

SPRINGFIELD POLICE DEPARTMENT

Standard Operating Guidelines

Effective Date: 09/30/2010	Supersedes Policy Dated: 10/05/2009	Rescinds:	SOG Number:
Accreditation Index: 42.2.11, 42.2.12 (5 th Edition)			402.9
Part Title: Operations		Chapter Title: Criminal Investigations	
Chief of Police:			

Suspect Identification

I Policy

The use of eyewitness identification is an important element of the criminal investigation process. Officers shall follow the procedures set forth in order to maximize the reliability of identifications, minimize unjust accusations of innocent persons, and to establish evidence that is reliable and conforms to established legal procedure.

II Definitions ¹

Independent Administrator – An officer administering a photo lineup that did not compose the lineup and is not assigned the case.

Photo Lineup – A pre-determined number of photographs, either film or digitally produced, that will include a photograph of the suspect that is presented to a victim, witness or co-suspect in a criminal investigation. ²

Show-up Identification – A field identification procedure involving the presentation of a single suspect to an eyewitness within a short time frame following the commission of a crime.

III Procedure

1 Show-up Identifications

1 Put Definitions in Alphabetical Order, per Policy Change Order 10-072, Effective Date 09/30/2010.

2 Photo Lineup Definition revised per Policy Change Order 10-072, Effective Date 09/30/2010.

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- 1.1 During the investigation of a crime, it may be necessary to present a suspect to an eyewitness for identification purposes.
 - 1.1.1 In conducting Show-up Identifications, the following guidelines shall be followed:
 - 1.1.1(a) Show-up Identifications shall not be used if there is probable cause to arrest the suspect;
 - 1.1.1(b) A complete description of the suspect shall be obtained from the eyewitness prior to conducting a Show-up Identification.
 - 1.1.1(c) A Show-up Identification should only be conducted when the suspect located matches the general description of the suspect sought and is located in close proximity to the location of the crime.
 - 1.1.1(d) The Show-up Identification will take place in the field and within a reasonable period of time.
 - 1.1.1(d.1) A suspect shall not be presented for a Show-up Identification after two (2) hours have elapsed.
 - 1.1.1(e) The eyewitness should be transported to the location of the suspect by a police officer in a police vehicle rather than bringing the suspect to the eyewitness.
 - 1.1.1(f) If multiple eyewitnesses are involved:
 - 1.1.1(f.1) The eyewitnesses should be separated and instructed to avoid discussing the details of the incident before or after the Show-up Identification.
 - 1.1.1(f.2) The transportation and identification should occur one at a time;
 - 1.1.1(f.3) The same suspect should not be presented to the same eyewitness more than once;
 - 1.1.1(f.4) If one witness makes an identification during a show-up, the identification should provide probable cause for an arrest, and no other show-up shall be conducted with multiple witnesses.
 - 1.1.1(g) Words or conduct of any type by officers that may suggest to the eyewitness that the individual is or may be the suspect shall be avoided.
 - 1.1.1(h) If multiple suspects are involved:

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- 1.1.1(h.1) The witness should view the suspects in separate show-ups, each conducted in accordance with these procedures:
 - 1.1.1(h.1.1) Two or more suspects shall not be shown to the witness at the same time.
 - 1.1.1(h.1.2) The Show-up Identification should be conducted when the detainee is not handcuffed, if practical.
- 1.1.1(i) The detainee shall not be required to do the following:
 - 1.1.1(i.1) Put on additional clothing reportedly worn by the suspect;
 - 1.1.1(i.2) To speak words uttered by the suspect;
 - 1.1.1(i.3) Perform other actions of the suspect.
- 1.2 Show-up Identification Instructions
 - 1.2.1 Prior to the eyewitness being transported to the location of the suspect the officer shall read the Show-up Identification Instructions, SPD Form # 09-OP-0588 to the eyewitness.
 - 1.2.2 The officer responsible for conducting the Show-up Identification will document in a supplemental report if any identification was made or not and any comments made by the witness if identification is made (example: "I believe that is the person" or "That's him").
- 2 Photo Lineups
 - 2.1 Photo lineups occur when an officer arranges for a victim and/or witness to view a collection of photographs.³
 - 2.1.1 Photo Lineup Composition Instructions:
 - 2.1.1(a) The case investigator shall be responsible for obtaining and compiling the photographs to be used in the photo lineup.
 - 2.1.1(a.1) A copy of the finalized photo lineup will be placed in the case file.
 - 2.1.1(b) The photo lineup shall consist of six (6) photographs of different individuals presented on the photo lineup sheet.⁴

³ Section 2.1 revised per Policy Change Order 10-072, Effective Date 09/30/2010.

⁴ Section 2.1.1(b) revised per Policy Change Order 10-072, Effective Date 09/30/2010.

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- 2.1.1(b.1) Photographs shall be selected, arranged, and displayed in a manner that does not attract undue attention to any one photograph.
- 2.1.1(b.2) Photographs should consist of individuals who are reasonably similar in age and general appearance and of the same sex and race.
- 2.1.1(b.3) Only one of the photographs shall be of the suspect.
- 2.1.1(b.4) The same individual shall not appear more than once in the photo lineup.
- 2.1.1(b.5) Photographs should be of the same size and basic composition.
- 2.1.1(b.6) Color and black and white photographs shall not be mixed in the photo lineup.
- 2.1.1(b.7) Any portion of the photograph that may provide identifying information about the individual subject shall be covered and similarly covered on all other photographs.

2.2 Photo Lineup Presentation Instructions:

- 2.2.1 The photo lineup shall be conducted by an independent administrator from the section assigned the case. If no investigator from the section is available to act as the independent administrator the case investigator shall get supervisor approval to show the lineup.⁵
 - 2.2.1(a) The independent administrator, or case investigator, presenting the photo lineup shall not make any suggestive statements that may influence the judgment or perception of the witness prior to, during, or after viewing the photo lineup.⁶
- 2.2.2 The administrator shall read the Photo Lineup Instructions, SPD Form # 94-IN-0051 to the witnesses prior to presenting the photographs.⁷
 - 2.2.2(a) The witnesses shall sign the form before viewing the photographs.
- 2.2.3 The witness should be instructed to indicate if they can identify the suspect.

⁵ Section 2.2.1 revised per Policy Change Order 10-072, Effective Date 09/30/2010.

⁶ Section 2.2.1(a) revised per Policy Change Order 10-072, Effective Date 09/30/2010.

⁷ Section 2.2.2 revised per Policy Change Order 10-072, Effective Date 09/30/2010.

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- 2.2.4 The photographs used in the photo lineup shall be presented on an approved photo lineup sheet.⁸
 - 2.2.4(a) The witness will be instructed to review all six (6) photographs in the collection.⁹
- 2.2.5 The photo lineup shall be shown to only one witness at a time.
 - 2.2.5(a) Separate multiple witnesses so they will not be aware of the response of other witnesses.
- 2.2.6 If there is more than one suspect, a second lineup will be shown with six (6) different photographs making up the lineup.
 - 2.2.6(a) This process shall be repeated with each photo lineup if there are multiple suspects.
- 2.2.7 If identification is made by the witness the administrator shall have the witness sign their name on the photo sheet indicating the person selected.¹⁰
- 2.2.8 At the conclusion of the photo lineup presentation the administrator shall sign the photo sheet and document on the sheet any comment(s) made by the witness if an identification is made (example: "I believe that is the person." or "That's him.")¹¹
 - 2.2.8(a) The case investigator shall include in their report the name of the detective, or officer, who administered the lineup.¹²
- 2.2.9 The photographs used in the photo lineup shall be considered evidence and shall be logged into the Property Room by either the case investigator or administrator.¹³
- 2.2.10 Photo lineups presented at Headquarters or the South District Station shall be video recorded or digitally recorded with audio.
 - 2.2.10(a) The video recording or digital recording of the event shall be logged into the Property Room by the administrator, or the case investigator.¹⁴

IV Attachments

8 Section 2.2.4 revised per Policy Change Order 10-072, Effective Date 09/30/2010.

9 Section 2.2.4(a) revised, Sections 2.2.4(b) and 2.2.4(b.1) deleted per Policy Change Order 10-072, Effective Date 09/30/2010.

10 Section 2.2.7 revised per Policy Change Order 10-072, Effective Date 09/30/2010.

11 Section 2.2.8 revised per Policy Change Order 10-072, Effective Date 09/30/2010.

12 Section 2.2.8(a) revised per Policy Change Order 10-072, Effective Date 09/30/2010.

13 Section 2.2.9 revised per Policy Change Order 10-072, Effective Date 09/30/2010.

14 Section 2.2.10(a) revised per Policy Change Order 10-072, Effective Date 09/30/2010.