false confessions, the ability to withstand coercive tactics and the pressure exercised during interrogations varies across individuals (Gudjonsson, 2018). Previous studies have identified groups of people who are more likely to falsely confess to crimes when faced with coercive tactics, and they have been called vulnerable witnesses. Their vulnerability depends on different factors that increase their suggestibility and therefore, make them more prone to give false confessions: age, mental illness, and intellectual disabilities (Leo, 2008; Feld, 2013; Gudjonsson, 2018; Schatz, 2018). Eades (2006) also includes physically disabled people, survivors of abuse, and cultural and linguistic minorities. Due to its centrality in our study, intellectual disabilities will be discussed separately, in the following subsections.

One risk factor for false confessions is age. Younger suspects are at disadvantage in relation to their adult counterparts (Feld, 2013; Gudjonsson, 2018). Studies have stated that among false confessors, younger people are overrepresented (Feld, 2013; Gudjonsson, 2018). Their susceptibility to give false confessions is attributed to immaturity and inexperience (Leo, 2008; Feld, 2013; Gudjonsson, 2018). Additionally, impulsiveness, reduced language skills, limited understanding of the legal system, and desire to please authority figures are mentioned as factors that decrease their ability to withstand the pressure of interrogations (Feld, 2013; Leo, 2008), thus increasing even more their susceptibility to coercive tactics (Feld, 2013).

Mentally ill individuals pose great challenges to police investigations (Gudjonsson, 2018). In 2010, a study revealed that people with mental health issues constituted 40% of false confessors (Rogal, 2017). Impairments affecting these suspects include psychotic, mood and personality disorders (Farrugia & Gabbert, 2019), including depression, schizophrenia as well as bipolar and attentional disorders (Rogal, 2017).

Overall, mentally ill individuals have more difficulties understanding the situation and withstanding the pressures exercised by the police during the interrogation (Rogal, 2017;

Gudjonsson, 2018). They may have problems understanding the importance of the questions or the possible implications of their responses (Gudjonsson, 2018), and present higher levels of suggestibility and compliance (Farrugia & Gabbert, 2019). Furthermore, mental health issues undermine their ability to understand their legal rights, thus complicating the invocation of rights —such as Miranda— that are supposed to protect them from coercive interrogations (Farrugia & Gabbert, 2019). Additionally, Leo (2008), Rogal (2017), and Farrugia & Gabbert (2019) mention that mentally ill individuals have problems distinguishing reality from hallucinations, making them more likely to provide unreliable and self-incriminating information. Additionally, Leo (2008) adds that they experience higher levels of guilt, and lack of self-control.

2.2.3. Intellectually disabled suspects as vulnerable witnesses

Intellectually disabled suspects have a cognitive disability that impairs their ability to learn, process, and understand information (Leo, 2008). It is measured by intelligence tests and reflected in low IQ scores of 70 or below (Leo, 2008; Gudjonsson, 2018). It can be difficult to identify individuals with intellectual disabilities, not only because the limitations are sometimes difficult to perceive but also because they tend to hide or deny their disabilities (Leo, 2008; Schatz, 2018).

Intellectually disabled individuals can be categorized into four categories: mild, moderate, severe, and profound (Leo, 2008; Schatz, 2018). The majority of people with intellectual disabilities fall within the “mild” and “moderate” categories (Leo, 2008; Schatz, 2018). Although people with mild intellectual disabilities are able to work, they usually require support from others to make decisions regarding health and law (Schatz, 2018). After extended periods of instruction, individuals with moderate intellectual disabilities can work in jobs that do not require much communication and conceptual skills, and they generally need support to perform complex tasks such as scheduling, commuting, and managing money (Schatz, 2018). Severe intellectual disability, on the other hand, manifests as trouble understanding written language as well as concepts that involve numbers, quantity, time, and

money. Moreover, individuals with severe intellectual disabilities have limited language skills and require other's assistance to perform daily activities, namely eating, dressing, and bathing (Schatz, 2018). Finally, profound intellectually disabled individuals mainly communicate by non-verbal means and depend on others to conduct physical care, and health activities (Schatz, 2018).

Individuals with intellectual disabilities are characterized by different traits. Similarly to younger individuals, they tend to be immature, easily pressured, and have limited skills regarding language and information-processing (Leo, 2008). They are also eager to please authority figures (Leo, 2008; Feld, 2013; Schatz, 2018). Additionally, Leo (2008) states that because they are simple-minded, slow-thinking, and get easily confused, they have problems to comprehend the context and complexity of certain situations, such as police interrogations. Moreover, due to their limited skills and low IQ, they struggle to understand their Miranda rights (Feld, 2013; Gudjonsson, 2018; Schatz, 2018), which in turn impairs their ability to exercise them, thus making them more vulnerable to police coercion (Gudjonsson, 2018).

2.2.4. Police coercion in interrogations of intellectually disabled witnesses

In the context of police interrogations, individuals with intellectual disabilities face risks throughout all stages (Schatz, 2018). Police tactics that are naturally coercive and known to elicit false confessions from neurotypical suspects become even more problematic when used with individuals with these disabilities (Schatz, 2018; Gudjonsson, 2018). Compared to non-disabled individuals, people with intellectual disabilities have more difficulties to withstand the pressure, distress, and anxiety generated during police interrogations due to their limited cognitive abilities (Ellis & Luckasson, 1985, cited in Leo, 2008). Schatz (2018) even states that intellectually disabled suspects represent more than 25% of false confessors.

Because of their low tolerance to stress and need to avoid conflict (Leo, 2008), intellectually disabled individuals are more likely to comply with requests made by the police

in order to avoid the pressure exercised during questioning (Leo, 2008; Schatz, 2018), and are especially susceptible to the tactics endorsed by the Reid method (Schatz, 2018). Furthermore, their trust in authority figures makes them easy to manipulate (Leo, 2008).

During the opening phase of the police interrogation, police officers must read the suspects' legal rights (Heydon, 2005). Nevertheless, 80% of all suspects waive their rights due to police tactics, such as referring to Miranda warnings as a mere routine (Schatz, 2018), thus minimizing their importance for the suspects. Intellectually disabled suspects, in particular, have even more problems to understand their legal rights and their importance (Feld, 2013; Gudjonsson, 2018; Schatz, 2018). All these factors, together with their desire to please authority figures (Leo, 2008; Feld, 2013; Schatz, 2018), make them more prone to waive their Miranda rights during the opening segment of the police interrogation (Leo, 2008; Schatz, 2018).

Leo (2008) mentions that most of the time, intellectually disabled suspects do not understand the implications of what the police say or of their own answers. Feld (2013) adds that due to their inexperience, they believe that false confessions have minimal consequences. And because they are highly suggestible and compliant (Leo, 2008), they tend to answer positively regardless of what is being asked (Schatz, 2018). Furthermore, intellectually disabled suspects will usually respond according to what they feel will please the interrogator (Leo, 2008; Schatz, 2018), especially if the interrogator offers signals toward a desirable or undesirable answer, through gestures, feedback, or leading questions (Schatz, 2018).

2.3. *Questions in the police interrogation genre*

A police interrogation is a pivotal stage of the criminal justice system, it is a complex and interactive process in which interrogators must be prepared and trained to encourage the participation of suspects concerning the investigated case (Farrugia & Gabbert, 2019). Accurate information about the crime must be obtained for police interrogation to be

successful; therefore, proper questions must be asked. Since our research focuses on questions in police interrogations, this section will describe the relevant types of questions presented by the following revised literature: Hale (2004), Bowles & Sharman (2014), and Farrugia & Gabbert (2019).

Hale (2004) focused her investigation on the interpretation of the court's discourse. Since she presents a linguistic perspective about interrogations, her work became crucial for our research, particularly for analyzing the questions in our corpora. Hale (2004) worked with three grammatical categories for questions: *interrogatives*, *declaratives*, and *imperatives*. Simultaneously, these types had their own subtypes, which will be presented according to their relevance for this study. The three grammatical categories and their subtypes did not present or need further explanations since they are consistent with the standard types of question already established in the English Grammar (Hale, 2004). Therefore, we will mainly focus on the subtypes that these categories presented and their relevance for our study, which will be also further discussed in our Discussion's section.

Interrogative questions presented four subtypes: *modal interrogatives*, questions introduced by modal verbs, such as “can”, “could”, “may”, “might”, “will”, “would”, “must”, among others. (e.g., “Can you indicate to the court how far away you were from Mr Petro?”) (Hale, 2004, p.38); *wh- questions*, defined as utterances initiated by “what”, “where”, “when”, “who”, and “why” (e.g., “And what did you find when you returned?”) (p. 38); *forced choice interrogatives*, or questions which offered the interviewee's already established options (e.g., “Was the car space vacant or was there another car in its place?”) (p. 38); and *polar interrogatives*, defined as questions that ought to be answered with “yes” or “no” responses (e.g., “Mrs Arnal, was the purse that Rebecca had inside her pillowcase, her purse?”) (p. 38).

Declarative questions, in Hale's study, presented the highest number of subtypes (2004). From a total of ten different question types, our study will focus specifically on two: *positive* and *negative declaratives*, observed as positive or negative statements uttered during

an interrogation (e.g., “Many people were outing their view across.”) (p. 38). Other declarative questions described by Hale, typically found in courtroom interaction, did not show the necessary productivity in our police interrogations corpora and, due to this, will not be discussed here.

The third grammatical category proposed by Hale (2004) is the imperative type of question. This type of question presents two subtypes: *imperatives with politeness markers*, observed as statements ordering certain actions, but with polite strategies (e.g., “Please tell the court your full name, address and your occupation.”) (p. 38), and *imperatives without politeness markers*, observed as orders by the interviewer (e.g., “Just answer the question.”) (p. 38). From these two types of questions, only the second one was considered for our taxonomy, since the first one was not relevant in terms of our corpora.

Farrugia & Gabbert (2019) are the second authors whose work was revised in order for us to analyze and create our own taxonomy of questions. These authors focused their study on the investigative interview practices of suspects with mental disorders, now from a more pronounced legal perspective. These authors propose two general categories for questions in a police interrogation context: *appropriate* and *inappropriate*, with a similar organization to Hale’s (2004). These two criteria will present several subtypes on their own, which will be described next.

Appropriate questions, as their name indicates, are those types of questions where the interrogation works properly, in line with what is legally adequate for the ongoing interrogation, and for it to be presented later as valid evidence in court. This category present three types of questions: *open*, defined as questions that are open ended and encourage a free recall, also known as the TED questions (“Tell, Explain, Describe”) (Farrugia & Gabbert, 2019); *probing*, or questions that are designed to probe the account, also known as the 5WH (“What, Where, Who, When, Why”) (p. 5), similar in form and function to the *wh-questions* proposed by Hale (2004); and third, *encourager/acknowledgments*, defined as utterances designed to encourage the interviewee to continue talking (e.g., “Uh huh”) (p. 5).

The aim of any investigative interview is to obtain accurate information thanks to an effective questioning technique (Clarke & Milne, 2015; Oxburgh *et al.*, 2010, cited in Farrugia & Gabbert, 2019). However, this may not occur if inappropriate questions are part of the interrogation. There are six subtypes that will be considered inappropriate questions: *closed*, *forced choice*, *leading*, *opinion/statement*, *multiple*, and *echo* (Farrugia & Gabbert, 2019).

The *closed* subtype can be defined as questions designed to elicit a “yes” or “no” response only (Farrugia & Gabbert, 2019). These questions will be considered inappropriate since the objective of any interrogation is encouraging a free recall (Clarke & Milne, 2015; Oxburgh *et al.*, 2010, cited in Farrugia & Gabbert, 2019). The *forced choice* subtype, also observed in Hale’s (2004) as *forced choice interrogatives*, can be defined as questions that provide the interviewee with limited response options (*e.g.*, “Was the car red or white?”) (p. 5). The third inappropriate subtype is *leading*, which are questions that mention new pieces of information that have not been previously mentioned by the interviewee. The next subtype corresponds to *opinion/statement*; in this category no questions are asked, just opinions or comments are provided by the police officer. The *multiple* subtype is identified when a number of questions are asked in one instance, and finally, the *echo* subtype can be observed when the interviewer repeats the response of the interviewee.

Farrugia & Gabbert (2019) introduced a concept in their article which will be very useful for our research: Investigation Relevant Information (IRI). IRI can be understood as details provided by a suspect or interrogator that are significant for the investigation. This concept was broken down by the authors into the following categories: (a) Person; details concerning relevant individuals, such as name, age, gender, height, and any other person identifying information; (b) Action; any actions relating to the offence (*e.g.*, “I stabbed...”); (c) Location; information referring to specific areas including the names of streets or general locations; (d) Item; any mention to specific objects, such as weapons used or other relevant objects the crime; and finally (e) Temporal details; details referring to days, months, years, as well as duration of time (*e.g.*, “a couple of minutes”). IRI will be further discussed in our

Results section alongside the analysis of *leading* questions, as the introduction of IRI in interrogators' questions, and not in the interrogated suspects' responses, proved to be essential in our analysis of coerced interrogations leading to false confessions.

The third article that proved relevant to our study was written by Bowles & Sharman (2014). These authors discussed, from a psychological and legal perspective, the impact of different types of leading questions on witnesses with intellectual disabilities. Several categories for questions were identified: *free recall* and *free narrative*, *cued recall*, *leading*, *misleading*, *open*, *closed*, *forced-choice*, *specific*, *presumptive*, and two possible combinations of types; *open specific questions* and *closed specific questions*.

Free recall or *free narrative* questions are defined by Bowles & Sharman (2014) as those in which participants were simply asked to report what happened. On the other hand, the *cued recall* category refers to questions in which participants were asked about specific details of the event.

The following two categories are *leading* and *misleading* questions (Bowles & Sharman, 2014). Leading questions were those that introduced new information that had not been reported by the witness, this category presents a similar form and function to Farrugia & Gabbert's *inappropriate leading questions* (2019). Misleading questions, in turn, were those which contained new information deliberately included in order to change a witness' memory concerning the original event (*e.g.*, asking for a red door when the door was actually blue) (p. 209).

Open and *closed questions* (Bowles & Sharman, 2014), also present in Farrugia & Gabbert (2019) as *appropriate open questions* and *inappropriate closed questions*, are related to certain expected answers; while open questions do not dictate a specific response (*e.g.*, "Tell me more about the car"; "What happened next?"), closed questions require a one or two word response, already dictated by the interviewer (*e.g.*, "What color was the car?") (p. 209).

The following three categories concerning questions, *forced choice*, *specific* and *presumptive* (Bowles & Sharman, 2014), are related to the encouragement of detailed questions. Forced choice questions, also observed in Hale (2004) and Farrugia & Gabbert (2019), provide the participant with options, including yes/no questions (e.g., “Was the car red, blue or yellow?”) (p. 209). Specific questions encourage participants to think about very specific details concerning the information being asked about (e.g., “Was the car a red Ferrari with black trim and silver detail?”) (p. 209). Finally, presumptive questions also encourage participants, but in this case, the interviewee will be encouraged to comply with presumed information (e.g., “The color of the car was black, wasn’t it?”) (p. 209).

Bowles & Sharman (2014) have two final categories for those questions which could present combinations of the above types: *open specific questions* (e.g., “Tell me about the red Ferrari with black trim and silver detail”) (p. 209), and *closed specific questions* (e.g., “Was the car a red Ferrari with black trim and silver detail?”) (p. 209).

Several associations concerning the types of questions and the different authors’ proposals have been observed. *Forced choice questions* are an example of this, since form and function are observed and explained by Hale (2004), Farrugia & Gabbert (2019), and Bowles & Sharman (2014). Other similar associations can be detected with *wh-questions*, *leading questions*, *open* and *closed questions*, among others. Further explanations concerning our taxonomy will be presented in the Results section, under the light of our study’s specificities and needs.

2.4. *Responses in the police interrogation genre*

Responses are a fundamental part of what happens during a police interrogation, and a crucial aspect of our research. In order to create our own taxonomy of responses, specific literature was consulted: Waara & Shaw (2006), Fraser (2010), Feld (2013), Bowles & Sharman

(2014), and Schatz (2018). These authors provided different criteria and data about responses which will be further explained in this section.

Feld (2013) presents a taxonomy for responses based on his findings concerning the juvenile justice system, thus his data will enlighten us about the legal aspects of the answers provided by our subjects. This author provides two perspectives regarding responses: form and outcome. Regarding form, five types of responses have been studied: *short positive*, *extended positive*, *negative*, *rationalizing involvement*, and *seeking information*. Concerning outcome, three categories were observed: *confession*, *admission*, and *denial*.

The *short positive* type of answer is the first type proposed and explained by Feld (2013). In this kind of response, the witness agrees with the question or makes a brief factual statement. Feld endorses the hypothesis that teenagers' brains are not fully developed, therefore they hardly go into long stories, in other words, "juveniles do give shorter answers than adults" (p. 3).

Extended positive responses, despite being similar to the previously presented *short positive*, present some variations since this second type is "a narrative that contains the juvenile's version of events" (p. 2). A response will be considered as extended positive if it is three sentences or longer (Feld, 2013).

The third type presented by Feld (2013) is the negative type of response, which may also vary in length, from short to extended. Among the possible functions of this answer we can find disputing assertions already established or suggested in the preceding relevant discourse; rejecting interrogators inferences; denying involvement in the investigated crime; stating inability to remember what is being asked; and selectively refusing to answer the interrogator's question.

Rationalizing involvement responses can be contained in short or extended utterances. This type of answer is characterized by the juvenile's intention to explain, justify or minimize their role concerning the offense, thus trying to lessen the seriousness of the crime or

distribute the responsibility to other parties (Feld, 2013). More often than not, rationalizing involvement responses appear when juveniles are accused of committing a crime alongside their peers, since according to the author, teenagers tend to emphasize their minor role when found themselves in “group crimes” (p. 3).

Finally, the fifth and final response type provided by Feld (2013) is *seeking information*. This category is defined as answers where juveniles seek information from the police about details of the investigation and/or about what would happen to them. This type of response was not as common as the others; however, according to the author, teenagers tend to ask about facts gleaned during the investigation, the likely disposition of their release, or the likelihood of release from custody.

In regard to the first perspective about responses provided by Feld (2013) which focused on form, the author concludes that his research proved that different forms of responses were not mutually exclusive. In fact, teenagers showed to produce several different response types during an interview —*short positives* presenting the highest occurrence percentage and *seeking information*, the lowest one.

Feld’s second perspective concerning responses was focused on the outcome of the interrogation. Outcome can be classified based on the evidentiary value of a statement, and three main concepts appeared when attempting to classify outcomes: *confessions*, *admissions* and *denials*.

Firstly, *confessions* are presented by Feld (2013) as juveniles admitting their participation in a crime and contributing to the investigation with supporting details. Likewise, a confession will be considered as such when the juvenile’s cumulative responses provide all the necessary facts in order for the police to convict the offenders.

In the second place, *admissions* are presented as statements provided by juveniles where they are, somehow, linked to the crime, but they are not the main offender (Feld, 2013).

Admissions can also be observed when teenagers deliver circumstantial or direct evidence of an element of the offense.

Finally, *denials* are observed when juveniles disavowed knowledge or responsibility about a crime (Feld, 2013). Nevertheless, this was also the outcome of responses where juveniles offered explanations about the crime that did not include any incriminatory admissions. Among the different purposes of denials, the author mentions the following: claiming lack of knowledge, lying, evading, or shifting blame. These forms of resistance were observed by some police officers (participants of Feld's research) as an adopted behavior due to a "criminal sophistication," since according to them, juveniles who tend to deny involvement are usually those who have already been in that position, and are known as "frequent flyers" in the system.

As to the second perspective about answers provided by Feld (2013), it is possible to say that concerning the outcomes of responses in interrogations with juveniles, the highest percentage is observed with confessions, while denials present the lowest one among the three possible outcomes.

Another useful source for our study was Schatz (2018). He focused his research on false confessions, specifically on the legal aspects behind the interrogation of suspects with intellectual disabilities. Not only does this author present the controversial topic of the vigorous pursuit of confessions by the police, but he also introduces a real consequence of this: the *admission of guilt*. Schatz presents two categories for admission of guilt, and similarly to Feld (2013), Schatz proposes two main concepts: *confessions* and *admissions*.

Confessions are defined by Schatz (2018) as a suspect's admission of all the elements of a crime. According to the author, this kind of admission represents a full confession. *Admissions*, on the other hand, are understood as those statements where the suspect admits to some but not all elements of a crime, and they may minimize their role in the crime, maybe by agreeing to be present in the crime, but not participating in it. This kind of response will be perceived as a partial admission.

Schatz (2018) does not consider denial as Feld (2013) did in his research. This decision is due to Schatz' main findings concerning suspects with intellectual disabilities and their "reliance on authorities." These suspects' disability makes them eager to please and to seek approval from, in this specific case, the interrogators (Perske, 1994, cited in Schatz, 2018). This pivotal characteristic led the author to state that "people with intellectual disabilities tend to be more suggestible (...) responding affirmatively to questions, regardless of their content or truth" (670). Therefore, it is possible to infer that a category for denials was unnecessary in Schatz' research, since no major finding appeared regarding negative answers provided by suspects with intellectual disabilities.

Bowles & Sharman (2014) propose a third focus for responses. These authors review the impact of different leading questions on witnesses with intellectual disabilities from a psychological point of view. For Bowles & Sharman, the type of response that a witness with intellectual disabilities can produce will be directly related to the kind of questions that are asked. Therefore, according to their study, when interviewers asked different types of misleading questions, three types of responses were observed: *accurate*, *inaccurate*, and *confabulated*.

Accurate responses were those where information about the original witnessed event was reported (Bowles & Sharman, 2014). When the misleading information provided by the questions was reported or agreed with, it was a case of *inaccurate responses*. Finally, when an incorrect response that did not relate to the event or to the misleading information was given, it was an example of *confabulated response*,

Bowles & Sharman (2014) agree with Schatz (2018) regarding the importance of certain characteristics in the behavior of suspects with intellectual disabilities, such as the susceptibility to authority figures. For instance, when it comes to analyzing their answers, this aspect will definitely be related to the kind of responses provided by these suspects when confronting different authorities such as police officers.

One final interesting approach to answers arises from the analysis of *certainty mitigators*, linguistic devices used by the witness that could indicate how certain, or not, they are when delivering an answer. The mitigators of certainty with which we will be working are *hedges* (Waara & Shaw, 2006; Fraser, 2010), defined as a group of linguistic devices that soften utterances by signaling imprecision and non-commitment (Dixon & Foster, 1997, cited in Waara & Shaw, 2006); *pauses (silences)*, described as silent gaps in speech, which are very common and can have different functions such as when the speaker needs time to think or finds themselves hesitating about something (Olevar, 1997, cited in Waara & Shaw, 2006); *pause fillers*, utterances such as “eh” interjected between words or part of words in an utterance that as pauses, are quite common in speech (Olevar, 1997, cited in Waara & Shaw, 2006); and finally, we will also consider the use of *modal verbs* as other local mitigators. Certainty mitigators will be further discussed and exemplified in our Results section.

3. Methodology

In this section, we describe the process in which our object of study was collected, and we provide the relevant information regarding the corpora that will be analyzed in our final research. Furthermore, we will present our research questions and, both general and specific objectives.

3.1. General context and outcome of the cases

Below we will provide detailed information from what came to be popularly known as The Central Park Five and The West Memphis Three cases, as well as important information on the main reasons for choosing Korey Wise’s and Jessie Misskelley’s statements as our corpora of coerced police interrogations on vulnerable interrogated suspects.

3.1.1. The Central Park Five

The events of the case known as “The Central Park Five”, also known as “The Central Park Jogger Case”, occurred in the city of New York on April 19, 1989. Citizens that were present in Central park reported some disturbances produced by groups of young men (mostly African American) while a woman was raped and almost murdered between 9 and 10 PM during her usual night run. An irregular police investigation was conducted and ended up with four black teenagers and one Hispanic-American teenager, who were present in the park the night of the attack, arrested as the main suspects, and then convicted for the crime

After a series of interrogations —that 12 years later were proved to have been coerced— the five underaged-boys went on trial. In direct consequence of the false confessions that were obtained as a result of police manipulation, they were found guilty and received sentences ranging from five to fifteen years. All of the teenagers served six to seven years each in juvenile facilities, except for Korey Jamal Wise, a sixteen-year-old boy who was tried and sentenced as an adult and served thirteen years in prison. Nevertheless, in 2002, the actual assailant of the woman, Matias Reyes, confessed that he had beaten and raped the Central Park jogger by himself. Furthermore, the perpetrator of the crime was found to be the only person who committed the attack after DNA evidence recovered from the crime scene corroborated his confession (Stodghill, 2002, cited in Koen, 2018). In 2004, the five men were exonerated from the crime that they had never committed and sued the city for discrimination and emotional distress. Ten years later, the Central Park Five agreed to a \$40 million settlement from New York City and concluded their fight for justice after arrests, coerced confessions, and imprisonment (Weiser, 2014, cited in Koen, 2018).

Several cases of rape occurred in New York City without any culprit during the summer of 1989; consequently, a ubiquitous sense of terror spread across the local community. The Central Park Five case was a detonating instance for citizens to demand a severe jail sentence against these types of horrendous crimes. As a result, public opinion

claimed the death penalty for these youngsters, even though all of them were underage when they faced the trial.

The media helped portray these young males as unquestioned criminals due to racism and stereotyping because of their skin color and low-class status. Despite the irregular process during the police interrogation, people judged these five young men based on their false confessions, excluding the inconsistencies in the young men's statements and forensic evidence that exonerated them.

Although Wise was not a suspect in the case, he went to the Central Park Precinct to offer company to one of his friends, Yusef Salaam, who had been taken for interrogation. Nonetheless, this turned out to be a mistake, due to the fact that the police ended up pulling him into the interrogation room, and then obtaining the recording and writing of a false confession (Koen, 2018). Wise struggled with hearing issues that had resulted from physical abuse from an early age, and intellectual disabilities that limited his achievement in school as his reading skills were below the average of a ninth-grade student. Wise's intellectual development was severely delayed for his age, and his ability to comprehend his complicated and dangerous surroundings was not adequate (Burns, 2011). Additionally, him being part of a racial minority and coming from a low socioeconomic background, makes the abuse of power from institutional authorities when facing Wise's case, and other cases with presence of vulnerable witnesses, strongly evident and worth studying.

3.1.2. The West Memphis Three

The "West Memphis Three" is a criminal case in which three white American teenagers were charged with and later convicted of three counts of first-degree homicide in 1994. The young men were charged for the murder of three 8-year-old children occurred in 1993 in West Memphis, Arkansas. After hours of intense questioning by Chief Inspector Gitchell and Detective Ridge, Jessie Misskelley confessed that he, Damien Echols, and Charles Baldwin

committed the three murders. Echols was an 18-year-old teen who dressed in black, listened to heavy metal music, and read Stephen King novels as well as texts on magic, and had spent some time in a mental institution (Mara, 2003). Baldwin enjoyed drawing sketches inspired by heavy metal bands' album covers. Echols and Baldwin had been previously detained for vandalism, but there was no evidence that linked them to the West Memphis crime. Misskelley, on the other hand, had a reputation for his temper, and for engaging in fights at school. The appearance of the teenagers, and the Satanic panic existing in West Memphis at the time (Stidham *et. al.*, 2012), resulted in the police allegedly finding evidence indicating that the three teenagers had committed the murders as part of a Satanic ritual.

The West Memphis Three case took place in a working-class area located in the southern United States. The inhabitants of this area, known for their conservative religious beliefs, began spreading many rumors about the crime. Moreover, provided that the coverage in the media was detrimental to the people's already agitated state, the image-building of the suspects during the trial increased the levels of mass hysteria. For that reason, the West Memphis Police department was urged to solve the case in order to restore order in their community. During those years, Leveritt (2002) explains, satanic practices were a controversial affair in the United States, especially in the media, that replicated the fear of these practices on the people and the police's judgement. This ultimately led to a biased police investigation that lacked a rigorous treatment of the overall case. As a result, the teenagers were stereotyped by the police mainly due to Echols's association with the Neo-Pagan religion known as Wicca or Pagan Religion and the related rituals involved in such practices (Adler, 1979; Monroe, 2018). This suited the stereotype that was prevalent in the community and led the police to believe that these young men, being alleged cult members, must have been involved in criminal acts such as human and animal torture, suicide, sexual abuse, and murder (Leveritt, 2002). Echols and Baldwin were tried separately from Misskelley. During the trial, the two confessions given by Misskelley to the police were considered the most substantial piece of evidence; however, these had a number of irregularities such as the absence of his legal guardians and of a legal advisor, and the disregard of his intellectual disability. Misskelley recanted his confession immediately after

his twelve-hour long police interrogation stating that the police forced the story that he had told (Free West Memphis 3 Blog, 2012).

Another crucial piece of evidence were statements given by witnesses in court: Vicky and Aaron Hutcheson, two new residents of West Memphis. Allegedly, they had heard Misskelley confessing the crime and had seen the tried teenagers participating in cult meetings after the murder. The alleged witnesses recanted their statements because they acknowledged that they were pressured by the police and influenced by the monetary reward they would receive after giving information. As they were afraid of the consequences of committing perjury, they did not recant until years later. Despite the inconclusive proof, the outcome of the trial sentenced Misskelley to life plus two 20-year sentences in prison, a death sentence for Echols, and life imprisonment for Baldwin (Lundin, 2010).

Jessie Lloyd Misskelley Jr. was born on July 10, 1975, in a poverty-stricken household in Arkansas, and was only 17 years-old when he was interrogated by the police and later sentenced to prison. We will analyze Misskelley's statements due to the significance his police statements had on the outcome of the trial, as they served to be the basis on which the police accused him and his friends of being responsible for the murder of the three children. It is also relevant that our choice was made since Misskelley's social extraction, age, illiteracy, and intellectual disability—that placed Misskelley's IQ score (75) at the low end of normal, and his verbal abilities at the mildly retarded range (Leveritt, 2002)—made him especially vulnerable to the use of manipulation strategies from the police. We consider that the last factor is highly important since it has been studied that these types of vulnerabilities imply a reduced ability to resist pressure, and the need to agree with authority figures in order to please them (Leo, 2008; Feld, 2013; Schatz, 2018). Therefore, it was easier for the police to guide the suspects' statements in order to manipulate them and to obtain a confession, even if it was not real.

Later on, the truthfulness of Misskelley's confession was called into question due to the inconsistencies of his story, his intellectual disability, and the presence of leading

questions in the interviews (Leveritt, 2002). Accordingly, the media, particularly the documentaries made on the basis of the story, and famous celebrities shed light on the importance of police interrogation techniques and the necessity of effective legislation to apply in the case of vulnerable suspects. As such, the case gained national relevance and many people began supporting the now men, as it seemed evident that they had been wrongly accused and sentenced. Due to years of people and lawyers fighting for the freedom of the “West Memphis Three”, in 2011 the three men were freed after the court accepted their Alford Plea, a formal claim in which the suspects formally accepted the outcome of the trial, but still claimed their innocence (Cornell Law School, n.d.).

3.2. *Description of corpora*

This section aims to provide detailed information about Korey Wise’s and Jessie Misskelley’s interrogations that were studied for this research.

3.2.1. Korey Wise’s interrogations

We will analyze Korey Wise’s first and second statements carried out on April 21, 1989, by an Assistant District Attorney (ADA) of New York County. In this case, both statements were videotaped and had an extension of 1 hour and 20 minutes, and 30 minutes, respectively. On the day of the interrogation, the first statement started at 12:35 p.m. and finished at 1:55 p.m., while the second confession was recorded from around 3:15 PM until 3:41 PM. The whole questioning took place in a room at the 24th Precinct in New York.

Present in the room with Korey Wise was Elizabeth Lederer, Assistant District Attorney, who conducted both interrogations. Also present in the first interrogation were detective Robert Nugent and Assistant District Attorney, Arthur Clements. At the time of the second interrogation, however, both had left and been replaced by detective Hartigan and

detective Arroyo. People present in the interrogations, aside from Elizabeth Lederer, had little to no intervention in the interrogation, as shown in the videotape.

In the videotapes, it is possible to see that Korey Wise was given a soda (to ameliorate the situation and provide a more comfortable space for him to confess, we suggest) and asked multiple times whether his statements were given voluntarily or not. Nevertheless, it has been confirmed by Wise in the Suppression Hearing that he was brutally beaten by police officers, identifying particularly detective Nugent as one of the aggressors, and pressured into confessing to the crime. Moreover, before the recording of the statements, Wise was questioned continuously for about twenty-four hours without a guardian present, an aggressive tactic from the Reid method (Henkel & Koffman, 2004; Leo, 2008; Feld, 2013) used by the police to solve violent crimes (Feld, 2013; Slobogin, 2017), which seeks to instigate hopelessness to the suspect to make them believe that confessing is the only way to escape the situation (Janzen, 2019).

3.2.2. Jessie Misskelley's interrogations

The transcripts that constitute our corpora correspond to the first and second statements given by Misskelley to the police, prior to his trial. They were taken in the Second Division of West Memphis' Police Department on June 3, 1993. Jessie's first statement had a duration of 46 minutes and was carried out by two police officers, Chief Inspector Gary W. Gitchell and Detective Bryn Ridge. His second statement was taken later the same day only by Det. Ridge, and had a duration of 12 minutes. Both statements are only available in voice recordings and no apparent video exists in public records.

Due to the several times that the police stopped recording, it is crucial to note that both statements had missing audio segments, particularly the second one. Nevertheless, these segments were included in the available written transcripts. Consequently, the information we have mentioned is based on what was stated during those same recordings, and the

information available online³. However, we had to complete them with the available audios in order to add the corresponding grammatical conventions of the speakers' idiolects to guarantee a responsible analysis.

Due to the aforementioned reasons, we do not have the exact information regarding the presence of other police officers or the characteristics of the place in which the interrogations took place. As a result, based on the voice recordings, during the first statement, the two police officers who interrogated Misskelley were present, in contrast to only one in the second interrogation.

As anticipated, the audiotape recorders were stopped many times, particularly during the second interrogation. And in a consequent interview with his defense lawyer, Misskelley stated that there was a prior unrecorded interrogation where he had been both asked about the murders and provided with crime details by the police. He also declared that during the interrogations, one of the officers would shake his head when he failed to answer correctly; however, we do not have records of this process. In both cases, the interrogators treated Misskelley in a delicate way in which they talked slowly and in a quiet manner. This phenomenon is known as language accommodation (Giles & Ogay, 2007) and can be seen in Misskelley's corpus when the police ask him what a penis is. Although this phenomenon has suprasegmental aspects that will be reviewed in this investigation, it is projected as future research for scope motives.

3.3. Research questions and objectives

In this section, research questions, as well as general and specific objectives of our investigation, will be presented.

³ Famous Trials by Professor Douglas O. Linder. (n.d.). (<https://famous-trials.com>)

3.3.1. Research questions

On the basis of the corpora that we will analyze, this study will answer the following questions:

1. How can the different interrogators' questions in the four statements analyzed be described and classified?
2. What are the manipulation orientations of interrogators' questions in the four statements analyzed?
3. How can the different interrogated suspects' responses in the four statements analyzed be described and classified?
4. What are the manipulation effects on interrogated suspects' responses in the four statements analyzed?

3.3.2. General and specific objectives

Following our research questions, our study will undertake the following general and specific objectives:

General Objectives:

1. Categorize all the instances of interrogators' questions into specific types and subtypes.
2. Categorize all the instances of interrogated suspects' responses into specific types and subtypes.
3. Identify and describe the main confession manipulation orientations and effects in the formulation of interrogators' questions and interrogated suspects' responses.

Specific objectives:

1. Classify all questions into main types according to their basic grammatical form.
2. Identify the guiding / non guiding orientation of all questions.

3. Classify question types into subtypes according to their guiding / non guiding orientation.
4. Classify all responses into main types according to their most salient discourse characteristics and relevant pragmatic functions.
5. Classify response types into subtypes according to (a) certainty mitigation, (b) verbal/non-verbal expression, (c) repetition of previous question, (d) interjections and exclamations, and (e) completion of response.
6. Compare the lengths of (a) the totality of questions and (b) the totality of responses in each statement analyzed.
7. Compare the general formulation of questions and responses in the first and second statements of each suspect.
8. Identify and describe any discourse regularities emerging from the formulation of specific questions and /or specific response types in the four statements analyzed.

3.4. *Procedures*

To collect the corpus and primary information for doing this research, it was necessary to become deeply familiar with all four statements and their context. The Central Park Five's corpus corresponds to the Wise's first and second statements from Korey Wise. Although his confessions were not available online in written version, they were transcribed from audio files available online⁴. On the other hand, the West Memphis Three's corpus corresponds to the first and second statements from Jessie Misskelley. His confessions in audio format⁵, and their transcripts were retrieved from the web⁶. Modifications were needed in the gathering

⁴ The NY Daily News. (n.d.) Central Park Five documents: audios and videos. New York, USA: NY Daily News. Retrieved from <http://interactive.nydailynews.com/project/central-park-five/original-investigation-and-prosecution/audios-and-videos>.

⁵ Callahan Website. (n.d.). Retrieved from <http://callahan.mysite.com/wm3/audio.html>.

⁶ Famous Trials by Professor Douglas O. Linder. (n.d.). The (False) Confession of Jesse Misskelley, Jr. Retrieved from <https://famous-trials.com/westmemphis/2241-confession>.

of Misskelley's statements, as the original transcripts did not include the reading of the Miranda warnings, and it had inconsistencies with the audio files. These statements were chosen to analyze, describe, and classify the different interrogator's questions and interrogated suspects' responses, as well as to identify the manipulation orientations of interrogators' questions and their manipulation effects on interrogated suspects' responses. For the purpose of this investigation, it was necessary to analyze and classify the interrogators' questions and the interrogated suspects' responses in types and subtypes according to their grammatical structure and communicative intention initially based on the research already presented in the Theoretical Framework.

4. Results

In this section, we will describe the categories that allowed us to carry out an in-depth analysis of our corpora. The following descriptions will include thorough accounts of each type and subtype, along with relevant and explanatory examples extracted from our corpora. It is important to note that most of the extracts have been taken from the suspects' first statements due to their illustrative nature in contrast to the second interviews' findings, which contained less realizations of the questions and responses mainly because the suspects' statements were shorter.

4.1. Types of interrogators' questions

Based on the literature reviewed, and in order to categorize Wise's and Misskelley's (hereafter KW and JM in all extracted examples, respectively) interrogators' questions accordingly, we took into consideration three investigations in which different authors' categories are presented for the understanding of question types. Their categorization and their respective definitions were used as a basis to look through our own corpora, as has been mentioned above in section 2.3. As a result, through the analysis of the interrogators' questions in our corpora —Elizabeth Lederer, Bryn Ridge, and Gary Gitchell; hereafter EL in Wise's statements, and BR and GG in Misskelley's—, we were able to ultimately identify the need of modifying the pre-existing categories, as well as creating some of our own.

Furthermore, it is important to bear in mind that on the basis of our research questions and objectives, the structuring dimension of our categorization was primarily grammar, setting aside implications commonly taken into account in the fields of the law and psychology. The dimension of intonation was not considered for the establishment of categories, but will be briefly mentioned during the Discussion of Results.

Table 1: *Types and Subtypes of Interrogators' Questions*

Type	Type Description	Subtypes	Subtypes Description
Wh- questions	Question introduced by a Wh-element, eliciting responses in varying degrees of freedom/guiding	Wh-open	Does not dictate the response required and does not contain guiding information
		Wh-specific non-guiding	Requires a one or two-word response that was dictated by the interviewer though it does not contain guiding information
		Wh-specific guiding	Requires a one or two-word response that was dictated by the interviewer. It contains guiding information
Polar questions	Question designed to elicit a “yes” or “no” response only	Non-guiding	Does not contain IRI and does not suggest a response
		Guiding	Contains IRI and / or suggests a response
Forced choice questions	Question that provides the interviewee with limited response options	(No subtypes are identified)	
Modal questions	Question introduced by a modal verb	Non-guiding	Does not contain IRI and does not suggest a response
		Guiding	Contains IRI and / or suggests a response
Declarative Statements	Opinion or statement offered by the interrogators, without asking any grammatical questions	Non-guiding	Does not contain IRI and does not suggest a response
		Guiding	Contains IRI and / or suggests a response
Imperative Statements	Imperatives uttered by the interrogators, without asking any grammatical questions	Non-guiding	Does not contain IRI and does not suggest a response
		Guiding	Contains IRI and / or suggests a response
Echo questions	Question constituted by the interrogator’s repetition of the interrogated suspect’s response, either to confirm it or to give continuity to ongoing discourse	(No subtypes are identified)	
“Do you understand / know” questions	Question explicitly asked to check interrogated suspect’s comprehension	(No subtypes are identified)	
Complete-in-context statement	Interrogative, imperative or declarative statement that is not grammatically complete, but whose meaning gets completed in context and elicits a new course for the response	Non-guiding	In this case, incomplete question may look for confirmation, emphasis, clarifying, etc.
		Guiding	In this case, incomplete question suggests a response containing IRI.

Our final categories are mostly inspired by Hale (2004) and her categorization of *interrogatives* and *imperatives* that were modified in order to create categories of the same denomination: *wh-questions*, *polar questions*, *modal questions*, and *imperative statements*. Alongside this, Farrugia & Gabbert's (2019) categories of *opinion/statement* and *echo* derived into our own categories of *declarative statements* and *echo questions*. Bowles & Sharman's (2014) differentiation of *open* and *open specific questions* served us as a key point to subdivide *wh-questions*. Furthermore, we propose two new categories raised due to the phenomena's relevance and repetition in our corpora: *complete-in-context questions*, and “*do you understand/know*” *questions*.

As a result of the aforementioned information, nine types of questions with a total of thirteen subtypes were established for the categorization of the questions inquired by the interrogators, which are to be defined and exemplified below. Table 1 displays a summary of all the questions' types and subtypes established for the analysis of our corpora, together with their definition. The respective numbers of occurrence, and thus more specific information as to the concrete realization of these categories will be presented and examined in the Discussion of Results.

4.1.1. Wh-questions

Wh-questions, as the name suggests, are questions introduced by a Wh-element: “what”, “where”, “when”, “which”, “who”, and “how.” These types of questions elicit a response that varies in degrees of freedom in respect to the question asked, depending on the specificity of the question —*i.e.*, a question inquiring about a specific, detailed subject will attempt to evoke a response linked to only that information, and no other. The dimension of freedom is related to the different subtypes of this category, which will be further explained below. In our analysis, three subtypes were identified depending on whether the question is open or specific in nature and, if the latter, whether the information given by the interrogator's

question suggests or guides the suspect's response: *wh-open*, *wh-specific non-guiding*, and *wh-specific guiding*.

The *guiding* or *non-guiding* nature of these *wh-questions* and other subcategories identified in our study proved to be central in our analysis. Questions' *guiding* and *non-guiding* quality lies on two main factors: first, on whether they introduce or not Investigation Relevant Information (IRI) (Farrugia & Gabbert, 2019), and second, if there is noticeable presence of suggestive linguistic strategies that intend to somewhat provide the type of response the interrogators require. The first factor is intrinsically related to the supply of information related to the investigation that has not yet been presented by the suspect, but by the interrogators themselves. The inclusion of IRI proved to be extremely important for the examination of our corpora, as the categories of *person*, *action*, *location*, *item*, and *temporal details* proposed by the authors were productive in all the statements analyzed. Our initial tripartite proposal to deal with IRI, that considered only the time, place and participants involved in the events under investigation, did not cover all the details present in the interviews, as the consideration of the categories of *action* and *item/object* also demonstrated high productivity in both our corpora.

Regarding the second factor, it is important to state that the initial concept considered for the subcategorization of types of questions was the notion of *leading question* (Bowles & Sharman, 2014; Farrugia & Gabbert, 2019), which refers to structures uttered by the interviewers that provide new information that the interviewees have not mentioned. However, it does not include any grammatical or linguistic implication. As such, it is essential to remark that this initial consideration did not fulfill the needs of our analysis, as this concept has been proposed from legal and not linguistic arenas. Because of this, after learning that the interrogators made use of strategies that could not be classified within the definition of *leading question*, we proposed the idea of *guiding* instead. The questions' *guiding* nature will be understood as the use of any discourse strategies that guide or influence the direction of the suspect's response. The overall *guiding* nature of a question, then, relies on the fact that in order for interrogators to use this type of interrogatives, they need to either provide new

information, or to make implicit or explicit assumptions regarding the information contained in the question. This new, broader concept proved to be more precise for our purposes, and it allowed us to develop the ideas that will be presented in the Discussion of Results and Conclusion sections. Now, having specified these basic considerations, the definition for each subtype of *wh-questions*, along with relevant examples, will be given below.

First, and as already anticipated, *wh-open* questions encourage the interrogated suspect to speak freely and do not dictate a required response. Farrugia & Gabbert (2019) define this as *free recall*, in which the interrogators do not attempt to use any type of questioning techniques, so as to provide a space in which the interrogated suspects can introduce new information.

In the following examples, it can be seen that the interrogators' questions are open-ended, and do not contain indications as to what the response should or is expected to be. Instead, they encourage an answer by telling the events based on the suspect's memories (1) or knowledge (2):

- (1) Korey Wise's statement #1
EL: Well, you said a minute ago that you ran into Eddie.
KW: Yes.
EL: **Okay, what happened after that?**
KW: Umm, he was talking to me about what I was doing, I said "nothing." [...]
- (2) Jessie Misskelley's statement #1
BR: **Who is that?**
JM: Buddy Lucas.

The second subtype, *wh-specific non-guiding* questions, contains clearly defined information in its formulation, information that is usually later repeated or confirmed by the suspects in their response. However, despite their specificity, these questions do not include *guiding* information —such as IRI or discourse strategies that guide the suspects' answers. As Bowles & Sharman (2014) define it, they require a one or two-word response that was dictated by the interviewer. The following examples demonstrate how one of the words included in the interrogators' questions are later repeated in the suspects' answers:

- (3) Korey Wise's statement #1
 EL: OK. Did you recognize any people of that group?
 KW: Yes.
 EL: **Who did you recognize?**
 KW: I *recognized* Steve...
- (4) Jessie Misskelley's statement #1
 JM: And after I left they done more.
 BR: They done more.
 JM: They started screwing them again.
 BR: Okay, **how were they *screwing* them when you saw them?**
 JM: They, Jason stuck his in one them's mouth and Damien was *screwing* one of them up the ass and stuff.

Finally, *wh-specific guiding* questions also require a one or two-word response dictated by the interrogator. Nevertheless, this type of question does include *guiding* information, which can be usually found in the form of suggesting or assuming facts to indicate the type of information the interrogators still need, because the suspects have not provided it by their own initiative. Examples (5) and (6) are clear demonstrations of this type of configuration:

- (5) Korey Wise's statement #1
 EL: Is there anything that you wanna change about what you told us?
 KW: (Nods)
 EL: **Who was it who dragged her from uh the path into the woods?**
 KW: Steve, Steve and uh Raymond.
 EL: **What did they do after they dragged her down by the stream?**
 KW: Like I said, they just dropped her and they Steve was like-slap.
- (6) Jessie Misskelley's statement #1
 GG: **Have you ever seen them with a briefcase before?**
 JM: I've seen them once that one night, I seen them with it that night.
 GG: Okay, what is kept inside of that briefcase?
 JM: They had some cocaine, and a little gun.

4.1.2. Polar questions

Polar questions are interrogative grammatical structures that encourage “yes” or “no” responses from the interrogated suspects. This type of question has been categorized into two subtypes depending on whether they guide the suspects' answers or not: *polar non-guiding*

and *polar guiding*. The differentiation between these two subtypes is based on the same principles applied and explained in *wh-questions* —*i.e.*, *guiding* questions' characterization of including IRI and/or suggestive information, and *non-guiding* by their absence.

The first subtype, *polar question non-guiding*, illustrated below, displays the use of *polar questions* that do not include IRI and that do not contain information that can be used by the suspects to give a response. Alternatively, they use *polar questions* as a reaction to the information the suspects have already provided, and with the purpose of seeking further, related details (7) or confirming that there is a clear understanding of the exchange of facts (8):

(7) Korey Wise's statement #1

EL: What's Lisa's last name?

KW: I don't know.

EL: **Do you know where she lives?**

KW: Yes.

(8) Jessie Misskelley's statement #1

BR: Okay, how long was the knife that Jason was using?

JM: About that long

BR: Alright, you're describing a knife that would be about 6 inches (15cm) long, **is that right?**

JM: Uh-huh.

In contrast to the previous subcategory, the following *polar guiding* examples illustrate the way in which the interrogators do provide IRI that has not been offered by the suspect (9) and the presence of assumption of truths that imply a given answer, forcing the suspect to comply with that information (10):

(9) Korey Wise's statement #1

EL: Who else did you recognize?

KW: Hmm... Kevin.

EL: **Is that Kevin Richardson?**

KW: Yes. I don't know where he live at.

(10) Jessie Misskelley's statement #1

BR: Did somebody take and use your knife? **Do you have a knife?**

JM: I got one knife.

BR: Where is it at?

JM: It's at home.

4.1.3. Forced choice questions

Forced choice questions are interrogative grammatical structures that provide the interrogated suspects with restricted response options. No subtypes were identified since this type of question is essentially *guiding*, due to the fact that the options of response are given by the interrogators themselves and, as such, can be said to be intrinsically *guiding* in nature.

In the examples found below, it can be clearly identified how the responses' options are limited to a fixed set of alternatives that do not give the suspects the opportunity to present their own knowledge of the facts. By providing a set of possibilities, the interrogators are implicitly demonstrating that they have preconceived ideas of the events related to the crime (11) and/or past situations regarding the suspects (12):

(11) Korey Wise's statement #1

EL: Did you see how she got to be there?

KW: I know she was forced to go down the hill, but...

EL: When you say she was forced to go down the hill, do you know... **she walked down the hill, or she was dragged down the hill?**

KW: She was dragged.

(12) Jessie Misskelley's statement #1

BR: Had Damien seen these boys before?

JM: Yes.

BR: **Has he done things with them before? Or had he just been watching them? Has he ever had sex with them before?**

JM: He's been watching them.

4.1.4. Modal questions

Modal questions are interrogative grammatical structures introduced by modal verbs for requesting or commanding an interrogated suspect's response. This type of question has been categorized into two subtypes, under the same principle governing the subcategorization of the previous questions regarding IRI and response guidance: *modal verb non-guiding* and *modal verb guiding*.

Examples (13) and (14) show that *modal verb non-guiding* questions do not include new information, but rather arise from what has already been stated in previous turns to be

known by the suspects. Additionally, questions from both extracts are noticeably introduced by the same modal verb, “would”:

(13) Korey Wise’s statement #1

EL: Do you know where you went when you went in the park?

KW: Yes.

EL: **Would you tell us where you went?**

KW: Went to a field.

(14) Jessie Misskelley’s statement #1

BR: Are you willing to go down there with us and us having a camcorder and you show us where these things took place? **Would you do that?**

JM: (Silent)

BR: **Wouldn’t have any problem with that?**

JM: Not that I know of, I wouldn’t.

Conversely, examples of *modal verb guiding* questions contain suggestive information according to the interrogator’s expected response (15) and the inclusion of relevant details regarding the state in which the victims were found in the crime scene (16). In Wise’s example, it can be seen that the interrogator is expecting a response that will confirm an association of the suspect to the crime, by identifying the picture’s details. On the other hand, Misskelley’s interrogator is distinctly indicating the way in which the child was being held by the perpetrator during the assault:

(15) Korey Wise’s statement #1

EL: Now, when you look at this picture, can you tell what that picture is? (She gives Korey a picture)

KW: That’s where she was at.

(16) Jessie Misskelley’s statement #2

GG: Had him in a headlock? Did he, did he have him any other way?

JM: He was holding him like this by his head like this and stuff. (Indicating the victims being held by their ears)

GG: **Could he have been holding him up here like that?** (Indicating another way)

JM: He was, I was too far away he was holding him right there by his head like this (Showed the same as GG).

4.1.5. Declarative statements

Declarative statements are commentaries made by the interrogator that provide an opinion or a statement. Despite the fact that in this category no grammatical question is formulated in the interrogator's turn, it encourages a response from the suspects, who are expected to agree or disagree with the information previously stated. This type of remarks can also be uttered either with a rising or falling intonation, which can supply "types of meaning additional to what is supplied by the words themselves" (Collins, 2013, p. 140), *i.e.*, a rising intonation in a *declarative statement* can further suggest the use of declaratives as a substitution of interrogatives.

Two subtypes are distinguished for declarative statements: *declarative non-guiding* and *declarative guiding*. As to the first subtype, examples (17) and (18) illustrate statements that do not contain suggestive or new information. In fact, they are used as a way of presenting conclusions drawn from the suspects' given information, in order to confirm the mutual understanding, as well as to give continuity to the discourse:

(17) Korey Wise's statement #1

EL: Did you see who did chase after him?

KW: Uh-uh, see I did see who chased him but I don't know I don't know who the people are.

EL: **You don't know their names.**

KW: No.

(18) Jessie Misskelley's statement #1

BR: Were they in the houses or were they in the trees when they took those pictures?

JM: They w- at the houses.

BR: At the houses? Did they take like one picture of one boy?

JM: They was in a group.

BR: **All these three.**

JM: There was a group of pictures of all three of them.

Alternatively, the following extracts show that *declarative guiding* statements are used to suggest that the suspects' given information is not correct and should be changed (19), or to directly provide IRI information that has not been stated by the suspect (20):

(19) Korey Wise's statement #1

EL: How did she get the injuries that she had when you finally saw her? I mean, **you get you get a punch, you see a fight, you get a punch you get a bruise.**

KW: I know.

EL: **You don't get, you don't get bleeding, you don't get these lines, you don't get a fractured skull from it.**

KW: That more, that more it looked, that more it looked like it's, it's, it's from like, it's like a rock. A rock...

(20) Jessie Misskelley's statement #1

BR: Okay, one of them was cut on the face real bad, is that what you said?

JM: Uh-huh.

BR: **And one of them was being cut on his penis?**

JM: Yes sir.

4.1.6. Imperative statements

Imperative statements address an interrogator's instruction or command to the suspects without formulating any grammatical question. For this category, Hale's (2004) distinction between polite or impolite utterances did not prove to be relevant, and it was simply subdivided into *imperative non-guiding* and *imperative guiding*. Examples of the realization of each subtype can be found below.

The following examples show the two options of imperative's realization. The first interrogator uses an *imperative non-guiding question* to instruct the suspect as to what he should attempt to do (21), and the second is commanding the suspect to talk about a specific subject (22):

(21) Korey Wise's statement #1

EL: **I'm asking you to try to think as best as you can. Don't tell me what you think they probably did.**

KW: Okay.

(22) Jessie Misskelley's statement #1

BR: He's been watching them. **You mentioned earlier that, one of the meetings you went to with this cult thing, they had some pictures.** Describe those pictures for me.

JM: They had... had some houses, trees and stuff.

Examples (23) and (24), in turn, illustrate *imperative guiding statements*. The guiding nature of these segments is based on the interrogators' assumption that their interrogated

suspects are not providing the exact information they are being required to answer. One of the assumptions is founded on the premise that the suspect's use of "probably" indicates that the information is not completely truthful to the events (23), and the other is established as a result of what seems to be the interrogator's awareness of the suspect's hesitation regarding his presence in the crime throughout the interview (24):

(23) Korey Wise's statement #1

KW: They probably picked her. They probably picked her up. Picked her up.

EL: **I'm asking you to try to think as best as you can.** Don't tell me what you think they probably did.

KW: Okay.

EL: Try to tell me exactly what you saw or heard.

(24) Jessie Misskelley's statement #1

BR: Okay, let me ask you something, **now this is real serious and I want you to be real truthful, and I want I want you to think about it before you answer it, don't just say yes or no, real quick. I want you to think about it.** Did you actually hit any of these boys?

JM: No

4.1.7. "Do you understand / know" questions

Provided that our study is focused on the interrogation of vulnerable suspects, we propose this category in order to show that interrogators occasionally use questions with the sole intention of examining the suspect's intellectual abilities. Consequently, "*Do you understand/know*" questions correspond to interrogatives that are explicitly asked to check the interrogated suspect's comprehension, which strongly suggests that interrogators were not unaware of the suspects' capacity to fully understand the situation and its seriousness. As has been explained in previous sections, because of several factors, vulnerable suspects are more prone to falsely confess to crimes. Thus, it was necessary to create this category to classify not only its use to check the suspect's understanding of their Miranda rights, but also to label the instances in which the interrogators tried to confirm that the teenagers thoroughly understood how the world functioned. Finally, due to the highly specific nature of this category, no subtypes were identified.

The following segments show the two main uses of the category. Firstly, the regular use of checking the comprehension of the suspects' rights (25), and secondly, the questioning of their intellectual abilities (26):

(25) Korey Wise's statement #1

EL: My name is Elizabeth Lederer I am an assistant district attorney in New York county. I'd like to ask you some questions about a series of things that happened in Central Park on the night of April 19th of 1989. Before I do that I'd like to advise you of your rights with respect to statements you may make now, okay? You have the right to remain silent and to refuse to answer any questions, **do you understand?**

KW: Yes, I do.

EL: Anything that you say can be used against you in court, **do you understand?**

KW: Yes, I do.

(26) Jessie Misskelley's statement #1

GG: In his groin area?

JM: Uh-huh.

GG: Okay.

BR: **Do you know what his penis is?**

JM: Yeah, that's where he was cut at.

4.1.8. Echo questions

Echo questions are interrogatives articulated by the interrogator as a repetition of the suspects' previous response. This type of question is used to ask for confirmation or to encourage the suspects to continue their discourse. No subtypes were identified due to the wide scope this type of question covers. Examples of *echo questions* are displayed below.

Wise's segment shows the interrogator's attempt to encourage the continuation of the suspect's version of the events, as well as to enable himself to further seek to reveal specific details (27). Misskelley's interrogator, in turn, uses this type of question to confirm whether he correctly understood the information provided by the suspect or not (28):

(27) Korey Wise's statement #1

EL: When you saw him hit him, can you tell us, would, did he hit him from the front or the back?

KW: He jumped on him.

EL: **He jumped on him?** From the front or the back? [Both at the same time]

KW: [Both at the same time] He did over...

EL: He jumped on him from the front or the back?

(28) Jessie Misskelley's statement #1

JM: He was wearing a Megadeth shirt.

BR: **A Megadeth?**

JM: A Megadeth or a Metallica.

4.1.9. Complete-in-context statement

As anticipated before, *complete-in-context statements* correspond to a question type we propose due to the importance and recurrence this phenomenon had in the overall interrogations. They are grammatically incomplete assertions whose meaning only gets completed in context and elicits a new course for the response. This category allows for multiple grammatical forms, such as interrogative, imperative or declarative. This type of question has two subtypes: *complete-in-context non-guiding* and *complete-in-context guiding*. The first corresponds to incomplete questions that may look for confirmation, emphasis, clarifying, and similar, while the latter refers to incomplete questions that suggest a response containing IRI.

Examples of the realization of *complete-in-context non-guiding* statements can be found below, as they illustrate the interrogators' search of elucidating the suspect's utterance (29), and clarifying the development of events (30):

(29) Korey Wise's statement #1

KW: So (pause) there was a car coming and Alfred he's saying "don't throw a rock at the car."

EL: **He said...**

KW: "Don't throw a rock at the car."

(30) Jessie Misskelley's statement #1

BR: Cutting him in the face. Alright, another boy was cut I understand. Where was he cut at?

JM: At the bottom.

BR: On his bottom? **Was he faced down and he was cutting on him, or...**

JM: He was...

GG: Now you're talking about bottom, do you mean right here?

JM: Uh-huh.

Now, examples of the realization of this type's guiding counterpart are presented. In one instance, the interrogator is providing IRI regarding location (31), and in the other, action (32):

(31) Korey Wise's statement #1

KW: [...] And when I looked down, I see the police car coming around. The big spotlight, and everybody so I- being there, everybody run towards, oh man, I forgot the name of the lake.

EL: **Is that the one that has a fence around it, is that the reservoir everybody...**

KW: Yeah, the reservoir, everybody run towards the reservoir.

(32) Jessie Misskelley's statement #1

BR: Since this crime took place. What did you do while you were there? And be truthful.

JM: I went down there I just sit there, and after what they did to the boys, I just sit there.

BR: **And did what?**

JM: Just thought, what they...what happened to them real bad, I just thought.

4.2. *Types of interrogated suspects' response*

Having already defined all the types and subtypes of questions formulated by interrogators in the four statements analyzed, we will now present our categorization of the interrogated suspects' responses. It is essential to note that we partially based our categories on Feld (2013), since we applied four out of five of his categories, as already discussed in the Theoretical Framework. However, they did not adjust to our corpora's nature, as they did not fully account for the wide variety of responses present in our transcripts. For that reason, we addressed this issue by extending Feld's (2013) taxonomy and creating additional categories for responses associated with both grammatical and discourse dimensions.

That being said, from Feld we used the categories of short positive, extended positive, extended negative and rationalizing involvement. We expanded positive and negative responses on the basis of Waara & Shaw's (2006) overview of certainty mitigators, among them pauses, pause fillers/interjections, and hedging. About the latter element, we also took into consideration Fraser's (2010) study of hedging and their ability to mitigate both the truthfulness and illocutionary force of a statement. These helped us to further develop a precise definition for our subtypes, as well as to create the category of interjection as an isolated unit within positive and negative responses. Similarly to the case of question types,

Table 2. Types and Subtypes of Interrogated Suspects' Responses

Type	Type Description	Subtypes	Subtypes Description
Short positive response	Agreeing with a question or making a brief factual statement	Non-mitigated certainty	Certainty is not mitigated
		Mitigated certainty	Certainty is mitigated by the use of hedges, modal verbs, silent pauses, and/or filled pauses
		Interjection	Agreement is conveyed by interjections or exclamations only
		Non-verbal	Agreement is conveyed without verbal language by means of body, head and/or face gestures, such as nodding
		Echo	Positive response is conveyed by repeating (almost) literal portions of previous question
Extended positive response	Telling own version of events (if the response was three sentences or longer)	Non-mitigated certainty	Certainty is not mitigated
		Mitigated certainty	Certainty is mitigated by the use of hedges, modal verbs, silent pauses, and/or filled pauses
Short negative response	Disputing assertions, rejecting inferences, denying involvement, denying knowledge, being unable to remember, or selectively refusing to answer	Non-mitigated certainty	Denial / rejection is conveyed without mitigating certainty
		Mitigated certainty	Denial / rejection is conveyed with certainty mitigation by the use of hedges, modal verbs, silent pauses, and/or filled pauses
		Interjection	Denial / rejection is conveyed by interjections or exclamations
		Non-verbal	Denial / rejection is conveyed without verbal language by means of body, head and/or face gestures, such as nodding
		Echo	Negative response is conveyed by repeating (almost) literal portions of previous question
Extended negative response	Disputing assertions, rejecting inferences, denying involvement, denying knowledge, being unable to remember, or selectively refusing to answer if the response was three sentences or longer	Non-mitigated certainty	Certainty is not mitigated
		Mitigated certainty	Certainty is mitigated by the use of hedges, modal verbs, silent pauses, and/or filled pauses
Repetition / clarification request	Requesting the repetition or clarification of the previous question	Verbal request	Repetition / clarification is requested by asking questions, such as "What?"
		Interjection	Repetition / clarification is requested by uttering interjections with rising intonation
Rationalizing involvement response	Explaining or justifying, minimizing own participation, minimizing seriousness of the offense, or apportioning responsibility to other parties (contained in either a short or long response)	(No subtypes are identified)	
Non-relevant response	Not addressing the question previously asked, and instead offering information that is not directly relevant (contained in either a short or long response)	(No subtypes are identified)	
Aborted response	Initiating response but immediately aborting it, thus leaving it incomplete	By other	Response is aborted by interrogator
		By self	Response is aborted by interrogated suspect

we took into account Farrugia & Gabbert (2019) to propose echo as a subcategory for short positive and short negative responses. Finally, we introduced the categories of repetition/clarification request, non-relevant responses, and aborted responses, as they were necessary to fully account for all the phenomena that the corpora exhibited.

Ultimately, the types of responses found in the four statements crystalized into eight types with a total of eighteen subtypes that are to be discussed as follows. Table 2 above displays the different types and subtypes of responses found in our corpora. More detailed analysis and informed interpretations of this information will be presented in the Discussion of Results.

4.2.1. Short positive response

Short positive responses indicate the suspect's agreement with the previous question, declarative or imperative statement. In our corpora, five subtypes for short positive responses were identified: *short positive non-mitigated*, *short positive mitigated certainty*, *short positive interjection*, *short positive non-verbal*, and *short positive echo*. It is important to note that these subtypes' definitions will also be central in the description of the responses' types *extended positive*, *short negative*, and *extended negative*. The definition for each subtype of *short positive responses*, along with relevant examples, will be given below.

Short positive responses classified as *non-mitigated certainty* include the suspects' responses conveyed by affirmations that accept the implications of the interrogators' questions without displaying any *hedges*, *modal verbs*, *silent* or *filled pauses* to mitigate the certainty of the response. These responses include a verbal agreement with the questions asked by the interrogators and exclude those that are longer than three sentences, following Feld (2013).

Below, two brief examples of this subtype are presented. One suspect agrees by using some of the same words used by the interrogator (33), and the other, accepting the interrogator's conclusion by providing a short "yes" response (34):

- (33) Korey Wise's statement #1
EL: Were you together or did you just run in the same direction?
KW: **We just run in the same direction.**

- (34) Jessie Misskelley's statement #1
GG: Was uh, were you all close to the creek at that point?
JM: **Yes.**

In *short positive mitigated certainty* responses, the certainty of a suspect's response is mitigated by the inclusion of grammatical and discourse devices that attenuate commitment and signal insecurity in the information of the given answer. The devices that are to be considered as mitigators are: *hedges*, such as "probably" or "I think"; *modal verbs*, namely "can" or "might"; *fillers* in between words, such as "um" and "uh"; and/or *silent gaps* in speech that are longer than three seconds. Examples of this subtype can be examined below.

The following extracts are an illustration of a response mitigated with the hedge "so far", that indicates that the forthcoming information is not complete, and only contains a portion of the events as known by the suspect, implying that there was more information but he was not aware of it (35); and an example of a mitigated response as a result of the use of the modal verb "would", which shows the suspect's uncertainty regarding the details of the information, insinuating that he was not familiar with the object's appearance (36):

- (35) Korey Wise's statement #1
EL: Do you know who was in the other group that ran a different way?
KW: **So far I know it was Yusef run towards the reservoir, and a couple of new guys, 'cause Yusef had my bar with black tape on around it.**

- (36) Jessie Misskelley's statement #1
GG: What did the stick look like, I mean was it like a- a big log like that or is it a stick?
JM: **I would say it was about that big around, I would say about that long.**

Short positive interjection responses consist only of an interjection or exclamation that can be interpreted as the equivalent of the verbal responses of "yes" or "no," displayed

in our corpora as “uh-huh” and “uh-uh,” respectively, which was objectively determined in each case on the basis of the way the interrogator verbally reacted to the preceding suspect’s interjection, and thus to how the discourse continued to develop afterward. Along the same lines, it is important to remark that interjections used to express spontaneous feelings or reactions, such as “ouch!” or “wow”, were not included in this category. Other interjections, such as “uh,” and/or “um,” were considered as part of the group of mitigator devices labeled *fillers*, as mentioned in the previous category. No verbal expression is present in this subcategory.

Examples of this subtype are now presented. Both interrogated suspects make use of *interjections* that correspond to “yes” answers, without presenting any complete verbal utterances:

(37) Korey Wise’s statement #1

EL: Alright, I’m gonna show you this picture and ask you, does that look like where you were running?

KW: (Korey nods slightly) **Uh-huh.**

(38) Jessie Misskelley’s statement #1

GG: What time did you get there?

JM: I got there about 9.

GG: In the morning?

JM: **Uh-huh.**

GG: Of Wednesday morning?

JM: **Uh-huh.**

The *short positive non-verbal* subtype is constituted by suspects’ responses given just non-verbally, *i.e.*, by means of head and/or face gestures, such as nodding, without any verbal counterpart. Provided that the available records of Misskelley’s interviews are only in written and audio form, this subtype could only be identified in Wise’s statements. An example in Wise’s first statement shows the use of nodding, without the presence of spoken language:

(39) Korey Wise’s statement #1

EL: Uh-huh, did he have a dark complexion? With dark skin?

KW: **(Nods)**

In *short positive echo* responses, the suspect responds with the repetition of (*quasi*) literal portions of the interrogator's question, declarative or imperative statement previously asked by the interrogator. Examples of this subtype are displayed below. One suspect uses only a segment of the interrogator's question as a response (40), while the other uses most of the interrogator's words (41):

(40) Korey Wise's statement #1

EL: Okay, was that further up the hill or *further down by the stream*?

KW: **Further down by the stream** but up the hill.

(41) Jessie Misskelley's statement #1

BR: *You were there by yourself*?

JM: **I was there by myself.**

4.2.2. Extended positive response

Extended positive responses contain a narrative version of the events that agrees with the interrogator's previous question, declarative or imperative statement. It must contain more than three sentences for being categorized as extended, as proposed by Feld (2013). This type of response was categorized into two subtypes, based on the distinction previously mentioned for *short positive responses*: *extended positive non-mitigated certainty*, and *extended positive mitigated certainty*. Examples of the realization of the different subtypes of extended positive can be found below.

The following segments show the suspects' use of an *extended non-mitigated* response. Both examples illustrate the instances in which the accused told their own version of the events, as an answer to the interrogators' questions, in more than three sentences and without employing mitigator devices:

(42) Korey Wise's statement #1

EL: How do you know she was dragged down the hill?

KW: **Cause she... she sounded like she didn't- she didn't wanna go down there she said "I don't wanna go down there" like... it's like part of kidnapping.**

(43) Jessie Misskelley's statement #1

BR: Okay, when you're initiating somebody new come into a cult what actually is done to initiate that person into a cult?

JM: **We usually...we usually you know, kill an animals, you know, so you have to know how to handle the meat and stuff, after we kill it to see if he knows, if he can't handle it, then he don't get in**

As for *extended positive mitigated*, consider the following examples in which the suspects use *fillers*, *silent gaps* (44), and *hedges* (45), as emphasized in italics:

(44) Korey Wise's statement #1

EL: Alright, what happened when you were down there?

KW: **When we was down there, me and Al was down. *Uh (pause)* (he moves his hands) we jumped, I...we jumped down going down the stairs *(pause)* made left... [unintelligible] left there was a lot of water, a lot of mud, a lot of dirt. We had stepped in mud, and jumped up the mud, jumped on the dirt, dry dirt. We run across, I stepped in dirt and he stopped, he stopped with somebody else *I don't know* who stopped with, now the moment...**

(45) Jessie Misskelley's statement #1

GG: Did you ever use... did anyone use a stick and hit the boys with?

JM: **Damien had kind of a big old stick when he hit that first one, after he hit him with his fist and knocked him down and got him a big old stick and hit him.**

4.2.3. Short negative response

Short negative responses apply to the interrogated suspects' responses that dispute assertions, reject inferences, deny involvement and/or knowledge, state inability to remember, or selectively refuse to answer —whether to questions, declarative or imperative statements. This type of response was categorized into five subtypes, as mentioned above: *short negative non-mitigated certainty*, *short negative mitigated certainty*, *short negative interjection*, *short negative non-verbal*, and *short negative echo*.

Examples of the realization of the different subtypes of *short negative* can be found below, starting with *short negative non-mitigated certainty*:

(46) Korey Wise's statement #1

EL: Okay, was there somebody named Sean there?

KW: **No.**

- (47) Jessie Misskelley's statement #1
 BR: Okay, uh does Damien have a knife?
 JM: **No.**
 BR: He doesn't have one, he didn't have one that night?
 JM: **He didn't have one that night.**
 BR: Did he borrow yours?
 JM: **No, he didn't borrow mine.**

Now, examples of *short negative mitigated certainty* show the suspects' use of "I don't know" as mitigators in their response, while still providing some type of information as an attempt to answer the interrogators' questions:

- (48) Korey Wise's statement #1
 EL: When you say they gagged her... did they put something in her mouth?
 KW: ***I don't know. They stopped her from... all I know...she was yelling one minute and stopped.***
- (49) Jessie Misskelley's statement #1
 BR: Where did they lay their bikes down at, that's what I'm asking you.
 JM: ***I don't know where they laid their bikes down at, 'cause I was behind Damien and, 'em, way, way behind them.***

Examples of short negative *interjection* are offered below:

- (50) Korey Wise's statement #1
 EL: Who else did you see?
 KW: Hmm... Orlando, Fernando.
 EL: Fernando? That's not the same person as Fadore?
 KW: **Uh-uh.**
- (51) Jessie Misskelley's statement #1
 BR: Did anybody see Damien and Jason?
 JM: I don't know, I left before them.
 BR: But have you heard anybody say that they saw Damien and Jason?
 JM: **Uh-uh.**
 BR: You haven't heard anybody?
 JM: **Uh-uh.**

Short negative *non-verbal* responses could only be identified in Wise's statements, as previously explained, and exemplified as follows:

- (52) Korey Wise's statement #1
 EL: Did you do any cocaine?
 KW: **(Shakes head)**

Finally, the use of *short negative echo* response is illustrated below. It only occurs once in Misskelley's first statement, as he was the only one whose response was constructed by the repetition of the interrogator's previous words, while still denying the facts:

- (53) Jessie Misskelley's statement #1
BR: Has he done things with them before? Or *had he just been watching them*? Has he ever had sex with them before?
JM: He's been watching them.
BR: Has he ever had sex with them before?
JM: **No, he's been watching them.**

4.2.4. Extended negative response

Suspects' *extended negative responses* dispute interrogators' assertions, reject possible inferences, deny involvement or knowledge of the events under investigation, state inability to remember what is being asked, or selectively refuse to answer the interrogator's previous questions. Still following Feld (2013), these responses must contain more than three sentences to be categorized as extended. This type of response has been further classified into two subtypes according to the degree of certainty mitigation at work: *extended negative non-mitigated certainty* and *extended negative mitigated certainty*.

Examples of the realization of the different subtypes of extended negative can be found below, starting with *non-mitigated certainty*, which was identified in Wise's statements only:

- (54) Korey Wise's statement #1
EL: Did anyone make you change your story?
KW: **No. Uh-uh... I thought about it. I thought about all the lies I say... all the detectives [unintelligible]. I thought about it. I said to myself, "you know you said a lie. You said at least ten, twenty lies." I said: "in the first minute I stepped inside, all I had to do was tell the truth and I probably would have go home, but nah. Then I told a lie, I gotta face it I gotta live up to it now.**

Now, examples of extended negative *mitigated certainty* responses in both corpora. One presents mitigation with *fillers*, *silent gaps* (55), and other with *hedges* (56):

(55) Korey Wise's statement #1

EL: Did you play with her breasts?

KW: Uh? Yusef played with her breasts.

EL: Did you?

KW: **No, (pause) I didn't go... I didn't go up to her breasts enough. I stayed on the legs. They told me pull out her pants and I said "Pull out her pants?" So... Steve got off of her, he called... Steve called me a punk 'cause I didn't do it. They hold her down, it was gonna rip her... Steve ripped her pants with his knife, and that's what made her mad... and that's when she started scratching him... *uhm (Pause filler)* what was his name?... Kevin. She was yelling pretty loud. Yusef closed her mouth, he had bigger hands than us... closed her mouth. So, we were looking at her, and I felt kind of bad... k... this is my first extreme I did to any type of female in the street. [The response continues]**

(56) Jessie Misskelley's statement #1

BR: Was Damien and Jason having sex?

JM: They, they took turns going up under the water.

BR: Going under the water, what were they doing under the water?

JM: ***I don't know. They, they sit so far away, they were in the water about, I would say about five, ten seconds, then come up and then the other one would go down.***

4.2.5. Repetition/clarification request

This category refers to the interrogated suspect's request for the repetition or clarification of the previous question asked by the interrogator. This type of response has two subtypes: *verbal request* and *interjection*. The first involves asking for repetition or clarification of the question, by means of verbally requesting it, such as "What?", while the second involves the request being done by uttering interjections with rising intonation, such as "Uh?" Examples of the realization of the two subtypes of *repetition / clarification request* can be found below.

First, examples of *question repetition verbal request*. Both segments show the suspects' use of this category by means of attempting to make comprehensible the interrogators' utterances:

(57) Korey Wise's statement #1

EL: Okay. Did you see anybody masturbate on top of her?

KW: **What you mean masturbate?**

EL: Play with themselves, jerk off?

KW: Yeah, yes.

- (58) Jessie Misskelley's statement #1
BR: What time is it right now?
JM: **Right now?**
BR: Yeah, you don't know what time it is?
GG: Do you not wear a watch?
JM: It's at home.

Finally, question repetition *interjection* was only identified in Wise's statement. Consider this example:

- (59) Korey Wise's statement #1
EL: How could you tell she was bleeding if it was dark?
KW: **Uh?**
EL: How could you tell she was bleeding if it was...
KW: There was amount of blood [...]

4.2.6. Rationalization involvement response

Following Feld (2013), this type of response deals with the explanation or justification that the interrogated suspects give in order to minimize their own participation, the seriousness of the offense, or to apportion responsibility to other parties on the crimes in which they had allegedly participated. This type of answer could be realized as a short or extended response, and no subtypes were identified. Examples of this type are offered below.

In Wise's case, he rationalizes his involvement by stating that his actions were not the same as the other boys present in the scene, and as such he is implicating that his acts were tolerable in contrast to the rape (60). Misskelley, on the other hand, rationalizes by narrating the actions he saw before leaving the place, and by highlighting that the other teenagers' behavior was something he could not tolerate to witness (61):

- (60) Korey Wise's statement #1
EL: How did they dragged her?
KW: **They grabbed her from her feet and dragged her from the grass. Her back was on the uh (pause) her back was on the grass. They just dragged her down the grass. They dragged her down. That's when... that's when Steve stripped her clothes with a knife and everything. Slapped her twice in her face, that what he did. When he did all that, I didn't want to sit right there and look at what's going on. I didn't wanna look like no... when you... If you were with them, you ask yourself [unintelligible] effort too. So, I had to get it to her too. I wasn't doing what they was doing, they was on top of raping her completely, I was playing with her.**

(61) Jessie Misskelley's statement #1

BR: And then they tied them.

JM: **Then they tied them up, tied their hands up, they started screwing them and stuff, cutting them and stuff, and I saw it and I turned around and looked, and then I took off running, I went home, then they called me and asked me how come I didn't stay, I told them, I just couldn't.**

BR: Just couldn't stay.

JM: I couldn't stand it to see what they were doing to them.

4.2.7. Non-relevant response

The type of responses classified as *non-relevant* correspond to suspects' turns in which they, instead of addressing the previously asked question, offered information that was not directly relevant. As with *rationalizing involvement*, this type of response can be contained in either a short or extended response, and no subtypes were identified. Below, two examples of *non-relevant response* are given:

(62) Korey Wise's statement #1

EL: And you continued going toward the baseball fields?

KW: **Yeah, if you see, if you the guy, the other guy was no bum he was a fresh cut, fresh.**

(63) Jessie Misskelley's statement #1

GG: Now, did you say that the boys skipped school that day, these little boys did?

JM: **Uh-huh, they was going to catch... going somewhere and like I said, Dav-Damien and 'em left before I did, I told them that I'd meet them there and stuff, I had to get ready I'd meet them there and it was early in the morning so, they went ahead and met me, they went on up there and then I come up later on behind them.**

4.2.8. Aborted response

This category refers to the instances in which the interrogated suspects initiate their response but immediately abort it, thus providing an incomplete response. This type of response has two subtypes: *by other* and *by self*. The first refers to responses that were aborted due to an interrogator's interruption, while the latter refers to the responses that were aborted by the subject's sudden silence. Examples of the realization of the different subtypes of *aborted responses* can be found below, starting with *aborted response by other*:

(64) Korey Wise's statement #1

EL: Raymond, do you know Raymond's last name?

KW: **No. I don't know...**

EL: **Is that Raymond Santana?**

KW: Yeah, I just knew him from that first day.

(65) Jessie Misskelley's statement #1

BR: Can you describe to me what in those woods, what's the location where you were?

JM: **Uh...**

BR: **Is there a path that you go down?**

JM: Uh, down a little path.

Aborted response *by self* was only identified once in Misskelley's second statement, illustrated as follows:

(66) Jessie Misskelley's statement #2

GG: OK, did, did they pinch their penis in anyway? Or were rough with it or anything like that?

JM: I didn't see nothing like that, not rough with them, **I just seen um...**

GG: But you, you didn't see anyone go down on the boys?

JM: Uh-uh.

4.3. *Amount of speech in interrogators' and interrogated suspects' turns*

Together with the identification of the questions' types and subtypes and their respective number of instances in our corpora, it was also important to specify how many questions turns and response turns were produced in each statement, and how long (this being measured in both number of words and in minutes) were the interrogators' questions and suspects' responses. For clarity purposes, these findings will be both presented and discussed in the Discussion of Results that follows. Suffice it to say here that, for the reckoning of the interrogators' *amount of speech*, we considered all the questions they asked and were accordingly classified. The use of words such as "okay" and "alright", along with exclamations and interjections without propositional content value (*i.e.*, that could be actually regarded as either "yes" or "no", as proved by the subsequent interrogator's turn) were not considered in the calculations. Similarly, to examine the suspects' *amount of speech* we took into account all their turns. The instances in which they chose to remain silent, as well as those in which they took the possibility to produce utterances were both included in this type

of analysis. Exclamations and interjections that after examination could not hold propositional content were also excluded from the *amount of speech* of the suspects' turns.

With this in mind, and after having presented our results in terms of types and subtypes of interrogators' questions and interrogated suspects' responses, we will proceed to discuss these findings in more depth and detail, offering relevant and informed interpretations when relevant or clarifying.

5. Discussion of Results

In the following section, we will discuss the results obtained from our analysis concerning our types and subtypes of questions and responses and the amount of speech. Consequently, this discussion has been organized as follows: (a) interrogators' questions types, (b) interrogated suspects' responses, and (c) the length of the interrogations (including here the number of instances of questions and responses, and the amount of speech measured in words of the total number of realizations of interrogators' questions and interrogated suspects' responses). The objective of this exhaustive analysis is to answer our four research questions, previously mentioned in the Methodology section.

To further explain the subsection's organization, first, we will focus on describing, classifying, and comparing the types of questions presented in the statements of Wise and Misskelley, taking into consideration the most and least typical realizations of each type and subtype. In the second subsection, the same procedure will be conducted in relation to responses. Finally, we will analyze and compare the length of the interrogations, the number of instances of questions and responses, and the amount of speech regarding the realizations of questions and responses, as well as the length of minutes of their interrogations to offer our conclusions regarding the tabulated data.

5.1. Interrogator's questions

To explain our analysis and interpretation of the results obtained, we will focus on describing and classifying the interrogators' questions. We aim to demonstrate the main manipulation orientations of these questions in the four statements and their effect on Wise's and Misskelley's responses. As already anticipated in the result section, on the basis of Hale (2004), Farrugia & Gabbert (2019), and Bowles & Sharman (2013), we advanced in our proposal of question's types as follows: *wh-questions*, *polar questions*, *forced choice questions*, *modal questions*, *declarative statements*, *imperative statements*, *echo questions*, *"do you understand/know" questions*, and *complete-in-context statements*. Similarly, we have defined our own subtypes of questions related to the components of *non-guiding* and *guiding* questions, but we also take into account that the subtype of *wh-open* stands for questions that do not dictate the response required (Bowles & Sharman, 2014) and does not contain guiding information.

As we mentioned, we want to further highlight the importance of *non-guiding* and *guiding* subtypes because they are present in most types of questions, except for *forced choice questions*, *echo* and *"do you understand/know" questions*. According to our Results section, questions that have been classified as *non-guiding* are those that do not contain IRI and do not suggest a specific response. In contrast, *guiding* questions contain IRI and/or suggest a specific response. The significance of these categories relies on the fact that the statements that have been studied are coerced (a fact that has already been legally determined), as the interrogators manipulated the suspects in order to demonstrate their participation in the crimes that they were blamed for and never committed. A more in-depth analysis of this classification is going to be presented at the moment of describing our analysis' results. Finally, an organized summary of these types and subtypes of questions can be found in Table 2 in the Results section.

We will now present our main findings regarding the realizations of the types and subtypes of questions in Wise's and Misskelley's statements by giving specific examples taken from our corpora and by discussing the tables that will be displayed within each type

and subtype's discussion. Additionally, we will analyze the total number of realizations and percentages of each type and subtype of questions. Afterward, we will compare their statements' questions to reveal their similarities and differences.

After we studied and classified our corpora, we concluded that the most typical types of interrogators' questions in Korey Wise's and Jessie Misskelley's statements are *wh-questions*, *polar questions*, and *declarative statements*, from most to least common. On the other hand, the least typical questions are *complete-in-context statements*, *modal questions*, "*do you understand/know*" questions, and *imperative statements*. Additionally, we notice a significant gap between the realization of *non-guiding* and *guiding* questions between the interrogated suspects, as Wise presented a larger number of *non-guiding* questions, while Misskelley had the largest number of *guiding* realizations. Possible explanations of these findings will be developed at the moment of comparing both sets of statements.

5.1.1. Interrogators' questions in Wise's statements

The most typical types of questions in Wise's statement that comprise the highest percentages of realizations are *polar questions* (34%), *wh-questions* (32%), and *declarative statements* (20%) in both statements. On the other hand, the question types that comprise the lowest percentages of realizations are *forced choice questions* (4%), *modal questions* and *echo questions* (3%), followed by *complete-in-context statements* (2%), "*do you understand/know*" questions (1%), and finally, the category with the lower amount of questions imperative statements (0.4%) in Wise's corpora.

To offer a clear discussion of the results, we will deliver our data in tables in order to present our comments and suggestions using the percentages of each question type realized and their corresponding examples extracted from the statements. Furthermore, we will be discussing these findings by going from the most typical type of question to the least frequent one. Afterward, we will be commenting on our main findings according to the number of

questions and responses realized in our corpora, alongside with the length of each interrogation.

Polar questions are the most frequent type of questions. *Polar non-guiding* questions constitute 61%, while *polar guiding* questions represent 39% in both statements. Nevertheless, we could notice a significant difference in the distribution of *polar non-guiding* and *polar guiding* questions between the first and second statements, as shown in Table 3. During the first statement, the interrogator tried to start asking questions without giving Wise any specific information on the case, to then ask him more *guiding* questions. We suggest that this occurs since the interrogated suspect did not provide the answer that the interrogator was looking for in the first question, and so she changed her coercive tactics of asking questions from a general to a more specific approach, by moving from a *polar non-guiding*

Table 3. *Polar questions in Korey Wise’s statements #1 and #2*

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Non-guiding	137/235 58%	235/704 33%
	Guiding	98/235 42%	
Statement #2	Non-guiding	32/40 80%	40/114 35%
	Guiding	8/40 20%	

question to a *polar guiding*. On the contrary, this does not happen as usually during the second statement, and a possible explanation for this is that by now, and after a lengthy first interrogation, Wise accepts his direct (though untrue) involvement in the crime. In the first statement, though, he acted as a participant, but did not have an active role in the attack. We can appreciate this general (*non-guiding*) to specific (*guiding*) question pattern in the following examples:

- (67) Korey Wise’s statement #1
 EL: Was he doing anything else?
 KW: Yes.
 EL: What else was he doing?
 KW: He’s just playing with her breasts.
 EL: Right. Besides touching her breasts did he put his mouth on her breasts?
 KW: Yes.

(68) Korey Wise's statement #2

EL: Why don't you tell me now what was wrong in what you said earlier, and what you wish to correct?

KW: In the beginning, when we jumped to the bum, I was in there too. They stomped on him, jumped on him, kicked him, I kicked too.

EL: **And did you stomp too?**

KW: No, I just kicked, I just to, I just kicked.

EL: **And you kicked when the others also kicked?**

KW: Uh?

EL: **The others were kicking and you were doing it as well?**

KW: Yes.

At first, the interrogated suspect did not answer what the interrogator expected, as saying that "he's just playing with her breasts" is not specific enough. In consequence, she elaborated a *polar guiding* question that could provide a more precise response from Wise. However, this occurs less frequently during the second statement as example (68) shows, because the interrogated suspect answers the interrogator's questions by giving information of the crime that has not been previously mentioned by her, as he acknowledges his participation during the crime.

Table 4. *Wh-questions in Korey Wise's statements #1 and #2*

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Open	35/222 16%	222/704 32%
	Non-guiding	176/222 79%	
	Guiding	11/222 5%	
Statement #2	Open	7/43 16%	43/114 38%
	Non-guiding	35/43 81%	
	Guiding	1/43 2%	

The next most typical type of questions is *wh-questions* (Table 4). *Wh-specific non-guiding* comprise 80%, *wh-open* occurs 16%, and *wh-specific guiding* constitutes only 5% of the total instances of this type. The most important finding of these questions is the relation between the larger number of realizations of *wh-specific non-guiding* questions in contrast to *wh-open*, as both of them share the feature of not containing IRI. We suggest that this happens

because *wh-specific non-guiding* seeks detailed information from Wise, while *wh-open* tend to be questions in which the interrogated suspect can offer a free narrative response (*i.e.*, that these questions do not search for specific information of the crime). We can appreciate the difference between these two subtypes of questions in the following examples:

- (69) Korey Wise’s statement #1
 EL: **Who said who said let’s beat up the male?**
 KW: Kevin. Kevin and Steve. I said “Nah nah don’t beat up don’t beat up the man leave him alone he ain’t do nothing.”
 [...]
 EL: **What happened next?**
 KW: So we we walked further up and there was...uh, a runner coming. And everybody running towards his way, he was coming towards our way. And he seen all of us and he’s turned back around and there was another biker coming and he ain’t want the bike to come towards our way so the biker, he went-- they both... the same way.

As can be seen in example (69), *wh-specific non-guiding* questions search for specific information that the interrogator has not given to the interrogated suspect because it did not contain IRI, and was not realized with the intention of expecting a specific response from Wise, as he answered without hesitation. Notwithstanding, this *wh-open* question gives the interrogated suspect the freedom to speak about the moment in which they met a male runner, without asking him detailed information about the encounter. Consequently, we propose that the larger number of realizations of *wh-specific non-guiding* questions occurs because the interrogator had to ask Wise about specific information from the crime without giving *guiding* information. Nevertheless, even if *wh-open* questions did not include IRI nor expect-

Table 5. Declarative statements in Korey Wise’s statements #1 and #2

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Non-guiding	90/142 63%	142/704 20%
	Guiding	52/142 37%	
Statement #2	Non-guiding	18/22 82%	22/114 19%
	Guiding	4/22 18%	

ed a specific answer, they originated ambiguous responses from our interrogated suspect, and so this subtype was not useful to the interrogator, Assistant District Attorney Lederer, as she needed Wise to give her details from the crime in question.

Following the *declarative statement* types of questions (Table 5), we can notice a larger number of formulations regarding the *non-guiding* subtype (66%) versus the *guiding* subtype (34%) in the total instances of realizations in both statements. In the case of *declarative non-guiding*, we suggest that they are more frequent because the interrogator uses them to confirm information about the events by reformulating the suspect's previous discourse, as it can be seen in the following example:

- (70) Korey Wise's statement #1
EL: Who said that?
KW: Um...Um.. Kev, Kev said that.
EL: **I'm sorry I thought Kevin was the one who said "let's beat him up"?**
KW: Yeah, I know, yeah, he said it but he thought about it 'cause nobody was gonna go do what he said 'cause it didn't look right, so he thought about it--
EL: What didn't look right?
KW: 'Cause he was gonna do that by himself and nobody was planning do it with him so he was decided to do it by himself.
EL: Why didn't other people wanna do that?
KW: 'Cause it's like I said they was out with they girlfriend, some of them, they ain't they ain't they ain't want that to happen to them.
EL: **So, it was Kevin's idea to do it and when he suggested it nobody wanted to join in?**
KW: Yeah.
EL: **So then he said 'let's not'?**
KW: Yeah.
EL: **So he was the one who first suggested it and then when nobody wanted to help him he said 'nah'?**
KW: Somebody about to help him but he thought it and said 'nah' and he's got cold foot, so he moved up.
EL: **And you continued going toward the baseball fields.**

Equally important it is to mention that these reformulations present in the example work to help Wise's narration development for avoiding contradictions and for a better understanding of related information to the crime. In the case of *declarative guiding*, Lederer used them mainly to bring up IRI details (location), as shown in the example above.

Table 6. *Forced choice questions in Korey Wise’s statements #1 and #2*

Statement	Realizations	Type realizations / Total Questions
Statement #1	35/35 100%	35/704 5%
Statement #2	1/1 100%	1/114 1%

As for *forced choice questions* (Table 6), they only comprise 4% of the total questions realized in both statements. It is possible to observe that the realization of this type is usually related to vague answers, as it can be seen in the following example:

- (71) Korey Wise’s statement #1
 EL: Did you see how she got to be there?
 KW: I know she was forced to go down the hill, but...
 EL: **When you say she was forced to go down the hill, do you know she walked down the hill, or she was dragged down the hill?**
 KW: She was dragged
 EL: **Who did that?**
 KW: It was- uh it was it was it was it was a couple of new faces, I can’t- I don’t know their names, so.
 EL: **Not the people like Kevin or Raymond Santana, not those people?**
 KW: Okay, now that I think about it I think it was Raymond it was Raymond ‘cause I seen his face.

The interrogator’s manipulation tactic for adding IRI (action and participants in this case) is demonstrated through the first use of the *non-guiding* subtype (“she walked down the hill or she was dragged”) followed by *wh-specific non-guiding* (“who did that?”), and ending with a *declarative guiding* statement (“not the people like Kevin or Raymond Santana”). In other words, as the interrogated suspect’s responses were ambiguous, she proceeded to limit his options through *forced choice questions*, to make him explicitly mention what she wanted, and obtaining the expected answer from Wise.

Table 7. *Modal questions in Korey Wise’s statements #1 and #2*

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Non-guiding	20/21 95%	21/704 3%
	Guiding	1/21 5%	
Statement #2	Non-guiding	0%	0/114 0%
	Guiding	0%	

Regarding *modal questions* (Table 7), they presented 3% of the total questions realized in the first statement, while they are not asked during the second statement. Moreover, 95% corresponds to the subtype of *non-guiding*. The remaining 5% belongs to *guiding*, which was only one question asked by the interrogator, as illustrated in the following example:

- (72) Korey Wise’s statement #1
 EL: **Now, when you look at this picture can you tell what that picture is?**
 KW: That’s where she was at.

As can be seen, because of the coerced nature of the confession, the interrogator asked the suspect about a specific location (IRI) that is related to the place in which the crime was committed, while *modal verb non-guiding* questions are mostly realized with politeness markers, but without adding IRI as the next example shows:

- (73) Korey Wise’s statement #1
 EL: Alright, that’s one last picture. When you look at that picture, does that look familiar to you? **Can you see, if you look far into the background in the picture, can you see the stream in the back of that picture?**
 KW: Yeah, right over there.

We suggest that this occurred due to the fact that the interrogator added a conditional utterance (“if you”) in her question by using polite strategies to ask specific details from the case, such as pointing out certain locations while seeing a picture that was taken from the crime scene. We can observe that the interrogator did not use declarative or imperative statements, as she wanted to acknowledge that Wise could confirm what he was seeing, without giving him explicit instructions to agree or deny what he was asked.

Table 8. *Echo questions in Korey Wise’s statements #1 and #2*

Statement	Realizations	Type realizations / Total Questions
Statement #1	23/23 100%	23/704 3%
Statement #2	3/3 100%	3/114 3%

As mentioned above, *echo questions* (Table 8) also constitute 3% of questions realized in both statements. Our data suggests that these questions are asked with the purpose of continuing the narration that the interrogated suspect has been telling about the crime committed, as we can appreciate in the following example:

- (74) Korey Wise’s statement #1
 EL: He said...[interrupted]
 KW: “**Don’t throw a rock at the car.**”
 EL: Don’t throw a rock at the car.
 KW: Yeah there was a car coming and somebody wanted to throw a rock at the car, boom.

We could not find a pattern of realizations regarding *echo questions*, as the percentage of this type is low in both statements. Nevertheless, we can suggest that these questions were asked to clarify the information that the interrogated suspect was giving to the interrogator, as his responses had a short *positive/negative non-mitigated* nature, making him confirm or deny what he had seen or done during the assault.

Table 9. *Complete-in-context questions in Korey Wise’s statements #1 and #2*

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Non-guiding	13/18 72%	18/704 3%
	Guiding	5/18 28%	
Statement #2	Non-guiding	1/1 100%	1/114 1%
	Guiding	0/1 0%	

In the case of *complete-in-context statements* (Table 9), we could observe that 74% of realizations corresponded to *non-guiding* questions, while 26% of realizations comprised

guiding questions in both statements. This type of question occurs as interruptions caused by an advanced response from the interrogated suspect towards what the interrogator was saying, but they have also been observed when the interrogator attempts to check the information that Wise was giving. Both cases can be seen in the following examples:

(75) Korey Wise's statement #1

EL: How well do you know Yusef?

KW: **For quite a while.**

EL: **When you say...**

KW: Few years, few years

EL: **Few years.**

KW: (Nods)

EL: Would you tell us where you went?

KW: Went to a field.

EL: **You went to...?**

KW: A field.

EL: **A field.**

KW: (Nods)

We can appreciate that the interrogated suspect interrupted the question that the interrogator was going to ask since he realized that “for quite a while” was a vague answer. Moreover, we can appreciate that Lederer wanted to make sure that Wise's given information was accurate. It is interesting to observe that the interrogated suspect's answers follow an *echo question* in both cases. We suggest that this might have happened because *echo questions* seek to confirm that the information given from Wise was correct by repeating his response after he interrupted the interrogator's question.

Additionally, we can highlight that the only occurrence of a *complete-in-context question* that was realized with the sense of *guiding* occurred with the interrogator's intention to expect a certain answer from Wise, as it can be seen in the next example:

(76) Korey Wise's statement #1

EL: Okay. I just wanna give you a chance because I want you to be in a position where you're gonna tell us the truth. And I just want you to know we're gonna do those tests and we're gonna make comparisons, we're gonna compare them, okay?

KW: Okay.

EL: Now if you wanna change something that you've said to us...

KW: No.

EL: Because we're gonna find out something in short order, now's time to change it. Do you have anything that you wanna change?

KW: No.

This question was realized when the first interrogation was ending. The interrogator suggested to the interrogated suspect the possibility of changing anything that he had said about his involvement in the crime, even though he had explicitly said twice that he did not want to. Moreover, it is noticeable that before and after the *complete-in-context guiding* question the interrogator produced a *declarative guiding* statement and a *polar guiding* question, making explicit her intentions of expecting a specific answer from Wise.

Table 10. “Do you understand/know” questions in Korey Wise’s statements #1 and #2

Statement	Realizations	Type realizations / Total Questions
Statement #1	4/4 100%	4/704 1%
Statement #2	4/4 100%	4/114 4%

The second-to-last type of question corresponds to the “do you understand/know” questions (Table 10). In Korey Wise’s statements, these questions only appear at the beginning of each statement, when the interrogator was explaining Miranda warnings to the interrogated suspect. However, it is important to note that due to Wise’s vulnerability (age, hearing and intellectual disability) it is not entirely clear that the interrogated suspect actually understood what he had been asked. As explained by Leo (2008), Feld (2013), and Gudjonsson (2018), the vulnerability of the interrogated suspect and its relation to the understanding of the Miranda warnings could elicit the misinterpretation of the rights that a suspect has during an interrogation.

Table 11. Imperative statements in Korey Wise’s statements #1 and #2

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Non-guiding	3/4 75%	4/704 1%
	Guiding	1/4 25%	
Statement #2	Non-guiding	0%	0/114 0%
	Guiding	0%	

Our last type of question is the *imperative statement* (Table 11). We cannot suggest strong interpretations for our results regarding this type of question, as they only constitute 0.4% of realizations of the total amount of questions realized in both statements. However, we could notice that these questions are asked only when the interrogator showed pictures of the crime to the interrogated suspect, as the following example shows:

(77) Korey Wise's statement #1

EL: I'm asking you to try to think as best as you can. **Don't tell me what you think they probably did...**

KW: Okay.

EL: **Try to tell me exactly what you saw or heard.**

KW: Uh-huh.

As seen above, in the case of the *imperative non guiding* statement, she needed to explicitly order Wise to identify the victim of the crime without ambiguity. Moreover, it was only said with the function of *guiding* once, for the purpose of obtaining an expected answer from him, which in this case was to explain what happened when the crime was being committed.

5.1.2. Interrogators' questions in Misskelley's statements

Now, we will discuss the most typical types of questions to the least frequent ones in Jessie Misskelley's corpus. The most typical types of questions in Misskelley's statements are *declarative statements* (30%), *wh-questions* (23%), *polar questions* (22%), and *echo questions* (12%) in respect to the total number of questions asked by the interrogators in both statements. On the other hand, the question types that comprise the lowest percentages of realizations are *forced choice questions* (6%), followed by *imperative statements* (3%), then, "*do you understand/know*" questions (2%), and finally, both *modal questions* and *complete-in-context questions* (1%) of the total of questions in Misskelley's statements.

Table 12. *Declarative statements in Jessie Misskelley’s statements #1 and #2*

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Non-guiding	8/102 8%	102 / 334 31%
	Guiding	94/102 92%	
Statement #2	Non-guiding	5/23 22%	23 / 89 26%
	Guiding	18/23 78%	

First of all, the most frequent type of question asked in both statements is *declarative statements* (Table 12). *Non-guiding* constituted a total amount of 10% of formulations, while *guiding* comprised 90% of the total of realizations in both statements. We could notice a pattern in this type, as the interrogators use *guiding* statements to introduce IRI and to summarize what has been mentioned by the interrogated suspect. Both subtypes share an order of recurrence, going from a *declarative statement* to a *polar question*, as a confirmation of the previous information given by the interrogators. In the case of *declarative non-guiding*, their frequency corresponds to the interrogators’ reformulation about the interrogated suspect’s response. The case of *declarative guiding* will be explained more in depth throughout the next example:

(78) Jessie Misskelley’s statement #1

GG: Did you ever use...did anyone use a stick and hit the boys with?
 JM: Damien had kind of a big old stick when he hit that first one, after he hit him with his fist and knocked him down and got him a big old stick and hit him.
 GG: What did the stick look like, **I mean was it like a- a big log like that or is it a stick?**
 JM: I would say it was about that big around, I would say about that long.
 GG: Okay.
 BR: **About the size of a baseball bat, maybe just a little bit bigger around?**
 JM: Yeah.
 BR: **That’s what you’re describing with your hands, right?**

We can appreciate that Misskelley did not elaborate his response about the alleged weapon description extensively or clearly, but provides a mitigated confirmatory answer. Based on that response, the detectives continue to try to get more details regarding one of the weapons, so they added these details through a *declarative guiding* statement followed by the use of “right” at the end of their statement, which seeks for an affirmative response from

the interrogated suspect, for the purpose of confirming the information that the detectives had given to him.

Table 13. *Wh-questions in Jessie Misskelley's statements #1 and #2*

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Open	5/74 7%	74 / 334 22%
	Non-guiding	30/74 41%	
	Guiding	39/74 53%	
Statement #2	Open	0/24 0%	24 / 89 27%
	Non-guiding	12/24 50%	
	Guiding	12/24 50%	

The next most typical type of question in both of Misskelley's statements corresponded to *wh-questions* (Table 13). *Wh-specific guiding* questions constitute 52%, followed by *wh-specific non-guiding* with 43%, and finally by *wh-open* with 5% of the total amount of questions realized. We can suggest that a similar number of realizations regarding specific *non-guiding* occurred because they were mostly followed by a *guiding* question, as shown in the example below:

(79) Jessie Misskelley's statement #2

BR: Alright, who raped those two boys?

JM: Jason and Damien.

BR: **Do you know which one raped which boy, or how did that happen?**

JM: Damien raped the Myers by hisself and and Jason and Damien raped uh the Branch.

It can be seen that the detectives provided IRI (action and participants) to Misskelley by using *wh-specific guiding* questions, followed by a *polar guiding* question, and by ending with a *wh-specific non-guiding* question, as the interrogated suspect did not give the information he was asked for. In other words, this might indicate that the interrogators needed to direct the sequence of events about the crime committed, and all this information was not freely obtained from Misskelley himself, but from the interrogated suspect's repetition of the

information that was given to him by the detectives. Additionally, we could not find a pattern of realizations in respect to *wh-open*, as they occurred only 5 times in both statements.

The third most typical questions in Misskelley’s statements are *polar questions* (Table 14). *Polar non-guiding* questions constituted just 15% of realizations, while *polar guiding* questions presented 85% of the total realizations of this type of question.

Table 14. *Polar questions in Jessie Misskelley’s statements #1 and #2*

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Non-guiding	13/72 18%	72 / 334 22%
	Guiding	59/72 82%	
Statement #2	Non-guiding	1/22 5%	22 / 89 25%
	Guiding	21/22 96%	

It appears that *polar non-guiding questions* are produced repeatedly for asking confirmation from the interrogated suspect to the preceding information given by the interrogators. Here is an example of this:

(80) Jessie Misskelley’s statement #2

BR: You are up here on your own free will, you came up here to answer some questions and basically we found out some information during those questions, **is that correct?**

JM: Yes, I did.

[...]

BR: **Okay, when you came back a little bit later, and are all three boys are tied?**

JM: Uh-huh.

BR: **Is that right?**

JM: Yes, and I took off and run home.

BR: **Alright, have they got their clothes on when you saw them tied?**

JM: No, they had them off.

This pattern of use is certainly depicted at the moment that the detectives gave the Miranda warnings to the interrogated suspect at the beginning of the interrogation, in which “*do you understand/know*” questions are sometimes replaced by a “is that correct?”, transforming them into a *polar question*. Regarding *polar guiding* questions, we can state

that they contain crucial information of the crime, which was provided by the interrogators and not by the interrogated suspect, as seen in the example above.

Table 15. *Echo questions in Jessie Misskelley’s statements #1 and #2*

Statement	Realizations	Type realizations / Total Questions
Statement #1	43/43 100%	43 / 334 13%
Statement #2	7/7 100%	7 / 89 8%

Following with *echo questions* (Table 15), a pattern seems to emerge in most of their occurrences, which is that immediately after the detectives repeated Misskelley’s response, *echo questions* were followed by an *interrogative*, *declarative* or an *imperative statement*.

We can appreciate that in the following examples:

(81) Jessie Misskelley’s statement #2

BR: Alright, where did he cut him at?

JM: He was cutting him in the face.

BR: **Cutting him in the face. Alright**, another boy was cut I understand. Where was he cut at?

(82) Jessie Misskelley’s statement #2

BR: Okay, now when this, when he gets the first boy, where they at when he- when he gets him, are you in the woods, you’re on the side of big bayou, you’re out in the field, where you at?

JM: I was in the woods.

BR: **In the woods. Okay**, you’ve been down there in those woods before.

We can highlight that both *non-guiding* and *guiding* question subtypes followed those *echo questions*. Nevertheless, we propose that the presence of *forced choice questions* and *declarative guiding* may illustrate the manipulation orientation that the interrogators were seeking to achieve during Misskelley’s interrogations. As shown in the examples above, after the detectives provide IRI to the interrogated suspect through their questions, Misskelley, he confirms what the interrogators have said. They then use an *echo question*, which is followed by “alright” or “okay”, in order to confirm the information that the interrogated suspect has given.

Table 16. *Forced choice questions in Jessie Misskelley’s statements #1 and #2*

Statement	Realizations	Type realizations / Total Questions
Statement #1	20/20 100%	20 / 334 6%
Statement #2	7/7 100%	7 / 89 8%

Regarding *forced choice questions* (Table 16), they are produced in both statements with a total number of 27 times. As was mentioned in the Results sections, this type of question is guiding in nature because they provide IRI, and can be seen as a way to limit Misskelley’s responses for the purpose of receiving a specific response. Additionally, we could find a pattern of realizations in this type, as *guiding questions* and *echo questions* are produced before or after a *forced choice question* was asked.

Table 17. *Imperative statements in Jessie Misskelley’s statements #1 and #2*

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Non-guiding	5/10 50%	10 / 334 3%
	Guiding	5/10 50%	
Statement #2	Non-guiding	2/3 67%	3 / 89 3%
	Guiding	1/3 33%	

In the case of *imperative statements* (Table 17), we could notice an important gap between the *non-guiding* and *guiding* questions. They represent 54% of *non-guiding* questions and 46% of *guiding* questions in both statements. A possible explanation for this relies on the fact that *imperative non-guiding* statements are usually presented together with *echo questions* or *declarative statements*. We can see the cases of realizations of *imperative non-guiding* and *guiding* statements in the next examples:

- (83) Jessie Misskelley’s statement #2
BR: You said that they had their hands tied up, tied down, were they hands tied in a fashion that they couldn’t have run? You tell me.

JM: They- they could run, they just had them tied, when they knocked them down and stuff, they could hold their arms and stuff, and hold them down like, where they couldn't raise up and the other one stick his legs up.

[...]

JM: We went to Robin Hood.

BR: **You went to the Robin Hood, explain to me where those woods are.**

GG: **I've got a feeling here, you're not quite telling me everything, now we're- you know we're recording everything, so this is very, very important to tell us the entire truth. If you were there the whole time, then tell us you were there the whole time, don't leave anything out. This is very, very important, now just tell us the truth.**

JM: I was there until they tied them up and then that's when I left, after they tied them up, I left.

[...]

GG: Okay, what is- tell me some of the things that you all do typically in the woods, in as being in this cult.

JM: We go out kill dogs and stuff and then carry girls out there.

As we could see, *imperative non-guiding* statements are realized after a subtype of *guiding* questions, as example (83) shows. This subtype occurs after a *declarative guiding* and a *polar guiding* question. On the other hand, *imperative guiding* statements are used either to check Misskelley's truthfulness regarding what he had just said, or to ask him to repeat the information that he had just given.

Table 18. "Do you understand/know" questions in Jessie Misskelley's statements #1 and #2

Statement	Realizations	Type realizations / Total Questions
Statement #1	8/8 100%	8 / 334 2%
Statement #2	1/1 100%	1 / 89 1%

"Do you understand/know" questions (Table 18) are used on 4 occasions, which are at the beginning of the interrogations, at the moment that the detectives are stating the Miranda warnings towards the interrogated suspect, and 5 times in other instances. As this type of questions is formulated to confirm whether the interrogated suspect understood the interrogators' previous statement, it was important to notice that the use of these questions outside the understanding of Miranda rights could demonstrate the interrogators' awareness of the suspect's intellectual vulnerability. In the next example we can see that the interrogator uses them to test Misskelley's general knowledge, and that a person his age is expected to know:

- (84) Jessie Misskelley's statement #2
 BR: **Do you know what his penis is?** [...]

BR: Light blonde, or like a sandy reddish type blonde, **you know the difference?**
- (85) Jessie Misskelley's statement #2
 BR: **Do you know what four inches looks like?**

By asking Misskelley if he knows what a penis is, the detective is implicitly demonstrating that he does not trust Misskelley's intellectual capacities. Given that the interrogated suspect is not a child, that type of question appears to be inappropriate, and even unnecessary. It seems that the police use "*do you know/understand*" questions (three times in our corpora) to ask Misskelley about human anatomy, and to check his perception of time and space. As was mentioned in our Theoretical Framework, Misskelley is an example of a vulnerable suspect due to his age and his intellectual disability. Consequently, the detectives underestimated his basic understanding of the context in which he was participating (an interrogation), making them search for constant confirmation of Misskelley's awareness regarding what he was asked.

Table 19. *Complete-in-context questions in Jessie Misskelley's statements #1 and #2*

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Non-guiding	1/3 33%	3 / 334 1%
	Guiding	2/3 67%	
Statement #2	Non-guiding	0/1 0%	1 / 89 1%
	Guiding	1/1 100%	

The second-to-last type of questions is *complete-in-context questions* (Table 19), which the interrogator used on just 4 occasions in both statements. On the one hand, *complete-in-context non-guiding* questions are used only once; therefore, it has not been possible to find a common pattern. On the other hand, *complete-in-context guiding* questions occur three times, and all of them are unfinished questions that are completed in context by the interrogated suspect as he answered before the questions could be concluded.

Table 20. *Modal questions in Jessie Misskelley’s statements #1 and #2*

Statement	Subtype	Realizations	Type realizations / Total Questions
Statement #1	Non-guiding	1/2 50%	2 / 334 1%
	Guiding	1/2 50%	
Statement #2	Non-guiding	0/1 0%	1/89 1%
	Guiding	1/1 100%	

Our last type corresponds to *modal questions* (Table 20). *Non-guiding* comprises 67%, and *guiding* questions presents 33% of the total realizations in this type of question. In all the instances that *modal questions* are realized, they are related to IRI, because they are followed by a *guiding* question that provides information that had not been given by the interrogated suspect. Moreover, *modal guiding* questions occurred when the detectives wanted Misskelley to talk about the victim of the crime. We will now present an example of that realization:

(86) Jessie Misskelley’s statement #2

BR: Had him in a headlock? Did he, did he have him any other way?

JM: He was holding him like this by his head like this and stuff.

BR: **Could he have been holding him up here like that?**

JM: He was, I was too far away he was holding him right there by his head like this.

As a result of the lack of video footage of Misskelley’s interrogations, we can suggest that the interrogators were requesting the interrogated suspect to show how the victim had been holding up when the crime was being committed. Consequently, we can see in the example above that *modal questions* are realized for the purpose of requesting the interrogated suspect to confirm the information provided by the interrogators themselves.

5.1.3. Comparing Wise’s and Misskelley’s statements

Now we will discuss the similarities and differences that we found in the four statements of our interrogated suspects. To that end, we are going to analyze the following types of questions that share important features in both our corpora: *echo questions*, *modal questions*, and *imperative statements*. Then, we will focus on describing the number of realizations

regarding *non-guiding* and *guiding* questions, as Wise presented a larger number of *non-guiding* questions, while Misskelley featured a higher number of *guiding* questions.

Table 21. *Comparison of Types and Subtypes of Interrogators' Questions in Korey Wise's and Jessie Misskelley's statements*

Type of question	Type realization		Question Subtypes	Subtype realization	
	K. Wise	J. Misskelley		K. Wise	J. Misskelley
Wh- Qs	265/817 32%	98/423 23%	Wh-open	42/265 16%	5/98 5%
			Wh-specific non-guiding	211/265 80%	42/98 43%
			Wh-specific guiding	12/265 5%	51/98 52%
Polar Qs	275/817 34%	94/423 22%	Non-guiding	169/275 61%	14/94 15%
			Guiding	106/275 39%	80/94 85%
Modal Qs	21/817 3%	3/423 1%	Non-guiding	20/21 95%	1/3 33%
			Guiding	1/21 5%	2/3 67%
Declarative Statements	163/817 20%	125/423 30%	Non-guiding	107/163 66%	13/125 10%
			Guiding	56/163 34%	112/125 90%
Imperative Statements	4/817 0.4%	13/423 3%	Non-guiding	3/4 75%	7/13 54%
			Guiding	1/4 25%	6/13 46%
Complete-in-context Qs	19/817 2%	4/423 1%	Non-guiding	14/19 74%	1/4 25%
			Guiding	5/19 26%	3/4 75%
Forced choice Qs	36/817 4%	27/423 6%			
Echo Qs	26/817 3%	50/423 12%			
“Do you understand / know” Qs	8/817 1%	9/423 2%			

Finally, we are going to use Table 21 for the purpose of showing the number of realizations of the types and subtypes of interrogators' questions in the statements of Wise and Misskelley.

First of all, the realization of *echo questions* presented an important difference between both suspects, as in Wise they are realized 26 times in both statements, and conversely, Misskelley's corpus shows 50 realizations in both statements. However, we suggest that despite the dissimilarity between them, they are realized for the purpose of making sure that the interrogated suspects were giving the correct information, as we can see in the following examples:

(87) Korey Wise's statement #1

KW: I said "what's going on." He said "we just going, we're going to the park, we're just going to the park, just chill." To chill? I said what's in the park to chill? He's... so, Eddie came along, but he ain't stay too long, he left.

EL: Okay, let me ask you, when you say, you said that Yusef said to you "we're going to the park to chill"?

KW: Yeah.

(88) Jessie Misskelley's statement #2

BR: Cutting him in the face. Alright, another boy was cut I understand. Where was he cut at?

JM: **At the bottom.**

[...]

GG: **Now you're talking about bottom, do you mean right here?**

JM: **Uh-huh.**

GG: In his groin area?

JM: Uh-huh.

GG: Okay.

BR: Do you know what his penis is?

JM: **Yeah, that's where he was cut at.**

BR: **That's where he was cut.**

In the examples above, it appears that the interrogators from each case wanted to acknowledge that the information that the suspects were giving was clearly understood. Nevertheless, we could appreciate that in Misskelley's example, the detective repeated what the interrogated suspect had said because he wanted to confirm the information given by Misskelley, even though he did not provide the details concerning the action of cutting the penis out of the victim, as this was clearly suggested by the detective himself.

Regarding *modal questions*, they are realized in 21 instances in both of Wise's statements. On the contrary, in Misskelley's corpus, they are asked only 3 times. We propose that this happens because in Wise's interrogations, *modal questions* are used to give him the chance of confirming or denying what he was asked about using politeness markers. Since Wise's interrogator has experience in interrogating witnesses in courts, she knows how to guide the interrogated suspect's answers without using questions that involve IRI, as legally leading questions are not permitted in several phases of witness' courtroom examinations (Cotterill, 2002; Hale, 2004).

On the other hand, in Misskelley's interrogations, the detectives focused mostly on asking him about his involvement in the crime using *guiding* questions, as they do not manage the manipulation techniques as well as the attorney does. We can appreciate that in the following examples:

(89) Korey Wise's statement #1

EL: **Could you please answer me that?**

EL: **Could you say that again please?**

(90) Jessie Misskelley's statement #2

BR: **Are you willing to go down there with us and us having a camcorder and you show us where these things took place? Would you do that?**

JM: (Silent)

BR: **Wouldn't have any problem with that?**

JM: Not that I know of, I wouldn't.

As we can see, Wise's interrogator asked him *modal questions* for the purpose of requesting him to confirm or deny his participation in the crime without a guiding factor. Here, the presence of polite markers suggests that the Assistant District Attorney established her control over the interrogated suspect while maintaining politeness, as is usually the case in Court interrogation (Hale, 2004), where Wise's interrogator usually conducts witness examinations. On the contrary, Misskelley's interrogators did not maintain politeness at the moment of asking him questions because they established their control over his responses by asking questions that contained IRI.

In respect to *imperative statements*, there are 4 instances of realizations in Korey Wise's statements, while they appear 13 times in Jessie Misskelley's corpora. We can appreciate that *imperative statements* are realized by the interrogators to command a specific answer by ordering the interrogated suspects to provide specific information. In both Wise's and Misskelley's corpora, the subtype of *imperative non-guiding* statements presented a larger number of realizations in contrast to *imperative guiding* statements. We suggest that this occurred due to the fact that the interrogators did not want to give them direct orders of responding questions that contained IRI. Therefore, it might be clear that the interrogators were careful at the moment by not requesting an explicit response from Wise and Misskelley, as they wanted them to answer without asking them to do it forcibly, because if they had made their requirements explicit, the coerced nature of these confessions would have been highlighted, due to the fact that these imperative statements would have provided information that the interrogated suspects did not know.

Notwithstanding, the detectives that interrogated Misskelley are more direct at the moment of requesting him to comply with their requirements, as the directness of the command is maintained with the use of an imperative (Hale, 2004). In consequence, and connecting with the previous section of *modal questions*, Misskelley has a larger number of *imperative statements* in contrast to Wise. This is different from the higher number of realizations of *modal questions* in Wise's corpus, because Lederer had an indirect approach at the moment of asking him to confirm or deny his involvement in the crime. As mentioned, we suggest that she uses politeness markers when asking *modal questions* because she is an Assistant District Attorney. Therefore, her profound professional knowledge of the legal context allows her to use different coercive tactics on her interrogated suspect, such as asking him for his crime participation without giving him IRI, and by going from a general to a specific approach. Conversely, Misskelley's interrogators were not cautious while asking *guiding* questions because their aim was to obtain IRI from the suspect, even if they give it in their inquiries, as they developed different coerced tactics due to their professional provenances.

We have also focused on the realizations of *non-guiding* and *guiding* questions in the four statements. Our data showed that in Wise's case both statements presented a higher number of *non-guiding* questions, in contrast to Misskelley's corpus, which showed a larger number of realizations regarding *guiding* questions. In consequence, we propose that in the case of the interrogations of Wise and Misskelley, the interrogators' professions also take an important role at the moment of formulating the questions that they are going to ask, as the following examples show:

(91) Korey Wise's statement #1

EL: Did you know that uh... Yusef had your bar when you went into the park?

KW: No, uh-uh.

EL: **Who were the people who ran with Yusef?**

KW: **I don't know, a couple of new guys.**

EL: These people uh... someone like Kevin Richardson.

KW: Yeah.

(92) Jessie Misskelley's statement #1

BR: Okay, who called you?

JM: Jason.

BR: And you mentioned that you heard some voice in the background?

JM: I heard some dingling.

JM: They had holes in the knees and stuff.

BR: Holes in the knees. **What color is Jason's hair?**

JM: Blonde.

BR: **Light blonde, or like a sandy reddish type blonde, you know the difference?**

JM: It's like a sandy colored blonde.

BR: **Sandy colored blonde. Okay, he was wearing blue jeans, he had a Metallica shirt, now this is a shirt that's got Metallica across the front of it spelled out, and a man's name or something under or a picture, is that right? You tell me.**

JM: They had pictures.

As we can appreciate in example (91), the realizations of *non-guiding* and *guiding* questions were related to the manipulation orientation that the interrogator was using. Lederer first asked Wise *non-guiding* questions for the purpose of not demonstrating explicitly that she was looking for a specific answer. However, when the interrogated suspect did not give the expected response, then she proceeded to use a *guiding* question, as she wanted to direct Wise's responses with IRI (in this case, participants). Since she is an attorney, Lederer is aware that *guiding* questions affect the confession's credibility, therefore, she avoids using them unless it is necessary. According to Walker (1998, cited in Hale 2004, p. 32): "attorneys are aware of the essential imbalances of power that operate in any adversary legal interview

and they employ this power in conscious ways in an effort to influence the outcomes of their cases.”

As we can see in example (92), the interrogators from Misskelley’s case did not hesitate to ask him about specific details of the crime while giving him IRI that he had not mentioned before. We can see that at the moment the interrogators realized a *forced choice question* and an *imperative guiding statement*, they obliged Misskelley to confirm what they had said about the crime. In contrast to Lederer’s coercive tactics, the detectives focused on obtaining information relevant to the case rather than being cautious at the moment of asking *guiding* questions.

After the discussion of the questions asked by the interrogators of each vulnerable interrogated suspect, we could notice that there were several manipulation tactics employed throughout our corpora, which presented several similarities and contrasts between Korey Wise’s and Jessie Misskelley’s statements. Nonetheless, for the purpose of producing a further analysis into the answers of the interrogated suspects, we will now develop the same procedure regarding the types and subtypes of responses produced by Wise and Misskelley.

5.2. *Interrogated suspects’ responses*

Now we turn to the discussion of the results of interrogated suspects’ responses by describing and comparing the types of responses produced by the vulnerable suspects during the interrogation and how the manipulation effects elicited by the interrogators influence their responses. As already explained, based on Feld (2013), Bowles & Sharman (2014), and Schatz (2018), we propose our specific types and subtypes: *short positive responses*, *extended positive responses*, *short negative responses*, *extended negative responses*, *repetition/clarification requests*, *rationalizing involvement*, *non-relevant responses*, and *aborted responses*.

While in *short positive* and *extended positive responses* the interrogated suspects give a positive answer that confirms, agrees, or confirm the details of the interrogator’s statements,

short negative and *extended negative responses* are produced to reject inferences, deny involvement, dispute an assertion, show lack of knowledge or memory, and to refuse an answer. *Repetition/clarification* requests appear both verbally or in the form of an interjection to ask the interrogators to offer a repetition, explanation or clarification of their previous question. *Rationalizing involvement* responses, in turn, usually appear to explain, justify or diminish participation in the crime. In *non-relevant responses*, the interrogated suspects offer irrelevant information instead of addressing the question previously asked by the interrogator, and finally, *aborted responses* are those in which the interrogated suspects give an incomplete response that was interrupted either by themselves or by the interrogator.

The results of our analysis indicate, on the one hand, that the most typical types of responses presented in Korey Wise's and Jessie Misskelley's statements are *short positive responses*, *short negative responses*, and *extended positive responses*. On the other hand, the least frequent ones are *repetition/clarification requests*, *rationalizing involvement*, and *aborted responses*. As with questions, the amount of speech of both corpora will be compared, and possible explanations will be given further in this section.

This section will be divided into three subsections: the first and second subsection discusses the results of Korey Wise's and Jessie Misskelley's responses. The third subsection discusses differences and similarities between their responses. This discussion includes tables that show the frequency distribution of question types and subtypes on each corpus alongside different examples from Wise's and Misskelley's statements.

A summary of responses types and subtypes has been displayed in Table 2 in Results. Different tables with the frequency of appearances of these different categorizations on each corpus will be displayed throughout the next sections along with different examples from Wise's and Misskelley's first and second statements.

5.2.1. Interrogated suspect's responses in Wise's statements

The exhaustive analysis of the data indicates that the most prominent categories in Wise's statements are *short positive responses* with 59% of the responses, followed by *short negative responses* with 14%, and *extended positive responses* with 10% of the total amount of responses. In contrast, the remaining types of the interrogated suspect's responses show considerable differences in occurrence, with *repetition/clarification requests* arising with 9% of the total amount of responses present in both Wise's statements; *rationalizing involvement responses* with 4%; *aborted responses* with 2%, and both *extended negative* and *non-relevant responses* with 1% as seen in the tables displayed throughout in this section.

Table 22. *Short positive responses in Korey Wise's statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations / Total responses
Statement #1	Non-mitigated certainty	360/439 82%	439/710 62%
	Mitigated certainty	57/439 13%	
	Interjection	10/439 2%	
	Non-verbal	9/439 2%	
	Echo	3/439 1%	
Statement #2	Non-mitigated certainty	46/49 94%	49/116 42%
	Mitigated certainty	2/49 4%	
	Interjection	1/49 2%	
	Non-verbal	0/49 0%	
	Echo	0/49 0%	

As can be seen in Table 22, although *short positive responses* are more frequent in the first than in the second statement, the 488 realizations of *short positive responses* constitute 59% of Wise's total number of responses, being the most frequent category in both of his interrogations. The high productivity of this category can be explained under the

consideration of the suspect’s vulnerability when facing the interrogation, due to the asymmetry of the roles of the participants of the interrogation, and the clever strategies used by the interrogator, an Assistant District Attorney, to introduce new, relevant information of the case through the use of *guiding* questions. As Schatz (2018) states, regardless of their content or truth, people with intellectual disabilities tend to respond affirmatively to the questions asked to them. Within this category, the most typical realization corresponds to *short positive non-mitigated certainty*, with 408 responses that encapsulate 83%, appearing in most cases as a response to *polar questions*, which leave the interrogated suspect no other choice but to indicate agreement or denial to the previous question or statement.

Table 23. *Short negative responses in Korey Wise’s statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations / Total responses
Statement #1	Non-mitigated certainty	69/107 55%	107/710 15%
	Mitigated certainty	20/107 19%	
	Interjection	10/107 9%	
	Non-verbal	8/107 7%	
	Echo	0/107 0%	
Statement #2	Non-mitigated certainty	8/10 80%	10/116 9%
	Mitigated certainty	0/10 0%	
	Interjection	2/10 20%	
	Non-verbal	0/10 0%	
	Echo	0/10 0%	

The following most frequent category in Wise’s statements, with 408 realizations, was *short negative responses* with 14%, occurring more frequently in the first than in the second statement. Regarding their subtypes, *short negative non-mitigated certainty* takes the lead with 66% of the total and 77 instances, followed by *short negative mitigated certainty*,

with 17% of type realizations. Table 23 shows a detailed summary of *short negative responses* frequency in Wise’s both first and second statements.

What is interesting to highlight about these responses is that they tend to appear more commonly after *non-guiding* questions and statements, which may indicate that the suspect tends to deny his involvement in the crime without mitigating certainty when answering questions that do not expect a guided response. The following examples were taken from Wise’s first interrogation:

- (93) Korey Wise’s statement #1
 EL: Yeah. So you didn’t see him that night to find out when he got arrested?
 KW: **No, uh-uh.** I was upstairs.
- (94) Korey Wise’s statement #1
 EL: Did they say that to you?
 KW: **No.**

Whether the questions asked by the interrogator were *guiding* as in example (93), or *non-guiding* as in example (94), the nature of Wise’s responses is sharply negative, showing signs that reveal his null participation in the crime of which he was being accused, as now legally demonstrated.

Table 24. *Extended positive responses in Korey Wise’s statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations / Total Responses
Statement #1	Non-mitigated certainty	31/69 45%	69/710 10%
	Mitigated certainty	38/59 55%	
Statement #2	Non-mitigated certainty	7/17 41%	17/116 15%
	Mitigated certainty	10/17 59%	

The third most prominent category of responses in Wise’s statements is *extended positive responses* with 10% in the first statement and 15% of the realizations in the second statement as shown in Table 24. *Polar questions* are meant to elicit a “yes” or “no” response;

nevertheless, it is after this type of questions where *extended positive responses* occur more often:

(95) Korey Wise’s statement #1

EL: Did Steve say anything to you about what was gonna happen in the park?

KW: **Nah, Steve just said hmm... we’re going to the park... for violence, I asked him, I asked him what kind of violence he was talking about, said whatever is there for us to do, he said when we get caught by the cops, hmm... nobody caught, nobody get caught with you, don’t tell who was with you or whatever, just don’t screw on us.**

Usually, these responses contain relevant information for the investigation, and their extension might be justified by the interrogated suspect’s attempt to diminish their involvement in the crime. In example (95), Korey answers the Assistant District Attorney’s question in the first sentence, nevertheless, he continues with more details that attempt to minimize his participation and to put the major responsibility on Steven López, another suspect in the same case who was finally neither accused nor convicted for this crime but was sentenced to 1½ to 4½ years in prison for robbing someone else the same night in Central Park —and whom Wise had not really met before, as was the case with three of the four other co-defendants.

Table 25. *Extended negative responses in Korey Wise’s statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations / Total Responses
Statement #1	Non-mitigated certainty	1/5 20%	5/710 1%
	Mitigated certainty	4/5 80%	
Statement #2	Non-mitigated certainty	4/6 67%	6/116 5%
	Mitigated certainty	2/6 33%	

In the same way as it happens with *extended positive responses*, extended negative responses, which constitute just 1% of total responses, commonly occur after polar questions:

(96) Korey Wise’s statement #2

EL: Did you try to pull?

KW: Nah, I put my... **I put my hand**... nah... I put my hand on the leg part to see how this thing was stretching. It was stretched, but it was still tight. **I left her alone**. But Steve just cut the pants, he didn't care, he cut it.

Wise's *extended negative responses* tend to include relevant information as an answer to Lederer's previous *guiding* questions that contain specific information that has not been mentioned before. This category contains 1% of the realizations in the first statement and 5% in the second statement. In the previous example, Wise denies that he tried to pull down the jogger's pants; nevertheless, he tries to diminish the relevance of that action by answering that he only put his hand on her legs. Considering that it has been legally proved that this statement was manipulated, it would not be surprising that Wise's answer would have been incriminatory even though he denied what the Assistant District Attorney had asked him.

As for *repetition/clarification* requests, they constitute 9% of the total responses throughout both statements, although they are more prominent in the first statement with 53 realizations, as shown in Table 26. There were two types of *repetition/clarification requests* in Wise's statements: verbal with 11 cases, and interjections with 42 cases:

(97) Korey Wise's statement #1

EL: Okay. Uhm... When you spoke to Detective Nugent earlier, uh did you make a statement to him?

KW: **About what?**

EL: About what happened in Central Park.

KW: Yes.

(98) Korey Wise's statement #2

EL: What were you doing when you were playing with her?

KW: **Uh?**

EL: What were you doing?

KW: I was playing... I was playing with her legs.

(99) Korey Wise's statement #1

EL: Who said that?

KW: **Uh?**

EL: Who said that?

KW: Um...Um.. Kev, Kev said that.

While it seems that Korey uses *verbal clarification requests* to ask for explanations or to seek for further details that he ignores (as shown in example (97)), examples (98) and (99) show the pattern in which clarification requests, in the form of *interjection*, appear. Wise

seems to use the interjection “Uh?” to gain time to think up specific details in which he was actually not involved. We suggest that the time given by the *clarification request* and the repetition of the interrogator’s question made it possible for Wise to elaborate and produce a complete answer with made up facts in which he did not participate. As we mentioned earlier in the

Table 26. *Repetition/clarification requests in Korey Wise’s statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations / Total Responses
Statement #1	Verbal request	11/53 2%	53/710 7%
	Interjection	42/53 79%	
Statement #2	Verbal request	1/18 6%	18/116 16%
	Interjection	17/18 94%	

Results section, *rationalizing involvement*, which comprises 4% of the responses, can be observed as rejection of assertions, inability to remember or to claim lack of knowledge (Feld, 2013). Under this consideration, it is interesting to highlight that these responses occur after *guiding* questions (either *declarative guiding* or *polar guiding*) 55% of the time in the first statement, and 27% in the second. We suggest that *repetition/clarification requests* appear frequently after this type of question since Wise needs some question clarification to give a proper answer, or else needs time to make up a response to please the interrogator.

As Table 27 shows, *aborted responses* constitute only 2% of Wise’s responses. Nevertheless, they only occur when interrupted by the interrogator 15 times in the first statement and 5 times in the second statement:

Table 27. *Aborted responses in Korey Wise’s statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations / Total Responses
Statement #1	By other	15/15 100%	15/710 2%
	By self	0/15 0%	
Statement #2	By other	5/5 100%	5/116 4%
	By self	0/5 0%	

These are three prototypical examples in which *aborted responses by other* appear in Wise’s statements:

(100) Korey Wise’s statement #2

EL: Did you hold her legs down?

KW: Uh? I hold her legs down for what, for five seconds. That’s when...

EL: That’s when Steven was on top of her?

KW: Yeah, ’cause when he started... he asked me to pull her pants down and I said: “No, uh-uh.” That’s when her pants was too hard to take down anyway.

(101) Korey Wise’s statement #2

KW: Uh? Yes, we was all together. Antoine came the minute they were beat... that Yusef... uhm... Steve... and... they were beating the lady up. And he was like: “Oh, man”, blood was scattered all over. I couldn’t look at it no more. ’Cause... like I said, the reason why I did it... not just to prove myself, I don’t prove myself with nobody... I just did it ’cause... we... **we went to** the park to... f...

EL: **To what?**

KW: Uh?

EL: To what?

KW: **For trouble.** We went to the park for trouble, we got in trouble... a lot of trouble.

(102) Korey Wise’s statement #1

EL: Raymond, do you know Raymond’s last name?

KW: **No. I don’t kno...**

EL: Is that Raymond Santana?

KW: **Yeah,** I just knew him from that first day.

Example (100) is a perfect illustration of a coerced interrogation, as the interrogator interrupts the suspect’s turn to complete his response with IRI, while example (101) portrays the interrogator’s intention to guide the conversation, as she interrupts when IRI is noticed. In example (102), on the other hand, manipulation is shown through a *guiding* question that

interrupts Wise’s response by introducing new information, with which the interrogator obtains a positive response regardless of the previous negative response. Out of a total of 20 times in which *aborted responses* occur in the total extension of the corpus, 8 times were followed by a *declarative statement* from the Assistant District Attorney. As for *aborted responses by self*, 0 cases were found in the totality of both statements.

Rationalizing involvement responses share similarities in frequency in Wise’s first and second statement as they comprise 18 (3%) and 11 (9%) realizations, respectively. 64% of Wise’s rationalizations in the second statement are extended, unlike the first one where the majority are short realizations, and only 39% are extended. As it was explained in the

Table 28. *Rationalizing involvement responses in Korey Wise’s statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations/ Total Responses
Statement #1	(No identified subtypes)	18/18 100%	18/710 3%
Statement #2	(No identified subtypes)	11/11 100%	11/116 9%

Results section, this type of response appears when the interrogated suspect wants to minimize their own participation, the seriousness of the offense, or put the responsibility to other parties on the crimes in which they had participated:

(103) Korey Wise’s statement #2

EL: Who was punching her?

KW: Kev, Raymond and Steve. **I was not... I’m still not saying that me and Yusef was playing innocent, even though, even though we were playing with her.** But me and Yusef wasn’t going that far doing that. The only way me and Yusef was going that far that’s these guys, that’s these men that were trying to defeat all of us.

EL: I didn’t understand what you just said.

KW: I said. Alright... just... **me and Yusef didn’t go as bad as the other three did.** Me and Yusef was all about saying [unintelligible] we would grab, we would grab, grab the running man. But even though he was a man; we knew he was still [unintelligible] for his right to fight back. That’s what we knew we had to fight him. But since this was a female... she... she could...she couldn’t even take one of us, she couldn’t even take a hit. Steve hit her one time, boom. She closed her eyes for quite a while. That’s when he ripped her pants she... uh...and and she just opened her eyes. She’s got she’s [unintelligible] on her bike took over her [unintelligible] for a while.

Example (101) above shows an instance of *rationalizing involvement* responses. In the first response, Wise tries to minimize his participation in the alleged offense by saying that although they were “playing with her”, they were not punching her. The second response in the example shows how Wise wants to minimize his and Yusef’s participation (as Yusef was the only other interrogated suspect —later also accused and convicted— that Wise did know and was friends with), putting the major responsibility on the other people involved, whom Wise had never met before. In Wise’s first statement, 55% of the rationalizations occur after a *guiding* question (either *declarative statements* or *polar questions*), while in the second statement only 27% of the rationalizations are produced in response to a *guiding* question. In other words, these realizations appear mostly in response to *guiding* questions that, by containing IRI, would have contributed to his responsibility in the offense had he admitted his full participation.

There is no particular pattern for *non-relevant responses* in Wise’s statement, that constitute 1% and are only concentrated in the first statement, as Table 29 shows.

Table 29. *Non-relevant responses in Korey Wise’s statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations/ Total Responses
Statement #1	(No identified subtypes)	5/5 100%	5/710 1%
Statement #2	(No identified subtypes)	0/0 0%	0/116 0%

However, it appears that he produces *non-relevant responses* to avoid giving further details regarding what is being asked:

- (104) Korey Wise’s statement #1
 EL: How many times did you see him hit her?
 KW: I saw he hit her-uh- twice-uhm- it was twice. **Kevin got-Kevin got scratch-scratched up again but he was trying to hold her hands down and-uh- Steven said oh Kevin she’s scratching you up man. There’s evidence on you ’cause she’s scratching you up. So he hold her head and he slapped her. He slapped her so she scratched him up.**

In the example above, Wise answers the question asked by the interrogator in the first sentence; furthermore, he elicits a long *non-relevant response*, that though containing IRI, does not answer what was asked. These types of responses only appear in the first statement, and their existence might be understood as Wise's intentions to please Lederer with a complete response.

5.2.2. Interrogated suspect's responses in Misskelley's statements

Regarding Misskelley, our analysis shows that the most prevalent type is also *short positive*, which comprises 69% of the total number of responses taking into consideration both statements. Following this category, but with a substantial gap, are *short negative responses* (15%), *extended positive responses* (6%), *rationalizing involvement* (4%), *non-relevant responses* (3%), *aborted responses* (2%), *extended negative responses* (1%), and *repetition/clarification request* (0.3%).

The productivity of *short positive responses* comprises 66% of the total responses in the first interrogation and 80% of the second one, hence proving the distribution of this type to be the most typical one, as asserted by Feld (2013). Both its typicality and subtype characteristics may be caused by several factors, such as power asymmetry and Misskelley's vulnerability, as discussed in the Theoretical Framework and Methodology. Power asymmetry has a crucial role in the production of *short positive responses* since the interrogators' position allows them to control suspects' responses through the selection of questions. In Misskelley's statements, *guiding* questions, which are the most productive, have a clear confirmatory-seeking nature that greatly constrain Misskelley's possible answers within "yes" or "no." Therefore, the constrained answer choices alongside Misskelley's intellectual disability encouraged him to accept the police's statements with few exceptions. Finally, the succinctness of the answer may be attributed to his young age, as short answers are rather typical in juveniles (Feld, 2013).

And within the *short positive response* type, we noticed that the most prevalent subtype is *short positive non-mitigated* responses, which made up more than half of this type, as Table 30 shows.

Table 30. *Short positive responses in Jessie Misskelley’s statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations / Total responses
Statement #1	Non-mitigated certainty	96/176 55%	176 / 268 66%
	Mitigated certainty	21/176 12%	
	Interjection	33/176 19%	
	Non-verbal	0 /176 0%	
	Echo	26/176 15%	
Statement #2	Non-mitigated certainty	35/61 57%	61 / 76 80%
	Mitigated certainty	12/61 20%	
	Interjection	9/61 15%	
	Non-verbal	0/61 0%	
	Echo	5/61 8%	

The absence of mitigation could be explained by two factors. First, the frequent presence of *guiding* questions in the preceding interrogators’ turn, whether *wh-specific* questions, *polar questions* or *declarative statements*. As these questions provided IRI, it enabled Misskelley to follow the alleged sequence of actions with greater certainty, as seen in example (103). Second, the succinctness of this type gave little possibility to mitigate these answers, which had to be less than three sentences in order to be considered *short positive*, and mostly occurred in the plain form of a “yes” answer.

- (105) Jessie Misskelley’s statement #1
 GG: Was uh, were you all close to the creek at that point?
 JM: **Yes.**
 GG: Where where was the little boy actually at?
 JM: **He was close.**

Conversely, *short positive mitigated* responses often occurred when Misskelley was asked to provide details by himself after a *non-guiding* question, which is illustrated in example number (106). It proved to what extent he relied on the information provided by the police officers to give a precise response, and consequently, to what extent his confession was being manipulated:

- (106) Jessie Misskelley's statement #1
BR: And, what kind of blade did it have on it?
JM: **Uh, like a regular- just regular knife blade.**

Another crucial aspect of the *short positive* category is the constant presence of *short positive interjections* and *short positive echo* —which respectively are the second and fourth most productive subtypes. The former could be ascribed to the naturalized asymmetrical power relationship in interrogation settings, which might be categorized as an “unequal encounter” (Fairclough, 1984). Thus, in a context where there is an inherent asymmetry, hedged language such as interjections is expected to increase (Ainsworth, 2007). Albeit this does not mean that they would be the primary subtype, it is still relevant to the analysis. Regarding the latter, it is worth noting that even though it is not the most productive subtype, it is useful for Misskelley to please the interrogators. As well as *short positive mitigated responses*, Misskelley supported his answer by repeating IRI information provided by the interrogators in the preceding turn:

- (107) Jessie Misskelley's statement #1
BR: Is there a path that you go down?
JM: **Uh, down a little path.**

We observed that the presence of both subtypes slightly dropped in the second one. On the one hand, this fall in *short positive interjection* responses may be due to the confirmatory nature of the second statement, where the officers urged Misskelley to confirm with a direct verbal response instead of an interjection. On the other hand, the echoing responses might have been less present since he did not have to repeat the information, but merely briefly corroborate it.

Table 31. *Short negative responses in Jessie Misskelley’s statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations / Total responses
Statement #1	Non-mitigated certainty	32/42 76%	42 / 268 16%
	Mitigated certainty	5/42 12%	
	Interjection	4/42 10%	
	Non-verbal	0/42 0%	
	Echo	1/42 2%	
Statement #2	Non-mitigated certainty	3/8 38%	8 / 76 11%
	Mitigated certainty	0/8 0%	
	Interjection	5/8 63%	
	Non-verbal	0/8 0%	
	Echo	0/8 0%	

Short negative responses, summarized in Table 31, where the most common subtype is also *non-mitigated*, is the second most typical type. However, there is a deep gap between the *short positive* (69%) and the *short negative responses* (15%). This reinforces the idea that intellectually disabled people tend not to disagree with the police officers in order to please them (Leo, 2008; Feld, 2013; Schatz, 2018). Additionally, within *short negative responses* there is a slightly higher presence in the first interrogation (16%) than in the second one (11%) in relation to each statement’s total responses. It could be suggested that the clarificatory nature of the second statement discouraged Misskelley from showing disapproval or changing the already setup narrative. We also observed that whereas *short negative non-mitigated certainty* was the most productive subtype within the short negative type in the first interrogation, *short negative interjections* slightly surpassed it in the second one. What this change suggests is that Misskelley might have been intimidated because of the coercive nature of the prior interrogation, which ignored his denials to a great extent. Hence, he resorted to interjections that serve as mitigators to his attempts to contradict the police’s theory.

Table 32. *Extended positive responses in Jessie Misskelley's statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations / Total Responses
Statement #1	Non-mitigated certainty	14/18 78%	18 / 268 7%
	Mitigated certainty	4/18 22%	
Statement #2	Non-mitigated certainty	1/3 33%	3 / 76 4%
	Mitigated certainty	2/3 67%	

Extended responses are not frequently produced by Misskelley, as shown in Table 32. On the one hand, *extended positive responses* (6%) do not present any particular pattern in relation to questions. However, we noticed that Misskelley tends to repeat himself several times and to partially repeat the information provided by the interrogators in these answers.

(108) Jessie Misskelley's statement #1

BR: Alright, what occurred, what did he talk about?

JM: **He called me and asked me could I go to West Memphis with him and I told him 'no' I had to work and stuff. And then he told me he had to go to West Memphis so him and Damien went and then I went with them.**

(109) Jessie Misskelley's statement #1

BR: Okay, what about when you get with Jason by himself?

JM: **He he keeps on asking me what are we gonna do next, I told him, I I can't do nothing now cause I go to work with my daddy everyday.**

BR: So, they are scared, is that right?

JM: **They are scared cause after what they did, I told him that I was gonna work with my daddy next time, so I gotta do something.**

The echoic nature of *extended positive responses* found in examples (108) and (109) reveals that they are not free recounts of the alleged crimes but a recollection of previous responses. On the other hand, *extended negative responses* comprise only 1% of the total number of responses; therefore, no pattern was identified.

Table 33. *Rationalizing involvement responses in Jessie Misskelley's statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations/ Total Responses
Statement #1	(No identified subtypes)	14/14 100%	14/268 5%
Statement #2	(No identified subtypes)	0/0 100%	0/76 0%

The least frequent categories are *rationalizing involvement* (4%), *aborted response* (2%), and *repetition/clarification request* (0.3%). We observed that the three of them frequently occurred in the first statement in comparison to the second one. In the case of *rationalizing involvement* (Table 33), the preceding question tends to have a *guiding* nature; hence, key information about the crime is asked.

(110) Jessie Misskelley's statement #1

JM: **He run out there and I caught him and brought him back, and then... I took off.**

BR: Okay, when you came back a little bit later, and are all three boys are tied?

JM: Uh-huh.

BR: Is that right?

JM: **Yes, and I took off and run home.**

BR: Alright, have they got their clothes on when you saw them tied?

JM: No, they had them off.

Example (110) illustrated that since Misskelley had already admitted he was there, he tried then to take away his responsibility as the perpetrator. By arguing that he had not seen it or that he had left, he attempted to resist the coercive questions. Nonetheless, the interrogators ignored it and even insisted on situating him in the crime scene, for it was essential to lead him to give a full account of the offense.

What is significant about *aborted responses* (Table 34) is that they mostly belong to the subtype *aborted response by other* (86%). This clearly tells us that the officers control to a great extent Misskelley's answers.

Table 34. *Aborted responses in Jessie Misskelley’s statements #1 and #2*

Statement	Subtypes	Subtypes realizations	Type realizations / Total Responses
Statement #1	By other	6/6 100%	6 / 268 2%
	By self	0/6 0%	
Statement #2	By other	0/1 0%	1 / 76 1%
	By self	1/1 100%	

An example of this subtype of response is provided below:

- (111) Jessie Misskelley’s statement #1
 BR: And, what kind of blade did it have on it?
 JM: Uh, like a regular- just regular knife blade.
 BR: Was it a knife that you fold up, or was it like a hunting knife?
 JM: **It was...**
 BR: Just one piece.

Thus, as example (111) shows, police officers actively discouraged responses that proved unproductive for their hypothesis of the crime or guided the suspect’s response by giving more details. Since the repetition or clarification request type contains one instance, it did not present any regularity to be analyzed.

Concerning other regularities, we distinguished two main patterns. First, Misskelley usually confirms when faced with *declarative guiding* or *polar guiding* questions. What is significant about the above-noted pattern is that these questions include IRI; therefore, they fairly influence the production of a weighty piece of evidence. However, when Jessie denies these *guiding* questions, the interrogators commonly reformulate the questions or ask related questions until he produces a positive response. If we take into consideration that the interrogators repeatedly ignored Misskelley’s denial to push the officer’s theory, we will notice that these regularities are a signal of psychological coercion. As can be seen in the following example:

- (112) Jessie Misskelley's statement #1
JM: No.
BR: Now, tell us the truth.
JM: No.
BR: Okay. Did you actually rape any of these boys?
JM: No.
BR: Did you actually kill any of these boys?
JM: No.
BR: Did you see any of the boys actually killed?
JM: Yes.

Second, in Misskelley's first statement, *short positive interjections* are not further discussed by the interrogators, but are frequently taken as positive or negative in themselves and followed by a topic change marker, such as "okay" and "alright." This can be observed in the following extracts:

- (113) Jessie Misskelley #1
BR: Okay, Damian's didn't come up that far?
JM: Uh-huh.
BR: Okay. They killed the boys, you decided to go, you went home, how long after you got home before you received the phone call? 30 minutes an hour?
JM: Uh-huh.
BR: An hour after you got home? Okay So they were there for a lot longer.
- (114) Jessie Misskelley #2
JM: About seven.
BR: About seven o'clock, okay. So you all were out there with the boys and all this stuff going on and until you noticed it starting getting dark. Is that correct?
JM: Uh-huh.
BR: Okay. Now are, you're sure about that?
JM: Yes.

Conversely, in the second statement, we observed how interrogators actively attempt to obtain a positive verbal response or extended positive instead of an interjection, which may be explained by the difference in terms of their evidentiary value since the purpose of police interrogation is to obtain evidence (Haworth, 2012). However, police interrogation has not only to obtain evidence but substantial and precise information. Positive responses are, on the one hand, an explicit source of evidence. Interjections, on the other, function "at an implicit level" when used alone (Wharton, 2000).

5.2.3. Comparing Wise's and Misskelley's responses

The following subsection discusses similarities and differences that we found in the responses elicited in the four statements of our interrogated suspects.

Table 35 shows a comparison between the frequency of responses' types and subtypes elicited by Wise's and Misskelley's first and second statements. Both corpora share similarities such as the prevalent frequency of *short positive responses* in the four interrogations and the marked lack of certainty mitigation in negative responses. Additionally, to the reserved attitude of the interrogated suspects towards a police interrogation, the frequent presence of *short positive responses* is explained by the asymmetrical power relations in interrogation and the suspects' intellectual disability, since as the interrogators are in charge of the police interrogation, interrogated suspects' turns are often short and function whether to confirm or deny the interrogators' questions (Coulthard & Johnson, 2007). The lack of mitigation in negative responses in both Wise's and Misskelley's statements may indicate that they had, indeed, null participation in the offenses they were being questioned about.

Additionally, in both Misskelley's and Wise's statements, *aborted response by other* was the most typical subtype within aborted responses. These were used by the interrogator to add new information, and to make the vulnerable interrogated suspects change or complete their responses. It is also important to highlight that both corpora register a lower presence of negative responses in the second interrogation process. We attribute this phenomenon to the confirmatory-seeking nature of the second interrogation in comparison to the first one.

Table 35. Comparison of Types and Subtypes of responses in Korey Wise’s and Jessie Misskelley’s statements

Type of response	Type realization		Response Subtypes	Subtype realization	
	K. Wise	J. Misskelley		K. Wise	J. Misskelley
Short positive response	488 59%	237 69%	Non-mitigated certainty	406/488 83%	131/237 55.3%
			Mitigated certainty	59/488 7%	33/237 14%
			Interjection	11/488 2%	42/237 17.7%
			Non-verbal	9/488 2%	0/237 0%
			Echo	3/488 0.6%	31/237 13%
Extended positive response	86 10%	21 6.1%	Non-mitigated certainty	38/86 44%	15/21 71.4%
			Mitigated certainty	48/86 56%	6/21 28.6%
Short negative response	117 14%	50 14.5%	Non-mitigated certainty	77/117 66%	35/50 70%
			Mitigated certainty	20/117 17%	5/50 10%
			Interjection	12/117 10%	9/50 18%
			Non-verbal	8/117 7%	0/50 0%
			Echo	0/117 0%	1/50 2%
Extended negative response	11 1%	3 0.9%	Non-mitigated certainty	5/11 45%	0/3 0%
			Mitigated certainty	6/11 55%	3/3 100%
Repetition / clarification request	71 9%	1 0.3%	Verbal request	11/53 21%	1/1 100%
			Interjection	42/53 79%	0/1 0%
Aborted response	20 2%	7 2%	By other	20/20 100%	6/7 85.7%
			By self	0/20 0%	1/7 14.3%
Rationalizing involvement	29 4%	14 4%			
Non-relevant response	5 1%	11 3.2%			
Total	826	344			

Both Wise's and Misskelley's statements share a reformulation of the question or a related question which is insistently asked until the suspect produced a positive answer after they had consistently given negative responses:

(115) Korey Wise's statement #1

EL: What was she saying?

KW: **I don't know**, but she was talking. Steve told her to shut up. Then she yelled, she's screaming one time.

EL: What did she yell?

KW: Uh?

EL: What did she...

KW: **'Help'** 'cause she [unintelligible] Steve **uhm...** while he was talking to her, and he said "if you don't shut up I'm gonna slap you." When she didn't shut up, he slapped her and knocked her out.

(116) Jessie Misskelley's statement #1

GG: Did they have a briefcase with them?

JM: (No response) (Very subtle "uh-huh")

GG: You didn't see a briefcase?

JM: **I didn't see a briefcase, not unless they left it there at that day before it happened, unless they left it there by accident then but I didn't see one that day.**

GG: Have you ever seen them with a briefcase before?

JM: I've seen them once that one night, I seen them with it that night.

As presented in example (115), Wise replies with an *extended negative response* claiming that he did not know what the jogger was saying. Nevertheless, after an insistent series of repetition of the same question, the interrogated suspect replied with a positive response that confirmed what he heard. In Misskelley's *extended negative response*, example (116) shows that the officers eagerly tried to obtain a positive answer in response to the presence of the briefcase, which was a key evidence for the establishment of the cult theory.

Regarding differences between Wise's and Misskelley's responses, *short positive interjections* appear more frequently in Misskelley's than in Wise's statements, with 18% and 2%, respectively. This is attributed to the fact that Misskelley's *short positive interjections* responses are not further discussed by the interrogators but taken as positive in themselves. Hence, he continued producing them when he was not able to elaborate. Whereas Wise's *extended positive responses* comprise 10% of his total responses, Misskelley's ones comprise 6% of his total responses. In the case of Wise's statements, the majority of *polar questions* answered with *extended positive responses* as an attempt to avoid answering the relevant information contained in these types of questions with non-relevant information or

with responses that diminish his involvement in the crime. The production of fewer *extended positive responses* in Misskelley's statements is linked to his laconic nature and the excessive number of *guiding* questions. Since *guiding* questions tend to have a confirmatory-seeking nature, these greatly constrain Misskelley to providing short, confirmatory answers instead of a continuous narrative.

Similar patterns between both corpora also appeared in terms of the distribution of rationalizing involvement responses, which were equally distributed in Wise's and Misskelley's statements. These represent 4% out of the total responses in both Wise and Misskelley, and are particularly more productive in the first interrogation than in the second one. Moreover, both interrogated suspects' statements are frequently produced after *guiding* questions that contain IRI. While Wise frequently reduced his responsibility or participation in the crime, Misskelley would take responsibility away. However, Misskelley's attempts to present himself as a witness more than a perpetrator are greatly manipulated by the interrogators. Since confessions need to have a full account of the alleged crimes, police officers needed to continue placing him in the scene, as seen in the example below:

(117) Jessie Misskelley's statement #

P1: What did he hit him with?

JM: He hit him with his fist and bruised him all up real bad, and then uh (phonetic) Jason turned around and hit Steve Branch.

JM: **And started doing the same thing, then the other one took off, Michael uhh Moore took off running, so I chased him and grabbed him and held him, 'cause they got there and then I left.**

P1: Okay. Alright, when you get the boys back together, where you at from the creek?

In Wise's statement, on the other hand, *rationalizing involvement* responses were used not to exclude himself from the responsibility, but to minimize his participation in the offense:

(118) Korey Wise's statement #1

EL: Did you see her shoes anywhere?

KW: I don't... all that they did to the body, man. I'm serious. I know they tossed the body, I **didn't do nothing to the body, only looked at the body.**

Although Wise does not deny his involvement in the offense, his *rationalizing involvement* responses try to minimize his, and commonly his friend Yusef's, participation

in the actions. Example (118) shows how Wise tries to define his participation as a spectator, placing the majority of the responsibility on the other participants.

Aborted responses were also equally distributed in Wise's and Misskelley's statements, comprising 2% of the total responses. In both cases, the majority of *aborted responses* was interrupted by the interrogators to complete the interrogated suspect's response, to guide their responses when they produce a pause filler or mention IRI:

(119) Jessie Misskelley's statement #1

P1: Alright, you went home and about what time was it that all of this was taking place?

JM: **They called me about...**

P1: I'm not saying when they called you. I'm saying what time was it that you were actually there in the park?

JM: (pause) I would say about 12.

(120) Korey Wise's statement #1

KW: He jumped on him.

EL: He jumped on him?

EL: From the front or the back?

KW: **He did over...**

EL: He jumped on him from the front or the back?

KW: Jumped him from the back.

Both examples are clear signs of a manipulated testimony. Example (119) portrays a case in which interruption aims to correct or lead Misskelley in order to give a satisfactory answer about what he was asked. Fairclough (1989) argues that interruptions in responses happen to ensure that the interrogated suspect gives the key information that is expected in their response. On the other hand, example (120) from Wise's first statement shows that the *aborted response* is interrupted by the interrogator to complete and manipulate the interrogated suspect's response by insistently repeating a question seeking for the confirmation of the information that she had been constantly introducing.

Concerning the distribution of the subjects' number of responses and number of words, we noticed that the arrangement is similar in both cases. There are more questions than responses. Misskelley's statements include 344 answers in relation to the 423 questions identified, and Wise's statements include 826 responses, which surpass the 817 questions asked. Moreover, the number of words in Misskelley's responses are 2,620, which represent

the 38% of the statements. In contrast, the number of words in Wise's responses is 9,387, which represent 55% of the total length of the interrogations. These results reflect other differences in terms of the extension of their responses, especially in terms of what we already pointed out, which is that Wise produced more extended responses in comparison to Misskelley.

After the discussion of the responses given by the two vulnerable interrogated suspects, we found similarities and differences in terms of length of the testimonies, frequency, and patterns in the appearance of types of responses, and common coercive techniques. We suggest that these findings contribute to classifying both Wise's and Misskelley's statements as coerced interrogations.

5.3. Length, number of instances, and amount of speech of Wise's and Misskelley's corpora

In the following subsection, we will use the tables obtained from Korey Wise's and Jessie Misskelley's statements, in which the length of their interrogations, the number of instances of questions and responses, and the amount of speech of the interrogators' questions and interrogated suspects' responses will be analyzed in a separate manner. Therefore, we will conduct the same procedure from the previous subsections (*i.e.*, we will discuss Wise's corpus first, then Misskelley's statements, and finally, we will compare them in order to find similarities and contrasts between them).

5.3.1. Length of Korey Wise's and Jessie Misskelley's statements.

Both Wise's and Misskelley's first interrogations have a longer recording time in comparison to the second ones, as it is shown in Table 36. Whereas Wise's first interrogation has a total recording time of 84 minutes, Misskelley's has a total recording time of 34 minutes. This

explains why there was a higher number of questions and responses in the first statement of both cases.

Although Wise’s and Misskelley’s available recordings lasted 114 minutes and 46 minutes, our investigation indicates that the interrogators questioned them for several hours before recording the statements.

Table 36. *Length of Korey Wise’s and Jessie Misskelley’s statements (measured in minutes and in number of words)*

Statement	Korey Wise		Jessie Misskelley	
	Minutes	Words	Minutes	Words
Statement #1	84	12,699	34	5,389
Statement #2	30	4,442	12	1,470
TOTAL	114 minutes	17,141 words	46 minutes^{7*}	6,929 words

According to Feld (2013), the duration of an interrogation process is related to the elicitation of a false confession. Regular interrogations, on the one hand, tend to be short and have a usual length of 20 to 30 minutes. False confessions, on the other hand, tend to be long, intensive interrogations of several hours. The long duration of both Wise’s and Misskelley’s interrogations might have frightened them until they admitted their participation in a crime they did not commit. Additionally, Wise’s and Misskelley’s juvenile status and intellectual disability caused them to be more easily manipulated into confessing after several hours of interrogation. As previously mentioned in our Theoretical Framework, young individuals and intellectually disabled suspects are eager to please authority figures and are more suggestible (Leo, 2008; Feld, 2013; Schatz, 2018).

^{7*} According to the information retrieved from the audio files available. The taping began after the police had already interrogated Jessie for several hours.

5.3.2. Number of instances of interrogators' questions and interrogated subject responses' in Korey Wise's and Jessie Misskelley's statements

Our data showed that the number of realizations of questions and responses in both of Wise's statements did not present an important difference between them. No further analysis has been conducted in this case, as there were only 9 additional answers in comparison to the questions asked.

Table 37. *Number of instances of interrogator's questions and interrogated subject's responses in Korey Wise's statements*

	Interrogators' questions	Suspect's responses
Statement #1	703	710
Statement #2	114	116
TOTAL	817	826

In Misskelley's statements, we could observe how there is an unequal distribution of the number of responses in comparison to the interrogators' number of questions. Whereas Misskelley's number of responses is 344 words (45%) of the corpora, the interrogators' number of questions rises to 423 words (55%). This reveals that the dynamic of the interrogation, particularly the first one, revolves around bombarding the suspect with questions that usually include crucial details, and then asking for their agreement. It is consistent with the *short positive* and *non-mitigated* nature of the majority of the responses.

Table 38. *Number of instances of interrogators' questions and interrogated subject's responses in Jessie Misskelley's statements*

Statement	Interrogators' questions	Suspect's responses
Statement #1	334	268
Statement #2	89	76
TOTAL	423	344

As shown in Tables 37 and 38, the distribution of interrogators' questions and suspects' answers between first and second statements did not change. In Wise's interrogation, the number of instances of interrogator's questions and interrogated suspect's responses was almost the same. In Misskelley's statements, on the other hand, the distribution of interrogators' number of questions and the interrogated suspect's responses remained unequal.

5.3.3. Amount of speech in interrogators' questions and interrogated subject's responses in Korey Wise's and Jessie Misskelley's statements

As for the amount of speech in the interrogator's questions and the interrogated subject's responses, we could not find any important distinctions regarding the total number of realizations of questions in Wise's first statement. Nevertheless, during the second statement, Wise's number of words in his responses were three times larger than the number of words produced by the interrogator in her questions. We suggest that this occurs due to the fact that Wise elaborated more deeply in his crime's involvement because Lederer had already provided information of the crime in the first interrogation. Therefore, in the second statement the interrogated suspect produced more extended responses because he elaborated in-depth what his part was in the crime.

Table 39. *Amount of speech in interrogator's questions and interrogated subject's responses in Korey Wise's statements*

Statement	Number of words of interrogator's questions	Number of words of suspect's responses	Total number of words in Statement
Statement #1	6,631 (52%) ^{8a}	6,068 (48%) ^a	12,699 (100%)
Statement #2	1,123 (25%) ^{9b}	3,319 (75%) ^b	4,442 (100%)
TOTAL	7,754 (45%) ^{10c}	9,387 (55%) ^c	17,141 (100%)

^{8a} Percentage in relation to number of words totals of questions and responses in Wise's Statement 1 only.

^{9b} Percentage in relation to number of words totals of questions and responses in Wise's Statement 2 only.

^{10c} Percentage in relation to number of words totals of questions and responses in Wise's Statement 1 and 2.

As for the amount of speech in the interrogator’s questions and the interrogated subject’s responses (Table 39), we could not find any important distinctions regarding the total number of realizations of questions in Wise’s first statement. Nevertheless, during the second statement, Wise’s number of words in his responses were three times larger than the number of words produced by the interrogator in her questions. We suggest that this occurs due to the fact that Wise elaborated more deeply in his crime’s involvement because Lederer had already provided information of the crime in the first interrogation. Therefore, in the second statement the interrogated suspect produced more extended responses because he elaborated in-depth what his part was in the crime.

As can be seen in Table 40, whereas Misskelley’s amount of speech is 2,620 words (38%), the interrogators’ amount of speech is 4,309 words (62%). This is consistent with the unequal distribution of questions and responses and the bombarding nature of guiding interrogators’ questions since the crucial details are extensively provided by them. Therefore, Misskelley did not contribute with extended responses, but he merely confirmed the information provided by the interrogators.

Table 40. *Amount of speech in interrogators’ questions and interrogated subject’s responses in Jessie Misskelley’s statements*

Statement	Number of words of interrogators’ questions	Number of words of suspect’s responses	Total number of words in Statement
Statement #1	3,317 (62%) ^{11a}	2,072 (38%) ^a	5,389 (100%)
Statement #2	922 (63%) ^{12b}	548 (37%) ^b	1,470 (100%)
TOTAL	4,309 (62%) ^{13c}	2,620 (38%) ^c	6,929 (100%)

Summarizing, the comparison of the amount of speech in Wise’s and Misskelley’s statements showed that in the second statement of both interrogated suspects, the total number of realizations were lower in comparison to the first one because of the length of

^{11a} Percentage in relation to number of words totals of questions and responses in Misskelley’s Statement 1 only.

^{12b} Percentage in relation to number of words totals of questions and responses in Misskelley’s Statement 2 only.

^{13c} Percentage in relation to number of words totals of questions and responses in Wise’s Statement 1 and 2.

each interrogation. We have also discussed Wise's larger number of words in responses in the second statement, while Misskelley's did not manifest an important difference in his corpus.

After the discussion of questions, responses, length of the interrogation, and amount of speech, we found similarities and differences in terms of length of the statements, frequency, and patterns in the appearance of types of questions, responses, and common coercive tactics. We state that these findings contribute to classifying both Wise's and Misskelley's statements as coerced interrogations.

6. Conclusions

In this section, we present a brief summary of our research and the crucial aspects of this study. Then, we mention the limitations we had during our investigation and our projections for further research. Finally, we will comment on the importance of protecting vulnerable suspects from coercive techniques during a police interrogation.

6.1. General summary

False confessions occur when an individual admits culpability and provides factual descriptions of a crime that they did not perpetrate (Gudjonsson, 2018; Janzen, 2019). Previous studies reveal that false confessions may be caused by several factors, among them the length of the interrogation, the asymmetric power relationship, the use of coercive techniques, and the suspect's vulnerability. Regarding vulnerabilities, the following ones were identified: age, mental illnesses, intellectual disabilities, physically disabled people, survivors of abuse, and cultural and linguistic minorities (Eades, 2006; Feld, 2013; Schatz, 2018; Farrugia & Gabbert, 2019).

As has been shown in this investigation, we partially based our categorization in several studies on question types from a grammatical perspective, setting aside implications commonly taken into account in the fields of the law and psychology; likewise, we based our categorization of response types on grammatical and discourse dimensions (Hale, 2004; Feld,

2013; Bowles & Sharman, 2014; Schatz, 2018; Farrugia & Gabbert, 2019). As these types did not fully account for our corpora's needs, we proposed our own categorization of questions and responses in false confessions. To account for the level of manipulation, we used the concept of IRI in the construction of *guiding* and *non-guiding* subtypes (Farrugia & Gabbert, 2019). This investigation analyzed both questions and responses formulated in Korey Wise's and Jessie Misskelley's interrogations. The relevance of these interrogations is that both cases are considered to be coerced confessions, and Wise and Misskelley presented certain features that made them be considered as vulnerable suspects. For that reason, our research focused on identifying both the questions with manipulation orientation produced by the interrogators and the effects those questions had on the interrogated suspects' responses. To expand our analysis, we also considered the length of each interrogation in terms of the number of questions and responses, as well as the number of words.

Based on our analysis of Wise's interrogations, we identified not only types and subtypes, but also some regular patterns of occurrence. First, *short positive responses* comprised the largest number of realizations, and the highest frequency of response types. We argued that this occurred due to the asymmetrical dynamics of power and control, and the intellectual disability of the interrogated suspect. Second, when an *echo question* was produced by the interrogator, Wise elaborated either a *short positive* or *short negative non-mitigated* response due to his eagerness to corroborate the information repeated by the interrogator. Third, we also noticed a pattern regarding *polar questions*, as they were commonly followed by extended responses in Wise's statements because they often contained relevant information for the investigation. Fourth, it is worth mentioning that in most cases in which a *declarative* or a *polar guiding* question was asked, Wise tended to answer with *repetition/clarification requests* and *rationalizing involvement*. We suggested that the first type mentioned frequently occurred because Wise needed some clarification of the question to give a proper answer, or to gain time to make up an answer to please the interrogator; and the second type was mostly realized to minimize his participation in the crime after he was provided with IRI. Regarding the amount of speech and number of words,

we noticed a higher number of responses rather than questions in the second statement. This occurred because the interrogator wanted to acknowledge Wise's participation in the crime without providing him IRI, contrary to the first statement, where the interrogator gave much and detailed information of this type. Consequently, Wise elaborated more extended responses for the purpose of explaining in depth his involvement in it, due to the fact that IRI had been already provided.

Several other conclusions are worth mentioning regarding Misskelley. First, we argued that *short positive responses*, which are the most typical, were caused by power asymmetry and the suspects' intellectual disability, similarly to Wise's statements. Second, interrogators' *declarative guiding* statements were usually followed by a *polar non-guiding* and produced a *short positive non-mitigated* response or a *short positive echo*. These *guiding* questions were mostly reformulated or repeated when Misskelley denied them. This revealed that the interrogators coerced the suspect into confirming incriminating pieces of evidence. Third, the frequency of mitigated responses after *non-guiding* questions is related to Misskelley's inability to provide details by himself and his excessive dependence on the information provided by the interrogators to elaborate detailed accounts of the crime. Fourth, *rationalizing involvement* responses, where Misskelley stated he left the crime scene, were usually ignored or questioned until the suspect gave a full and accurate account of the murders. Fifth, *aborted responses by other* were the most typical in comparison to *aborted by self*. This might have the purpose of preventing Misskelley from giving an incorrect or imprecise response. About the amount of speech and number of words, we noticed that interrogators contributed with a higher number of words and questions compared to Misskelley. This indicated that the interrogators constructed most of the statement by providing crucial details and asking for confirmation.

Based on our findings, this study suggested certain patterns regarding Wise and Misskelley. We noted that, despite sharp differences in the presence of guiding questions, Wise's and Misskelley's most typical responses were *short positives* quite likely as a result of their age, intellectual disability, and the power asymmetry that characterizes police

interrogations in general (Leo, 2008; Feld, 2013; Schatz, 2018). Consistent with this result, *declarative guiding* and *polar questions* frequently elicited a *short positive* response in the case of Misskelley and *extended positive* in the case of Wise. What we found significant about this pattern is that both Wise and Misskelley confirm most of the incriminating information which was provided by the interrogators. It is noteworthy that the interrogators reformulated their questions, by changing from a *non-guiding* to a *guiding* question approach, when Wise and Misskelley answered negatively. This reinforced the coercive nature of the interrogators' strategy since the suspects were pressured to confirm. *Rationalizing involvement* and *aborted responses by other* were preceded, or followed, by *guiding* questions as well. This revealed that the interrogators tended to complete the interrogated suspects' responses with IRI; therefore, the suspect tried to minimize their involvement given the impossibility of denying it.

6.2. *Limitations*

The present research had three key limitations. The first one was the availability and quality of the corpora. On the one hand, Wise's statements were available in video format. In relation to the audio, a few segments were deemed unintelligible due to the poor sound quality. On the other hand, Misskelley's statements were only available in audio format. This audio also had missing segments because of the multiple pauses of the recorder. As a result of these issues, we neither had access to the complete legal process nor to Misskelley's paraverbal responses that could be used for future interpretation and analysis.

The second limitation was related to the interrogators. Even though both Wise's and Misskelley's confessions were legally proven coerced and produced by intellectually disabled suspects, there was a difference in terms of the interrogators' professions —an Assistant District Attorney and police officers, respectively. Provided that both suspects were interrogated by different types of professionals, the results of our analysis cannot be conclusive. Since our research showed that their professional training did influence their use of coercive techniques, the establishment of question and response patterns between interrogations conducted by an attorney and a police officer could not be properly achieved.

As such, we deem necessary to acknowledge this difference in our corpora, for it proved relevant in relation to the use of coercive techniques.

The third one was specific to our scope delimitation. We had to exclude question prefaces such as “alright” and “okay”, and interrogation’s felicity conditions. Even though these were initially contemplated as productive aspects to be examined, these did not prove to be directly relevant to our final categorization of types and subtypes, and hence to our objectives. Additionally, despite intonation being briefly commented in our Discussion section for the analysis of *repetition/clarification request*, we had to also exclude it from our categorization.

6.3. *Projections*

As mentioned above, some areas were excluded from our research, such as question prefaces in coerced confessions, felicity conditions, and intonation. About question prefaces, previous investigations have proven their importance in the grammatical and pragmatic functions during interrogations (Matsumoto, 1999; Hale, 2004; Thompson & McCabe, 2016). Nevertheless, no research was found that has been conducted in the area of false confessions. Therefore, it would be interesting to investigate if question prefaces could be relevant in coerced confessions due to its linguistic features, which were mentioned in our Theoretical Framework. Likewise, felicity conditions could be worth studying in coerced confessions as these conditions determine if an utterance is felicitous or not. Specifically, the study of sincerity condition in false confessions could lead to the analysis of linguistic manipulation techniques during an interrogation. Lastly, by including suprasegmental features in our categorization of types, the examination of the interrogators’ illocutionary force and interrogated suspects’ level of certainty during an interrogation could probably offer more precision at the moment of analyzing the interrogators’ questions and the interrogated suspect’s responses. Additionally, it would be interesting to analyze the area of language accommodation on interrogation with vulnerable suspects, for the purpose of studying if

people with intellectual disabilities are susceptible to elaborate false responses when interrogators try to adjust their speech style to the interrogated suspect's form of speech.

The most important contribution of our research was the development of our categorization of types of questions and responses. Future research should also focus on applying these types in other contexts to assess the flexibility of our categorization. For instance, the categorization of types might be evaluated in interrogations of other legal settings such as a courtroom, or in interrogations of vulnerable suspects that did not falsely confess. By doing so, it could be investigated if these categories might be useful in analyzing confessions that did not present coercive techniques, as these types of questions and responses were developed with the aim of demonstrating manipulation orientations in false confessions. Additionally, it should be interesting to apply our categorization of types in the analysis of confessions from other English-speaking countries in which other methods of interrogation are employed (*e.g.*, the PEACE method).

Since the vulnerability of the interrogated suspects was a major factor of this investigation, further research is needed to evaluate our categorization of questions and responses with other vulnerable suspects. For instance, evaluating how ethnic and cultural minorities, people with low English proficiency, and mentally ill individuals respond to verbal coercion, as this could illustrate similarities and differences between them and our vulnerable witnesses' responses.

6.4. *Final comments*

The state has a crucial role in the authorization of highly coercive techniques that not only undermine the criminal justice system but also the protection of vulnerable suspects from interrogators' malpractices. In the United States, false confessions represent 29% of the total exonerations (Innocence Project, 2020). Being civil servants, interrogators must follow and base their actions in the Universal Declaration of Human Rights (1948) to ensure the dignity of each individual within legal institutions. To that end, the United States' criminal justice

system should rethink their interrogation techniques, particularly within the context of vulnerable suspects.

We expect that this categorization for understanding the different questions and responses during interrogations provides one way of identifying manipulation techniques that put intellectually disabled suspects, among other vulnerable individuals, at risk of falsely confessing. As has been mentioned in the Theoretical Framework, vulnerable suspects are frequently unable to understand their Miranda rights —such as their right to remain silent or to have legal advice— due to legal language’s unclear and abstract nature. This cognitive process requires comprehension skills that are inaccessible to vulnerable suspects, but even more to intellectually disabled individuals. Alongside power asymmetry, these factors leave vulnerable suspects unprotected against highly-coercive interrogation techniques. In the long-run, the connection between vulnerabilities, asymmetrical relationships, and archaic legal language notably increases the risk of falsely confessing to uncommitted crimes. As a result, it is crucial to educate law enforcement officers about the pervasive effects coercive techniques can have on vulnerable populations, since in most cases they are unable to handle these interrogation processes with due diligence.

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Appendix

Korey Wise's First Statement (April 21, 1989)

Korey Wise (KW) - Assistant District Attorney Elizabeth Lederer (EL)

EL: My name is Elizabeth Lederer I am an assistant districts attorney in New York county. I'd like to ask you some questions about a series of things that happened in Central Park on the night of April 19th of 1989. Before I do that I'd like to advise you of your rights with respect to *the statements* you may make now, okay? You have the right to remain silent and to refuse to answer any questions, do you understand?

KW: Yes I do.

EL: ¿Anything that you say can be used against you in court, do you understand?

KW: Yes I do.

EL: You have the right to consult a lawyer now before any questioning and have a lawyer present during any questioning, do you understand?

KW: (Nods)

EL: Could you please answer me that?

KW: Yes.

EL: If you have no lawyer or cannot afford a lawyer, a lawyer will be provided for you now, free of charge before any question, do you understand?

KW: Thank you, yes.

EL: Now that I've advised you of your rights, are you willing to tell me the truth about what happened in Central Park on the night of April 19th of 1989?

KW: Yes.

EL: Okay, before I go any further I just want to say it is now 12:35, it is Friday, April 21st of 1989, present in this room as I told you I'm Elizabeth Lederer, I am an assistant district attorney, also present is Tim Clements who is an assistant district attorney in New York county and Detective Nugent who you have already met I believe, have you met Detective Nugent before?

KW: Yes I have.

EL: Okay. uhmm... When you spoke to Detective Nugent earlier, uh did you make a statement to him?

KW: About what?

EL: About what happened in Central Park [disrupted]

KW: Yes.

EL: [he continues] On the night of the 19th. And before the detective took that statement from you, did he advise you of your Miranda rights?

KW: Yes.

EL: Could you please state your full name?

KW: Korey Jamal Polo Wise.

EL: What is your last name please?

KW: Wise

EL: Wise?

KW: (Nods)

EL: Where do you live?

KW: [redacted]

EL: And how old are you?

KW: Sixteen.

EL: You go to school?

KW: Yes, ma'am.

EL: Where do you go to school?

KW: The Bronx Stephenson High school.

EL: And what grade are you in there?

KW: Tenth.

EL: I'd like to ask you if you would tell us when you went to Central Park on the night of April 19th of 1989.

KW: When?

EL: Do you know what time it was?

KW: No, I don't.

EL: Let me ask you before we start, I see you have a soda in front of you.

KW: [he tries to return his soda]

EL: No no, that's alright, I just want to... you ask for a soda a little while ago and the detective brought you a soda, are you feeling okay?

KW: Yes.

EL: Okay, did you go to the park on the night of April 19th?

KW: Yes.

EL: And what were you doing before you went to the park? Do you remember?

KW: Nothing.

EL: Nothing? Where were you doing nothing? Were you at home or hanging out in the streets?

KW: Hanging outside, as usual.

EL: Were you with some friends or by yourself?

KW: I was by myself.

EL: And when you... Did you have a girlfriend with you?

KW: Yes.

EL: Okay, what's your girlfriend's name?

KW: Lisa.

EL: What's Lisa's last name?

KW: I don't know.

EL: Do you know where she lives?

KW: Yes.

EL: Where is that?

KW: [redacted]

EL: Okay. What were you doing with Lisa before you went to the park?

KW: Nothing... I was in a store.

EL: You were in a store?

KW: In Mazuko chicken store, I was outside.

EL: Did you run into some people then?

KW: I run into my friend.

EL: One friend?

KW: Yeah, his name is Eddie.

EL: What's Eddie's last name?

KW: I don't know.

EL: How do you know Eddie?

KW: I know Eddie for a long time, we worked together.

EL: And you don't know his last name?

KW: No.

EL: Do you know where he lives?

KW: Yes.

EL: Where is that he lives?

KW: [redacted]

EL: Did you and Eddie do something then?

KW: No.

EL: Well, you said a minute ago that you ran into Eddie.

KW: Yes.

EL: Okay, what happened after that?

KW: Umm, he was talking to me about what I was doing, I said “nothing.” He asked where I was going, I said “nowhere”, so I looked over towards [unintelligible]’s shoulders. There was a bunch of guys going to Central Park, so...

EL: How many guys did you see?

KW: It was [mumbling] it looked like thirty.

EL: Is that a guess or did you count them?

KW: A guess.

EL: OK. Did you recognize any people of that group?

KW: Yes.

EL: Who did you recognize?

KW: I recognized Steve...

EL: When you say Steve, is that Steve Lopez?

KW: Yes.

EL: Do you know Steve Lopez?

KW: Yes.

EL: How long have you known him?

KW: Quite a while.

EL: Would that be a couple of years?

KW: Yes.

EL: And did, did you go to school with him?

KW: No.

EL: You know him from the neighborhood?

KW: Yes.

EL: Who else did you recognize?

KW: Fadore.

EL: Who's that?

KW: Fadore.

EL: It's Fadore a man or a woman? A boy or a girl?

KW: Male.

EL: He's a male, do you know Fadore's last name?

KW: No.

EL: Do you know where he lives?

KW: Yes.

EL: Where does he live?

KW: [redacted]

EL: Okay, and... who else did you recognize?

KW: Who else... Well, my friend Yusef.

EL: Yusef?

KW: Yes.

EL: Do you know Yusef 's last name?

KW: No.

EL: Do you know where he lives?

KW: Yes.

EL: Where does he live?

KW: [redacted]

EL: How well do you know Yusef?

KW: For quite a while.

EL: When you say...

KW: Few years, few years

EL: Few years?

KW: (Nods)

EL: Do you know him because you went to school with him?

KW: No.

EL: Do you know him from the neighborhood?

KW: Yes

EL: Who else did you recognize?

KW: Hmm... Kevin.

EL: Is that Kevin Richardson?

KW: Yes. I don't know where he live at.

EL: You don't know where he lives?

KW: [shakes his head]

EL: And how well do you know Kevin?

KW: Quite a few years.

EL: And again, do you know him from...?

KW: The street.

EL: From the street?

KW: (Nods)

EL: Who else did you see that you knew?

KW: Hmm... Patrick.

EL: Who's Patrick?

KW: Patrick is a young man I know [redacted]. I don't know what floor he live though.

EL: Do you know Patrick's last name?

KW: No.

EL: Did you see somebody that you know as Steve?

KW: Steve?

EL: Did you see... Did you see a guy by the name of Steve there?

KW: Steve... yes.

EL: Okay, and do you know Steve's last name?

KW: No.

EL: Where does Steve live? Do you know?

KW: Yes, [redacted] But, I don't know his door. I don't know what floor he live.

EL: Did you see anybody else in that group that you recognized?

KW: A couple of others, but I don't know where they live at.

EL: What were their names? Do you know?

KW: Raymond...

EL: I'm sorry?

KW: Raymond.

EL: Raymond, do you know Raymond's last name?

KW: No. I don't know... [interrupted]

EL: Is that Raymond Santana?

KW: Yeah, I just knew him from that first day.

EL: Okay, did you see him here in the precinct earlier?

KW: Yes.

EL: Who else did you see?

KW: Hmm... Orlando, Fernando.

EL: Fernando? That's not the same person as Fadore?

KW: Uh-uh.

EL: Different person?

KW: Yes.

EL: And do you know... (Korey mentions "he's Hispanic") is it Orlando or Fernando?

KW: Orlando.

EL: Orlando.

KW: (Nods)

EL: Do you know Orlando's last name?

KW: No.

EL: Do you know where Orlando lives?

KW: He lives in foster, foster. He live on [redacted] I don't know the... I don't know the exact place.

EL: And do you also know him from the street?

KW: Yes.

EL: Did you happen to see somebody there by the name of Mike?

KW: Mike?

EL: Do you know anybody by the name of Mike?

KW: [shakes his head] Not that I know of.

EL: Okay, Mike Briscoe, do you know that name?

KW: [shakes his head]

EL: Was there anybody else that you saw?

KW: Umm so far that was it.

EL: Did you see anybody by the name of Mccray, Antron Mccray?

KW: Mccray? No.

EL: Do you know somebody by the name of Antron Mccray?

KW: Antoine, yes.

EL: You do know somebody named Antron?

KW: Yes.

EL: But you don't know his last name?

KW: No.

EL: Did you see him, here today, at the 24th precinct?

KW: Yes.

EL: Did you see someone by the name of Lamand?

KW: Lamont?

EL: Lamand.

KW: No.

EL: Do you know anybody by the name of Lamand?

KW: No, ma'am.

EL: Was there anybody else?

KW: So far that's about it, that's all I that's all I knew. Everybody else was a bunch in the crowd.

EL: Do you know somebody by the name of Clarence?

KW: Clarence? No.

EL: Clarence Thomas, do you know him?

KW: [shakes his head]

EL: You were saying that these people were all part of a group of thirty people, about. Where did you see them?

KW: I seen them walk towards the park, Central Park.

EL: Do you remember what street you saw them on when you first saw them...

KW: A hundred Seventh Street and Fifth Avenue.

EL: And what did you do then?

KW: I went I went over, towards them.

EL: Did your friend Eddie go with you?

KW: Yes.

EL: Did you speak to anybody when you went over to the group?

KW: Yes.

EL: Who did you speak to?

KW: My friend Yusef.

EL: What did you say to Yusef or what did Yusef say to you?

KW: I said "what's going on." He said "we just going, we're going to the park, we're just going to the park, just chill." To chill? I said what's in the park to chill? He's... so, Eddie came along, but he ain't stay too long, he left.

EL: Okay, let me ask you, when you say, you said that Yusef said to you "we're going to the park to chill"?

KW: Yeah.

EL: What does that mean?

KW: I'm saying, he was going to the park just do whatever, whatever there is to do.

EL: Did he say anything to you, using the word "violence"?

KW: No.

EL: You don't remember that?

KW: No, Steve... Steve said that.

EL: Steve said that.

KW: Yeah.

EL: Okay, I'm sorry. Yusef said you are going, they were going to the park to chill.

KW: Yeah.

EL: And did he tell you to come along or did you say you were coming along?

KW: Yeah I come along.

EL: And what did you say?

KW: I said "okay."

EL: When did you have a conversation with Steve?

KW: I had a conv... it just a day, just the time that he may have said hmm we was going to the park, I told [background noises] and he said "Eddie can't go."

EL: Who said Eddie can't go?

KW: Steve.

EL: Why did Steve said Eddie couldn't go?

KW: 'Cause him, him and Steve have a little a little... um problem with each other.

EL: What, what kind of problem do they have?

KW: That's it. I have no idea, he don't tell me.

EL: So did Steve say something to Eddie?

KW: He said can't go.

EL: And what did Eddie said?

KW: He went... he went anyway. And that happened

EL: Did Steve say anything to you about what was gonna happen in the park?

KW: Nah, Steve just said hmm... we're going to the park... for violence, I asked him, I asked him what kind of violence he was talking about, said whatever is there for us to do, he said when we get caught by the cops, hmm... nobody caught, nobody get caught with you, don't tell who was with you or whatever, just don't screw on us.

EL: What did you say when he said that?

KW: I said nothing.

EL: And the person, Steve, that said that, it's that Steve Lopez?

KW: Yes.

EL: Okay. What happened after he said that?

KW: We just, we just all went to the park

EL: How well do you know the park?

KW: I don't know the park too well.

EL: Do you know where you went when you went in the park?

KW: Yes.

EL: Would you tell us where you went?

KW: Went to a field.

EL: You went to...?

KW: A field.

EL: A field.

KW: (Nods)

EL: Do you remember how do you got to that field?

KW: We took the road to the field.

EL: Okay, was this a field that had baseball markings on it?

KW: Yes.

EL: Was there anybody... When you went into the park, was it dark?

KW: Yes.

EL: Was there anybody on the field when you got there?

KW: Yes, someone was coming out the field.

EL: Who was coming out of the field?

KW: Hmm... it was like hmm a bum.

EL: When you say it was like a bum, what did this person look like?

KW: He was big, tall, heavysset about at least three hundred pounds, big guy, hmm... that's about it.

EL: When you say he was a big guy, he was three hundred pounds (136 kg)... hmm... you saw uh detective Nugent earlier...

KW: Mm uh-huh.

EL: Do you think detective Nugent is a tall man? [to the detective] Could you stand up for a minute?

KW: Taller than him.

EL: Was he... How much taller was he?

KW: About... five... five, and five eleven, about five... five eleven.

EL: [to the detective] detective, how tall are you? [detective: 5'7 (1.70cm)] –now to Korey- and about.. was he a lot heavier than the detective?

KW: Yes.

EL: Okay. What... what happened when he came out?

KW: He came out... when he came out... it was a cou... it was me, a couple of others, we was like, we was in the back of the crowd, getting acquainted with each other, getting to know each other.

EL: What did you do?

KW: Hmm it was me, the new guys that came on the block, we was getting to know each other better, getting acquainted, and everybody was, everybody was ready to do what you was ready to do and they tossed the big guy and they hit him, and they hit him.

EL: Who hit him?

KW: I don't know, I don't know his name.

EL: What did the person look like, who hit him?

KW: Well... five... five seven, black, black face.

EL: Uh-huh, did he have a dark complexion? With dark skin?

KW: (Nods)

EL: How did he wear his hair?

KW: Short, very short, no style, short, short, that be it.

EL: And you remember what he was wearing?

KW: A black coat with white stripes on his arms.

EL: Okay, and did it have a hood or it was just a black and white coat?

KW: Yeah, a little hoodie.

EL: When you saw him hit him, can you tell us, would, did he hit him from the front or the back?

KW: He jumped on him.

EL: He jumped on him?

EL: From the front or the back? [both at the same time] KW: he did over...

EL: He jumped on him from the front or the back?

KW: Jumped him from the back.

EL: And did he knock him down that way?

KW: Yeah.

EL: Why did you say nothing to him?

KW: I tried to stop him

EL: Why did he do after he knocked him down?

KW: Everybody started stomping on him.

EL: What exactly did he do?

KW: Um stomp, stomp on his stomach, kick him in his face. Everybody was joining on this, and he had bottles in his back ... throwing bottles at him. And after m-

EL: Did he have any food with him?

KW: I have no idea.

EL: Did you see anybody take any food from him?

KW: Yes.

EL: You did?

KW: Yes.

EL: Who did you see take food from him?

KW: Um Kev and Raymond. Not the Raymond from up here, he live up [redacted]. And everybody everybody was...

EL: Everybody started stomping on him and kicking him?

KW: Yes.

EL: Did you also do that?

KW: No.

EL: What did you do?

KW: I was only talk- I was only getting acquainted with somebody in the back.

EL: Who was that?

KW: This kid, uh, Andre.

EL: What's Andre's last name?

KW: I don't know his last name.

EL: Where does Andre live?

KW: He live in Lima.

EL: In Lima?

KW: Yes. He live up [redacted].

EL: How long did the people kick and as you said stomp on...

KW: They did it for quite a while, did it for quite a while. Steve was in the... eh... he was...

EL: Was this man screaming? Was he crying?

KW: No.

EL: Was he moving?

KW: Yes. Everybody was... they moved him so fast that they thought he was dead.

EL: Who thought he was dead?

KW: Steve, and Kevin and eve... I don't know everybody's name.

EL: Why did people think that he was dead?

KW: They did him they did him so fast he hit the floor and all you see him knocking out, he fell out and fell asleep.

EL: When you say he fell asleep were his eyes closed?

KW: Yeah, knocked out.

EL: And he was knocked out he wasn't moving anymore?

KW: No.

EL: And you were able to see his eyes were closed?

KW: Yes 'cause by the fright, it was by the fright, he was scared.

EL: I'm sorry I didn't understand.

KW: No, he seen this coming but he was scared he... just like everybody wrestling him at the same time.

EL: All thirty people?

KW: No no about a good five, five, five to ten.

EL: Did any of the people... who were the people that you saw stomping him?

KW: Steve, Kevin, Al, Alfred.

EL: Okay when you talk about Al, is that Alfred Morris?

KW: Yes.

EL: You know where Al Morris lives?

KW: [redacted]

EL: Did these guys say anything when they were kicking and stomping?

KW: No, they did about to leave the body there I told them "don't leave the body there."

EL: Did anybody take beer from him?

KW: Yeah.

EL: What did they do with the beer?

KW: They threw it away.

EL: Did anybody pour anything on him?

KW: No. They would leave the body there. I told put the body in the grass.

EL: Why did you say that?

KW: 'Cause the one who caught... the one who hit him, two put the body in the grass. People wouldn't think that he fell out drunk he had a big [unintelligible] on the side of his head.

EL: So the reason you thought it was a good idea was not that just so that he wouldn't get run over, but so that if someone found him, they wouldn't think that he'd been beaten up.

KW: Yeah.

EL: Okay who's idea was it to put him in the grass?

KW: I did.

EL: That was your idea.

KW: Yes.

EL: And did anybody move him to the grass?

KW: Yes

EL: Who did that?

KW: It was- uh [pause] it was it was it was it was a couple of new faces, I can't- I don't know their names, so.

EL: Not the people like Kevin or Raymond Santana, not those people?

KW: Okay, now that I think about it I think it was Raymond it was Raymond cause I seen his face.

EL: You think he was?

KW: Yeah. I ain't touch him though.

EL: You didn't touch him. Alright. What happened after he was moved to the grass?

KW: Put him on the grass... we moved... we move ourselves further and we see two people on a bench, they about to rest with the people sitting on a bench, and they say 'no'.

EL: Where did you see those people?

KW: Over there where we put the guy on the grass at

EL: Alright. Now, you had said earlier that you were near a field that had baseball markings on it. When you put the- this bum on the grass was that near that field?

KW: The field was further up.

EL: The field was further up from- you were still walking toward the field or had you already passed the field?

KW: No, we walked towards the field.

EL: You were still walking toward it. So it was after you put the bum in the grass that you continued to walk toward the field?

KW: No we uh- we walked toward the exit going out but we ain't go out ...and we see two people on the bench. A femal-a male and a female. They was, they was gonna beat up the male.

EL: Who said who said let's beat up the male?

KW: Kevin. Kevin and Steve. I said "Nah nah don't beat up don't beat up the man leave him alone he ain't do nothing."

EL: Who said that?

KW: Huh?

EL: Who said that?

KW: Um...Um..[pause] Kev, Kev said that.

EL: I'm sorry I thought Kevin was the one who said "let's beat him up"?

KW: Yeah, I know, yeah, he said it but he thought about it 'cause nobody was gonna go do what he said cause it didn't look right, so he thought about it--

EL: What didn't look right?

KW: Huh?

EL: What didn't look right?

KW: 'Cause he was gonna do that by himself and nobody was planning do it with him so he was decided to do it by himself.

EL: Why didn't other people wanna do that?

KW: Huh?

EL: Why did-

KW: 'Cause it's like I said they was out with they girlfriend, some of them, they ain't they ain't they ain't want that to happen to them.

EL: So, it was Kevin's idea to do it and when he suggested it nobody wanted to join in?

KW: Yeah.

EL: So then he said 'let's not'?

KW: Yeah.

EL: So he was the one who first suggested it and then when nobody wanted to help him he said 'nah'?

KW: Somebody about to help him but he thought it and said 'nah' and he's got cold foot, so he moved up.

EL: And you continued going toward the baseball fields?

KW: Yeah, if you see, if you the guy, the other guy was no bum he was a fresh cut, fresh.

EL: What does that mean when you say it, did you say a "fresh cut"?

KW: Yeah it's like he was no bum, he was nice.

EL: Nice to dress?

KW: Yeah

EL: Did he look like he was old or young?

KW: He was young he looked like eighteen or seventeen [noise outside]

EL: I just want to say I'm sorry one of the police officers came in and removed a podium I'm sorry it made some interruption, um, I'm sure you have seen the video camera we're taping the statement and we're recording it on a tape recorder.

KW: I understand.

EL: But I think that happened out of the view of the camera and I just wanted to say uh that that's what the noise was. Um, you you were describing a person that was a fresh cut?

KW: Yeah he wasn't a bum, he was like one of us, he was like clean, he was clean

EL: He was clean. What did he look like? Was he black or Spanish or white or-

KW: He's he's black.

EL: Was he by himself?

KW: Yeah.

EL: And was he walking toward you or-

KW: He yeah he walked toward toward the inside the park.

EL: Okay, what happened when he walked toward you?

KW: Al Alf uh...Kev..no. Steven said ...”you got money on you?” and asked everybody said it too and he said “no” and we were about to leave but someone said let’s chase after him for the hell of it so he chase after him, chase after him, and he run. He run fast, he got away and they ain’t catch him and [unintelligible] chase him no more.

EL: Was there someone there that night that you saw um a black male who had two gold front teeth? You remember seeing somebody who had two gold teeth in the front?

KW: Uh-uh

EL: Okay. And did you see--- no, I’ll ask you that later. The-they asked for money from this guy and he ran?

KW: Uh?

EL: You said that this fresh cut,

KW: Yeah.

EL: He was asked for money and did he- did he give anybody money?

KW: Nah.

EL: He just ran?

KW: Yeah

EL: Did he run back the way he had come or did he run--

KW: He run into the park to the field.

EL: He run into the park?

KW: Yeah

EL: And did anybody chase him?

KW: Yeah, he was chased after for a while, for a while. A few- they stop and everybody chasing, everybody was chasing no more.

EL: Did you chase after him?

KW: No.

EL: Did you see who did chase after him?

KW: Uh-uh, see I did see who chase him but I don't know I don't know who the people are.

EL: You don't know their names.

KW: No

EL: After they chased after him and didn't catch him, did they come back to where the rest of the group was?

KW: Yeah, they were moved up towards the field.

EL: What happened then?

KW: We see, we see a biker, two bike put together, with two people with a fe- a male and a female, the male was in the front and the female was in the back.

EL: And were they coming toward you?

KW: Yeah ...and everybody said "yo, attack them."

EL: Who said that?

KW: Uh? Steven

EL: Do you remember who said-- Steven said it?

KW: Steven said it, yeah. So um the biker he kinda got slow down between. And everybody- - we wouldn't go. I remember people ran fast and everybody was hit, hit him and the female, but he was still, he still had his bike so he was still riding, so he got away.

EL: He was able to ride through and pass the group?

KW: Yeah.

EL: Let me go back for a minute. Um before you went into the park that night,

KW: Uh-huh

EL: Did you do any drugs?

KW: No

EL: Did you smoke any crack?

KW: uh-uh

EL: Any pot?

KW: Nah

EL: Did you do any cocaine?

KW: [shakes his head] no.

EL: Did you have any alcohol?

KW: No

EL: Were you straight when you went in?

KW: Yes.

EL: And you didn't have any drugs or any alcohol when you were in the park?

KW: No

EL: Alright. After those people on the bicycle got away.

KW: Uh-huh

EL: Did anybody chase after them?

KW: No.

EL: What happened next?

KW: So we we walked further up and there was uh a runner coming. And everybody running towards his way, he was coming towards our way. And he seen all of us and he's turned back around and there was another biker coming and he ain't want the bike to come towards our way so the biker, he went-- they both... the same way.

EL: Did, did you guys chase after the jogger?

KW: No.

EL: Were you able to see what that jogger looked like?

KW: Uh-uh

EL: Okay. Was that jogger running on a on a um paved road or was he running on a dirt path?

KW: He was on a ground- he was on--

EL: Not dirt, not dirt. Okay, uh what happened next?

KW: So there was a car coming and Alfred he's saying 'don't throw a rock at the car'

EL: He said--

KW: "Don't throw a rock at the car."

EL: Don't throw a rock at the car.

KW: Yeah there was a car coming and somebody wanted to throw a rock at the car, boom.

EL: What kind of a car was it?

KW: It was a cab, I think it was a cab. He stopped directly- he stopped at the light, green light he came out, and everybody turned around and said he coming out. And somebody yelled out 'get back in the car, for for we rushing', and he ain't get back, so he went in and instead of closing the door, he pulled- he pulled out a CB and he started talking, so everybody was saying 'he calling the cops', so, so yeah. So we looked down towards the exit of the 4th Street. And when I looked down I see the police car coming around. The big spotlight, and everybody so I- being there... everybody run towards, oh man, I forgot the name of the lake.

EL: Is that the one that has a fence around it, is that the reservoir everybody-

KW: Yeah the reservoir -everybody run towards the reservoir.

EL: Did some people run a different way?

KW: Yeah

EL: Okay, where did you run?

KW: I run towards, um come on, I run towards the west side.

EL: Okay did you run toward the reservoir?

KW: No.

EL: How many people run with you?

KW: So far I only seen one, Al, it was Alfred.

EL: Al run with you.

KW: Yeah

EL: Were you together or did you just run in the same direction?

KW: We just run in the same direction.

EL: Was he close to you when you were running?

KW: Yeah.

EL: How close was he?

KW: He was like...like he, he was close.

EL: Right right beside you?

KW: Yeah, he was close.

EL: Who else besides Al was running with you?

KW: I don't know, I ain't look back but all I knew, Al I knew w-- was in the back, Al and I kept going

EL: The two of you were in the front and there were other people behind you?

KW: Yeah.

EL: Do you know who was in the other group that ran a different way?

KW: So far I know it was Yusef run towards the reservoir, and a couple of new guys, 'cause Yusef had my bar with black tape on around it.

EL: What did Yusef have?

KW: My bar. They took it out of my house, I seen him take out my house.

EL: Okay, when was Yusef in your house?

KW: He was in my house [pause] the day that the accident happened.

EL: He was there earlier in that- in that same day?

KW: Yeah so he was running, he got down to the... towards the horses... horses track.

EL: Uh-huh. .

KW: And we got on the floor.

EL: You laid down?

KW: No.

EL: When you say you got on the floor?

KW: No, we just like on the ground, running still.

EL: Okay were you running on a place that where the horses ride?

KW: Yeah.

EL: And that was cleared of trees?

KW: Yeah.

EL: Alright, let me go back for a second you said Yusef was running in a different direction?

KW: Yeah towards... all the new guys run towards Yusef and down going towards the reservoir

EL: And Yusef had uh-

KW: My bar. [Overlaps with "Your bar"] And he had a knife.

EL: Your bar. How long is the bar?

KW: Uh?

EL: How long is the bar about?

KW: [gestures measurement]

EL: Alright. And what is it--

KW: Heavy, very heavy.

EL: Very heavy and what's it made out of?

KW: Iron, it's pure iron.

EL: Is it solid?

KW: Yes.

EL: Does it have anything on it?

KW: Black tape.

EL: Where is the black tape on it?

KW: Uh? Oh it is on it.

EL: Was it on the whole thing, or just part of it?

KW: On the whole thing.

EL: Uh, where did you get this bar in the first place?

KW: My father brought it home.

EL: Whe- what, what kind of bar is it and what do you use it for?

KW: Uh? So we put it on the door cause... half my brother not suppose to come in, and he get keys... and he get keys from, from other people... from other family, and tried to come and do our lock, so we used to put a bar right there on the lock.

EL: Okay, and... that means that your brother can't open the door, or he just can't get to the lock?

KW: Yeah. Is like, is like a, is like I said the [unintelligible] lock don't work no more cause we have a... we have a lot of robberies in the building, everybody kicking the doors open

EL: Did you know that uh... Yusef had your bar when you went into the park?

KW: No, uh-uh (denial)

EL: Who were the people who ran with Yusef?

KW: I don't know, a couple of new guys

EL: These people uh... someone like Kevin Richardson.

KW: Yeah

EL: Where did he run? with you or with Yusef?

KW: He was with Kev... he was with uh... Kevin and uh... Steven.

EL: Who was with Kevin and Steven?

KW: Uh?

EL: Who was with...

KW: Raymond

EL: Alright, were they with Yusef?

KW: Uh-uh, they was with uh Kevin and Steve

EL: Okay, I'm trying to understand, you said [KW: I understand, I understand, see] Yusef ran one way and you ran in a different way?

KW: Is about four of them was with Yusef went toward the reservoir. About four of them, but I don't know who it was. Okay, Al was with me, it's like everybody picking a partner with who to be while they was running.

EL: And...

KW: [Korey raises his hand] excuse me... we ran a certain feet going down, that's where the police was there, that's over there by their horses

EL: The police were in, off the paved road and they were in-

KW: They were right there on--

EL: They were in the paved road near where the... the horse path is

KW: Yeah, yeah... so

EL: so you were running away from... the police?

KW: Yeah we was going down until the... all the trees is at, going straight down, where the, where the water... waterfalls... and all that down.

EL: There is a stream in there?

KW: Yeah, yeah.

EL: And is that down a fairly steep hill?

KW: Yes.

EL: You were running away from the police?

KW: Uh?

EL: You were running away from the police?

KW: Yes.

EL: Uh... were you afraid the police... would get you because what happened to the bum?

KW: Yes.

EL: And... so you were hiding from the police?

KW: Yes.

EL: Who was with you when you ran down... toward the stream?

KW: It was me and Alf, me and Alfred that's all I see. And he- Alfred was talking to somebody else but I didn't bother looking back

EL: Okay, and uh... did you see any joggers there?

KW: Uh?

EL: Did you see any joggers running?

KW: Uh-uh, see- I know you would get into that.

EL: Where you running through trees?

KW: Yeah, going straight down, straight down to the trees

EL: Alright. I'd like to show you a picture. Before I showed you let me just see if we can...

[Lederer shows the picture to the camera]

EL: Alright, I'm gonna show you this picture and ask you, does that look like where you were running?

KW: (Korey nods slightly) uh-huh

EL: Okay, does that look like near where the... stream was?

KW: This was- this was- directly at the stream, just where we could see the water

[several seconds]

EL: Just bear with me for one moment.

KW: Oh, sure.

EL: Let me show you this picture. Does that look familiar to you? Without the police [KW: I understand, I understand, I understand] car being in the picture. Does that look familiar to you?

KW: So, this... this right here it's going, that's the hill going straight down?

EL: Yeah

KW: Yeah, that's where I was...

EL: That's where you were running

KW: Yeah yeah

EL: Let me show you a third picture. Again, on the night that you were there, the cars probably wouldn't have been there.

KW: Okay.

EL: But do you recognize what's in that picture?

KW: Yeah, the field

EL: Okay, is that a fence near the field?

KW: Yeah

EL: And when you say "the field" you're talking about the baseball field

KW: Uh-huh.

EL: And if you come down from the field there's a little...

KW: A little hill coming down... toward all the trees

EL: There's a little bit of a hill and then a... and then a little bit of a paved road and then a long hill.

KW: Yes

EL: Is that where you were running that night?

KW: Yes

EL. Could you turn the picture and point it toward me... and show me, if you can on that picture, where were you running?

[Korey shows the picture without pointing any specific place]

EL: Does it show on the picture?

KW: No

EL: Okay, can you show me is more toward you or more away from you?

KW: It's more on this side [Korey indicates the side]

EL: More on the side toward me.

KW: Yes.

EL: But it was in that same area

KW: Yes. [pause]

EL: Alright, that's one last picture. When you look at that picture, does that look familiar to you? Can you see, if you look far into the background in the picture, can you see the stream in the back of that picture?

KW: Yeah, right over there [he points a place in the picture]

EL: Okay, turn it and show to us... right

KW: Right over there [he indicates in the picture]

EL: Is that where you were running?

KW: Yeah, I was down there.

EL: Okay, and... you say you were down here

KW: Yeah

EL: Past where it's green?

KW: Yeah, right there where is green

EL: Alright, who was with you when you were there?

KW: It was me and Alf, me and Al.

EL: Alright, what happened when you were down there?

KW: When we was down there, me and Al was down. Uh we jumped, I...we jumped down going down the stairs... made left... [unintelligible] left there was a lot of water, a lot of mud, a lot of dirt. We had stepped in mud, and jumped up the mud, jumped on the dirt, dry dirt . We run across, I stepped in dirt and he stopped , he stopped with somebody else I don't know who stopped with, now the moment...

EL: Was he in front of you or behind you?

KW: Behind me. The moment... everybody was down there, this is, this is what I didn't see, the moment, the moment that I was out there, that's the moment that Steve... Kevin, and uh... Raymond... jumped the lady.

EL: Okay.

KW: That's the jogger.

EL: Alright, you saw those three people jump in lady jogger?

KW: I didn't see it. But I heard... I heard a lady screaming all the way down

EL: Alright, you heard... you were describing as you and Al and another person that you didn't know who was were running and you were in the mud and it was dirt and it was all kinds of brush there, right?

KW: Yes

EL: ...trees and sticks. As you were running

KW: uh-huh

EL: What was the very first thing that happened that drew your attention to where those three people were with the lady? Did you hear something? Did you see something? What was it?

KW: So I knew it wasn't a rabbit cause a rabbit would make noise when coming towards trees and stuff. But I heard a lot of giggling and a lot of com... and I heard a lot coming down the hill. When I got further, further down... to... go home, I heard "help"

EL: Okay, did you hear that was a man's voice or a woman's voice?

KW: A female voice

EL: But right before that you heard some giggling and...

KW: Yeah

EL: What other noise... were you hearing?

KW: Uh, "shut up" that's what I heard. So I... so I stopped, I stopped and paused, I wanted to see out there for my friend Al

EL: Where was that noise coming from in relationship toward you where?

KW: It came, it came from... on this side [he indicates the side] on my right, on the right side... the woods

EL: Okay, was that further up the hill or further down by the stream?

KW: Further down by the stream but up the hill

EL: Further down by the stream but up the hill?

KW: Between near and near, cause she, she right there when I was there, but I couldn't- where I was at I couldn't see her. If she right there in front me, I could've stopped and looked that up, but she was- I was right here and he was going up, she's right here [he shows with his hands]

EL: Okay, so you were... were you below where she was?

KW: Yes

EL: Okay, were you directly below or to one side of the other side?

KW: To one side.

EL: about how far you would say you were from her? If you have to...

KW: I was about.

EL: point something...

KW: About good eight feet [2,4m approx] away from her.

EL: Alright.

KW: That's where I... I hit a tree

EL: You hit a tree?

KW: I ain't hit a tree, but I made my way around the tree, I was seven, seven feet (2m) away from her.

EL: Alright, you hid behind the tree?

KW: Yes.

EL: You said you saw Kevin?

KW: Yes.

EL: And who else?

KW: Kevin, Steve and Sean.

EL: Okay, who's Sean?

KW: uh... I mean uh... Raymond, my mistake, Raymond.

EL: Okay, was there somebody named Sean there?

KW: No.

EL: Alright, you saw Kevin, Steve and Raymond?

KW: Yes.

EL: Now, you mentioned there were two Raymonds before, is this uh... Raymond Santana? That you saw?

KW: Yes.

EL: What did you see them doing?

KW: Uh? Alright, then I heard the lady scream, and I heard Steve's voice... and I heard Kevin voice and he was laughing.

EL: Okay, what did you hear Steve's voice say?

KW: Uh? he say uh... "we will rape her" that's what I heard "we will rape her" and she was still screaming. And Kevin, I think that he put something in her mouth to gag her so she can't yell nothing, or put a hand to close her mouth.

EL: I'm sorry what was the last thing you said?

KW: No, they must've put a hand over her mouth, so she won't yell nothing.

EL: Alright, did you see somebody put their hand over her mouth?

KW: No, but those were suckers. Every time she wanted to yell, they kept cutting her off back and forth. They cut her about three times.

EL: When you say "cut her off" did he say something to her? Or did her voice suddenly stop? Or what?

KW: Alright, when she yelled the first time, Steve said "we have to shut this woman up, she making too much noise." The second time she, she said, she was talking to them.

EL: What was she saying?

KW: I don't know, but she was talking. Steve told her to shut up. Then she yelled, she's screaming one time

EL: What did she yell?

KW: Uh?

EL: What did she...

KW: "Help" cause she [unintelligible] Steve uhm... while he was talking to her, and he said "if you don't shut up I'm gonna slap you." When she didn't shut up, he slapped her and knocked her out.

EL: Could you see him slap her?

KW: Uh?

EL: Could you see him hit her?

KW: Yeah I was behind the tree and I seen him going for a slap

EL: Okay, when he hit her, was she standing up or was she laying down...

KW: She was laying down.

EL: Did he hit her with his hand?

KW: Yes.

EL: And where did he hit her with his hand?

KW: Uh?

EL: Where did he hit her with his hand?

KW: Hit her in her face

EL: When you first saw her when you were down there, did you ever see her standing up?

KW: No.

EL: Did you see how she got to be there?

KW: I know she was forced to go down the hill, but...

EL: When you say she was forced to go down the hill, do you know she walked down the hill, or she was dragged down the hill?

KW: She was dragged.

EL: How do you know she was dragged down the hill?

KW: Cause she... she sounded like she didn't- she didn't wanna go down there she said "I don't wanna go down there" like- it's like part of kidnapping.

EL: Could you say that again please?

KW: Uh between kidnap and she didn't wanna go.

EL: Alright, how do you know that she didn't wanna go?

KW: It was like... you can hear you can hear told them she didn't wanna go. She was screaming, she was trying to go off... go off on Steve and Kevin.

EL: Could you see what they were doing to her?

KW: Uh?

EL: Could you see what they did to her?

KW: They had sex and abused her.

EL: Okay, before that to get her to that place, did you see how they got her to that place?

KW: Yeah, they grabbed her, they grabbed her off the-- they grabbed her off the street.

EL: Who grabbed her?

KW: Uh?

EL: Who grabbed her?

KW: Uhm... Raymond.

EL: Alright, did you see how he grabbed her?

KW: He picked her up and put, and cover her mouth

EL: Alright, did... somebody hit her?

KW: Uh?

EL: Did somebody hit her?

KW: Uh-uh, they hit her jus... to get her down to the bottom.

EL: Raymond put his hand over her mouth?

KW: Yeah.

EL: And he picked her up?

KW: Yeah.

EL: What did uh... the other two do?

KW: He asked... he was calling off to help him, cause she was she be acting wild.

EL: What was she doing to acting wild?

KW: She was fighting, fighting [unintelligible] he dropped her on her feet, and Kevin after he tripped her...BYthat's when, that's when they put her down, and when they tripped her that's when they carried her down.

EL: Did you say that they carried her down?

KW: Yeah.

EL: How did they carry her down?

KW: They must've carried her by her hands and feet.

EL: Why you say they must've? did you see how they got her down there?

KW: No.

EL: I'm gonna show you another picture. When you look at that picture, do you recognize that?

KW: Nah. Uh-uh.

EL: You can't tell where that is?

KW: No.

[silence]

EL: There's a light post over on this side of the photograph.

KW: Uh-huh.

EL: And there's some woods down here. Does that help you place where it is?

KW: I don't know it.

EL: You don't-you don't recognize it that way?

KW: Uh-uh.

EL: Let me show you another- [overlapping]

KW: Uh-huh [overlapping]

EL: Picture. Uhm... if you look at that picture... and then look at this picture... [she gives both pictures to Korey]

KW: They grabbed her right there- right here. [he sees the picture]

EL: Alright. Would you turn the picture that you are holding around and show me where you say that they grabbed her?

KW: Uh-huh. They grabbed right here. [he points something in the picture]

EL: You are indicating there's a mark on that picture there?

KW: Yeah.

EL: What are you pointing to?

KW: To this right here.

EL: Okay is that is-uh- is there-uh-an orange police marker there?

KW: Mhm... yes.

EL: Okay. When... when-uh- she was dragged, which way from that can you show me, on the picture, which way from that was she, excuse me, when she was taken.

KW: They rode straight down. They rode straight down.

EL: Where-- can you point on the picture the path that they took it with her you say straight down?

KW: Uh-I from right here they brought her straight through. Straight through.

EL: Straight through.

KW: Yeah.

EL: Now, when you look at this picture can you tell what that picture is? (She gives Korey a picture)

KW: That's where she was at. [he sees the picture]

EL: Do you recognize that it's a picture of where she was?

KW: That's where she was at, this wha-uh-that's where they picked her up from. Where she-uh where she found.

EL: You see where that mark-

KW: Yeah the mark- [overlapping]

EL: On the photograph- [overlapping]

KW: Yeah

EL: Can you see that sort of... uh...

KW: Light...

EL: Light whitish area?

KW: Yeah.

EL: Does that lead in the direction that they took her?

KW: Yes.

EL: Okay. Could you... try to tell me again, if you could, how they took her from that spot into the area and what...

KW: They probably picked her.

EL: Okay I...

KW: They probably picked her. They probably picked her up. Picked her up.

EL: I'm asking you to try to think as best as you can. Don't tell me what you think they probably did...

KW: Okay.

EL: Try to tell me exactly what you saw or heard.

KW: Uh-huh.

EL: Okay? Take your time.

KW: Like I say don't pick- it's all of picking her up.

EL: Who was picking her up?

KW: R-Raymond... and Steve picking her up.

EL: Okay. You said a minute ago, the first thing that happened was Raymond grabbed her...

KW: Yeah.

EL: And she started to fight.

KW: Yeah-fight.

EL: And she was trying to resist...

KW: And Raymond couldn't-Raymond couldn't-he couldn't take her fight. So he need a little-uh-he need a little-uh-he little-uh-a little assistant to help- help him, you know, make it easy for him.

EL: Who came to his assistance?

KW: Steve.

EL: And what did Steven do to help him?

KW: Steve grabbed her 'cause he let her go.

EL: Raymond let her go?

KW: Yeah.

EL: And when he let her go did she fall down?

KW: Yeah.

EL: Did she fall...

KW: She fell-uh-she fell on her knees but she got back up on her feet and Steve grabbed her from the back that's where he grabbed on-that's where he grabbed on-that's where they dragged her all the way down.

EL: And who dragged her?

KW: Huh?

EL: Who dragged her?

KW: Steve.

EL: Okay. Did you see how he dragged her?

KW: Nah.

EL: How do you know that he dragged her?

KW: Uh?

EL: How do you know then that he dragged her?

KW: How do I know? That's- all I hear was Steve ju-uh...- all I...that's what you could see on the background. Steve dragging her all the way down. That's...when I when I got there as-when I first, when I got there I turned my back he yell help that's where I turn my back is that's when I hit the floor. That's when I hit the grass. And that's the spot that you see the blood in. That's the spot they left her in.

EL: You were in the park and you saw where the blood was?

KW: Yes.

EL: Okay. Did you go to the park and see where the blood was with the...uh

KW: Yes.

EL: Detectives today? [both speak at the same time] yes?

KW: Yes.

EL: And was that with detective Sheehan?

KW: Yes.

EL: And did you show him where the blood was?

[someone whispers]

KW: Yes, yes.

EL: And the spot that you saw with detective Sheehan that's where you saw her body?

KW: Yes.

EL: You said that Steve dragged her down to that spot.

KW: Yeah. They hold...They hold it down.

EL: What did-what did Raymond do?

KW: Uh?

EL: While Steve dragged her there?

KW: He hold her down. They was holding her down.

EL: Okay.

KW: On her back.

EL: On the way to the spot...

KW: Yes.

EL: What did Raymond do?

KW: He help... put her down laid in that spot that you see the blood in... and he hold her arms straight down... and when... Steve pulled off the knife she thought-she thought she will get stab...but Steve...

EL: Did she scream?

KW: Oh yes. He covered her mouth. They gagged her.

EL: When you say they gagged her- did they put something in her mouth?

KW: I don't know. They stopped her from- all I know-she was yelling one minute and stopped.

EL: Okay. So... you don't know whether she was-

KW: Yeah.

EL: Hit unconscious...or whether she had her mouth covered. She just suddenly stopped screaming. When they... when... uh... Steve dragged her down, where was Kevin?

KW: Kevin was...Kevin was halfway up there with them to bring her down.

EL: He was helping?

KW: Yeah.

EL: How... what was he doing to help?

KW: He had it holding her or something. Kind of the middle of the hill he'll get scratch all from her.

EL: You saw him get scratched by her?

KW: Yeah.

EL: When she got to the bottom of the hill what did Steve do with her?

KW: He... was... both of... it was Steve... and Kevin... and Steve had a knife... and she thought- that her life was through. They jus... he he-he ripped her shirt. Cut it straight o... cut it straight off.

EL: What color shirt was she wearing?

KW: I don't know.

EL: You don't know what color was?

KW: Uh-uh.

EL: You said you saw him cut it?

KW: Yeah... well I see him but I didn't see uh... I didn't see it until the shirt was out. I didn't see it.

EL: Did somebody take the shirt off of her?

KW: Yes.

EL: Did you see who did it?

KW: Steve took it off.

EL: Alright. And did somebody take her other clothes off?

KW: They took her pants off.

EL: Who took her pants off?

KW: Uh... uhm. Raymond.

EL: What kind of pants was she wearing?

KW: She was wearing those sweatpants. I guess they were sweatpants.

EL: Were they low pants or shorts?

KW: Uh? They... ush... I think they were's... uh... I think they were tight sweatpants.

EL: When you say tight sweatpants-would they like bike... pants?

KW: Yeah, bike is.

EL: And... when... uh the pants were taken off. What happened?

KW: They didn't take them off, they just took them halfway off.

EL: They just took em' half way off?

KW: Yeah.

EL: Was she laying on her back?

KW: Yeah.

EL: Or her face?

KW: Her back.

EL: What happened?

KW: It is right through-uh- punched her in the eye and beat her-beat her up.

EL: Who punched her in her face?

KW: Steve.

EL: And did you ever see him use anything to hit her with?

KW: Nah I didn't see.

EL: He-you didn't see him use... uh... any kind of a weapon?

KW: Nah.

EL: Did you see him use a stone or brick?

KW: Nah I didn't see that but I...

EL: How many times did you see him hit her?

KW: I saw he hit her-uh- twice-uhm- it was twice. Kevin got-Kevin got scratch-scratched up again but he was trying to hold her hands down and-uh- Steven said oh Kevin she's scratching you up man. There's evidence on you 'cause she's scratching you up. So he hold her head and he slapped her. He slapped her so she scratched him up.

EL: Who did that?

KW: Kevin.

EL: You said that someone had sex with her?

KW: Yeah. Kev... it was Kevin... uh... Ray... Kev... it was Steve maybe. Steve maybe.

EL: You sure who have sex with her?

KW: Yes.

EL: Who was the first person to have sex with her?

KW: See I don't know... It was Raymond.

EL: Do you remember talking to the detective about who had sex with her?

KW: No.

EL: When you talked to this detective earlier- to detective Nugent...

KW: Uh?

EL: Did you...when you talked to detective Nugent earlier, did you make a statement to him and tell him that two people had had sex with her?

KW: Yes.

EL: And did you tell him the names of those people?

KW: Yes.

EL: Did you tell him one of those people was Steve?

KW: Yes.

EL: And do you remember that you told him that one of those people was Kevin?

KW: Yes.

EL: Alright. Now you just said it was Raymond.

KW: Well Raymond was-all three of them.

EL: All three of them had sex?

KW: Yes.

EL: Who was the first one who had sex with her?

KW: Say it was-about who uh... it was Steve.

EL: Okay. When he had sex with her did you see him take her... his pants off?

KW: Uh?

EL: Did he take his pants off?

KW: Halfway off.

EL: How far down did he take his pants?

KW: Knees.

EL: And did he get on top of her?

KW: Yes.

EL: Did he lay down on top of her?

KW: Yes.

EL: And what did he do when he lay down on top of her?

KW: He has- he's just raped her from there.

EL: Right. When you say he raped her what did you actually see him do?

KW: She's... she's like refusing him, hitting him- and Steve slapping her. They hold her arms down.

EL: And did you see him moving on top of her?

KW: Yes.

EL: How was he moving?

KW: Around.

EL: How was he moving?

KW: Wild. It was wild.

EL: Did he say anything while he's doing this?

KW: He was saying something to... uh... to Raymond and S-Kevin.

EL: What did he say?

KW: Uhm... Kevin said he was next. And Raymond said "I was next." They, they was... uh... all a little playing around until-little playing around until all the ways down. And a lot-

EL: Did Steven said anything to either of those two people?

KW: Nah.

EL: Did... uhm... did you see what Kevin and... uh... Raymond were doing while Steve was having sex with her?

KW: They were playing with her.

EL: What would they doing to play with her?

KW: Playing with her tits and playing with her legs.

EL: Okay. Who was playing with her breasts?

KW: Um... so...Raymond.

EL: Alright. Did you see when you said he was playing with her breasts was he touching her breasts?

KW: Yes.

EL: Was he doing anything else?

KW: Yes.

EL: What else was he doing?

KW: He's just playing with her breasts.

EL: Right. Besides touching her breasts did he put his mouth on her breasts?

KW: Yes.

EL: Did he do anything else?

KW: No that's...I uh... that's what I see.

EL: What did you see-uhm

KW: Kevin?

EL: Kevin doing?

KW: He'll be playing with her legs

EL: What was he doing to her legs?

KW: I don't know his body was in the way.

EL: Which part of her body was facing you?

KW: I see... her bod... his back was facing my face.

EL: So his back was to you?

KW: So I couldn't see.

EL: You couldn't see what he was doing... but he was near her legs?

KW: Yeah.

EL: After Steve was done... then what happened?

KW: Raymond jumped on top of her. They hold her-they hold her down again.

EL: Was she still screaming?

KW: No... no not for a while. She couldn't handle no more, so she didn't scream no more.

EL: Did you see if she was bleeding?

KW: Yes.

EL: She was bleeding or what?

KW: Yes.

EL: Where was she bleeding from?

KW: Uh?

EL: Where was she bleeding from?

KW: Her legs.

EL: Did she have any shoes on?

KW: I don't know. Th... uh...

EL: When Kevin got on top of her, did he take his pants off?

KW: Yes.

EL: Did he take 'em all the way off?

KW: He didn't take em' off. He was zipping his pants that's about it.

EL: Right. And did he do the same thing that you saw Kevin do?

KW: Uh?

EL: Did he do anything different?

KW: A little different.

EL: What was different?

KW: Uh?

EL: What was different?

KW: He put on her her lit-he did the same thing... uh... Steve did. That's about it and they were playing to put it in her mouth.

EL: Who wanted to put it?

KW: Raymond.

EL: Raymond wanted to [redacted] in her mouth?

KW: Yeah

EL: Did he-did he say that while Kevin was having sex with her?

KW: Yeah. Wh... So...

EL: What exactly did he say?

KW: Eh do it put it in her mouth man put it in her mouth yo' but it was that this... this... she might... she might... she might bite... she might bite my zip. My zip.

EL: Who said that? Who said she might bite...

KW: Simons. Uh... Raymond... so... while f... while good few... about good 10 minutes, 15 minutes. He let his leg as say...

EL: Okay let's go back for a second and you said Kevin was second.

KW: Yeah.

EL: And what happened-what-while he was doing that what did... uh... Steve and Raymond do?

KW: They were playing with her too.

EL: They were playing with her, what exactly were they doing?

KW: Uh?

EL: What exactly were they doing?

KW: Kevin played-uh-Steven played with her chest and... uh... Raymond was playing with her legs too.

EL: And after Kevin was done did he get off?

KW: Yeah they got off... be-before they left [unintelligible] pulled out his knife and cut her legs out. Cut her up.

EL: What did he do to cut her up?

KW: Uh? They put under her stair clear- cut her legs out. Cut her chest, whatever... I ain't really see.

EL: You didn't see him do that?

KW: No but this is... say... highs swinging as the knife go over her see the swing he's... uh... I don't know good she was knocked out she had to wake up from that stab she's... where they got from the stab marks.

EL: Was she screaming?

KW: She was yelling yeah

EL: When... uh... Kevin was finished did Raymond have intercourse with her?

KW: No

EL: Okay. Did you see anybody masturbate on top of her?

KW: What you mean masturbate?

EL: Play with themselves, jerk off?

KW: Yeah, yes.

EL: What did you see people do?

KW: Uh?

EL: What did you see happening

KW: No there's... uh... Steven... uhm... and Raymond there was... uhm... they was jerking all around on top of her. Coming up... coming up.

EL: Who was it? One or two?

KW: Two of them.

EL: Did they say anything while they did that?

KW: Uh... feel good man. They let it say yo' we're living. We're fill in or...

EL: Did they know that you were behind the tree?

KW: No.

EL: Where was your friend Al?

KW: Uh?

EL: Where was Al?

KW: Ah, I left him, I don't know where he went. He probably went towards they way or some of 'em probably went back up.

EL: Was anybody there with you?

KW: Yes, my friend Eddie

EL: You know that the police interviewed Eddie?

KW: They did?

EL: Mh-hm. Eddie says that he didn't go into the park with you.

[background noises] okay [someone with masculine voice

EL: Eddie said that he didn't go into the park with you.

KW: This is what this is what Eddie told me before all this happened. He was there. I said, man ain't see and you ain't do nothing. I will need you for evidence man, I'm not gon' do no time for something I ain't do, I mean you see what's going on, he said I... I might need a [unintelligible] he's not gon' get you, all you gotta do is tell them what you see, man. That's about it. Don't make me look like a liar. So he said I don't know, man, I don't know and you know it's the police but they coming interview me... so you go...

EL: What you said that when you were running earlier you were running with Al.

KW: Yeah

EL: You didn't say that you were running with Eddie

KW: I know that, Eddie came in, though, Eddie came in the park

EL: And he was near where you were ?

KW: Yeah, he was to, he was right near when I was at, he was calling my name

EL: What the...did there come a point where uh... Raymond and Kevin and Steve left?

KW: Yeah, when they left, s... the minute they left it's like... he... uh... Eddie came over towards me, okay? 'Cause every time he [unintelligible] towards me, he found my voice was at. He came came about the tree where I was at. And said what happened, what happened, I said Steven, Steve and uhm and Kevin just raped a woman, man. He said what!, there is a woman over there, so towards so towards man, right there. She is right there, look, look moving up. Eddie tippy-toed over this [unintelligible] and look at that woman, I said don't let her look at you face.

EL: Was she bleeding?

KW: Yeah.

EL: Where was she bleeding?

KW: I don't know it was dark.

EL: How could you tell she was bleeding if it was dark?

KW: Uh?

EL: How could you tell she was bleeding if it was.....

KW: There was amount of blood, did you see? look at the blood?

EL: Where was the blood?

KW: Uh?

EL: Where was the blood?

KW: All over her body. [unintelligible] they spread it all over her body.

EL: Was she moving anymore?

KW: Uh?

EL: Was she moving anymore

KW: Uh? She's still moving.

EL: Was she saying anything?

KW: Uh?

EL: Did she say anything?

KW: "Help."

EL: Did you see where her arms were?

KW: Uh? What happened? [he looks at someone in the corner]

EL: Did you see where her arms were?

KW: Her arms were spreaded out.

EL: Did you see where her shirt was?

KW: Her shirt was, I think it was on her back.

EL: I'm sorry?

KW: I saw it was on her back, 'cause they moved her, they moved her somewhere [unintelligible] but I ain't even look at her shirt. They lifted her body and she was about to open up her eyes so I moved away from my eyes, I moved away from her body.

EL: I'll show you a picture, do you recognize what that is?

KW: [he exhales]

EL: What is that?

KW: Her shirt

EL: Was that near her or on her when you saw her?

KW: It was near her but it wasn't on her

[she shows the picture to the camera]

EL: Okay.

[the cameraman "You wanna show the other one?"]

[she shows another picture to the camera]

[cameraman "took it down"]

[she shows another picture to the camera and gives him to see it]

KW: [exhales]

EL: Look at that picture. Who is in that picture?

KW: It's her.

EL: Is that the woman that you saw?

KW: Yes.

EL: Is that sort of the way she looked when you saw her?

KW: Yes, yes ma'am

EL: What do you see in those pictures?

KW: Her legs.

EL: Let me just show you this picture again. I want you to take a good look at that picture.

KW: [Exhales deeply]

EL: Does that show a picture of her head, is that the picture you just looked at a minute ago? Can you see in that picture her head?

KW: Yes.

EL: You see the side of her head?

KW: (Nods)

EL: How did those marks get on her head?

KW: A.. a knife

EL: ¿Who did that?

KW: Steve

EL: Those aren't the injuries of a knife, the doctor says she has a fractured skull.

KW: What is? [silence]

EL: Well, I shouldn't say that those aren't the marks of a knife. She has a fractured skull. She was hit with a very very heavy object there, do you know how that happened?

KW: Nah [shakes his head]

EL: Is that the way she looked when you saw her?

KW: Yes ma'am.

EL: And you say that she was moving and still screaming when you, when you saw her?

KW: She was moving a little bit. She was... she wasn't resisting like she was dead.

EL: Do you see in that picture her eyes? Her eyes are black and blue.

KW: [he observes the picture]

EL: Do you know how her eyes got that way?

KW: They punched her eyes.

EL: Who punched her?

KW: Uh?

EL: Who punched her?

KW: It was Raymond, Raymond and Steve and was uhm Kevin [he took his head with both hands and closed his eyes for a couple of seconds and exhales]

EL: Did you see anybody with a stone or a brick or any kind of a heavy object?

KW: [shakes his head] I might've turned my back from everything they did there

EL: After this happened, did you hear anybody say anything about hitting her with a stone or a brick or something heavy?

KW: Not until the next day.

EL: Who said something to the next day?

KW: Uh? Who said something to me the next day? Who was it?...my friend Al, Al told me.

EL: What did Al say to you?

KW: I asked him what happened to s..uh.. 'cause they was they was, everybody on the news... they approached me first.

EL: I'm sorry?

KW: People like, people are watching the news, and they told me, "what happened on the news?" I'm like what you mean what happened. "What happened to the lady on the news?" What you mean? "She's she's all beat up and cut up and all that." When was this?, I said. "Last night." So I had... I had to ask Al, I left him out there I said " Al what happened to the lady on the news?"

EL: The lady what?

KW: The lady on the news, like what happened to her? And he said uhmm [disrupted]

EL: Korey, how would Al have asked anything about the lady when he wasn't there in the woods?

KW: I left him out there, uhhh my friend, my friend Yusef, they.. he came home about what two, two, two in the morning, I asked Al. Al couldn't give him no good information about what was going on.

EL: A minute ago you said that Al asked you, which was it?

KW:Uh?

EL: A minute ago you said Al asked you. Now you said you asked him, which one is it?

KW: Yes. I asked him, this is... [disrupted]

EL: Let me tell you right now Korey, ok? This is very, very serious.

KW: I understand.

EL: This may be murder, we don't know if this woman is gonna live. I wanna know exactly what you saw. And exactly who said what. And exactly what you said to people. Alright?

KW: Okay.

EL: After seeing those pictures, I'm sure that you can see how important this case is, and how important it is to know what happened.

KW: [silence] I asked Alf what happened to the lady, and the people told me on the news, cause uhm my friend Eddie told me what happened. He said he seen it too you know what I'm saying? [unintelligible] everything on the news. I see a beat up woman, I see what caused her those scars. He said "who had a knife who had a knife that day that that happened to the lady?" I say I mean you know that Steve had a knife on him, so I said "who was out there with Steve?" I said, "the people who was out there with Steve was arrested" so I can't remember [unintelligible] he said who you left out there? I left Al. So me and Alf me and Alf [someone coughs] about it, I can't remember seen nothing. He and me, we ain't see nothing.

EL: After, let's go back to to the night in the woods. After Kevin and Steve and Raymond left, you went over to that body?

KW: Uh-huh

EL: And you are telling me that it looked the way it does on the pictures here, right?

KW: Yes.

EL: What'd you do?

KW: I looked at it too long, I can't look at it no more. I'm serious.

EL: Was she naked?

KW: Uh?

EL: Was she naked?

KW: Yes.

EL: Did her...was her bra around her neck? Did you see her bra?

KW: I didn't, I ain't bother, I ain't bother get none of that, none of that. I only look at the position she was in, so they told me, [unintelligible] too long. I won't do time for this, so I left

EL: Did you leave by yourself?

KW: Uh? I left with Eddie.

EL: Where did you go?

KW: We went straight home.

EL: Did you say anything to anyone?

KW: Uh?

EL: Did you say anything to anyone?

KW: No.

EL: Did you call the police?

KW: No.

EL: Did... did you see what happened to Steve or Kevin or Raymond that night?

KW: I, I knew Steve... I knew Steve and Kevin got locked up. I knew that. And by the...by the next day, the po...the detectives came up here with uhh with Kevin's sister. And one of

the cops knew... They just knew [unintelligible] I'll regret, so I said why he looking at me like that for?, he been looking at for a long time, so I looked at it ,so uhh just a regular... so I said "I don't know" and he said [unintelligible] whatever you did, whatever you did there [unintelligible] what did you do, man?" detectives up here man.

EL: Did you... did you hear them talking when they left?

KW: Uh?

EL: Did you hear Kevin and Steve and Raymond talking when they left?

KW: Left what?

EL: The body.

KW: Uhm, [unintelligible] don't say... they said "don't say nothing about it, don't say nothing about it."

EL: Did they say that to you?

KW: No.

EL: How did you find out that they got arrested?

KW: Uh? They did not come back [unintelligible] my friend Yusef told me.

EL: Who?

KW: Yusef.

EL: Where did you next see Yusef?

KW: I seen Yosef the next day, after the accident, all that...

EL: When you say "the accident", Korey... When you say "the accident", what are you talking about?

KW: Uh? I'm referring to the lady [disrupted]

EL: When you say the accident, what are you talking about? [overlapping]

KW: ...referring to the lady [overlapping]

EL: Alright. An accident is when somebody slips and falls down, alright? What you saw, you saw people drag her down there,

KW: Yes [overlapping]

EL: You saw people beating her up. [overlapping]

KW: Yes [overlapping]

EL: You saw her so beaten up that she looks the way she does in these pictures, you call that an accident? Now tell me how you knew these people were arrested?

KW: My friend Yusef told me.

EL: How did Yusef know?

KW: Uh?

EL: How did Yusef know?

KW: [unintelligible] He came out, to the park about two, two, two, 2:30 in the night, he said, he told me, he they put everybody on the news told me they seen Kevin with his jacket over his head...going the side of a car, police car, from the station.

EL: Where were you when he told you that?

KW: I was outside.

EL: What were you doing?

KW: Nothing.

EL: Yusef was home at 10:30 that night. He didn't see you until 3:30 the next [noise in the background]

KW: We got home from school.

EL: Yeah. So you didn't see him that night to find out when he got arrested.

KW: No, uh-uh. I was upstairs.

EL: He got home at 10:30 that night.

KW: I went upstairs. I asked him what time he got back. He said he got back about 2, 2:30 in the morning. He said, he could [unintelligible]

EL: Did you ask him for your pipe back?

KW: Uh?

EL: Did you ask him for your pipe back?

KW: He said, nah I didn't ask, I didn't, I didn't said none about it. He said I don't know where your pipe is at [unintelligible] got it and he had blood, he had blood all over him.

EL: Why did he have blood all over? What did they do with it?

KW: 'Cause the others, 'cause Yusef told me that they was at the reservoir. Him and some other dudes. They, they all wrestled with a man. They, they, they asked him something, they threw him up on a fence

EL: What they do?

KW: Threw him up on a fence, threw him up. Ehm... he got down but he, he let him go, he run. [unintelligible] pull up the bar and threw it at him and hit him from the back and he fell... they, they, they run up to him and grabbed him and grabbed the bar and Yusef say they bust him, hit him in his face.

EL: Did Yusef know anything about this woman?

KW: Not that I know, but that's, that's all he did. I asked him about it he said he don't know nothing about the woman. [unintelligible] people would tell me what was going on on the news about it. [unintelligible] I didn't quite believe it. Had to see it for myself. I went upstairs to my house... my sister had the TV on. They said about five, five o'clock they got central park on the news that's explaining what happened that night.

EL: When was that?

KW: Uh?

EL: The next day?

KW: The next day, yeah. So, I went upstairs I didn't go to my, was at my girlfriend's house, me, Yusef and Eddie was at my girlfriend's house watching the news. And I said "what happened?"

EL: Did you see any of these guys take any of her clothes?

KW: Not that I know of.

EL: Did you see her shoes anywhere?

KW: I don't... all that they did to the body, man. I'm serious. I know they tossed the body, I didn't do nothing to the body, only looked at the body...

EL: Did you think that she was gonna die?

KW: Yes. [unintelligible]

EL: When you saw her in the woods did you think she was gonna die?

KW: Yes, 'cause...

EL: And you, you left her there?

KW: Uh?

EL: You left her there?

KW: Yes. I didn't wanna be there.

EL: You didn't call the police?

KW: I didn't wanna be there ma'am. I had no [unintelligible] running from the police. If they was, if I was still around there or told them they prob...they would have tried make me talk my way and say that I killed the lady or did anything to the lady but i didn't do. But I was running from the cops with the rest of the guys and...

EL: Let me tell you, Korey we're gonna do some tests.

KW: I understand, you uh you will have a, a cum test.

EL: Hm?

KW: A, a cum test, right?

EL: Mhm. We're gonna take a specimen from her.

KW: Alright.

EL: Alright and we're gonna analyze that.

KW: Okay.

EL: We're gonna take samples, blood samples from a lot of different people.

KW: Fine, fine with me.

EL: Right. I just want you to know that if we do that we will probably get an order to take a sample from you. And then we'll compare the two tests.

KW: I, I don't mind, I understand that.

EL: Alright, because you are in a position now where if you know that there's gonna be a match then you'd be better off if you tell us about it now.

KW: I understand, I understand.

EL: Instead of saying something that's not true.

KW: I understand, I understand. I...

EL: If we do that test, are we gonna find that it matches Kevin?

KW: Hey, it's gonna match one of them 'cause I, I knew what I see.

EL: Okay. I just wanna give you a chance because I want you to be in a position where you're gonna tell us the truth. And I just want you to know we're gonna do those tests and we're gonna make comparisons, we're gonna compare them, okay?

KW: Okay.

EL: Now if you wanna change something that you've said to us...

KW: No.

EL: Because we're gonna find out something...in short order, now's time to change it. Do you have anything that you wanna change?

KW: No.

EL: Is there anything that's different at all? 'Cause in a few minutes we're gonna end this interview. Alright? I can appreciate that you're scared and I can appreciate that this is a pretty sad case. But the thing that's most important is that you tell us exactly what happened. Because, if you don't tell us exactly what happened, exactly what you saw, and exactly what you did and exactly who you were with, and we find out that you were lying it's gonna look...

pretty bad for you. It's gonna look like not only did you do something, which maybe doesn't turn out to be so bad, but that you lied to cover it up and then its gonna look a lot worse.

KW: I didn't cover nothing up.

EL: Uh?

KW: I didn't cover nothing up.

EL: Can you take your hand away of your mouth? I can't understand you.

KW: I didn't cover nothing up. I knew what I see.

EL: Is there anything that you wanna change about what you told us? Who was it who dragged her from uh the path into the woods?

KW: Steve... Steve and uh Raymond.

EL: And who else was there?

KW: Kevin right there.

EL: What did they do after they dragged her down by the stream?

KW: Like I said, they just dropped her and they [unintelligible] slap.

EL: And did you see them hit her?

KW: Yes, Steve slapped her.

EL: How many times did he slap her?

KW: Slapped her about three times.

EL: He only slapped her three times?

KW: That's what it looked like to me, he slapped pah pah. Then Raymond slapped her, but after a while well, Kevin got scratched up by her and punched her in the face, they all started punching her in the face.

EL: Who punched her in the face?

KW: Kevin.

EL: How many times did he punch her?

KW: Kevin punched her in the face about what, twice?

EL: Did anybody else punch her in the face? Korey you saw that picture, I'm asking you,

KW: I understand, I understand.

EL: How did she get the injuries that she had when you finally saw her? I mean, you get you get a punch, you see a fight, you get a punch you get a bruise.

KW: I know.

EL: You don't get, you don't get bleeding, you don't get these lines, you don't get a fractured skull from it.

KW: That more, that more it looked, that more it looked like it's, it's, it's from like, it's like a rock. A rock [unintelligible].

EL: Did you see anybody hit her with uh with anything but their hands?

KW:... I see

EL: And i'm, I'm telling you Korey, I don't want you to think that you have to say that but I wanna know what you saw that explains how she got so badly hurt.

KW:... I did see Kevin pick up a, a handrock, a small handrock and hit her across the face with it.

EL: How big was the rock?

KW: It was a hand. [he gestures measurement] Like it was, like it was a big, a good-shaped rock.

EL: Are you just saying that because I, I'm asking you?

KW: No, uh-uh no, no

EL: Why didn't you say it before?

KW: Ah?

EL: Why didn't you say it before?

KW: [unintelligible]... me taking a quick glance in the dark, I remember him picking up a rock from at the, at the dirt.

EL: What did he do with the rock when he was done?

KW: Uh? When he was done? I think he threw, he threw it away. Yes, he threw it back.

EL: Alright Korey. I don't have any more questions for you. Is there anything else that you wanna say?

KW: [silence, slight head shake]

EL: Alright. It is now five minutes to two. This interview is concluded. Thank you.

Korey Wise's Second Statement (April 21, 1989)

Korey Wise (KW) - Assistant District Attorney Elizabeth Lederer (EL)

EL: Korey uhm it's now 3:15. We concluded an interview at about two o'clock.

KW: Yes

EL: Uhm...I have been informed by the detectives that you wish to make a statement.

KW: Yes.

EL: Do you wish to say something?

KW: Yes.

EL: Alright. Before you say it.

KW: Uh-huh.

EL: Let me give you your rights again. Let me remind you, my name is Elizabeth Lederer. I'm an assistant district attorney in New York county. You uh have the right to remain silent and to refuse to answer any questions. Do you understand?

KW: Yes, I do.

EL: Anything that you say can be used against you in court, do you understand?

KW: Yes.

EL: You have the right to consult a lawyer now before any questioning and to have a lawyer present during the questioning. Do you understand?

KW: Yes.

EL: If you have no lawyer or cannot afford a lawyer, a lawyer will be provided for you now free of charge before any question. Do you understand?

KW: Yes.

EL: Now that I've advised you of your rights, are you going to tell me the truth about the uh women who was assaulted in Central Park on the night of April 19th of 1989?

KW: Yes.

EL: When I spoke to you about an hour ago, at the conclusion of our uh conversation I told you that we were going to shortly end our interview. And I told you that if there was anything you wanted to change or anything that you wanted to correct that was the time to do it.

KW: I...

EL: Now let me, let me just stop you for a second and say what I wanna say. I now understand... from the detectives that you wanna change something that you said in the first statement.

KW: Change a lot.

EL: You wanna change a lot. Why do you wanna change the statement you made before?

KW: Through the whole thing I played innocent when I was not, I know I wasn't. 'Cause I was with everything.

EL: Why do you wanna change what you told us before? Was what you said before the truth?

KW: No, I was, this is something I n... I never had to do. I was scared, I'm scared to go to jail, even though I have to... do a little crime, I gotta pay.

EL: After you left this room after we had uh our conversation that was on the videotape. Did you have a chance to think about what you said?

KW: Yes.

EL: And what made you change your mind and decide that you wanted to make another statement?

KW: I thought about it. Found myself lying, and [unintelligible] the wrong people.

EL: Did any detective tell you to change your statement?

KW: No.

EL: Are you doing this of your own free will?

KW: Yes.

EL: Is it your own decision...

KW: Yes.

EL: To ask to have another opportunity to make a statement?

KW: Yes.

EL: If we give you the opportunity to make a statement now, will you tell us the truth about what happened?

KW: The whole truth, nothing but the truth.

EL: Is that what you'll do?

KW: Yes.

EL: Uh, I just wanna state for the record, detective Hartigan and detective Arroyo are also present in uh in the room now. Since you left this room at the end of our last interview, where were you waiting?

KW: I was upstairs.

EL: And... what were you doing upstairs?

KW: I was conversating with one of those detectives.

EL: Right. Is that when you told the detective that you wanted to change...

KW: Yes, ma'am.

EL: Your statement?

KW: Yes.

EL: And is it through that detective that you contacted me?

KW: Yes.

EL: And asked to be allowed to go on videotape again?

KW: Yes, I couldn't do it myself, I had to get the officer to do it for me.

EL: Why don't you tell me now what was wrong in what you said earlier, and what you wish to correct?

KW: In the beginning, when we jumped to the bum, I was in there too. They stomped on him, jumped on him, kicked him, I kicked too.

EL: And did you stomp too?

KW: No, I just kicked, I just to, I just kicked.

EL: And you kicked when the others also kicked?

KW: Uh?

EL: The others were kicking and you were doing it as well?

KW: Yes.

EL: How many times did you kick him?

KW: I only kicked him in the, I only kicked him in the side twice.

EL: Okay, did you do anything else with respect to that guy?

KW: No, I just couldn't. I didn't wanna leave him in the street hurt, even though I know he was hurt. I... me and my friend, I just knew that same, that same day, we grabbed him by the [unintelligible] and carried him off to the grass.

EL: Do you know the name of that person?

KW: No.

EL: Was there anything else that you told us that wasn't true?

KW: Um... I was by the reservoir, and the damage that happened there I didn't do the damage but I did lose something there.

EL: What you're talking about now, who was involved in this? Who was the victim in this case, in that incident?

KW: My friend Yusef had my bar, he gave the bar to one of his other friends that was there. I didn't see it. They ran, they ran up on a man and threw him up against the fence and let him there, he ran. The guy pulled up the bar and threw it at him, and hit him and he fell. We all chased him and grabbed him. Yusef took the bar and hit him across his face. They all punched him, kicked him, and I kicked too. But I kicked him in his stomach... Then the coming towards the rape... We came down from the, from the park, from the, from the field. From the reservoir to the field, that's when we came towards the rape.

EL: Who was with you?

KW: Uh?

EL: Who was with you?

KW: Who was with me? Steve and Kevin I don't know the rest of the other ones. And Raymond.

EL: Was Yusef there?

KW: Yusef yes. We uh... Raymond, Raymond, Raymond ran back at her and she looked back at Raymond and she started running a little fast. Steve came out towards the front and grabbed her from the front. Then he, uh, from, from the front, from the beginning right there, that's where they started a little rape. Then they [unintelligible] all the way down.

EL: Ok, when you say Steve grabbed her from the front and Raymond grabbed her from the back...

KW: Yeah.

EL: Where were you?

KW: Ah?

EL: Where were you?

KW: Me, and Kevin and Yusef we was right there looking at them set it off, looking at them start everything by themselves.

EL: You just said something about there was a little rape there ...

KW: Yeah.

EL: ... Tell me what you mean.

KW: A little rape was saying... Steve attacked her first with the rape, right there...

EL: Right there?

KW: The first picture you showed me... the first picture you showed me, with the, with the white part was that, that's what started from... it started all the way down.

EL: When you say a little rape happened there, what exactly do you mean? Tell me what each of the people did.

KW: Steven, he just felt her up. She couldn't take him, she was trying to scream, she... she slapped.

EL: She slapped?

KW: She slapped Steve. Steve slapped her back.

EL: Was she dressed?

KW: Oh, yes.

EL: And when you say he felt her up, what exactly did you see him do?

KW: Huh...he felt h... Alright, let's see. Been there, she couldn't take him by herself, and he couldn't take her by her... ehm... Raymond grabbed her to make it hard on her. Two against one. It brought too much weight on her and she had no choice but to let... she had no choice but to give... give up what they wanted. So, from there, they brought her body way down there, that's where the blood was at.

EL: How did they get her down to where you found the blood?

KW: They grabbed her and dragged her.

EL: How did they drag her?

KW: They grabbed her from her feet and dragged her from the grass. Her back was on the... her back was on the grass. They just dragged her down the grass. They dragged her down. That's when... that's when Steve stripped her clothes with a knife and everything. Slapped her twice in her face, that he did. When he did all that, I didn't want to sit right there and look at what's going on. I didn't wanna look like no... when you... If you were with them, you ask yourself [unintelligible] effort [unintelligible] too. So, I had to get it to her too. I wasn't doing what they was doing, they was on top of raping her completely, I was playing with her.

EL: When you say they were raping her,

KW: Uh?

EL: When you say they were raping her, what exactly were they doing?

KW: This time they was fucking her. That's what they were doing, fucking her. Him, Steve and Raymond... and me... and Kev... and Yusef was playing with her. Like, Yusef had her arms... and me and Kevin was playing with her.

EL: What were you doing when you were playing with her?

KW: Uh?

EL: What were you doing?

KW: I was playing... I was playing with her legs.

EL: What were you doing to her legs?

KW: Uh? I was going up and down her legs, I wasn't doing as much as they was doing.

EL: Where you going up to her crotch?

KW: No, I was about to, I said no. I cou... I cou... I couldn't exactly see myself doing that. Even though I was up to it... but I wasn't going to do it. 'Cause I could see the expression in her face that... when we do this and get caught by the cops and he ain't...he was gonna be through, so what they did and what I did was different from them. The only people that did it different it was me, Yusef, and... uhm... uhm... Kevin did what they was doing. Me and Yusef was just playing with her.

EL: Did you play with her breasts?

KW: Uh... Yusef played with her breasts.

EL: Did you?

KW: No, I didn't go... I didn't go up to her breasts enough. I stayed on the legs. They told me pull out her pants and I said "Pull out her pants?" So... Steve got off of her, he called... Steve called me a punk 'cause I didn't do it. They hold her down, it was gonna rip her... Steve ripped her pants with his knife, and that's what made her mad... and that's when she started scratching him... uhm... what was his name?... Kevin. She was yelling pretty loud. Yusef closed her mouth, he had bigger hands than us... closed her mouth. So, we were looking at her, and I felt kind of bad... k... this is my first extreme I did to any type of female in the street. This my first rape, 'cause I never did this before, and it's gon' be the last time doing it. This is my first experience... this will be my last. So, they did that they just... they just went on to what they was doing. And after... what's?... uhm... Kevin and Raymond picked up a rock... I tell you, I ain't gonna say I think.... Kevin hit her in the face with the rock, that's what knocked her out. Definitely knocked her, she thought it was a * but it was a rock that hit her. Uhm... Steve was using the knife to cut her pants and cut her legs. I don't

know how he was doing it, he just... cut her legs. Half of them was using the knife to cut her legs. Me and Yusef... they was... Kev... it's Kev, and Steve, and Raymond acting wild, me and Yusef stayed to the side even though we even though we was playing with her we stand to the side they was acting too wild, they was swinging on her and everything.

EL: What does that mean?

KW: What?

EL: They were swinging.

KW: No... they they were punching her face... punching her face...punch bum, bum, bum... I couldn't stand looking at them punching her face [noise in the background]

EL: They were doing it with both hands?

KW: Yeah... It was more than two hands punching her face.

EL: Who was punching her?

KW: Uh?

EL: Who was punching her?

KW: Kev, Raymond and Steve. I was not... I'm still not saying that me and Yusef was playing innocent, even though even though we were playing with her. But me and Yusef wasn't going that far doing that. The only way me and Yusef was going that far that's these guys, that's these men that were trying to defeat all of us.

EL: I didn't understand what you just said.

KW: I said. Alright... just... me and Yusef didn't go as bad as the other three did. Me and Yusef was all about saying [unintelligible] we would grab, we would grab, grab the running man. But even though? he was a man; we knew he was still * for his right to fight back. That's what we knew we had to fight him. But since this was a female... she... she could...she couldn't even take one of us, she couldn't even take a hit. Steve hit her one time, boom. She closed her eyes for quite a while. That's when he ripped her pants she... uh...and and she just opened her eyes. She's got she's... to it [unintelligible] on her bike took over her... [unintelligible] for a while.

EL: What did she do?

KW: Uhm?

EL: What did she do?

KW: She was kicking. And she she she she barely... she almost kicked me, that's when I moved down her leg. I let her... I let her leg go, I was on her leg and then I let her leg go. So we all got little nicknames, so we wasn't calling each other by our real names, we were calling each other by our nicknames.

EL: What are the nicknames?

KW: Uh?

EL: What are the nicknames?

KW: Since..since my friend Yusef was tall, we called him "Cane." My nickname was "Polo." And there you got uh Fadore was just Fadore that's his nickname. We all was going by our nicknames.

EL: How about Yusef?

K. Yusef... that was his name, "Cane," 'cause he's tall. So, we said...

EL: Does Kevin have a nickname?

KW: Kevin?... Sometimes we call him "lemon head", 'cause his head is shaped like a lemon, yellow.

EL: How about Steve?

KW: Steve? We didn't make him a name, we call him... uh... we call him "Tony Montana," 'cause Tony Montana, he was dirty. He beat up his wife, he beat up everybody. So, he he's the one beating this girl... this lady up... called him Montana.

EL: Does Raymond have a nickname?

KW: We didn't look him a name, we only gave each other nicknames 'cause we live in the same area. We see each other every day. My friend Yusef said: "Korey, go for... go for her legs... she kicking wild, she kicking wild", 'cause she kicked... uhm... she kicked uhm... uhm... what's... she kicked Kevin in his chest. Kevin went wild on her and punched her in her face. Half of them was punching in her stomach, half of them punching her legs. I said we gotta let her go 'cause if...we just felt... me and Yusef told Steve: "Steve, let her go, man, 'cause you might... we don't want no dead body on our hands... leave her alone... Leave and? let her leave. He's "no, no, man" ...she's the one...she the one who scratched Kevin... So, what man? What are you gonna do? You gonna kill her? Say?" "We gotta do something"... kill her. Come on, man. We don't want cops here looking for us. Come, on. They got half

our people. 'bout the time we were separated, this were... now... Kev... Kev... and uhm... and Steve they made their first victim... their last victim, and the victim was inside a van.

EL: I'm sorry?

KW: Their victim, their last victim before they left was inside a van. They beat up a man inside a van, and the police came, the minute they did went in the van [unintelligible] by the police. The police pulled over to the van and they got both of them. That was already out.

EL: How do you know that?

KW: Uh?

EL: How do you know that?

KW: 'Cause uhm... one time we we seen the van. I think it was a blue van, blue or black van. They ran up to the van and say... me and Yusef: "what you're gonna do? what you're doing?" We will get this man to the van, so, I thought about it [unintelligible] for messing with an undercover cop in a [unintelligible] in the retro?? red truck??. I thought about this van, I left the van... and left the man in the van alone. I didn't even touch the man in the van. What they... after... they do that to the man of the van, and Yusef's seen the police coming... Yusef ran, he didn't say nothing to Steve, [unintelligible] was: "Steve, Steve, come on", Steve said: "*". I guess it was money or... money or jewelry, something was in there. That they wanted real bad. When me and Yusef left... it was left Steve, Kevin and Raymond by themselves, they were doing all by themselves. That's when the police came over.

EL: Was Michael Briscoe with you when you were with the woman?

KW: Yes.

EL: What did he do?

KW: Uh?

EL: What did he do?

KW: He kicked her.

EL: Anything else?

KW: No.

EL: What did this woman look like when you left her?

KW: She looked how she looked right there, messed up. When I... when they got off of her, 'cause when they started... when they started cutting, when started hitting with the brick, I see blood scattered, I moved out the... I moved out the way. Me and Yusef left, we didn't leave, it was like... three steps away from them. Three steps away from them, they were beating her up. It was like "Oh, man", Yusef was laughing, 'cause he got (a way of/away) laughing. My, my expression towards that, I felt kind of bad. The reason why I did that, not just to prove myself, just to be there while I was with them. Not because they gon' call me a name, a name don't bother me. Just the reason why... the reason why I did it, 'cause we was all together.

EL: Was Antron there?

KW: Uh? Yes, we was all together. Antoine came the minute they were beat... that Yusef... uhm... Steve... and... they were beating the lady up. And he was like: "Oh, man", blood was scattered all over. I couldn't look at it no more. 'Cause... like I said, the reason why I did it... not just to prove myself, I don't prove myself with nobody... I just did it 'cause... we... we went to the park to... f..

EL: To what?

KW: Uh?

EL: To what?

KW: For trouble. We went to the park for trouble, we got in trouble... a lot of trouble. That's what they wanted, and I guess that's what I wanted. If I was doing it, that's what I wanted to. I can't apologize, 'cause I think it's too late. And all I gotta do is pay up for what we did. And we can... we can cry every day, but that still won't solve no question.

EL: Did you hit her or kick her?

KW: I ain't do nothing. I was just playing with her.

EL: Did you hold her legs down?

KW: Uh? I hold her legs down for what, for five seconds. That's when...

EL: That's when Steven was on top of her?

KW: Yeah, 'cause when he started... he asked me to pull her pants down and I said: "No, uh-uh." That's when her pants was too hard to take down anyway.

EL: Did you try?

KW: Uh?

EL: Did you try to pull?

KW: Nah, I put my... I put my hand... nah... I put my hand on the leg part to see how this thing was stretching. It was stretched, but it was still tight. I left her alone. But Steve just cut the pants, he didn't care, he cut it.

EL: What happened to her clothes?

KW: Uh?

EL: Do you know what happened to her clothes or her shoes?

KW: No. After Steve... when she started kicking... when she started... when Steve ripped her pants, she started kicking wild, I left, I left her alone 'cause I didn't want a kick in my face. That meant too much evidence even though I'm giving myself away. I have to do it anyway. 'Cause it is too late... like I said it's too late. But, when they did all of this, me and Yusef me and Yusef was away from them... we was away from them. We looked at it, I felt bad and he started laughing. He said: "Well ain't funny though. It's not funny. What's going on?", but he was laughing. I felt it bad just looking at it happen. I can imagine raping a woman, but not beating up her just like that. I can imagine anybody raping a woman. If I had to rape a woman, I'm gonna rape her, but I can't beat her up. Can't look at it that way. Look at all that blood squirting on us and all of this, nah.

EL: Did you get blood on your clothes?

KW: Uh-uh.

EL: You're sure?

KW: I swear to God. I step to... this... I was... the minute I finished playing with the lady me and Yusef, after a minute of that Steve told me to take her pants off, when I did... even though I... I tried to... I tried to see how tight were her pants laid, when I checked they were tight, I left her alone. Steve said: "you know, you know." He told Antron and Kevin to hold her arms down, and he did the pants, and me and Yusef... and Yusef grabbed me off the... Yusef grabbed me off the floor. I stepped away... I stepped away from there right he did. But what they did was on their own.

EL: Was she wearing underpants?

KW: Uh?

EL: Did she have underpants on under her shorts?

KW: No. I think... I think she did... in fact I think she did. 'Cause one of them I seen cutting her pants... when he was cutting her pants that's when my friend Yusef my friend Yusef was laughing on it, it saddened my heart. I couldn't I couldn't see myself doing that. I ain't taking nobody pants. I can see--no, I can even take over a man pant, but if you ask me to beat up somebody else if you ask me to beat somebody I'm... on Central Park, I'm gonna beat up on a man that I know he gon' fight, he gon' fight... That's when... we almost had a problem, we almost had a problem [unintelligible] with a with a jogger. That jogger hit one of the kids, one of the people one of the one of us [unintelligible] the jogger came back, hit him, hit him, he got back.

EL: Is this the same night?

KW: yeah he... the guy hit the jogger, the jogger hit him back and everybody jumped on him. The jogger, jogger he got beat up, he got scratched up a little bit. But he... but he beat up everybody else with us. When he got beat up, though, when he got up, he ran.

EL: When you left that woman laying in the park, did you think that she was dead?

KW: [unintelligible] I left her just right there. I was scared, I was nervous.

EL: But you thought that is if she was dead, she wouldn't be able to identify anybody.

KW: If Steve gon' kill her, he gon' kill her, so she don't identify us. And Yusef said "don't kill her man, don't kill her, bad enough you're raping her, don't kill her, man." And Steve said something towards Yusef, he said "I'm out of here," he left and I followed him, and I say "come on, bud(? we're out of here." I looked at to whatever they was doing on this lady. And when they finished, she was still [unintelligible] that's when they cut her up. They left her body right there. Left her body right there, she didn't move. Me and Yusef looked back, they was going, Steve and them was going the opposite way from us. We... we say we're going back to the block. Steven said "We see you guys back in the block." I said okay, but Yusef kept walking, I stopped, paused myself. Yusef told me "hey w- what's wrong man, what's wrong." I looked back, looked at the lady, man. Oh man! Yusef said "it's too late Korey, you can't do nothing man, can't do nothing." I said "alright." That's when the another jogger came and he says...

EL: Can we... I'm sorry. When we took a statement from you before, what you are telling us now is not the same thing as you told us then.

KW: No.

EL: Why didn't you tell us the truth before?

KW: I couldn't face telling the truth. Couldn't face it. I could not face it at all.

EL: What made you change your mind?

KW: I thought about it. I thought about it, I thought about it really strong. Something told me you didn't [unintelligible] your [unintelligible] by lying.

EL: We are about to finish this interview. I want you to know we will not have another interview, even if you send the detective and ask,

KW: Uh-huh.

EL: For a third chance to say something. So I'm asking you now, the way I did at the end of the last interview. Is there anything...

KW: I've gotta do [unintelligible] chance.

EL: Is there anything at all that you have told us in the last half hour that you've spoken that is not true?

KW: No more. No more. All I said, that's all I had to say. 'Cause I couldn't play myself innocent through the whole game. Something didn't sound right. It didn't sound right to me I would play innocent through the whole thing.

EL: Did anyone make you change your story?

KW: No. Uh-uh... I thought about it. I thought about all the lies I say... all the detective [unintelligible] I thought about it. I said to myself, "you know you said a lie. You said at least ten, twenty lies." I said [unintelligible] in the first minute I stepped inside, all I had to do was tell the truth and I probably get [unintelligible] home, but nah. Then I told a lie, I gotta face it I gotta live up to it now.

EL: Have you told us the truth now?

KW: Yes, ma'am.

EL: Did you tell us the truth voluntarily

KW: Yes, ma'am.

EL: Because you wanted to?

KW: Yes, ma'am.

EL: Did anyone force you?

KW: No, ma'am.

EL: Did anyone threaten you?

KW: No.

EL: Thank you very much. It is now twenty minutes to four and the interview is concluded.

“Sit down “ [a man starts talking to Korey].

Jessie Misskelley Jr.'s First Statement (June 3, 1993^{14*})

Jessie Misskelley (JM) – Detectives: Bryan Ridge (BR), Gary Gitchell (GG)

Note: This is a transcription of the taped confession of Jessie Misskelley, Jr.^{15**} regarding the murder of Chris Byers, Steve Branch and Michael Moore. Jessie was 18 years-old. Present in the confession, Detective Bryn Ridge and Inspector Gary Gitchell. A modification was needed, as the original transcription did not include the reading of the Miranda warnings, and it had some inconsistencies with the audio file.

BR: This is Det. Bryn Ridge of the West Memphis Police Department, currently in the West Memphis Police Department conducting an investigation of the Triple Homicide, Case File # 93-05-0666. Currently in the office with Jessie Lloyd Misskelley, Jr., Birth date 7/10/75, education: 9th grade, the place we're in the Second Division, today's date is 06/03/93, the time now is 2:44PM. Present in the interview will be Insp. Gary Gitchell and Jessie Misskelley. Jessie, in front of me I have a rights form, and it has your signature at the bottom of it, is that corre-is that your signature?

JM: Yes sir.

BR: Okay. We're informing you that we are Detective Sergeant Mike Allan and Det. Bryn Ridge. Now detective Sergeant Mike Allen is the one who read this form to you earlier, is that correct?

JM: Yes sir.

BR: And I was here when he read that to you.

JM: Yes.

BR: Alright, Police Officers of the West Memphis Police Department. We're conducting an investigation for the offense of Capital felony Murder which was committed on or about 05/05/93. Before we ask you any questions you must know and understand your legal rights, therefore, we warn and advise you that you have the right to remain silent, do you understand that?

JM: Yes

BR: And those are your initials on the line in front of the statement?

JM: Yes it is

BR: Okay, anything you say can be used against you in court, do you understand that?

JM: Yes I do.

BR: And those are your initials?

JM: Yes it is.

BR: Alright, you have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning, do you understand that?

JM: Yes I do.

BR: And those are your initials?

^{14*} Retrieved from <http://www.dpdlaw.com/JessieFirstStatement.htm>

^{15**} Audio files: Part 1 http://callahan.mysite.com/wm3/audio/J_Misskelley_06_03_pt1.mp3 Part 2 http://callahan.mysite.com/wm3/audio/J_Misskelley_06_03_pt2.mp3

JM: Yes it is.

BR: If you cannot afford a lawyer one will be assigned for you before any questioning if you wish at no cost to you, do you understand that?

JM: Yes I do

BR: And those are your initials?

JM: Yes it is

BR: If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time, do you understand that?

JM: Yes I do

BR: Those are your initials?

JM: Yes it is

BR: You are up here on your own free will, you came up here to answer some questions and basically we found out some information during those questions, is that correct?

JM: Yes I did

BR: Okay, at the bottom of this form is a waiver of rights it says that I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or force has been used against me, is all that correct?

JM: Yes it is.

BR: Okay, and you signed the bottom of the form?

JM: Yes I did.

BR: Okay, Witness are Michael Wayne Allan, and myself Det. Bryn Ridge. Okay, Jessie, let's go straight to that date, 05/05/93, Wednesday, early in the morning. You received a phone call, is that correct?

JM: Yes, I did

BR: And who made that phone call?

JM: Jason Baldwin.

BR: Alright, what occurred, what did he talk about?

JM: He called me and asked me could I go to West Memphis with him and I told him 'no' I had to work and stuff. And then he told me he had to go to West Memphis so him and Damien went and then I went with them.

BR: Alright, when?

JM: Wednesday.

BR: Alright, when did you go with them?

JM: That morning

BR: At 9 o'clock in the morning?

JM: Yes, I did. I went with them and then uh-

GG: Now, were you in a car? Whose car where you all in?

JM: We walked.

GG: You all walked?

JM: Right, we walked and then uh

BR: Where did you go?

JM: We went to Robin Hood

BR: You went to the Robin Hood, explain to me where those woods are.
JM: By uh- Blue Beacon Truck Wash.
BR: A little patch of woods?
JM: A little patch of woods
BR: Behind Blue Beacon?
JM: Behind it, right back there behind it.
BR: okay, what occurred while you were there?
JM: When I was there, I saw Damien hit this one (pause) hit this one boy real bad, and then uh- then he started screwing them and stuff and then uh-
BR: Alright, you got in front of you a picture, that was taken out of the newspaper I believe, it's got three boys and these are the three boys that were killed on that date in Robin Hood Woods, okay, which one of those three boys is it you say Damien hit? The third picture, which will be...
JM: Michael Moore
GG: This boy right here?
JM: Yeah
GG: Alright, that's uh the Byers boy,
JM: Christopher
GG: That's who you are pointing at?
JM: Mm-mh
BR: If you read the caption, the grizzly slain from left, 8 year old Michael Moore,
JM: uUh-huh. m
BR: Steven Branch and Christopher Byers.
JM: (reads along with RIDGE) Steven Branch and Christopher Byers.
BR: Okay, so you saw Damien strike Chris Byers in the head.
JM: Right
BR: What did he hit him with?
JM: He hit him with his fist and bruised him all up real bad, and then ull (phonetic) Jason turned around and hit Steve Branch.
BR: Okay
JM: And started doing the same thing, then the other one took off, Michael uhh Moore took off running, so I chased him and grabbed him and held him, cause they got there and then I left.
BR: Okay. Alright, when you get the boys back together, where you at from the creek?
JM: I was up there by uhh by the Service Road
BR: Up by the Service Road?
JM:(subtle uUh-huh.)
BR: Okay, now when this, when he gets the first boy, where they at when he when he gets him, are you in the woods, you're on the side of big bayou, you're out in the field, where you at?
JM: I was in the woods.
BR: In the woods. Okay, you've been down there in those woods before,
JM: Alright
BR: can you describe to me what in those woods, what's the location where you were?

JM: Uh
BR: Is there a path that you go down?
JM: Uh, down a little path
BR: Alright, where does that path go to?
JM: It leads out there close to the uhh field, close to the interstate.
BR: Okay
JM: That's where I was at.
BR: Alright
JM: I was close by the interstate
BR: When he hits the first boy and then Jason hits another boy, and one takes off running,
JM: (Unintelligible)
BR: where does he run to?
JM: That one, he runs out, going out – out the park and I chased him and grabbed him and brought him back.
BR: Which way does he go, I mean, does he go back towards where the houses are,
JM: ... he's going back ...
BR: he's going to Blue Beacon, is he going out towards the fields, where's he running to?
JM: Towards the houses.
BR: Towards the houses?
GG: Where the pipe is that goes across the water?
JM: Yes,
GG: Okay
JM: he run out there and I caught him and brought him back, and then --- I took off
BR: Okay, when you came back a little bit later, and are all three boys are tied?
JM: Uh-huh
BR: Is that right?
JM: Yes, and I took off and run home.
BR: Alright, have they got their clothes on when you saw them tied?
JM: No, they had them off.
BR: They had already gotten them off. When he first hit the boy, when Damien first hit the first boy, did they have their clothes on then?
JM: UUh-huh. m
BR: Alright, when did they take their clothes off?
JM: Ri-right after I -- they beat up all three of them, and beat them up real bad.
BR: Beat them up real bad, and then they took their clothes off?
JM: Un-hmm
BR: And then they tied them
JM: Then they tied them up, tied their hands up, they started screwing them and stuff, cutting them and stuff, and I saw it and I turned around and looked, and then I took off running, I went home, then they called me and asked me how come I didn't stay, I told them, I just couldn't.
BR: Just couldn't stay
JM: I couldn't stand it to see what they were doing to them. BR: okay, now when it's going on, when this is taking place, you under– you saw somebody with a knife, who had a knife?

JM: Jason

BR: Jason had a knife, what did he cut with the knife. What did you see him cut or who did you see him cut?

JM: I saw him cut one of the little boys

BR: Alright, where did he cut him at?

JM: He was cutting him in the face.

BR: Cutting him in the face. Alright, another boy was cut I understand, where was he cut at?

JM: At the bottom

BR: On his bottom? Was he faced down and he was cutting on him, or

JM: He was

GG: Now you're talking about bottom, do you mean right here?

JM: Yes

GG: In his groin area?

JM: Yes

GG: Okay

BR: Do you know what his penis is?

JM: Yeah, that's where he was cut at.

BR: That's where he was cut.

GG: Which boy was that?

JM: That one right there.

GG: You're talking about the Byers boy again?

JM:(subtle uh-huh again)

GG: Okay

BR: Are you sure that he was the one that was cut?

JM: That's the one that I seen them cutting on.

BR: Alright, you know what a penis is?

JM: Yeah.

BR: Alright, is that where he was cutting?

JM: That's where I seen them going down at, and he was on his back. I seen them going down right there real close to his penis and stuff and I saw some blood and that's when I took off.

GG: Was uh, were you all close to the creek at that point?

JM: Yes

GG: Where where was the little boy actually at?

JM: He was close

BR: Alright, now you know where the bayou is?

JM: Right

BR: Alright, and you know where the little Creek is that goes out to the expressway, and it doesn't have a lot of water in it, but it's got some water in it, and it's flowing through there, which side of that creek were you on, were you on the Memphis side of the creek or were you on the Blue Beacon side of the creek?

JM: Blue Beacon.

BR: On the Blue Beacon.

JM: Yes

BR: So, there is like a tall bank, were you -- where were you at on that bank?

JM: I was up there standing up there on the top.
BR: Alright, where were they at?
[The following portion was cut out – Watergate Style – from the statement played for the jury. It is not yet known whether the jury had an accurate transcript that included the next, critical portion wherein Jessie is told they are “correcting” his statement]
JM: They was at the bottom.
BR: On which side?
JM: The Memphis side
BR: They were on the Memphis side.
JM: I was on
BR: Alright, we're going to correct that even further, that's the east side, Memphis side is the east side and you were standing at the top of the bank on the west side, were you looking down at what was going on?
JM: I was looking down, and after I seen all of that, I took off.
BR: Okay, and when you left, did you hear any more hollering or anything?
JM: No
BR: Alright, you went home and about what time was it that all of this was taking place?
JM: They called me about --
BR: I'm not saying when they called you. I'm saying what time was it that you were actually there in the park?
JM: (pause) I would say about 12
BR: About noon?
JM: UUh-huh. m.
BR: Okay, was it after school had let out?
JM: I didn't go to school
BR: These little boys
JM: No . . .no . . . they – they skipped school
BR: They skipped school?
JM: They was going to catch their bus and stuff, and they was [sic] on their bikes and so
BR: Alright, they were on their bikes, where were the bikes at?
JM: The-they laid their bikes down when they come out to the, when they hollered for them to come out there
BR: Where did they lay their bikes down at, that's what I'm asking you
JM: I don't know where they laid their bikes down at, cause I was behind Damien and nem, way way behind them
BR: Okay
JM: When they hollered, when they seen them boys
BR: The little boys came on over?
JM: uUh-huh. m
BR: Had Damien seen these boys before?
JM: Yes
BR: Has he done things with them before? Or had he just been watching them? Has he ever had sex with them before?
JM: He's been watching them.

BR: Has he ever had sex with them before?
JM: No, he's been watching them.
BR: He's been watching them. You mentioned earlier that, one of the meetings you went to with this cult thing, they had some pictures. Describe those pictures for me.
JM: They had -- had some houses, trees and stuff.
BR: Okay, had somebody taken pictures of these boys?
JM: Uh-huh. .
BR: Were they in the houses or were they in the trees when they took those pictures?
JM: They w- at the houses
BR: At the houses? Did they take like one picture of one boy?
JM: They was in a group
BR: All these three
JM: There was a group of pictures of all three of them.
BR: All three of them would generally be together?
JM: Uh-huh.
GG: How many pictures did you see, altogether?
JM: I just saw one
GG: Okay, and it had these same three boys in it?
JM: Uh-huh.
BR: You're certain of that?
JM: Uh-huh.
GG: Now, did you say that the boys skipped school that day, these little boys did?
JM: Um-mm, they was going to catch- going somewhere and like I said, Dav-Damien and nem left before I did, I told them that I'd meet them there and stuff, I had to get ready I'd meet them there and it was early in the morning so, they went ahead and met me, they went on up there and then I come up later on behind them.
GG: What time did you get there?
JM: I got there about 9
GG: In the morning?
JM: Um-mm
GG: Of Wednesday morning?
JM: Um-mm
GG: And
BR: What time is it right now?
JM: Right now?
BR: Yeah, you don't know what time it is?
GG: Do you not wear a watch?
JM: It's at home.
BR: So
JM: My dad woke me up this morning
BR: so, your time period might not be exactly right in what you're saying?
JM: Right

BR: It was like earlier in the day, but you don't know exactly what time, okay, cause we've got -- I've gotten some real confusion with the times you're telling me, but now, this 9 o'clock in the evening call that you got, explain that to me.

JM: Well after, all of this stuff happened that night, that they done it, I went home about noon, then they called me at 9 o'clock that night, they called me.

BR: Okay. And what did they tell you on the telephone?

JM: They asked me how come I left so early and stuff, and I told them that I couldn't stay there watching it no more, so I had to do something to get out of there.

BR: okay, who called you?

JM: Jason

BR: And you mentioned that you heard some voice in the background? (Uh, no – he didn't. He said "they called me")

JM: I heard some dingling

BR: And what else, I think you said that he made the call from his house?

JM: He made the call from his house and Damien was hollering in the background saying, we done it, we done it, what are we gonna do if somebody saw us, what are we gonna say?

BR: Okay, now the knives, was it one knife, two knives, was your knife there?

JM: Uh-huh

BR: did somebody take and use your knife, do you have a knife?

JM: I got one knife

BR: Where is it at?

JM: It's at home

BR: okay, the knife that you said Jason was using, where is it?

JM: Uh, I don't know what he done with it, cause after I left then that's when I-- I don't know what they done with, after I left I don't know what they done with it

BR: He didn't tell you that he hid it somewhere?

GG: I've got a feeling here, you're not quite telling me everything, now we're you know we're recording everything, so this is very, very important to tell us the entire truth. If you were there the whole time, then tell us you were there the whole time, don't leave anything out. This is very, very important, now just tell us the truth.

JM: I was there until they tied them up and then that's when I left, after they tied them up, I left.

GG: But you saw them cutting on the boys,

JM: I saw them cutting on them, and then they

GG: So, what else left is there, after that?

JM: They laid the knife down beside them and I saw them tying them up and then that's when I left

BR: Were the boys conscious or were they

JM: They were unconscious

BR: Unconscious

JM: And after I left they done more.

BR: They done more

JM: They started screwing them again

BR: Okay, how were they screwing them when you saw them?

JM: They, Jason stuck his in one them's mouth and Damien was screwing one of them up the ass and stuff.

BR: Okay, alright-- and the one that they were cutting the penis off of, did any of them are cutting the penis or whatever was being done, did they have sex with him at all?

JM: No

BR: Did either one of them?

JM: Jason did

BR: Jason did?

JM: Jason was screwing him while Damien stuck his in his mouth and then they both were

BR: Okay, how did he have sex with that one?

JM: He was holding him down like, and Jason had his legs up in the air and that little boy was kicking, saying, 'don't, no' like that.

BR: Okay, he had his legs up in the air, alright, what was to keep these little boys from running off, if just their hands are tied, what's to keep them from running off?

JM: They beat them up so bad where they can't hardly move, they had their hands tied down and he sit on them

BR: You said that they had their hands tied up, tied down, were they hands tied in a fashion that they couldn't have run? you tell me.

JM: They- they could run, they just had them tied, when they knocked them down and stuff, they could hold their arms and stuff, and hold them down like, where they couldn't raise up and the other one stick his legs up.

BR: Okay (pause) so they had them under control, you were there the whole time that was taking place?

JM: I was there.

BR: Okay, one of them was cut on the face real bad, is that what you said?

JM: UUh-huh. m

BR: And one of them was being cut on his penis?

JM: Yes sir

BR: Alright,

GG: Did you ever use-- did anyone use a stick and hit the boys with?

JM: Damien had kind of a big old stick when he hit that first one, after he hit him with his fist and knocked him down and got him a big old stick and hit him.

GG: What did the stick look like, I mean was it like a- a big log like that or is it a stick?

JM: I would say it was about that big around, I would say about that long.

GG: Okay

BR: About the size of a baseball bat, maybe just a little bit bigger around?

JM: Yeah

BR: That's what you're describing with your hands, right?

JM: Right

BR: Okay, how long was the knife that Jason was using?

JM: About that long

BR: Alright, you're describing a knife that would be about 6 inches (15cm) long, is that right?

JM: UUh-huh. m

BR: And, what kind of blade did it have on it?

JM: Uh, like a regular- just regular knife blade
BR: Was it a knife that you fold up, or was it like a hunting knife?
JM: It was
BR: Just one piece
JM: It was a fold up knife
BR: It was a folding knife?
JM: Yes
BR: okay, uh does Damien have a knife?
JM: No
BR: He doesn't have one, he didn't have one that night?
JM: He didn't have one that night
BR: Did he borrow yours?
JM: No, he didn't borrow mine.
BR: Okay
GG: Did they have a briefcase with them?
JM: (No response) (Very subtle "Uh-huh. m")
GG: You didn't see a briefcase?
JM: I didn't see a briefcase, not unless they left it there at that day before it happened, unless they left it there by accident then but I didn't see one that day.
Don't like the answer? ("I didn't see a briefcase"), then ask the question again – Jessie will come through for you . . .
GG: Have you ever seen them with a briefcase before?
JM: I've seen them once that one night, I seen them with it that night. Good! Now we have a briefcase there that night whereas seconds ago, they didn't. Wouldn't any reasonable questioner ask about the contradiction?
GG: Okay, what is kept inside of that briefcase?
JM: They had some cocaine, and a little gun
GG: Is that when you first saw the pictures of the boys?
JM: yes, out there in Lakeshore
GG: And you saw the pictures in the briefcase?
JM: Um-hm, I think when we had that cult.
GG: okay, now you have participated in this cult, right?
JM: Yes
GG: How long have you been involved in it?
JM: I've been in it for about three months.
GG: Okay, what is- tell me some of the things that you all do typically in the woods, in as being in this cult.
JM: We go out kill dogs and stuff and then carry girls out there.
GG: What do you all do with the girls when you're out there?
JM: We screw them and stuff
GG: Does just everybody takes a turn
JM: Everybody, and we have an orgy and stuff like that.
GG: Okay.
BR: when you kill a dog, what do you do with that?

JM: We usually skin it, then make a bonfire and eat it and stuff.

BR: okay, when you're initiating somebody new come into a cult what actually is done to initiate that person into a cult?

JM: We usually- we usually you know, kill an animals, you know, so you have to know how to handle the meat and stuff, after we kill it to see if he knows, if he can't handle it, then he don't get in.

BR: Okay, so he kills an animal, you mentioned earlier that he may have to eat part of that animal, what part of the animal would he eat?

JM: Part of uh- the meat off of his leg.

BR: Meat off of his leg.

JM: If he can't eat it, then he don't get in.

BR: Doesn't get into the club?

JM: uh-huh

BR: Now on these- these meetings, have they ever been violent, anybody gotten mad and got into a fight?

JM: No

BR: Okay, the night you were in these woods, uh had you all been in the water?

JM: Yeah, we've been in the water, we were in it that night, playing around in it.

BR: You were playing around in the water, alright, wha - what were you doing in the water?

JM: Just--

BR: Besides just playing- I mean the little boys, had they been in the water? Did they get into the water with you all?

JM: No, they didn't get into the water with us.

BR: Okay, what were you doing in the water?

JM: We were just sitting there, throwing stuff at each other,

BR: Okay, were you all having sex?

JM: No, I wasn't

BR: You weren't?

JM: No

BR: Was Damien and Jason having sex?

JM: They they took turns going up under the water.

BR: Going under the water, what were they doing under the water?

JM: I don't know. They they sit so far away, they were in the water about, I would say about five, ten seconds, then come up and then the other one would go down.

BR: Okay, so they were just messing around in the water. Alright, they called for these boys to come over there?

JM: Yeah, they seen them boys and then they hollered, Damien hollered-- said, hey, the little boys come up there.

GG: They called them by name?

JM: uh-huh, they just hollered at them, they showed up.

GG: Where did the boys put their bikes?

JM: Close to right where there before you come in and they laid them down right there, and I don't- after I left I don't know what they done with the bikes.

GG: You didn't do anything to the bikes at all?

JM: No
GG: Are you sure?
JM: Positive
GG: You didn't touch the bikes?
JM: I didn't touch them.
BR: You've been back to this place since that murder.
JM: Um-hm
BR: Since this crime took place. What did you do while you were there? And be truthful.
JM: I went down there I just sit there, and after what they did to the boys, I just sit there.
BR: And did what?
JM: Just thought, what they- what happened to them real bad, I just thought.
BR: Okay
JM: And I left and stuff,
BR: and stuff?
JM: and walked home.
GG: When did you go back there?
JM: uh- Two or three days after it happened, and I left.
BR: You were there by yourself?
JM: I was there by myself.
BR: Didn't you go there with some more boys once?
JM: Just Me. David.
BR: To that particular place?
JM: No, not to that place
BR: Are you willing to go down there with us and us having a camcorder and you show us where these things took place? Would you do that?
JM: (Silent)
BR: Wouldn't have any problem with that?
JM: Not that I know of, I wouldn't
BR: Huh?
JM: Not that I know of, I wouldn't have a problem.
BR: But you would be able to point out where these things took place?
JM: Uh-huh.
BR: Which way the boys came from and where you all were when he hollered for the boys and stuff like that, you wouldn't have any problem with that?
JM: After after after the murder and stuff, I would say about two or three days later after it happened, I went down there and thought about it and I haven't been down there since.
BR: Okay, let me ask you something, now this is real serious and I want you to be real truthful, and I want I want you to think about it before you answer it, don't just say yes or no, real quick. I want you to think about it. Did you actually hit any of these boys?
JM: No
GG: Now, tell us the truth.
JM: No
BR: Okay. Did you actually rape any of these boys?
JM: No

BR: Did you actually kill any of these boys?
JM: No
BR: Did you see any of the boys actually killed?
JM: Yes
BR: Okay, which one did you see killed?
JM: That one right there.
GG: Now, you're pointing to the Byers boy again?
JM: Uh-huh.
GG: Okay
BR: How was he actually killed?
JM: He w- he choked him real bad and all
BR: Choking him? Okay, what was he choking him with?
JM: His hands, like a stick, he had a bit old stick, kinda holding it over his neck.
BR: okay, so he was choking him to the point where he actually went unconscious, so at that point, you felt like he was dead?
JM: Yeah
BR: Okay, did any of the other two boys, were you there when they were actually killed?
JM: I don't know
BR: You say that you got sick, so what you were saying, did you throw up or anything?
JM: Uh-huh.
BR: Where did you throw up at?
JM: I got a little bit ways out of there and got about half a mile up the road, is when I threw up, and couldn't hardly run and I just threw up.
BR: When you left from there, did you leave running?
JM: Uh-huh.
BR: Were you hiding?
JM: No, I didn't hide.
GG: Did you have some blood on your clothes?
JM: I didn't have no blood on me, I didn't get close to them.
GG: Were your clothes wet still?
JM: Um-hm, they were damp
GG: Muddy
BR: Alright, Insp. Gitchell touched on a point, real real close, now what clothes was Jason wearing that day? That night?
JM: He was wearing some blue jeans and boots, army boots like
BR: Army boots? And what kind of a shirt, you know everybody wears a special shirt for different things.
JM: He was wearing a Megadeth shirt
BR: A Megadeth?
JM: A Megadeth or a Metallica.
BR: Metallica shirt, alright, was he wearing a cap, anything like that?
JM: No, he wasn't wearing anything like that.
BR: Alright, Damien, what was Damien wearing.
JM: Damien had some black pants on, some boots and a black t-shirt.

BR: Was anything on his shirt?
JM: No
BR: No kind of design or anything?
JM: No, just black
BR: These blue jeans that Jason was wearing, they- designer jeans, or were they old jeans, wore out, holes?
JM: They were wore out
BR: What did they look like?
JM: They had holes in the knees and stuff.
BR: Holes in the knees. What color is Jason's hair?
JM: Blonde.
BR: Light blonde, or like a sandy reddish type blonde, you know the difference?
JM: It's like a sandy colored blonde.
BR: Sandy colored blonde. Okay, he was wearing blue jeans, he had a Metallica shirt, now this is a shirt that's got Metallica across the front of it spelled out, and a man's name or something under or a picture, is that right? You tell me.
JM: They had pictures
BR: A picture of somebody
JM: Different shirts, different Metallica shirts have different pictures
BR: Well, which one did he have?
JM: He had that uh, like a, skull like
BR: A skull?
JM: Yeah
BR: Okay, what were you wearing that day?
JM: I was just wearing regular blue jeans, my shoes
BR: What kind of shoes were you wearing?
JM: My uh, Adidas
BR: Adidas tennis shoes?
JM: Uh-huh.
BR: What kind of shirt were you wearing?
JM: I was just wearing a regular one of my old greasy up t-shirts.
BR: Okay, was it a designed shirt, like this bull run type shirt, or was it just a plain white, old
JM: Plain white
BR: Old t-shirt, where are these shoes at now?
JM: A friend of mine, he already borrowed them
BR: Who is that?
JM: Buddy Lucas.
BR: Buddy Lucas?
JM: He borrowed them from me
BR: The boots that Damien had on, are they army type boots too, or what kind of boots were they?
JM: Close like army type, not not quite.
BR: Okay, they are black, is that right, they lace up? Okay
JM: uh-huh

BR: and Jason's black lace up?
JM: Jason's were black up to, they go way up
BR: Oh, they come way up on him?
JM: Yes
BR: Okay, Damian's didn't come up that far?
JM: Uh-huh.
BR: Okay. They killed the boys, you decided to go, you went home, how long after you got home before you received the phone call? 30 minutes an hour?
JM: Umh
BR: An hour after you got home? Okay So they were there for a lot longer
JM: Um-hm
BR: When he called you on the phone, did he say that he had just got in?
JM: When he first called me when he first got – he called me he said, how come I how come I left, and said, I couldn't stand it, I had to do something else.
BR: Okay, you couldn't stand it.
JM: Nah and then Damien, I heard Damien in the background saying we done it, we done it, what we gonna do now what about if somebody saw us
BR: Okay. Did anybody see you leaving?
JM: No.
BR: That you know of?
JM: That I know of
BR: Did anybody see Damien and Jason?
JM: I don't know, I left before them.
BR: But have you heard anybody say that they saw Damien and Jason?
JM: Uh-uh
BR: You haven't heard anybody?
JM: Uh-uh
BR: Okay. (pause) Now these initiations, you say they eat part of the leg muscles, leg meat?
JM: Yeah
BR: Does that involve eating part of the penis of the animal?
JM: uh-huh
BR: Just the meat?
JM: Just the meat.
BR: Okay. (pause) has Jason and Damien talked to you since this happened?
JM: (not very clear) No
BR: They haven't talked to you about this?
JM: They hadn't they hadn't said nothing around me, when cause when I was over to my friend's house, they didn't say nothing.
BR: When you've been by yourself, and I'm sure in the last three weeks you've been by yourself with them sometime.
JM: You know with Damien he he just he keeps asking me how come I left and stuff and hadn't anybody said anything to me about it.
BR: Okay, what did he say about when you came to the police department, that boy he's seen that boy in the woods? Up there behind the Goodyear place? What did he say about that?

JM: He ain't know nothing about that.
BR: He didn't know that?
JM: uh-huh
BR: Okay, what about when you get with Jason by himself?
JM: He he keeps on asking me what are we gonna do next, I told him, I I can't do nothing now cause I go to work with my daddy everyday.(something else unintelligible)
BR: So, they are scared, is that right?
JM: They are scared cause after what they did, I told him that I was gonna work with my daddy next time, so I gotta do something.
BR: So, what do you think ought to be done to them for killing these boys?
JM: They need to be put away for a while
BR: Put away for a while. Do you think they are sick or just mean?
JM: I think they are sick
BR: They're sick. Okay. Is there anything else that you want to add to this statement?
JM: No
BR: Why did you not come forward with this information?
JM: 'Cause I was scared
BR: Scared of Damien or scared of the police?
JM: Scared of the police
BR: Are you scared of Damien now?
JM: No
BR: Are you scared of the police now?
JM: hm-mm
BR: You are not, so we've treated you well?
JM: Yah, ok
BR: Alright -- I am going to conclude this interview, the time is 3:18PM.

Jessie Misskelley Jr.'s Second Statement^{16*} (June 3, 1993)^{17}**

Jessie Misskelley (JM) – Detectives: Bryan Ridge (BR), Gary Gitchell (GG)

GG: Just sit there. Jessie, uh, when when you got with the with the boys and with Jason and Baldwin when you three were in the woods and then the little boys come up, about what time was it? When the boys came up to the woods?
JM: I would say it was about it was about five or six, five or six.
GG: Now, did you have your watch on at the time?
JM: Un-uh.
GG: You didn't have your watch on?

^{16*}Retrieved from <https://famous-trials.com/westmemphis/2241-confession> & http://callahan.mysite.com/wm3/jlm_june2.html

^{17**} Audio file: <http://callahan.mysite.com/wm3/audio.html>

JM: Un-uh.
GG: Uh, alright you told me earlier around seven or eight or, wh-which time is it?
JM: It was seven or eight.
GG: Are are you sh
JM: I remember it was starting to get dark.
GG: Ok, it
JM: I remember it was starting to get dark.
GG: Ok, well that clears it up. I didn't know, that's what I was wondering, was it getting dark or, or what.
JM: We got up there at six but the boys come up when it was starting to get dark.
GG: Ok, so you and Jason and Baldwin uh, Damien, you all got there right at six?
JM: About six, yeah
GG: Is that, is that a normal time that you all meet? At six?
JM: Yeah.
GG: Ok, when you do your cult stuff, is six, does six mean something, I mean is that a time you normally do meet?
JM: Uh-huh. m. (close to mm-mm)
GG: Ok, so you all met out there at six and, and then the boys come up about what time?
JM: About seven.
GG: About seven o'clock, okay. So you all were out there with the boys and all this stuff going on and until you noticed it starting getting dark. Is that correct?
JM: Uh-huh. m.
GG: Okay. Now are, you're sure about that?
JM: Yes.
GG: Okay, okay, um, okay. Hold on just a minute. (Tape stops and then restarts.) Ok Jessie uh, I asked you about your clothing and you said that uh, what, what were you wearing?
JM: I was wearing uh, blue jeans, and, uh, a white shirt, had some kind of basketball deal on it. Some tennis shoes, Adidas.
GG: Alright, your shirt was it a, uh, what kind of shirt was it?
JM: It was a white shirt with, uh, basketballs all around it.
GG: Is it a shirt like you got on now?
JM: Uh-huh. m.
GG: What kind of shirt is it like you got on now? That's a, that's a what, a t-shirt?
JM: Uh-huh. m.
GG: Ok. So you had a white t-shirt with a basketball design on it? (22 second pause) Ok, uh, what about shoes. What kind of shoes did you have on?
JM: White and blue Adidas.
GG: White and blue?
JM: Uh-huh. m.
GG: And who has those shoes now?
JM: Buddy Lucas.
GG: And how old is Buddy?
JM: He's about 18 or 19.
GG: Why, why does he have your shoes?

JM: We went, we was coming home one day and it was raining and he didn't have nothing else to wear so he put on one of my shoes.

GG: Ok, and where does he live at?

JM: In Lakeshore.

GG: Is there a . . .

JM: By, uh a church.

GG: Is there a street or anything?

JM: There is a street but it ain't got no names on it though.

GG: What street is the church on?

JM: On uh, as soon as you get off of Cherry Street. Uh, Cherry Street, right in front of it.

GG: Off of Cherry Street?

JM: Uh-huh. m.

GG: Okay, there, are there any vehicles around close by that I could recognize that trailer?

JM: It should be, uh, a green truck and a brown van and there is a basketball goal right there by right where the green truck's at, there's a basketball goal.

GG: Alright, who tied the boys up?

JM: Uh, Damien.

GG: Did Damien just tie them all up or did anyone help Damien or

JM: Jason helped him.

GG: Ok, and what did they use to tie them up?

JM: A rope.

GG: Ok. What color was the rope?

JM: Brown.

GG: Did you ever see the boys in the water?

JM: (unintelligible, yawn?) Uh, yep, down by the water.

GG: Alright, how did the boys get in the water?

JM: They um, pulled pulled them in there, to the water.

GG: Alright, when you say they who, who is it that pulled them into the water?

JM: Jason and uh, Damien.

GG: Do you wear a belt?

JM: Nope.

GG: Does Jason where a belt?

JM: Un-uh.

GG: Does Damien wear a belt?

JM: Yep.

GG: What kind of belt does he wear?

JM: A black leather belt with uh, beads around it uh, like little beads around it.

GG: With beads around it?

JM: Like little beads you know stubbies, little.

GG: Ok, about how thick is the belt?

JM: About four inches (10cm).

GG: Now, do you know what four inches looks like?

JM: About like that, the belt was about like that. (Original transcript said: Using hands to show width)

GG: Ok, I don't, I don't think that's quite four inches, but uh, probably about three something like that?

JM: Uh-huh. m. (sounds like mm-mm)

GG: Which, which boys were raped?

JM: Uh, the Byers and the. . . the Branch.

GG: Ok, so you know them by, by name and face, well enough to call them by name?

JM: Uh-huh. m.

GG: Ok, did you, did you see the Moore boy, was he raped?

JM: No.

GG: Alright, who raped those two boys?

JM: Jason and Damien.

GG: Do you know which one raped which boy, or how did that happen?

JM: Damien raped the Myers by himself and and Jason and Damien raped uh the Branch.

GG: Alright, give that to me again now.

JM: Damien raped uh the Myers by himself and Jason and Damien raped the Branch.

GG: (13 second pause) Did anyone have oral sex with the boys?

JM: Yes, Damien and Jason.

GG: How many of them did they do that to?

JM: Just two, Branch and Myers.

GG: (17 second pause) How did they keep the boys quiet?

JM: Put their hands over their mouths.

GG: Did they do anything else other than put their hands over their mouths? How did they finally keep them from being quiet, cause they the boys bound to have been hollering?

JM: They stick their hands over their mouths first, and then they stick their shirts to their mouth.

GG: Ok, did they do anything else to them to make them be quiet?

JM: They stuck their thang in their mouth.

GG: Ok, did they, were they hitting them before that or afterwards?

JM: Before and after, just trying to keep them off of them.

GG: Just all of the time?

JM: Just trying to keep Jason and Damien off of them.

GG: Now they put their, whose shirts did they put in their mouth? (The tape is missing the following segment)

JM: Damiens.

GG: Ok, alright hold on just a minute. (pause, another tape pause?) Let me ask you something else, Jessie, I'm sorry, I keep coming back and forth, but I got people that want me to ask you some other questions, uh talking about oral sex, did you see, you know we had talked earlier about

(Tape continues) how Jason and uh Damien do each other, have sex with each other. Did they, did they have any oral sex on the boys?

JM: Yeah, they, they, one of them stuck their thang in one of the boys mouth while the other one got the other one up the butt and stuff.

GG: Ok, but did, did anyone go down on the boys and and and maybe suck theirs or something?

JM: Not that, I didn't see nothing, neither one of them do that.
GG: You didn't see that?
JM: Un-uh.
GG: Ok, did, did they pinch their penis in anyway? Or were rough with it or anything like that?
JM: I didn't see nothing like that, not rough with them, I just seen um GG: But you, you didn't see anyone go down on the boys?
JM: Un-uh.
GG: Are you sure?
JM: Yep.
GG: Ok.
[Pause to give Jessie a Coke] (Tape cuts off.)
GG: That Coke was kind of cold huh?
JM: Uh-huh. m.
GG: I tell ya it tasted pretty good to me, though. Um, Jessie when, now the boys hands were tied up right?
JM: Right.
GG: How did, how did, they force these boys to have oral sex on them? How did they have a hold of them?
JM: One of them had them, had them by the arms while the other one got behind them and stuff.
GG: Did he ever hold him up here or
JM: Uh, the one that was holding him up there at the front grabbing him by his headlock.
GG: Had him in a headlock? Did he, did he have him any other way?
JM: He was holding him like this by his head like this and stuff. (Note: was indicating the victims being held by their ears)
GG: Could he have been holding him up here like that?
JM: He was, I was too far away he was holding him right there by his head like this (Note: showed the same as above)
GG: So, so
JM: And he was pulling him.
GG: Ok, so who, was one of them doing that or both of them was doing it? Was Jason?
JM: Jason was holding him while Damien did it and then they took turns.
GG: So, they both did it to all three of the boys?
JM: Just them two as far as I know.
GG: Just the two of them?
JM: Yeah.
GG: But they, they both Jason and Damien did it to two of the boys and they took turns?
JM: Uh-huh. m.
GG: And they would hold, you, tell me again about their hands on, I mean I know you're, you're holding it up here.
JM: It was up here by their heads and stuff and was just pulling and stuff.
GG: Alright, so they are up here, had their hands
JM: By their ears and pulling them and stuff.

GG: Alright, okay, say, say that again for me now.

JM: Hold them by their head, by the ears and pulling.

GG: Okay, okay.