

# Police Guidelines - Pretrial Eyewitness Identification Procedures.

s.n - Police guidelines, pretrial eyewitness identification procedures : Brooks, Neil. : Microform : Toronto Public Library

Table 4. Civil rights cases concluded in U.S. district courts, by disposition, 1989-2006

Year	Number of complaints disposed <sup>1</sup>	Percent of cases disposed						Judgment		
		Dismissed					Total	Trial <sup>2</sup>	Other <sup>3</sup>	Other <sup>4</sup>
		Total	Settled	Voluntary	Grant of judgment	Grant of prosecution				
1989	17,985	68.2%	31.7%	8.1%	9.3%	9.3%	31.8%	7.9%	31.2%	
1990	30,175	68.4	31.6	11.8	2.0	4.1	31.6	8.0	24.5	
2000	38,941	72.3	27.7	16.9	1.7	4.1	27.7	4.1	23.6	
2001	38,912	73.9	26.1	12.2	1.8	4.0	26.1	3.9	22.3	
2002	38,591	74.1	25.9	12.7	1.9	4.0	25.9	3.9	22.3	
2003	37,524	74.7	25.3	12.8	1.9	4.0	25.3	3.4	22.3	
2004	37,407	73.8	26.2	12.0	1.9	4.0	26.2	3.5	23.3	
2005	36,525	73.6	26.4	11.8	1.7	4.1	26.4	3.0	23.5	
2006	32,108	72.0	28.0	11.4	1.7	4.4	28.0	3.0	25.0	

Note: Cases not including plaintiff's petition. Percentages may not sum to 100% due to rounding.  
<sup>1</sup>Excludes transfers, remands, and judicial orders.  
<sup>2</sup>Trial includes cases disposed of by jury trial, bench trial, and decided verdict. In some cases, the parties may have settled before the completion of the trial.  
<sup>3</sup>Includes judgments by default, consent, a motion before trial, judgment of admission or by some other final judgment method.  
<sup>4</sup>Source: Administrative Office of the U.S. Courts, Civil Justice File.

Description: -

-Police Guidelines - Pretrial Eyewitness Identification Procedures.

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Canada Law Reform Commission Criminal Law Series -- PogPolice Guidelines - Pretrial Eyewitness Identification Procedures.

Notes: 1

This edition was published in 1983



Filesize: 16.22 MB

Tags: #Identification #Procedures #And #DOJ #Guidelines

## Pretrial Identification

How long had elapsed between the original observation and the subsequent identification to the police? Police must also instruct the witnesses that the suspect may or may not be present in the lineup, a measure to avoid a witness choosing the wrong but closest resemblance. In another case, a questionable lineup led to a wrongful arrest on a rape. Or in cases where the victim is physically unable to move, the suspect may be transported for a show-up ID.

## Police must use new eyewitness ID rules to reduce wrongful identifications

Show-Up Identification In some cases, a suspect is detained near a recently committed crime, and it's important to quickly confirm or eliminate him as the perpetrator. To reduce the suggestive nature of a single-person show-up, it's best not to tell the witness that you think you've caught the perpetrator, or that you've recovered property or incriminating evidence from the suspect. Eyewitness misidentification is reportedly the greatest contributing factor to wrongful convictions proven by DNA testing, playing a role in more than 70 percent of overturned convictions.

## Search Results

While these guidelines are intended for law enforcement, they are also relevant to challenging pre-trial identification procedures and provide what can be used, by defense counsel, as a checklist for cross-examining a police officer regarding the procedure employed in conducting pre-trial photo identifications. If the witness does not ID and you later try again, do not have the suspect be the only repeat participant.

## Police eyewitness policy updates

The United States Department of Justice recently published its guidelines for how law enforcement officers should conduct pre-trial identification procedures.

## **Police eyewitness policy updates**

And if such witness made a pre-trial identification, his testimony to that effect is so admissible. Due to questions about the reliability of pre-trial identifications and possible coercion by the police, courts around the world have taken steps to ensure identifications are accurate and untainted. The witness and administrator should sign and date the instructions.

## **Eyewitness Identification**

Paul, who carried the bill in the House.

## **Pretrial Identification**

The guidelines are also applicable in cases of voice recognition or identification. Even if the police subsequently follow the most correct photographic identification procedures and show him the pictures of a number of individuals without indicating whom they suspect, there is some danger that the witness may make an incorrect identification. .

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