

Suggested Materials, Links, Etc.

Introduction

Eyewitness identification research is one of the best studied areas of the interaction of law and criminal justice. There are quite literally thousands of studies going back to Hugo Münsterburg's *ON THE WITNESS STAND* published in 1908.

For a General Background, Start Here, with the Special Master's Report written for the New Jersey Supreme Court in *Henderson* – it is relatively short and nicely summarizes the science in a readable way.

<http://www.judiciary.state.nj.us/pressrel/HENDERSON%20FINAL%20BRIEF%20.PDF%20%2800621142%29.PDF>

Also, take a few minutes to watch this YouTube video:

http://www.youtube.com/watch?v=IGQmdoK_ZfY

Resources

Chief State's Attorney's Eyewitness Identification Protocol (9/23/05)

[Staff Note: This has been attached to Chief State's Attorney Kane's testimony on various of the ID bills]

Connecticut Case Law

State v. Ledbetter, 275 Conn. 534 (2005)

State v. Marquez, 291 Conn. 122 (2009)

State v. Outing, 298 Conn. 34 (2010)

Out of State Cases Worth Reading

Henderson (already on the Task Force website)

State v. Clopten, 223 P.3d 1103 (Utah 2009)

Other Statutes

North Carolina § 15A-284.52

Ohio § 2933.83

Treatises (one or both are available in most of the trial court law libraries and are updated each year with pocket parts and replacement pages)

Loftus, Doyle, & Dysart, *EYEWITNESS TESTIMONY: CIVIL AND CRIMINAL* (4th Ed. 2007)

Sobel, *EYEWITNESS IDENTIFICATION: LEGAL AND PRACTICAL PROBLEMS* (2002)

Other Reports:

AMERICAN BAR ASSOCIATION Criminal Justice Section, Ad Hoc Innocence Committee (2006)
Achieving Justice: Freeing the Innocent, Convicting the Guilty
<http://apps.americanbar.org/crimjust/committees/innocencebook.pdf>

DEPARTMENT OF JUSTICE/NATIONAL INSTITUTE OF JUSTICE

Eyewitness Identification: A Guide for Law Enforcement (DoJ 1999)
www.ncjrs.gov/pdffiles1/nij/178240.pdf

Adopted about 80% of then-current eyewitness ID research recommendations (did not adopt double-blind or sequential, for more details on why, read Doyle's TRUE WITNESS, mentioned below.)

Eyewitness Evidence: A Trainer's Manual for Law Enforcement (DoJ 2003)
<http://www.ncjrs.org/nij/eyewitness/188678.pdf>

Schuster, Police Lineups: Making Eyewitness Identification More Reliable (NIJ 2007)
<http://www.ojp.usdoj.gov/nij/journals/258/police-lineups.html>

CALIFORNIA

California Commission on the Fair Administration of Justice
Report

<http://www.ccfaj.org/documents/reports/eyewitness/official/eyewitnessidrep.pdf>

Dissent

<http://www.ccfaj.org/documents/reports/eyewitness/official/dissent.pdf>

Response

<http://www.ccfaj.org/documents/reports/eyewitness/official/vandekampdissentresponse.pdf>

FLORIDA

Florida Innocence Commission

Report

http://www.flcourts.org/gen_public/bin/InterimReport-june2011.rtf

Appendices

http://www.flcourts.org/gen_public/bin/appendixG1.rtf

http://www.flcourts.org/gen_public/bin/appendixG2.rtf

Interim Report

<http://www.floridasupremecourt.org/clerk/adminorders/2010/AOSC10-39.pdf>

ILLINOIS

Illinois Commission on Capital Punishment (2002)

http://www.idoc.state.il.us/ccp/ccp/reports/commission_report/index.html

MASSACHUSETTS

Report on the Task Force on Eyewitness Evidence (Suffolk County, Mass)

<http://www.mass.gov/da/suffolk/docs/120904.html>

See Fisher, *Eyewitness Identification Reform in Massachusetts*, 91:2 MASS. L. REV. 52 (2008)

NEW JERSEY

New Jersey Attorney General (2001)

<http://www.state.nj.us/lps/dcj/agguide/photoid.pdf>

Special Master's Report in State v. Henderson

<http://www.judiciary.state.nj.us/pressrel/HENDERSON%20FINAL%20BRIEF%20.PDF%20%20800621142%29.PDF>

NEW YORK

New York State Justice Task Force Recommendations for Improving Eyewitness Identifications (2011)

http://www.nyjusticetaskforce.com/2011_02_01_Report_ID_Reform.pdf

NORTH CAROLINA

North Carolina Actual Innocence Commission (2003)

<http://www.aoc.state.nc.us/www/ids/News%20&%20Updates/Eyewitness%20ID.pdf>

PENNSYLVANIA

Report of the Advisory Committee on Wrongful Convictions (2011)

<http://jsg.legis.state.pa.us/resources/documents/ftp/documents/9-15-11%20rpt%20-%20Wrongful%20Convictions.pdf>

RHODE ISLAND

Task Force to Identify & Recommend Policies & Procedures to Improve the Accuracy of Eyewitness Identification (2010)

<http://www.ripd.org/Documents/FINALSubmittedTFReport.pdf>

VERMONT

Vermont Eyewitness Identification and Custodial Interrogation Committee (2007)

<http://www.leg.state.vt.us/reports/2008ExternalReports/228563.pdf>

VIRGINIA

Virginia (in progress)

WISCONSIN

Wisconsin Attorney General Model Policy and Procedures (2005)

<http://www.doj.state.wi.us/dles/tns/EyewitnessPublic.pdf>

WEST VIRGINIA

West Virginia (in progress)

General Reading:

Doyle, True Witness: Cops, Courts, Science, and the Battle Against Misidentification (2005)

<http://www.truewitness.us/>

Chabris & Simon, The Invisible Gorilla (2010)

<http://theinvisiblegorilla.com/>