

CHURCHILL COUNTY SHERIFF'S OFFICE

Subject SHOW-UPS, PHOTO LINE-UPS		Policy / Regulation Number 3.315		Effective Date	
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PURPOSE:

It is the purpose of this policy to establish guidelines for the use of eyewitness identifications involving showups, photographic identifications and lineups.

POLICY:

It is the policy of Churchill County Sheriff's Office that Deputies shall strictly adhere to the procedures set forth here 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.

DEFINITIONS:

Showup: The presentation of one suspect to an eyewitness in a short time frame following commission of a crime. Photo Lineup: The showing of several photographs to an eyewitness for the purpose of obtaining an identification. Live Lineup: The displaying of a group of people, including the suspect, to an eyewitness to determine whether the eyewitness identifies the suspect as the perpetrator of a crime.

PROCEDURES:

I. Showups:

- A. Many courts have suppressed identification evidence based on the use of showups because of the inherent suggestiveness of the practice. However, when exigent circumstances require the use of showups, the following guidelines should be followed.
- B. Showups should not be conducted when the suspect is in a cell, manacled or dressed in jail clothing.
- C. Showups should not be conducted with more than one witness present at a time. If the showup is conducted separately for more than one witness, the witnesses should not be permitted to communicate before or after the showup regarding the identification of the suspect.
- D. The same suspect should not be presented to the same witness more than once.
- E. Showup suspects should not be required to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator or to perform other actions of the perpetrator.
- F. Words or conduct of any type by Deputies that may suggest to the witness that the individual is or may be the perpetrator should be scrupulously avoided.

SHOW-UPS, PHOTO LINE-UPS

II. Photographic Identifications:

In conducting photographic identifications Deputies shall adhere to the following procedures.

- A. The Records Management System has a feature for creation of photo lineup and should be utilized, if possible.
- B. Photographic identifications must use multiple photographs shown individually to a witness or simultaneously in a book or array.
- C. Principles for conducting lineups generally apply to photo identifications. In particular, Deputies shall:
 - 1. Use at least six photographs of individuals who are reasonably similar in age, height, weight and general appearance and of the same sex and race.
 - 2. Whenever possible, avoid mixing color and black and white photos, use photos of the same size and basic composition, and never mix mug shots with other snapshots or include more than one photo of the same suspect.
 - 3. Cover any portions of mug shots or other photographs that provide identifying information on the subject, and similarly cover those used in the array.
 - 4. Show the photo array to only one witness at a time.
 - 5. Never make suggestive statements that may influence the judgment or perception of the witness.
 - 6. Preserve the photo array, together with full information about the identification process, for future reference.

III. Live Lineups: It is the policy of this Office that live lineups are not conducted.