Children's Face Recognition

The overview that follows is offered to help the trier of fact understand how children recognize faces and identify strangers, and what the research means when a child is asked to pick a suspect from a lineup or photo array. Children are often present at, or the victims of, crimes, and the justice system must decide how much weight a child's identification can bear. Its purpose is to define the terms a court is likely to encounter, to set out what the research does and does not show about children as identifying witnesses, and to do so in plain language and without favoring any party.

How Children Recognize Faces

Recognizing a face is not the same mental task as describing one. Description is a recall task that depends on language; identification is a recognition task that asks only whether a face now in view matches one seen before, and it draws on largely non-verbal processes. This distinction, developed below, matters because the two abilities mature on different timetables and do not predict each other well.

Face recognition itself develops with age. In the classic account, young children tend to process faces piecemeal — attending to individual features such as the hair, glasses, or a hat — and only gradually shift to the configural or holistic processing that characterizes adult face perception, in which the face is encoded as an integrated whole defined by the spatial relations among its parts (Carey & Diamond, 1977). Because younger children lean more heavily on isolated, surface features, they are more easily misled by a change in a salient but legally irrelevant cue, such as clothing or hairstyle, and less able to recognize a face whose superficial appearance has changed. A further regularity is the own-age bias: people, including children, recognize faces of their own age group more accurately than faces of other ages, apparently because of greater everyday experience with similar faces (Anastasi & Rhodes, 2005). A child may therefore be a comparatively better witness to another child than to an adult.

Identification Accuracy: What the Research Shows

The most reliable picture of children's identification ability comes from meta-analyses that pool many studies. The central finding is an asymmetry that depends entirely on whether the culprit is actually in the lineup. When the culprit is present, children over the age of about five make correct identifications at roughly adult rates; preschoolers (around age four) lag, but school-age children do not differ significantly from adults in their ability to pick out a face that is genuinely there (Pozzulo & Lindsay, 1998). When the culprit is absent, the picture changes sharply: children of all ages tested are less likely than adults to correctly reject the lineup — that is, to recognize that the right answer is "none of these" — and even adolescents do not reach adult rates of correct rejection. A later and larger meta-analysis spanning the lifespan reached the same conclusion (Fitzgerald & Price, 2015).

The practical meaning is precise and easily misstated. Children are not generally worse than adults at recognizing a face that is present; their distinctive weakness is a higher false-positive rate — a greater tendency to choose someone when the actual perpetrator is not in the lineup. Because a real lineup may or may not contain the true culprit, and the police cannot know in advance, this tendency to choose from a culprit-absent lineup is the central reliability concern for child identifications, and it is the problem that improved procedures aim to address.

Why Children Choose: The False-Positive Problem

Two Kinds of False Positive

A false-positive identification can take two forms, with different consequences (Wells, 1984). The witness may identify an innocent suspect — a false identification, which can lead to the prosecution of an innocent person while the actual culprit remains at large. Or the witness may identify a known-innocent filler placed in the lineup to test the witness — a foil identification. Foils are never prosecuted, because the police know they are innocent, but a foil identification is still damaging: it is a demonstrated error that undermines the witness's credibility, casting doubt on the witness's other testimony and on any later identification the same witness might attempt.

Why the Errors Happen

Researchers attribute children's elevated choosing to a combination of social and cognitive factors rather than to poor memory for the face itself. Socially, children often feel pressure to comply with a perceived authority and assume that the adult would not be showing them a lineup unless the culprit were in it, so they treat the task as "pick one" rather than "decide whether he is here." Cognitively, witnesses of all ages are prone to relative judgment — choosing the lineup member who looks most like the culprit compared with the others — and children are especially likely to default to it. When the culprit is absent, relative judgment still yields a "best match," and the child selects an innocent person. Notably, simply giving children practice with the lineup task does not, by itself, raise their correct-rejection rates (Pozzulo & Lindsay, 1998); the fix lies mainly in how the identification is conducted.

Description Versus Identification

Children typically give shorter and vaguer descriptions of a stranger than adults do (Pozzulo & Warren, 2003). It is tempting to read a thin description as a sign that the child did not get a good look or has a weak memory, and therefore should not be asked to attempt an identification. The research does not support that inference. Because describing a face (recall) and recognizing a face (recognition) rely on different processes, the length or detail of a description is a poor predictor of identification accuracy. In adults, studies have generally found little or no relationship between how much a witness can describe and whether the witness identifies correctly (Cutler, Penrod, & Martens, 1987), and in youths description length likewise fails to predict identification accuracy (Pozzulo & Warren, 2003). A brief description, in short, is characteristic of a child witness and is not, by itself, a reason to discount a subsequent identification — nor a reason to credit it.

Procedures That Help

Because children's principal vulnerability is choosing when they should reject, the most effective safeguards are procedural, and several are within the control of the people who conduct identifications. The starting point is unbiased instructions that explicitly tell the witness the culprit may or may not be present and that "I don't know" or "not here" is an acceptable answer — language that directly counters the child's assumption that someone must be chosen. The lineup should be fairly constructed, with fillers who match the witness's description so the suspect does not stand out, and free of suggestive cues such as distinctive clothing that a feature-focused child witness may latch onto.

The format matters as well, and here a procedure that helps adults can backfire with children. Sequential lineups — showing faces one at a time — tend to reduce false choosing in adults, but the meta-analytic evidence indicates they do not confer the same benefit on children and can even widen the child–adult gap in correct rejections (Pozzulo & Lindsay, 1998). A procedure designed specifically for children, the elimination lineup, has performed better: the child is first asked to set aside all the faces except the one that looks most like the culprit (a relative judgment), and is then asked, about that single remaining face, whether it is or is not the culprit (an absolute judgment). Separating the two steps reduces children's false-positive responding without significantly

lowering their rate of correct identifications (Pozzulo & Lindsay, 1999). The recurring theme is that the same child witness may produce a reliable or an unreliable identification depending on how the procedure is structured.

Children's Face Recognition and the Law

The law's threshold for allowing a child to testify is low. Under Federal Rule of Evidence 601 and its state analogues, children are presumed competent; age alone does not disqualify a witness, and the inquiry asks only whether the child can perceive, remember, and communicate, and understands the duty to tell the truth. The science summarized here therefore bears less on whether a child may identify a suspect than on how much weight that identification can carry and how it should be tested.

Where the testimony is an eyewitness identification, the constitutional framework is the same for children and adults. Due process requires a court to screen an identification for reliability only when it was produced by unnecessarily suggestive procedures arranged by law enforcement; in that situation courts assess reliability using the factors set out in Neil v. Biggers (1972) and Manson v. Brathwaite (1977), including the witness's opportunity to view the culprit, degree of attention, and the accuracy of any prior description. Absent police-arranged suggestion, the reliability of an identification — including any weakness attributable to the witness's youth — is for the jury to weigh through cross-examination, argument, and, where permitted, expert testimony (Perry v. New Hampshire, 2012). Courts have increasingly recognized that confident identifications can still be mistaken and have adjusted their procedures accordingly (State v. Henderson, 2011).

Whether an expert may explain this body of research to the jury is governed by the rules on scientific evidence. In federal court and the many states that follow it, Daubert v. Merrell Dow Pharmaceuticals (1993) assigns the trial judge a gatekeeping role over the reliability and fit of scientific testimony, and Kumho Tire Co. v. Carmichael (1999) extends that role to the behavioral sciences; other jurisdictions apply the older general-acceptance test of Frye v. United States (1923). Under any of these standards, testimony about how children recognize faces and make identification decisions is offered to inform the trier of fact about matters outside common experience — not to opine on whether a particular child's identification is correct, a judgment the law reserves to the fact-finder.

Special Issues in Legal Practice

The principles described above apply with equal force to every party in a legal proceeding. Memory operates the same way regardless of who is asking the questions, and the science summarized here favors no side. What differs between the parties is not the science but the vantage point — the particular places where memory issues tend to surface, and the particular errors each party is best positioned to guard against. The two summaries below identify those recurring issues. They are offered for orientation, not as litigation strategy; in every case the controlling question is what the evidence in that case will, and will not, support, and the expert's role is to inform the trier of fact rather than to advocate for either side.

Special Issues for Prosecutors

For the State, a child's identification is most defensible when the procedure that produced it was sound. An identification obtained with explicit unbiased instructions that the culprit might not be present, from a fairly constructed lineup free of suggestive cues, and ideally through a child-appropriate method such as the elimination procedure, carries affirmative indicators of reliability the State is well positioned to establish and document. The errors the prosecution is best positioned to guard against are largely procedural and arise before trial: instructions that imply someone must

be chosen, lineups in which the suspect stands out by clothing or appearance, and any confirming feedback after a choice, each of which can inflate a child's already elevated tendency to choose. An interpretive caution also works in the State's favor. A brief or vague description is characteristic of a child witness and does not, by itself, mean the child failed to see or cannot recognize the culprit, because description and recognition are different abilities; and a child of five or older who identifies a culprit who is in fact present performs, on the research, at about adult levels.

Special Issues for Defense

For the defense, the recurring task is to show how the specific conditions of the case map onto the factors known to affect the reliability of a child's identification — recognizing that a child can be entirely sincere and still be mistaken. The core concern is the elevated false-positive rate: children are markedly more likely than adults to choose someone from a lineup that does not contain the true culprit, whether because of social pressure to pick, the assumption that the culprit must be present, or reliance on relative judgment. That risk is magnified by suggestive conditions — instructions that fail to offer a clear "not here" option, lineups in which the suspect is distinguished by clothing or other salient features a feature-focused child may fix on, sequential presentation that does not help children as it does adults, and confirming feedback. Where these conditions are present, the defense can place the concern before the trier of fact through cross-examination, through challenge to the manner of the identification, and, where the governing standard is met, through expert testimony (Daubert v. Merrell Dow Pharmaceuticals, 1993; Frye v. United States, 1923). The aim is not to suggest that children are unreliable witnesses as a class — the research does not support that — but to ensure that the conditions of the particular identification are weighed.

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