

# Obtaining information from eyewitnesses : effects of retrieval support in eyewitness interviews

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**Relevance**

As mentioned in chapter 1, even in the era of DNA testing, eyewitness evidence is the only available evidence in many criminal cases and often provides the critical leads for the investigation (de Poot, Bokhorst, van Koppen, & Muller, 2004; Kebbell & Milne, 1998). On the other hand, errors in eyewitness accounts are the primary cause for wrongful convictions (Saks & Koehler, 2005). Therefore, the societal relevance of research that is aimed at improving the reliability of eyewitness testimony, such as was presented in this dissertation, and that can ultimately reduce the risk of wrongful convictions is self-evident. Miscarriages of justice are not only a tragedy for the wrongfully convicted individual. They also undermine people's trust in the judicial system and as such affect society as a whole. Moreover, if the wrong person is apprehended and sentenced, – this is something that is easily overlooked – the real perpetrator goes free and has the opportunity to reoffend, which, of course, comes at a cost to society. But even if we do not assume the worst case (i.e., a wrongful conviction), the problem of the perpetrator going free persists, if a crime cannot be solved because of scarce eyewitness evidence that, for example, did not allow for a reconstruction of the crime. Hence, it is important to obtain comprehensive and highly accurate accounts. Furthermore, obtaining such testimony may expedite trials at court, which saves resources. The experiments described in this dissertation showed that the Self-Administered Interview© (SAI) has the potential to elicit both comprehensive and accurate accounts in the immediate aftermath of a crime and has the potential to support the police.

**Target groups**

First and foremost, law enforcement agencies are the obvious target group of the research presented here, as the SAI, which had a central role in the described experiments, is an interview tool that is distributed by the police at the crime scene (Gabbert, Hope, & Fisher, 2009). It was developed to support the police immediately after the crime, especially when there are multiple witnesses. As mentioned in chapter 1, the police often do not have the time and resources to conduct timely interviews and interviews are delayed as a result (Gabbert et al., 2009). Delaying the interview, however, is problematic because witnesses are likely to forget details and/or to be exposed to misinformation (Ayers & Reder, 1998; Rubin & Wenzel, 1996). When a crime occurs, the police have to deal with multiple tasks. In addition to obtaining eyewitness evidence, they have to secure the crime scene and block it from gapers and other possible trespassers, collect physical evidence, or initiate a search for the perpetrator, just to name a few. Use of the SAI is likely to come as a relief to the police, as it does not produce extra workload, but saves resources for other urgent matters that need to be taken care of directly after the crime. Likewise, the results may be of interest to public prosecutors and judges

who are, of course, also interested in obtaining and preserving reliable eyewitness accounts. Although the police may be the primary target of this research, we believe that it should be of interest to every member of the society who can potentially become a witness of a crime. More specifically, witnesses and victims may feel that they are not taken seriously, if their interviews are delayed and they are not given the opportunity to make an early statement. Providing them with an SAI in cases in which no early personal interview is possible may prevent the development of resentment towards the police and maintain witnesses' willingness to cooperate with the police.

### **Activities and Products**

Since an early stage of the PhD project, I have been in contact and cooperating with the primary target group of my research, that is, the police, both in the Netherlands and in Germany. This cooperation has resulted in concrete output. Specifically, as mentioned in chapter 7, the Dutch version of the SAI is already in use by the Dutch police and has been approved for nationwide use by the Expertgroep Algemeen Rechercheren (EGAR; English: expert group on general investigations). Moreover, the tool will become mandatory from 2015 onwards. In Germany, field trials of the German translation have recently started with the police of Hesse as the cooperating police force. In this field trial, not only the statements provided by the witnesses will be evaluated (e.g., in terms of quantity and level of specificity and whether the instructions were correctly understood), but also police officers' satisfaction with the tool. It is possible that the findings of the field trials will result in the publication of an article in a journal that is specifically targeted to a law enforcement audience. I have been pursuing such a strategy before, by publishing a paper that presented the SAI in detail (Krix & Sauerland, 2011). This paper was the key to establishing contact with the German police.

Taking into consideration the results of chapter 5, it is conceivable to devise and conduct training programs for members of the police to improve teaching of the structure of human memory and eventually reduce the bias against recall of reminiscent information. Conducting the training should, of course, be accompanied by a sound evaluation. Again, the results of such an evaluation could be published in relevant journals.

### **Innovation**

By definition, PhD theses and their results are innovative, because one requirement of a PhD project is that it should yield new insights and ideas. Incidentally, this criterion is part of the PhD regulations of Maastricht University and should be applied by the PhD supervisor when assessing the candidate's thesis. That is why it does not go without a certain oddity to emphasize the innovations in this adden-

dum. Because the new insights and implications have been stated in detail in chapter 7, I will repeat them here only briefly and would like to refer the interested reader to chapter 7. The project is innovative, because it was conducted in close cooperation with the primary target group, that is, the police. Moreover, in line with a positive legal psychology (Meissner, Hartwig, & Russano, 2010), the research was directly targeted to supporting the police, instead of pointing to the error-proneness of eyewitness accounts. The project has yielded two translated versions of the SAI, a German and a Dutch one. Finally, the experiments have increased the knowledge as to when the SAI can preserve memory for a subsequent interview and in what situations it is more or less advisable to administer the SAI.

### **Schedule and Implementation**

As mentioned in the previous sections, the “dissemination and marketing” (as, by the way, I would have preferred to term this addendum instead of valorization) is already quite advanced. Specifically, the SAI has been implemented in all provinces of the Netherlands. In Germany, field trials are underway in one Bundesland (Hesse). The schedule for the field trials has been set to six months, but as agreed with the police it can be extended if need be (e.g., if there are not enough cases). Depending on the success of the trials, further Bundesländer could be approached. Implementation of the SAI does not require a huge financial investment. In fact, given the current difficult budget situation in Germany, one of the requirements of the Hessian police before the onset of the field trial was that it should be relatively cost-neutral. Implementation will cause some costs for printing the forms, as well as personnel costs for publicizing and explaining the tool and its application range among the police forces, and being available for questions. However, since the tool is rather self-explanatory and does not require, for example, extensive training of interview skills, it is cost-saving. Also, it is possible to use the already existing infrastructure of the police for implementation purposes. For instance, the police academies have their own printing offices that can be used for printing the forms. Moreover, they have mailing lists at their disposal that can be used to distribute information material on the SAI. Finally, the police academies conduct trainings (e.g., interview trainings) on a regular basis that could be used for introducing the SAI. Generally, the risks of implementing the SAI are low, for example because of the low financial costs and because the existing infrastructure can be used (i.e., a reorganization is not necessary).