

MEMORY EXPERTS

Before we explore the findings of two memory experts, I need to share with you the reason these well-seasoned experts were brought into my case.

In 2022, I posted Court documents in the "link" entitled CHRISTIE DOWNS. I've recently made changes to Dad's website, but left Christie's "link" intact so I don't need to exhaust you with repeating something you've already heard. It's also easier for me to refer you to documents I've already posted rather than re-post them here.

These two experts are part of the foundation for my bid to have evidence tested for DNA. You can read this in 2025 MOTION FOR DNA TESTING and CHEWED GUM AND BEER CABS.

The long and short of it is, Lane County doesn't want to test evidence found at the crime scene for DNA to discover the identity of the man who shot my children. Click on PAT HORTON AND THE WILD BUNCH.

ORS 138.692 requires Lane County to test the chewed gum and beer cans for DNA if my attorney can prove "in light of all the evidence" that DNA evidence would've changed the Jurors' view of the case.

Since the State's case rested (mostly) on two topics, my attorney had to show the Court the State's so-called evidence was wrong. I'll be addressing JUNK SCIENCE and ROCK PANEL DNA in two other "links". For now, let's get into the MEMORY EXPERTS.

My 8-year-old daughter was put on the State's witness stand to say she remembered her mom shooting her. Christie was forbidden to see her mom, her grandparents, and uncles for months and months. She was questioned by police, hospital employees, and Agents of the District Attorney's Office almost every day for weeks (documented in Christie's hospital reports). We don't know who talked to my little girl after she left the hospital on 6-18-1983, or how often she was "interviewed". We do know (from State appointed psychologist Carl Peterson's notes) that for months and months Christie told everyone she didn't know what happened to her and her siblings the night she was shot.

Then, eight months later, Dr. Peterson said Christie had

a sudden breakthrough in December and remembered her mom shooting her. Dr. Peterson's notes say quite the opposite though. When Peterson began his session by "reminding" the little girl that she's allegedly said (in her previous session) that it almost seems like mom did it because everyone thinks she did, Christie's response to Peterson was, "Seems like who did it? No mom because mom's not mean". Click on CHRISTIE DOWNS.

Days later (on 1-9-1984) DA Investigator Ray Broderick took Christie aside to talk to her alone. When they exited the room, Christie said her mom "did it". Days later Christie was presented to the Grand Jury to repeat that story so the State could keep reminding the little girl "see, you did say that". But why did she say that when it wasn't true? That's what two memory experts were asked to investigate.

Dr. Daniel Reisberg, Ph.D.

As you'll see in Dr. Reisberg's letter to my attorney, I've highlighted portions that stood out to me. It's not necessary for me to spoon-feed you his findings, so I won't.

I would like to fill in something Dr. Reisberg didn't know when he made his observation on page 4, paragraph 1. He wrote:

* "... the person is more likely to recover memories for events that happened an hour before the injury, compared to ... events that happened moments before the injury" *

Christie has absolutely no memory for any of the events for the 10 hours before she was shot. She testified she ate dinner at her grandparents home four hours before the assault. She didn't. She had dinner at her own home three hours before the shooting. She doesn't remember going to the store, picking up and adopting a new kitten, and watching a movie she'd been waiting to see for a week, just an hour before she was shot.

Dr. Reisberg was provided medical reports that showed him that Christie had "no blood pressure" and "inadequate oxygen" by the time doctors got her into the Emergency Room (by the time Dr. Wilhite turned his car around and headed back to the hospital -- he was on his way home).

Based on those reasons, Dr. Reisberg (a well-respected expert in his field) says Christie couldn't possibly say what happened the night of the shooting.



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8 October 2025

Venetia Mayhew, Attorney at Law
333 SW Taylor St. #300
Portland, OR 97204

Re: Diane Downs

Dear Ms. Mayhew:

As you requested, I am writing with my assessment of the above-referenced case. Specifically, I have focused on the apparent "improvement" in Christie Down's memory, with Christie apparently remembering more about the shooting after some months had passed. In what follows, I will refer to Christie as "C.D.", and refer to her mother, your client, as "D.D."

My background. I am a research psychologist with a Ph.D. in Experimental Psychology from the University of Pennsylvania (1980). "Research psychology" refers to the scientific arm of psychology – an enterprise that asks systematic questions about behavior, emotion, and cognition, using the standard tools of science.

I have worked as an active member of the scientific community for the last several decades. For much of that time (more than 30 years), I was on the faculty at Reed College, in Portland; I retired from Reed in 2019. In 2013, the college had honored me with an endowed chair (the academic world's highest rank), and so my formal title is now the *Patricia and Clifford Lunneborg Professor of Psychology, Emeritus*.

While at Reed (and before), I worked in (and continue to work in) the area of cognitive psychology – the scientific study of how people perceive the world, how they remember what they have perceived, and how they think about information they have gained. Within this broad domain, my work has focused on the completeness and accuracy of memory. My professional activities include my own data collection and also extensive writing about perception and memory, which requires me to maintain current and complete knowledge of other researchers' work in my field of study.

Details of my professional work are described in my CV, which I have provided for you. As you can see, I have a many-year history of publishing research articles in peer-reviewed scientific journals; I am also the author or editor of ten books. One of the books – a university textbook in cognitive psychology – is moving into its ninth edition; I hope the longevity of this text (which depends on my colleagues' evaluation of each successive edition) provides information about my colleagues' assessment of the completeness and accuracy of my professional knowledge.

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Nature of this report. In this (or any) report, I rely on scientific research that can help us understand how perception and memory function. I emphasize, though, that the research outcomes are, in virtually all cases, framed in terms of *probabilities*. In

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DANIEL REISBERG
Professor and Clifford L. Tamm Professor of Psychology, Harvard University



other words, research allows us to identify factors that can *increase the risk* of perceptual or memory inaccuracy, and also factors that can *decrease the risk*. I hope it is clear, though, that being at risk of error is distinct from actually making an error – and, of course, there are circumstances in which the risk of error is high but someone’s perception- and memory-based report is nonetheless accurate.

I emphasize, then, that scientific research provides no basis for indicating whether a particular report is accurate or not. I can, for a specific memory, identify factors that finders of fact might want to consider in forming their own assessment of the risk of error. Whether the finders of fact use this information is, of course, not up to me. More importantly, the ultimate decision – about whether a risk of error did indeed produce an error – is up to the finders of fact, and not something for which I can provide a scientific view.

THE INSTANT CASE

The base facts. In what follows, I list facts of the case as I understand them. There is obviously more information in the case than is listed here; I list only the facts that I believe might be relevant to my assessment.

- On 5/19/83, D.D. drove to the hospital with her three children, all suffering from gunshot wounds. The youngest child, Danny, was three years old at the time, and as far as I know has been unable to provide reliable information about what happened that day. A second child, Cheryl, was seven years old at the time, and died from her wounds. The third child, C.D., was 8 years old and arrived in the emergency department with no blood pressure and (according to the medical records) bleeding at an “alarming rate.” Her body had been in a state of hypoxia (inadequate oxygen) for an unknown amount of time. She also apparently suffered a stroke.
- At the hospital, a representative from the DA’s office asked C.D. if she knew what had happened to her, and apparently C.D. shook her head “no.”
- Roughly a week later, on 5/27/83, there was another attempt at talking to C.D. When asked if she knew what had happened to her, she again shook her head “no.” Likewise, when asked if she knew what had happened to her brother and sister, she shook her head “no,” and gave the same response when asked if she knew how she got hurt.
- Roughly a month later, on 6/16/83, C.D. was again questioned. As far as I can discern, C.D. again provided little information. Asked if she knew who did the shooting, the records indicate that she responded, “I don’t know... I think... I think...”
- C.D. continued to receive medical treatment and therapy. A half year after the shooting, in December of 1983, Dr. Peterson (a child psychologist) offered statements about C.D.’s “emerging memories.”
- Then in January of 1984, C.D. apparently indicated in a therapy session that D.D. had been the shooter. In late January, 1984, C.D. testified in front of a grand jury,

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2/2/84

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and then said she was able to see who shot her siblings, and that it was her mother.

ASSESSMENT

Taken at face value, C.D. initially had little or even no memory of the events of 5/19, and so she provided no information about who had shot her and her siblings. Roughly a half-year later, however, she did seem to recall what had happened, and asserted that her mother was the shooter. How should we think about this apparent memory improvement? I begin with the explanation that is most plausible, based on a scientific understanding of memory; I then turn to two other notions, and explain why those notions seem unlikely.

The importance of memory consolidation. The moment anyone encounters some new bit of information, that information can be (and often is) represented in their brain. If I can use a simple example, if I announce to you that my favorite color is forest green, that fact about me is now represented in your brain, and you can draw on this information if I ask you, after a moment's delay, to name my favorite color.

However, the initial representation in memory for this (or any) information is extremely fragile. In order to create a longer-lasting representation in the brain, a further process is needed – a process that takes place in the several hours after an experience, a process referred to as *memory consolidation*. Consolidation literally involves the creation of new neural connections, so that we can sensibly speak of the brain going through a process – again: extending over hours – of “rewiring.” Consolidation does not require any attention or mental effort, or any further thought about the target events. Consolidation does, however, require a stable and well-functioning biological environment. If, therefore, the person is under enormously high stress, or not receiving adequate oxygen, or suffering from a diminished blood supply, the process of consolidation cannot go forward, and so no enduring memory is established. In that situation, there is no prospect of “recovering” the memory later, because there is no memory to be recovered. If I can put this metaphorically, the “seeds of memory” have been washed away before they had a chance to take root.

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There is no question that injuries like C.D.’s would likely have interrupted the process of consolidation. On this basis, it is not at all surprising that, in the months after the shooting, C.D. had no memory for the events of 5/19/83. That is precisely what we would expect, given the nature and extent of her injuries, injuries that would likely have disrupted consolidation, leaving her with no enduring memory for the horrible events she experienced.

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Ribot’s Law. Before pressing on, I should note that these claims about consolidation are entirely consistent with the scientific and clinical evidence showing that, in some cases, a degree of recovery is possible after someone has suffered a period of amnesia (as, apparently, C.D. did), caused by some insult to the brain. We have known this fact about recovery for many years; I believe that one of the classic statements of this point comes from a 1967 paper by Benson and Geschwind, transparently titled “Shrinking retrograde amnesia.” Many studies since then have confirmed this point.

Here I emphasize, though, that the best we can say is that this recovery is “possible.” In most cases, recovery does not occur, and I would add that recovery is much less likely if the medical insult to the brain is severe – as it certainly was with C.D. Therefore, her case seems one in which recovery is highly unlikely. But, in addition, in those cases in which

memory recovery, after amnesia, does occur, the recovery shows a “temporal gradient,” often termed “Ribot’s Law” (after a 19th century French researcher). The key here is that the likelihood of memory recovery is linked to how close-in-time the target events were to the injury that caused the amnesia. To put the point in concrete terms, the person is more likely to recover memories for events that happened an hour before the injury, compared to (the lower likelihood of recovery for) events that happened moments before the injury. Likewise, the person is more likely to recover memories for events that happened multiple hours before the injury, compared to events that happened just a single hour before the injury, and so on.

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The pattern of Ribot’s Law is just what we would expect in light of a scientific understanding of consolidation. There has been no opportunity for consolidation for experiences just before the injury; therefore, memory for these experiences is maximally vulnerable, and least likely to recover. For experiences that took place, say, an hour before the injury, some consolidation has taken place, so there will be some amount of enduring storage, and so some chance of recovering (parts of) the memory. For experiences that took place, say, a half day before the injury, most of the consolidation process will have taken place, so the memory will likely be adequately established and so there is some chance of recovering the memory.

Note, then, several things. First, I emphasize once more that C.D.’s injuries were substantial, demanding the notion that these injuries would disrupt consolidation. Second, the pattern of Ribot’s Law can be taken as confirmation of how consolidation operates. Third, the pattern of Ribot’s Law tells us that the memories that C.D. is least likely to recover would be memories for the shooting itself (and the moments just before).

Delayed disclosure. Are there other ways we might think about C.D.’s apparent lack of memory? As one possible option, we know that, in some circumstances, people who have gone through traumatic experiences remember these experiments in detail, but *choose not to describe* what they remember. Later on, however, the person becomes willing to report – and so offers what is called a “delayed disclosure.” Likewise, sometimes the person decides to say a bit about what happened (perhaps to see how it feels to be talking about the trauma, or perhaps to gauge how others react), and then later decides to say more; this leads to a pattern called “incremental disclosure.” We need to be clear, however, that what is changing in delayed or incremental disclosure is not what the person actually remembers. Instead what is changing is the person’s willingness to talk about what they remember.

Could C.D.’s increasing recall be understood as an instance of delayed or incremental disclosure? I regard this possibility as unlikely largely because of C.D.’s medical circumstances: Her medical trauma, I repeat, would have made a disruption of consolidation highly likely and, on that basis, no memory was established. In this context, C.D. could not have offered a delayed or incremental description of what she remembered because there was no memory to be reported.

In addition, others will have to decide whether C.D. had reason to delay her report. Here I emphasize that delayed or incremental report is the result of a person’s deliberate choice *not* to report. Claims about delayed or incremental report only make sense, therefore, if we can establish some motivation that would have persuaded the person to choose this path. Moreover, it is my understanding that there were repeated efforts in this case (e.g., by Dr. Peterson) to encourage C.D. to remember the shooting. If C.D. had simply chosen not to report what she remembered, it seems likely that these repeated efforts might have persuaded her to change this stance, and thus to report what she knew. The fact that this

did not happen for many weeks adds to the reasons not to accept this proposal for C.D.'s lack of report.

Self-protection. At D.D.'s trial, the prosecution suggested a different explanation for C.D.'s late-arriving memory. They suggested that "she needed to feel safe before she could remember what happened." Taken at face value, this is a claim that C.D., initially not feeling safe, had somehow blocked or suppressed the threatening memories and so, for a period of time, had no conscious recollection of what had happened. However, the threatening memories were not erased; instead they were somehow hidden or sequestered, so that C.D. could recover these memories once she did feel safe.

The notion at stake here – that people can, as an act of self-protection, block or suppress painful memories – is widely endorsed in commonsense discussions of memory. In sharp contrast, scientists who carefully and systematically study memory are deeply skeptical about this notion. Many lines of evidence are relevant here, but perhaps the best evidence comes from cases in which people have suffered through some sort of horrible trauma. We can then ask whether people somehow block or suppress the memory of this trauma, or instead have long lasting and detailed memories of the traumatic experience. The scientific evidence overwhelmingly favors the latter claim – exactly the opposite of what we might expect if people could protect themselves from painful thoughts and memories. In fact, we can go one step further: Rather than blocking or suppressing these memories, people who have experienced some trauma often complain about having "too much" memory, and express a fervent wish that they could somehow remember less about what happened to them. Again, this is the opposite of the pattern that the prosecution seems to be endorsing. In other words, the prosecution's view might have some commonsense appeal, but the view is contrary to how memory actually functions, and so cannot be accepted as a likely account of the sequence in C.D.'s recall.

Suggestibility. As I have tried to make clear here, I believe the most plausible account of C.D.'s initial lack of memory is disrupted consolidation, caused by her undeniably serious injuries. On this basis, as I have said, there is no prospect for genuine memory recovery, because (again) there is no memory to recover. How therefore should we think about C.D.'s later reports, in which she says she did know who shot her and her siblings?

The 1984 trial contained some testimony about the possibility that memories can be amplified, or enlarged, or distorted, by information that is received only after the target events. (Transparently, research on this topic is referred to as research on "post-event information," and how that information can alter a memory.) On these points, there were a number of assertions in the trial that are contrary to the actual science. In closing argument, for example, the state argued that it is "not easy to tamper with memory in general," and that "long range memory is hard to change." I am not sure exactly what these assertions mean, and I also find it difficult to reconcile these claims either with the science available in 1984 or with the current science. There was also a suggestion that memory distortions are primarily demonstrated in college students who have been "intentionally misled." These claims, too, are inconsistent with the facts.

Most important, we know that just a single question can cause significant distortion in how someone thinks about, and remembers, an event. We also know that once a memory has been influenced in some fashion, it is difficult to 'peel back' this influence. To use the common expression, this is a domain in which it is difficult to un-ring the bell, or to un-scramble the egg.

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In the instant case, we know that C.D. was repeatedly asked if she could remember the shooting, and was encouraged to remember the shooting. This questioning, by Dr. Peterson and others, is likely to have been exactly the type of influence that could easily have led C.D. to create an after-the-fact reconstruction of what (she believes) happened in the shooting, and she may well have accepted this reconstruction as a "memory."

I hope this provides you with the information you need.

Sincerely,

- / Submitted electronically /
- / Please call or email if /
- / verification is required. /

Daniel Reisberg, Ph.D.
Patricia & Clifford Lunneborg Professor, Emeritus
Reed College

DR. REISBERG'S 23 PAGES OF
SCIENTIFIC CREDENTIALS (GOING
AS FAR BACK AS 1975) CAN
BE READ BY CLICKING ON

EXHIBITS FOR 2025 DNA MOTION.

I THINK DR. REISBERG'S DOCUMENTS
ARE IN PDF 26. I'M NOT CERTAIN
BECAUSE I CAN'T ACCESS MY
DAD'S WEB SITE.

According to science that has been tested for decades and isn't subject to personal interpretation, my daughter had no memory of the shooting because of the lack of oxygenated blood to her brain. There was no memory to recover because the memory hadn't "consolidated".

For all of you who grew up in the computer age, an analogy would be someone pulled the plug in the middle of you typing your message. There would be no message to recover because the message wasn't saved before the plug was pulled. That's how the memory experts say the brain works. Even Dr. Peterson (the State-appointed psychologist who "helped" Christie "recover" her memory) testified he didn't know how memory works. He was just doing the best he could to turn Christie into a witness for the State within 4-6 weeks at the behest of a phone call from the Prosecutor on 9-24-1983. Click on CHRISTIE DOWNS

So, how did that happen? According to Dr. James McGaugh in the following letter written to my attorney for the Court, FALSE MEMORIES CAN BE CREATED by repeating suggestions to the subject that they can and should remember events that never occurred.

On 12-12-1983 (seven months after the shooting) Peterson noted Christie crying and saying she wanted me to tell the truth so she didn't have to try to remember anymore. Who was saying that I was lying?!

In that same report, Peterson then launched straight into AGAIN reciting "events" that led up to the shooting. Peterson testified about this on page 783 of the Trial Transcript. HE reminded Christie that she ate dinner at her grandparents home that night and she eventually repeated his words on the witness stand.

But, my parents were at a Kiwani Meeting that evening. Dad went there from work and Mom left for the Meeting as soon as I arrived home from work at 3:30 pm. The kids wanted Ravioli for dinner so we went to the store to get some. The can was still in the trash when the police arrived at our apartment hours later.

Dr. McGaugh concluded:

- 2. It seems highly likely that Dr. Peterson's repeated encouragement of Christie to remember the shooting created Christie's false memory that she remembered the shooting.

Dr. Reisberg agreed.



UCIRVINE | UNIVERSITY of CALIFORNIA

DR. MC GAUGH

November 1, 2024

Venetia Mayhew
Attorney at Law
3333 SW Taylor St. #300
Portland, Oregon 97284

Re: Diane Downs Case

Dear Ms. Mayhew:

I have examined the materials that you provided concerning the case and offer my opinions concerning the reliance on witness memory.

My Education, Professional Experience, Research Focus

As is presented in detail in the attached Curriculum Vitae, I received a Ph.D. in physiological psychology from the University of California, Berkeley and did Postdoctoral research in the neuropharmacology of memory with Nobel Laureate Daniel Bovet at the Istituto Superiore di Sanita in Rome Italy. I was then a professor at the University of Oregon before joining the faculty of the newly created University of California, Irvine (UCI) as the founding chair of the Department of Neurobiology and Behavior. Subsequently I served as Dean of the School of Biological Sciences and Executive Vice Chancellor. I was also the founding Director of the Center for the Neurobiology of Learning and Memory at UCI.

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I have published well over five hundred scientific articles reporting the findings of my research investigating brain processes underlying learning and memory and I have authored or co-authored over a dozen books on memory. I have received many distinguished national and international awards and honors for my scientific research on brain processes underlying memory, including:

- Member, U.S. National Academy of Sciences
- Member, Brazilian Academy of Sciences
- Member, Mexican Academy of Sciences
- Fellow, American Academy of Arts and Sciences
- President, Association for Psychological Science
- Distinguished Scientific Contribution Award American Psychological Association
- Merit Award, National Institute of Mental Health
- Fellow, Society of Experimental Psychologists
- William James Fellow, Association for Psychological Science
- Laurea Honoris Causa, University of L'Aquila, Italy
- McGovern Award, American Association for the Advancement of Science
- Karl Lashley Prize American Philosophical Society

I have served on many scientific advisory committees concerned with brain and memory, including:

- Member NIMH Committee on Behavioral Pharmacology
- Member NIMH Preclinical Psychopharmacology Research Review Committee,
- Member, Review Committee for Brain Research Program, McKnight Foundation
- Member, National Academy of Sciences Council Committee on Research
- Member, National Science Foundation, Science Center Advisory Panel
- Member, National Advisory Mental Health Council of NIMH
- Member, International Advisory Board, Adams Super-Center for Brain Studies
- Member, California Council on Science and Technology
- Member, Dana Alliance for Brain Initiatives
- Member, Scientific Advisory Board, Cure Autism Now
- Member, NIMH Clinical Research Planning Panel
- Member, Advisory Committee, The Brain Injury Foundation

Case Material Reviewed

My report is based on assessment of material concerning the case provided to me.

1. Notes and testimony of child psychologist, Dr. Carl Peterson
2. Christie Down's documented police interviews.
3. The Child Services Division reports and notes.
4. Trial testimony, including the State's and defense opening and closing arguments, and testimony of Christie Downs, Dr. Peterson, George Suckow and Dr. Douglas Hintzman (psychological scientist)).

Research Findings Relevant to this Case

As conclusions concerning the evidence considered in this case involves the validity of memory it is essential consider the extensive scientific evidence concerning the formation and assessment of memories.

1. The Creation of New Memories

- a. Lasting memories are not formed at the time of an experience. Experiences create memories that are initially fragile and subsequently, over time, become lasting or consolidated.
- b. Emotionally stressful experiences create strong lasting memories. They do not create either a temporary or lasting inability to remember such experiences.
- c. Brain injury occurring shortly after an experience can block the formation/consolidation of memory of the experience.
- d. Such memories do not recover either over time or with intensive efforts to induce recovery.

2. False memories can be created

- a. individuals can be induced to state that they remember events that never occurred.
- b. The creation of false memories can result from repeated suggestions to subjects that they can and should remember the events that never occurred.

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The Focus of My Assessment

My assessments focus explicitly on the issue the statement of Christie Downs during the trial that she remembered that her mother, Diane Downs was the person who shot her, her brother and her sister. I have not addressed the many other issues presented during the trial that did not focus explicitly on the issue of reliability of Christie's memory.

As it was a very highly emotionally arousing event, the shooting would have, without the brain damage, created a very strong memory. Published findings indicate that witnesses to a shooting have highly reliable and long-lasting memories of the shooting. Initially, despite repeated efforts by Dr. Peterson to induce Christie to remember the shooting, she did not. This strongly suggests that she did not have a memory of the shooting experience. Rather, it seems very highly likely that the shooting caused effects on her brain processes that blocked the formation of memory of the experience. Thus, as the memory was not created it would be impossible to recover it.

Did Dr. Davidson's repeated encouragement of Christie to remember the shooting cause her ultimately to remember it? It seems highly unlikely. Highly emotional experiences are well remembered. They are not forgotten and then later remembered. It is much more likely that Dr. Davidson's repeated encouragement of Christie to remember the shooting induced Christy to ultimately have a false memory. That is, like subjects in many studies of induced false memory, Christie, may have, with repeated encouragement to come to believe that she remembered the shooting. There is no scientific evidence for the notion of "memory suppression" suggested by Dr. Davidson.

My Conclusions from the Information Provided

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1. It seems highly likely that effects of the shooting on Christa's brain prevented the formation of any memory of the shooting experience.
2. It seems highly likely that Dr. Peterson's repeated encouragement of Christa to remember the shooting created Christie's false memory that she remembered the shooting.
3. These conclusions are highly consistent with extensive scientific findings concerning the conditions that create and influence memory.

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Cordially,

James L. McGaugh
Distinguished Professor Emeritus
Department of Neurobiology and Behavior
Center for the Neurobiology of Learning and Memory
University of California, Irvine

I don't know what Christie actually thinks today. I do know 15-year-old Christie told Dena Reinhardt (in 1990) that she still had no memory of the shooting. The Court (upon hearing the taped conversation between my daughter and Dena) heard Christie say she wasn't afraid to tell the truth (of her missing memories) to friends, strangers, and family alike. It's just that no one would listen to her. They didn't want to hear what she said.

Dr. Reisberg had something to say about reconstructed memory he called SUGGESTIBILITY. He wrote of science and the experts' findings:

" ... there were a number of assertions in the trial that are contrary to the actual science ... we know that just a single question can cause significant distortion in how someone thinks about and remembers an event. We also know that once a memory has been influenced in some fashion, it is difficult to 'peel back' this influence"... This questioning, by Dr. Peterson and others, is likely to have been exactly the type of influence that could easily have led C.D. to ... have accepted this reconstruction as a 'memory'."

So, why are these experts weighing in on this matter now, rather than 42 years ago? I can't speak to why they were ignored in 1983, but I can tell you why they've been brought in to testify today.

I've been trying, since 2015, to convince Lane County Oregon to test the evidence found next to a murder casing at the crime scene, for DNA so we can learn the identity of the man who shot my children. For eleven years Lane County has refused to test the evidence for DNA.

STILL the District Attorney's Office is fiercely opposed to testing the DNA. Click on CHEWED GUM AND BEER CANS and PAT HORTON AND THE WILD BUNCH.

The State's refusal to test the evidence has required my attorney to use ALL the evidence to show the Court that DNA (along with ALL the evidence) would've changed the Jury's opinion. My attorney has to address ROCK PANEL DNA and JUNK SCIENCE as well. Those can also be found on this website and in 2025 MOTION FOR DNA TESTING. I hope you'll read these postings to learn the truth.