

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, 1980-2004									
Year	Number of participants disposed ^a	Disposed			Judgment				
		Total	Sent	Voluntary dismissal	Mgmt prosecution	Other	Total	Ind ^b	Other ^c
1980	17,385	65.2%	35.7%	8.1%	3.9%	5.0%	14.1%	33.8%	7.3%
1981	38,175	65.4	35.4	11.8	2.0	4.1	18.1	36.6	8.0
1982	38,941	71.3	37.5	11.9	1.7	4.1	17.0	27.7	4.1
1983	38,012	71.9	38.9	12.2	1.8	4.0	17.0	26.1	3.8
1984	38,551	74.2	37.8	12.7	1.8	4.0	17.8	25.8	5.5
1985	57,624	74.7	38.5	12.8	1.9	4.0	17.5	25.3	5.4
1986	57,407	73.8	37.6	12.0	1.8	4.0	18.5	26.3	5.3
1987	56,939	71.9	38.1	11.8	1.7	4.1	17.9	26.4	10.0
1988	53,108	72.0	37.0	11.4	1.7	4.4	17.6	26.0	10.0

^aCases not include prisoner petitions. Percentages may not sum to total due to rounding.
^bExcludes trials, remands, and statistical counts.
^cThis includes cases disposed of by jury trial, bench trial, and directed verdict. In some cases, the parties may have settled before the completion of the trial.
^dIncludes judgments by default, consent, or motion before trial, judgment of arbitrator or by some other first judgment method.
Source: Administrative Office of the U.S. Courts, Civil Justice Project.

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



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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.

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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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