

Criminal Case Review & Consulting

1639 Potomac Avenue SE
Washington, D.C. 20003

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Report of James Trainum Initial Observations and Conclusions Regarding the Interrogation of Perry Taylor

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Mr. Gipson:

At your request, I have conducted an initial review the material which you were able to provide (listed in Exhibit A). These documents pertained to the information provided to the police by Perry Taylor as part of their investigation into the 2004 murder of Angela Rowe and her three children. This investigation led to the arrest and conviction of Perry's brother, Leonard Taylor.

This report will be broken down into the following sections. Section I will contain a summary of my preliminary conclusions. Section II will be an overview of my qualifications. Section III will discuss some of the research and other information that helped to shape my observations. Section IV goes over the timeline and events leading up to Perry Taylor's final statement and things that may had adversely impacted its reliability.

I. Summary of Preliminary Conclusions

Based on the documentation provided to me, the contacts that Perry had with the police prior to the interrogation that led to his statement incriminating Leonard contributed to the overall coerciveness of that final interrogation. The documentation also shows that the interrogation itself was overly coercive, with the investigators using tactics no longer approved by the leading interrogation school in the U.S. due because they have been shown to lead to false statements. This level of coerciveness could have convinced Perry that it was in his best interest to tell the investigators what they wanted to hear, even though it was not true.

There are also red flags that could be indicative of contamination of Perry's statement by the investigators during the interrogation. These, along with Perry providing information that was factually incorrect could impact the reliability of the critical details in Perry's final statement. However, their total significance and overall impact can only be assessed through the review of additional documents and information.

My preliminary conclusions are subject to change if new information becomes available.

II. Overview of my Qualifications

I am a retired law enforcement officer from the Washington, D.C. Metropolitan Police Department (“MPD”) where I served twenty-seven years, including seventeen years as a homicide detective. In that time, I was personally involved in dozens of homicide and death investigations. During that time, I received multiple trainings in interview and interrogation practices, including the training commonly known as the Reid Technique. The Reid Technique is considered the standard for interrogations by U.S. Law Enforcement.

In addition to my experience and training as a detective and investigator, I have taught numerous courses in investigation procedures for the MPD homicide school, the Richmond Police Department homicide school, the United States Attorney’s Office for the District of Columbia, the Mid-Atlantic Cold Case Homicide Investigators’ Association, the Nevada Sheriffs’ and Chiefs’ Association, Suffolk County (Massachusetts) Prosecutor’s Office, and the Institute for Law Enforcement Administration in Plano, Texas. These courses, which I have taught since 2008, instruct law enforcement officers, prosecutors, and judges on proper interrogation practices and train them to evaluate the reliability of confession evidence, witness statements, and other evidence.

Since retiring from the MPD in 2010, I have continued to pursue my interest in interrogation and police practices by serving as a private consultant for law enforcement organizations, attorneys, and other groups. In that capacity, I have been qualified as an expert witness on interrogation and police practice in state courts in Delaware, Wisconsin, Oklahoma, the District of Columbia, and Florida, in Federal Court in the Western District of Virginia, the Navy-Marine Corps Southern Judicial Court, and other courts.

I have continued my training and research in the areas of interview, interrogation, and investigations as well. In addition to attending various seminars and conferences, including advanced homicide training and interview and interrogation courses, I have received training in the PEACE investigative interviewing process used by the police in the United Kingdom. I co-authored an article in the book *Criminal Investigative Failures*, in which I discussed a false confession I obtained in a murder case in 1994,¹ as well as a peer-reviewed chapter in *The Palgrave Handbook of Deceptive Communication*.² I authored a peer-reviewed article for *The Police Chief* magazine that discussed the contamination and evaluation of confession evidence.³ My book, *How Police Generate False Confessions: An inside look in the interrogation room*, not only discusses the causes behind false confessions, but also ways to prevent them.

Additional information about my background and qualifications can be found in Exhibit B.

¹ James Trainum and Diana Havlin, “A False Confession to Murder in Washington, D.C.”, D. Kim Rossmo, *Criminal Investigative Failures*, CRC Press (2008).

² Gary C. David, James L. Trainum, “Disbelief Repeats as Deception Tagging: Conversational Strategies for Labeling Perceived Deception in Interrogation,” *The Palgrave Handbook of Deceptive Communication*, Palgrave/McMillian, 2019.

³ James L. Trainum, “I Did It’ – Confession Contamination and Evaluation,” *The Police Chief* 81 (June 2014), Web-only.

III. Police Interrogation Practices and the Evaluation of Statement Evidence

A. The Reid Technique

The primary interrogation approach used by law enforcement agencies in the U. S. is the accusatory approach, which is embodied by what is known as the Reid Technique. This technique is designed to temporarily create a situation where the subject has the perception that it is in their best interest to tell the investigator what the investigator believes to be the truth. Though primarily used on suspects, the Reid Institute teaches that if the investigator is confronted with a witness who they believe is being deceptive, the investigator should resort to using these interrogation tactics.

The tactics used as part of this technique, which both the courts and the Reid Institute acknowledge are inherently coercive, has been directly attributed to confirmed false confessions. To help prevent false confessions, the Reid Institute has identified specific tactics that they consider to be improper. These tactics include:

- Any real or implied threat of inevitable consequences;⁴
- Any real or implied promises of leniency, including themes where “help” is offered to the suspect;⁵
- The introduction of false evidence ploys in conjunction with the above two;⁶

B. Corroboration of the Statement/Confession Evidence.

As part of the safeguard against false statement or confession evidence, the Reid Institute teaches that the details provided by the subject must be corroborated before they can be accepted as reliable. Dependent corroboration occurs when the subject provides details that are known by the investigator to be true based on their knowledge of the crime scene and the investigation. Independent corroboration occurs when the subject provides information that was not known to the investigator prior to the interrogation, and can later be corroborated. The most reliable form of independent corroboration are details that can be corroborated by physical evidence.

1. Contamination

Part of dependent corroboration includes showing that the details provided by the subject originated from them, and not from the investigator or outside source through contamination.

There are many ways that an investigator can contaminate a confession. The most common is through the use of leading questions. These are questions that, due to their structure, provide the

⁴ Brian C. Jayne, “Maintaining the Integrity of a Confession,” *The Reid Technique of Interviewing and Interrogation*, John E. Reid & Associates, 1997, 2000, pg. 111

⁵ *Id.*, and Fred E. Inbau, John E. Reid, Joseph P. Buckley & Brian C. Jayne, *Criminal Interrogation and Confessions* (5th Ed. 2013). pg. 331

⁶ Fred E. Inbau, John E. Reid, Joseph P. Buckley & Brian C. Jayne, *Criminal Interrogation and Confessions* (5th Ed. 2013), pg. 352

innocent subject with details about the crime or suggest the answer that the investigator believes is the appropriate one.

The investigator's response to an innocent subject's answer can also contaminate the confession. This is often combined with the suspect attempting to guess what the investigator considers to be the "correct" answer. If the suspect guesses or answers incorrectly, they are accused of lying. If the answer is correct, or anywhere near correct, they receive positive feedback. The innocent suspect is thereby able to, piece by piece, figure out what the investigator wants to hear.

Another method by which contamination can occur is the investigator simply telling the innocent suspect what the investigator believes to be "the truth." This can be done by the investigator improperly confronting the innocent subject with the investigator's interpretation of the evidence, or with what other witnesses have reported.

C: The Development of Timelines

The development of timelines of the event under the investigation and the investigation itself, is critical in conducting a case review. Timelines of the event assist with the crime scene analysis. Timelines of the investigation help to determine what information became available and when, as well as key decision points and the basis on which those decisions were made.

Identifying key decision points can help identify the presence of confirmation bias.⁷ A reviewer can switch the order in which evidence became available before and after key decisions were made. If evidence that came to light after the key decision had been known before, would the investigators make the same decision? If so, was that decision re-evaluated based on the new evidence? If not, that would be a red flag for the presence of confirmation bias.

When it comes to statement evidence evaluation, timelines allow the evaluator to know what the investigator believed to be true at the time of the interrogation. This is useful in determining if contamination occurred as well as if any false facts are present. These are facts that are believed to be true by the investigator at the time of the interrogation and are later proven false. The presence of false fed facts in a subject's statement is not only evidence of contamination but also the suggestibility of the subject.

IV. Preliminary Observations and Analysis

A: Summary of Perry Taylor's Contact with the Police

During their investigation, the police identified Leonard Taylor as a potential suspect in the murders. They also came to believe that his brother, Perry Taylor had inside information concerning the murder and Leonard's possible involvement.

On December 4, 2004, the investigators contacted and interviewed Perry by phone. They learned that Perry was a "over the road" truck driver who was at the time stopped for the night in a truck stop in Conley, Georgia.

⁷ Confirmation bias is when an investigator becomes convinced that his theory of the case is true and ignores any evidence to the contrary.

After their interview of Perry, the investigators contacted the Clayton County, Georgia Police Department. They requested that the Clayton officers respond to the truck stop, locate Perry. They asked the officers to determine if Leonard was with him in his truck and if so, arrest him.⁸

Officer responding to a request to locate and arrest a suspect wanted in a multiple homicide would consider it to be a high-risk assignment and act accordingly. What is commonly known as a “felony stop” would be used. The vehicle would be approached by the officers with guns drawn and the occupants placed on the ground until the scene was secured.

In his deposition, Perry said while at the truck stop in Georgia, the police dragged him out of his truck and beat him.⁹ His brother was not found in his truck.

The case investigators then contacted Perry’s employer. They learned that he was next scheduled to stop in New Jersey. On December 5, 2004, case investigators flew to New Jersey and met with the New Jersey State Police. There they arranged a stakeout so they could stop Perry again. One reason for the stop was another attempt to catch Leonard with him in the truck.¹⁰

The investigators and troopers located Perry’s truck. According to Inv. Hartman, Perry was asked to “exit the vehicle and he complied.” He was then taken to the police station, interviewed, and provided another statement. Perry’s truck was also searched and fingerprinted.¹¹

In his deposition, Perry said that during the New Jersey stop he was again dragged out of the truck by officers. They also ransacked the interior, breaking some of his personal property, and left black fingerprint dust over everything.¹²

The Major Case Report states that since Leonard was not located in the truck, Perry was free to go.¹³ However, in his deposition, Perry said that he was held in New Jersey for three days.¹⁴

These two encounters are important when considering Perry’s mindset when he later provided the statement that the prosecution relied on during their prosecution of Leonard. Such encounters, especially when they involve such overwhelming physical control of a subject, can have a cumulative effect when during a later interrogation the subject is threatened with inevitable consequences if they do not provide the information that the investigators want to hear.

On December 8, 2004, at 9:15 pm Det. Joyce entered an arrest warrant for Perry into the computer system. The warrant charged him with Hindering Prosecution in a Felony Case.¹⁵

⁸ Major Case Squad Report, Branham, Contact Perry Taylor, via cellular phone

⁹ Perry Taylor deposition, pgs. 44-45

¹⁰ Major Case Report, Hartman, Locate and interview Perry Taylor in New Jersey

¹¹ Id.

¹² Perry Taylor deposition, pgs. 45-46

¹³ Major Case Report, Hartman, Locate and interview Perry Taylor in New Jersey

¹⁴ Perry Taylor deposition, pgs. 45-46

¹⁵ Major Case Report, Joyce, Ener Suspect Perry Taylor as Wanted

Perry was arrested in Missouri by Det. Pickering at 10:00 pm and taken to the Jennings Police Department.¹⁶

According to Perry, when he was arrested, he had stopped to get fuel for his truck. He said he was surrounded by police who pointed their weapons at him. Perry said he was thrown in the back of a police car and taken to the police station. Perry said that as they were going to the station, one of the detectives in the car instructed him on what he was going to say during the interview. Perry said that it was insinuated that if he didn't say what the detectives wanted him to say, something may happen to his mother.¹⁷

Det. Rossomanno and Det. Zlatic began their interview of Perry at 10:22 pm.¹⁸ According to the documentation that has been made available to me as part of this review, this interview quickly turned into an interrogation. The investigators told Perry that during past interviews had been inconsistent numerous times and told "flat-out falsehoods" Perry was told that there was only one way to make this right.¹⁹ Perry was told that he was under arrest for Hindering a Prosecution and advised of his Miranda Rights.²⁰ He was told that the investigators could prove that he has been lying to them beyond a reasonable doubt.²¹ Once when Perry did not provide them with a satisfactory answer, the investigators told Perry that the answers that was going to give in the next several minutes would dictate what happens to the rest of his life.²²

At one point the investigators denied that they had threatened Perry.²³ Perry made his beliefs clear, telling he investigators, "Yes, you have threatened me with my job, my future, my freedom. You all talking about five to seven years for some shit I didn't do." A bit later, Perry said "The matter of fact is that's a threat to me." One of the investigators replied "Well it should be...in your mind it should be."²⁴

Overall, the tactics that the investigators used to convince Perry to provide them with the information they believed he was withholding were extremely coercive. As discussed earlier, they were also among the tactics that the Reid Institute teaches should not be used as they could induce someone to give a false statement

The investigator also challenged Perry's statement by telling him that it did not match what others said or the physical evidence. At present, I am not in the position to identify which, if any of these statements were part of a false fact or evidence ploy, but they often caused Perry to alter his statements. Sometimes he would change his statement to include phrases like "I guess..." The use of such qualifiers could be indicative of Perry guessing at what the investigators what him

¹⁶ Major Case Report, Zlatic, Interview of Perry Taylor

¹⁷ Perry Taylor deposition, pg. 70

¹⁸ The Major Case Report has it as 10:55 am, which is likely a typo.

¹⁹ Memo to case file, 3,4

²⁰ Id. 6-7

²¹ Id. 7

²² id. 62

²³ Id. 74

²⁴ Trial transcript, Vol. 5, pg. 1061

to say, and then adopting it into his narrative if they are agreeable. This can be a red flag indicating potential contamination.

The details contained within Perry's final account which the investigators relied upon must be closely examined to determine if they can be corroborated as discussed earlier, or are even factual. Again, based on the material I have been able to review to date, I am not in a position to do this at this time. However, I have been advised that there are some details in the statement that are not factual, calling the reliability of the statement into question. These include:

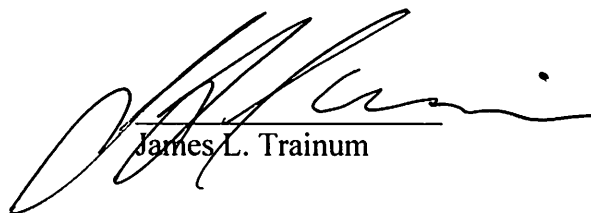
- The date that Leonard allegedly told Perry the murder occurred. The school records of the children indicate that they were at school on that date.
- Leonard allegedly provided details as to how and where he shot Angela during a struggle after she had come at him with a knife. Leonard also supposedly was cut during the struggle. This is inconsistent with the crime scene, where there was no evidence of a struggle and the victims appear to have been shot execution style. Additionally, when examined post-arrest, no knife type injuries were found on Leonard.

B. Summary of Preliminary Conclusions

Based on the documentation provided to me, the contacts that Perry had with the police prior to the interrogation that led to his statement incriminating Leonard contributed to the overall coerciveness of that final interrogation. The documentation also shows that the interrogation itself was overly coercive, with the investigators using tactics no longer approved by the leading interrogation school in the U.S. due because they have been shown to lead to false statements. This level of coerciveness could have convinced Perry that it was in his best interest to tell the investigators what they wanted to hear, even though it was not true.

There are also red flags that could be indicative of contamination of Perry's statement by the investigators during the interrogation. These, along with Perry providing information that was factually incorrect could impact the reliability of the critical details in Perry's final statement. However, their total significance and overall impact can only be assessed through the review of additional documents and information.

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James L. Trainum

Exhibit A
List of Documents Reviewed

- Major Case Squad Reports
 - PDF file of 42 pages
- Trial transcripts of Det. Zlatic and Perry Taylor
- Deposition transcript of Perry Taylor
- Copy of video clips introduced at trial
- Index of Perry Taylor's statement

James L. Trainum

Employment

Criminal Case Review and Consulting

2010-present

Private Consultant

- Review of open and closed criminal cases at the request of law enforcement, attorneys and organizations.
- Identification of solvability factors in open cases for the purpose of making investigative recommendations.
- Review of alleged wrongful conviction cases – specializing in alleged false confessions.
- Review of law enforcement agencies' policy and procedures in the area of cold case investigations and interview and interrogation procedures.
- Provide expert testimony on police and interrogation procedures in criminal cases and before legislative bodies.
- Provide instruction to law enforcement agencies, attorneys and universities on law enforcement investigative procedures, cold case investigation, interview and interrogation and the prevention of false confessions and wrongful convictions.

Metropolitan Police Department, Washington, D.C.

1983-2010

Violent Crime Case Review Project Project Director – Detective

2000-2010

- Created the Project in response to a need to better select old unsolved homicides (cold cases) for re-assignment and additional investigation.
- Responsible for the comprehensive review of all homicide cases over three years old.
- Developed policy and procedures pertaining to case reviews, case tracking, file tracking, case reassignment and investigation.
- Acted as liaison with Forensic Psychology, Forensic Science and Psychology Departments at local universities in order to obtain student interns to work in the project.
- Created a selection process and training program for student interns in the Project.
- Provided ongoing training for and day-to-day supervision of four to fourteen college student interns each semester. Students were taught to review cases, create case summaries, complete data collection books and identify relevant cold case solvability factors.

- Identify those cases with a high solvability potential, especially those with good forensic evidence potential.
- Successfully obtained and managed grant funding for equipment, data entry personnel and DNA backlog testing.

**MPD Violent Criminal Apprehension Program (ViCAP) 2000-2010
Program Director – Detective**

- Managed the MPD ViCAP database and developed policy and procedures for data entry and quality control. The national FBI ViCAP system is run in conjunction with the Violent Crime Case Review Project. The Violent Crime Case Review Project is the main case tracking database for ViCAP.
- Trained and supervised interns, volunteers, detectives and crime analysts on data entry and searches. This involved searches of not only the ViCAP system but local and federal data bases such as BARS, DC-DOC, NCIC, CJIS and the FBI data base.
- Liaison with the National FBI ViCAP Unit.

**Major Case/Cold Case Unit 1997-2000
Detective**

- Investigated cold unsolved murders, recent murders involving three or more victims, child murders and murders involving police officers.
- Worked as part of a MPD/FBI Task Force on cold cases.

**Homicide Branch 1993-1997
Detective**

- Investigated recent murders, suspicious deaths, suicides and natural deaths.
- Specialized in gang related murder.

**Fifth District Detective Unit 1992-1993
Detective**

- Responsible for general investigative assignments but primarily handled burglary investigations for the north section of the Fifth District.
- Worked with individuals and groups within the community to identify and address issues of concern involving crime and safety.
- Trained officers in basic investigative techniques – including drafting and successfully obtaining search and arrest warrants.

**Repeat Offender Project 1986-1992
Detective - Investigator**

- Participated in and directed investigations targeting persons who committed 5 or more felonies per week – but specializing in persons trafficking in stolen property.
- Performed numerous long- and short-term undercover operations.

- Worked with numerous task forces and regional working groups, involving local and federal law enforcement agencies.
- Primary Crime Scene Evidence Technician for the unit.

**Third Police District Patrol and Support Operations 1983-1986
Officer**

- Performed uniformed patrol functions.
- Detailed to specialized units such as narcotics, prostitution, auto theft, surveillance and tactical work.

Arlington County, Virginia Fire Department 1977-1983

Firefighter – Paramedic

- Proficient in basic firefighting duties involving fire suppression, search and rescue, engine company and truck company functions.
- Nationally Board-Certified Paramedic – assigned to a Medic Unit. Responsible for administering emergency medical and advanced life support care.

Volunteer Work

Marymount University 2009-2017

**Professional Adjunct Professor
Forensic Psychology Graduate Program**

- Facilitate the week-long Criminal Assessment Class that conducts a comprehensive review of an alleged wrongful conviction case.

National Center for Missing and Exploited Children 2010-present

**Consultant
Project Alert**

- Conduct reviews of unsolved missing children and child homicide cases for law enforcement agencies.

Specialized Training and Experience

- Extensive experience in working multi-jurisdictional cases and on local and federal law enforcement task forces.
- Experience in obtaining appropriate court orders for and the utilization of electronic surveillance and monitoring equipment, including wire-taps, Dialed Number Recorders and pole-cameras.
- Crime Scene Evidence Technician
- Training through the FBI in financial investigations.
- Specialized training through the FBI, local law enforcement agencies and other organizations in homicide investigation, arson investigation, child exploitation, crime scene examination and processing, crime scene analysis, advanced forensic DNA applications, and interview and interrogation.
- Adult education instruction training through the National Institute of Justice's National Instructor Development Academy.
- Investigative Interviewing Masterclass through the International Investigative Interviewing Research Group.
- Advancements in Interrogation Research by the High Value Detainee Interrogation Group Research Project.

Accomplishments

- Developed policy and procedures for MPD cold case and evidence reviews following a study of other cold case homicide review processes across the country.
- Started a departmental intern program that has since been adopted by many other DC MPD units.
- Created training programs for interns and detectives on homicide investigation, case reviews, evidence, forensic database and the FBI ViCAP database.
- Obtained grant funding for DNA backlog reduction.
- Created the MPD ViCAP Program.
- Recipient of the Marymount University Forensic Psychology Program Award in Ethics in Law Enforcement (2005)
- Recipient of the 2009 Innocence Network's Champion of Justice Award.
- Testified before the Ohio, Oregon and Maryland Legislatures on the benefits of videotaping interrogations.
- Testified before the New York State Task Force and the Florida Innocence Project on the benefits of videotaping interrogations.

Committees, Advisory Boards and Professional Organizations

- The Vidocq Society (May 2008-present).
- FBI ViCAP National Advisory Board (2003-2008)
- DC Homicide Coalition – a cooperative effort of multiple agencies tasked with improving and coordinating the response of government and private agencies to the needs of co-victims/survivors of homicide (2005-2010).
- Mid Atlantic Cold Case Homicide Investigators Association (2004 - present, member of the board of directors 2011-2016)
- International Investigative Interviewing Research Group (2011- present)
- International Homicide Investigators Association (2006-present)
- Homicide Research Working Group (2005-present)
- Police Executive Research Forum Eyewitness Identification Research Project (2011)
- Mid-Atlantic Innocence Project Honorary Board Member (2010-present)
- The Constitution Project, co-chair of the Committee on Policing Reforms (2015 – 2016)
- International Association of Chiefs of Police (2015 to present)

Lectures – Presentations – Teaching

- Basic Crime Analysis Techniques presented to DC MPD detectives, American University Criminal Justice Department
- Intuition and Police Work- Marymount University Department of Forensic Psychology
- “ The Starbucks Triple Murder / Cooperation Between Local and Federal Law Enforcement Agencies” presented to Marymount University; American University; the DC MPD Police Academy, LeadAmerica
- “The Freeway Phantom Serial Murder Investigation- A Case Study” presented at the ATAP DC Annual Conference (2006); The Mid-Atlantic Cold Case Homicide Investigators Association Conference (2006)
- Interrogation and False Confessions- Georgetown University; American University Law School; Marymount University, D. C. Public Defender Service, U. S Attorney Office for the District of Columbia.
- Identifying and Avoiding Criminal Investigation Pit Falls, and Evaluating Statement Evidence: - MPD basic investigators class and homicide school, Richmond Va. Homicide school
- The MPD ViCAP Program-DC MPD personnel, DC Metropolitan Regional Sex Offense Detectives conference
- Basic Homicide Investigation-DC MPD
- Forensic and Computer Databases-DC MPD
- Evaluating Confession Evidence- Institute for Law Enforcement Administration, Plano Texas conference on Best Practices in Law Enforcement Investigations: The Role of Leadership in Avoiding Wrongful Convictions (yearly 2010-2012)
- False Confessions and the Case for Videotaping: Arizona Attorneys for Criminal Justice Winter Seminar (2011)
- Evaluation of Witness Statements and Confession Evidence: Office of the Wisconsin State Public Defender Annual Conference (2011)
- Police Investigative Practices: Public Defender Services of the District of Columbia (2011)

- Detecting Deception – Behavior Analysis and the Polygraph: Juvenile Defender Leadership Summit, Washington, D.C. 2010
- Creating and Managing Cold Case Units & Evaluation of Confession Evidence - Nevada Chief's and Sheriff's Association Annual Retraining Conference (2011)
- The Three Steps to a False Confession – Brown University, Providence, RI (2013), Mississippi Public Defenders Conference (2014)
- Witness Interviews – Investigation Processes, Practices and Pitfalls – Suffolk Co. MA District Attorney's Office, Boston Police Homicide Unit & Massachusetts State Police (2014)
- Unreliable Statement Evidence Issues – Panels at: Washington & Lee Law School, False Confession: The True Story Symposium (2014), Pennsylvania State University Quattrone Center, A Systems Approach to Conviction Integrity (2014), Temple University, False Confessions, Intersecting Science, Ethics & the Law.
- Academic Director, Georgetown University Summer Forensic Science Program (2010)
- Interviews & Interrogations – Understanding Best Practices, Forty-Fifth Annual Criminal Law Seminar, Virginia CLE & Virginia State Bar, 2015
- Interrogation Practices and Evaluating Witness Evidence: Federal Defender Service 11th Annual Saint Crispin Day Celebration CLE, Atlanta, Ga (2015)
- Investigating the Investigation & Identifying Bad Statement Evidence, Wisconsin State Public Defenders Annual Criminal Defense Conference (2016)
- Testimony regarding videotaping of interrogations: Kansas State Legislature (2016)
- Increasing Reliability and Accuracy of Statements, Minnesota Juvenile Officers Association, (2017)
- Testimony regarding videotaping interrogations and special considerations for juvenile suspects, Oregon State Legislature (2017)
- Three Steps to Bad Statement Evidence,
 - Major City Chiefs Association Conference, Washington, D.C. (2017)
 - Center for Wrongful Convictions, Chicago, Il (2017)
 - Legal Aid, Brooklyn, NY (2017)
 - State Bar of Michigan, Criminal Law Section (2017)
- Interrogation in the US: Where we are and how we got there, Innocence Project Policy Conference, Excelsior Springs, MO. (2017)
- International Investigative Interviews Research Group Conference, A comparative study of confession evidence evaluation (2017)
- Investigating Innocence Claims: Lessons from the Field. Webinar produced by the University of Pennsylvania Law School's Quattrone Center under a Bureau of Justice Administration grant. Presented nationally to prosecutors assigned to Conviction Integrity Units (2020).
- Current Research on Detecting Deception and the Evaluation of Statement Evidence for Reliability. Judicial Education course for the Judicial College of Maryland. (2022)

Publications – Research

- James Trainum and Diana Havlin. A False Confession to Murder in Washington, D.C. In *Criminal Investigative Failures* by D. Kim Rossmo (2009)
- James Trainum, Nancy Brown, Ray Smith, Fencing Operations, *FBI Law Enforcement Bulletin* (6/2001)
- Study of post-release arrests of suspects in dismissed homicide cases for the Metropolitan Police Department (2003).
- Primary author of the Metropolitan Police Department's Major Case/Cold Case Unit's Standard Operating Procedure.
- Steven Drizin and James Trainum (2010). A report for the Department of Justice on the interview and interrogation practices of the New Orleans Police Department, with recommendations.
- Consultant and author of the Forward for *Cold Case Research Resources for Unidentified, Missing and Cold Case Homicides* by Silvia Pettem.
- “‘I Did It’ – Confession Contamination and Evaluation,” *The Police Chief* 81 (June 2014); Web-only
- “Get it on tape”, Op-Ed for the Los Angeles Times newspaper, (10/24/2008)
- Gary David, Anne Rawls, James Trainum, “Playing the Interrogation Game: Trust, Coercion and Confessions in Police Interrogations”, Presented at the American Sociological Association Annual Meeting, Chicago, 2015. Published as “Play the Interrogation Game: Rapport, Coercion and Confessions in Police Interrogation.” *Symbolic Interaction*, (Vol 41, Issue 1), 2017
- *How the Police Generate False Confessions: An inside look at the interrogation room* (Rowman and Littlefield, 2016)
- Gary David and James Trainum, “Disbelief Repeats in Deception Tagging: Conversational Strategies for Labeling Lies in Interrogations”, – Chapter in *Palgrave Handbook of Deceptive Communication*, (MacMillan Press, 2019)
- “The CSI Effect on Cold Case Investigations,” *Forensic Science International*, August 2019
- Gary David, James Trainum, “Now the Rest of the Story: The Collaborative Production of Confession Narratives in Police Interrogations,” – Chapter in *The Discourse of Police Interviews*, University of Chicago Press, 2020
- Commentary, “How the Police Should Respond to Interrogation Failures: Lessons from Use of Force,” – part of “Urgent Issues and Prospects in Reforming Interrogation Practices in the USA and Canada,” *Legal and Criminal Psychology*, Volume 26, Issue 1, 2020

Past Projects

- Police Executive Research Forum (PERF)
 - Assessment of the homicide investigative process of selected law enforcement agencies.
- The Constitution Project
 - Co-Chair for publications:

- Suggested model policies for the police use of body cameras.
 - The militarization of law enforcement in the U.S.
- Texas State University
 - Identifying, reviewing and analyzing criminal investigations as part of the University's "Case Deconstruction of Criminal Investigative Failures" research project. The result was the publication of "Confirmation Bias and Other Systemic Causes of Wrongful Convictions: A Sentinel Event Perspective" (D. Kim Rossmo, Joycelyn M. Pollock, Northeastern University Law Review, Vol. 11, No 2 (2019))
- University of Pennsylvania Law School's Quattrone Center
 - National Institute of Justice consultant assisting with the sentential event review of a near wrongful conviction in Philadelphia, PA.

Media

- National Public Radio Podcast "Serial"
 - Review the law enforcement investigation into the murder of Hae Min Lee in Baltimore, Maryland in 1999 (2014)
- National Public Radio, This American Life
 - Episode 507 – "Confessions"
 - Interviewed about law enforcement interrogation tactics and how they lead to Trainum obtaining a false confession in 1994
- The New Yorker magazine
 - The Interview: Do police interrogation techniques produce false confessions? December 8, 2013
- The New York Times
 - Confessing to Crime, but Innocent, September 12, 2010
- CBS "48 Hours"
 - Murder on the Hudson, September, 2015
 - Reviewed and commented on the police investigation into the death of Vincent Viafore
- USA Today
 - "Speeding train" interrogations can fuel false confessions, December, 2011
- Netflix
 - The Confession Tapes
 - Episode: 8th and H
 - September, 2017
- The Psychological Phenomena That Can Lead to Wrongful Convictions
 - Tunnel Vision Video
 - Sponsored by the International Association of Chiefs of Police, Ohio Innocence Project, and the Innocence Network.
 - 2018

Expert Testimony

- Superior Court of the State of Delaware – New Castle County
 - State of Delaware vs. Jermaine Wright
 - Case Number 91004136D1
 - 2009
 - Post-conviction murder case
 - Testified about interrogation tactics and Miranda
- Fifth Judicial Circuit Court – Hernando County, Florida
 - State of Florida vs. Paul Christopher Hildwin
 - Case Number 1985-499-CF
 - 2010
 - Post-conviction murder case
 - Testified about cold case investigations and the use of the DNA database
- Superior Court of the District of Columbia
 - United States v. Reco Coates
 - Case Number 2009 CF1 15475
 - 2012
 - Murder trial motions hearing
 - Testified about interrogation tactic, contamination, and the evaluation of statement evidence
 - Testimony not allowed in front of the jury
- U. S. District Court for the Western District of Virginia
 - Ivan Teleguz v. Keith W. Davis, Warden, Sussex I State Prison
 - Case Number 7:10-cv-00254
 - 2013
 - Post-conviction murder case
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- Superior Court of the District of Columbia
 - United States v. Daquan Tinker
 - Case Number 2012 CF1 15125
 - 2013
 - Murder trial in front of a jury
 - Testified about interrogation tactics and contamination.
- Navy-Marine Corps Southern Judicial Court
 - United States of America vs. David W. Neiman, ABHAN, USN
 - 2013
 - Murder trial in front of a jury
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- State of Wisconsin
 - State of Wisconsin v. Chong Lee
 - 2015
 - Testified about interview and interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- District Court of the Fifteenth Judicial District of Oklahoma
 - State of Oklahoma vs. Christopher Jason Netz

- 2016
- Child sexual assault case in front of a jury
- Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- State of Michigan
 - People of the State of Michigan v. Lamarr Monson
 - 2016
 - Post-conviction murder case
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- State of New Jersey
 - State of New Jersey v Eric Kelly & Ralph Lee
 - Passaic Co. Ind. No. 93-10-1183
 - 2016
 - Post-conviction murder case
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- State of Virginia
 - Commonwealth of Virginia v. Natalie M. Keepers
 - CR16000629-00 and CR16000630-00
 - 2017 and 2018
 - Murder case at motions and in front of a jury
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- District of Columbia Superior Court
 - U.S. vs. Gary Montgomery
 - 2012-CFI-2614
 - 2017
 - Murder case in front of a jury
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- State of Michigan
 - People of the State of Michigan v. Charles Beneitz Suel
 - 3017-000463-FH
 - 2018
 - Child sexual assault case – motions hearing
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
 - Testimony not allowed in front of a jury
- State of Virginia
 - Commonwealth of Virginia v. Kevin Lydon
 - CR16004275-4285
 - 2018
 - Sexual assault jury trial
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- State of Maryland
 - State of Maryland vs. Kevin Sewell
 - 23K160000289
 - 2019

- Misuse of police powers in front of a jury
 - Testified about the application of police discretion
- District Court, Arapahoe County, Colorado
 - The People of the State of Colorado v. Allen Deshawn Ford
 - 17CR201
 - 2019
 - Murder trial motions hearing
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- State of Missouri
 - State of Missouri v. Kylr Yust
 - 17CA-CR00957-01
 - 2021
 - Murder trial motions hearing and jury trial
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- State of Wisconsin
 - Milwaukee County Circuit Court re: Joseph Mensha
 - 20JD00015
 - 2021
 - Motion to file a complaint in a police involved shooting death
 - Testified about the overall investigation, confirmation bias, police induced jeopardy, police tactics, and the use of force.
- District Court, Montrose County, Colorado
 - People of the State of Colorado vs. Daniel Howard
 - 2018CR249
 - 2020
 - Motions hearing
 - Testified about interrogation tactics, contamination, the evaluation of statement evidence, overall investigative practices, and confirmation bias.
- District Court, Arapahoe County, Colorado
 - People of the State of Colorado v. Rafael Lopez-Rodriguez
 - 20CR1323
 - 2022
 - Motions hearing
 - Testified about interrogation tactics, contamination, evaluation of statement evidence, vulnerable subjects, overall investigative practices, and confirmation bias.

- U.S. Court of Appeals for the Ninth Circuit
 - United States of American v. Willard John
 - No. 15-10043
 - 2022
 - Post-conviction hearing
 - Testified about interrogation tactics, contamination, evaluation of statement evidence, vulnerable subjects, overall investigative practices, and confirmation bias.
- Circuit Court of Arlington County, Virginia
 - Commonwealth of Virginia v. James C. Johnson
 - CR2021-867
 - Jury trial
 - Testified about interrogation tactics, contamination of statement evidence, and confirmation bias.