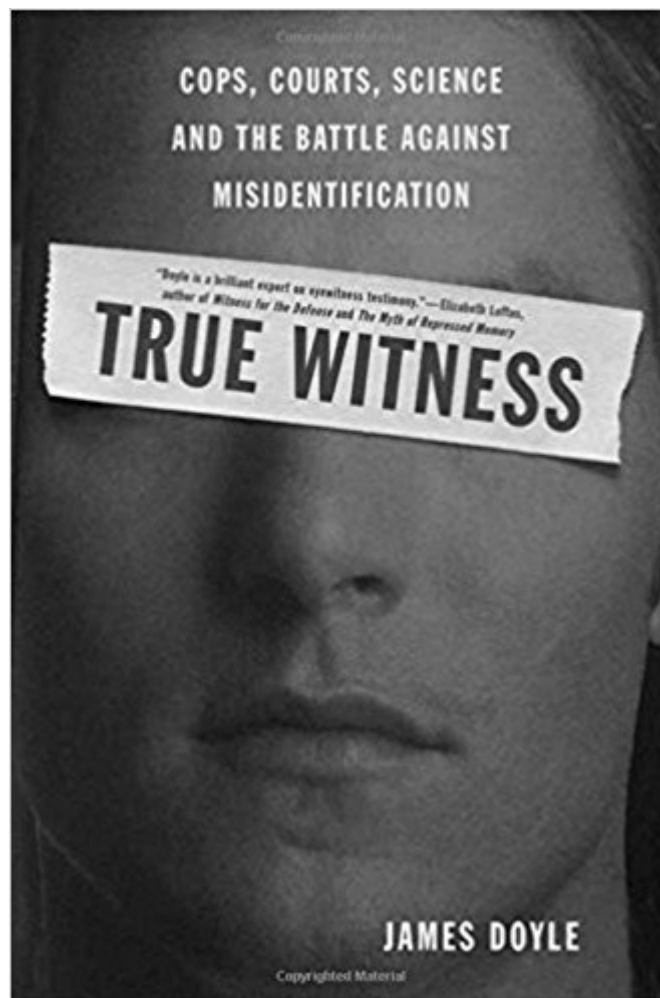




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True Witness: Cops, Courts, Science, And The Battle Against Misidentification



Synopsis

Honest but mistaken eyewitnesses are the leading cause of wrongful convictions in the United States. As the innocent go to prison their lives are shattered; as the criminal goes free, the public remains vulnerable. With a vivid cast of brilliant scientists, street-wise cops, and former prosecutors--all haunted by the legacy of wrongful convictions, some directly involved with one--Doyle sheds light on the intersection of personal ambition, legal and political principles, and scientific inquiry. He highlights real possibilities for improved identification, their challenges to the legal tradition, and persuasively argues that the promises of improved justice must be realized before another wrongful conviction lets the guilty go free. This is an important look at a pressing issue in the news with every exoneration.

Book Information

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Customer Reviews

œJim Doyle's new book, *True Witness*, could not have come at a more opportune time to help inform and shape the growing and intensifying national debate about the value and reliability of eye witness identification testimony. A factual story that reads like fiction, not like an academic treatise, Doyle's book will attract and hold the attention of people on all sides of this important issue. Prosecutors, defense attorneys, police investigators, jurists and the public cannot help but benefit from exposure to *True Witness*. œ • œWilliam J. Bratton, Chief of Police, Los Angeles, and former Police Commissioner of New York City and Boston œ *True Witness* moves like a novel as it provides the reader with real people facing enormous odds against the flaws of eye witness identification, yet often emerging victorious. Any reader who is fascinated with the criminal justice

system will love this work -- cheering for the innocent as well as those who catch the guilty. You cannot put this book down.

• Rikki Klieman, Trial Attorney, Today Show Legal Analyst and Court TV Anchor

• As someone who has been in the forefront of the battle against mistaken identification, I can say that Doyle has captured the tensions and challenges, the characters and the issues, like no one else.

• Elizabeth Loftus, co-author of *Witness for the Defense* and *The Myth of Repressed Memory*

• Anyone who is interested in knowing why eyewitnesses make mistakes -- the single greatest cause of wrongful convictions and how best to prevent those errors should buy this very readable book.

• Barry Scheck, Cardozo Law School, Co-Director, The Innocence Project

• Doyle's work is a gem, its words fly by, its message sinks in deeply

• "how to avoid convicting the innocent and letting the guilty go free. His tale of colorful characters, memorable cases, three-cornered battles among police, prosecutors and defenders produces a singular insight into how, in the real world, we can make things better. Where we have failed for years, James Doyle shows us how we may finally succeed."

• James B. Zagel, United States District Judge, Former Director, Illinois State Police

James M. Doyle is a veteran litigator, the leading legal authority on eyewitness testimony and the coauthor, with Elizabeth Loftus, of *Eyewitness Testimony: Civil and Criminal*, "The Bible" for lawyers. He lives in Brookline, Massachusetts.

Combining humor, history and the upheaval from DNA-proved wrongful convictions, Doyle stunningly recounts the long, bumpy process of fine-tuning justice in the American criminal system. While focused on the history and frailties of eye witness identification, this book is for anyone even remotely connected to ... or interested in ... the criminal justice system: psychologists, lawyers, law enforcement, pre & post conviction professionals, judges, criminologists, forensic specialists and, especially, university personnel and students of these fields. Laugh aloud when you read about Mr. Potato Head. Cringe with Jennifer Thompson as she realizes that her honest but mistaken testimony sent an innocent man to jail. Worry whether Texas executed an innocent man, a man whose last words were "they are murdering me..." This is great reading. Doyle unveils his subject with care, drawing on his uncanny ability to observe and participate simultaneously. As Doyle acknowledges in his final remarks, the science of justice does not stand still. But Doyle has made a massive contribution to describing the process, and capturing one of those rare moments when the science lurches forward. You will enjoy this book.

GREAT

I had to read this book for Psychology 101, it was "interesting". It's worth the read if you are actually interested in the subject though.

Doyle, a Boston-area attorney, writes concisely and eloquently about the history of psychologists efforts to challenge the legal system's approach to eyewitness testimony and the responses by the justice system. For almost 100 years, psychologists have been warning that the legal system's assumptions about eyewitnesses are flawed. Harvard professor Hugo Musterberg's first book on the subject written in 1908 prompted a vigorous backlash from Dean John Henry Wigmore, author of the widely used treatise on evidence. Since then, Musterberg and Wigmore's successors have struggled over the place of psychological research on perception and memory in the courtroom. Doyle's book traces that struggle, focusing on the major personalities, and on the cases of the wrongfully convicted. The primary focus is the psychologists, but jurists, prosecutors, defense attorneys, police officers, and politicians are all included. Primarily useful as a history and discussion of policy. The 10 pages of endnotes are an excellent guide for readers interested in further details.

James Doyle succinctly states the point of this well-written book near the end: "After the initial thrill of horror at a wrongful conviction has passed away ... and the reporters have all gone home, an abiding sense that the world is not quite back in balance remains. ... Shrugging and walking away will leave a legacy of wrecked lives." Professor Doyle, a colleague of mine at Roger Williams University School of Law, presents a detailed history of the intersection of science (psychology) and law (eyewitness identification), and his up-to-date observations drive home the need for furthering both. Not content with presenting simply a "story," an "exposé," or an analysis of things gone wrong, Doyle delivers a compelling argument for change in the way eyewitness identifications are handled by police and employed by prosecutors as evidence for juries to consider. As a veteran criminal litigator, Doyle has truly "been there" - a fact that lends a considerable dose of authenticity to this argument. Written at a level accessible to any reader for whom this book would be of interest (students and practitioners of law, criminology, forensic psychology, for example), the book is, as U.S. District Court Judge James Zagel claims on the back cover, "a gem."

Doyle's story might be the "body armor" for eye witness identification. Science has produced highly effective and reasonably accessible materials to keep you safer on the street. Yet it does no good

when you leave it in the trunk of your cruiser. Science has done the same for eye witness identification yet many have yet to unpack it from its box. Read Doyle's story and decide for yourself if you are being fair to your eye witness identifications or if you are just doing it "the way it's always been done around here." If you found new ammunition for your duty pistol that improved the accuracy of every round fired by at least 50%, would you continue to carry the same old duty ammo? When life-saving resources are at your disposal, don't leave them in the trunk.

I am interning as an Investigator for the Washington, DC Public Defender Service and thought I'd read this book to understand why some believe eyewitness testimony to be imperfect. So far, from 4 weeks on the job, the questions that the author puts forward in *True Witness* are dead-on. Even well-intentioned people make mistakes, and human memory is no camera. This book is full of examples that illustrate the author's main arguments, and it provides a nice balance of these true-life stories and a delving into the questions that the examples raise about the American legal system. I genuinely enjoyed the read, and learned a lot.

A wonderful book for members of the legal community as well as those who are intrigued and at times appalled by the criminal justice system. By using real cases, the author immediately engages the reader in a search to provide answers to the question of how well-intentioned and confident eyewitnesses can be so wrong. Building on extensive historical research and documentation the author provides a fascinating look into how different disciplines (law and psychology) can work at cross purposes to achieve a common goal. I would make it "assigned reading".

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