

Trusting the Eyes: The Changing Landscape of Eyewitness Testimony

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Abstract : Since the very advent of law enforcement, eyewitness testimony has played a pivotal role in identifying, arresting and convicting suspects. Reliant heavily on the accuracy of human memory, nothing seems to carry more weight with the judiciary than the testimony of an actual witness. The acceptance of eyewitness testimony as a substantive piece of evidence lies embedded in the assumption that the human mind is adept at recording and storing events. Research though, has proven otherwise. Having carried out extensive study in the field of eyewitness testimony for the past 40 years, psychologists have concluded that human memory is fragile and needs to be treated carefully. The question that arises then, is how reliable is eyewitness testimony? The credibility of eyewitness testimony, simply put, depends on several factors leaving it reliable at times while not so much at others. This is further substantiated by the fact that as per scientific research, over 75 percent of all eyewitness testimonies may stand in error; quite a few of these cases resulting in life sentences. Although the advancement of scientific techniques, especially DNA testing, helped overturn many of these eyewitness testimony-based convictions, yet eyewitness identifications continue to form the backbone of most police investigations and courtroom decisions till date. What then is the solution to this long standing concern regarding the accuracy of eyewitness accounts? The present paper shall analyze the linkage between human memory and eyewitness identification as well as look at the various factors governing the credibility of eyewitness testimonies. Furthermore, it shall elaborate upon some best practices developed over the years to help reduce mistaken identifications. Thus, in the process, trace out the changing landscape of eyewitness testimony amidst the evolution of DNA and trace evidence.

Keywords : DNA, eyewitness, identification, testimony, evidence

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