



## Memorandum

To: Members of the Arizona State 56th Legislature  
From: Chloe Parker, Cold Case and Missing Person Project (DPAA)  
Date: 22 March 2024

### **Re: Funding Allocation To Supporting Cold Case Investigative Units Impacted By Cognitive Bias**

#### **Executive Summary**

Perspective plays a crucial role in our daily lives, influencing how we experience the world, perceive others' experiences, and make decisions. However, when our perspective is unhelpful, it can significantly impact decision-making, particularly in criminal investigations. Confirmation bias, a common issue in investigations worldwide, occurs when investigators form strong beliefs and only consider evidence that supports those beliefs, disregarding conflicting evidence. This bias can persist across investigations and agencies, becoming more problematic without proper training. In cases labeled as 'cold', investigators often follow previous decisions, potentially perpetuating biases. Despite its significance, police manuals typically do not address this issue, highlighting the need for increased awareness and training in law enforcement.

#### **Background & Methodology**

In a search for empirically supported answers, public relations officers at the Yavapai County Sheriff's Office (YCSO) and Mohave County Sheriff's Office (MCSO) were contacted with a tentative question list for investigators. When the Commander at YCSO was asked if there was any formal training or education on confirmation bias, he responded, "Many instructors talk briefly about confirmation bias, but I have not attended a course that spends a lot of time on the topic...**Clearly, more is needed**". When asked how he handles situations in which evidence conflicts or challenges a previously held belief about a cold case (one passed on from a previous investigator, potentially), he responded with "follow the evidence." While his answer was to the point, it reiterates our concern about evidence being influenced by "train of thought" decision-making. If investigators are taught to "follow the evidence", how much is this restricting our ability to recognize earlier investigators' biased opinions on said evidence?



Finally, when asked if he believed training in bias to be necessary, he responded, "I believe it is necessary and important but it's a difficult topic to teach effectively." The Commander presents a valid limitation to this training here. As this bias can occur on subconscious levels, it may be difficult to determine the extent to which it is impacting an individual's decision-making. Nonetheless, studies have been designed to effectively analyze the degree to which this bias can affect forensic investigations (Moser, 2013).

**Unfortunately, MCSO declined our request to participate in this project.**

### **Recommendations**

As confirmation bias impacts cold-case investigative processes, it is worth a collaborative effort to address this issue. We urge introduction of legislation that devotes resources towards the proposal (and possible) establishment of a training program devoted to educating investigators on how confirmation bias can impact cold cases in the State of Arizona. These training programs would ideally include a means for identifying confirmation bias and the degree to which it is affecting forensic investigations, as well as a means for expanding investigators' understanding of the "train of thought" process once a case is determined 'cold'.

### **Conclusion**

Law enforcement representatives stress the need for more comprehensive training to tackle confirmation bias among investigators. Seeking insights from experts and ongoing research is pivotal to determine the resources required for effective implementation of bias mitigation strategies. The urgency of this matter is underscored by the high number of unsolved homicides in Arizona; as of 2022, 6,484 reported homicides remain unresolved (Project Cold Case, 2022). This statistic excludes cases that go unreported due to staffing shortages, communication issues, and resource constraints. Efforts are underway to engage experts, professors, and other law enforcement agencies to assess the funding needed for these initiatives. Given the impact on both investigators and society, addressing confirmation bias merits serious attention and consideration to potentially reduce the number of unsolved cases.