

SHOWUP IDENTIFICATION PROCEDURES WORKSHEET

click to type in the spaces below

Case # _____

1. Date of Incident: _____ 2. Time of Incident (note if approximate): _____
3. Time of identification procedure commencing: _____

Note: If more than two hours have elapsed from the time of the incident, do not conduct a showup identification. A photo lineup or live lineup must be done.

4. Method of recording (circle one)

Electronic Written Verbatim Account Written Detailed Summary (See Instructions)

5. Name of suspect in procedure: _____
6. Name of witness viewing procedure: _____
7. Date of birth of witness: _____
8. Place where procedure is conducted: _____
9. Officer who conducted showup procedure: _____
10. Names of other witnesses to procedure _____

11. Did you instruct witness that the actual perpetrator may or may not be in procedure or showup and that the witness should not feel compelled to make an identification? Y N

12. Did witness make an identification of suspect? Y N

13. If yes and an identification has been made, did you obtain and record witness statement of confidence (must document witness' own words) at time of procedure? Y N (record confidence statement here)

14. Did you instruct witness not to discuss identification procedure, whether an identification was made or not, with any other witness or witnesses, or obtain information from other sources? Y N

15. Did you ask witness if he/she had discussed identification of suspect with anyone before or during the identification procedure (Note: this includes both police officers and private actors)? Y N

16. If witness answers Yes to #15, did you obtain a detailed summary from witness of what was said? Y N (provide detailed summary here)

17. If witness answers Yes to #15, did you identify the people with whom the witness discussed the identification? Y N
(provide identities)

18. Aside from the dialogue documented above, was there any other dialogue between the officer(s) conducting the showup and the witness that in any way concerned the identification procedure? Y N (If yes, provide here)

Once all items on this worksheet have been reviewed and complied with by Officer conducting identification procedure, this form should be signed and dated.

Signature

Print Name

Date: _____ Time: _____

INSTRUCTIONS FOR USING SHOWUP I.D. PROCEDURE WORKSHEET

This worksheet is designed to assist law enforcement officers in documenting the procedures/results of showups that are conducted with eyewitnesses in the course of a criminal investigation. The worksheet is also designed to serve as a checklist to ensure that officers comply with all of the requirements for eyewitness identification procedures established by Court Rule and New Jersey Supreme Court case law. Whenever a worksheet is prepared, the original should be preserved and a copy forwarded to the Prosecutor's Office. The officer(s) must also preserve and forward to the prosecutor any other contemporaneous notes concerning the procedure.

New Jersey law requires that law enforcement officers must contemporaneously record the identification procedure. This may be done in writing, or, if feasible, electronically. If a contemporaneous record cannot be made, the officer shall prepare a record of the identification procedure as soon as practicable and without undue delay. Whenever a written record is used, it must include, if feasible, a verbatim account of any exchange between the officer(s) involved in the procedure and the witness. When a written verbatim account cannot be made, a detailed summary of the identification procedure should be prepared which includes the dialogue between the officer(s) and the witness.

A worksheet should be prepared whether or not the witness was able to make an identification. If more than one witness is involved in an investigation, a different procedure should be used and a separate worksheet prepared for each witness. Worksheets should be prepared during the procedure, or immediately thereafter.

If more than two hours have elapsed from the time of the incident, DO NOT conduct a showup identification. Either a photo array or live lineup must be done.

The officer must ask the witness whether he or she has spoken to anyone (law enforcement or civilian) about the identification, and also instruct the witness not to speak to anyone about the identification and not to obtain information from other witnesses or sources. Officers must avoid providing any "feedback," that is, signaling to the witness in any way (whether during or after the procedure) that the witness had correctly identified the suspect.

If the witness identifies the suspect in the showup as the perpetrator, the officer must ask the witness to make a statement regarding his/her level of confidence that the suspect is, in fact, the perpetrator. The officer must document as detailed an account as possible of the exact words/gestures used by the witness.