The Mistaken Identification of John Jerome White

This DNA exoneration case out of Georgia is fascinating to me because it is the only DNA exoneration case (as far as I can tell) in which the eyewitness viewed a lineup in which the actual perpetrator was present and yet the eyewitness identified the innocent suspect. The actual perpetrator was placed in the lineup with the intent that he was merely a "filler." Little did the investigators know (apparently) that they had inadvertently placed the actual perpetrator in the lineup. Despite the real perpetrator being in the lineup, the eyewitness selected John White.

A photo of the lineup (below) shows John Jerome White (#3 from the left). He is the one the eyewitness identified. Based almost exclusively on that identification, White was convicted and he served 22 years in prison for a crime he did not commit. DNA proved that White was not the perpetrator. The real perpetrator, for whom the DNA was matched and he confessed, was #5 (the man to the far right). The actual perpetrator's name is James Parham. Notice that Parham does not look much like White at all.

This case is particularly interesting to me because it appears (on the surface at least) to violate my longstanding "theory" of relative judgments. Actually, relative judgments is not so much a theory as it is a proposed psychological process by which mistaken eyewitness identifications occur. The idea is that eyewitnesses tend to select the person from a lineup who looks most like the perpetrator relative to the other lineup members. Hence, if the real perpetrator is not in the lineup, someone looks more like the perpetrator than the other people do and that (innocent) person is at risk of being identified. As far as I have been able to tell, every mistaken eyewitness identification

case from the DNA exoneration cases has been of this type: the identification task did not include the actual perpetrator, leaving someone else at risk of being mistakenly identified.

So, if eyewitnesses tend to make their mistakes based on the relative-judgment process, why did this witness mistakenly identify John White when the actual perpetrator (Parham) was right there in front of her eyes? Wouldn't Parham have looked more like the actual perpetrator? After all, Parham was the actual perpetrator!

I believe that there are three ways that this can happen. First, Parham might have changed his appearance. But, there is no evidence that he changed his appearance and, anyway, this begs the question of why John White would be identified confidently by the witness, especially when John White looks nothing like Parham. A second possibility is that the detectives in the case "leaked" their beliefs (they believed the perpetrator was John White) to the witness (perhaps unintentionally) and the witness used that information to select John White. But, there is no evidence that this is the case. The better explanation in this case is much simpler. The witness had already identified John White from a photographic lineup. And, John White was the only person who was in both the photographic lineup and the live lineup.

Hence, what we have here, I believe, is a strong example of how a mistaken identification from one procedure (a photo lineup) is repeated in the next procedure (a live lineup) even though the real perpetrator is clearly present in the second procedure. Repeating the same mistake can occur for several reasons. One possibility is that the initial mistaken identification changed the memory of the witness; in effect John White's face "became" her memory of the attacker and the face of Parham no longer existed once she mistakenly identified John White. Another possibility is that she approached the live lineup with one goal in mind - find the man she had identified from the photos. Perhaps she never really looked at Parham because she quickly saw the man she identified from photos and did not need to look further. I do not see these two possibilities as being exhaustive of the possibilities. Nor do I see these two possibilities as being an either/or proposition.

What I think we can conclude from this is that a mistaken identification has a tendency to repeat itself. Once a mistaken identification occurs, later procedures are not likely to undo the damage.

Other information on this case:
The Crime
Early on the morning of August 11, 1979, an intruder broke into a Manchester, Georgia, home to find a 74-year-old woman asleep on her couch. The man beat and raped the woman and then demanded all her money. She gave him $70 cash from her purse; the attacker then pulled the telephone cord out of the wall and left through the back door. The victim was taken to a local hospital for treatment, but no rape kit was collected due to the extent of her injuries. At the victim's house, Georgia Bureau of Investigation (GBI) crime scene investigators collected pubic hairs from a bed sheet that had been on the couch at the time of the rape and discovered a piece of skin near the couch which was later determined to have come from a person's hand or foot.

The Identification
White was arrested on September 21, 1979. A week later — six weeks after the crime — the victim picked White out of a photo array, saying she was "almost positive" he was the attacker. She later picked him out of a live line-up. The victim would later testify at trial that the only light on in her apartment during the attack was a small closet light in an adjacent room. She also said that she was not wearing her prescription eyeglasses at the time.

DNA testing on the hairs, and the tests were completed on December 6, 2007, proving that another man committed the crime. White was released four days later. In all, he had served more than 22 years in prison. He was 25 years old when he was arrested and 48 when he was exonerated.

After White was exonerated, prosecutors charged James Parham with the rape, based on DNA evidence. He pled guilty and was sentenced to 20 years in prison.

John Jerome White served 22.5 years in prison in all, after his wrongful conviction in 1980. He was released on parole in 1990 and then convicted of drug possession and robbery in 1997. His sentence is listed as 10-22.5 years because his wrongful conviction was a factor in the 12.5 years he served after his initial release.