

# Eyewitness identification evidence and innocence risk.

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It is well known that the frailties of human memory and vulnerability to suggestion lead to eyewitness identification errors. However, variations in different aspects of the eyewitnessing conditions produce different kinds of errors that are related to wrongful convictions in very different ways. We present a review of the eyewitness identification literature, organized around underlying cognitive mechanisms, memory, similarity, and decision processes, assessing the effects on both correct and mistaken identification. In addition, we calculate a conditional probability we call innocence risk, which is the probability that the suspect is innocent, given that the suspect was identified. Assessment of innocence risk is critical to the theoretical development of eyewitness identification research, as well as to legal decision making and policy evaluation. Our review shows a complex relationship between misidentification and innocence risk, sheds light on some areas of controversy, and suggests that some issues thought to be resolved are in need of additional research.

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