

6.08
CRAIG POLICE DEPARTMENT
Office of Chief of Police
General Order

Date Issued: July 25, 1997 **Revision Date:** April 1, 2009
Subject: Suspect Identification **Reference:**
To: All Officers

I. POLICY

The Department has a responsibility to identify individuals who perpetrate criminal acts. Such identification will be accomplished in a manner, which ensures due process of the law, eliminates suggestiveness, and documents the process for use in court.

II. PROCEDURE

A. Field Identification

During the investigation of a crime, officers may be required to return a suspect to the scene for identification by a witness or victim. In conducting a field identification, the following elements must be present:

1. A crime has been committed.
2. The suspect fits the general description of the suspect sought for the crime.
3. The identification takes place in the field and within a short time after the criminal act. The courts have ruled that the suspect may be returned to the scene "within a reasonable period of time." For all practical purposes, the suspect shall not be returned to the scene after one hour has elapsed.

If probable cause to arrest is present, the suspect should be taken into full custody prior to conducting field identification. Preferably the identification will take place at the location of the arrest; however, if the witness is physically (i.e. injured, elderly, etc.) incapable of going to that location the suspect may then be taken to the location of the witness at the time of the crime.

If probable cause to arrest is not present, but the officer has reasonable suspicion that the person may be the perpetrator, then a temporary detention is justified. The elimination process will be conducted at the scene of the temporary detention. The suspect will not be transported to the location of the witness unless the witness is physically incapable of

responding to the scene. The witness shall be told that they are to look at the person to eliminate them as the suspect.

4. Transportation of the victim/witness to the scene should be conducted by a police officer in a police vehicle. If there is more than one witness/victim the transportation and identification should occur **one** at a time.

5. Field Identification Admonition – Whether the victim/witness is taken to the suspect or the suspect is taken to the victim/witness, an admonishment of the witness should be conducted prior to viewing. The admonishment shall focus on issues relative to the suggestive nature of this process and should include:

- a. You will be asked to look at a person or persons detained.
- b. You will be in a Police car and you will be with me.
- c. The fact that the Police have detained this/these person(s), and they may be handcuffed, should not influence your judgment.
- d. You should not conclude nor guess that the person(s) the Police Officers have stopped is/are the persons who committed the crime.
- e. It is just as important to free innocent persons from suspicion as it is to identify the guilty party.

B. Photo Identification

Photo identifications are normally conducted when a suspect is not in custody and occur when an officer arranges for a victim and/or witness to view an array of photographs.

A minimum of six photographs shall be used. Pictures shall be selected, arranged, and displayed in a manner that does not attract undue attention to any one picture. Prior to viewing the line-up, the witness and/or victim must read and sign the photo line-up advisement form.

In the event that identification is made, care must be taken that all photographs used can be retrieved and identified for production in court. A photocopy of the line-up will be made and placed with the case file. The originals will be placed in evidence. The procedure employed in conducting the identification will be explicitly documented in the officer's report.

C. Physical Identification

A physical identification occurs whenever a suspect is placed in a live group of individuals and the entire group is presented to witnesses and/or victims for viewing. Persons arrested on the basis of probable cause may be placed in a physical line-up for identification purposes. The suspect is entitled to have an attorney present.

Due to the complex nature of the physical identification process, officers intending to conduct physical line-ups shall contact a Supervisor who will provide assistance.

Authorized By:



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