



Line-ups and Show-ups

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Rescinds:	None		
IACLEA Standards:	13.2.4		

I. Purpose

This document will establish guidelines for Indiana University Police Department (IUPD) personnel conducting eyewitness identifications and train appropriate personnel in the administration using show-ups, photo array lineups.

II. General Order

Eyewitness identification is a frequently used investigative tool. However, erroneous eyewitness identifications have been cited as the most frequent cause of wrongful convictions. As such, officers shall strictly adhere to the procedures set forth herein, in order to maximize the reliability of identifications, minimize erroneous identifications, and gather evidence that conforms to contemporary eyewitness identification protocols.

III. Definition(s)

- A. Functional Equivalent (FE) Procedures: Used when an independent administrator is not available, FE procedures permit the investigative officer to conduct a photo array, using procedures that preclude him or her from knowing when the suspect is presented to the witness.
- B. Independent Administrator: The officer administering a lineup or a photo array who has no knowledge of the suspect’s identity.
- C. Interpreter: An interpreter can and should be used when there is a language barrier between the officer and the person seeing the show up or photo array.
- D. Lineup: Live presentation of individuals, before an eyewitness, for the purpose of identifying or eliminating suspects. *NOTE: IUPD does not have the facilities or personnel to administer a live lineup. Therefore, IUPD officers will rely on photo array lineups for the purpose of eyewitness identification.*
- E. Photo Array: Showing photographs to an eyewitness for the purpose of identifying or eliminating suspects.
- F. Sequential: Presentation of photos to a witness one at a time rather than all at once.
- G. Show-ups: The presentation of a suspect to an eyewitness in a short time frame following commission of a crime to confirm or eliminate him or her as the perceived perpetrator. Show-ups, sometimes referred to as field identifications,



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are conducted in a short time (no more than one hour) frame and in the reported crime.

IV. Procedures

A. Show-ups

The use of show-ups should be avoided whenever possible in preference for the use of a photo array. However, when circumstances require the prompt display of a suspect to a witness, the following guidelines shall be followed to minimize potential suggestiveness.

1. Document the witness's description of the perpetrator prior to conducting the show-up.
2. Use show-ups only when the suspect is detained within a reasonably short time frame following the offense. (No more than one hour)
3. Do not use single suspect show-ups if probable cause to arrest the suspect has already been established.
4. Transport the witness to the location of the suspect whenever possible, rather than bringing the suspect to the witness.
5. Do not conduct show-ups when the suspect(s) are in patrol cars, handcuffed, or physically restrained by police officers, unless necessary due to safety.
6. Do not take suspects to the witness's residence unless it is the scene of the crime.
7. Caution the witness that the person he or she is about to see, may or may not be the perpetrator.
8. Separate witnesses and do not allow communication between them before or after conducting a show-up.
9. If one witness identifies the suspect, use a lineup or photo array for remaining witnesses.
10. Do not present the same suspect to the same witness more than once.
11. Do not require show-up suspects to put on clothing worn by, speak words uttered by, or perform other actions of the perpetrator.



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12. Officers should avoid words or conduct of any type that may suggest to the witness that the individual is or may be the perpetrator.
13. Ask the witness how certain he or she is of any identification that is made of a suspect. Document the exact words used by the witness without prompting the witness to elaborate.
14. Remind the witness not to talk about the show-up to other witnesses until police or prosecutors deem it permissible.
15. Videotape the identification process using an in-car camera or other recording device where available.
16. Document the time and location of the show-up, the officers present, and the outcome of the procedure.

B. Photographic Identifications

1. Creating a Photo Array

- a. The photo array should consist of a minimum of six photographs. Use a minimum of five filler photos together with only one suspect. It is recommended that a filler be used as the lead photo and that two blank photos be introduced following the sixth photo. Number all photos and blanks.
- b. Use contemporary photographs of individuals who are reasonably similar in age, height, weight, and general appearance and are of the same sex and race, in accordance with the witness's description of the suspect. Do not mix color and black and white photos; use photos of the same size and basic composition; never mix mug shots with other snapshots; and do not include more than one photo of the same suspect.
- c. Cover any portions of mug shots or other photos that provide identifying information on the subject, and similarly cover other photos used in the array.

2. Conducting the Photo Array

- a. An investigator or officer who is unaware of the identity of the suspect, acting as an independent administrator, shall present the photos. No one who is aware of the suspect's identity may be present during the administration of the photo array.



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- b. If an independent administrator is not available, the investigative officer shall follow FE procedures.
 - i. For presenting the photo array Sequential; place the suspect and filler photos in a folder. Include four blank folders, for a total of ten.
 - ii. Shuffle the folders before giving them to the witness.
 - iii. The officer administrating the array should position himself or herself so that he or she cannot see inside the folders as they are viewed by the witness.
- c. Whenever reasonably possible, videotape and audiotape the photo array identification procedure.
- d. Give the witness a copy of the following instructions prior to presenting the photo array and read the instructions aloud before the identification procedure:

“You will be asked to view a series of photos of individuals. It is just as important to clear innocent persons from suspicion as to identify guilty parties.

I do not know whether the person being investigated is included in this series. Individuals present in the series may not appear exactly as they did on the date of the incident because features such as head hair and facial hair are subject to change. You should not feel that you have to make an identification. If you do identify someone, I will ask you to describe in your own words how certain you are.

The photos will be shown to you one at a time and are not in any particular order. Take as much time as you need to examine each photo. If you make an identification, I will continue to show you the remaining photos in the series.

Regardless of whether you make an identification, we will continue to investigate the incident. Since this is an ongoing investigation, you should not discuss the identification procedures or results.”

- e. Position the photos so that the witness does not know the number of photos that will be shown.
- f. Show the photo array to only one witness at a time; separate witnesses so they will not be aware of the responses of other witnesses.



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- g. Avoid multiple identification procedures in which the same witness views the same suspect more than once.
- h. Do not comment on selections or outcomes of the procedures in any way.
- i. Ask the witness to describe his or her certainty about any identification that is made. Document the witness’s response.
- j. Ask the witness to sign and date the photo they have identified as the perpetrator and have them sign the Eyewitness Identification Form.
- k. Preserve the photo array, together with full information about the identification process, for future reference.

V. Related Information

Name of Source:

National Institute of Justice – Eyewitness Evidence Guide 2013,
<https://www.ojp.usdoj.gov/hij>

Eyewitness Identification Evidence Procedure, Indiana State Police, INV-026

U.S. Department of Justice, Eyewitness Identification: Procedures for Conducting Photo Arrays, 6/1/2017

University of Wisconsin – 42.2 – Investigation-Operations-08/15

Indiana University Police Department:

F13.2.4 *Eyewitness Identification Instruction – Photo Lineup*

Benjamin Hunter (6/11/2020)
Superintendent of Public Safety