***א.++++להציג סרטון א' - דקירה***

***ב+++.להציג סרטון ב' – שוד***

1. In Israel, only in recent years has the world of law become exposed to research from the field of **cognitive psychology and human memory (part of the field of neuroscience).** This awareness is primarily due to an article written by **Menashe and Assi, “Mistakes in the Visual Identification of Suspects: An Invitation for Research and Reform”** (2005) [translated from Hebrew].
2. And indeed, in recent years we have witnessed, in Israeli case law, that **insight from research is slowly trickling into court trials**.
3. There is no doubt that **incorporating insight from the world of research into the field of law** can have a powerful impact, especially as **identification errors** have been shown to be a key factor in wrongful convictions – known as eyewitness misidentifications.
4. **Over the years, a tremendous amount of research has accumulated across a variety of fields related to identification and human memory. As time allows, in today’s workshop, I would like to share pieces of these insights with you.**

**What are the three stages of memory?**

1. Eyewitness identification depends, of course, on **our memory of the person to be identified**. It is **customary to divide the memory process as occurring in three stages**: The first stage is that of **viewing** the event, known as the **stage of perception or** **ACQUISITION**; the second stage is the **data storage phase**, known as RETENTION; the third stage is **the RETRIEVAL phase**, which is the stage in which the stored **information is retrieved from memory. In each of these stages, there are factors that are likely to influence and cause the retrieved memories to be biased, incomplete, or distorted**.

**Is our ability to identify accurately limited?**

*ג. ++++****להציג סרטון בריטי****-את חלקו הראשון*

1. Did anyone notice the **changes** that occurred throughout this short video? I doubt it. This is a commercial for the **British Department of Transport,** which was produced in order **to raise awareness of road accidents in which cyclists are injured**. The message is that when we are focused on **a particular detail** of an event, we are likely not paying attention to **the other details**, and so, we **may miss important details** that are occurring during the event.

*ד. להציג סרטון בריטי- את חלקו השני*

1. The position that you were just in, in which you were retrospectively asked to note the changes that occurred throughout the short video, **was actually a simulation of the process that occurs for the eyewitness when he or she participates in an identification lineup**. However, it is important to remember that, even if the eyewitness tries **their very best** to memorize the details of the event during the time of the criminal event, **the traumatic experience** that they have experienced usually **distracts their attention** and influences the stages of acquisition, storage, and certainly the retrieval stage, **which ultimately does not necessarily allow them to be accurate in their identification.**

**What is the attitude in Israeli law toward eyewitness identification as opposed to that of the research?**

1. **In Israeli law**, eyewitness identification is not regulated under any provision of the law, and the only available written document on the matter is the **internal guidelines of the Israeli police**, which are unclear as to what the normative status or, of course, **case law status** would be.
2. In general, you could say that, **in Israeli case law, eyewitness identification** is considered to be important evidence, **possessing a very high status**!!! So much so that it is possible to convict a defendant **based on one eyewitness identification without any additional evidence**. Despite this, a review of case law reveals that, in practice, **courts usually seek additional evidence**. However, **there is no existing systematic manner in which to answer the question: What evidentiary addition is required, and are different evidentiary additions required depending on the different types of arrangements from which the identification evidence is produced?**
3. **In the Shadid case, for the first time, Judge Arbel rated the identification procedures according to their evidentiary strength. (At the bottom of the pyramid is the album review process, which is an investigative tool used by the police more often than a formal lineup. After the album review process is the photo lineup and, after that, at the top of the pyramid, is the live lineup.) However, even in this ruling, there is no answer to the question of evidentiary additions.**
4. **Scientific research**, on the other hand, is very skeptical in its view of eyewitness identification. Nowadays, there is no dispute amongst researchers that our ability to be precise in identification is very limited – because the encoding of events and people into our memories is **not a mechanical operation like that of a photocopy machine;** **the function of recalling** events and people from memory is **influenced by many different variables**.
5. Although the **eyewitness usually has no interest in lying**, and is certain of **the accuracy of their identification**, the process of choosing someone in a lineup is often carried out not on the basis of his or her actual memory (retrieval of data from memory), but on a mechanism known as “**relative judgment**”; that is, “who from those present looks most like the perpetrator?” **The use of this mechanism is one of the main causes of misidentifications**. And therefore, even **in a lineup that does not include the suspect**, there is a high probability that one of those present will **“remind”** the eyewitness of **the true suspect’s features relative to the other people in the lineup**, which is likely to lead the eyewitness to inadvertently pick that person as the perpetrator of the offense.

*ה. להציג את איור מספר 1 (צמדי פנים)*

1. In one recent experiment (Bruce et al., 2011), **participants were presented with 4 pairs of unfamiliar faces**. The participants were then asked to **compare each pair** and decide if they were looking at **two images of different people** or **two images of the same person**.
2. What do you think? **In the top row**, each pair of faces actually consists of **two identical images of the same person (that is: a picture that has been duplicated).** **81%** of the participants correctly identified that the pictures were of the same person and the remaining 19% mistakenly said the pictures were of different people. **On the row below**, on the other hand, the two pictures in each pair are of the same person, but the pictures were taken with **two different cameras** and with a gap of **two months** from one another. In this instance, **only 60% of the participants accurately identified the person in the pictures as the same person**. The conclusion: a comparison of unfamiliar faces is a difficult task even in **optimal situations that do not involve long-term memory with all its distortions and biases.**
3. Additionally, many studies show that the **time between the viewing of the event and the stage of recalling the event is of crucial significance**. As such, one of these studies revealed that the percentage of incorrect identifications in a lineup that occurred **two hours after an event** was **15%** but that the percentage of incorrect identifications increased to **52%** when the identification procedure occurred 24 hours after the viewing of the staged event.
4. **Another concept that often comes up in research studies is “transference design,”** or what is also known as **“bystander-misidentification.”** This is an effect that occurs when data that the eyewitness was exposed to **before or after** the investigated event **intrudes upon his memory** of the event and creates **a kind of memory manipulation**, such that the eyewitness may recall an image that shares what is known as a **close temporal relationship** with the target object – that is, it **shares some sort of connection to the suspect that does not necessarily derive from physical resemblance**.

**The first recorded case in which a bystander was mistakenly identified as the suspect was the case of the “British train ticket collector.”**

1. The first recorded case in which a passerby was **mistakenly identified as a suspect** occurred in the 1950s, when a **British train ticket seller** was robbed at gunpoint and **identified an innocent man as the man who had robbed** him. Later, it turned out that the man identified as the suspect had bought a train ticket from the ticket seller shortly before the robbery occurred and that was where the misidentification stemmed from.

**“The Australian psychologist, Donald Thomson, who appeared on live TV during a rape.”**

1. Australian psychologist, **Donald Thomson**, was also arrested by the police on suspicion of **rape** based on the **complainant’s exact description**. It turned out that **Thomson** had a solid alibi, namely that he was conducting a **live interview on television** at the time the rape occurred. In retrospect, it became clear that the rape had occurred during the broadcast of the television program, **and that the rape victim subconsciously** attributed the memory of Thomson to the person who raped her.
2. Another concept that comes up in research is what is known as, **“change blindness” or “expectation of continuity”** – a phenomenon that causes the eyewitness to perceive a situation as continuous, **such that it was carried out by the same person** when in fact it was carried out by two or more different people.

**“Change blindness” – expectation of continuity – “replacing the researcher during the conversation”**

1. In one of **Simmons and Levin’s** (1998) studies, **a researcher** approached a **student** who was **walking around the university campus** and asked him for **directions to one of the university departments**. While the student began to explain where to go, **two workers** **carrying a large door** **walked between the researcher and the student**. In the few seconds **that the door separated them**, t**he original researcher was replaced with another researcher**, who continued the conversation with the student from the exact same place that it stopped before. The results of the study showed that, **although the second researcher** **did not resemble the first researcher at all** – he wore different clothes, was a different height and had a different voice – **75%** of the students **did not notice that it was a different person** than the one that they were originally speaking with.
2. Another dominant concept in research is the **“commitment effect,”** which suggests that the mere identification of a particular person in one identification procedure directly influences an eyewitness’ **decision to choose the same person** in additional identification procedures, regardless of whether the identification was accurate. **The explanation** for this phenomenon lies in the **unconscious commitment of the eyewitness to his initial choice**.
3. As you may know, the Innocence Project revealed that 75% of wrongful convictions, as determined by DNA evidence, involved an **eyewitness identification** that led to a conviction. The impact of the project was tremendous and led to many studies being conducted, mainly in the field of cognitive psychology. However, it is important to remember that the Innocence Project examined a total of 300 cases.
4. One case, and perhaps the most well-known case of the “Innocence Project,” was that of **Ronald Cotton** who was convicted of **rape and burglary** in 1987 and was sentenced **to life in prison plus 54 years**. **Jennifer Thompson** was brutally raped in her home and identified Cotton as the perpetrator of her rape **in two different identification lineups** (both in a **photo lineup** and a **live lineup**). Thompson testified at Cotton’s trial in which she identified him, with certainty, as the rapist. **This was after she claimed to have looked very carefully and thoroughly at his face during the rape and had made every effort to remember each and every detail of his face, thinking that if she survived the brutal rape, she would be able to help the police catch him and put him on trial**. And yet, a decade later, DNA evidence led to the real rapist; Cotton, who had claimed his innocence all along, was exonerated. Unfortunately, Cotton had already served 10 years by the time of his exoneration. In retrospect, Thompson admitted that she experienced the “commitment effect” of her initial choice.

*ו. להציג צמד התמונות של ג'ונס ושל אמוס*

1. And if, perhaps, we were to think that these kinds of occurrences no longer happen, we can look to the case of Richard Jones, which proves otherwise. Only in 2017 was his conviction for aggravated robbery overturned, after he had already served 17 out of the 19 years of his prison sentence.

The court that convicted Jones the first time ruled that he had stolen a cell phone from a woman who got out of her car in a parking lot in a shopping center in Kansas. The victim tried to resist the attack, but the robber fled the scene with her cell phone and got into a car, such that she was not able to decipher his facial features. In fact, there was no forensic evidence on the scene that could have connected Jones to the robbery. His conviction was primarily based on identification resulting from a photo lineup presented to two eyewitnesses who saw the incident. However, in retrospect, it turned out that this was a misidentification.

1. In the photo lineup, the eyewitnesses were presented with 6 pictures. Only one of these pictures, that of Jones, matched the eyewitnesses’ description: that the robber was a **black man with a relatively light complexion**. And such, the identifying eyewitnesses essentially had no choice but to point to his picture.
2. Surprisingly, and after Jones had already served most of his prison sentence, his inmates in the detention facility in Kansas tended to confuse him with “Ricky” (Amos), another inmate who was serving his sentence at the same facility, because of their similar physical resemblance.
3. Thanks to the intervention of the Innocence Project **in Kansas**, they located Ricky and took his picture. Indeed, even when Jones’ lawyers presented the two pictures to the eyewitnesses, they were unable to distinguish between them.
4. In the United States, this case has been named the **“doppelganger” case** because of the indistinguishable resemblance between Richard Jones (who was exonerated) and Ricky Amos. It concretely demonstrated the dangers of relying only on eyewitness identifications for convictions.

Internal and External Variables

1. In psychological studies, it is customary to separate out the factors that influence memory into **internal variables** – variables that are **under the investigator’s control** (for example, the type of lineup conducted, the number of people in the lineup, the instructions given to the eyewitness from the person conducting the lineup before the identification, during the lineup and after it, the number of identification procedures that the eyewitness participates in, etc.) – **and external variables**, those that do not change and that are not at all dependent on the investigator. These are usually things that have to do with the scene of the event or the eyewitness himself.

**With regards to the internal** variables (those that are under the investigator’s control):

1. Studies support the basic idea that in order to conduct an effective lineup, one should **avoid presenting a suspect that stands out**. In other words, to create a lineup in which **the suspect will not stand out more than the others in the lineup** (for example, not to place a **yellow duck** in the same lineup as **7 white chicks**).
2. In **live eyewitness identification lineups, the accuracy percentages are higher** than in other types of identification lineups in general, and in particular as compared to photo identification lineups **(97% versus 85% accuracy rates)**. However, in Israel, most of the lineups conducted by the investigative unit are photo lineups.
3. Researchers explain the accuracy differences between the two types of lineups as stemming from the tendency for eyewitnesses **to make a choice**, even a guess, in a photo identification lineup as compared to participants of a live identification lineup, which could, in turn, lead them to choose an innocent person.

Does participation in multiple identification lineups affect eyewitness identification accuracy?

1. The results of a recent study (**Godsal-Neuschach-Graveland**, 2009) were unequivocal and indicated that the **merely exposing an eyewitness to pictures in the process of their examination of a photo album**, even when the **photo of the suspect did not appear in the album**, had a negative impact on the eyewitness’s ability **to accurately identify the person in a formal (live)** lineup that he later participated in. Only 32% of participants were able to accurately identify the suspect, as compared to 55% accuracy in the control group, who were not previously exposed to the photo album lineup.
2. **The impact of the number of identification procedures on identification accuracy** was also shown in another study (by Gaudsvall and colleagues, 2009) in which the participants **observed a crime** and, afterwards, **were asked to identify the suspect in a photo album (the picture of the suspect appeared in the album)**. After about a week, the participants participated in a **live identification lineup**. The results of the study showed that participants who **misidentified the suspect** and chose an innocent person **in the photo album** also identified the same innocent person in the live identification lineup, even though the real suspect was presented to them in the live lineup. The psychological explanation for this stems from the same **“commitment effect**” in which the eyewitness sticks with his initial choice.

What is the difference between a **simultaneous lineup** and a **sequential lineup**, and which order is more likely to lead to accurate identifications?

1. Research shows that **sequential lineups** (in which the people in the lineup appear **one-by-one**) yield higher percentages of accurate identifications as compared to simultaneous identification lineups (in which the people in the lineup appear all at once). The explanation is that, in a **sequential lineup**, the eyewitness is required to make **more absolute judgments as compared to relative judgments that are characteristic of simultaneous lineups**.
2. It is interesting to note that, for a reason that is not entirely clear and that ignores the scientific research on the subject, **the investigative unit in Israel** consistently shuns the use of **sequential lineups**. Thus, the question as to which of the two types of lineups is preferable does not even arise in the Israeli courts.

What are the major influencing factors during a lineup?

1. Research studies also indicate that our memory of the events under investigation can be **“tricked”** by the introduction of **new and misleading data** and can penetrate and play tricks on the eyewitness’ consciousness in a number of ways **during the identification process itself.** **The biases usually arise from the person conducting the lineup**; whether it be through biased questions that they ask the eyewitness or the repeated feedback that the eyewitness receives from them in regard to the identifications.

***ז. סיימון 1 סיימון 2 ) השפעתן של ההוראות המטות מצד עורך המסדר)***

1. **The gorilla video clips demonstrate that the instructions from the person conducting the lineup influence the eyewitness’s ability to be accurate in his identifications.**
2. Malpass and Devine’s **(1981)** study **showed that eyewitnesses that received biased instructions from the person conducting the lineup, for example – “I believe that the same person who committed the act of violence against you is included in this lineup” – misidentified more often than the control group who did not receive biased instructions, but rather received unbiased instructions such as: “It is possible that the suspect that committed the crime against you is included in the lineup, but it is also possible that he is not in the lineup.”**
3. **The study also showed that the manner in which the questions are asked of the eyewitness during the identification process influenced the accuracy of the eyewitness** **in their identification**. Furthermore, the different phrasing could **reconstruct the eyewitness’ memory** of the incident under investigation and lead to misidentifications.
4. **For example, the results of Loftus and Zanni’s (1975) famous studies found that when eyewitnesses who viewed a video of a car accident were asked a close-ended question using a definite article (using the word “the”) regarding objects that did not even appear in the video, they made more misidentifications – that is, they said that they saw the object 15% of the time as compared to those who were asked an open-ended question using an indefinite article (using the word “a”) who said they saw the object 7% of the time.**
5. When the question was asked **with a definite article**: “Did you see the broken headlight?” **it created a bias on the eyewitness’ end, giving her a very clear hint that the car that was shown in the video had a broken headlight**, which then created a situation in which she did not need to deal with any uncertainty regarding the existence or the absence of a broken headlight during the incident that took place in the video.

**Is there an association between the level of confidence that the eyewitness reports and the accuracy of his identifications?**

1. The results of the study also showed that there is not necessarily a connection between the level of confidence the eyewitness expresses ­– for example, “I am 90% certain that this is the person” – and the accuracy of his identification. And if there is a link between the two, it is quite marginal. It has also been found that, overall, eyewitnesses tend to exhibit **over-confidence** in their identifications and that their degree of confidence increases – **regardless of their level of accuracy** – as more time passes between the original incident under investigation and the identification procedure **and as the number of identification procedures increases.**
2. Studies also show that the level of confidence expressed by the eyewitness is **more a function of his personality traits than an informative measurement of his accuracy**.
3. Similarly, in a small pilot study that I conducted, I found that **the accuracy rate was higher among eyewitnesses who, in terms of personality, were characterized as “field independent” – people who, according to a psychological test called the “Embedded Figure Test,” are able to disembed and differentiate between objects and their background. There is a clear connection between an eyewitness who meets the definition of being “field independent” and the level of confidence that he expresses in his identifications.**
4. Even the receipt of misleading information that comes to the eyewitness’ attention after the occurrence of the event can alter and distort his memory in powerful ways and it can even lead to **the creation of false memories** of objects that did not even appear in the original event.
5. Another phenomenon that arises is from Loftus and Greene’s (1980) study, which is called the phenomenon of **“verbal contagion.”** In one of their experiments, they found that **after being exposed to a violent incident**, 34% of **the eyewitnesses who were asked to examine an album while, at the same time, receiving a written description of the suspect written by other eyewitnesses, tended to use the exact same verbal expressions used by the other eyewitnesses**, including both accurate details about the suspect’s features and also inaccurate details about him.
6. In addition, in Hessel and Xin’s (2009) study, they found that the information that the eyewitness receives prior to the identification procedure has a critical influence on his judgment. **Participants who correctly identified the suspect in a live lineup** were told that the person who confessed to committing the act is not the person they identified **–after this, 61% of them altered their choice**. Then, when the lineup was presented to them a second time, they chose the person who confessed to committing the act. 50% of the eyewitnesses who were incorrect in their identification the first time changed their choice due to the new information.
7. In another study (Kassin et al. 2013), participants were presented with **pairs of photos** which included **a child’s face and an adult’s face**. Participants were asked to rate the extent of resemblance between the child and the adult. **The organizer of the lineup implied that the pictures in question were of father and son** which led the eyewitness to rate the extent of similarity as higher than the control group who did not receive any such indication from the organizer of the lineup. In actuality, there was no family connection between the two people.

Is there an influence on the eyewitness when the person conducting the lineup knows the identity of the suspect and where he is positioned in the lineup?

1. Time and time again, research studies demonstrate that any **knowledge that the person conducting the lineup has of the suspect’s identity and his position in the lineup can have a significant effect on rates of misidentification**. In cases in which the **person conducting the lineup was aware of the suspect’s identity**, the misidentification rate of an innocent person was **56%**. This is in contrast to a misidentification rate of only **8%** in a **“double-blind”** lineup – that is, a situation in which the person conducting the lineup is not aware of the suspect’s identity or his position in the lineup.

Does the level of interaction between the person conducting the lineup and the eyewitness impact the eyewitness?

1. Researchers have found that **in situations of high interaction** – operationalized as how close **the person conducting the lineup sits next to the eyewitness at the time of the lineup** ­– eyewitnesses tended to identify the suspect **in accordance with the expectation of the person conducting the lineup**, even in cases of misidentification. The rates of misidentification that were due to high interaction were 30% higher than rates of misidentification in the low interaction group.
2. **The researchers explained the results of the study by noting that the knowledge that the person conducting the lineup has about the suspect’s identity and his position in the lineup** may consciously, or even unconsciously, by way of **overt or subconscious** indications, hint to the eyewitness about the position of the suspect in the lineup and influence him to point in his direction. The indications or hints can also be expressed through **slight nuances** such as body postures or gestures by the person conducting the lineup.

**When it comes to external variables about the eyewitness and the incident being investigated:**

1. Studies show that **the higher the level of arousal that the eyewitness experiences as a result of witnessing a serious, non-trivial criminal incident**, the greater the likelihood that the eyewitness will be accurate in his identification, provided that the eyewitness is aware of the severity of the event in real time.
2. On the other hand, **in a very severe criminal event**, the level of arousal of the eyewitness is so high that it impairs his or her ability to process information and so the level of accuracy in remembering the details of the event is decreased. In one experiment (Leippe, Wells, & Ostorm), eyewitnesses found it **easier to identify a suspect who stole a high-value item** (56% accuracy in identification) than a suspect **who stole a low-value item** (19% accuracy in identification).
3. A study that deals extensively with the **“weapon effect,”** shows that when there is a **weapon** (whether loaded or unloaded) or a different type of dangerous item involved in an investigated event, there is a greater change that the eyewitness will **divert the majority of his attention to the weapon** and will find it difficult to focus on the suspect’s face, and therefore he is likely be inaccurate in his identification.
4. The study also shows that the accuracy of the eyewitness decreases as the distance from the suspect increases, but **there is no specific measurement of distance which can be pinpointed in which the eyewitness’s memory can no longer be relied upon. However, some studies suggest that viewing a suspect who is more than 15 meters away dramatically reduces the ability to accurately identify**.
5. The study further suggests that **being very familiar with the environment in which the incident being investigated occurred** may have a positive influence on the eyewitness’s memory and on his ability to accurately identify the suspect.
6. **And what about prior familiarity with the subject to be identified?** In general, the better acquainted the eyewitness is with the subject to be identified, the greater his accuracy of identification. **Defining someone as familiar** depends **on the quality of the prior interactions** between the eyewitness and the subject of identification.
7. **Contrary to intuition**, there are situations **in which increased interaction time** actually leads to **higher rates of misidentification**. For example, in one study, **eyewitnesses who had long interactions with the subject of identification (e.g., viewed the subject for about 12 minutes) tended to make an incorrect choice in a photo lineup, with the highest misidentification percentage recorded in lineups where the suspect’s picture was absent (compared with eyewitness in a short interaction in which they viewed the suspect for 1 minute).**
8. Why does this happen? It is probably because witnesses experience a sense of “over-confidence**” in their ability to identify the suspect and a subjective feeling that the increased exposure to a suspect “qualified” them to carry out the identification**. As a result, they “allowed themselves” **to haphazardly** choose any picture from the lineup.
9. In addition, **data from the London police** indicated that **in 25% of cases** in which the investigative unit chose to conduct **a formal lineup**, even though the eyewitness claimed to have prior familiarity with the suspect, the eyewitness failed to correctly identify the suspect.

***ט. להציג תמונה ("שתי טיפות מים")***

1. People are better able to identify suspects who belong to their same ethnic group, the so-called **“other-race effect.”** *(An option to lead to Professor Yuval’s study. In her study, Professor Yuval examined this effect and would like to share with you the findings of her research).* In **Professor Galit Yuval’**s study, she presented the following data: Chinese and Korean people have a difficult time identifying us in the same way that we have difficulty identifying them. The ability to recognize faces is **acquired**, not **innate**. One experiment found that Korean children who were adopted by French families **were better able to identify French people than other Korean people.** The ability to recognize faces stems from the **active level of exposure** to faces, such that each face is linked to information – such as a name and profession.
2. Professor Yuval also found that the ability to recognize faces stems from the level of **active exposure** to faces, such that each face is **linked to information** – such as a name and profession. The distinction between “passive exposure” and “active exposure” can be demonstrated through an experiment that examined the **ability to correctly identify faces of infants** (which generally look similar). **Surprisingly**, in this experiment, **nurses in the maternity ward** who are more frequently exposed to many infant faces, were **not** better able to accurately identify infants’ faces than those in the control group (university librarians). In fact, the rates of identification were equal for both groups. **The explanation for this finding lies in the fact that the exposure to the faces was passive and short.**
3. In contrast, when the researchers **labeled each face and added a name to each infant**, the results changed and the nurses in the maternity ward were able to accurately identify the infant faces at the same rate as they were able to identify adult faces and at a higher rate than the control group, even when the exposure was relatively short, because it was active exposure this time.
4. Besides the varied personality traits among the eyewitnesses that we spoke about earlier, there can **also be variability in other characteristics,** including:
5. **Age:** Studies show that young children (up to age 10) have a lower **accuracy rate for details** than adults and they also tend *not* to avoid making a choice (for example: **they tend to guess** which, of course, is likely to lead to misidentifications).
6. **As far as elderly adults are concerned**, their ability to remember information is generally similar to the abilities of younger adults, but they are more prone to bias when asked questions that include hints or when they are exposed to inaccurate information after the investigated event, information given by an adult who is of average age. In this context, we must also pay attention to various diseases, like **dementia, cataracts, etc.** that are more common among elderly adults and which are likely to influence their ability to be accurate in identifications.
7. **When it comes to the association between alcohol consumption and drug use among eyewitnesses and their ability to remember facial characteristics and accurately identify**, the majority of studies support the hypothesis that alcohol consumption and drug use among eyewitnesses can impair their abilities to accurately identify. However, the degree to which it impairs their ability is not fully certain, as there are also studies that have found that **moderate consumption of alcohol** does not affect eyewitnesses’ abilities to be accurate in identifications.
8. **Police officers** (as compared to other professionals) are better at identifying faces and have a better memory for details of events under investigation. However, a recent study (Charman, Kavetski, & Mueller, 2017) found that **receiving prior information** about the suspect caused bias among police officers and led them to misidentify at similar rates to eyewitnesses in the control group.
9. **It is more difficult for eyewitnesses to identify typical faces** than **non-typical faces**, which then likely leads to higher rates of misidentification. The more distinctive facial features that a suspect has -- for example, **Nixon’s chin, Gorbachev’s forehead stain**, or **Trump’s combover** – the higher the rate of accuracy in identification.
10. **The more attractive** that the person to be identified is **in the eyes of the eyewitness**, the higher the likelihood that the eyewitness will be accurate in his identification.
11. **As for the gender of the eyewitness**, no association has been found between the sex of the eyewitness and the accuracy and reliability of the identification. Overall, men and women are similar in their identification abilities. However, there are studies (though they do not come off as particularly feminist) that find that women are better able to **identify other women** and that their memory for **clothing** is better compared to men.
12. In my doctoral research, I examine ways to reduce, as much as possible, the potential errors **that rely on a single eyewitness identification for conviction**.
13. My main motivation for conducting this study was to escort Rashid Shtaiwi in the District and Supreme Court (in my previous capacity as a public defender). Rashid was charged with the offense of causing serious injury **and his conviction was mainly based on the complainant’s identification of him in a photo album**. Later, Rashid also bragged to me that he was being interrogated in his holding cell (and he even told the interrogator that he murdered the complainant as well as other fabricated stories).
14. The Honorable President of the Supreme Court of Israel, Dorit Beinisch, decided that according to the Halacha (Jewish law) a significant weight can be given to the visual identification of a person in the photo album procedure, and a conviction can be made even based on the eyewitness alone, without requiring additional evidence. However, she also states that **in the concrete case before her, there were numerous flaws, and the accumulation of them decreased the evidentiary weight of Rashid’s identification by the complainant, such that it created a reasonable doubt as to the accuracy of the identification**. The Court accepted the claim that there was no connection between the details of the event and the details that Rashid provided to the interrogator and, as such, they could not consider what he said to be a “confession.”
15. The Supreme Court exonerated Shtaiwi. However, unfortunately for Rashid he had already served 4 years behind bars before the Supreme Court’s decision was accepted. His fiancé, **Ranin**, did not wait for him and his entire world collapsed.
16. The model that I present in my study, which is formulated as a bill, is based, amongst other things, on the model of evidentiary additions for different identification procedures. The four main aspects on which the study is based on are: (1) Comparisons and conflicts between legally-based assumptions and scientifically-based assumptions; (2) Implementation of the requirement of additional evidence in Israeli court; (3) The doctrine of inadmissibility, which was established in the Yissacharov case; (4) British law as the inspiration for the components.
17. Today’s workshop focused on one part of the first aspect of my doctoral research which deals with scientifically-based assumptions.

Refer to participation in two photo lineup procedures:

1. At the start of our meeting today, I showed two videos. Now I will ask you to participate in two identification lineups. Please read the instructions and try to be as accurate as possible. I am very grateful to you all for your participation in today’s workshop.