

The Killing of Kitty Genovese: What Else Does This Case Tell Us?

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Abstract

Well known in popular culture, the 1964 murder of Kitty Genovese in Queens, New York, became famous because not one of an alleged 38 bystanders called police until it was too late. Within psychology, this singular event inspired the study of bystander intervention. With the spotlight of history focused on Ms. Genovese and bystanders, other events, also profound for what they tell us about human social behavior, have escaped public notice. Based on archival records and current interviews, this article describes the three issues linked to Genovese. First, three false confessions, taken from two individuals, led to their wrongful convictions and imprisonment. One of these individuals was cited by the U.S. Supreme Court in *Miranda v. Arizona* (1966); the other individual is alive and well and wants to clear his name. Second, the narrative of the unresponsive bystander was initiated by police, not by journalists, in response to probing questions about one of these confessions. Finally, there is the ironic fact, which somehow has slipped through the cracks, that the killer of Genovese was ultimately captured as a result of the intervention of two bystanders.

Keywords

bystander intervention, false confessions, social influence, justice and law

On April 4, 2016, an 81 year-old convicted murderer named Winston Moseley died in prison. At 52 years, he was the longest serving prisoner in New York State. Few people remember his name, although many know the name of his victim: Catherine “Kitty” Genovese, whose screams reportedly went unheeded by neighbors. As the story went, during that two-phased 35-minute attack on March 13, 1964, no one—not one person—called the police until it was too late.

In New York, this singular event inspired a new centralized emergency phone number—the precursor to 911. It also inspired the study of bystander intervention in social psychology. In a series of studies, Latané and Darley mimicked the psychological situation in which people are confronted with a stranger in need of help—in one experiment, for example, a confederate pretended to have a seizure within earshot of varying numbers of subjects (Darley & Latané, 1968); in another, a testing room filled with smoke in the presence of a subject who was alone or in the company of others (Latané & Darley, 1968). As summarized in *The Unresponsive Bystander*, Latané and Darley (1970) outlined a five-step decision-making process of helping in emergency situations and coined the term *bystander effect* to describe the empirical

fact that individuals are less likely to offer help when in the presence of others than when alone.

Coming on the heels of Milgram’s (1963) pioneering first experiment on obedience to authority, in which 65% of subjects complied with an experimenter’s order to administer painful shocks to another person, the bystander research also trumpeted social psychology’s hardcore situationist message: Kitty’s urban neighbors were not apathetic, immoral, cruel, or monstrous. Rather, they were trapped in a socially induced illusion that their help was not needed.

A lingering debate has simmered over the years concerning the number of bystanders who actually saw or heard all or part of the attack (Manning, Levine, & Collins, 2007; Rasenberger, 2004). Cook (2014) revisited the questions about the bystanders: how many there were, what they saw and heard, and what they did. Pelonero (2014) also explored other previously neglected aspects of the case, like the facts that Genovese had a same-sex partner,

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that her killer had committed other crimes, and that police helped shape the story told in the newspapers.

Although the media spotlight focused on Genovese and her neighbors, other stories closely linked to the event, which are also profound for what they say about human social behavior, were unfolding, only to get lost in the historical record. What follows is a brief overview of these events.

One Crime, Two Confessions

In a classic experiment, Simons and Chabris (1999) presented subjects with a short video clip of six adults—three in white shirts, three in black shirts—passing a basketball to each other. They asked the subjects to count silently the number of times the players in white shirts pass the ball. For 9 seconds over the course of the video, someone in a gorilla costume walks through the room, faces the camera, and pounds its chest before leaving. When later asked about the clip, half the subjects tested did not even see the intrusive figure. As a result of “inattention blindness,” it was as if the gorilla was invisible (see Chabris & Simons, 2009).

In the story of Kitty Genovese, the main backstage drama concerned false confessions. Psychologists of my generation have been staring at this case for more than 50 years. Yet, like the gorilla pounding its chest in studies of inattention blindness, the bystander narrative rendered these false confessions all but invisible to history. It is now time to reexamine this case in light of all that we now know about the psychology of this phenomenon (Kassin, 1997, 2005, 2012; for an overview, see the Scientific Review or “White Paper” of the American Psychology-Law Society; Kassin et al., 2010).

Five days after the Kitty Genovese murder, Winston Moseley, a 29 year-old African American man, was arrested for burglary and brought in for questioning. The evidence used to convict him was a confession that was effortlessly taken, according to police, and amply corroborated by the fact that he led police to Ms. Genovese’s wallet and keys, which he had dumped outside his Mount Vernon workplace.

Moseley said he stabbed Ms. Genovese with a hunting knife twice in the back. He then fled to his car when someone yelled down through an open window. Convinced that no one would interfere and driven by compulsion, Moseley returned moments later because, as he testified at his own trial, “I’d not finished what I set out to do.” Following her trail of blood, he found Ms. Genovese slumped on the floor of a nearby apartment, stabbed her to death, and raped her.

Moseley seemed willing to answer questions, so the detectives asked if he had committed any other crimes. Matter of factly, he said that he killed 24 year-old Annie

Mae Johnson one month earlier in South Ozone Park—an unsolved crime. Anyone else? Yes, he said that he also killed 15 year-old Barbara Kralik in her Springfield Gardens home at 3 a.m. on a July night in 1963. He later repeated these confessions, with great consistency and detail, to his attorney, to a psychiatrist, and at his own trial.

Given Moseley’s willingness to talk, detectives next pressed him on the August 1963 murders in Manhattan of two young professional women named Emily Hoffert and Janice Wylie. This headline crime, dubbed the “career girl murders,” had not yet been solved. This time, however, Moseley denied involvement. He was discerning in his confessions, and as we’ll see later, he was not the perpetrator.

For police and prosecutors, Moseley’s confession to the late-night Kralik murder was inconvenient, to say the least. They terminated questioning, took no formal statement, and sought no corroboration. They did this because, months earlier, Queens detectives had taken a confession from a White 18-year-old dropout by the name of Alvin Mitchell. At the time of Moseley’s confession, Mitchell was sitting in jail awaiting trial.

Police had interrogated Mitchell seven times for over 50 hours, culminating in an all-night session that lasted nearly 13 straight hours before he capitulated. He signed a confession written by detectives at 1 a.m., which he repeated in front of TV cameras in a staged perp walk the next morning. Mitchell soon recanted the confession attributed to him, claiming he was threatened and physically abused (e.g., smacked in the head with rolled up newspapers, an old “third degree” trick that left no visible bruises or cuts). His attorney was vocal and animated as to his innocence. Still, the young man was set to be tried when Moseley blurted out his unwelcome confession to Kralik. At least one of these confessions had to be false. But which?

At the time, it was clear that Moseley had killed Genovese—he knew too much and led police to her belongings. It was less clear if he was credible in his two other admissions. Determined to defend Mitchell’s prior confession to Kralik, police were relieved when Moseley appeared to misstate how Annie Mae Johnson was killed 1 month earlier. He said he shot her twice in the stomach and four times in the back with a .22-caliber rifle before sexually assaulting her and setting fire to her house. But the Medical Examiner had concluded that she died of puncture wounds from an ice pick or some other sharp object.

Moseley was confronted with this apparent inconsistency, but he stood by his story. To discredit him, and thereby preserve the Mitchell prosecution, authorities flew to Ms. Johnson’s home state of South Carolina, where she was buried, and exhumed her body. To everyone’s astonishment, however, the local coroner confirmed Moseley’s account. Ms. Johnson was shot six times with a

.22 caliber rifle—just as he had said. Four bullets, detected in X-rays, were removed from her body.

Although Moseley's culpability in the Johnson murder was beyond dispute, the Queens District Attorney never prosecuted him for it—even while citing this gruesome crime in a letter opposing his parole 47 years later. In that letter, the Queens District Attorney's Office described Moseley as a "predator" with "an overwhelming compulsion to commit acts of violence" (Testagrossa, 2011).

Also astonishing is that despite Moseley's newly demonstrated credibility (with confessions confirmed for both Genovese and Johnson, he was 2 for 2 in baseball terms), the already shaky prosecution of Mitchell for the Kralik murder continued unabated. This decision was a difficult one as the local press was suspicious of the case. (For a retrospective first-hand account from the prosecutor who convinced a reluctant D.A. to proceed, see Skoller, 2008.)

Ultimately, the prosecutor said he was persuaded by how closely Mitchell's confession aligned with a statement police took from a friend of his, 16 year-old George Borges, which implicated Mitchell. Borges allegedly said that he drove Mitchell to and from Kralik's house that night. However, Borges later insisted that he was threatened and beaten by police and that this story was false. Still, in justifying his decision to pursue the case, Skoller (2008) would later write, "No police officer could coerce two boys to come up with stories as similar as these are in so many details" (p. 73).

Basking in hindsight, of course, I can only fantasize the theatrical back-from-the-future moment wherein I return to 1964 to prophesy that, in 25 years, New York City police would produce similarly detailed confessions to the heinous rape of a jogger in Central Park from five teenagers ranging from 14 to 16 years old—all of whom would later be excluded by DNA testing and proved innocent. To this day, the exonerations of the Central Park Five stand as a symbol of the peril of false confessions (Burns, 2011; Kassin, 2002).

True to the Sixth Amendment right to a speedy trial, and inconceivable by today's standards, the sequence of events triggered by the Genovese killing came quickly. On March 19, 1964, Moseley confessed to three murders. He was promptly indicted for Genovese on March 23, pled not guilty by reason of insanity on June 8, was convicted of first-degree murder on June 11, and sentenced to death on June 15—all in Judge Irwin Shapiro's court (the death sentence was later reduced to a life term on appeal). By odd coincidence, Moseley's assigned counsel, Sidney Sparrow, had previously represented Ms. Genovese in a minor gambling offense for which she had to pay a small fine (the textbook black-and-white portrait photo of her, the first result to appear in a Google search of images, was her mug shot). In 1989, Moseley

appealed his conviction, claiming that Sparrow had a conflict of interest, but the appeal was denied.

The case against Mitchell commenced immediately thereafter, also in Judge Shapiro's court. At this trial, the prosecution relied on Mitchell's recanted confession and the incriminating but also contested statement taken from his friend Borges. The defense sought to admit into evidence Kralik's "dying declaration" in which she indicated no familiarity with her assailant (Mitchell was an acquaintance), but the prosecutor objected and the statement was excluded.

The defense centered on two witnesses: an alibi witness who testified that he picked Mitchell up hitchhiking and drove him home that night, and the newly convicted Winston Moseley. From the witness stand, in front of a packed courtroom, Moseley recounted in haunting detail how he entered the Kralik house at 3 a.m.; walked upstairs, past other bedrooms and into her room; and stabbed her with a small serrated steak knife—just like one that police found down the block from Kralik's house the next day, a fact never reported in the newspapers. Moseley said he ran out when the girl moaned, awakening her parents.

Mitchell's trial ended in a hung jury: 11 votes for acquittal, 1 holdout for conviction. Undeterred by the lopsided breakdown, clearly spelling reasonable doubt, Skoller convinced the Queens District Attorney to retry Mitchell, which they did 9 months later, in March of 1965.

The press remained suspicious of this case. In *Reading Eagle*, Ruth Reynolds (1965) asked, "Did the Boy or the Man Kill Barbara?" In *The Saturday Evening Post*, Bard Lindeman (1965) asked, "Who Didn't Kill Barbara Kralik?" But Skoller was determined not to repeat his past failure, and indeed this second trial would prove to be different. He had Mitchell's alibi witness from the first trial arrested for outstanding traffic violations at the start of the second trial. While sitting in a jail cell, this alibi did not re-testify. He recalled Borges, Mitchell's friend who had recanted his incriminating testimony from the first trial. "Aided" by a polygraph, and with a threat of charges pending, Skoller persuaded Borges to testify again. This time he did not waver. As before, Skoller also succeeded in convincing the judge to exclude Kralik's dying declaration.

Perhaps most astonishing, Skoller brought in a new eyewitness, a bus driver who testified that he recalled picking up a boy fitting Mitchell's description 20 months earlier near Kralik. Called into the D.A.'s office, this witness at first recalled nothing of value from the night in question. However, he was then subjected to a highly suggestive set of interviews that shaped both his report and his confidence—much like a rat in a Skinner box. This process was thoroughly detailed in a defense petition for appeal (see Erlbaum, 1969). Years ahead of its time, this appeals document anticipated the now rich

science of eyewitness identifications (e.g., Brewer & Wells, 2011; Wells et al., 1998).

What the record shows, without dispute, is that this bus driver went on to identify Mitchell—not from a classic lineup containing a suspect surrounded by innocent foils, and not even from a single still photograph, but from an ABC TV news clip of Mitchell's perp walk confession! "In spite of some of the prodigious tasks and feats of memory that have been exhibited here," said Mitchell's attorney, sarcastically, at the start of his summation, "nobody is superhuman" (Skoller, 2008, p. 192).

Then there was Winston Moseley, a wild card, brought into court from prison. At Mitchell's first trial, Moseley recounted his depraved spree of violence—including the step-by-step account of the late-night walk through the Kralik house and murder. However, this time he refused to talk: "I didn't do it," he testified, "and I don't intend to go into any explanation why."

Mitchell could not catch a break. At 1:35 a.m. on March 12, 1965, after more than 11 hours of deliberation, the jury convicted Mitchell—not of murder, but of first-degree manslaughter. He served 12 years and 8 months before being released. According to Mitchell, he was eligible for parole before then but was denied because he would not express remorse.

At the time of his death in 2016, Moseley was at the Clinton Correctional Facility in upstate New York. Three years ago, embedded in a letter to Moseley from a former inmate and friend of his, I asked him about the Kralik murder. In light of all that I had uncovered, I had two questions: Did you kill her, and why at Mitchell's second trial did you refuse to repeat the confession you had given in excruciating detail five times before? Moseley's handwritten reply was short and to the point: "As for Saul Kassin, sorry, but I have absolutely nothing to say about Alvin Mitchell and the Barbara Kralik case."

Today, More Than 50 Years Later

Upon his release from prison in 1978, and with help from a parole officer convinced of his innocence, Mitchell found a room to live in and a job in upstate New York. Three years later, he was married. After 24 years and six children, he and his wife divorced. Today, Mitchell lives in rural northern Vermont. Now in his 70s, he owns a home; works as a technician and security expert for a cable company; enjoys boating, fishing, and camping with his brother; and has a relationship with a woman who cares deeply about him.

With help from an investigator who volunteered his time, I tracked Mitchell down. I did not know if he would want to revisit this part of his life after so many years, and

I was prepared to back off if he hedged. But he did not. We called and left a message; Mitchell called back and left this voicemail: "Yeah this is Alvin Mitchell. I just got your voicemail . . . I am very interested in what you were saying. . . . I would love to prove my innocence. I've been trying, wanting to do that for years. I appreciate you guys' concern and hopefully we can do something there. Thanks a lot for getting in touch with me. Appreciate it. Definitely appreciate it."

I drove to northern Vermont in June of 2014 to meet Mitchell. In the backyard of his home, our meeting was an emotional one. Although he struggled to recall the fine details of his interrogations and trials, Mitchell said that he remembers threats and promises; being hit, starved, and sleep deprived; the suggestion that he blacked out—hence, not his fault; and being driven from one precinct to another so his parents could not find him. I asked Mitchell why he confessed. His reply was simple and to the point: "I would have confessed to killing the president because them people had me scared to death."

Two recollections in particular stay with Mitchell. He recalls being taken to Barbara Kralik's house and into her bedroom and the horror that ensued: "Her mother was there. And the poor woman is pleading with me, 'How come you did this?'" The second recollection was of his heart-stopping fear of death: "At one point, the paddy wagon stopped. The officer got out, opened up the back door and said, 'Run because I want to shoot you.'"

Mitchell's emotional memory is raw. He tears up and his voice cracks when he talks about how the case broke up his family, causing them to sell their home; how his sister Maryann and his younger brothers had to be sent to live elsewhere; and how it destroyed his relationship with a girlfriend he had hoped to marry. "Like it was yesterday," he says.

Others I have interviewed about the case, insiders to the system, feel the same way. I talked to Judge William Erlbaum, then a partner of Herbert Lyon's, and the lawyer who wrote the brilliant petition for appeal on the suggestive eyewitness identification in Mitchell's second trial. Erlbaum, who went on to become a State Supreme Court Justice, insists that an innocent Mitchell was "targeted." Over breakfast at the Flagship Diner in Queens, he recalls this case as one of the two worst he had ever seen. Describing the criminal justice system as "a closed shop," he said, "the culture at the time was to protect the cops at all costs."

I also talked to Judge Joseph Lisa, then a young law secretary for Judge Shapiro in 1964. He went on to become Chief of the Appeals Bureau of the Queens District Attorney's Office and State Supreme Court Justice. He continues to practice law. In court for much of the Moseley-Mitchell proceedings, Judge Lisa refers to

Moseley's testimony as "riveting" and Mitchell's case as "highly unsettling." As he took me on a walking tour of the Genovese murder site in Kew Gardens and the courthouse nearby where both Moseley and Mitchell were tried, Judge Lisa acknowledged that the Mitchell case haunts him as well.

Then there is Robert Sparrow, an attorney and the son and then junior partner of Sidney Sparrow, who was Winston Moseley's lawyer and is now deceased. In preparation for Moseley's defense, Sparrow visited his client at the Kings County Hospital shortly after his arrest. With a reel-to-reel tape recorder in hand, he took Moseley's confession to the Kralik murder. "Chilling," "breathtaking," "emotionless," and "without remorse" are words he uses to describe it. I visited Sparrow in his home in Queens. Impressed by the richness of detail, he told me that Moseley's confession to Kralik was "absolutely sufficient to persuade us." Now retired from law practice, Sparrow still has this tape.

Historic Link: The Case of George Whitmore

A second story touched by the Genovese case concerns a whole other set of false confessions. As noted earlier, detectives at the Moseley interrogation were determined to solve the August 28, 1963, killings of two young professional women in a Manhattan Upper East Side apartment: 21-year-old Emily Hoffert and 23-year-old Janice Wylie—the so-called "career girl" murders. Moseley's detectives pushed him on it, but he was innocent of these crimes and flatly denied having anything to do with it.

One month later, with this high-profile case still unsolved, Brooklyn detectives questioned George Whitmore, a soft-spoken 19-year-old African American man. After 26 hours of pressure-filled interrogation, none of which was recorded, they produced an exquisitely detailed 61-page confession to both murders and to a third as well. Whitmore signed the statement attributed to him but he immediately recanted it, saying that the police had beaten him and that he had not even read the statement he was pressured to sign.

It turned out that Whitmore had a solid if not ironic alibi: On the day of the murders, he was with friends 160 miles away in Wildwood, NJ, watching Reverend Martin Luther King deliver his historic "I have a dream" speech on the steps of the Lincoln Memorial. This infamous case is described in two books: *Whitmore* (Shapiro, 1969) and *The Savage City* (English, 2011).

After spending nearly 3 years in jail and a decade on bond, Whitmore was ultimately exonerated of all confessed crimes—including the career girl murders for

which the actual perpetrator, a burglar named Richard Robles, was later convicted. Whitmore was awarded \$500,000 in damages and went on to live in Wildwood where he operated a commercial fishing boat until he was injured in an accident. He died in 2012 at the age of 68.

As measured by the high-profile obituaries that accompanied Whitmore's death (e.g., Vitello, 2012), these false confessions were of historic significance. In 1965, New York Governor Nelson Rockefeller cited this case as a basis for banning the state's death penalty except for the killing of police officers. The following year, the U.S. Supreme Court, in its landmark opinion in *Miranda v. Arizona* (1966), deemed it necessary to require that suspects in custody be informed of their rights and cited Whitmore as "the most conspicuous" example of police coercion in the interrogation room.

Kitty's Bystanders: Where the Story Came From

A third story concerns the Kitty Genovese case itself and why it seeped into the history books, into psychology, and into our collective consciousness. At first, the crime was reported briefly and matter-of-factly. *The New York Times* covered it in four short paragraphs. Within 2 weeks, however, it had morphed into a tale of the horrific apathy of 38 bystanders. Over time, that number would prove to become a source of confusion and controversy. Where did it come from?

Ten days after the killing, *Times* Metro Editor Abe Rosenthal had lunch with NYPD Commissioner Michael Murphy. With Mitchell awaiting trial in the Kralik case, Moseley's blurted admission had stirred up a hornet's nest. Aware that Moseley had confessed to Kralik and that Mitchell was claiming coercion, the local papers were asking difficult questions. Rosenthal wanted to talk about that, but Murphy changed the subject: "Brother, that Queens story is one for the books. Thirty-eight witnesses . . . this beats everything" (Cook, 2014, p. 97; Pelonero, 2014, p. 164). For the first time on record, Murphy injected into the story the now questionable claim that 38 witnesses had all failed to act.

The seed was planted. Rosenthal put reporter Martin Gansberg on the story, who went on to confirm the bystander report with one of Mitchell's detectives. On March 27, *The New York Times* published Gansberg's (1964) now famous article. His page 1 headline read: "37 Who Saw Murder Didn't Call Police." Several months later, Rosenthal (1964/1999) followed up on his reporter's story with the book, *Thirty-Eight Witnesses: The Kitty Genovese Case*.

At this point, there is no way to know if Murphy changed the subject as a willful sleight of hand—a

diversionary tactic aimed at moving the spotlight away from the Kralik confessions. Willful or not, that was the effect it had.

Moseley's Arrest: The Irony That Slipped Through the Cracks

In light of what Kitty Genovese has come to represent, a fourth twist to this case may be the most astonishing of all. It concerns how police later apprehended Moseley for an unrelated crime (see Cook, 2014; *New York v. Moseley*, 1964; Pelonero, 2014; Skoller, 2008).

Five days after the Genovese murder, Moseley tried to burglarize a home in Corona Queens, NY, in broad daylight. To that point, he had stolen and sold numerous television sets and other electronics. He parked his white Chevy Corvair, broke into the house, and loaded a TV set into his car.

Seeing this, a neighbor confronted him and then called a second neighbor. Calmly, Moseley said he was helping the owners move. His lie was not convincing though, and the two men took action. While Moseley was back in the house, one neighbor unhooked the distributor caps in his car, thereby disabling it. The other called the police. Fleeing on foot, Moseley was picked up a short distance away and brought in for questioning. Within hours, he was confessing to a string of burglaries and three late-night murders.

Somehow this part of the Genovese story went unnoticed and without fanfare: In a most fitting, if not ironic, conclusion to Moseley's crime spree, the perpetrator whose actions spawned the narrative of the nonresponsive urban bystander was captured precisely because of the intervention of urban bystanders!

Coda

When Winston Moseley died in the Clinton Correctional Facility in April 2016, his death prompted obituaries focused on the infamous rape and killing of Kitty Genovese. Yet one month before that he had raped and killed Annie Mae Johnson—a crime for which he was never charged; he also confessed to killing Barbara Kralik—the crime for which Mitchell was prosecuted and convicted. In 1968, Moseley escaped from Attica. He beat a guard senseless, took his gun, and fled (he would later be captured in time to participate in the prison riot). During his escape, Moseley raped a woman and took hostages before having to surrender to federal authorities. Over the course of life in prison, his request for parole was rejected 18 times, the most recent occasion being in 2015.

The Moseley legacy persists to this day. Debate continues to swirl over the question of how many bystanders witnessed all or part of the Genovese attack. Attesting to

the staying power of this aspect of the story, a documentary entitled *Witness* premiered in 2015 to critical acclaim. Bill Genovese, Kitty's younger brother, was determined to unearth details of his sister's death. What bothered him most was her image as "the girl no one cared about." He sought to visit Moseley in prison; Moseley denied his request. But he did talk to the man who shouted down at Moseley through a window that night, a woman who insisted that she had called the police, and a friend of Kitty's who came downstairs and held her as she died. In his view, the apathetic bystander is a false narrative of what happened.

To some extent, the precise number is a moot point. The bystander effect was born of this case, thankfully—and Moseley's capture 6 days later because of the actions of two neighbors reminds us that social and situational parameters are all important in predicting bystander intervention. Consistent with this pairing of Moseley stories, for example, a recent meta-analysis indicates that while the bystander effect is robust, the inhibiting effect of others is diminished when bystanders know each other than when they are strangers (Fischer et al., 2011).

In light of the loose connection between Moseley and the false confessions of George Whitmore, it is noteworthy that 2016 marked the 50th anniversary of *Miranda v. Arizona* (1966), which cited Whitmore's case. In this opinion, for the first time, the Court required police to (a) inform suspects in custody of their rights to silence and to counsel and (b) obtain a voluntary, knowing, and intelligent waiver of those rights. Over the years, psychologists in the legal realm have studied various aspects of this warning and waiver requirement and have challenged assumptions concerning the protection it affords (Smalarz, Scherr, & Kassin, 2016).

Finally, there is Alvin Mitchell. For more than 50 years, this not-so-invisible gorilla has managed to escape our notice: With all eyes focused on Kitty Genovese and her neighbors, another drama had unfolded that would later be forgotten. This drama is glaringly relevant to the post-DNA world we now live in, the wrongful convictions work of the Innocence Project, the database of the National Registry of Exonerations, and the realization that false confessions occur on a regular basis. Twenty-five years ahead of the infamous Central Park Jogger case, the Kitty Genovese case presents a story, or two or three, about a false confession. Despite more than 30 years of scholarly interest in false confessions (Kassin & Wrightsman, 1985) and a social psychology textbook in its 10th edition (Kassin, Fein, & Markus, 2017), even this social psychologist was not aware of it.

There are lessons to be learned from this part of the story. The scientific study of police interrogations and confessions is well grounded in basic psychology.

Researchers have thus drawn from principles pertaining to the effects of reward and punishment, human decision making, memory and forgetting, self-regulation, social influence, childhood and adolescence, personality, and psychopathology. Focused on factors that might lead an innocent person to confess, this literature has served as the basis for numerous reviews of the literature as well as an American Psychological Association (2014) Resolution on the Interrogations of Criminal Suspects. Collectively, this research has shown that innocent people can be induced to confess to crimes they did not commit, that judges and juries have difficulty assessing confessions as a matter of common sense, and that reforms are needed to mitigate both sets of problems (see Drizin & Leo, 2004; Gudjonsson, 2003; Kassin & Gudjonsson, 2004; Lassiter & Meissner, 2010).

Calls for reform are designed to protect vulnerable populations such as juveniles and people with intellectual or mental health impairments, to curtail the use of coercive police tactics such as the presentation of false evidence and minimization themes that imply leniency, and to provide judges and juries with expert testimony that describes psychological risk factors. The most significant proposed safeguard for these purposes is to require the electronic recording of interrogations from start to finish. Would the fates of Alvin Mitchell and George Whitmore have been different if their lengthy interrogations, not to mention Moseley's, had been fully recorded? It is entirely possible. As summarized in the AP-LS White Paper cited earlier: "Without equivocation, our most essential recommendation is to lift the veil of secrecy from the interrogation process in favor of the principle of transparency" (Kassin et al., 2010, p. 25).

Author Note

The historical research and interviews contained in this article required extraordinary contacts and assistance from many people. In particular, I am indebted to Luke Brindle-Khym, John Derounian, William Erlbaum, Joseph Lisa, Tyler Maroney, Alvin Mitchell, Karen Newirth, Bill Santoro, Robert Sparrow, Marty Tankleff, and Maryann Van Arsdale.

Declaration of Conflicting Interests

The author declared no conflicts of interest with respect to the authorship or the publication of this article.

References

- American Psychological Association. (2014). *Resolution on interrogations of criminal suspects*. Retrieved from www.apa.org/about/policy/interrogations.aspx
- Brewer, N., & Wells, G. L. (2011). Eyewitness identification. *Current Directions in Psychological Science, 20*, 24–27.
- Burns, S. (2011). *The Central Park Five: A chronicle of a city wilding*. New York, NY: Alfred A. Knopf.
- Chabris, C. F., & Simons, D. J. (2009). *The Invisible gorilla: How our intuitions deceive us*. New York, NY: Crown Books.
- Cook, K. (2014). *Kitty Genovese: The murder, the bystanders, the crime that changed America*. New York, NY: W. W. Norton.
- Darley, J. M., & Latané, B. (1968). Bystander intervention in emergencies: Diffusion of responsibility. *Journal of Personality and Social Psychology, 8*, 377–383.
- Drizin, S. A., & Leo, R. A. (2004). The problem of false confessions in the post-DNA world. *North Carolina Law Review, 82*, 891–1007.
- English, T. J. (2011). *The savage city: Race, murder, and a generation on the edge*. New York, NY: William Morrow.
- Erlbaum, W. M. (1969, January 29). People of the State of New York v. Alvin L. Mitchell. Verified Petition, Indictment No. 10310–1963.
- Fischer, P., Krueger, J. I., Greitemeyer, T., Vogrincic, C., Kastenmüller, A., Frey, D., . . . Kainbacher, M. (2011). The bystander-effect: A meta-analytic review on bystander intervention in dangerous and non-dangerous emergencies. *Psychological Bulletin, 137*, 517–537.
- Gansberg, M. (1964, March 27). 37 who saw murder didn't call the police. *The New York Times*, p. 1.
- Gudjonsson, G. H. (2003). *The psychology of interrogations and confessions: A handbook*. Chichester, England: John Wiley & Sons.
- Kassin, S. M. (1997). The psychology of confession evidence. *American Psychologist, 52*, 221–233.
- Kassin, S. M. (2002, November 1). False confessions and the jogger case. *The New York Times*, p. A31.
- Kassin, S. M. (2005). On the psychology of confessions: Does innocence put innocents at risk? *American Psychologist, 60*, 215–228.
- Kassin, S. M. (2012). Why confessions trump innocence. *American Psychologist, 67*, 431–445.
- Kassin, S. M., Drizin, S. A., Grisso, T., Gudjonsson, G. H., Leo, R. A., & Redlich, A. D. (2010). Police-induced confessions: Risk factors and recommendations. *Law and Human Behavior, 34*, 3–38.
- Kassin, S., Fein, S., & Markus, H. R. (2017). *Social psychology* (10th ed.). Boston, MA: Cengage Learning.
- Kassin, S. M., & Gudjonsson, G. H. (2004). The psychology of confession evidence: A review of the literature and issues. *Psychological Science in the Public Interest, 5*, 35–69.
- Kassin, S. M., & Wrightsman, L. S. (1985). Confession evidence. In S. Kassin & L. Wrightsman (Eds.), *The psychology of evidence and trial procedure* (pp. 67–94). Beverly Hills, CA: Sage.
- Lassiter, G. D., & Meissner, C. A. (Eds.). (2010). *Police interrogations and false confessions: Current research, practice, and policy recommendations*. Washington, DC: American Psychological Association.
- Latané, B., & Darley, J. M. (1968). Group inhibition of bystander intervention in emergencies. *Journal of Personality and Social Psychology, 10*, 215–221.
- Latané, B., & Darley, J. M. (1970). *The unresponsive bystander: Why doesn't he help?* New York, NY: Appleton-Century-Crofts.
- Lindeman, B. (1965, January 16). Who didn't kill Barbara Kralik? *The Saturday Evening Post*, pp. 78–81.

- Manning, R., Levine, M., & Collins, A. (2007). The Kitty Genovese murder and the social psychology of helping: The parable of the 38 witnesses. *American Psychologist*, *62*, 555–562.
- Milgram, S. (1963). Behavioral study of obedience. *Journal of Abnormal & Social Psychology*, *67*, 371–378.
- Miranda v. Arizona, 384 U.S. 436 (1966).
- New York v. Winston Mosley (1964). Indictment Number 542-64 (May 28, 1964; continued to June 8, 1964).
- Pelonerio, C. (2014). *Kitty Genovese: A true account of a public murder and its private consequences*. New York, NY: Skyhorse Publishing.
- Rasenberger, J. (2004, February 8). Kitty, 40 years later. *The New York Times*, p. 14.
- Reynolds, R. (1965, July 18). Did the boy or the man kill Barbara? *Reading Eagle*.
- Rosenthal, A. M. (1999). *Thirty-eight witnesses*. Berkeley: University of California Press. (Original work published 1964)
- Shapiro, F. C. (1969). *Whitmore*. New York, NY: Bobbs-Merrill.
- Simons, D. J., & Chabris, C. F. (1999). Gorillas in our midst: Sustained inattention blindness for dynamic events. *Perception*, *28*, 1059–1074.
- Skoller, C. (2008). *Twisted confessions: The true story behind the Kitty Genovese and Barbara Kralik murder trials*. Bloomington, IN: AuthorHouse.
- Smalarz, L., Scherr, K. C., & Kassin, S. M. (2016). Miranda at 50: A psychological analysis. *Current Directions in Psychological Science*, *25*, 455–460.
- Testagrossa, C. A. (2011, March 14). [Letter to Garry E. Danussi]. Dannemora, NY: NYS Division of Parole, Clinton Correctional Facility.
- Vitello, P. (2012, October 16). George Whitmore Jr., who falsely confessed to 3 murders in 1964, dies at 68. *The New York Times*, p. A29.
- Wells, G. L., Small, M., Penrod, S., Malpass, R. S., Fulero, S. M., & Brimacombe, C. A. E. (1998). Eyewitness identification procedures: Recommendations for lineups and photo-spreads. *Law and Human Behavior*, *22*, 1–39.