

Highlights to the 2026 Edition of Eyewitness Testimony: Strategies and Tactics

This new edition includes:

- The State of Massachusetts proposes new amendments to its model jury instructions that reflect the latest in eyewitness identification research and use plain language to assist jurors in applying science to evaluate eyewitness testimony.
- The Supreme Court of Connecticut, *State v. McLaurin*, 353 Conn. 500 (2025), and the Court of Appeals for the District of Columbia, *Patrick v. U.S.*, 343 S.3d 573 (D.C.App. 2025), draw different conclusions on when exigent circumstances may justify a suggestive one-person showup.
- The Seventh Circuit Court of Appeals holds in *Blackmon v. Jones*, 132 F.4th 522 (7th Cir. 2025), that an officer is not liable in a section 1983 damage action for procuring a suggestive showup that resulted in a lengthy wrongful imprisonment relying on the Supreme Court's decision in *Vega v. Tekoh*, 597 U.S. 134 (2022), involving Miranda rights. The Sixth Circuit rejects a qualified immunity defense in similar circumstances in *Salter v. City of Detroit*, 33 F.4th 427 (6th Cir. 2025).
- New research shows that different accents of witnesses may have an impact on jurors, that witnesses who inconsistently use their dominant hand show a slightly higher accuracy on cross-race identifications, and the impact of age and witness confidence on the accuracy of eyewitness identifications.