

#### **4 / 711.05 POLICY**

It is the policy of the Department to utilize approved methods of Eyewitness Identification in accordance with Federal and State laws and guidelines.

#### **4 / 711.10 PURPOSE**

The purpose of this General Order is to document the types and procedures of the different authorized forms of Eyewitness Identifications.

#### **4 / 711.15 DEFINITIONS**

Eyewitness Identification      Type of evidence by which one who has seen the event testifies as to the person or persons involved from his/her own memory of the event.

Lineup      A police identification procedure by which the suspect in a crime is exhibited before the victim or witness to determine if the suspect committed the offense.

#### **4 / 711.20 PROCEDURES**

##### **A. Utilizing Eyewitness Identifications**

1. When utilizing Eyewitness Identification officers shall:
  - a. Avoid actions that would be unduly suggestive during the process
  - b. Document both identification and non-identification results, including witnesses' words to how certain or uncertain they were on an incident report
  - c. Conduct them in a professional and structured manner to clear the innocent, as well as, identify suspects

##### **B. FORMS OF EYEWITNESS IDENTIFICATION**

1. One-on-One Identification
  - a. Determine if witness will reasonably be able to identify the suspect.
  - b. Determine the witness' description of the suspect prior to conducting "One-on-One".
  - c. Document a description of the suspect, time and location of one-on-one.
  - d. Transport witness to location of the suspect.
  - e. Separate witnesses and instruct them to avoid discussing details of the incident.
  - f. Do not conduct the "One-on-One" when the suspect is in a patrol vehicle, handcuffed, or physicals restrained by officers, unless required by safety concerns.
  - g. Do not take the suspect to the witness's residence unless it is the scene of the crime.
  - h. Caution the witness that the individual about to be seen may or may not be the suspect.
  - i. Document results on the incident report.
2. Photo Arrays
  - a. Group photos by format (color, black & white, Polaroid, 35mm, digital, or video).
  - b. Select uniform photos based on race, age, sex, & physical characteristics.
  - c. Ensure positive identifying information exists on individuals portrayed.

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- d. Ensure photos are reasonably contemporary and arrest number is covered.
  - e. Ensure only one photo of each individual and suspect (total of 6 photos).
  - f. If multiple photos of the suspect exist, select a photo that most closely resembles the appearance of the suspect at the time of the incident.
  - g. The photo array should be preserved, as evidence, in the original presentation order and original condition.
  - h. Document presentation order and results in writing.
3. Composite Images
- a. Select a procedure (artist, computer-generated images).
  - b. Avoid showing witness any photos prior to development of composite.
  - c. Minimize distractions.
  - d. Separate witnesses.
  - e. Determine with witness if composite is a reasonable representation of the suspect.
4. Line-ups
- a. The Department does not normally utilize line-ups.

**4 / 711.25 LEGISLATION AND REFERENCES**

Maryland Code, Public Safety, Title 3.Law Enforcement  
City of Laurel Police Department Criminal Investigations Manual  
Blacks Law Dictionary, Fifth Edition  
CALEA Standards 42.2.11, 42.2.12

**4 /711.30 ANNEX**

None