
	<b>MESQUITE POLICE DEPARTMENT</b>
	<b>234.00 SEQUENTIAL PHOTOGRAPHIC LINEUPS AND FIELD IDENTIFICATIONS</b>
	<b>Effective Date: March, 2013</b>
	<b>Approved:</b> _____  <b>Chief of Police</b>

# **I. POLICY STATEMENT**

Eyewitness identification is a frequently used investigative tool. This policy is designed to maximize the reliability of identifications, minimize unjust accusations of innocent persons, and to establish evidence that is reliable and which conforms to established legal procedure.

# **II. DEFINITIONS**

- A. Sequential Photographic Lineup - photographs of the suspect and fillers are shown to the witness one at a time. When a photograph is shown to the witness it must be removed before showing a subsequent photograph.
- B. Double Blind - The person presenting the lineup to the witness does not know the identity of the suspect.
- C. Field Identification (Show-Up) - Taking an eyewitness to the location of a detained suspect within a short time period (one hour) of the commission of the incident being investigated.

# **III. PROCEDURES**

- A. In preparing a sequential photographic lineup the officer shall:
  1. Number each photograph.
  2. Place only one suspect photograph in each sequential photographic lineup.
  3. Select at least 5 fillers (non-suspects) and maintain identifying information on the fillers. Always make sure the suspect's photograph does not stand out.
  4. When multiple photographs of the suspect are available choose a photograph that resembles the suspect's description at the time of the offense.
  5. Cover all portions of the photographs that have any type of identifying information visible.
  6. The maximum number of times the sequential photographic lineup may be shown to a witness is twice.
  7. Preserve the sequential photographic lineup along with complete information about the identification process including the order of presentation.
  8. When showing a new suspect where sequential photographic lineups have previously been shown, do not use the same fillers from previous sequential photographic lineups.
  9. If the witness is unable to read, arrange for an independent administrator to read the Photographic Line-Up Identification Form to the witness. If the witness is not proficient with the English language, an interpreter should be used to translate the form in the language of the witness. If the witness is deaf and unable to read, a sign language interpreter should be used to interpret the form to the witness.
  10. A photographic lineup will be shown using the double blind sequential method and should be audio/video recorded.
- B. When presenting a sequential photographic lineup the blind administrator shall:
  1. Provide the witness with the Photographic Lineup Identification Form.
  2. Confirm that the witness understands the Photographic Lineup Identification Form and the nature of the photographic lineup procedure.
  3. Avoid statements or actions that may influence the witness's decision and advise the witness that the suspect may or may not be in the lineup.
  4. When an identification is made the complete series of photographs must be shown.
  5. Record any identification results and complete the witness' confidence statement.
  6. The investigating officer will not be present during the identification process.
- C. Document in writing the photographic lineup procedures including:

1. Names of all persons present at the showing of the sequential photographic lineup.
  2. Date, time and location of the sequential photographic lineup presentation.
  3. Record both positive identifications and non-identifications in writing.
  4. Ensure the witness signs and dates the Photographic Lineup Identification form.
  5. Ensure no materials indicating previous results are visible to the witness.
- D. Conducting Field Identifications (Show-Ups):
1. Field Identifications should only be conducted when it is not practical or possible to conduct a sequential photographic lineup. When a legal reason to make an arrest exists there is no need to conduct a field identification.
  2. Obtain and document an accurate description of the person who committed the offense being investigated.
  3. An on-duty supervisor with knowledge of the incident being investigated must approve the field identification. The field identification should be conducted within a reasonable amount of time of the incident being investigated, generally less than one hour.
  4. Witnesses who are viewing the suspect(s) shall read or be read the Field Show-up Identification Form. The officer who is conducting the Field Identification should avoid statements or actions that may influence the witness's decision and should advise the witness that the suspect may or may not be the person in the field show-up.
  5. It is recommended to record (utilizing the in-car audio/video system) the witness being given the written instructions, the viewing of the suspect and the results of the viewing. Officers shall use the steps currently in place for the preservation of evidence from the in-car audio/video system.
  6. The witness shall be transported to the location of the detained person. A witness should not view the suspect in a patrol car. Remove the suspect from the patrol car and when reasonably safe, remove the handcuffs.
  7. When there is more than one witness they should be separated and prevented from speaking about the details of the incident. When one witness makes a positive identification and probable cause and legal requirements are met for an arrest, a double-blind sequential photographic lineup should be presented to the other witness(es).
  8. When identification is made the witness must complete the confidence statement form. When a confidence statement form cannot be written, ensure the witness' verbal statement is recorded on an in-car audio/video system.
  9. If identification is not made the officer shall document non-identification in the officer's notes section of the Field Identification form.

EFFECTIVE: August, 2011; REVISED: March, 2013