

Cognitive Mechanisms Behind the Memory-Undermining Effect of Feigned Crime-Related Amnesia

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Valorisation Addendum

In the following pages, four issues will be addressed with regard to the current dissertation. Firstly, the *relevance* of the research described in the thesis will be discussed. Secondly, the *target population* to whom this dissertation may be relevant, and *products* that may derive from its findings will be taken into account. Thirdly, the degree of *innovation* of the thesis will be highlighted. Finally, *implementation* and *knowledge dissemination* of the findings of the current dissertation will be provided.

Relevance

The current dissertation focuses on the cognitive mechanisms underlying the detrimental effects of feigning amnesia on offenders' actual memory for a crime. This is a relatively new and, for several reasons, challenging topic. In recent years, scholars have accepted the notion that victims involved in specific types of offences (e.g., sexual assaults) may have difficulty in providing a comprehensive account of what has took place. Might the same notion be applied to offenders? If so, which cognitive factors may undermine the completeness of perpetrators' statements? Given the various motivations that they may have to withhold the truth, the present thesis examines the consequences for memory when individuals feign crime-related amnesia, in order to understand and explain *why* and *how* this phenomenon does affect defendants' actual memory for an offence they committed.

Despite progress in legal psychological research, little is known about offenders' memory for a crime. Specifically, it is unclear what happens to memory for a criminal experience when defendants adopt deceptive strategies such as feigning amnesia. Although research on the malleability of memory (e.g., Loftus, 2005) is abundant in the literature, studies on the relationship between feigning amnesia and memory for a crime are scarce. Using a set of empirical studies, the current dissertation aims to gain insight in the all-to-human nature of offenders' memory for a crime.

Target Population and Products

According to some authors, the most common form of memory loss in a legal context is feigned crime-related amnesia (e.g., Cima et al., 2002). Take for instance the well-known case of Rudolf Hess (Picknett, Prince, & Prieor, 2001). He claimed memory loss for his entire Third Reich period during the Nuremberg trial. Some prominent psychiatrists stated that his memory loss was genuine. However, when Hess discovered that, due to his amnesia, he could not respond to the allegations against him, he suddenly declared during one of the trial sessions that he had fooled the psychiatrists and feigned his amnesia. This illustrates that crime-related amnesia represents a

serious concern for professionals working in criminal law. Clearly, findings from the current dissertation may be relevant for judges, prosecutors, lawyers, and police officers. Because memory loss for an offence has benefits to defendants, a nontrivial part of them feign complete or partial crime-related amnesia. Hence, it is important for legal professionals to know what perpetrators can remember from crimes they have committed. Offenders who confess to the police usually have good memory for their offences in court. But what if a defendant, similar to Rudolf Hess, initially feigns amnesia for an offence, but later gives up his role as a feigner? The results reported in *Chapters 2 and 3* show that such individuals are still able to recollect large parts from their crime. The research reported in this dissertation also may be useful for police officers involved in interrogating suspects. The findings reported in *Chapter 5* demonstrate that interviewing suspects repeatedly about one part of a crime might, via RIF, make other parts of the offence inaccessible. Therefore, it is recommended that police interrogations should not focus on specific aspects of the crime, but should deal with each and every element of the (alleged) crime.

Innovation

The aim of this dissertation was to examine which cognitive mechanisms might be considered the best explanation for the memory-undermining effect of feigning amnesia. The work presented in the current thesis is unique in the sense that all three hypotheses pertaining to detrimental effects of feigned amnesia on genuine memory for a crime were investigated. While in the last two decades the “lack of rehearsal” hypothesis has been crowned to be the most parsimonious explanation for the feigning amnesia effect (e.g., Christianson & Bylin, 1999; Van Oorsouw & Merckelbach, 2006), no research has focused on alternative accounts for this negative mnemonic phenomenon. The explanations examined here include not only lack of rehearsal, but also inner speech, source monitoring and implicit memory, and retrieval induced forgetting. While doing so, different approaches, methodologies, and techniques, were adopted to get a more complete picture pertaining to this crucial topic. For instance, a mock crime video (also reordered in point of view, see *Chapter 4 and 5*) was used to increase ecological validity, thereby bypassing more traditional crime stimuli (e.g., narrative stories). In *Chapter 2* WhatsApp messages were used in an attempt at visually rehearsing the crime experience. In *Chapter 4* the source monitoring confusion explanation was investigated by utilizing an implicit measure such as the aIAT, while in *Chapter 5* a RIF procedure was adapted to the feigning amnesia for a crime paradigm. In closing, one could argue that the current dissertation contains a set of innovative studies.

Implementation and Knowledge Dissemination

The studies comprising this dissertation have all been disseminated in several ways. The studies presented in *Chapter 3* and *4* have been published in international peer-reviewed journals, while the studies in *Chapter 2* and *5* are currently under review. Moreover, *Chapter 1* and *6* will be used for a review article on crime-related amnesia. In addition, all the studies have been presented at several national and international conferences, which were attended by both scholars and legal practitioners. Finally, the main findings of the present dissertation have also been mentioned in lectures and courses for students – who will be future researchers, legal psychologists and practitioners.