

RENO POLICE DEPARTMENT GENERAL ORDER

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Chief of Police: Jason Soto /s/		
Approving Deputy Chief: Thomas Robinson /s/		
General Order No: P-600-19	Issued: July 2 nd , 2019	
General Order Title: WITNESS IDENTIFICATION OF SUSPECTS		

I. POLICY

The process for identifying suspects, such as using Live Lineups, Photo Lineups and Show-ups, are necessary to ensure the appropriate individual is arrested in conjunction with an investigation. The Reno Police Department has established this policy to ensure that Live Lineups, Photo Lineups and Show-ups are conducted in a method that is fair and reliable and in compliance with existing law.

Regardless of whether a Live Lineup, Photo Lineup or Show-up is being conducted, officers shall:

1. Ensure that the procedure is video and/or audio recorded, or document why it was not.
2. Not conduct multiple identification procedures in which the same witness views the same suspect more than once.
3. Avoid words or conduct of any type that may suggest to the witness that an individual is or may be the suspect or that may otherwise influence the witnesses' decision-making process or perception.
4. In cases with multiple witnesses, ensure that witnesses are separated and that the identification procedure is conducted with only one witness at a time so that witnesses are not aware of the responses of the other witnesses.
5. Instruct witnesses to neither talk about the suspect nor the identification procedure to other witnesses until police or prosecutors deem it permissible.
6. Obtain a statement from the witness as to their confidence in their selection.
7. Document the date, time, location, the officers present, the result of the procedure, and any other relevant information in their report.
8. Advise witnesses that the investigation will continue regardless of the outcome of any identification procedure
9. Whenever possible, have an officer who does not know the suspect's identity, present the Live Lineup, Photo Lineup or Show-up to witnesses.

II. DEFINITIONS

The Reno Police Department adheres to the meaning of the identification procedure terms "live lineup," "photo lineup" and "show-up" as defined in NRS 171.1237.

III. PROCEDURES

A. Show-up – when conducting a Show-up, officers shall:

10. Document the witness's description of the perpetrator prior to conducting the Show-up.
11. Conduct a Show-up only when the suspect is detained within a reasonable time frame after the crime and when relatively close to the location of the crime. If not, then use a Photo Lineup or Live Lineup.
12. Avoid using a Show-up when probable cause to arrest the suspect already exists.
13. Transport the witness to the location of the suspect.
14. When possible, avoid conducting a Show-up when the suspect is in a patrol car, handcuffed, or physically restrained by officers, unless safety concerns make this impractical.
15. Caution the witness that the person he or she is about to see may or may not be the perpetrator and that it is equally important to clear an innocent person.
16. If one witness identifies the suspect, use a Photo Lineup or Live Lineup for remaining witnesses.
17. Not require suspects to put on clothing worn by, speak words uttered by, or perform other actions of the perpetrator.

B. Photo Lineup – when conducting a Photo Lineup, officers shall:

1. Ensure that the Photo Lineup consists of one suspect photo and photos of five other unrelated subjects who are reasonably similar to the suspect in terms of age, height, weight, and general appearance and be of the same sex and race, in accordance with the witness's description of the offender.
2. Ensure that the photos of the other subjects do not so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect.
3. If there is more than one suspect, use separate Photo Lineups for each.
4. Place suspects in different positions in each Photo Lineup, both across cases and with multiple witnesses in the same case.
5. Ensure witnesses are not shown any photos of the suspect prior to the Photo Lineup.
6. Provide witnesses with the following instructions prior to viewing the Photo Lineup:
 - a. You will be asked to look at a series of individuals.
 - b. The perpetrator may or may not be present in the identification procedure.
 - c. It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.
 - d. I don't know whether the person being investigated is included in this series.
 - e. 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.
 - f. You should not feel that you have to make identification. If you do identify someone, I will ask you to describe in your own words how certain you are.
 - g. The individuals are not configured in any particular order.
 - h. Regardless of whether you make identification, we will continue to investigate the incident.
 - i. Since this is an ongoing investigation, you should not discuss the identification procedures or results.
7. Ensure the witness signs the Photo Lineup.

C. Live Lineups – when conducting a Live Lineup, officers shall:

1. Ensure that the persons in the Live Lineup are numbered consecutively and are referred to only by number.
2. Schedule the Live Lineup on a date and at a time that is convenient for all concerned parties, to include the prosecuting attorney, defense counsel, and any witnesses.
3. Ensure compliance with any legal requirements for transfer of the subject to the lineup location if he or she is incarcerated at a detention center.
4. Make arrangements to have persons act as fillers.
5. Honor a suspect's right to counsel when requested and allow the suspect sufficient time to consult with their lawyer prior to the Live Lineup and allow the lawyer to observe the lineup.