Eyewitness Testimony
Pressing Problems and Practical Solutions

David F. Ross, PhD
Professor of Psychology
University of Tennessee at Chattanooga
Jennifer Thompson and Ronald Cotton: Turning tragedy into legal education

Cotton mugshot used in first lineup

Ronald Cotton # 5
...A series of events contaminated my memory. It began with a composite sketch that subconsciously altered my memory. If you did a photo lineup, and the rapist was of course not in the lineup then you pick the best face. By the time I went to the physical lineup, I was not looking for the actual face of the attacker but the last visual I had, which was a photo of Ronald Cotton. When January of 1985 came along, Ronald had now become the rapist.

Question: And later in a re-trial when you came face to face with the actual perpetrator, how is it possible that you did not recognize him?

Jennifer: “Because that is how memory fails us. I had now transferred the actual face with the face that I had come to think of the rapist.”
Picking Cotton

Draw the head of a penny!
Count the Passes

State of TN vs. Coley

• “Eyewitness testimony has no scientific or technical underpinnings which would be outside the common understanding of the jury”

State of TN v. Coley

• “Expert testimony will not aid the jury because it addresses an issue of which the jury is already generally aware”
State of TN vs. Coley

“We believe the problem can be eliminated by a proper cautionary instruction to the jury which sets forth the factors to be considered in evaluating eyewitness testimony.”

Data on Commonsense Knowledge

• Ross study showed that eyewitness testimony is not commonsense

Exposure to mug shots of a suspect increases the likelihood that the witness will later choose that suspect in a lineup.

Percent that agreed.

Experts 95%
Jurors 59%
Eyewitness’s testimony about an event can be affected by how the questions put to that witness are worded.

Percent that agreed.
Experts 81%
Jurors 28%

An eyewitness’s confidence is not a good predictor of his or her identification accuracy.

Percent that agreed.
Experts 87%
Jurors 28%

Traumatic experiences can be repressed for many years and then recovered.

Percent that agreed.
Experts 22%
Jurors 72%
So What to Do?

- DOJ Procedures work: USE THEM!
- What are they?
- Dissect the case into the two types of eyewitness testimony: Recognition (lineup), and Recall (interview)
- Think WITNESS HISTORY!!!!!!!
- Think One shot at this!!!!!!!
- WARNING: MUGSHOTS AND MUGBOOKS impact memory!!!!!!!

Composing the lineup

- Photos must match verbal description given by the witness
- Lineup members must be matched in terms of clothing
- Use a minimum of 5 fillers
- Use live lineups if possible

Conducting the lineup

- Investigator conducting the lineup must not know who the suspect is in the lineup "Blind"
- Or at least not know what order the suspect is in the lineup "Blinded"
Instructions to the witness

- Tell the witness that the investigation will continue regardless of whether or not an identification is made
- A lineup is important to identify a guilty person as it is to identify a person who is not guilty
- The guilty person may or may not be in the lineup!

Conducting the lineup

- Use sequential versus simultaneous
- Don't say anything during the procedure
- Don't confirm that the witness made the “right” choice
- Ask the witness not to discuss the identification with anyone, especially other witnesses!

Document the results!

- Videotape the procedure will maintain and demonstrate proper procedure was used
- Make sure to identify and record where the photographs were obtained
- Record both identification and non-identification results
Colorado Bank Robbery Case

Using the cognitive interview

- Mentally reconstruct the circumstances of the event
- Encourage the witness to report all details even if they seem trivial
- Recall in different orders AND different perspectives!
- Then witness gives a free narrative of the event
- After the free narrative follow up with OPEN ended questions and only at the end finish with more directed and pointed questions)
Eyewitness Identification

IACP National Law Enforcement Policy Center

Concepts and Issues Paper
Originally Published: May 1993
Revised: April 2003, February 2007, September 2010

I. INTRODUCTION

A. Purpose of Document

This document was designed to accompany the Model Policy on Eyewitness Identification established by the IACP National Law Enforcement Policy Center. This paper provides essential background material and supporting documentation to provide greater understanding of the developmental philosophy and implementation requirements for the model policy. This material will be of value to law enforcement executives in their efforts to tailor the model to the requirements and circumstances of their communities and their law enforcement agencies.

B. Background

Although the evidence provided by eyewitnesses can be tremendously helpful in the development of leads, identifying criminals, and exonerating the innocent—it is subject to error. Civilian eyewitnesses frequently prove to be unreliable observers, and erroneous identifications are sometimes the result. Misidentifications by eyewitnesses are normally the result of a combination of factors. For example, human perception tends to be inaccurate, especially under stress. The average citizen, untrained in observation and placed under extreme stress as a victim of or witness to a crime, may not be able to describe a perpetrator accurately, sometimes even after coming face-to-face with the individual. Also, a witness, particularly one who is not really sure what the perpetrator actually looked like, may be easily influenced by suggestions conveyed to him or her during the identification process. In United States v. Wade, the Supreme Court of the United States recognized these facts in saying:

The influence of improper suggestions upon identifying witnesses probably accounts for more miscarriages of justice than any other single factor. Perhaps it is responsible for more such errors than all other factors combined.¹

Law enforcement officers may unwittingly facilitate misidentifications by using suggestive words or engaging in certain types of suggestive behavior. The average witness, anxious to make an identification and influenced by the police officer’s image as an authority figure, can be very sensitive to any suggestion made by the police regarding the identity of the perpetrator. Officers may, totally unintentionally, convey to the witness by word or behavioral cue, that a particular person being viewed is the suspect.

Consequently, great care must be taken by officers conducting any type of eyewitness identification to avoid any action that might lead to an erroneous identification. Scrupulously adhering to the procedures and precautions outlined in this document will help avoid misidentifications that may lead to unjust accusations or even erroneous convictions of innocent persons and divert the investigation away from the real culprit. In addition, even if the actual perpetrator is caught and brought to trial, using improper identification procedures during the investigation will often cause the suppression of identification evidence at trial, resulting in dismissal of the charges or otherwise making it impossible to convict the guilty party.

It is estimated that some 77,000 people nationwide are put on trial because eyewitnesses pick them out of lineups or photo arrays. Recently, changes in eyewitness identification procedures have been spurred by the fact that nearly 200 people have been cleared of crimes through DNA evidence, most of whom were convicted based on eyewitness identification.²

Research in this field has provided much information on the dynamics of eyewitness identification. For example, the manner in which suspects are presented to witnesses has bearing on whether identification will be made and which individual is more likely to be pinpointed by the witness. In the wake of these and many other research findings, the American Bar Association (ABA) issued a resolution containing Best Practices for Promoting the Accuracy of Eyewitness Identification Procedures in August 2004.

The document has subsequently prompted states such as Wisconsin and California to conduct similar reviews of eyewitness identification practices and to issue recommendations for change in their respective jurisdictions that generally mirror the ABA suggestions.³ No doubt, these findings will continue to influence reforms around the nation. Officers may find that these best practices may also be cited during court proceedings as models for conducting eyewitness identification.

If a court determines that an identification procedure was excessively suggestive, the court may prohibit introduction of the evidence in question. It may rule that any in-court identification of the accused by the victim is inadmissible or suppress other evidence that was obtained as a result of an improper pretrial identification procedure or both. Of course, any of these actions
may be fatal to a case.

Today, in evaluating proper identification procedure, the courts will generally be concerned with whether it was suggestive. If the court finds that the procedure was suggestive, it will then proceed to determine whether, despite the suggestiveness, the identification was reliable when considering the totality of the circumstances.

For purposes of this document, identification procedures may be categorized as showups, lineups, or photo arrays. In a showup, witnesses are shown one suspect only. By contrast, in a lineup, eyewitnesses are presented with a number of individuals. Photo array procedures generally involve showing several photographs to a witness for the purpose of obtaining identification.

II. PROCEDURES

A. Showups

The showup has been widely condemned by the courts and by experts in law, law enforcement, and law enforcement identification procedures. While the courts have not held showups to be categorically improper, they have ruled that the determination of whether a specific showup was excessively suggestive will be made based upon the totality of the circumstances attending that particular showup. In practice, evidence deriving from showups is frequently suppressed because the showup is so inherently suggestive. Consequently, the use of showups should be avoided where possible, particularly when photo arrays or lineups could be used.

It is recognized however, that a showup early in an investigation may provide sufficient probable cause to help avoid the escape of a prime suspect. Conversely, it may facilitate the release an innocent person thus redirecting police investigations in potentially more productive areas. Therefore, where use of a showup seems reasonable and appropriate, certain guidelines should be followed to minimize the suggestiveness of the procedure and the risk of suppression of any resultant identification evidence.

Showups conducted in the station house or jail are the most unreliable and hence the most objectionable. Showups should, whenever reasonably possible, conform with the following guidelines:

- Showups should only be used when the suspect is detained within a reasonably short time frame following the offense.
- Showups should not be used when independent probable cause exists to arrest a suspect.
- Prior to the showup, the witness should provide officers with as complete a description of the suspect as possible.
- Before showing the suspect, the following statement should be read to the witness. The statement should include the following:

  In a moment I am going to ask you to view a person. This individual may or may not be the person who committed the crime.

  It is just as important to clear innocent persons from suspicion as to identify guilty parties.

  Regardless of whether you make an identification, we will continue to investigate the incident.

B. Lineups

The lineup, if properly conducted, is significantly less suggestive than the showup and hence is generally preferable. Nevertheless, police officers conducting a lineup must also use caution to avoid suggestive influences. Studies of witness psychology reveal that lineup witnesses tend to believe that the guilty party must be one of the individuals in the lineup. Consequently, witnesses tend to pick out the person in the lineup who most closely resembles their perception of the perpetrator, even though the perpetrator may not in fact be present.

Prior to the lineup, witnesses should be given the following instructions, which can facilitate an identification and help avoid misidentification.

You will be asked to view a series of individuals.

It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.

I don’t know whether the person being investigated is included in this series.

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.
You should not feel that you have to make an identification. If you do identify someone, I will ask you to describe in your own words how certain you are.

The individuals will be shown to you one at a time and are not in any particular order. Take as much time as you need to examine each individual. If you make an identification, I will continue to show you the remaining individuals in the series.

Regardless of whether you make an identification, we will continue to investigate the incident.

Since this is an ongoing investigation, you should not discuss the identification procedures or results.

Many witnesses, in an effort to please the police officers conducting the lineup, feel obligated to pick out someone from the lineup rather than disappoint the officers. Such witnesses are often sensitive to, and strongly influenced by, subtle clues conveyed by the officers that may indicate to the witness that the officer believes that a particular individual in the lineup is the perpetrator. This makes it doubly important that officers conduct the lineup—and conduct themselves—in a nonsuggestive manner. To prevent these suggestive techniques, police lineups should be administered by an officer who does not know which person in the lineup is the actual suspect. Other than the suspect’s attorney, who should attend the lineup, no one who is aware of the suspect’s identity should be present during the lineup.

Additionally, it has been recommended in the studies cited by the ABA and others that a lineup should be administered sequentially rather than all at once (simultaneously). When witnesses view photos or lineups simultaneously, they tend to make comparative judgments; they try to determine which of those persons present appears to make the best fit to their memory of the suspect. When the suspect is present in the lineup or photo array, they will likely be identified in this manner and no harm is caused. But, if the actual suspect is not present, witnesses still tend to make an identification based on the best fit among those present. This can lead to misidentification. Therefore, studies suggest that sequential presentation of suspects in both photo arrays and lineups is the better approach because witnesses tend to make absolute rather than comparative judgments when viewing suspects individually. In this process, suspects and fillers are presented one at a time and then move out of site as the next person is brought into view.

Preparing for a lineup may be as important to the validity of the procedure as actually conducting it. Selecting individuals as fillers for the lineup is a particularly important issue. In determining which fillers should be presented to the witnesses in a lineup, the following principles should be observed:

- The lineup should consist of at least five or six persons. The smaller the lineup, the less objective it is. A lineup with only two or three persons is little better than a showup, and suggestive factors become excessively influential. In addition, some authorities caution against the use of plainclothes police officers in lineups because they do not naturally look or act like suspects, a factor that causes witnesses to reject them as possibilities. They also may have been seen by the witness in the community, upon visits to the police station, or in similar contexts.

- The lineup should consist of at least five or six persons. The smaller the lineup, the less objective it is. A lineup with only two or three persons is little better than a showup, and suggestive factors become excessively influential. In addition, some authorities caution against the use of plainclothes police officers in lineups because they do not naturally look or act like suspects, a factor that causes witnesses to reject them as possibilities. They also may have been seen by the witness in the community, upon visits to the police station, or in similar contexts.

Preparing a witness for viewing the lineup is another important consideration. Preparation should be limited to nonsuggestive statements, such as explaining the procedure that will be used and making it clear that the individuals in the lineup will be unable to see the witness. Officers should avoid taking any action or making any statement that will adversely affect the validity of the lineup. In particular, before a lineup, officers should avoid:

1. Showing the witness any photos of the suspect.
2. Conducting a showup with the suspect, or allowing the witness—accidentally or otherwise—to see the suspect, such as in an office or holding cell prior to the lineup.
3. In conducting the lineup, officers who are not familiar with the case should handle the procedure if possible. This helps to minimize the possibility that the officers who are conducting the investigation will, in their zeal to solve the case, convey (inadvertently or otherwise) clues to the witness as to which person to select, or put pressure on the witness to choose somebody. The following should also be observed in conducting lineups:

- Statements that put pressure on the witness to make an identification should be avoided. Witnesses are anxious to please the officers conducting the lineup, so they should not be made to feel that they are expected to make an identification. For example, urging a hesitant witness to make an identification or to try harder would be improper.

- Statements that may cause the witness to focus on a particular individual should be avoided. The same sort of statements discussed in regard to witness preparation should be avoided during actual conduct of the lineup. Officers are often tempted to prompt a witness when someone in the lineup is a prime suspect and the witness is hesitant to make an identification.

- The lineup should be presented to one witness at a time. The common practice of having a group of witnesses view a lineup simultaneously should not be permitted. Courts, including the U.S. Supreme Court, have disapproved multiple-witness lineups. If more than one witness is to view a lineup, the witnesses should be kept separated prior to the lineup and should not be permitted to discuss the case with each other, compare descriptions, etc. While discussions between witnesses following a lineup will presumably not render any previously made identification invalid, it may affect the admissibility of a subsequent in-court identification of the defendant by these witnesses during the trial itself.

- If possible, conduct a blank lineup. Conducting two or more lineups, where one lineup includes the suspect and the others do not, assists the prosecution in...
later refuting any claim by the defense that the lineup was too small or was suggestive.

- If multiple lineups are to be conducted for the same witnesses, do not put the suspect in more than one. Seeing the same face in a second lineup may cause the witness to erroneously recognize the person as the perpetrator, merely because the face is familiar from the first lineup. Because of this, the courts have disapproved this practice.13

4. Document any statements made by the witness before, during, and after the lineup.
5. Videotape and audiotape the lineup whenever possible. This procedure provides a historical record of the proceeding should the identification or the process used come into question, or the actual identification process is necessary to assist the prosecution at trial.

In another context, the Court has held that requiring a suspect participating in a lineup to speak, even to the extent of uttering the same words used by the criminal does not violate the Fifth Amendment, since it is not “testimonial self-incrimination.” Other actions, such as standing, walking, gesturing, and the like are similarly not self-incriminating within the meaning of the Fifth Amendment. Similarly, requiring the suspect to wear certain clothing has been held to be outside of the coverage of the Fifth Amendment.

Witnesses should not be praised or congratulated for identifying the suspect. This may serve to reinforce a shaky identification, convincing the witness that he or she has picked out the perpetrator when the witness actually has doubt. In addition to increasing the chances of a miscarriage of justice, this may lead to suppression of a later in-court identification of the perpetrator by the same witness.

C. Photographic Identifications

Photographic identifications may take a number of forms. If a single photo is shown to the witness, the photo identification has all of the vices of the showup and is generally regarded by the courts as improper. Consequently, multiple-photo arrays are preferable. In such procedures, the photos should be shown individually, one at a time. Simultaneous photo arrays, where all the photos are shown at once, should be avoided whenever possible. Photo arrays are similar to a lineup, and virtually all of the cautions set forth for lineups in the preceding discussion apply to multiple-photo identification procedures as well.

Specifically, the following recommendations are made regarding photographic identifications:

- There should be at least six photographs.
- The photographs should be of people who are reasonably uniform in age; height; weight and general appearance; and of the same sex and race. If scars or tattoos were present on the suspect, all in the photo array should be similarly marked or the area of the body should be covered for all.
- The photographs themselves should be similar. For example, color photographs and black and white photographs should not be mixed; they should be of approximately the same size and composition.
- Mug shots should not be mixed with snapshots since they are generally recognizable as such and have an immediate tendency to brand an individual.
- If mug shots are used, or if the photographs otherwise include any identifying information regarding the subject of the photograph, this information should be covered so that it cannot be seen by the witness. If only some of the photos have such information, the corresponding portions of photos should be covered so that none of the photos will look different.
- The array should not include more than one photo of the same suspect.
- The individual administering the photo array should not have any knowledge as to the identity of the suspect. If such an independent administrator is not available, the following functional equivalent procedures should be used:
  1. Place the suspect and filler photos in a folder. Include four blank folders, for a total of ten.
  2. Shuffle the folders before giving them to the witness.
  3. The officer administering the array should position himself or herself so that he or she cannot see inside the folders as they are viewed by the witness.
- The photo array should be shown to only one witness at a time.
- If possible, the array should only be shown to the witness once. Subsequent viewings have been shown to negatively affect the credibility of the identification in future proceedings.
- As with showups and lineups, no suggestive statements should be made. For example, witnesses should not be told that the suspect’s photo is in the group, or that someone else has already picked out one of the photos as being the criminal. Similarly, nothing should be said or done to direct the witness’s attention to any particular photograph. For example, pointing to a particular photo and saying, “Is this the guy?” is improper and may lead to suppression.
- The photo array should be preserved for future reference. In fact, in some states, failure to preserve the array will lead to suppression of the identification process. Additionally, as in lineups, full details about the identification process should be recorded and preserved—such as the administrator’s name; procedures used; date, time and location of the procedure; number of fillers; names of those present during the procedure; and whether the array was viewed more than once by the same witness. Assuming that the photo identification has been properly conducted and that the array itself was not in any way suggestive, preserving this information helps the prosecution refute any claims by the defense to the contrary.

The proper use of photographs to obtain identification of a perpetrator has been approved by the courts.14 However, the courts appear to prefer that photographic identification procedures be used only to develop investigative leads. Some courts have criticized the practice of using photographic identifications once the suspect has been arrested, preferring that once the suspect is in custody and therefore readily available, a lineup be employed for eyewitness identifications.15

D. The Right to Counsel at Eyewitness Identifications

In 1967, the U.S. Supreme Court held that a suspect has a right to counsel at a post-indictment lineup.16 Subsequently, the Court expanded this ruling to provide for a right to counsel at any lineup conducted after formal adversary proceedings have been ini-
tiated against the suspect, whether by way of formal charge, pre-
liminary hearing, indictment, information, or arraignment. There is, however, no right to have counsel present at a lineup conducted before such adversary proceedings have been initiat-
ed. These same rules apply to showups. However, there is no right to counsel at photo identification sessions.

The purpose of having counsel present at the identification is to enable counsel to detect any suggestiveness or other irregularities in the procedure. It should be recognized, however, that the presence-of-counsel requirement may actually help the police in certain instances. First, the department’s goal should be to avoid any possibility of an erroneous identification and a resultant mis-
carriage of justice. Therefore, the presence of counsel may be regarded as a positive step in preventing any such occurrence. In addition, if counsel is present and acquiesces to the procedure being employed, this may preclude any subsequent defense conten-
tion that suggestiveness or other impropriety occurred. This will strengthen the prosecution’s case. Therefore, to the extent that defense counsel is responsible and objective, cooperation with counsel in constructing and conducting a nonsuggestive and otherwise proper identification procedure may benefit all concerned.

E. Summary

Of all investigative procedures employed by police in criminal cases, probably none is less reliable than the eyewitness identifi-
cation. Errorescent identification creates more injustice and cause more suffering to innocent persons than perhaps any other aspect of police work. Proper precautions must be followed by officers if they are to use eyewitness identifications effectively and accurately.

Endnotes

1 388 U.S. 218, 229 (1967).

This in turn is to be achieved by analyzing six factors. These are (1) the opportunity of the witness to view the criminal at the time of the crime; (2) the witness’s degree of attention; (3) the accuracy of the witness’s prior description of the criminal; (4) the level of certainty demonstrated by the witness at the confrontation; (5) the length of time between the crime and the confrontation; and (6) whether the witness was a casual observer or the victim of the crime. If in view of these various factors, it appears that the identification was reliable despite the suggestiveness of the procedure, evidence of the identification will be admissible to bol-


Although such requirements sometimes may properly be imposed during a lineup, the showup is so inherently suggestive that the same court that would approve their use in a line-

up may find them excessively suggestive when employed during a showup.

Although it may surprise many officers to hear it, the average citizen still sees the police officer as a benevolent father figure (or perhaps, in the case of a female officer, a mother fig-
ure), with the result that the lineup witness is often extremely anxious to please the officer by making an identification—even though the citizen is not at all certain that the person chosen is the guilty party.

United States v. Lewis, 547 F.2d 1030, 1035 (6th Cir. 1976).

Even a photo array should be avoided. This is especially true if the suspect is the only person in the photo array who is also in the lineup.


It has been said that once a witness has identified a photo, this influences subsequent identifications. The contention is that the witness thereafter is really only recognizing the previously seen photograph, not the actual criminal. For this reason, the practice of showing a witness a photograph of the defendant just prior to trial to “refresh the witness’s memory” should be avoided.

This project was supported by Grant No. 2006-DG-BX-K004 awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. The Assistant Attorney General, Office of Justice Programs, coordinates the activi-
ties of the following program offices and bureaus: the Bureau of Justice Assistance, the Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and the Office of Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United States Department of Justice or the IACP.

Every effort has been made by the IACP National Law Enforcement Policy Center staff and advisory board to ensure that this model policy incorporates the most current information and contemporary professional judgment on this issue. However, law enforcement administrators should be cautioned that no “model” policy can meet all the needs of any given law enforcement agency. Each law enforce-
ment agency operates in a unique environment of federal court rulings, state laws, local ordinances, regulations, judicial and administrative decisions and col-
clective bargaining agreements that must be considered. In addition, the formulation of specific agency policies must take into account local political and community perspectives and customs, prerogatives and demands; often divergent law enforce-
ment strategies and philosophies; and the impact of varied agency resource capa-

bilities among other factors.

© Copyright 2010. International Association of Chiefs of Police, Alexandria, Virginia U.S.A. All rights reserved under both international and Pan-American copyright conventions. No reproduction of any part of this material may be made without prior written consent of the copyright holder.
Eyewitness Evidence
A Guide for Law Enforcement
Eyewitness Evidence: A Guide for Law Enforcement

Developed and Approved by the Technical Working Group for Eyewitness Evidence

October 1999
This document is not intended to create, does not create, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal.

Opinions or points of view expressed in this document represent a consensus of the authors and do not necessarily reflect the official position of the U.S. Department of Justice.

NCJ 178240

The National Institute of Justice is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.
Eyewitnesses frequently play a vital role in uncovering the truth about a crime. The evidence they provide can be critical in identifying, charging, and ultimately convicting suspected criminals. That is why it is absolutely essential that eyewitness evidence be accurate and reliable. One way of ensuring we, as investigators, obtain the most accurate and reliable evidence from eyewitnesses is to follow sound protocols in our investigations.

Recent cases in which DNA evidence has been used to exonerate individuals convicted primarily on the basis of eyewitness testimony have shown us that eyewitness evidence is not infallible. Even the most honest and objective people can make mistakes in recalling and interpreting a witnessed event; it is the nature of human memory. This issue has been at the heart of a growing body of research in the field of eyewitness identification over the past decade. The National Institute of Justice convened a technical working group of law enforcement and legal practitioners, together with these researchers, to explore the development of improved procedures for the collection and preservation of eyewitness evidence within the criminal justice system.

This Guide was produced with the dedicated and enthusiastic participation of the seasoned professionals who served on the Technical Working Group for Eyewitness Evidence. These 34 individuals brought together knowledge and practical experience from jurisdictions large and small across the United States and Canada. I applaud their effort to work together over the course of a year in developing this consensus of recommended practices for law enforcement.

In developing its eyewitness evidence procedures, every jurisdiction should give careful consideration to the recommendations in this Guide and to its own unique local conditions and logistical circumstances. Although factors that vary among investigations, including the nature and quality of other evidence and whether a witness is also a victim of the
crime, may call for different approaches or even preclude the use of certain procedures described in the *Guide*, consideration of the *Guide*’s recommendations may be invaluable to a jurisdiction shaping its own protocols. As such, *Eyewitness Evidence: A Guide for Law Enforcement* is an important tool for refining investigative practices dealing with this evidence as we continue our search for truth.

*Janet Reno*
The Technical Working Group for Eyewitness Evidence (TWGEYEE) is a multidisciplinary group of content-area experts from across the United States and Canada, from both urban and rural jurisdictions, each representing his or her respective agency or practice. Each of these individuals is experienced in the use of eyewitness evidence in the criminal justice system from the standpoints of law enforcement, prosecution, defense, or social science.

At the outset of the TWGEYEE effort, the National Institute of Justice (NIJ) created a Planning Panel—composed of distinguished law enforcement, legal, and research professionals—to define needs, develop initial strategies, and steer the larger group. Additional members of the Technical Working Group then were selected from recommendations solicited from the Planning Panel, NIJ’s regional National Law Enforcement and Corrections Technology Centers, and national organizations, including the National Sheriffs’ Association, the International Association of Chiefs of Police, the National District Attorneys Association, the National Association of Criminal Defense Lawyers, and the National Legal Aid & Defender Association.

Collectively, over a 1-year period, the 34 members of TWGEYEE listed below worked together to develop this handbook, *Eyewitness Evidence: A Guide for Law Enforcement*.

**Planning Panel**

Comdr. Ella M. Bully (Ret.)
Detroit Police Department
Detroit, Michigan

Sgt. Paul Carroll (Ret.)
Chicago Police Department
Chicago, Illinois

Carole E. Chaski, Ph.D.
Institute for Linguistic Evidence
Georgetown, Delaware

James Doyle
Attorney at Law
Boston, Massachusetts

Ronald P. Fisher, Ph.D.
Florida International University
North Miami, Florida

Mark R. Larson
King County Prosecutor’s Office
Seattle, Washington

Capt. Donald Mauro
Los Angeles County Sheriff’s Office
Los Angeles, California

Melissa Mourges
New York County District Attorney’s Office
New York, New York

Gary L. Wells, Ph.D.
Iowa State University
Ames, Iowa
TWGEYEE Members
Northeast

Michael J. Barrass
Lackawanna County District Attorney
Scranton, Pennsylvania

Det. Sgt. Chet Bush
Kent County Sheriff’s Office
Grand Rapids, Michigan

Solomon M. Fulero, Ph.D., J.D.
Sinclair College
Dayton, Ohio

David C. Niblack
Attorney at Law
Washington, D.C.

Det. Lt. Kenneth A. Patenaude
Northampton Police Department
Northampton, Massachusetts

Patricia Ramirez
Dodge County District Attorney
Juneau, Wisconsin

Senior Investigator Eugene Rifenburg
New York State Police (Ret.)
Oneida Indian Nation Police
Munnsville, New York

Det. Edward Rusticus
Kent County Sheriff’s Office
Grand Rapids, Michigan

Capt. Michael B. Wall
Northampton Police Department
Northampton, Massachusetts

Southeast

Deputy Daniel Alarcon II
Hillsborough County Sheriff’s Office
Tampa, Florida

First Sgt. Roger Broadbent
Virginia State Police
Fairfax Station, Virginia

Cpl. J.R. Burton
Hillsborough County Sheriff’s Office
Tampa, Florida

Caterina DiTraglia
State of Missouri
Public Defender System
St. Louis, Missouri

Officer Patricia Marshall
Chicago Police Department
Chicago, Illinois

Det. Ray Staley
Kansas City Police Department
Kansas City, Missouri

Lt. Tami Thomas
Atlantic Beach Police Department
Atlantic Beach, North Carolina

Rocky Mountain

Det. Sgt. J. Glenn Diviney (Ret.)
Tarrant County Sheriff’s Office
Fort Worth, Texas

Investigations Chief Arlyn Greydanus
Montana Department of Justice
Division of Criminal Investigation
Helena, Montana

Investigator Kathy Griffin
Loveland Police Department
Loveland, Colorado

Roy S. Malpass, Ph.D.
University of Texas at El Paso
El Paso, Texas

Jeralyn Merritt
Attorney at Law
Denver, Colorado

West

James Fox
San Mateo County District Attorney
Redwood City, California

William Hodgman
Los Angeles County District Attorney’s Office
Los Angeles, California

Canada

Rod C.L. Lindsay, Ph.D.
Queen’s University
Kingston, Ontario

John Turtle, Ph.D.
Ryerson Polytechnic University
Toronto, Ontario
The National Institute of Justice (NIJ) acknowledges with great thanks the members of the Technical Working Group for Eyewitness Evidence (TWGEYEE) for their extensive efforts on this project and their dedication to improving the use of eyewitness evidence in the criminal justice system. All of the 34 members of this network of experts gave their time and expertise to draft and review the Guide, providing feedback and perspectives from a variety of disciplines and from all areas of the United States as well as Canada. The true strength of this Guide is derived from their commitment to develop procedures that could be implemented across the Nation, from small, rural townships to large, metropolitan areas. In addition, thanks are extended to the agencies and organizations represented by the Technical Working Group members for their flexibility and support, which enabled the participants to see this project through to completion.

NIJ is grateful to all the individuals from various national organizations across the Nation who responded to the request for nominations of experts in the field of eyewitness evidence to serve on TWGEYEE. It was from their recommendations that the members were selected. In particular, thanks are extended to James D. Polley IV of the National District Attorneys Association, Daniel Rosenblatt of the International Association of Chiefs of Police, Stuart Statler of the National Association of Criminal Defense Lawyers, Clinton Lyons of the National Legal Aid & Defender Association, and Aldine N. “Bubby” Moser, Jr., of the National Sheriffs’ Association.

NIJ would also like to thank the many individuals and organizations who reviewed the draft of the Guide and provided valuable comments. Although these comments were given careful consideration by the Technical Working Group in developing the final document, the review by these organizations and individuals is not intended to imply their endorsement of the Guide.
Aspen Systems Corporation, particularly Gayle Garmise and Erica Pope, provided tireless work on editing and re-editing the various drafts of the Guide. CSR, Incorporated, provided support in arranging the group’s many meetings.

Staff from NIJ and the Office of Justice Programs provided valuable input, particularly Janice Munsterman, Karl Bickel, Luke Galant, and Anjali Swienton. Special thanks are extended to Lisa Forman and Kathleen Higgins for their contributions to the TWG program and to Lisa Kaas for her patience, dedication, endurance, and editing skills that made the work of TWGEYEE easier.

Finally, NIJ would like to acknowledge Attorney General Janet Reno, whose support and commitment to the improvement of the criminal justice system made this work possible.
<table>
<thead>
<tr>
<th>Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Message From the Attorney General .............................................................. iii</td>
</tr>
<tr>
<td>Technical Working Group for Eyewitness Evidence ....................................... v</td>
</tr>
<tr>
<td>Acknowledgments ................................................................. vii</td>
</tr>
<tr>
<td>Introduction ......................................................................................... 1</td>
</tr>
<tr>
<td>Eyewitness Evidence: A Guide for Law Enforcement ................................. 11</td>
</tr>
<tr>
<td>Section I: Initial Report of the Crime/First Responder ............................. 13</td>
</tr>
<tr>
<td>(Preliminary Investigator) ......................................................... 13</td>
</tr>
<tr>
<td>A. Answering the 9–1–1/Emergency Call (Call-Taker/Dispatcher) .......... 13</td>
</tr>
<tr>
<td>B. Investigating the Scene (Preliminary Investigating Officer) ................ 14</td>
</tr>
<tr>
<td>C. Obtaining Information From the Witness(es) .................................. 15</td>
</tr>
<tr>
<td>Section II: Mug Books and Composites ................................................ 17</td>
</tr>
<tr>
<td>A. Preparing Mug Books ............................................................. 17</td>
</tr>
<tr>
<td>B. Developing and Using Composite Images ...................................... 18</td>
</tr>
<tr>
<td>C. Instructing the Witness .......................................................... 19</td>
</tr>
<tr>
<td>D. Documenting the Procedure ..................................................... 20</td>
</tr>
<tr>
<td>Section III: Procedures for Interviewing the Witness by the Followup Investigator ......................................................... 21</td>
</tr>
<tr>
<td>A. Preinterview Preparations and Decisions ......................................... 21</td>
</tr>
<tr>
<td>B. Initial (Preinterview) Contact With the Witness ............................... 22</td>
</tr>
<tr>
<td>C. Conducting the Interview .......................................................... 22</td>
</tr>
<tr>
<td>D. Recording Witness Recollections .............................................. 23</td>
</tr>
<tr>
<td>E. Assessing the Accuracy of Individual Elements of a Witness’ Statement ......................................................... 24</td>
</tr>
<tr>
<td>F. Maintaining Contact With the Witness ........................................ 25</td>
</tr>
</tbody>
</table>
Section IV: Field Identification Procedure (Showup) ......................... 27
   A. Conducting Showups ............................................................. 27
   B. Recording Showup Results ..................................................... 28

Section V: Procedures for Eyewitness Identification of Suspects .... 29
   A. Composing Lineups .............................................................. 29
      Photo Lineup ..................................................................... 29
      Live Lineup ...................................................................... 30
   B. Instructing the Witness Prior to Viewing a Lineup ............... 31
      Photo Lineup ..................................................................... 31
      Live Lineup ...................................................................... 32
   C. Conducting the Identification Procedure ............................ 33
      Simultaneous Photo Lineup .............................................. 33
      Sequential Photo Lineup .................................................. 34
      Simultaneous Live Lineup ............................................... 35
      Sequential Live Lineup .................................................... 36
   D. Recording Identification Results ......................................... 38

Appendixes .................................................................................... 39
Appendix A: Further Reading .......................................................... 41
Appendix B: Reviewer List .............................................................. 43
he legal system always has relied on the testimony of eyewitnesses, nowhere more than in criminal cases. Although the evidence eyewitnesses provide can be tremendously helpful in developing leads, identifying criminals, and exonerating the innocent, this evidence is not infallible. Even honest and well-meaning witnesses can make errors, such as identifying the wrong person or failing to identify the perpetrator of a crime.

To their credit, the legal system and law enforcement agencies have not overlooked this problem. Numerous courts and rulemaking bodies have, at various times, designed and instituted special procedures to guard against eyewitness mistakes. Most State and local law enforcement agencies have established their own policies, practices, and training protocols with regard to the collection and handling of eyewitness evidence, many of which are quite good.

In the past, these procedures have not integrated the growing body of psychological knowledge regarding eyewitness evidence with the practical demands of day-to-day law enforcement. In an effort to bring together the perspectives of law enforcement, lawyers, and researchers, the National Institute of Justice (NIJ) convened the Technical Working Group for Eyewitness Evidence (TWGEYEE). The purpose of the group was to recommend uniform practices for the collection and preservation of eyewitness evidence.

This Guide differs from earlier efforts in several fundamental ways:

This Guide is supported by social science research. During the past 20 years, research psychologists have produced a substantial body of findings regarding eyewitness evidence. These findings offer the legal system a valuable body of empirical knowledge in the area of eyewitness evidence. This Guide makes use of psychological findings, either by including them in the procedures themselves or by using them to point
the way to the design and development of further improvements in procedures and practices for possible inclusion in future amendments or revisions to this document.

**This Guide combines research and practical perspectives.** The growth of social science research into the eyewitness process coincided with parallel efforts of law enforcement agencies to improve their own procedures. This *Guide* benefits from the inclusion of the diverse perspectives of TWGYEE members; the group included not only researchers but also prosecutors, defense lawyers, and working police investigators from departments of all sizes and from all regions. This *Guide* represents a combination of the best current, workable police practices and psychological research.

**This Guide does not flow from the fear of misconduct.** This *Guide* assumes good faith by law enforcement. It identifies procedures and practices that will produce more reliable and accurate eyewitness evidence in a greater number of cases while reducing or eliminating practices that can undermine eyewitness reliability and accuracy.

**This Guide promotes accuracy in eyewitness evidence.** This *Guide* describes practices and procedures that, if consistently applied, will tend to increase the accuracy and reliability of eyewitness evidence, even though they cannot guarantee the accuracy (or inaccuracy) of a particular witness’ testimony in a particular case. Adherence to these procedures can decrease the number of wrongful identifications and should help to ensure that reliable eyewitness evidence is given the weight it deserves in legal proceedings.

**This Guide is not a legal mandate; it promotes sound professional practices.** The *Guide* is not intended to state legal criteria for the admissibility of evidence. Rather, it sets out rigorous criteria for handling eyewitness evidence that are as demanding as those governing the handling of physical trace evidence. This *Guide* encourages the highest levels of professionalism.

Finally, it should be noted that, while this *Guide* outlines basic procedures that can be used to obtain the most reliable and accurate informa-
tion from eyewitnesses, it is not meant as a substitute for a thorough investigation by law enforcement personnel. Eyewitness evidence is often viewed as a critical piece of the investigative puzzle, the utility of which can be further enhanced by the pursuit of other corroborative evidence. Sometimes, even after a thorough investigation, an eyewitness identification is the sole piece of evidence. It is in those cases in particular where careful use of this Guide may be most important.

Purpose and Scope of the Project

After reviewing the National Institute of Justice Research Report, *Convicted by Juries, Exonerated by Science: Case Studies in the Use of DNA Evidence to Establish Innocence After Trial*, Attorney General Janet Reno directed NIJ to address the pitfalls in those investigations that may have contributed to wrongful convictions. The most compelling evidence in the majority of those 28 cases was the eyewitness testimony presented at trial.

NIJ initiated this study in May 1998 with the primary purpose of recommending best practices and procedures for the criminal justice community to employ in investigations involving eyewitnesses. Using its “Template for Technical Working Groups,” NIJ established the Technical Working Group for Eyewitness Evidence to identify, define, and assemble a set of investigative tasks that should be performed in every investigation involving eyewitness evidence to best ensure the accuracy and reliability of this evidence. The initial members of this group were the Planning Panel, a multidisciplinary group of nine professionals brought together to identify the needs of the criminal justice system in the area of eyewitness evidence, define goals and objectives for TWGEYEE, and develop the initial strategy for achieving TWGEYEE’s mission.

The Planning Panel agreed that eyewitness evidence, in general, can be improved and made more reliable through the application of currently accepted scientific principles and practices. It was acknowledged that research has shown that a witness’ memory of an event can be fragile
and that the amount and accuracy of information obtained from a witness depends in part on the method of questioning. Based on these precepts, the following goals and objectives for the study were identified:

- Increase the amount of information elicited from witnesses through improved interview techniques.
- Heighten the validity/accuracy of eyewitness evidence as police, prosecutors, and other criminal justice professionals work with witnesses to identify suspects.
- Improve the criminal justice system’s ability to evaluate the strength and accuracy of eyewitness evidence.

Although the development of a guide for eyewitness evidence can be instructive in addressing issues surrounding this evidence, the Planning Panel recognized that local logistical and legal conditions may dictate the use of alternative procedures. Further, eyewitness identification procedures that do not employ the practices recommended in this Guide will not necessarily invalidate or detract from the evidence in a particular case.

**Project Design**

**Technical Working Group process.** The National Institute of Justice has developed a template for technical working groups that has been successfully used in previous studies of this nature. The process begins with a request from the criminal justice community, generally through the Attorney General; NIJ researches the issue of concern and assembles a planning panel of content-area experts. This panel, together with NIJ, determines whether a Technical Working Group is needed to explore the issue further.

Once the decision is made to form a Technical Working Group, the planning panel determines the group’s size and composition and drafts an agenda. NIJ supports the planning panel by requesting member nominations from its multidisciplinary membership resource pool throughout the
national criminal justice community based on regional distribution and individual expertise and availability.

Once members are identified, meetings are conducted by designated planning panel members. NIJ maintains a purely facilitative function.

The Planning Panel for Eyewitness Evidence met for the first time in May 1998 in Washington, D.C. After two planning meetings (the second in Oak Brook, Illinois), the Technical Working Group for Eyewitness Evidence was formed and convened for the first time in October 1998 in Chicago. The 34 TWGEYEE members (including the 9 Planning Panel members) represent the law enforcement, prosecution, defense, and research communities from across the United States and Canada.
The regional distribution of the Technical Working Group members is:

<table>
<thead>
<tr>
<th>Region</th>
<th>Number of Participants</th>
<th>Percentage of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northeast</td>
<td>14</td>
<td>41</td>
</tr>
<tr>
<td>Southeast</td>
<td>9</td>
<td>26</td>
</tr>
<tr>
<td>Rocky Mountain</td>
<td>5</td>
<td>15</td>
</tr>
<tr>
<td>West</td>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>Canada</td>
<td>2</td>
<td>6</td>
</tr>
</tbody>
</table>

The disciplinary distribution of the Technical Working Group members is:

<table>
<thead>
<tr>
<th>Discipline</th>
<th>Number of Participants (Full TWG/Planning Panel)</th>
<th>Percentage of Total (Full TWG/Planning Panel)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law Enforcement</td>
<td>17/3</td>
<td>50/33.3</td>
</tr>
<tr>
<td>Prosecutors</td>
<td>6/2</td>
<td>18/22.2</td>
</tr>
<tr>
<td>Defense Lawyers</td>
<td>4/1</td>
<td>12/11.1</td>
</tr>
<tr>
<td>Researchers</td>
<td>7/3</td>
<td>20/33.3</td>
</tr>
</tbody>
</table>
Development of the Guide. During the course of three full meetings—the second in Washington, D.C., in January 1999 and the third in San Francisco in May 1999—and four Planning Panel meetings during a 1-year period, the Technical Working Group for Eyewitness Evidence members identified specific investigative tasks they felt represented the best practices currently available to investigators. These tasks were organized based on the categories of investigation defined by the Planning Panel, and these categories were modified during the process where necessary. Once specific tasks were identified, they were incorporated into the following format:

- A statement of principle citing what is accomplished by performing the procedure.
- A statement of policy to the investigator regarding performance of the procedure.
- The procedure for performing the list of tasks.
- A summary statement explaining the justification for and importance of performing the procedure.

National reviewer network. After the Technical Working Group completed the initial draft of the Guide in March 1999, it was distributed to a broad audience throughout the criminal justice community for review. Comments from these organizations and individuals then were considered by TWGEYEE at its May 1999 meeting to finalize and approve the Guide for publication.

The 95 organizations and individuals whose comments were solicited during the national review of the Guide represented all levels of law enforcement from local officers to State superintendents to Federal agencies, regional and national organizations, individual attorneys and judges, and social science researchers from around the United States and Canada. The disciplinary distribution of these reviewers was as follows: 43 law enforcement and corrections agencies and organizations; 20 prosecutors, defense lawyers, and judges (individuals and organizations); 19 national law enforcement and legislative policy organizations; and
13 individual social science and legal researchers (a complete list of reviewers can be found in appendix B).

Training Criteria

NIJ is planning a second phase of this study to produce training criteria for each of the procedures included in this document. This research is expected to be completed and disseminated by the summer of 2000. TWGEYEE members and other training practitioners from around the Nation will define and verify minimum levels of performance for each procedure. The training criteria will be published and widely distributed to provide organizations and individuals with the materials needed to establish and maintain the knowledge and skills for performance of the procedures.

Validation of the Guide

Although the investigative tasks identified in this Guide represent the consensus of the TWGEYEE members on procedures for collection and preservation of eyewitness evidence, no attempt was made to conduct validation studies to state the significance or degree of improvement in eyewitness evidence these practices should be expected to yield. NIJ plans to develop a national validation strategy for the field testing and validation of each procedure. It should be noted that the existing Guide is subject to future modification or revision based on the outcome of these validation procedures.

Future Considerations

Advances in social science and technology will, over time, affect procedures used to gather and preserve eyewitness evidence. The following examples illustrate areas of potential change.
Scientific research indicates that identification procedures such as lineups and photo arrays produce more reliable evidence when the individual lineup members or photographs are shown to the witness sequentially—one at a time—rather than simultaneously. Although some police agencies currently use sequential methods of presentation, there is not a consensus on any particular method or methods of sequential presentation that can be recommended as a preferred procedure; although sequential procedures are included in the Guide, it does not indicate a preference for sequential procedures.

Similarly, investigators’ unintentional cues (e.g., body language, tone of voice) may negatively impact the reliability of eyewitness evidence. Psychology researchers have noted that such influences could be avoided if “blind” identification procedures were employed (i.e., procedures conducted by investigators who do not know the identity of the actual suspect). However, blind procedures, which are used in science to prevent inadvertent contamination of research results, may be impractical for some jurisdictions to implement. Blind procedures are not included in the Guide but are identified as a direction for future exploration and field testing. In the interim, an enhanced awareness on the part of investigators of the subtle impact they may have on witnesses will result in more professional identification procedures.

Technological advances such as computer-based imaging systems and the Internet will enable law enforcement to share images among departments and can facilitate the use of improved procedures. This Guide is not meant to inhibit the development and field testing of new technologies and procedures. On the contrary, it anticipates those developments and can provide a framework for innovation.
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section I</td>
<td>Initial Report of the Crime/First Responder (Preliminary Investigator)</td>
</tr>
<tr>
<td>Section II</td>
<td>Mug Books and Composites</td>
</tr>
<tr>
<td>Section III</td>
<td>Procedures for Interviewing the Witness by the Followup Investigator</td>
</tr>
<tr>
<td>Section IV</td>
<td>Field Identification Procedure (Showup)</td>
</tr>
<tr>
<td>Section V</td>
<td>Procedures for Eyewitness Identification of Suspects</td>
</tr>
</tbody>
</table>
This handbook is intended as a guide to recommended practices for the collection and preservation of eyewitness evidence. Jurisdictional, logistical, or legal conditions may preclude the use of particular procedures contained herein.
A. Answering the 9–1–1/ Emergency Call (Call-Taker/ Dispatcher)

**Principle:** As the initial point of contact for the witness, the 9–1–1/emergency call-taker or dispatcher must obtain and disseminate, in a nonsuggestive manner, complete and accurate information from the caller. This information can include the description/identity of the perpetrator of a crime. The actions of the call-taker/dispatcher can affect the safety of those involved as well as the entire investigation.

**Policy:** The call-taker/dispatcher shall answer each call in a manner conducive to obtaining and disseminating accurate information regarding the crime and the description/identity of the perpetrator.

**Procedure:** During a 9–1–1/emergency call—after obtaining preliminary information and dispatching police—the call-taker/dispatcher should:

1. Assure the caller the police are on the way.
2. Ask open-ended questions (e.g., “What can you tell me about the car?”); augment with closed-ended questions (e.g., “What color was the car?”).
3. Avoid asking suggestive or leading questions (e.g., “Was the car red?”).
4. Ask if anything else should be known about the incident.
5. Transmit information to responding officer(s).
6. Update officer(s) as more information comes in.
A. Answering the 9-1-1 Emergency Call (Call-Taker/ Dispatcher)

**Summary:** The information obtained from the witness is critical to the safety of those involved and may be important to the investigation. The manner in which facts are elicited from a caller can influence the accuracy of the information obtained.

B. Investigating the Scene (Preliminary Investigating Officer)

**Principle:** Preservation and documentation of the scene, including information from witnesses and physical evidence, are necessary for a thorough preliminary investigation. The methods used by the preliminary investigating officer have a direct impact on the amount and accuracy of the information obtained throughout the investigation.

**Policy:** The preliminary investigating officer shall obtain, preserve, and use the maximum amount of accurate information from the scene.

**Procedure:** After securing the scene and attending to any victims and injured persons, the preliminary investigating officer should:

1. Identify the perpetrator(s).
   a. Determine the location of the perpetrator(s).
   b. Detain or arrest the perpetrator(s) if still present at the scene.
2. Determine/classify what crime or incident has occurred.
3. Broadcast an updated description of the incident, perpetrator(s), and/or vehicle(s).
4. Verify the identity of the witness(es).
5. Separate witnesses and instruct them to avoid discussing details of the incident with other witnesses.

6. Canvass the area for other witnesses.

**Summary:** The preliminary investigation at the scene forms a sound basis for the accurate collection of information and evidence during the followup investigation.

**C. Obtaining Information From the Witness(es)**

**Principle:** The manner in which the preliminary investigating officer obtains information from a witness has a direct impact on the amount and accuracy of that information.

**Policy:** The preliminary investigating officer shall obtain and accurately document and preserve information from the witness(es).

**Procedure:** When interviewing a witness, the preliminary investigating officer should:

1. Establish rapport with the witness.
2. Inquire about the witness’ condition.
3. Use open-ended questions (e.g., “What can you tell me about the car?”); augment with closed-ended questions (e.g., “What color was the car?”). Avoid leading questions (e.g., “Was the car red?”).
4. Clarify the information received with the witness.
5. Document information obtained from the witness, including the witness’ identity, in a written report.
6. Encourage the witness to contact investigators with any further information.
C. Obtaining Information From the Witness(es)

7. Encourage the witness to avoid contact with the media or exposure to media accounts concerning the incident.

8. Instruct the witness to avoid discussing details of the incident with other potential witnesses.

**Summary:** Information obtained from the witness can corroborate other evidence (e.g., physical evidence, accounts provided by other witnesses) in the investigation. Therefore, it is important that this information be accurately documented in writing.
Section II. Mug Books and Composites

A. Preparing Mug Books

**Note:** “Mug books” (i.e., collections of photos of previously arrested persons) may be used in cases in which a suspect has not yet been determined and other reliable sources have been exhausted. This technique may provide investigative leads, but results should be evaluated with caution.

**Principle:** Nonsuggestive composition of a mug book may enable the witness to provide a lead in a case in which no suspect has been determined and other reliable sources have been exhausted.

**Policy:** The investigator/mug book preparer shall compose the mug book in such a manner that individual photos are not suggestive.

**Procedure:** In selecting photos to be preserved in a mug book, the preparer should:

1. Group photos by format (e.g., color or black and white; Polaroid, 35mm, or digital; video) to ensure that no photo unduly stands out.
2. Select photos of individuals that are uniform with regard to general physical characteristics (e.g., race, age, sex).
3. Consider grouping photos by specific crime (e.g., sexual assault, gang activity).
4. Ensure that positive identifying information exists for all individuals portrayed.
5. Ensure that photos are reasonably contemporary.
6. Ensure that only one photo of each individual is in the mug book.
A. Preparing Mug Books

Summary: Mug books must be objectively compiled to yield investigative leads that will be admissible in court.

B. Developing and Using Composite Images

Note: Composite images can be beneficial investigative tools; however, they should not be used as stand-alone evidence and may not rise to the level of probable cause.

Principle: Composites provide a depiction that may be used to develop investigative leads.

Policy: The person preparing the composite shall select and employ the composite technique in such a manner that the witness’ description is reasonably depicted.

Procedure: The person preparing the composite should:

1. Assess the ability of the witness to provide a description of the perpetrator.
2. Select the procedure to be used from those available (e.g., identikit-type, artist, or computer-generated images).
3. Unless part of the procedure, avoid showing the witness any photos immediately prior to development of the composite.
4. Select an environment for conducting the procedure that minimizes distractions.
5. Conduct the procedure with each witness separately.
6. Determine with the witness whether the composite is a reasonable representation of the perpetrator.
Summary: The use of composite images can yield investigative leads in cases in which no suspect has been determined. Use of these procedures can facilitate obtaining from the witness a description that will enable the development of a reasonable likeness of the perpetrator.

C. Instructing the Witness

Principle: Instructions to the witness prior to conducting the procedure can facilitate the witness’ recollection of the perpetrator.

Policy: The investigator/person conducting the procedure shall provide instructions to the witness prior to conducting the procedure.

Procedure:

Mug Book: The investigator/person conducting the procedure should:

1. Instruct each witness without other persons present.
2. Describe the mug book to the witness only as a “collection of photographs.”
3. Instruct the witness that the person who committed the crime may or may not be present in the mug book.
4. Consider suggesting to the witness to think back to the event and his/her frame of mind at the time.
5. Instruct the witness to select a photograph if he/she can and to state how he/she knows the person if he/she can.
6. Assure the witness that regardless of whether he/she makes an identification, the police will continue to investigate the case.
7. Instruct the witness that the procedure requires the investigator to ask the witness to state, in his/her own words, how certain he/she is of any identification.
C. Instructing the Witness

**Composite:** The investigator/person conducting the procedure should:

1. Instruct each witness without other persons present.
2. Explain the type of composite technique to be used.
3. Explain to the witness how the composite will be used in the investigation.
4. Instruct the witness to think back to the event and his/her frame of mind at the time.

**Summary:** Providing instructions to the witness can improve his/her comfort level and can result in information that may assist the investigation.

D. Documenting the Procedure

**Principle:** Documentation of the procedure provides an accurate record of the results obtained from the witness.

**Policy:** The person conducting the procedure shall preserve the outcome of the procedure by accurately documenting the type of procedure(s) employed and the results.

**Procedure:** The person conducting the procedure should:

1. Document the procedure employed (e.g., identikit-type, mug book, artist, or computer-generated image) in writing.
2. Document the results of the procedure in writing, including the witness’ own words regarding how certain he/she is of any identification.
3. Document items used and preserve composites generated.

**Summary:** Documentation of the procedure and its outcome improves the strength and credibility of the results obtained from the witness and can be an important factor in the investigation and any subsequent court proceedings.
A. Preinterview Preparations and Decisions

**Principle:** Preparing for an interview maximizes the effectiveness of witness participation and interviewer efficiency.

**Policy:** The investigator shall review all available witness and case information and arrange an efficient and effective interview.

**Procedure:** Prior to conducting the interview, the investigator should:

1. Review available information.
2. Plan to conduct the interview as soon as the witness is physically and emotionally capable.
3. Select an environment that minimizes distractions while maintaining the comfort level of the witness.
4. Ensure resources are available (e.g., notepad, tape recorder, camcorder, interview room).
5. Separate the witnesses.
6. Determine the nature of the witness’ prior law enforcement contact.

**Summary:** Performing the above preinterview preparations will enable the investigator to elicit a greater amount of accurate information during the interview, which may be critical to the investigation.
B. Initial (Preinterview) Contact With the Witness

**Principle:** A comfortable witness provides more information.

**Policy:** Investigators shall conduct themselves in a manner conducive to eliciting the most information from the witness.

**Procedure:** On meeting with the witness but prior to beginning the interview, the investigator should:

1. Develop rapport with the witness.
2. Inquire about the nature of the witness’ prior law enforcement contact related to the incident.
3. Volunteer no specific information about the suspect or case.

**Summary:** Establishing a cooperative relationship with the witness likely will result in an interview that yields a greater amount of accurate information.

C. Conducting the Interview

**Principle:** Interview techniques can facilitate witness memory and encourage communication both during and following the interview.

**Policy:** The investigator shall conduct a complete, efficient, and effective interview of the witness and encourage postinterview communication.

**Procedure:** During the interview, the investigator should:

1. Encourage the witness to volunteer information without prompting.
2. Encourage the witness to report all details, even if they seem trivial.
3. Ask open-ended questions (e.g., “What can you tell me about the car?”); augment with closed-ended, specific questions (e.g., “What color was the car?”).

4. Avoid leading questions (e.g., “Was the car red?”).

5. Caution the witness not to guess.

6. Ask the witness to mentally recreate the circumstances of the event (e.g., “Think about your feelings at the time”).

7. Encourage nonverbal communication (e.g., drawings, gestures, objects).

8. Avoid interrupting the witness.

9. Encourage the witness to contact investigators when additional information is recalled.

10. Instruct the witness to avoid discussing details of the incident with other potential witnesses.

11. Encourage the witness to avoid contact with the media or exposure to media accounts concerning the incident.

12. Thank the witness for his/her cooperation.

Summary: Information elicited from the witness during the interview may provide investigative leads and other essential facts. The above interview procedures will enable the witness to provide the most accurate, complete description of the event and encourage the witness to report later recollections. Witnesses commonly recall additional information after the interview that may be critical to the investigation.

D. Recording Witness Recollections

Principle: The record of the witness’ statements accurately and completely reflects all information obtained and preserves the integrity of this evidence.
D. Recording Witness Recollections

Policy: The investigator shall provide complete and accurate documentation of all information obtained from the witness.

Procedure: During or as soon as reasonably possible after the interview, the investigator should:

1. Document the witness’ statements (e.g., audio or video recording, stenographer’s documentation, witness’ written statement, written summary using witness’ own words).

2. Review written documentation; ask the witness if there is anything he/she wishes to change, add, or emphasize.

Summary: Complete and accurate documentation of the witness’ statement is essential to the integrity and success of the investigation and any subsequent court proceedings.

E. Assessing the Accuracy of Individual Elements of a Witness’ Statement

Principle: Point-by-point consideration of a statement may enable judgment on which components of the statement are most accurate. This is necessary because each piece of information recalled by the witness may be remembered independently of other elements.

Policy: The investigator shall review the individual elements of the witness’ statement to determine the accuracy of each point.

Procedure: After conducting the interview, the investigator should:

1. Consider each individual component of the witness’ statement separately.
2. Review each element of the witness’ statement in the context of the entire statement. Look for inconsistencies within the statement.

3. Review each element of the statement in the context of evidence known to the investigator from other sources (e.g., other witnesses’ statements, physical evidence).

**Summary:** Point-by-point consideration of the accuracy of each element of a witness’ statement can assist in focusing the investigation. This technique avoids the common misconception that the accuracy of an individual element of a witness’ description predicts the accuracy of another element.

**F. Maintaining Contact With the Witness**

**Principle:** The witness may remember and provide additional information after the interview has concluded.

**Policy:** The investigator shall maintain open communication to allow the witness to provide additional information.

**Procedure:** During postinterview, followup contact with the witness, the investigator should:

1. Reestablish rapport with the witness.
2. Ask the witness if he/she has recalled any additional information.
4. Provide no information from other sources.

**Summary:** Reestablishing contact and rapport with the witness often leads to recovery of additional information. Maintaining open communication channels with the witness throughout the investigation is critical.
A. Conducting Showups

**Principle:** When circumstances require the prompt display of a single suspect to a witness, the inherent suggestiveness of the encounter can be minimized through the use of procedural safeguards.

**Policy:** The investigator shall employ procedures that avoid prejudicing the witness.

**Procedure:** When conducting a showup, the investigator should:

1. Determine and document, prior to the showup, a description of the perpetrator.
2. Consider transporting the witness to the location of the detained suspect to limit the legal impact of the suspect’s detention.
3. When multiple witnesses are involved:
   a. Separate witnesses and instruct them to avoid discussing details of the incident with other witnesses.
   b. If a positive identification is obtained from one witness, consider using other identification procedures (e.g., lineup, photo array) for remaining witnesses.
4. Caution the witness that the person he/she is looking at may or may not be the perpetrator.
5. Obtain and document a statement of certainty for both identifications and nonidentifications.

**Summary:** The use of a showup can provide investigative information at an early stage, but the inherent suggestiveness of a showup requires careful use of procedural safeguards.
B. Recording Showup Results

**Principle:** The record of the outcome of the field identification procedure accurately and completely reflects the identification results obtained from the witness.

**Policy:** When conducting a showup, the investigator shall preserve the outcome of the procedure by documenting any identification or nonidentification results obtained from the witness.

**Procedure:** When conducting a showup, the investigator should:

1. Document the time and location of the procedure.
2. Record both identification and nonidentification results in writing, including the witness’ own words regarding how certain he/she is.

**Summary:** Preparing a complete and accurate record of the outcome of the showup improves the strength and credibility of the identification or nonidentification results obtained from the witness and can be a critical document in the investigation and any subsequent court proceedings.
Section V. Procedures for Eyewitness Identification of Suspects

A. Composing Lineups

**Principle:** Fair composition of a lineup enables the witness to provide a more accurate identification or nonidentification.

**Policy:** The investigator shall compose the lineup in such a manner that the suspect does not unduly stand out.

**Procedure:**

**Photo Lineup:** In composing a photo lineup, the investigator should:

1. Include only one suspect in each identification procedure.
2. Select fillers who generally fit the witness’ description of the perpetrator. When there is a limited/inadequate description of the perpetrator provided by the witness, or when the description of the perpetrator differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.
3. If multiple photos of the suspect are reasonably available to the investigator, select a photo that resembles the suspect description or appearance at the time of the incident.
4. Include a *minimum* of five fillers (nonsuspects) per identification procedure.
5. Consider that complete uniformity of features is not required. Avoid using fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.
6. Create a consistent appearance between the suspect and fillers with respect to any unique or unusual feature (e.g., scars, tattoos).
A. Composing Lineups

used to describe the perpetrator by artificially adding or concealing that feature.

7. Consider placing suspects in different positions in each lineup, both across cases and with multiple witnesses in the same case. Position the suspect randomly in the lineup.

8. When showing a new suspect, avoid reusing fillers in lineups shown to the same witness.

9. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness.

10. View the spread, once completed, to ensure that the suspect does not unduly stand out.

11. Preserve the presentation order of the photo lineup. In addition, the photos themselves should be preserved in their original condition.

Live Lineup: In composing a live lineup, the investigator should:

1. Include only one suspect in each identification procedure.

2. Select fillers who generally fit the witness’ description of the perpetrator. When there is a limited/inadequate description of the perpetrator provided by the witness, or when the description of the perpetrator differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.

3. Consider placing suspects in different positions in each lineup, both across cases and with multiple witnesses in the same case. Position the suspect randomly unless, where local practice allows, the suspect or the suspect’s attorney requests a particular position.

4. Include a minimum of four fillers (nonsuspects) per identification procedure.

5. When showing a new suspect, avoid reusing fillers in lineups shown to the same witness.
6. Consider that complete uniformity of features is not required. Avoid using fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.

7. Create a consistent appearance between the suspect and fillers with respect to any unique or unusual feature (e.g., scars, tattoos) used to describe the perpetrator by artificially adding or concealing that feature.

**Summary:** The above procedures will result in a photo or live lineup in which the suspect does not unduly stand out. An identification obtained through a lineup composed in this manner may have stronger evidentiary value than one obtained without these procedures.

B. **Instructing the Witness Prior to Viewing a Lineup**

**Principle:** Instructions given to the witness prior to viewing a lineup can facilitate an identification or nonidentification based on his/her own memory.

**Policy:** Prior to presenting a lineup, the investigator shall provide instructions to the witness to ensure the witness understands that the purpose of the identification procedure is to exculpate the innocent as well as to identify the actual perpetrator.

**Procedure:**

**Photo Lineup:** Prior to presenting a photo lineup, the investigator should:

1. Instruct the witness that he/she will be asked to view a set of photographs.
B. Instructing the Witness Prior to Viewing a Lineup

2. Instruct the witness that it is just as important to clear innocent persons from suspicion as to identify guilty parties.

3. Instruct the witness that individuals depicted in lineup photos may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.

4. Instruct the witness that the person who committed the crime may or may not be in the set of photographs being presented.

5. Assure the witness that regardless of whether an identification is made, the police will continue to investigate the incident.

6. Instruct the witness that the procedure requires the investigator to ask the witness to state, in his/her own words, how certain he/she is of any identification.

Live Lineup: Prior to presenting a live lineup, the investigator should:

1. Instruct the witness that he/she will be asked to view a group of individuals.

2. Instruct the witness that it is just as important to clear innocent persons from suspicion as to identify guilty parties.

3. Instruct the witness that individuals present in the lineup may not appear exactly as they did on the date of the incident because features such as head and facial hair are subject to change.

4. Instruct the witness that the person who committed the crime may or may not be present in the group of individuals.

5. Assure the witness that regardless of whether an identification is made, the police will continue to investigate the incident.

6. Instruct the witness that the procedure requires the investigator to ask the witness to state, in his/her own words, how certain he/she is of any identification.
Summary: Instructions provided to the witness prior to presentation of a lineup will likely improve the accuracy and reliability of any identification obtained from the witness and can facilitate the elimination of innocent parties from the investigation.

C. Conducting the Identification Procedure

Principle: The identification procedure should be conducted in a manner that promotes the reliability, fairness, and objectivity of the witness’ identification.

Policy: The investigator shall conduct the lineup in a manner conducive to obtaining accurate identification or nonidentification decisions.

Procedure:

Simultaneous Photo Lineup: When presenting a simultaneous photo lineup, the investigator should:

1. Provide viewing instructions to the witness as outlined in subsection B, “Instructing the Witness Prior to Viewing a Lineup.”
2. Confirm that the witness understands the nature of the lineup procedure.
3. Avoid saying anything to the witness that may influence the witness’ selection.
4. If an identification is made, avoid reporting to the witness any information regarding the individual he/she has selected prior to obtaining the witness’ statement of certainty.
5. Record any identification results and witness’ statement of certainty as outlined in subsection D, “Recording Identification Results.”
C. Conducting the Identification Procedure

6. Document in writing the photo lineup procedures, including:
   a. Identification information and sources of all photos used.
   b. Names of all persons present at the photo lineup.
   c. Date and time of the identification procedure.

7. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

**Sequential Photo Lineup:** When presenting a sequential photo lineup, the investigator should:

1. Provide viewing instructions to the witness as outlined in subsection B, “Instructing the Witness Prior to Viewing a Lineup.”

2. Provide the following *additional* viewing instructions to the witness:
   a. Individual photographs will be viewed *one at a time*.
   b. The photos are in random order.
   c. Take as much time as needed in making a decision about each photo before moving to the next one.
   d. All photos will be shown, even if an identification is made; *or* the procedure will be stopped at the point of an identification (consistent with jurisdictional/departmental procedures).

3. Confirm that the witness understands the nature of the sequential procedure.

4. Present each photo to the witness separately, in a previously determined order, removing those previously shown.

5. Avoid saying anything to the witness that may influence the witness’ selection.
6. If an identification is made, avoid reporting to the witness any information regarding the individual he/she has selected prior to obtaining the witness’ statement of certainty.

7. Record any identification results and witness’ statement of certainty as outlined in subsection D, “Recording Identification Results.”

8. Document in writing the photo lineup procedures, including:
   a. Identification information and sources of all photos used.
   b. Names of all persons present at the photo lineup.
   c. Date and time of the identification procedure.

9. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

**Simultaneous Live Lineup:**

When presenting a simultaneous live lineup, the investigator/lineup administrator should:

1. Provide viewing instructions to the witness as outlined in subsection B, “Instructing the Witness Prior to Viewing a Lineup.”

2. Instruct all those present at the lineup not to suggest in any way the position or identity of the suspect in the lineup.

3. Ensure that any identification actions (e.g., speaking, moving) are performed by all members of the lineup.

4. Avoid saying anything to the witness that may influence the witness’ selection.

5. If an identification is made, avoid reporting to the witness any information regarding the individual he/she has selected prior to obtaining the witness’ statement of certainty.
C. Conducting the Identification Procedure

6. Record any identification results and witness’ statement of certainty as outlined in subsection D, “Recording Identification Results.”

7. Document the lineup in writing, including:
   a. Identification information of lineup participants.
   b. Names of all persons present at the lineup.
   c. Date and time the identification procedure was conducted.

8. Document the lineup by photo or video. This documentation should be of a quality that represents the lineup clearly and fairly.

9. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

**Sequential Live Lineup:** When presenting a sequential live lineup, the lineup administrator/investigator should:

1. Provide viewing instructions to the witness as outlined in subsection B, “Instructing the Witness Prior to Viewing a Lineup.”

2. Provide the following *additional* viewing instructions to the witness:
   a. Individuals will be viewed *one at a time*.
   b. The individuals will be presented in random order.
   c. Take as much time as needed in making a decision about each individual before moving to the next one.
   d. If the person who committed the crime is present, identify him/her.
e. All individuals will be presented, even if an identification is made; or the procedure will be stopped at the point of an identification (consistent with jurisdictional/departmental procedures).

3. Begin with all lineup participants out of the view of the witness.

4. Instruct all those present at the lineup not to suggest in any way the position or identity of the suspect in the lineup.

5. Present each individual to the witness separately, in a previously determined order, removing those previously shown.

6. Ensure that any identification actions (e.g., speaking, moving) are performed by all members of the lineup.

7. Avoid saying anything to the witness that may influence the witness’ selection.

8. If an identification is made, avoid reporting to the witness any information regarding the individual he/she has selected prior to obtaining the witness’ statement of certainty.

9. Record any identification results and witness’ statement of certainty as outlined in subsection D, “Recording Identification Results.”

10. Document the lineup procedures and content in writing, including:
    a. Identification information of lineup participants.
    b. Names of all persons present at the lineup.
    c. Date and time the identification procedure was conducted.

11. Document the lineup by photo or video. This documentation should be of a quality that represents the lineup clearly and fairly. Photo documentation can be of either the group or each individual.

12. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.
C. Conducting the Identification Procedure

**Summary:** The manner in which an identification procedure is conducted can affect the reliability, fairness, and objectivity of the identification. Use of the above procedures can minimize the effect of external influences on a witness’ memory.

D. Recording Identification Results

**Principle:** The record of the outcome of the identification procedure accurately and completely reflects the identification results obtained from the witness.

**Policy:** When conducting an identification procedure, the investigator shall preserve the outcome of the procedure by documenting any identification or nonidentification results obtained from the witness.

**Procedure:** When conducting an identification procedure, the investigator should:

1. Record both identification and nonidentification results in writing, including the witness’ own words regarding how sure he/she is.
2. Ensure results are signed and dated by the witness.
3. Ensure that no materials indicating previous identification results are visible to the witness.
4. Ensure that the witness does not write on or mark any materials that will be used in other identification procedures.

**Summary:** Preparing a complete and accurate record of the outcome of the identification procedure improves the strength and credibility of the identification or nonidentification results obtained from the witness. This record can be a critical document in the investigation and any subsequent court proceedings.
Appendixes

Appendix A  Further Reading

Appendix B  Reviewer List
Appendix A. Further Reading


During the review process, drafts of this document were sent to the following agencies and organizations for comment. Although the Technical Working Group considered all comments and issues raised by these organizations, this Guide reflects only the positions of its authors. Mention of the reviewers is not intended to imply their endorsement.

The Academy Group, Inc.
American Bar Association
American Correctional Association
American Jail Association
American Society of Law Enforcement Trainers
American Prosecutors Research Institute
Association of Federal Defense Attorneys
Bureau of Alcohol, Tobacco and Firearms
Campaign for Effective Crime Policy
Commission on Accreditation for Law Enforcement Agencies, Inc.
Conference of State Court Administrators
Cleveland State College Basic Police Academy
Council of State Governments
Criminal Justice Institute
Drug Enforcement Administration
Executive Office for United States Attorneys
Fairfax County (Virginia) Police Association
Federal Bureau of Investigation
Federal Law Enforcement Training Center, Department of the Treasury
Home Office, Policing and Reducing Crime Unit (UK)
International Association of Chiefs of Police
International Association for Identification
International City/County Managers Association
International Homicide Investigators Association
Law Enforcement Training Institute, University of Missouri - Columbia
Madison County (New York) Sheriff’s Department
Metro Nashville Police Academy
National Association of Attorneys General
National Association of Black Women Attorneys
National Association of Counties
National Association of Criminal Defense Lawyers
National Association of Drug Court Professionals
National Association of Police Organizations
National Association of Sentencing Commissions
National Association of State Alcohol and Drug Abuse Directors
National Association of Women Judges
National Black Police Association
National Center for State Courts
National Conference of State Legislators
National Council on Crime and Delinquency
National Crime Prevention Council
National Criminal Justice Association
National District Attorneys Association
National Governors Association
National Institute of Standards and Technology, Office of Law Enforcement Standards
National Law Enforcement and Corrections Technology Centers
National Law Enforcement Council
National League of Cities
National Legal Aid & Defender Association
National Organization of Black Law Enforcement Executives
National Organization for Victim Assistance
National Sheriffs’ Association
National Victim Center
New York State Police
Oneida County (New York) Sheriff’s Office
Oneida Indian Nation Police
Peace Officers Standards & Training
Police Executive Research Forum
Police Foundation
Royal Canadian Mounted Police
Tennessee Law Enforcement Training Academy
United States Conference of Mayors
United States Secret Service
Utah State Crime Scene Academy
For more information on the National Institute of Justice, please contact:

National Criminal Justice Reference Service
Box 6000
Rockville, MD 20849–6000
800–851–3420
e-mail: askncjrs@ncjrs.org

To access the World Wide Web site, go to http://www.ncjrs.org

If you have any questions, call or e-mail NCJRS.
About the National Institute of Justice

The National Institute of Justice (NIJ), a component of the Office of Justice Programs, is the research agency of the U.S. Department of Justice. Created by the Omnibus Crime Control and Safe Streets Act of 1968, as amended, NIJ is authorized to support research, evaluation, and demonstration programs, development of technology, and both national and international information dissemination. Specific mandates of the Act direct NIJ to:

- Sponsor special projects, and research and development programs, that will improve and strengthen the criminal justice system and reduce or prevent crime.
- Conduct national demonstration projects that employ innovative or promising approaches for improving criminal justice.
- Develop new technologies to fight crime and improve criminal justice.
- Evaluate the effectiveness of criminal justice programs and identify programs that promise to be successful if continued or repeated.
- Recommend actions that can be taken by Federal, State, and local governments as well as by private organizations to improve criminal justice.
- Carry out research on criminal behavior.
- Develop new methods of crime prevention and reduction of crime and delinquency.

In recent years, NIJ has greatly expanded its initiatives, the result of the Violent Crime Control and Law Enforcement Act of 1994 (the Crime Act), partnerships with other Federal agencies and private foundations, advances in technology, and a new international focus. Some examples of these new initiatives:

- New research and evaluation is exploring key issues in community policing, violence against women, sentencing reforms, and specialized courts such as drug courts.
- Dual-use technologies are being developed to support national defense and local law enforcement needs.
- Four regional National Law Enforcement and Corrections Technology Centers and a Border Research and Technology Center have joined the National Center in Rockville, Maryland.
- The causes, treatment, and prevention of violence against women and violence within the family are being investigated in cooperation with several agencies of the U.S. Department of Health and Human Services.
- NIJ’s links with the international community are being strengthened through membership in the United Nations network of criminological institutes; participation in developing the U.N. Criminal Justice Information Network; initiation of UNOJUST (U.N. Online Justice Clearinghouse), which electronically links the institutes to the U.N. network; and establishment of an NIJ International Center.
- The NIJ-administered criminal justice information clearinghouse, the world’s largest, has improved its online capability.
- The Institute’s Drug Use Forecasting (DUF) program has been expanded and enhanced. Renamed ADAM (Arrestee Drug Abuse Monitoring), the program will increase the number of drug-testing sites, and its role as a “platform” for studying drug-related crime will grow.
- NIJ’s new Crime Mapping Research Center will provide training in computer mapping technology, collect and archive geocoded crime data, and develop analytic software.
- The Institute’s program of intramural research has been expanded and enhanced.

The Institute Director, who is appointed by the President and confirmed by the Senate, establishes the Institute’s objectives, guided by the priorities of the Office of Justice Programs, the Department of Justice, and the needs of the criminal justice field. The Institute actively solicits the views of criminal justice professionals and researchers in the continuing search for answers that inform public policymaking in crime and justice.

For information on the National Institute of Justice, please contact:

National Criminal Justice Reference Service
Box 6000
Rockville, MD 20849–6000
800–851–3420
e-mail: askncjrs@ncjrs.org

You can view or obtain an electronic version of this document from the NCJRS Justice Information Center World Wide Web site.
To access this site, go to http://www.ncjrs.org
If you have questions, call or e-mail NCJRS.