

False Confessions: Psychological Aspects in the Work of a Police Interrogator in Israel



Criminology

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ABSTRACT

A criminal investigation should ultimately point to the person who committed the crime. The question this paper is raising is what motivates a police interrogator to extract a false confession from a suspect, using unacceptable means, when that suspect's innocence can be proved. This paper discusses false confessions from the perspective of police interrogators while based on four Israeli case studies, where suspects made false confessions that led to wrongful convictions. There are several psychological theories that could shed some light on this matter. It focused on judgmental modularity among police interrogators, Processes of justification and self-perception, Dehumanization and psychological mechanisms during police interrogation, and group thinking and "Rhinocerotitis" among police interrogators. The theoretical study is examining the numerous psychological components - both external and internal - that can affect the interrogator's decision-making process. Those Components may motivate him to adhere to his position regarding the suspect's guilt, even when it is highly possible from the information available that the person is not guilty of the alleged crime.

Introduction

Of the many roles of the police force, criminal investigation is a central component of its work. The criminal investigation aims to assist the law enforcement system in fulfilling its role of solving and preventing crime. The most important goal of an investigation is to support the criminal prosecution of those who commit criminal offences, jeopardize the safety of the public, and endanger public order (Gimshi, 2007). Central to criminal investigation is the process of collecting evidence. This can include obtaining confessions from suspects which, in a criminal trial, may be used against them to prove their guilt. According to Elad (2005), when a suspect confesses to a crime the probability of being convicted increases significantly, even if he retracts his confession during the trial and claims that it was a false admission.

A false confession is the result of a suspect admitting to criminal behavior in which he has not actually engaged. Many studies of criminal investigations show that the phenomenon of false confessions exists in countries throughout the world, and the main risk that it involves is the conviction of innocent people (Sangero, 2005; Drizin & Leo, 2004; Kassin, Drizin, Grisso, Gudjonsson, Leo & Redlich, 2010; Kassin & Gudjonsson, 2004). Garret (2008) argues that about twenty percent of all convictions in the United States are based on false confessions extracted from interrogated suspects. This figure relates only to cases where the suspect's innocence has been proved through forensic findings, especially DNA samples. Therefore, Garret claims, the actual number of false confessions may well be much higher.

"The Innocence Project" is a legal organization established in the United States in 1992, with the objective of exonerating wrongfully-convicted people. The organization hires law students to find forensic evidence such as DNA from prisoners who claim they are innocent. The problem is that such evidence has been preserved for only some of the cases in question. Nevertheless, the Innocence Project has had a great many successes. Since it started in 1992, over three hundred wrongfully convicted prisoners have been acquitted, based on forensic evidence, of accusations of murder or rape after being sentenced to death, or to life in prison. In most of these cases the conviction was based solely on a false confession extracted from the defendant by police interrogators (Sangero, 2014).

In 1993, the *Goldberg Committee* was founded in Israel, headed by then Supreme Court Justice Eliezer Goldberg. The committee was appointed to study the legal status regarding the conviction of suspects based solely on their confessions, without the

support of additional external evidence. The committee published its conclusions in 1994, and noted the need to draft clear rules regarding what is permitted in police interrogation, and what is prohibited. The committee made the following recommendations: there should be mandatory supervision of those responsible for the interrogation, and punishment for anyone breaking these rules; the doors of the interrogation room should be opened to the defense counsel in the early stages of the interrogation, in order to deter interrogators from deviating from the rules, for example by extracting confessions from suspects using threats, intimidation, or torture; the interrogation should be documented by the state, in order to confirm that it has been conducted properly; an interrogation methodology should be drawn up and taught to police interrogators; and an external control body should be set up to supervise the interrogation.

Most members of the *Goldberg Committee* supported the idea that the Criminal law should determine what means of interrogation are unacceptable, to the extent that if they are utilized, the confession will be disqualified regardless of its credibility (Elad, 2005; Sangero, 2005). Following the committee's recommendations, in 1996 a bill was passed expanding the accepted reasons for a retrial. The expanded law states that if new evidence was found that was not presented at the first trial an injustice may have been caused to the defendant, and therefore there are grounds for retrial (for grounds for retrial, cf. Court Law—1996; Israel Ministry of Justice, 1994). These days, in Israel, an average of forty convicts request a reexamination of their conviction every year. A review of the literature shows that this is a relatively small number compared with other Western countries, and considering the size of Israel's population. Among other things, the reason for this may be that in most cases, the request for retrial is rejected by the Supreme Court (Fink & Rosenberg-Rubins, 2013). Sangero (2014) claims that retrials hardly ever take place in Israel. Approximately one application a year is approved - and even then, he believes, approval is not given as an attempt to correct an injustice, but for lack of choice; for example in cases where there is unequivocal evidence, and the judges are left with no alternative but to accept the request for retrial.

In 2002, Israel passed the Criminal Procedure Law (Interrogation of Suspects) 2002, which partially adopts the recommendations of the *Goldberg Committee*, and anchors in law the basic rights of interrogated suspects. The purpose of this legislation is to clarify the scope of the rights and obligations of interrogated suspects, and the obligations of the interrogators as derived from those rights. Sangero (2005; 2014) believes that this is not

enough, and that legislation in this field should be expanded further.

The damage to both society and individuals due to wrongful convictions is considerable (for the many consequences of false convictions, cf. Kassir et al., 2010). Sangero (2014) argues that the negative impact of a conviction based solely on confession is very serious, since it corrupts both the interrogation and the justice systems. In a system in which an individual can be convicted solely on the basis of a confession, the interrogators are pressured to focus mainly on extracting confessions, rather than collecting more evidence which could lead to the true criminal who is guilty of the crime.

In recent years, several cases have been publicized in Israel where it was found that suspects were convicted of crimes they did not commit, based upon false confessions extracted from them by unacceptable means. These cases present a wretched picture of the flawed investigation methods that led, according to accusation, to a series of other faulty acts, such as: false reports about the investigation, selective documentation of the investigation, concealing facts and evidence from the file, and even perjury in court (Wicztom, Margolin & Lavi, 2008; Sangero, 2010).

This paper will focus on the following four cases:

“The *Amos Baranes* case” - convicted in 1976 for murder; sentenced to life, and released after eight and a half years in prison because it was found that his trial had suffered from perversion of justice and perjury by police interrogators.

“The *YCA (Young Criminal Association)* case” - in 1978, seven young men were convicted of committing a multitude of crimes, based on false confessions that were coerced from them by police interrogators using extreme violence. Many years after their trial, they were acquitted of all charges.

“The *Izzat Nafso* case” - the arrest of a Circassian intelligence officer who was accused by the Israel Security Agency (ISA) of spying and assisting the enemy in 1980, based on false information and torture during his interrogation. Nafso was convicted of these charges in 1981 and after seven and a half years in prison, was exonerated as part of a plea bargain.

“The *Tarek Nujeidat* case” - *Nujeidat* and two friends were accused in 2003 of the murder of the Israeli soldier Oleg Shaikhet. Throughout the entire case the three claimed that they were innocent, and that the quoted confessions were extracted after severe pressure was applied by the ISA interrogators. In 2004, the weapon used to kill Oleg Shaikhet was used in another crime, and this discovery led to the release of *Nujeidat* and his friends. The state subsequently exonerated and compensated them.

Many studies have examined the question of what causes a person to take responsibility for an act they did not commit. The reasons that they found are many and varied. They include the mental state of the subject, personality traits, age, unawareness of their rights, inappropriate representation, and more (for a detailed description cf. Conti, 1999), but the literature rarely refers to the possible psychological effects on the police interrogators.

The question this paper is raising is what motivates a police interrogator to extract a false confession from a suspect, even using unacceptable means, when that suspect's innocence can be proved. There are several psychological theories that could shed some light on this matter. The following paper is a theoretic discussion about false confessions from the perspective of police interrogators. It focused on judgmental modularity among police interrogators, Processes of justification and self-perception, Dehumanization and psychological mechanisms in police inter-

rogation and group thinking and “Rhinoceritis among police interrogators.

It suggests, through an examination of our four referenced cases, possible explanations for the conduct of the police interrogator during a criminal investigation.

Case studies: false convictions based on false confessions “The Amos Baranes case”

On October 24, 1974, the body of Rachel Heller, a nineteen-year-old soldier, was found. Baranes was questioned based on his familiarity with the victim. He was interrogated under sleep deprivation, starvation, and beating. Eventually he confessed to the murder, and even reenacted it.

Even during the period of detention, the police officers lied to the Court over their reasons for requesting an extension of remand. A police interrogator gave false testimony under oath, saying that Baranes had previously been suspected of the indecent assault of two young women and a man. The detention was subsequently extended.

After Baranes confessed and reenacted the murder, the district court decided to convict him of the crime. The judges determined that Baranes was shamelessly lying about the violence allegedly used against him by his interrogators. He was found guilty of the murder of Rachel Heller, and sentenced to life in prison. The request to disqualify his confession was rejected.

In 1980, an executive officer in the police force (a retired commander) came to the conclusion that Baranes did not murder Rachel Heller. Rather, he asserted that it was a serial rapist who was active in that area, based on perpetrator patterns that he found to be similar to other incidents. He took his conclusions to the judge who had convicted Baranes of the murder at the time. The judge, realizing he had delivered the wrong verdict, suggested that Baranes apply for a pardon. Baranes refused and said that a pardon would be an admission of guilt for a murder he did not commit. In 1983, Baranes was released after reduction of a third of his sentence. He was not satisfied with the early release and demanded a retrial.

In December 2002, the court decided to exonerate Baranes. He took legal action against the state, claiming compensation for his years of suffering in prison and the severe torture he had suffered which led to his incrimination. In 2010, the Tel Aviv district court determined that he was to be compensated by the state in the amount of NIS 5 million for the harm he had been caused.

* The facts described in this case are based on the criminal appeal submitted by Baranes (CA 127/76), and on Ezra Goldberg's book (1983).

“The YCA Case”

In 1978, the “YCA Gang” members, seven young men, were accused of a series of serious crimes, including arson and conspiracy to assassinate judges and police officers. Their arrest and the legal proceedings against them were covered extensively by the news media, since, according to police interrogators, they were a well-organized anarchist group that planned to wreak great havoc upon the public. The police even intimated that the group had political connections.

During the trial, the defendants claimed that they were tortured, and that their confessions were extracted from them by force. Arrayed against them were the entire higher echelons of the Israeli police force, who absolutely denied that the suspects were tortured, and the State's Attorney. The defendants claimed, among other things, that the police used electric shocks, uri-

nated and defecated on some of the suspects, subjected them to severe beatings, insertion of objects to the anus, etc.

The judges rejected the defendants' claims about the nature of their interrogation. A united front of police officers and interrogators stood before the legal panel, and completely rejected their accusations, even calling them "plucked from thin air." The judges ruled that the defendants' claims of torture were "part of a joint conspiracy to fool and confuse the Court."

After a long trial, highly covered by the media, all the gang members were convicted in court on the basis of their confessions, and sentenced to prison terms of three to ten years.

Fourteen years after their interrogations, and after completing their prison sentences, a police officer involved in the interrogations admitted that the testimonies were coerced from the suspects using severe violence and humiliation, and that their confessions were forged. The officer described the process of the interrogations in detail in a documentary (*"The Gang That Never Was"*), aired on television in 2009.

Following this admission the defendants, who had claimed their innocence since the start of their trial, demanded a retrial. In 1998, the Tel Aviv district court overturned their convictions; they were cleared of all suspicions based on the new evidence. After they were exonerated, the court awarded them compensation of around NIS 3 million. After they received this compensation, four of them took legal action against the state in civil proceedings. The state claimed that the four had already exhausted their right to compensation, but the court did not accept this claim and in 2005, awarded them additional compensation of NIS 12 million.

* The facts described in this case are based on the request for retrial submitted by the accused in the case (NT 1966/98), and on the documentary regarding the YCA aired in 2009, *"The Gang That Never Was"*.

"The Izzat Nafso Case"

Nafso was an intelligence officer who retired from the Israeli Defense Forces (IDF) in 1979. At the beginning of 1980, Nafso was called up to "assist" on the northern border of Israel. When he arrived, he was arrested by the ISA and found that he was suspected of acts of spying for and assisting the enemy. His arrest was made without informing his family or friends. Nafso was questioned non-stop for fourteen days, and eventually confessed to crimes of spying and helping the enemy. Later he withdrew his confession and claimed that it was extracted from him under torture that included beating, hair-pulling, kicking, undressing, cold showers, sleep deprivation, standing through several nights in front of an outside wall, and more. The interrogation was accompanied by constant threats of violence and humiliation against the suspect and his family, including the threat to bring in his mother and wife and strip them in front of him.

Nafso remained in custody for a year before trial. In 1981, he was tried by court martial for acts of treason, espionage, and assisting the enemy. The prosecution based its claims on Nafso's confession, and he was found guilty and sentenced to eighteen years in prison.

In April 1987, Nafso appealed to the Supreme Court. In his appeal, he claimed that his confession had been obtained by unacceptable means, and that the ISA interrogator falsified evidence during the trial. Nafso's appeal hearing in the Supreme Court began in May 1987; during the hearing the prosecution admitted that findings had emerged that supported the greater part of his version. This admission led to a plea bargain, followed by his immediate release.

The Supreme Court ruling severely criticized the conduct of the ISA (Israel Security Agency) and its interrogators, concluding they were responsible for perjury, and finding them guilty of inappropriate measures during their interrogation of Nafso. The extremely critical verdict led the Attorney General at the time to call for an investigation of the ISA interrogators involved in the case, and the government decided to set up the Landau Commission to investigate the interrogation methods of the ISA. The Landau Commission's findings exposed the use of torture during the interrogations and perjury during trials.

In 1989, Nafso filed a claim for damages against the state, which ended with a settlement agreement between the parties, under which Nafso agreed not to reveal the details of the incident, and in exchange, received monetary compensation of approximately NIS 1 million.

The facts described in this case are based on the criminal appeal filed by Nafso (CA 124/87), and the books by Ilan Rahum (1990) and Amnon Straschnov (2004).

Regarding Nafso's case, the following paragraph is taken from the 2004 book by Amnon Straschnov, who was the Chief Military Advocate General at the time.

"... The findings of the investigation I carried out with the ISA caused me great shock and disillusion regarding the interrogation and legal systems as a rule. If a man can be made to confess to crimes he did not commit, and his confession can be "wavered" with a wave of a hand, then who is the judge and who is the adjudicator? What is the point and use of having decent trials according to procedure and laws of evidence, in the educated judge's cool and sterile hall, if the defendant's verdict has already been decided in the ISA or police interrogation room? Whom can we still trust in this unstable world when those who are responsible for law enforcement, sin with their own hands (against the defendant) and their own words (to the judge), and add insult to injury, a lie to a blow? The investigation I carried out with the ISA interrogators and the findings of the ISA internal investigation have left us, the people of the Military Advocate General, with a bitter taste and feeling of depression. The findings of the investigation clearly showed that Nafso was framed by the ISA even before he was convicted by the Court Martial, and that there is a basis for significant doubt of his guilt ..."

"The Case of Tarek Nujeidat"

On July 21, 2003, the soldier Oleg Shaikhet was murdered at Beit Rimon junction. A week after he was reported missing, his body was found buried in an olive orchard near Arab village-Kaffar Kana. Following information received by the ISA, in August 2003 a young man from Kfar Kana, Tarek Nujeidat, was arrested. After interrogation, Nujeidat confessed to kidnapping and murdering the soldier and implicated two other young men, Yussuf Sabih and Sharif Eid. Nujeidat also reenacted the event, but later he withdrew his confession and claimed that it was extracted under a great deal of pressure and threats that eventually broke him and led him to confess. This claim was not accepted, and in September of that year, an indictment was filed against the three men for the murder of Oleg Shaikhet.

In April 2004, there was a shooting attack at Beit Rimon junction. Two young Israeli Arabs, members of the "Free People of Galilee" terrorist cell, fired on a border guard patrol vehicle. In the incident, one of the young men was killed (Mohammad Khatib) and the other one (Alah Moussa) was arrested. The investigation later found that the weapon used by the two in their attack was the one stolen from Oleg Shaikhet. This discovery led to a breakthrough in the murder investigation: Moussa's arrest was followed by the arrest of additional members of the terrorist cell, and the cell members eventually admitted to the murder of

Shaikheth during their interrogation.

Following the solving of the case, Nujeidat and his friends were released. The indictments filed against them were canceled and they were financially compensated by the State.

The facts described in this case are based on the criminal appeals (CMR 696/04, Sabih et al. vs. the State of Israel, Takdin—Supreme Court Ruling #) and (CMR 696/04 Sabih vs. the State of Israel, ruling 58(3) 636), and a paper by Dalia Dorner (2005).

This paper reviews the theory of psychological aspects of the police interrogation. It presents a theoretical analysis of the possible psychological processes that may occur during the work of an interrogator, and which may harm and mislead the interrogator as he attempts to solve a crime. Sometimes the mistakes are very detrimental - as in each of the four cases described here.

The criminal interrogation as the first step of criminal proceedings—theoretical aspects

The declared objective of criminal proceedings is to eventually determine the truth (Kremnitzer, 1988). Gazal (2002) assumes that this means investigation and exposure of the facts regarding a specific event in which there is suspicion of a certain criminal act, but says that this definition is not accurate, since criminal proceedings, in practice, do not focus on the incident but on an examination of the defendant's guilt. The criminal proceedings thus focus on the man and not the crime.

The criminal proceeding is supposed to ensure that the declaration of criminal responsibility is consistent with the objective facts, and should be constructed in a way that will minimize error and attribute innocence or guilt according to the suspect's actual responsibility (Rawls, 1999). Gazal (2002) further claims that the criminal proceeding is subject to various compulsions, and that the need to consider them poses limitations. Thus, while working to determine innocence or guilt, the criminal proceeding does not operate in a vacuum and not every means can be justified by the end. While working towards its objective, criminal investigations should avoid harming other interests, and these interests limit the investigation. The limitations may be, among other things, moral values which should not be harmed, such as preserving human dignity, the prohibition of torture, and maintaining a defendant's rights, most of which are anchored by law (*cf.* Basic Law: Human Dignity and Liberty, 1992).

However, it cannot be ignored that the law enforcement system is a part of the state's mechanism of supervision, and as such, gains authority and legitimacy through the state to use force against citizens suspected of deviant conducts. (Amir, 1998). The significant problems arising from the authorization to use force are how much force should be used, when, and against whom. Lernau (2007) differentiates between theory and actions in the field of interrogation agencies and suspects' rights, and points to a trend in which there is a difference between the instructions of the law, intended to protect the rights of suspects (Criminal Procedure Law (Powers of Enforcement - Arrest), 1996) and the fieldwork of the police officers. The instructions of the law, Lernau argues, that there is trend of only partial application, named "differentiating application".

Packer (1968; in Lernau, 2007) provides an appropriate theoretical framework for understanding the tension that exists at the police investigation stage, presenting two theoretical models that underlie criminal proceedings and reflect different and conflicting interests. The conflict of values between these two models preserves a state of constant tension.

The first is the "*crime control model*", which emphasizes the

need to convict most criminals, where the purpose is to move cases forward to a successful and efficient conclusion, and save resources by shortening the process as much as possible. The "crime control model" is based on the approach of eliminating crime; and in it the law enforcement system is part of the aspiration to maintain effective supervision over crime, reduce the level of criminality, and maintain public order. Crime control is measured by the number of criminals brought to justice, and the number of convicted criminals. The main trend of this model is to expand the authority placed in the hands of the investigation units, in order to yield a quick, economic, and efficient conclusion of legal proceedings.

The second model is the *due process model*, which places individual rights at the center, emphasizing the rights of the defendant and the limitations that must be set on governmental powers. The moral value underlying this model is the fear of wrongful, exaggerated, or inappropriate use of the power society gives to law enforcement, and it aspires to expand the protection of individual rights through the construction of formal proceedings and limiting the authority of the law enforcement system.

The models are not in disagreement over the purpose of the criminal proceeding, which is clearly exploring the guilt, but the argument revolves around the means of accomplishing this goal. The conflict of values is most prominent during the criminal interrogation and arrest of suspects, when guilt or innocence has yet to be determined. This is the first step of an investigation, when there are only suspicions, and the police investigators need to collect evidence to support or refute these suspicions. During these early stages, the chances of a mistake are great (Lernau, 2007). Such mistakes may have detrimental consequences for the lives of those suspected of a crime, and for the rest of the criminal proceedings against them (Conti, 1999; Kassin et al., 2010).

These two models and the interests that drive them - eliminating crime and upholding individual rights - do not have to be mutually exclusive. The rights of suspects and the rights of crime victims should be balanced, but this is not simple when it is in the clear interest of the state system to conduct a short and efficient criminal investigation of the kind that obtains a confession from a suspect in the beginning, thus shortening the entire process and saving resources (Sangero, 2005; 2014; Sangero & Kremnitzer, 1999).

The case studies described in this section demonstrate a goal-oriented proceeding, one that serves the interests of the system, while it may harm innocent individuals. In the cases described, there is a clear violation of suspects' rights: their confessions were extracted using unacceptable means, including false testimony given by investigators - police and ISA interrogators - in court.

Judgmental modularity among police interrogators

Moral judgment is considered to be the basis that motivates human conscience, and many theories have been developed to explain and characterize it (Addad & Lassloy, 2002; Freud, 1955; Kohlberg, 1981; Piaget, 1969). Anderson (1991; 1996) examines moral judgment based on functional measurement in the functional theory of cognition, and Wolf (2001; 2002) goes on to examine what he referred to as moral judgment, based on modular perception.

Judgmental modularity

The judgmental modularity theory is based on the assumption that judgmental task, social circumstances, and the role and perspective of current judgment are all correlated to the nature of the moral judgmental process (*e.g.* Idisis, 1997; Idisis & Wolf,

2004; Wolf, 1989; Cohen-Raz, Wolf & Sharon, 2002; Wolf, 2002; Wolf, Ron & Walters, 1996).

The role theory (Serbin & Allen, 1968) assumes that a person's morality changes when his role and social circumstances change. The theory divides the social function of an individual into role sets, each one fitting in a certain context. Each set includes at least two complementary roles: teacher-student, employer-employee, victim-criminal, interrogator-interrogatee, etc. The expectations of the role are well known by the holder of the complementary role, and so one should judge one's fellow men according to the quality of their ability to meet expectations. When undertaking a particular role, a certain judgmental scheme is used, and one moving to the complementary role, a complementary scheme is used that correlates with the interests of that role.

To examine judgmental cognitive processes, Wolf (2001; 2002) suggests combining the role theory with the functional theory of cognition (Anderson, 1996), which refers to the way items of information about an event are weighed in one's mind to schemes in a process of information integration. Anderson (1996) calls it the "everyday life psychodynamic of blaming and avoiding blame", and argues that the integration of information about negative events involving blame, including weighing elements of intent and damage, while attributing subjective weight to each element and calculating their weighted average. According to this perception, events will be judged according to one's social role, and in the context of that role, the relative weight attributed to each component of the event as they are perceived will change. For example, Berko (2001) found that dispatchers of suicide bombers utilize different sets of moral judgment in different circumstances and contexts of their lives: a certain set when dispatching a suicide bomber, another set of moral judgment when acting as a father, husband or Palestinian citizen. This study, and many others, attests to the fact that moral judgment is modular and depends upon context, social circumstances, role, and task (Boni & Wolf, 2002; Berko, Wolf & Addad, 2003; Hoffman, Wolf & Addad, 2002; Wolf & Wolf, 2002; Yehoshua, 2006).

Based on these studies, which suggest that an individual's moral judgment is modular, and will change according to a given role and context, this paper suggests examining the modular moral judgment of police interrogators.

The perception of the role of police officer and the level of legitimacy that police officers attribute to the use of force in police roles is related, among other things, to the issue of the professional identity of the blue uniforms (Reiner, 2000). The literature distinguishes two main perceptions regarding police roles: the narrow traditional role perception of crime fighting; and the broader, alternative role perception of community policing or community-focused police work. The police officers' role perception, and their response also depend on the social structure of the population, the level and types of crime, inter-group tensions in society, and changes in the laws and rulings, and the legitimacy that the police have in society (Bayley & Weisburd, 2009; Jonathan, 2010; Braga & Weisburd, 2006; Weisburd, Jonathan & Perry, 2009). The crime-focused role perception focuses on preventing irregular events by acting against criminals, initiating actions against them, and prioritizing this over other police work that is considered less prestigious, such as settling feuds between neighbors, quality of life offences, etc. (Langworthy & Travis, 2002).

When the perception of the role is one of fighting crime, waging war against criminals, and a constant sense of risk, the laws and the administrative rules may be perceived by the police officers as an unwanted burden that hinders the efficiency of the war against crime - which they view as the supreme value

(Sheptycki, 2002). A professional identity based on crime fighting contributes new means and methods, sometimes violent, for achieving the legitimate goals and missions of the organization. With such an identity perception, toughness and violent expression are accepted as important principles of action (Amir, 1998; Goldsmith, 2006).

The combination, proposed by Wolf (2001; 2002), of the functional theory of cognition and the role theory provides a theoretical framework, that suits the hypothesis that the moral judgment of police interrogators changes, when they investigate criminal events (which by their nature involve blame), they utilize a different moral judgment than that which characterizes them in other contexts of their lives. The role perception that the police interrogator has of himself as one who should fight crime, maintain public order, and get results quickly (Amir, 1998) may cause him, in the framework of his occupation, to use a different judgment system, one which may be considered morally very poor.

From the descriptions of the cases presented above and a thorough review of indictments and verdicts, we may learn that during an interrogation, police interrogators may sometimes use means and considerations that stand in opposition to normative moral and ethical values. For example, according to the indictment in the YCA Case (Retrial 1966/98), the belief of the prosecutors was mainly based on the defendants' admissions to the police interrogators, which was extracted by force and under very severe circumstances, as described in detail in the retrial indictment.

In 1994, some fourteen years after the verdict, one of the officers who participated in the interrogation of the YCA case admitted publicly (in a documentary about the YCA case) to the methods used during the interrogation of the young men. These methods included abuse and torture, and even forged and invented testimonies by police interrogators. Due to the media exposure, the officer who exposed the story was asked to give evidence to the police corruption investigation unit. The officer in question, as the interrogatees testified, was one of the cruelest involved. In his testimony in court, one of the former defendants described the officer as a "monster in the interrogation room." The following quote is taken from an interview with the officer in the documentary, in which he admits that the testimonies and false confessions of the young suspects were obtained through the use of severe violence, humiliation, and torture by the interrogators:

"...My sobering up, my awakening took many long years, but it finally came about. An organization, even a state, has no right to exist if it depends on principles of withholding the truth and telling lies. My life, in the shadow of my lie, was tough and it reflected on everything. I do not wish to wash my hands clean of this; my responsibility is with me at all times. After what those young men went through, how time froze for them, the state should put them on a pedestal, to show to the public that it has chosen to change its path, truly and genuinely ..."

"... I think that no testimony taken in those days, from that group, would have withstood a legal trial today. I cannot believe that this case could ever happen again, in any interrogation unit ..."

In the other cases discussed in this paper, the confessions taken from the interrogatees were also found to have been obtained by unacceptable methods. In the Izzat Nafso case (CA 124/87), the Supreme Court's verdict harshly criticized the ISA and its interrogators, ruling them responsible for perjury, and blaming them for taking unreasonable measures during the defendant's interrogation. In the Amos Baranes case (CA 127/76), Justice Dornier pointed to the serious flaws that emerged during Baranes' con-

viction and determined that he was eligible for a retrial. In his book about the Baranes case, Goldberg (1983) wrote: “[T]he material contained in this book is an indictment; an indictment against the Israeli police, which I hold so dear, but which allowed an ambitious group of interrogators to cause an innocent man to be convicted of murder.”

Regarding the Tarek Nujeidat case, after his release in May 9, 2004, his defense attorney, Avigdor Feldman, wrote:

“A fine line separated the three defendants tried for the murder of the soldier, Oleg Shaikhet, from the shadow kingdom of trial, the place reserved for the tormented souls of those convicted based on their confession alone; those who keep claiming relentlessly that they are innocent, those that none shall hear nor rescue. No prosecutor is a stranger to these ghosts. Their families often visit the lawyers’ offices. The carrier bags at their feet are filled with rolls of paper, a tattered indictment, a conviction, an appeal that was rejected, the request for another hearing that was rejected, tens of thousands of words, crawling over worn-out pages, like greasy worms, words like impertinent lie, undoubtedly, disproved alibi, insignificant contradictions ...”

Another assumption suggested in this paper is that modular and differential moral judgment is allowed, not only by a cognitive aspect of information merging, but also because of other psychological mechanisms, which change one’s behavior in a given context.

Processes of justification and self-perception of police interrogators

Societies and groups develop their own set of social beliefs that serve their needs and purposes (Jost, Banaji & Nosek, 2004). Social psychology studies have shown that societies produce an array of joint beliefs, and pass them on to the individuals within them (Faster & Gaskell, 1990; Moscovici, 1988). People who belong to a common physical and psychological context, who share experience and receive similar information, will also often share a range of beliefs, emotions, and other psychological processes (Geerts, 1973; Moscovici, 1984). Based on these studies, we can assume that professional organizations, such as the police force, will also embrace the collective characteristics of the group.

Indeed, a review of the literature shows that all police forces in western societies develop a form of police subculture, organized around an array of beliefs, at the base of which is the mission to eliminate crime, and this defines their behavioral norms and accepted techniques when interacting with citizens (Amir, 1998).

Researchers studying the police organization generally agree that the organizational culture of the police force has a tremendous influence on shaping the police work of the unit (Crank, 1998; Skolnick, Freeley, & McCoy, 2005). The organizational culture of the police is a combination of shared norms, values, goals, career patterns, and lifestyles, which are different from those that are customary among the general population (Dempsey & Frost, 2005). Skolnick, Freeley, and McCoy (2005) claim that the characteristics of police work mold special traits into the personality of a police officer, such as authority, suspicion, conservativeness, hostility, close-mindedness, and sarcasm. Skolnick and Fyfe (1993) argue that police officers consider themselves part of a unique tribe that has a separate and special set of rules, customs, and positions. This leads to the fact that different events occurring in their environment are judged in a manner that is characteristic of their system. Other studies add that the sense of purpose that police work has, the inclination to action, the pessimistic and suspicious attitude towards the environment, and the code that emphasizes loyalty to colleagues and maintaining silence (Reiner, 1992, 2000) shape the “working personality” of the police officer (Skolnick, 1996).

Goldsmith (2006), claims that the unmediated interaction with human evil results in a general approach of suspicion and distrust among police officers. This in turn creates a supportive organizational solidarity in the face of a threatening outside world. Along with a high degree of social solidarity, suspicion, cynicism, and distrust of the external world, the organizational culture that develops in the police force brings a phenomenon termed “the silence of the blue wall,” which is a defensive barricade against anyone who is not a police officer (Dempsey & Frost, 2005).

According to Manning (1997), the professional autonomy, code of secrecy, and the wide judgmental freedom given to a police officer, together with the authority to use force, significantly limits the capacity of external and internal supervisory mechanisms to monitor the police officer’s work.

An examination of the different forces that shape the professional culture of the Israeli police force and the personal and professional positions of police officers who work within this culture shows that the aggressive ethos and increasing involvement of police units in counter-terrorism units (Weisburd et al., 2009) shape the perceptions of police officers to a considerable degree. The attitudes of police officers who are constantly fighting security threats alongside crime fighting undermine the basic assumptions of the community policing model and the service-oriented approach, which aim to help the citizen, turning him from a potential suspect into a cooperative partner in problem-solving. In addition, they limit the power of external and internal supervisory mechanisms to efficiently monitor the use of unreasonable force within the framework of civilian policing activities. This may cause severe violations of civil rights in general, and of police interogatees in particular (Shoham & Yehosha-Stern, 2013).

In addition, studies show that putting pressure on a police force to solve crime, such as pressure exerted by executive authorities and by the public for effective crime-solving outcomes (for a description of the array of pressures used on police officers, cf. Carmon, 2008), results in special and informal techniques being used to achieve quick results. This is true even when it leads to violation of the law, while creating justification for the behavior (Chatterton, 1983; Hunt, 1983; Reiner, 1992). Interrogators may defend denial of facts and evidence to the level of perjury in court with the justification of efficiency, pressure for quick results, etc. (Chatterton, 1995; Leo, 2005).

Elad (2005) argues that police investigators who want to achieve results that will support their suspicions may pressurize and frighten the interogatee into admission, and push witnesses to say what the interogator wants them to say, while ignoring evidence, documents, or witnesses who support the suspect’s version. This method of work is an expression of the cognitive inclination called “Tunnel Vision,” which means that one tends to interpret the search for information in a way that will confirm a prior hypothesis, while ignoring any evidence that does not support that hypothesis. For a police investigation, this is a very dangerous tendency, since it causes the persistence of initial beliefs, over-dependence on evidence that supports them, and dismissal of evidence that contradicts them (Zelig & Nachson, 2012; Lernau, 2014). During the interogative process, the concept of the suspect’s guilt is the primary assumption of the interogator. Once this appears, there is a danger that the interogator will do whatever he can to confirm his suspicions, dismissing any evidence that counters his hypothesis.

Furthermore, the concept of the suspect’s guilt increases the pressure exerted on the suspect, and increasing the pressure that is employed also perpetuates the conceptual fixation created in the mind of the interogator regarding the suspect’s guilt, and

thus escalates his attitude towards the suspect. This feedback maintains the consistency between the position and the behavior of the interrogator (Kassin & Gudjonsson, 2004).

Typically, maintaining consistency is a major motive for everyone. Many behavioral psychology studies look into the issue of consistency between cognitive components (positions, perspectives, perceptions, and beliefs) and the behavioral component (actions) (Alessandri, Darcheville & Zentall, 2008; Festinger, 1954; Schachter, 1994). According to the cognitive dissonance theory (Festinger, 1957; Festinger & Carlsmith, 1959), when an individual's actions are not in line with his original positions, there is a dissonance that leads the individual to align his positions so as to match his actions. This sense of dissonance motivates people to justify behaviors and find reasons that reinforce their choice of these behaviors, even if these justifications do not reflect reality.

Kassin and Gudjonsson (2004) claim that the police interrogation is a process that aims to establish blame, and this, in their opinion, is a defective process. Their study shows that there are two steps in a modern police investigation. The first step is an interview with the suspect, which, according to them, creates a preliminary judgment on the part of the interrogators regarding the suspect's guilt. Any new data that does not match the original belief will be modified so as to corroborate it, and if it still diverges from the hypothesis - it will disappear from the investigation. A series of psychological studies argues that once a person has a preliminary belief, he will look for ways to justify it and will interpret any new data in a way that reinforces this belief, while disregarding any data that do not strengthen it. This preliminary belief, according to these studies, is resistant to change (McNatt, 2000; Nickerson, 1998; Risinger, Saks, Thompson & Rosenthal, 2002).

In an experiment conducted by Kassin, Goldstein, and Savitsky (2003), students were divided into two groups: one group was instructed to believe in the guilt of suspects being interrogated for the theft of a sum of money (\$100), while the other was not instructed to believe anything in particular other than that a certain sum of money was stolen. In the second part of the study, the students asked the suspects (also participants in the study) questions about the event. The study found that the group instructed to believe in the guilt of the suspects asked blame-guided questions (that is, questions based on the initial assumption that the person is guilty), pushed for a confession, and ignored any data that was not in line with their preliminary belief. The conclusion of the researchers was that the expectation of a suspect's guilt increases the interrogators' motivation to pressure the interrogatee until he confesses, and reinforces their belief in his guilt. An example of this can be found in the YCA case, as illustrated in the following quote from the interrogating officer:

"... The deputy head of the Questioning Department coordinated the investigation and work between teams. He wasn't personally involved in the beating, but he explicitly told us to beat them up. He also rewrote testimonies that we were to have the suspects sign. We also rewrote such testimonies, according to the information that the informant gave our intelligence unit ..."

"... The suspect in the room with the other interrogator and me was beaten up by us, with our bare hands and fists, and kicked all over his body, in order to force him to talk and sign the testimony we had written out in advance. In the heat of the beating, the other interrogator grabbed a broomstick and beat him [with it], hitting him in the eye. The eye fell out of its socket. It really scared us and we took him for medical care. We talked about it between us and agreed that if we were asked about it, we would say that the suspect was going wild and got hit by the corner of the table, and that's how he got hurt. This incident has haunted

me all these years, and I would sometimes wake up in terror, feeling as if my own eyeball was yanked out of its socket. I know that other suspects were beaten up in the other rooms, because I heard screaming. The chief interrogation officer of the region would come down from time to time and ask us to keep it quiet, because the screams of the suspects were distracting and he feared the reaction of the neighbors in the next building ..."

"... We headed out at night with the suspects covered in bags of toques. We beat them up good. We threatened to drown them; tied one of the suspects to a tree with an anthill next to it, and one of the interrogators threw feces at him and urinated on him. We made barking sounds to frighten him. When we got back to the region, I washed the suspect down with a fire hydrant hose, because he reeked. He was shaking all over ..."

This goes hand-in-hand with the claim that the social beliefs of the police interrogators allow justifying violence towards suspects through a process of dehumanization. In addition, the process allows the interrogators to maintain a positive image in their own eyes.

Dehumanization and psychological mechanisms in police interrogation

Many studies claim that the violent behavior of police officers is only a symptom, an expression of their working conditions, in which the sense of helplessness in the face of crime and the great desire to eliminate it are so conspicuous (for a detailed description of the subjective and objective working conditions of police officers, cf. Amir, 1998; Carter, 1989). Van Maanen (1974) argues that elements related to the police officer's working conditions, such as the sense of danger, isolation, etc., may reduce the effect of the officer's personal view of what is desirable and right when interacting with the general population. Thus, the police officer's frame of reference will dictate his perspective regarding "right" and "wrong" behaviors, and define people who, sometimes, are deserving of the use of force and violence against them. The question remains, who are those people who "deserve" violence to be used against them? According to Amir (1998), the culture of the police officers reflects the reality of social, cultural, and political conflicts within society, such as ethnic conflicts, national conflicts, and so on, and the "problematic" populations are defined on the basis of these conflicts.

A state of conflict increases the probability of dehumanization of the other, defining him as unworthy of the attitude that humans deserve (Bar-Tal & Teichman, 2005). This process involves placing an individual in a negative social category - outside human groups, groups perceived as operating within acceptable norms and values. The process results in a revocation of the other person's humanity, which basically means throwing him to the wolves (Bar-Tal, 1989; 2000). One of the causes of such processes is the physical or social distance, which shapes the ability of one side to think of the other in dehumanizing terms - us and them - thus making the other invisible (Miron, Branscombe & Schmitt, 2006). It is important to understand this psychological phenomenon, since it may explain how people can act cruelly towards others, and, in the context of this paper, how police interrogators can act so cruelly when interrogating suspects they perceive as inferior and as foreign, thus unworthy of the attitude deserved by human beings.

According to Yoldus (2000), in order to explain an inappropriate behavior one must first understand to whom it is directed. It was found that police interrogators exploit differential behavior towards suspects from different classes. Amir (1998) claims that actions that are not "by the book" are not taken equally by police officers, and are based, among other things, on status factors such as ethnicity or class. This allows the devaluation of people from weakened populations, and eases the sense of

guilt over the violent behavior used against the subject. Studies show that during an interrogation, police interrogators behave in a way that violates basic, lawful human rights towards interrogatees whom they perceive as inferior, and thus deserving of this attitude (Sanders, 1994; in Lernau, 2007). In this connection, Lernau (2007) adds that the practice of partial implementation of legal parameters by interrogators usually affects suspects and detainees of lower social classes; those who lack personal and financial resources, and whose awareness of their own rights is limited. An example of this perspective is seen in another quote by the interrogating officer of the YCA case (taken from the YCA case documentary):

"If we hadn't had the support of executive officers in the central unit I wouldn't have done what I did ..."

"... Things were so bad that the Court could not believe [the suspects], because of whom they confronted. Executive officers of the police force versus people of the lowest of [the] low [that] humanity has to offer ..."

"... Let me say that during that time, the atmosphere was 'hot' and there was a demand from the higher ranks to solve the case that was called the YCA case. We did not hesitate to use any means necessary. The suspects looked like monsters to us, who did not deserve any consideration or humane approach ..."

Furthermore, a police interrogation is an unequal situation between interrogator and interrogatee. According to Bar-Zohar (2008), unequal relationships increase the odds of victimization of the weaker side. In these cases, the victimizer is not satisfied with diminishing the victim, but must also glorify himself. In the context of this paper, a police interrogator who diminishes the value of an interrogatee as part of a dehumanization process that allows violent behavior towards the suspect also perceives his role as an important mission on behalf of the state. This, according to Bar-Zohar (2008), is to protect his self-image. Maintaining a positive self-image is an important psychological challenge, and includes resolving the difference between aspiring for a positive self-image and the negative implications that comes with violent behavior (Bar-Tal, Halperin, Sharvit, Rosler & Raviv, 2008). According to the social identity theory, the self-image of individuals draws and relies greatly on the image of the society and group to which an individual belongs, and with which he identifies. Thus, there is a motivation to maintain a positive social image (Tajfel, 1981), which also causes many psychological processes that are inclined to create a positive image of an individual in his own mind (Baumeister, 1991).

The contradiction between aspiring to a positive self-image and violent behavior may create a state of dissonance (Festinger, 1957; Festinger & Carlsmith, 1959). The effects of the cognitive dissonance as presented above, are extremely strong when related to self-image, i.e. when there is a contradiction between how one sees oneself and one's actual behavior; these are the emotional consequences of the dissonance. The emotional consequences of the disparities regarding self-image are related to the gap between the ideal self, which includes a person's perceptions of how he might wish to be, and his actual self, which expresses the attitude towards his actual behavior. A difference between the ideal self and the actual self creates a sense of guilt. It was found that the greater the difference between the ideal self and the actual self, the greater the guilt an individual will feel (Higgins, 1987).

In this context, when a police interrogator's behavior is not aligned with his perception of self and that makes him feel immoral, he will feel a strong sense of dissonance and will wish to reduce it. Thus, in addition to the cognitive rationalizations that the interrogator uses in an attempt to reduce the dissonance

and justify his violent and immoral behavior, that is, the need to eliminate crime and solve crimes, he will refer to the situation as something that has been forced upon him. "There's nothing I can do, this is my job ..." or "I'm doing this on behalf of the state and for its benefit," etc. (Kassin & Gudjonsson, 2004; Bar-Zohar, 2008). The attempt to reduce the sense of guilt arising from this behavior may be made through the defense mechanisms of the ego.

The explanation for this psychological process is based on the psychoanalytical theory (Freud, 1955; Freud, 1977) that points to the existence of several defense mechanisms which help people deal with anxiety in situations where behavior contradicts accepted values and norms. These defense mechanisms are subconscious and, as their name implies, defend the ego from the rising anxiety. The defense mechanisms push contradictions between behavior and moral values and norms away from the consciousness, thus preventing the experience of moral conflict and anxiety.

According to the psychoanalytical theory (Freud, 1955; Strachey, 1961; Freud, 1977), anxiety arises as a result of the concern that one's moral values will be destroyed and the guilt over the impulse to behave in a way that one considers inappropriate. Based on this theory, we can say that dehumanization of others, as well as preservation of one's positive self-image while reducing one's guilt for an immoral behavior, could be expressions of the use of a projection defense mechanism (Bar-Tal & Teichman, 2005; Bar-Tal et al., 2008).

When a police interrogator is having problems coping with his own negative attributes, especially his violent inclinations, he may subconsciously use a defense mechanism to project the aggressive urges onto the suspect being interrogated. The use of this mechanism will allow the interrogator to see these negative impulses in his subject and react violently to them. The projection mechanism may explain how dehumanization processes towards other people are possible: the interrogator projects his own unwanted impulses onto the interrogatee, thus seeing the suspect as a negative character and reducing his value as a human being, which makes it easier for him to behave violently towards the suspect. Furthermore, the sense of guilt over the inappropriate behavior may increase and escalate the aggressiveness. As mentioned above, studies show that once interrogators start acting violently towards interrogatees, their violent behavior increases during the interrogation (Kassin & Gudjonsson, 2004; Elad, 2005; Sangero, 2010).

Based on this theoretical perspective, one might say that a closed circle is formed. This perspective may explain some of the intra psychically dynamics that may occur in those who work in the police force in general, and the interrogation field in particular. These forces may allow cruel behavior towards interrogatees, and increase the process of their dehumanization. Understanding these psychological processes is very important, it will enable us to help interrogators handle these issues more effectively and narrow their undesirable consequences.

Processes of group thinking and "Rhinocerotitis"

The issue of excessive force in police work takes on a new and different perspective when, as has occurred over the past three decades, the role of war against terror is added to regular police work (Wiesburd, Jonathan & Perry, 2009).

In their paper, Bar-Tal et al. (2008) suggest an analysis of the psychological processes of one group that is in conflict with another, and provide possible psychological explanations for the ways the group with the greater power and dominance handle the conflict with the weaker group. Such is the Israeli-Palestinian conflict in which Israeli society is immersed. The conflict

and the security policies of the Israeli government towards Arabs have shaped the violent views and positions of citizens in general, and law enforcement agencies in particular, as we can see from studies in this field. The case of Tarek Nujeidat, who, based on his confession, was found guilty of the murder of the soldier Oleg Shaikhet, raises the question: why did the State Attorney's office not see the obvious? That three young men with no criminal record and no motive to kidnap an armed soldier - at the busy Beit Rimon junction - and murder him. Nujeidat's confession did not provide any new details, the weapon was not found, and there was no evidence in his car connecting it with the soldier. Furthermore, an examination of the defendants' appeals shows that even the ISA had doubts about Nujeidat's confession. In the view of the ISA he should not have been indicted, and even the interrogators who extracted the murder confession from Nujeidat believed it was a false confession, and that Oleg Shaikhet's true killers were still on the loose. The State Attorney at the time, and future Supreme Court judge, Edna Arbel, ordered the indictment against the three men despite the ISA reservations.

Jonathan (2010) claims that the level of legitimacy that the Jewish public in Israel gives to the various activities of the police force is closely related to the level of terror threats at a given time. According to her, at times when the security threat rises due to terrorist incidents, the level of legitimacy the Jewish public in Israel gives to intensive police work, focusing on the quick use of force, supervision and suspicion at the expense of the service-oriented approach and help for citizens, is strengthened. In their study, Carmeli and Shamir (2000) present quotes by Border Guard officers claiming that they have to use violence against Arabs, insisting that violence is a legitimate tool with which to punish, and that it contributes to reinforcing security.

The high threat level with which Israeli society has lived for more than six decades, plus the involvement of Israeli police forces (such as the ISA) in fighting terror organizations, may explain the high level of support for the use of force in civilian police activities found among police officers and citizens alike in the study of Shoham and Yehosha-Stern (2013). The system of formal mechanisms developed in Israeli society to supervise the use of force by security bodies such as the police are perceived by the majority of police officers who participated in the study, and by at least half of the participating civilians, as detrimental to the police officer's ability to fulfill his duty efficiently. Almost 75 percent of all participants in the study agreed with the statement that following rules that limit the use of force poses an obstacle to addressing various incidents. The findings of this study show that the respondents who agreed with increasing the professional autonomy of the police officer also expressed the highest level of rejection of means of external supervision, such as internal supervision mechanisms, transferring incidents to the police corruption investigation unit (which is under the authority of the Ministry of Justice), etc.

These studies reveal widespread support for the use of excessive force by law enforcement personnel. Indeed, it is no secret that a high level of violence is used by police officers, both in their fieldwork and as interrogators in the interrogation room (Tsamriyon-Halak, 2012). The case studies discussed in this paper show how unacceptable interrogation methods, which include the use of violence, can cause individuals to be convicted of crimes they did not commit. Incidents in which an individual confesses to a crime he did not commit, and is convicted and sent to rot in a jail cell, while the true criminal is not found and remains free, are a very serious manifestation of injustice.

The general perception is that abiding by the rules - which are meant to regulate the issue of excessive force in police work - is detrimental to policing activities. The perception is also that

crime rates would have decreased if there were fewer limitations to the use of force by the authorities. As presented in the study of Shoham and Yehosha-Stern (2013), such perceptions point to a kind of group thinking within the police force.

The term "group thinking" refers to the deterioration of thinking efficiency, reality control, and moral judgment of a group, because of reciprocal pressure and the desire of the group members to reach agreement. Group thinking is characterized by a superficial survey of goals and possible solutions to a problem, while maintaining strict attachment to a certain decision (Zelig & Nachson, 2012). According to Janis & Mann (1977), a state of "group thinking" (or "herd mind") causes a group to over-evaluate its strength, develop negative stereotypical thinking against anyone from the opposite side, come up with justifications for the group's decisions even when the decisions are immoral, and ignore contradictory information or warning signs. A group that is in a state of "group thinking" uses active pressure on other members to coordinate positions and silence objecting opinions. Members who dare object to the decisions are presented as traitors. In this way an illusion of uniform opinion in the society develops, and the silence of some members is interpreted as agreement. According to Janis (1982), when the group has no clear procedure for how to obtain information and is operating under stressful conditions, the desire of its members to reach broader agreement and unanimity becomes greater than their wish to reach the optimal decision. This state of being carried away by the group is a dangerous state of "Rhinocerotitis" (a term borrowed from the Theatre of the Absurd, based on the 1958 play 'Rhinocéros' by Eugène Ionesco, about people who surrender to the belligerent majority). Rhinocerotitis is characterized by a lack of independent thinking, aggression, and focusing on unimportant issues (Sharvit, 2006; Quinney, 2007). In the line of work of the police investigator, it is important to be wary of the negative effects of group thinking, which may cause the interrogation team to fixate on a certain hypothesis or decision, such as an incorrect perception of a suspect's guilt. This working hypothesis which, according to Sangero (2014), is common among police interrogators, has a detrimental impact on police officers and corrupts their work.

In light of all that, we choose to conclude with the words of Supreme Court Justice Haim Cohen, from the verdict of one of the trials on which he sat as a judge:

"I must confess that when reading and hearing the current appeal, I began to doubt myself a little bit, for the first time, thinking perhaps the time had come for us to put aside the war against crimes by criminals and direct our focus to the war against crimes by policemen. I asked myself whether, through the judgmental use that we judges make of the evidence before us, which is obtained by criminal investigators, we do not become their retro-accomplices? For at the end of the day, is not police investigation nothing but a process of preparation for a trial, and do not the crimes of the investigation cast a weighty shadow over the legal proceedings that follow? If I saw that the amendment was effective, even to the smallest degree, and that criminal investigators were being punished accordingly and the incidents of suspects and detainees' arrest were diminishing, I would have said nothing; but the sad impression is that not only are the incidents increasing in frequency, but they are growing significantly more and more severe. The policemen could not care less about the criticism they hear from the judges, and do not follow their instructions, and no one else says a word..." (CA 369/78, Abu Madij vs. the State of Israel).

Summary and Conclusions

In 1167, Maimonides wrote in The Book of Commandments (*Sefer Hamitzvot*), (Negative Commandments, Commandment 290): "...It is preferable and more proper that even a thousand

guilty people be set free than to someday execute even one innocent person.” (Halbertal, 2009).

Review of the literature in the field of false confessions shows that, in our reality, the false conviction of innocent people occurs more than once (Peled-Laskov & Shoham, 2015). According to Gazal and Tor (2009), the accurate number of these incidents is unknown, since the issue can only be examined through the collection of information about convictions that have been found in retrospect to be false, whether by exposure of the true criminal, or if the defendant(s), after falsely confessing and subsequently being convicted of the crime, works to prove his innocence and the conviction is revoked. Sangero (2014) made a probability calculation and assumed that Israel has a rate of approximately 5 percent false convictions, which means, on average and at any given moment, 1,136 prisoners who are falsely convicted and serving time in Israeli prisons. Moreover, Sangero estimates that this is a conservative figure, and the true number may well be much higher. Peled-Laskov and Shoham (2015) review the phenomenon of false convictions from the administrative-legal, psychological, and practical aspects of the law enforcement system, and emphasize the importance of the subject and the need for more empirical studies in this field, since the road to understanding the full extent of the phenomenon and how to prevent it is still quite long.

When the working hypothesis of the crime control model, which considers efficiency and economy to be the main values underlying the activity of the law enforcement system, is set against the working hypothesis of the proper procedure model, which considers credibility and the protection of individual civil rights as its main values (Lernau, 2001), we can see that according to the literature, the main values of the crime control model are better supported among police officers. The day-to-day reality of investigations and arrests is mostly affected by the interest in eliminating crime, and this is the principle at the basis of police organizational culture. These three values, as tested in the study by Shoham and Yehosha-Stern (2013), that is, legitimacy for the use of force during policing activity, resistance to external supervision of the use of force, and the professional autonomy of a police officer performing his duty, maintain a significant positive correlation, and together reflect a professional culture and inter-organizational norms that position crime fighting as the central value, and the use of force and violence as legitimate, efficient means whose use should be left to the discretion of the police officer.

The case studies presented herein attest to the difficulties of these perceptions. The cases discussed tell personal stories that include the violation of rights and distortion of justice. In each of these cases, convictions are based on false confessions extracted through unacceptable means by the police interrogators, such as the severe use of violence, fabrication of incriminating evidence, hiding contradictory evidence, perjury and suborning perjury in court, and more. Nevertheless, the many studies of

the subject of false confessions focus on proceedings and factors that coerce the suspect to confess to a crime he did not commit. They rarely revolve around the work of the police interrogators and the psychological processes that may affect the interrogator's work, sometimes causing a complete bias and discrimination to the level of extracting a false confession from a suspect (Drizin & Leo, 2004; Kassir, Drizin, Grisso, Gudjonsson, Leo & Redlich, 2010; Leo, 2005).

In this paper, we have theoretically presented psychological aspects that may affect the work of the police interrogator in general and in Israel in particular, and his decision-making process on the way to obtaining a confession from a suspect and putting him on trial. The assumptions and the psychological insights presented in the paper are a theoretical analysis framework for future research studies that may have a great practical significance for police work, especially in the field of criminal investigation. An empirical study of the hypotheses presented here will enrich knowledge in the field and assist in finding explanations for the phenomenon of false confessions. With regard to the practical aspect, such a study could contribute to a fair and worthy criminal proceeding, and help reduce situations of injustice.

As mentioned above, one of the recommendations of the Goldberg Committee (Elad, 2005; Sangero, 2005) was that the police should draw up an interrogation doctrine that would include strict and clear rules on what is permitted and what is forbidden during an interrogation, which interrogators will study at the beginning of their qualification process. Moreover, the committee recommended that the police carry out screening with respect to personality and individual traits for the most appropriate police officers to work as interrogators. The law enforcement system has only partially implemented the recommendations of the committee, and there is still work to be done. This is why future studies to examine the unique dynamic of police interrogation are of such importance; for example, studies examining the profile and positions of the police officers find that the age of the officer has a significant influence on his conduct. Masip Barba, & Herrero (2012) found that veteran police officers tend to be more suspicious than rookie officers. Shoham and Yehosha-Stern (2013) found that as the police officer matures on the job, his support of the use of force diminishes. These studies and others could help when deciding on the best officers for the job.

Our assumption (and hope) is that those four cases are not necessarily representative of the majority, but a warning about the nature of interrogation and the conduct of interrogators. In order to minimize false convictions in Israel, many changes are still needed, including additional legislation in this field. Among the changes that are required is increased professional training from one side and public awareness on the other side. Future studies in the field of false convictions could help develop a better understanding of the phenomenon, and improved law enforcement system - one that is appropriate to a modern society.

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