Helping child witnesses—a new design for police lineups

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More than 370 innocent people have been wrongfully convicted of crimes in Canada and the United States. Mistaken eyewitness identification is the leading cause.

Child witnesses are especially vulnerable to error. While children are capable of accurately reporting on their memory, they are [more likely than adults to identify an innocent person](#) when the true perpetrator is absent from a police lineup.

Take, for example, the wrongful conviction of [Danny Brown](#). In 1981, Brown's girlfriend was brutally raped and murdered and the only eyewitnesses were her six-year-old son and twin three-year-old daughters. The son identified Brown to the police and his testimony was used in Brown's subsequent conviction. Brown was sentenced to life in prison. Eighteen years after his conviction, he was exonerated using DNA evidence.

A new police lineup procedure, designed specifically for use with children, could help.

As a postdoctoral research fellow at the Ontario Institute for Studies in Education, I have spent several years researching the reliability of child witness testimony. My PhD research developed and tested a new procedure called the Repeated Forced Choice (RFC) lineup —to help increase the accuracy of child eyewitness identification.

Eyewitness evidence in the courtroom

When a judge or jury hears testimony like, "That's him, that's the man I saw commit the crime," it often proves to be a [powerful piece of evidence](#). The weight given the eyewitness evidence is concerning considering the mistakes that eyewitnesses have made. Because eyewitness testimony is so powerful in the courtroom, the process of gathering that evidence is a very crucial part of the justice system.

After someone witnesses a crime and a suspect is identified, the police will typically show a "lineup" of faces to the [eyewitness](#). A typical police

lineup includes the suspect along with several other people whom police know to be innocent (filler or foil faces). The witness's job is to determine which face, if any, is the person they saw commit the crime.

Children, especially those eight years old and younger, struggle with this task. But why do children often pick innocent people out of police lineups?

Many researchers have explored this question. According to one study, [children feel pressure to choose someone from a lineup](link) —even when they know the person is not shown. Other studies suggest that children under 12 years of age struggle with lineup decisions because the task is [beyond their level of cognitive development](link).
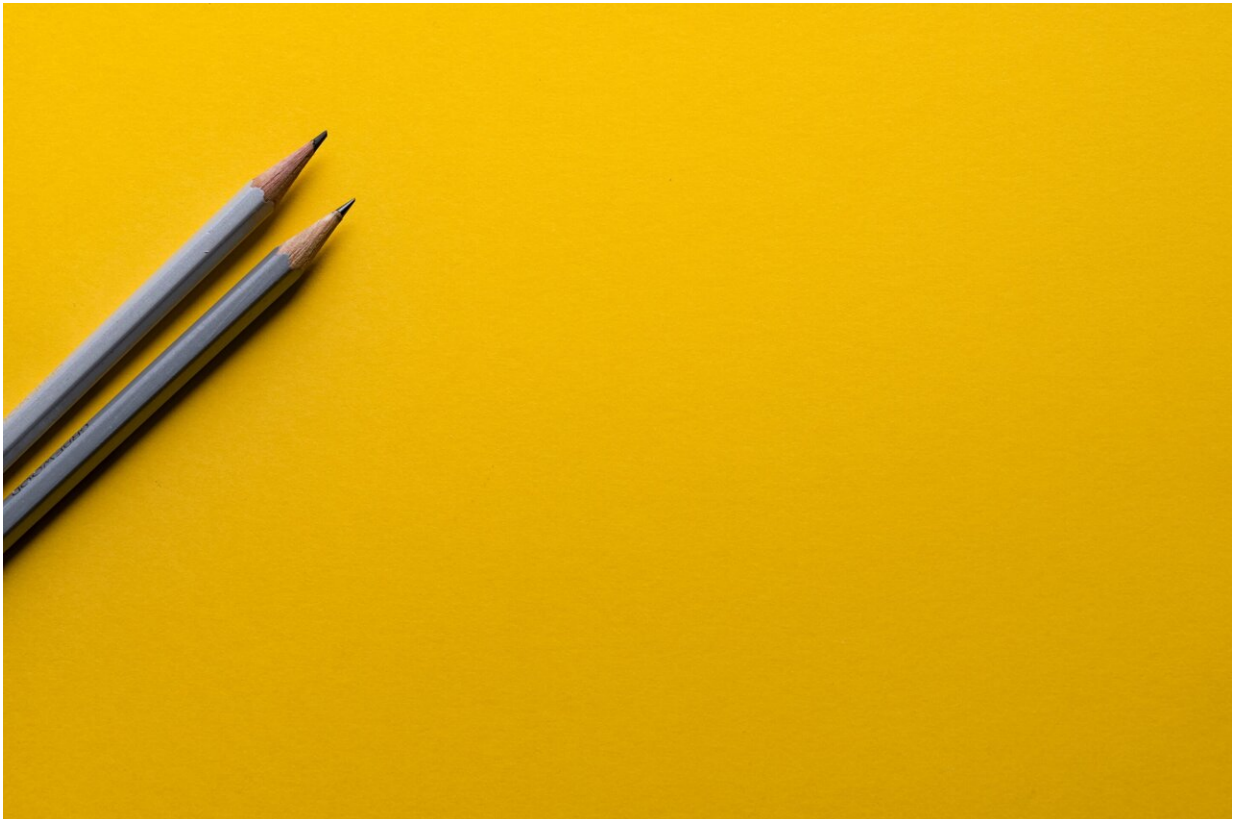
One solution is to change the way we show lineups to children. A [Repeated Forced Choice (RFC) procedure](link) does just that —it changes the way we shown lineups to children.

Assessing a child's memory

Using a sports analogy, an RFC lineup procedure can be thought of as a round-robin tournament of faces. Rather than showing all the faces to a child at once, faces are shown in pairs. With each pair of pictures shown, children are asked to decide who looks *most* like the person they saw. Each face is paired off with every other face. This continues until one face emerges as the most consistent winner.

Making these changes to a [police](link) lineup can help us learn more about how strong a child's memory for a suspect is. An RFC procedure allows us to track information about what faces children choose and how often they choose them.

This type of extra information can help us identify when children may be selecting a guilty person or when they may be selecting an innocent person.

In my study, I asked children aged six to 11 to identify two people they met the previous day. The older children (aged nine to 11) who used an RFC procedure to identify the two people did so just as well as children who used a traditional lineup task. However, the extra information gave us a better idea about the strength of each child's memory for the two people.

Why child witnesses make mistakes

These results are encouraging. However, more studies need to be done to see if an RFC lineup procedure should be used with real eyewitnesses. In the future, I plan to explore how this information about memory strength can help us to learn more about *why* child eyewitnesses make mistakes and what the justice system can do to overcome these hurdles.

Children can provide accurate and reliable testimony. However, if we fail to consider a child's unique state of development, child witnesses can make mistakes. As we move forward, it is essential to adapt our interviewing techniques for children.

Moreover, it is important that those in the justice system treat memory as evidence that needs to be preserved —not as a video recorder that can be replayed again and again.

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