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A SYSTEMIC VIEW ON ERRONEOUS CONDEMNATIONS DERIVED FROM THE WRONG RECOGNITION OF PEOPLE

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Abstract: According to a survey by the *Innocence Project*, the mistaken recognition of people is one of the main causes of wrongful convictions in the United States. Each such conviction implies, in addition to the conviction of an innocent person, the acquittal of an accused person. This is a complex and multifaceted problem, the analysis of which covers other areas of knowledge such as Cognitive Psychology and Neurosciences. These erroneous convictions indicate a dysfunctionality in the Criminal Justice System. This problem must be analyzed according to the most diverse circumstances in which it occurs, from the perspective of the performance of each component of the Criminal Justice System. The objective of this work was to analyze erroneous convictions as a product of a dysfunctional system and not just as derived from the isolated action of the Judiciary. The research was bibliographical-national and foreign literature - and jurisprudential, taking as the initial time frame the decision of the STJ (Superior Court of Justice) in HC 598886, in which the understanding of this court on the mandatory procedure of article 226 of the CPP (Criminal Procedure Code) as a criterion for the validity of recognizing people. It was found that, indeed, identifying the problem and its possible solutions deserves a systemic view of the actions of everyone involved. The work aims to shed new light on an issue that has undermined the credibility and legitimacy of the Criminal Justice System, thereby, seeking its development and improvement.

Keywords: Criminal Justice System; People Recognition; Systemic Vision; Wrongful Convictions

INTRODUCTION

Evidence dependent on memory-witnessing and recognizing people – is one of the main means of evidence used in the Criminal Justice System. However, it still lacks a more scientific and interdisciplinary approach, highlighting a gap between the way it is produced and knowledge from other areas, such as Cognitive Psychology, the Psychology of Testimony and Neurosciences. In this context, psychological research can assist courts in decision-making and help reduce the frequency of flawed judgments (Lillfeldt; Byron, 2012).

Here we start from the idea of the fallibility of human memory, demonstrated in several studies (Silva et al, 2019, p. 234). When making a recognition, the victim or witness uses their memory, subject to natural interferences, such as the circumstances of acquisition of the experienced memory (angle of view, luminosity, proximity to the facts) (Busey; Loftus, 2007), possible false memories (Loftus, 1997; Porter; Baker, 2015; Baldasso; Ávila, 2018) and even personal skills for the task of facial recognition (Woodhead et al, 1979; Wilhelm et al, 2010).

The Report on Photographic Recognition in Police Headquarters, produced by the National College of General Public Defenders (CONDEGE, 2021), focused on cases that met the following conditions: personal recognition was carried out by photograph; recognition has not been confirmed in court; the sentence was acquittal. 28 processes from 10 Brazilian states were analyzed. In 60% of cases, preventive detention was ordered, with an average duration of custody being 281 days. The main causes of acquittal were lack of evidence (15 cases), non-recognition in court (9 cases) and victim not being located to appear in court (4 cases). For relevance, check out a fragment of this report:

Some episodes related to photographic recognition at police headquarters are worth highlighting. In one case (0096721-45.2019.8.19.0001), the victim states that he was unable to carry out reconnaissance because the crime scene was dark, but he carried out photographic reconnaissance. There is an episode (0320700-52.2019.8.19.0001) in which the victim also states that the crime scene was dark and he could not recognize it. In this case, there is no indication in the police investigation that any recognition was carried out, however, two months after the incident, the victim carried out photographic recognition. In different cases, the court points out some inconsistency in the testimonies, but there is one case in which the two victims present conflicting narratives and only one recognizes the alleged perpetrator of the crime (0500729-40.2017.8.05.0201).

Another case that deserves to be highlighted because it involves photographic recognition carried out using the alleged perpetrator's ID card and, in court, the victim did not recognize him. Also noteworthy is the case in which a military police officer showed the victim a photograph of a suspect who, according to him, operated in the same way in the region (1501142-61.2020.8.26.0196). In this case, it is pointed out that the police officer's actions are inadequate because they contaminate subsequent photographic recognition by suggesting an accused person to the victim. The alleged perpetrator of the crime, in this case, claimed to be persecuted by the police due to his criminal history.

It is not possible to determine to what degree the recognition of people interfered in the identification of the accused and the enactment of preventive arrests, but the high number of these arrests compared to the number of subsequent acquittals deserves deep reflection. This reflection is even more necessary given the results of research carried out by the Ministry of Justice and IPEA (2015, p. 65): 69.2% of participants (magistrates, civil and military police, prosecutors and public

and private defenders) responded that they were. It is very important to recognize people.

The Innocence Project (2023a), an institution created in 1992 by lawyers Peter Neufeld and Barry Scheck as the Legal Clinic of the Benjamin N. Cardozo School of Law, aims to reform the North American Criminal System through the use of DNA tests and other scientific advances to prove wrongful convictions. There is already an arm of this institute in Brazil, the Innocence Project Brasil. Well, according to the Innocence Project (2023b), 64% of cases of wrongful convictions (252 cases out of 367 cases) result from an error in identification by the witness. This is a very high quantity and demonstrates the extent of the problem.

This delicate situation did not go unnoticed in Brazil, with some reactions being noted by the Judiciary, such as the jurisprudential change in the understanding on the recognition of people promoted by the Superior Court of Justice (STJ) in the judgment of HC Number: 598.886 and the edition, by the National Council of Justice (CNJ, 2022), Resolution Number: 484/2022, which "establishes guidelines for recognizing people in criminal procedures and processes and their evaluation within the scope of the Judiciary".

It turns out that this unwanted situation negatively affects the entire Criminal Justice System, therefore, it must be studied in an integral and holistic way, from the perspective of everyone involved.

The present research aimed to analyze the problem of erroneous convictions arising from the mistaken recognition of people from the perspective of systemic thinking, taking it from the holistic and integral angle of the Criminal Justice System.

Bibliographical research was carried out, in Portuguese and English, seeking theoretical references capable of supporting the work.

The vision of systemic thinking was mainly based on the teachings of Meadows (2022) and Senge (2014).

Throughout the article, the recognition of people and the change promoted by the STJ (Superior Court of Justice) regarding the understanding on the matter will be assessed. Afterwards, a systemic approach will be made to the Criminal Justice System and the problem of wrongful convictions studied here. Finally, the conclusions arising from the study will be presented.

Without further ado, the focus of the analysis will be on people recognition.

RECOGNITION OF PEOPLE

In person recognition, a person is called upon to identify an accused person. It is “the act by which a person admits and affirms as certain the identity of another” (Nucci, 2021, p. 548). It can occur in the pre-procedural phase (police investigation) or in the procedural phase (criminal procedural instruction) (Lopes Jr, 2021, p. 546).

The procedure for recognizing people is provided for in article 226 et seq. of the Code of Criminal Procedure and can be summarized as follows: the person who has to do the recognition will be invited to describe the person who must be recognized; the person whose recognition is sought will be placed, if possible, next to others who have some similarity to them, and whoever needs to do the recognition will be invited to point them out; If there is reason to fear that the person called for recognition, due to intimidation or other influence, will not tell the truth in front of the person who must be recognized, the authority will ensure that the latter does not see the former; A detailed statement of the act of recognition will be drawn up, signed by the authority, by the person called to carry out the recognition and by two witnesses in person.

This legal procedure comprises a set of

minimum guarantees for the accused, as mentioned by Minister Rogerio Schietti Cruz, rapporteur of Habeas Corpus Number: 598,886, avoiding recognitions devoid of any formality, in view of the danger of biases and false positives occurring.

The jurisprudence of our courts was peaceful when considering that the procedure of article 226 and following of the CPP (Criminal Procedure Code) constituted a mere recommendation, so that its non-compliance, in itself, would not give rise to nullity: this would have to be proven by the accused (no nullity without a grievance).

However, the STJ’s jurisprudence changed radically when HC Number: 586,886 was judged, as will be seen in the next topic.

THE JURISPRUDENTIAL CHANGE OF THE STJ

When judging HC Number: 586.886, the STJ (Superior Court of Justice) came to understand that the procedure for recognizing people provided for in article 226 of the CPP (Criminal Procedure Code) is mandatory to be observed, under penalty of absolute nullity, regardless of proof of prejudice by the accusation. Furthermore, premises were established for the validity of that test, namely:

- 1) The recognition of persons must comply with the procedure set out in article 226 of the Code of Criminal Procedure, whose formalities constitute a minimum guarantee for anyone suspected of committing a crime;
- 2) In view of the effects and risks of a failed recognition, failure to comply with the procedure described in the aforementioned procedural rule makes the recognition of the suspected person invalid and cannot serve as basis for a possible conviction, even if the recognition is confirmed in court;
- 3) The magistrate may carry out, in court, the act of formal recognition, as long as the due evidentiary procedure is observed, and

he may also be convinced of the criminal authorship based on the examination of other evidence that does not have a cause and effect relationship with the defective act of recognition;

4) The recognition of the suspect by simply showing photograph(s) to the recognizer, in addition to having to follow the same procedure as personal recognition, must be seen as a step preceding eventual personal recognition and, therefore, cannot serve as evidence in criminal action, even if confirmed in court.

Subsequently, the CNJ issued Resolution Number: 484/2022, regulating the matter.

In short: personal recognition is no longer permitted without observing legal formalities, such as that carried out through photographs obtained on the WhatsApp application (Higídio, 2022) and on the social network Facebook (Higídio, 2021) or by voice (STJ, 2021).

Such deliberations are intended, at least directly, for members of the Judiciary. However, a broader contextualization of the subject will yield better results, as it involves the Criminal Justice System in its entirety, which will now be appreciated.

THE CRIMINAL JUSTICE SYSTEM AND PERSONAL RECOGNITION

Criminal prosecution consists of “the investigation of the fact and its circumstances, aiming to assess responsibility as a prerequisite for the penalty” (Santos, 2003, page: 196). Several actors operate in criminal prosecution, with legally defined roles. Each of these actors make up the so-called Criminal Justice System. Magistrates, members of the Public Ministry, Civil and Federal Police Delegates, among others, all work in this organizational structure. As Saporì (s.d., p. 2) explains, “The criminal justice system is responsible for applying legal systems, preventing the occurrence of criminal acts,

repressing and investigating when such acts occur, prosecuting their possible perpetrators and punishing them when the authorship was evident.”

Regarding the organization of this system, see (IPEA, 2008, p. 8):

The criminal justice system encompasses bodies of the Executive and Judiciary Powers at all levels of the Federation. The system is organized into three main areas of action: public security, criminal justice and criminal execution. In other words, it covers the actions of public authorities, from the prevention of criminal offenses to the application of penalties to offenders. The three lines of action are closely related, so that the efficiency of the activities of the common Justice, for example, depends on the action of the police, which in turn is also called upon to act when it comes to incarceration – to externally monitor penitentiaries and take charge of transporting prisoners, also as an example.

In the case of a system, it must be understood as “a set of things – people, cells, molecules, whatever interconnected in such a way that over time they produce a pattern of behavior” (Meadows, 2022, page 16). The functionality of the system depends on the interconnection and relationship between its components. As Vasconcelos (s.d., p. 288) emphasizes, “relationships are what gives cohesion to the entire system, giving it a character of totality or globality, one of the defining characteristics of the system.”

We cannot forget the role of a very important player in investigating the commission of infractions: lawyers – public or private. -, charged with the fundamental task of providing technical defense to the accused.

This way, the change undertaken by the STJ (Superior Court of Justice) regarding the recognition of people must be absorbed and applied by this entire system, under penalty of changing and staying the same. The rationality of the legal system leads to compliance with

the understandings of the superior courts, especially in matters involving such sensitive goods as life and liberty.

Therefore, it is up to all components of the Criminal Justice System to adapt to the new orientation, effectively observing the legal procedure and guidelines established by the STJ (Superior Court of Justice) and the CNJ (National Council of Justice). As mentioned by Minister Rogerio Schietti Cruz, “It is necessary for all members of the criminal justice system to adopt techniques based on scientific advances to interrupt and reverse this worrying reality regarding the personal recognition of suspects.” (STJ, HC number: 712,781).

The laws of systemic thinking can help in this revitalization of the Criminal Justice System, after all, it is a complex and multifaceted problem whose linear solution is not the most appropriate. In Ferraz’s lesson (n.d., 210), “the systemic approach places each part in the context of a greater totality, in order to allow us to see connections, patterns, relationships.” Due to these relationships, the transformations felt by one part of the system influence the others, in what is called synergy (Bernardes, 2019, p. 57).

Take the law of systemic thinking that small changes can produce great results. As Senge (2014, p. 121) states, “systemic thinking also shows that small, well-placed attitudes can produce significant and lasting improvements, as long as they act in the right place”, which is called Leverage Point. Three leverage points can be suggested: training, regulatory update and commitment to the procedure.

There is an urgent need to train those who make up the Criminal Justice System, such as police officers and investigators who act directly in the search for the truth (Silva; Brandão, 2020, p. 69). This is exactly why article 12 of CNJ (National Council of Justice) Resolution Number: 484/2022:

Article 12. To comply with this Resolution, the courts, in collaboration with the National School of Training and Improvement of Magistrates and other Schools of Judiciary, will promote courses aimed at the permanent qualification and functional updating of magistrates and civil servants who work in the Criminal Courts in relation to scientific parameters, technical rules, good practices, problems identified by the People Recognition GT.

§ 1 The qualification and updating courses mentioned in the caput may also be offered to members of the Public Ministry and the Public Defender’s Office, through an agreement to be signed between the aforementioned body and the Judiciary, respecting the functional independence of the institutions.

§ 2º the courts, with the support of the CNJ (National Council of Justice), will be able to sign agreements with the Executive Branch in order to carry out qualification and functional updating courses for public security agents on the guidelines of this Resolution.

Another leverage is the regulatory update, conforming the Criminal Justice System’s operating standards to the new jurisprudential guidance of the STJ, such as that which occurred with State Law Number: 10,141/2023, of Rio de Janeiro, and the New Consolidation of the Service Standards of the Judiciary Police of the General Police Station of São Paulo (Luca; Dieter, 2023).

By the way, it is stated in article 11 of the aforementioned CNJ (National Council of Justice) resolution, ordering the Department of Monitoring and Inspection of the Prison System and the System of Execution of Socio-Educational Measures of the National Council of Justice to prepare, within 180 (center and eighty) days, a manual of good practices regarding implementation of the measures provided for in the resolution.

Along with training and regulatory updating, it is the responsibility of the components of the Criminal Justice System to ensure the health of the rite of recognition of persons.

Magistrates and police chiefs must follow the legal formalities for the recognition of persons, and it is up to members of the Public Prosecutor's Office and lawyers to ensure their correct observance: if any deviation from the rule is envisaged, they must request correction of the act, or, if the stain persists, withdraw from the accused's participation in that investigation.

It must be noted that the appropriate recognition of persons is required by the unrepeatability of such evidence, as "the recognition of persons, by its nature, consists of unrepeatable proof, carried out only once, considering the needs of the investigation and procedural instruction, as well as the rights to full defense and contradictory proceedings" (article 2, § 1, of Resolution number: 484/2022).

It must be borne in mind that "Questions asked during an interview by a police officer, lawyer or judge, as well as the recognition of a suspect can alter the memory of a witness" (Ceconello et al, 2018, p. 1069), contaminating later repeat this test.

Therefore, if a failed recognition is made in the pre-procedural phase, it is likely that it will have repercussions on subsequent criminal action, harming the search for the truth, and its repetition in court is not recommended, even if all formalities have been followed.

In short: The Criminal Justice System must behave in a way that seeks to reduce erroneous convictions resulting from mistaken recognition of people, following the new guidelines, solidly based on Cognitive Psychology, the Psychology of Testimony and Neuroscience.

Unfortunately, this readjustment seems to take time: since the judgment of HC Number: 598,886 (27/10/2020) until December 2021, the STJ (Superior Court of Justice) has issued almost 90 decisions - 28 judgments and 61 monocratic decisions - acquitting defendants or revoking preventive detention for serious doubts about the validity of the person recognition procedure (STJ Notícias, 2022).

It seems the problem still persists.

FINAL CONSIDERATIONS

Wrongful convictions resulting from mistaken recognition of people were a "white elephant" that was in the room of the Criminal Justice System, but was not seen. Based on knowledge drawn from other areas of knowledge, in a clear exercise of interdisciplinarity, the STJ (Superior Court of Justice) changed its jurisprudence on the subject, starting to consider the procedure in article 226 et seq. of the CPP (Criminal Procedure Code), and the CNJ (National Council of Justice) issued Resolution Number: 484/2022, regulating this procedure. Measures are taken within the Judiciary. The other components of that system - Public Ministry, Police and even lawyers (public and private) - are also required to respect what is already imposed on the Judiciary, providing rationality and functionality in their actions.

The conviction of an innocent person implies the acquittal of a guilty person (Clark et al, 2015) and brings all kinds of repercussions, for the convicted-innocent person, their families, society and the Criminal Justice System, whose legitimacy is undermined every time evidenced an event of this nature.

A multidisciplinary and systemic approach to the problem is the most recommended, as it provides a more adequate understanding of its many facets. The improvement of the Criminal Justice System is at stake by mitigating the number of erroneous convictions.

REFERENCES

BALDASSO, Flaviane; ÁVILA, Gustavo Noronha de. A repercussão do fenômeno das falsas memórias na prova testemunhal: uma análise a partir dos julgados do Tribunal de Justiça do Rio Grande do Sul. **Revista Brasileira de Direito Processual Penal**, vo. 4, n. 1, p. 371-409, jan./abr. 2018.

BERNARDES, João Gilberto Rodrigues. Direito Sistêmico: criado ou revelado. **Direito em Movimento**, v. 17, n. 1, p. 51-61, 1.º sem./2019. Disponível em: <https://ojs.emerj.com.br/index.php/direitoemmovimento/article/view/135> Acesso em: 08 dez 2023.

BRASIL. Decreto-lei n.º 3.689, de 3 de outubro de 1941. **Código de Processo Penal**. Disponível em: https://www.planalto.gov.br/ccivil_03/decreto-lei/del3689.htm Acesso em: 03 dez 2023.

BUSEY, Thomas A.; LOFTUS, Geoffrey R. Cognitive Science and the Law. **Trends in Cognitive Sciences**, v. 11, n. 2, p. 111-117, 2007.

CECCONELO, Willian Weber; ÁVILA, Gustavo Noronha de; STEIN, Lilian Milnitsky. A (ir)repetibilidade da prova penal dependente da memória: uma discussão com base na Psicologia do Testemunho. **Revista Brasileira de Políticas Públicas**, v. 8, n. 2, p. 1.058-1.073, ago./2018.

CLARK, Steven E.; BENJAMIN, Aaron S.; WIXTED, John T.; MICKES, Laura; GRONLUND, Scott D. Eyewitness Identification and the Accuracy of the Criminal Justice System. **Behavioral and Brain Sciences**, v. 2, n. 1, p. 175-186, 2015. Disponível em: <https://journals.sagepub.com/doi/10.1177/2372732215602267> Acesso em: 04 dez 2023.

CONDEGE – Colégio Nacional dos Defensores Públicos Gerais. **Relatório sobre o Reconhecimento Fotográfico em Sede Policial**. Disponível em: <https://condege.org.br/wp-content/uploads/2022/02/Relatorio-CONDEGE-DPERJ-reconhecimento-fotografico.pdf> Acesso em: 03 dez. 2023.

CONSELHO NACIONAL DE JUSTIÇA (CNJ). **Resolução n.º 484, de 19 de dezembro de 2022**. Estabelece diretrizes para a realização do reconhecimento de pessoas em procedimentos e processos criminais e sua avaliação no âmbito do Poder Judiciário. Disponível em: <https://atos.cnj.jus.br/files/original2118372022122763ab612da6997.pdf> Acesso em: 03 dez 2023.

FERRAZ, Taís Schilling. **Um olhar sistêmico sobre a violência no Brasil**. Editora Thoth. Edição do Kindle.

HIGÍDIO, José. **TJ-SP absolve réu reconhecido por meio de fotos publicadas em grupo de Facebook**. Disponível em: <https://www.conjur.com.br/2021-set-16/tj-sp-absolve-reu-reconhecido-meio-fotos-grupo-facebook> Acesso em: 09 dez 2023.

HIGÍDIO, José. **Ministro do STJ invalida reconhecimento fotográfico feito por WhatsApp**. Disponível em: <https://www.conjur.com.br/2022-nov-04/ministro-stj-invalida-reconhecimento-fotografico-via-whatsapp/> Acesso em: 06 dez 2023.

INNOCENCE PROJECT (2023a). **About**. Disponível em: <https://innocenceproject.org/> Acesso em: 03 dez 2023.

INNOCENCE PROJECT (2023b). **How Eyewitness Misidentification Can Send Innocent People to Prison**. Disponível em: <https://innocenceproject.org/how-eyewitness-misidentification-can-send-innocent-people-to-prison/> Acesso em: 03 dez 2023.

IPEA. Texto para Discussão n.º 1330. **Sistema de Justiça Criminal no Brasil: quadro institucional e um diagnóstico de sua atuação**. Brasília, mar./2008. Disponível em: <https://www.ipea.gov.br/atlasviolencia/arquivos/artigos/3752-td1330.pdf> Acesso em: 06 dez 2023.

LOPES JR., Aury. **Direito Processual Penal**. 18 ed., São Paulo: Saraiva Educação, 2021.

LILLENFELD, Scott O.; BYRON, Robert. Your Brain on Trial. **Scientific American Mind**, p. 44-53, jan./fev. 2012. Disponível em: <https://www.scientificamerican.com/article/your-brain-on-trial/> Acesso em: 03 dez 2023.

LOFTUS, Elizabeth F. Creating False Memories. **Scientific American**, v. 277, n. 3, p. 70-75, set./1997. Disponível em: <https://staff.washington.edu/eloftus/Articles/sciam.htm> Acesso em: 6 dez 2023.

LUCA, Rafael Dezidério de; DIETER, Maurício Stegemann. **Polícia de SP regulamenta procedimento de reconhecimento de pessoas nas delegacias**. Disponível em: <https://www.conjur.com.br/2023-nov-01/dieter-deziderio-policia-sp-normatiza-reconhecimento-pessoas/> Acesso em: 03 dez 2023.

MEADOWS, Donella H. **Pensando em sistemas. Como o pensamento sistêmico pode ajudar a resolver os grandes problemas globais**. Rio de Janeiro: Sextante, 2022.

MINISTÉRIO DA JUSTIÇA. **Avanços científicos em Psicologia do Testemunho aplicados ao Reconhecimento Pessoal e aos Depoimentos Forenses**. Ministério da Justiça, Secretaria de Assuntos Legislativos. Brasília: Ministério da Justiça, Secretaria de Assuntos Legislativos (SAL); Ipea, 2015.

NUCCI, Guilherme de Souza. **Curso de Direito Processual Penal**. 18 ed., Rio de Janeiro, Forense, 2021.

PORTER, Stephen B.; BAKER, Alysha T. CSI (Crime Scene Induction): Creating False Memories of Committing Crime. **Trends in Cognitive Science**, v. 19, n. 12, p. 716-718, dez./2015.

SANTOS, Bonni dos. Sistemas processuais e interpretação da lei penal na persecução criminal: uma contribuição ao debate. **Revista da EMERJ**, v. 6, n. 21, p. 191-204, 2003. Disponível em: https://www.emerj.tjrj.jus.br/revistaemerj_online/edicoes/revista21/revista21_191.pdf Acesso em: 06 dez 2023.

SAPORI, Luís Flávio. **Uma abordagem organizacional da Justiça Criminal na sociedade brasileira**. Disponível em: <https://www.ipea.gov.br/atlasviolencia/arquivos/artigos/2129-3765-anais-forum-cesec-ipea-263-273.pdf> Acesso em: 03 dez 2023.

SENGE, Peter M. **A quinta disciplina. A arte e a prática da organização que aprende**. Rio de Janeiro: BestSeller, 2014.

SILVA, Rodrigo Faucz Pereira; JAEGER, Antônio. Memory conformity and eyewitness testimony: a review. **Revista Brasileira de Ciências Criminais**, v. 152, a. 27. p. 233-257, fev./2019.

STJ NOTÍCIAS. **Reconhecimento de pessoas: um campo fértil para o erro judicial**.

Disponível em: <https://www.stj.jus.br/sites/portalp/Paginas/Comunicacao/Noticias/06022022-Reconhecimento-de-pessoas-um-campo-fertil-para-o-erro-judicial.aspx> Acesso em: 03 dez 2023.

SUPERIOR TRIBUNAL DE JUSTIÇA. HC n.º 461.709, Relator(a) Ministro Rogério Schietti Cruz, Sexta Turma, julgado em 27/04/2021.

SUPERIOR TRIBUNAL DE JUSTIÇA. HC n.º 712.781, Relator(a) Ministro Rogério Schietti Cruz, Sexta Turma, julgado em 15/03/2022.

VASCONCELLOS, Maria José Esteves de. **Pensamento sistêmico: O novo paradigma da ciência** (Portuguese Edition). Papirus Editora. Edição do Kindle.

WILHELM, Oliver; HERTZMANN, Grift; KUNINA, Olga; DANTHIIR, Vanessa; SCHACHT, Annkathrin; SOMMEWR, Werner. Individual Differences in Perceiving and Recognizing Faces – One Element of Social Cognition. **Journal of Personality and Social Psychology**, v. 99, n. 3, p. 530-548, 2010.

WOODHEAD, M. M.; BADDELEY, A. D.; SIMMONS, D. C. V. On Training People to Recognize Faces. *Ergonomics*, v. 22, n. 3, p. 333-343, 1979. Disponível em: <https://psycnet.apa.org/record/1980-27193-001> Acesso em: 06 dez 2023.