



City of Racine Police Department  
**Policy and Procedure**

**Number: 1102**

Subject: <b>Eyewitness Identification</b>		
Date Issued: <b>03-10-2006</b>	Date Revised: <b>08-14-2017</b>	Revision Number: <b>2</b>

## POLICY

To establish a uniform procedure for identification of suspects by witnesses. To promote practices that will safeguard innocent persons and ensure those that are guilty are arrested and convicted.

## DEFINITIONS

**Photo lineup** – an identification procedure in which a suspect’s photograph is placed in a group of other similar photographs and shown sequentially to a witness.

**Fillers** – non-suspects (photographs) who are used for comparison purposes.

**Sequential Procedure** – process where an eyewitness views only one person/photo at a time and makes a decision either “that is the perpetrator or that is not the perpetrator”.

**Blind Shuffle** – process where suspects photos are placed in identical individual envelopes and then shuffled (mixed up) so that the showing officer does not know when the suspect will be shown.

## PROCEDURE

### MEMBER

#### 1. Guidelines for All Eye Witness Identification

- a. Officers generally should not include more than one suspect in each Photo lineup.
- b. Officers shall select fillers that resemble the suspect. Officers shall include at least five (5) fillers per Photo lineup. This amount may be reduced if there are not enough similar fillers available.
- c. Officers shall not use the same fillers in Photo line ups shown to the same witness when showing a new suspect.
- d. No writings or information concerning previous arrest(s) shall be visible to the witness during any identification procedure.
- e. Officers shall not by word, gesture, or any other way suggest opinions that may influence the witness’ identification of a suspect.
- f. Officers shall not display a suspect – or likeness (photograph, composite drawing or sketch) of a suspect - to more than one witness simultaneously.
- g. Generally any identification method shall only be shown to one witness at a time. If shown to multiple witnesses simultaneously the witnesses must be separated and interviewed away from each other.
- h. Officers shall not allow a witness who has taken part in an identification procedure to state conclusions within earshot of another person who is about to be, or has been involved in the same identification procedure.
- i. Officers shall place photos/suspects in random order. The suspect should never be in the number 1 position.
- j. Officers shall not tell witnesses how many photos they are going to view.

- k. Officers shall not make reference that a suspect is in the group being shown. Officers shall advise that the suspect may or may not be shown.
- l. Officers should use the sequential procedure when conducting a Photo lineup.
- m. Officers should never ask a witness to make a partial identification using a percentage. Officers shall document the exact words used by the witnesses to describe a "partial" identification, such as "probably", or "looks like but \_\_\_\_\_ is different".
- n. Officers conducting a Photo lineup shall document on a supplemental report the instructions provided, whether an identification was made or not, statements made by the witness, and all other circumstances regarding the identification procedure.

**2. Photo Lineup**

- a. When possible, officers shall use a photograph of the suspect that resembles the suspect's description or appearance at the time of the incident.
- b. The Blind shuffle process is preferred in those situations when the officer conducting the Photo lineup knows the suspect's identity
- c. If requested, the witness may view one or more of the photos again after the entire sequence has been viewed. This must be documented.
- d. If a positive identification is made, the officer shall have the witness sign and date the back of the photograph identified.
- e. Inventory the identified photograph as evidence according to Department policy.
- f. All other photographs used in a Photo lineup shall be preserved in their original condition and packaged as evidence according to Department policy.
- g. Officers shall follow all other procedures outlined in the above procedure.

**RELATED PROCEDURES**

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