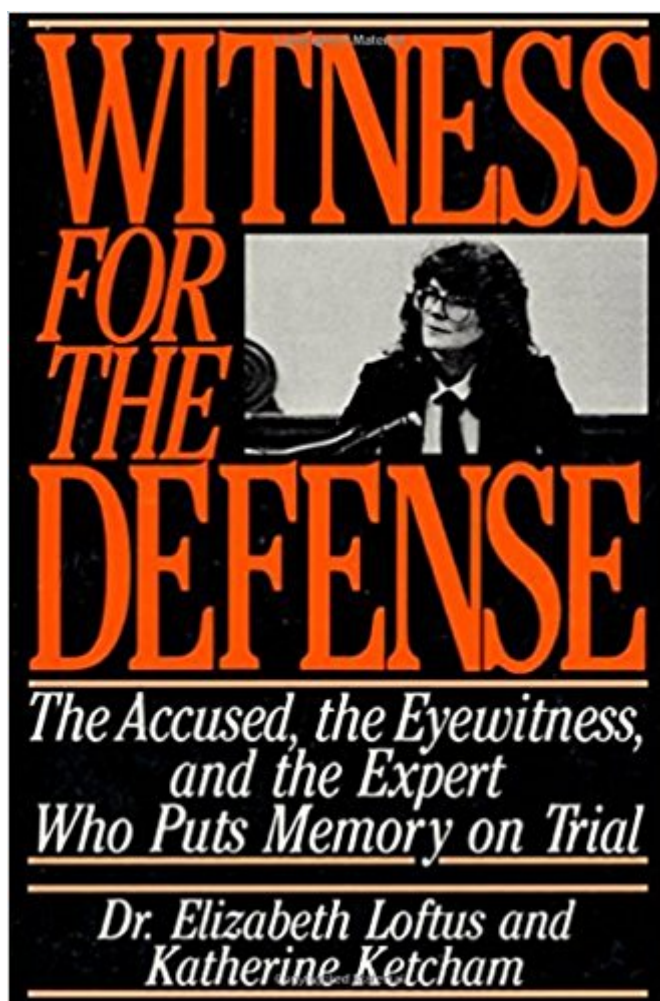


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# Witness For The Defense: The Accused, The Eyewitnesses, And The Expert Who Puts Memory On Trial



## Synopsis

A favorite Hollywood plot device is that of a person accused of a crime he or she did not commit. All too frequently, however, it becomes a grim reality on the dark side of the American justice system. Dr. Elizabeth Loftus, a psychologist and specialist in the fallibility of eyewitness testimony, is an expert trial witness whose testimony has literally saved the lives of people condemned for crimes they did not commit. 16 pages of photographs.

## Book Information

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## Customer Reviews

Human memory may not, as many think, resemble a nonerasable tape of our lives' events, replayable at a whim. That, at any rate, is the view of University of Washington psychologist Loftus ( Eyewitness Testimony ), writing here with Ketcham ( Under the Influence ). Her theory is that three major stages exist in the memory--acquisiton, retention and retrieval--and that problems can develop at any stage, rendering memory highly fallible. Loftus has testified as an expert witness in more than 150 court cases, several of which she details here. She urges juries to remain skeptical of eyewitness's identifications of defendants, and she demonstrates how mistakes have been made. This is a book of surpassing interest and potential influence for psychology students, prosecutors and the general public. Copyright 1991 Reed Business Information, Inc.

Loftus, a psychologist and an expert on memory, has testified on the fallibility of eyewitness identification in over 150 trials during the last 16 years. Here she recounts her experiences as an expert witness for various defendants, including Steve Titus, whose rape conviction was overturned with her help. She also presents her review of the John "Ivan the Terrible" Demjanjuk case. In

discussing her research on memory, Loftus reveals how some information is lost from memory or never stored and how memories can be altered by subsequent events. She shows how problems with police procedures in line-ups, photo identifications, and interviews as well as other factors can affect memory and lead to misidentification. Actual exchanges on the witness stand plus her analysis of evidentiary material make for engrossing and troubling reading. Highly recommended for the general public and scholars interested in whether justice is served in the criminal justice system.- Mary Jane Brustman, SUNY at Albany Libs.Copyright 1991 Reed Business Information, Inc.

Elizabeth F. Loftus is an American psychologist and expert on human memory, and is currently a professor at UC Irvine. She has conducted extensive research on the misinformation effect and the nature of false memories (see her books, *Memory* and *The Myth of Repressed Memory: False Memories and Allegations of Sexual Abuse*). Coauthor Katherine Ketcham stated in the "Author's Note" of this 1991 book, "[This] is a collection of true stories based on Dr. Elizabeth Loftus's personal experiences as an expert witness. It is our goal to use these real-life courtroom dramas as a vehicle for conveying information about psychology in general and memory in particular... Although we have struggled to correct obvious biases and base our accounts on the known and undisputed facts, it is unavoidable that these retrospective interpretations contain memory flaws. We know all too well from the psychological research and the experience of writing this book that memory is not always the same thing as the truth." (Pg. xiii-xiv) Loftus notes, "In my studies, a subject's reported confidence for suggested or imagined memories is often as great as that reported for memories based on actual perceptions... subtle differences do exist between perceived and suggested memories, but ... most people are unable to detect these differences. In other words, when people remember something, they tend to believe it's the truth. And when they describe their memories, their reports can be so realistic and detailed that someone listening (like a juror) tends to think that the memory is, in fact, real." (Pg. 117) She states, "Should a psychologist in a court of law act as an advocate for the defense or as impartial educator? My answer to that question, if I am completely honest, is BOTH. If I believe a defendant is innocent, if I believe in his innocence with all my heart and soul, then I probably can't help but become an advocate of sorts." (Pg. 238) They summarize about one case, "The State of Washington spend hundreds of thousands of dollars and thousands of man-hours in its attempt to prove that [the accused] was guilty, and in the end, after forty-one months, it failed. Theoretically, [he] is innocent, because the state failed in its attempt to prove guilt... But [his] reputation has been sullied in the three and a half years since he was first

accused... there will always be people who believe that [he] got off on a technicality, that he slipped through the system because the system is too 'kind' to criminals." (Pg. 281) This is an interesting book, that will be of particular value to anyone studying the "recovered memory" controversy.

Anyone who must deal with eyewitness testimony should read this book! It is both fascinating and disturbing.

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