

St. Joseph, Missouri Police Department



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SUBJECT: Show-Up Identifications		
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I. PURPOSE

The purpose of this general order is to set the policy and establish procedures for the on-scene eyewitness identification of suspects.

II. POLICY

It is the policy of the St. Joseph Police Department to adhere to judicial guidelines to ensure the proper handling and accurate eyewitness identification of suspects.

III. DEFINITION

- A. Show-up identification:** The procedure of delivering eyewitnesses to an alleged crime suspect's location for the purposes of positively identifying the suspect or eliminating the subject as a potential suspect. Information gained through the show-up identification process will be used to further the investigation and/or prosecute criminal suspects.

IV. PROCEDURE

The following procedures will be followed when suspects are apprehended within sixty (60) minutes after the offense in question has occurred. This procedure will be used to avoid tainting any future courtroom suspect identification. Evidence of a pre-trial identification is admissible and may be sufficient to overcome deficiencies in courtroom identification.

- A.** Upon receipt of information pertaining to the commission of a criminal offense, officers involved in the investigation who apprehend a suspect(s) **at the scene of the offense** will without delay present the suspect(s) to the victim or witness at the scene of the offense for a show-up identification.
- B.** Officers who apprehend a suspect(s) **away from the scene of the offense** will without delay transport the victim or witness to the location of the apprehension and will present the suspect(s) to the victim or witness for a show-up

identification. Officers should abide by the following guidelines for show-up identifications:

1. Compelling reasons for a show-up should include the following:

- a. Proximity to the crime commensurate with the suspect's method of flight
- b. Factors matching witness initial description (clothing, race, gender, physical size, etc.)
- c. Factors that attracted the attention of police (possession of stolen items, matching clothing or physical description, etc.)
- d. The need for an efficient/quick police investigation
- e. Public safety concerns (type of crime such as rape, robbery, murder)
- f. Witness reliability, including the following:
 - 1) Whether the witness has been subjected to undue pain, stress or fear
 - 2) Lighting and weather conditions at the time of the offense
 - 3) Influence of alcohol or drugs, including prescriptions
 - 4) Corrective eyewear or vision obstructions
 - 5) Amount of time and distance from which the suspect was observed during the offense
 - 6) The accuracy of the witness description prior to the show-up
 - 7) The level of certainty the witness demonstrates when identifying the suspect
 - 8) The amount of time that passed between the crime and the identification

2. Mode of transportation to the show-up may include the following:

- a. Transport the witness by police vehicle
- b. If the potential suspect is within walking distance, the officer may escort the witness on foot

3. If more than one eyewitness is available they should:

- a. Be separated from each other to avoid tainting each other's statements
- b. Be transported separately to the show up
- c. Be allowed to identify the suspect in quick succession to avoid an unreasonably long detention of the suspect
- d. Not be informed of the other witness' response regarding the identification

4. Officer's instructions to the witness should include the following:

- a. Keep an open mind because the person they are about to see may or may not be the perpetrator
- b. Do not feel compelled to make a positive identification
- c. The investigation will continue regardless of whether they positively identify the person as the suspect
- d. See Page 2 of the "Report of Show-Up Identification Procedure" for more recommendations on officer instructions to witnesses

5. **Officers should document the level of confidence expressed by the witness:**
 - a. Ask “how certain are you?” regarding the identification
 - b. Attempt to document as closely as possible the witness’ exact statement
6. **Officers should not provide feedback to the witness regarding:**
 - a. The accuracy of the witness’ identification
 - b. The identification, positive or negative, made by other witnesses
 - c. Other suggestive language such as “we caught the guy who did this”
7. **Documentation of the show-up and the results should include:**
 - a. Witness statements
 - b. Time of the alleged crime and time of the show-up
 - c. Available lighting at the scene of the show-up
 - d. Location and position of the witness during the identification
 - e. Location and position of the suspect during the identification
 - f. Whether the suspect was handcuffed during the identification
 - g. Distance of officer to suspect while the suspect is detained
8. **Officers should not:**
 - a. Have the suspect hold disguises or other items used during the crime
 - b. Swarm or flank the suspect during identification (if flight is an issue, use tactical considerations such as instructing the suspect to sit down and cross their legs, or handcuff them). Conduct a show-up identification if more than sixty (60) minutes have passed since the commission of the crime

Chris Connally, Chief of Police

Date