

---

---

**Preventing False Convictions in Los Angeles County by Assessing the Reliability of Eyewitness Identification**

---

---

# Eyewitness Identification

- $\frac{1}{3}$  of all court cases<sup>1</sup>
- Witness: individual who has seen crime
- Conducted by police
- Lineups
  - Simultaneous

1. Eyewitness Identification Problems & Procedures | CIP. (n.d.). Retrieved from <https://californiainnocenceproject.org/issues-we-face/eyewitness-identification/>

# Main Factors: Eyewitness Identification

- Vision
- Stress
- Presence of a weapon
- Cross-racial identifications
- Memory

# History: United States

- 70% of corrected cases originally convicted due to eyewitness misidentification<sup>1</sup>
- DNA technology expanding

1. Innocence Project. (2017). *Eyewitness misidentification*. Retrieved from <https://www.innocenceproject.org/causes/eyewitness-misidentification>

# Importance

- Estimated 2-10% incorrect sentences<sub>1</sub>
  - 46,000-230,000 innocent in prison<sub>1</sub>
- Prison negatively impacts mental, physical health
- Takes away years of life experiences

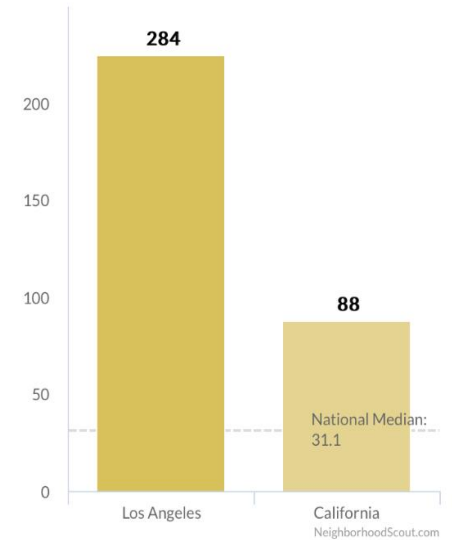
1. Grisham, J. (2018, March 14). Why the innocent end up in prison. Retrieved from <https://www.chicagotribune.com/news/opinion/commentary/ct-perspec-innocent-prisoners-innocence-project-death-row-dna-testing-prosecutors-0315-story.html>

# Current Methods

- Manson v. Brathwaite (1977)
- Live lineups (video)
- Corruption
  - Bribery
  - Perjury
  - Hypnosis

# Los Angeles County, California

- Largest jail system in world<sub>1</sub>
- Faulty procedures
- Crime rate:
  - More than 9x national average<sub>2</sub>
  - 14/100 safety rating<sub>2</sub>



2

1. Aclu. (n.d.). LA County Jails. Retrieved from <https://www.aclu.org/issues/prisoners-rights/cruel-inhuman-and-degrading-conditions/la-county-jails>
2. Schiller, A. (2019, March 27). Los Angeles, CA Crime Rates. Retrieved from <https://www.neighborhoodscout.com/ca/los-angeles/crime>

# Los Angeles County Violent Crime Statistics (2018)

	MURDER	RAPE	ROBBERY	ASSAULT
Report Total	282	2,482	10,927	17,118
Rate per 1,000	0.07	0.62	2.73	4.28

Schiller, A. (2019, March 27). Los Angeles, CA Crime Rates. Retrieved from <https://www.neighborhoodscout.com/ca/los-angeles/crime>



# Eyewitness Experts

- Psychologists
- Forensic scientists
- Optometrists
- Assess:
  - Procedure
  - Identification factors

## Question

How can juries in Los Angeles County consider an eyewitness expert testimony when making decisions on cases involving eyewitness identification?

# Methods

- Study court cases from 1975-2015 (50 total)
  - Frank O'Connell (1985)
  - Andrew Wilson (1984)
- Interview an eyewitness expert
- Formulate most effective uses

# Court Case Studies

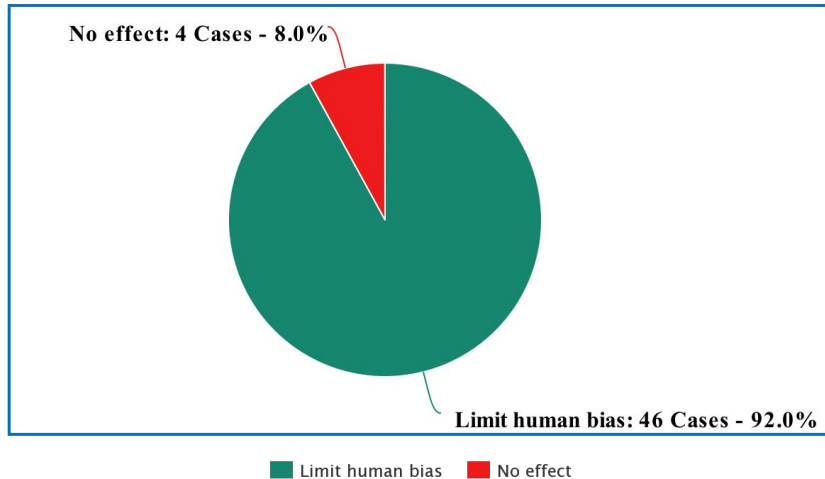
- 50 cases reviewed:
  - Independent variable:
    - Expert testimony involved
  - Dependent variable:
    - Authenticity
    - Human bias

# Results

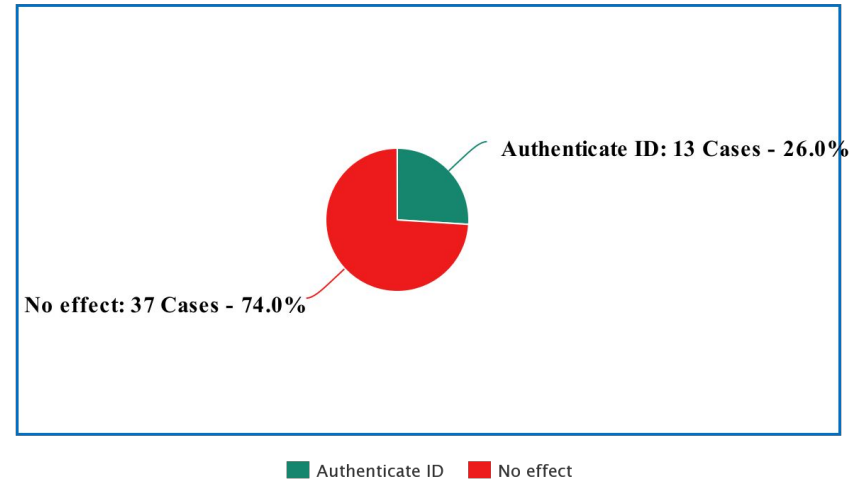
# Factors

- Limit human bias in 46 cases (92%)
- Determine identification authenticity in 13 cases (26%)

Human Bias Factor



Authenticity Factor



# Interview: Eyewitness Expert

- Optometrist from Colorado
- Served as expert in 52 cases in United States
- Testified in Frank O'Connell v. LA County (2016)
- Limitations of vision
- Importance of eyewitness expert

# Discussion

- Experts drastically increase effectiveness of evidence assessment
- Potential to conduct investigations



# Limitations

- Small sample size
- Implementation of eyewitness experts
  - 27 states do not require license<sup>1</sup>
  - Not required in any state
- Unable to interview victims
  - Publicity
  - \$\$

1. Merchant, F. T. (2019). Federation of State Medical Boards of the United States, Inc. *JAMA: The Journal of the American Medical Association*. doi:10.1001/jama.1971.03180370079019

# Conclusion

- The expansion of eyewitness expert testimony would help reduce the amount of false convictions in Los Angeles County

## Further Research

- Cost-effective methods towards implementation of eyewitness experts
- Expansion of training police to conduct lineups
- Exploitation of experts in larger roles

---

---

**Preventing False Convictions in Los Angeles County by Assessing the Reliability of Eyewitness Identification**

---

---