

**BEMIDJI POLICE DEPARTMENT  
PHOTOGRAPHIC LINE-UP INSTRUCTIONS**

**APPENDIX #O261**

(Witness Side)

ICR: \_\_\_\_\_ Lineup ID# \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

WITNESS: \_\_\_\_\_ DOB \_\_\_\_\_ ADMINISTRATOR: \_\_\_\_\_

**READ TO WITNESS BEFORE PHOTO DISPLAY:**

\_\_\_ 1. I am about to show you a set of photos. The person who committed the crime of \_\_\_\_\_ may or may not be included.

**(For #2 SELECT ONE OF THESE OPTIONS AND READ.)**

\_\_\_ 2. (IA) I do not know whether the person being investigated is included **OR**

\_\_\_ 2. (FE) I do not know the order of the photos.

\_\_\_ 3. Even if you identify someone during this procedure, I will continue to show you all photos in the series.

\_\_\_ 4. Keep in mind that a photo may be an old one. Some things, like hair styles, can be changed, and skin colors may look slightly different in photographs.

\_\_\_ 5. You should not feel you have to make an identification. It is just as important to clear innocent persons as it is to identify the guilty. Whether or not you identify someone, the investigation will continue.

\_\_\_ 6. You will see only one photo at a time. They are not in any particular order. Take as much time as you need to look at each one. You should avoid discussing this procedure or the results with any other potential witness in the case.

Please initial here if you understand these instructions. \_\_\_\_\_

**(WITNESS TO INITIAL)**

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**TO BE COMPLETED BY WITNESS AFTER PHOTO DISPLAY:**

The sequential photo lineup I was shown consisted of \_\_\_ photos.

I am unable to select any photo as being the person(s) who \_\_\_\_\_.

I have selected photo(s) # \_\_\_\_\_ as the person who \_\_\_\_\_.

(IF SELECTION MADE) On a scale of 1 to 5, with five being the most certain, how certain are you of your identification? 1 – 2 – 3 – 4 – 5 (circle selection)

\_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Witness signature

**(Have witness sign and date any photo picked and attach to this report.)**

## (Administrator Side)

ICR; \_\_\_\_\_ Witness: \_\_\_\_\_ Lineup ID # \_\_\_\_\_

Administrator does does not know identity of suspect.

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### Instructions to administrator (READ BEFORE SHOWING PHOTO DISPLAY):

A sequential photo lineup must either be presented by an *independent administrator* [IA] (a person who does *not* know the identity of the suspect) or, if unavailable, a *functional equivalent* [FE] method must be used. Functional equivalent means (1) that the administrator cannot see and does not know the order of the photos and (2) that the witness knows the administrator does not know the order. Before beginning the photo display, determine which of these two methods is used (IA or FE), select the appropriate instruction # 2 and cross out the inapplicable # 2.

Fill out the case information on the top of the form. Read instructions on reverse side to witness and have witness initial at end. Show photos one at a time. Only one photo at a time may be visible. As each photo is displayed, ask "Is this the person who [insert crime]?" If yes, ask, "How certain are you of your identification?" Even if identification is made, continue showing remaining photos. After all photos have been displayed, repeat display **ONLY** if witness requests it. In any repeat, **ALL** photos must be displayed in the same sequence, even if the witness only requests to see a particular photo or photos again.

Ask witness to complete witness portion of the form and sign it. If any selection is made, have the witness sign and date the photo (or photos) selected. The photo display used must be preserved. (Attach copy to this form.) **BE CAREFUL NOT TO PROVIDE ANY FEEDBACK TO WITNESS ON EITHER IDENTIFICATION OR NON-IDENTIFICATION.**

After witness has completed witness portion of the form, complete administrator portion of the form. This includes asking the certainty question, administrator observations and number of times display was shown.

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### To be completed during and after photo display:

Comments made by the witness to any photograph during the photo display (note photo #):

**(If identification made)** How certain is the witness of the identification?

Additional observations by administrator (e.g., any physical response or other comments by witness):

Photo lineup was shown once / \_\_\_\_\_ times

\_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Administrator's signature

**Have witness complete front side. Attach copy of photo display used. Have witness sign and date any photo picked.**