

INTRODUCTION

The American Psychology–Law Society Scientific Review Paper on the Collection and Preservation of Eyewitness Identification Evidence

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The lead article in this issue of *Law and Human Behavior* is “Policy and Procedure Recommendations for the Collection and Preservation of Eyewitness Identification Evidence” by Gary Wells and colleagues (2020). This special article is an official Scientific Review Paper (SRP) of the American Psychology–Law Society (AP-LS), Division 41 of the American Psychological Association (APA). This is only the third SRP that the AP-LS has approved in its 52-year history. SRPs are meant to objectively summarize the research literature in areas where there is a high degree of scientific clarity and consensus. A second essential goal of SRPs is to serve as science translation documents, providing guidelines and recommendations useful to police, lawyers, judges, legislators, and the public. This SRP admirably fulfills both goals.

This SRP is the product of an extensive, multistep vetting process designed to ensure that it represents the best research, analysis, and recommendations the AP-LS can provide. The first SRP presenting recommendations for lineups and photospreads in gathering eyewitness evidence was published over two decades ago (Wells et al., 1998). The possibility of an updated SRP on eyewitness identification evidence was first discussed in 2016. The topic and proposed authors were approved by the AP-LS Executive Committee in 2017. After the authors drafted the paper, it was posted on the AP-LS website for comments from society members. Next, the authors led a session at the American Psychological Association Convention in 2018 to provide members with an opportunity to publicly comment on the paper. The authors then made revisions based on feedback from members of AP-LS and the APA, and the revision was again posted on the AP-LS website for comment. A session presenting the SRP was held at the annual AP-LS conference in the spring of 2019. That session was well

attended and generated additional comments about the paper. Further changes were made to the paper in response to the feedback from that session. The revised paper was sent out to three anonymous reviewers selected by the SRP Committee in consultation with the AP-LS Executive Committee. Once the authors incorporated feedback from the outside reviewers, they submitted the paper to *Law and Human Behavior* for possible publication. Four anonymous reviewers, an Associate Editor and the Editor-in-Chief provided feedback during the peer-review process, resulting in two rounds of revisions and final acceptance for publication. In December 2019, the AP-LS Executive Committee unanimously approved the paper as an official SRP of the AP-LS. Through its endorsement, the AP-LS signaled that the SRP represents the consensus views of the membership, and that the AP-LS lends its authority to the paper’s conclusions and recommendations.

The SRP that follows is a result of this careful and deliberate process and provides an up-to-date review of the scientific literature on the collection and preservation of eyewitness identification evidence. It extends and updates the recommendations of the very first SRP on the same topic (Wells et al., 1998). For two decades, that paper contributed to changes in the practice of collecting eyewitness identification evidence in the United States and abroad. It also became the model for the U.S. Department of Justice guidelines on collecting eyewitness identification evidence and was disseminated to law enforcement agencies throughout the country (Technical Working Group for Eyewitness Evidence, 1999). Many states used the paper to help create laws mandating science-based procedures for collecting eyewitness identification evidence, and the paper served as the basis for workshops, educational seminars, trainings, expert testimony, and court decisions.

The four recommendations made in the original paper by Wells and colleagues (1998) are retained in the new SRP. In addition, scientific progress made over the past two decades compelled the authors to add five new recommendations. The new recommendations for best practices concern prelineup interviews of witnesses, the bases on which an officer should conduct a lineup, video-recording of lineup procedures, and the avoidance of biasing procedures (e.g., repeated lineups with the same witness and suspect). Eyewitness identification is especially vulnerable to error if law enforcement uses poor procedures to collect and test the evidence. The memory distortions caused by flawed procedures cannot be corrected by later using best practices. As a result, it is

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essential that investigators use science-based best practices to gather eyewitness evidence.

Even though the nine recommendations presented in this SRP are derived from a large body of research, it is likely the paper will generate significant discussion in the scientific and law enforcement communities. *Law and Human Behavior* will consider any formal responses and commentaries to the SRP by vetting them through the peer-review process for potential publication.

In closing, the authors of this introduction would like to thank the authors of the SRP. They have produced an impressive, useful piece of scholarship. We are particularly grateful to Gary Wells for taking the lead and for keeping the paper on track during the lengthy, elaborate process of review and approval. As with the two prior SRPs (Kassin et al., 2010; Wells et al., 1998), we have every reason to believe that this new SRP will have a significant and lasting impact on psychology and law. *Law and Human Behavior* has published this piece as an open access publication, ensuring the broadest availability possible. We believe that it will frame future discussions of eyewitness evidence, lead jurisdictions to update and improve their

eyewitness procedures, and serve as the new standard for collecting eyewitness identification evidence.

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