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# Partial List of Citations Supporting Eyewitness Identification Reform

# **Blind Administration**

National Institute of Justice, Eyewitness Evidence: A Guide for Law Enforcement (1999).

National Institute of Justice, <u>Eyewitness Evidence: A Trainer's Manual For Law Enforcement</u> (October 2003).

Haw, R.M. & Fisher, R.P. (2004). <u>Effects of Administrator–Witness Contact Identification Accuracy.</u> Journal of Applied Psychology, 89, No. 6, 1106–1112.

Wells & E. Seelau, "Eyewitness Identification: Psychological Research and Legal Policy on Lineups," 1(4) <u>Psychology, Public Policy, & Law</u> 765, 768-69 (1995).

Wells et al., "Eyewitness Identification Procedures," 22 (6) Law and Human Behavior, at 627.

Wells, G. & E. Olson, "Eyewitness Testimony," 54 Annual Review Psychology. 277, 289 (2002).

# The Dangers of Confirming Feedback

Bradfield, A. L., Wells, G.L, & Olson, E.A. (2002). "The Damaging Effect of Confirming Feedback on the Relation Between Eyewitness Certainty and Identification Accuracy," Journal of Applied Psychology, <u>87, 112-120</u>.

Hafstad, G. S., Memon, A., & Logie, R. (2004). "Post-identification Feedback, Confidence and Recollections of Witnessing Conditions in Child Witnesses," <u>Applied Cognitive Psychology</u>, 18, 901-912.

Nettles, B., Nettles, Z.S., & Gary L. Wells, "Eyewitness Identification: "I Notice You Paused on Number Three," <u>The Champion</u>, November 1996.

Neuschatz, J. S., Preston, E. L., Burkett, A. D., Toglia, M. R., Lampinen, J. M., Neuschatz, J. S., Fairless, A. H., Lawson, D. S., Powers, R. A., & Goodsell, C. A. (2005). "The Effects of Post-identification Feedback and Age on Retrospective Eyewitness Memory." <u>Applied Cognitive Psychology</u>, 19, 435-453.

C. Semmler, N. Brewer, G. Wells, "Effects of Postidentification Feedback on Eyewitness Identification and Nonidentification Confidence," <u>89 (2) Journal of Applied Psychology 334 (2004).</u>

Wells, G.L., & Bradfield, A.L. (1998). "Good, You Identified the Suspect': Feedback to Eyewitnesses Distorts Their Reports of the Witnessing Experience," Journal of Applied Psychology, 83, 360-376.

Wells, G.L., & Bradfield, A.L. (1999). "Distortions in Eyewitnesses' Recollections: Can the Postidentification Feedback Effect be Moderated?" <u>Psychological Science</u>, 10, 138-144.

Wells, G. L., Olson, E., & Charman, S. (2003). "Distorted Retrospective Eyewitness Reports as Functions of Feedback and Delay," Journal of Applied Experimental Psychology, 9, 42-52.

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# **Confidence** Statements

Bradfield, A.L. and G. Wells, "The Perceived Validity of Eyewitness Identification Testimony: A Test of the Five Biggers Criteria," <u>24 Law & Hum. Behavior 581, 582 (2000).</u>

G. Wells, G.L., Small, M. & Penrod, S. et al., Eyewitness Identification Procedures: Recommendations for Lineups and Photospreads, <u>22 Law & Hum. Behav. 603, 619-20 (1998).</u>

Wells, G.L., & Bradfield, A.L. (1998). "Good, you identified the suspect': Feedback to Eyewitnesses Distorts Their Reports of the Witnessing Experience," Journal of Applied Psychology, 83, 360-376.

#### **Instructions**

S. Malpass & P.G. Devine, "Eyewitness Identification: Lineup Instructions and the Absence of the Offender," Journal of Applied Psychology, Vol. 66, 482-89 (1981);

National Institute of Justice, Eyeitness Evidence: A Guide for Law Enforcement (1999).

National Institute of Justice, <u>Eyewitness Evidence: A Trainer's Manual For Law Enforcement</u> (October 2003).

Steblay, N. "Social Influence in Eyewitness Recall: A Meta-Analytic Review of Lineup Instruction Effects," Law and Human Behavior, Vol. 21, 283-298 (1997).

Gary Wells, et. al., "Eyewitness Identification Procedures: Recommendations for Lineups and Photospreads," <u>Law and Human Behavior</u>, Vol. 22, 603-47 (1998).

#### **Cross Racial Identifications**

Bruce, Jerry A., et. al. "African Americans' and Caucasian Americans' Recognition and Likeability Responses to African Americana and Caucasian American Faces," <u>124 (2) Journal of General Psychology</u> (1997).

Malpass, Roy, et. al., "The Ambiguous Face Illusion," Perception, Volume 32 (2003).

Oliver, Mary Beth, "Caucasian Viewers' Memory of Black and White Criminal Suspects in the News," Journal of Communication, Volume 49, Issue 3 (1999).

Platz, Stephanie J. and Harmon M. Hosch, "Cross Racial/Ethnic Eyewitness Identification: A Field Study," <u>18(11) Journal of Applied Social Psychology</u> (1988).

Sporer, Siegfried Ludwig, "Recognizing Faces of Other Ethnic Groups: An Integration of Theories." <u>7(1)</u> <u>Psychology, Public Policy & Law</u> (2001).

Wells, Gary L. and Elizabeth A. Olson. "The Other Race Effect in Eyewitness Identification: What Do We Do About It?" <u>7(1)Psychology</u>, <u>Public Policy and Law</u> (2001).

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## Effects of Stress on Identification

Byrne, Christina A., et. al. "Comparisons of Memories for Traumatic Events and Other Experiences." Applied Cognitive Psychology, Volume 15 (2001).

Deffenbacher, Kenneth A., et al. "A Meta-Analytic Review of the Effects of High Stress on Eyewitness Memory." <u>28(6) Law and Human Behavior</u> (2004).

Morgan, Charles A. et al. "Accuracy of Eyewitness Identification is Significantly Associated with Performance on a Standardized Test of Face Recognition." Research from Yale University School of Psychiatry. (Preprint, 2006).

Porter, Stephen and Angela R. Birt. "Is Traumatic Memory *Special*? A Comparison of Traumatic Memory Characteristics with Memory for Other Emotional Life Experiences." <u>Applied Cognitive</u> <u>Psychology</u>, Volume 15 (2001).

## Effect of the Presence of a Weapon on Identification

Pickel, Kerri L. "Unusualness and Threat as Possible Causes of 'Weapon Focus." 6(3) Memory. (1998).

Steblay, Nancy Mehrkens. "A Meta-Analytic Review of the Weapon Focus Effect." <u>16(4) Law and</u> <u>Human Behavior</u> (1992).

## Sequential

Lindsay, R.C.L. & Wells, G. (1985) "Improving Eyewitness Identifications from Lineups: Simultaneous versus Sequential Lineup Presentation," Journal of Applied Psychology, 70, 556-564.

Steblay, N. Jennifer Dysart, Solomon Fulero, R. C. L. Lindsay. (2001). "Eyewitness Accuracy Rates in Sequential and Simultaneous Lineup Presentations: A Meta-Analytic Comparison," <u>Law and Human</u> <u>Behavior</u>, 25, 459-473.