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State of Connecticut*

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**TESTIMONY OF  
CHIEF PUBLIC DEFENDER SUSAN O. STOREY**

**Raised S.B. 1240  
An Act Concerning Eyewitness Identification**

**JUDICIARY COMMITTEE PUBLIC HEARING**

**April 10, 2007**

The Office of Chief Public Defender supports Raised S.B. No. 1240 which would mandate the use of “double-blind, sequential” live line-ups, and photographic arrays in connection with the investigation of crimes. “Double-blind” refers to a law enforcement administrator who is not aware of who the actual suspect is, and to a witness who is informed that the perpetrator may or may not be in the line-up or photo array. Sequential refers to the presentation of subjects to the witness one at a time for a possible identification determination, rather than presenting all subjects simultaneously as part of a group.

Significant research in the field of eyewitness identification, particularly by Professor Gary Wells of the University of Iowa, indicates that the risks of mistaken eyewitness identification are reduced when these techniques are used. Without the “double-blind” procedures, it has been shown that awareness of the identity of the actual suspect by the administrator can result in verbal and non-verbal cues that influence the witness to select the actual suspect. Simultaneous presentation of the subjects frequently results in identification of the subject who most closely resembles the perpetrator, regardless of whether or not it is the right person.

Although the previous Chief State’s Attorney implemented an eyewitness identification protocol that is an improvement over past practices, it is neither double-blind or sequential. Therefore it is an inadequate substitute for these procedures. Given the increasing national frequency of exonerations of convicted persons who were positively but mistakenly identified as perpetrators of crimes by victims, the Office of Chief Public Defender urges that double-blind sequential identification procedures be statutorily required in Connecticut.