

Eyewitness Misidentification

Improving Accuracy of Eyewitness
Identification in Oklahoma to Prevent
Wrongful Conviction

TULSA WORLD

Two Tulsa men declared innocent in 1994 fatal shooting after serving 20 years in prison

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Watch the Crime



<https://www.youtube.com/watch?v=CA3rYo95ez0&feature=youtu.be>

Can You Identify the Culprit?

Lineup 1:



<https://www.youtube.com/watch?v=TzoCWB-k1Rw&feature=youtu.be>

Lineup 2:



<https://www.youtube.com/watch?v=epv-Jgg3zTk&feature=youtu.be>

Costs of Misidentification

The State of Oklahoma has paid \$1.36 million to settle wrongful convictions.

Courtney Sedrick



- Wrongfully convicted of Tulsa robbery based on eyewitness mis-ID.
- Spent 16 years in prison.
- \$8 million settlement from City of Tulsa, \$175,000 from state of Oklahoma.

Arvin McGee

- Wrongfully convicted of sexual assault based on eyewitness mis-ID.
- Spent 12 years in prison.
- \$4 million settlement with City of Tulsa.

Four Key Best Practices

1. **Blind/Blinded Administration**
2. **Eyewitness Instructions** that perpetrator may or may not be in the lineup.
3. **Proper Use of Fillers** that match eyewitness's description of perpetrator.
4. **Eyewitness Confidence Statements** elicited and documented when an identification is made.

Avenues to Reform

Court Action (3 States): MA, NJ, OR

Statute: (10 States)

Prescriptive Legislation: CT, GA, NC, OH

Legislation Linked to Model Policy: CO, MD, NE, TX, VT, WI

Voluntary Compliance (2 States): HI, NV

Voluntary Compliance/Legislative Action(3 States): MT, RI, WV

Elements of Successful Voluntary Compliance

- ✓ Requirement for written policy
- ✓ Statewide training, provided free by Innocence Project.
- ✓ Tracking compliance: Statewide entity will collect and review agency policies.
- ✓ Roadmap & timeline for implementation.

Free Resources for Reform

- ✓ Law Enforcement Training
- ✓ Implementation Toolkits/Model Policies
- ✓ Surveys to Assess Compliance

Next Steps

1. Establish timeline



2. Mail model policies & implementation tools



3. Training Sessions



4. Conduct compliance survey.