

COOLIDGE POLICE DEPARTMENT		
	<p style="text-align: center;">CHAPTER 42</p> <p style="text-align: center;">CRIMINAL INVESTIGATIONS</p> <p>CALEA Standard(s):</p>	<p>General Orders</p>
Issue Date: 6-24-13	Review Date:	Revision Date: 8/10/15

42.1 Investigative Protocols

A. The Investigations Unit has case and follow-up responsibility.

Patrol officers should contact Records for the name and contact number for the on-call detective or unit.

B. The sergeant who is in charge of Investigations shall develop and implement a case screening and case file management system. These systems are to be designed to apply effective allocation of available resources to cases arising in the community, focusing on matters with high priority, cases which appear to be effectively prosecutable, and matters involving habitual repeat offenders.

42.2 Use of Polygraphs in Investigations

Polygraph examiners may be either Department employees or outside providers. Polygraphs completed during criminal investigations will be audio recorded in their entirety (including pre- and post-test questions or interview). The recording and Examiner's report shall be placed in Evidence; a copy of the report may be placed in the investigative file as well.

42.3 Cold Cases

The Department maintains a cold case register in compliance with A.R.S. §13-4171. The Investigations Section is responsible for maintaining the register and providing the required notices to victims and victim's family employees or lawful representatives.

42.4 Informants

A. Confidential informants will be utilized only with the approval of the Investigation Sergeant. In all instances, confidential informants shall be handled as provided in the Informant Operations Directive. The Investigation Sergeant shall be responsible for the management of confidential informant files as well as procedures related to the management of all informants for the Department.

B. Confidential informants shall not be used or paid, nor will the information they provide be used as the basis for an arrest or search warrant, unless done in accordance with the established procedures.

42.5 Eyewitness Identification

A. Complete documentation of any identification process will be made, including the date, time, location and identity of those present and any significant statements made by those present, including the witness, officer, attorney and suspect. When practical, identification procedures may be audio or video recorded.

B. An eyewitness identification procedure is unnecessary when a witness indicates that he or she is unable to identify the suspect, knew the suspect prior to the crime, or learned the identity of the suspect from some third party source (for example, the newspaper).

C. A suspect or likeness of the suspect should not be deliberately displayed to more than one witness at a time. Witnesses should not be permitted to state their conclusion regarding a suspect identification in the presence or hearing of another witness.

D. Officers shall not, in any manner, indicate an opinion regarding guilt, innocence or identity of a suspect to a witness. The witness's recollection, unaided by outside influences, must govern the identification.

E. Officers may drive cooperating witnesses around the general area of the crime in an effort to locate the suspect. The results of such an identification process should not be broadcast on a police radio due to the proximity of officers to other potential witnesses.

42.5.1 Show-Up (One-on-one) Identification

A. If a person is arrested or detained within a reasonable time of the offense (generally, within two hours), and a witness agrees to do so, an identification procedure known as a "show-up" or one-on-one identification may be used.

B. If a suspect is arrested or provides written or recorded verbal consent to be transported, then the suspect can be taken to the witness. Otherwise, the suspect will not be taken to the witness' location for the identification procedure.

C. The witness shall be advised that the person being detained may or may not be the person involved in the crime (this notification to the witness shall be documented). The officer will avoid making any statements that would in any

way affect the witness' identification (such as stating the suspect has been arrested, made incriminating statements, or possessed incriminating evidence when detained).

D. If there is more than one witness who will participate in the identification, the witnesses shall be separated and shall each make a separate identification of the suspect.

E. A suspect shall not be detained for an unreasonable period of time (generally no longer than the time it takes to conduct a brief investigation to confirm or dispel suspicion that they have committed a criminal offense) for the identification, unless probable cause is developed to arrest the suspect, or, after being clearly informed that cooperation is not mandatory, the suspect consents to take part in the show-up.

F. Detailed documentation of the facts and circumstances of a show-up procedure shall be included in a department report. When audio recording equipment is available, the witness' comments during the identification should be recorded.

42.5.2 Photographic Lineup Identification

A. The Department's preferred eyewitness identification method is a photographic line-up. Such line-ups shall include five or more photographs, all in color or all in black and white; of substantially similar general appearance; include the face only (all other information on the photograph shall be covered). To the extent possible, the background in each photo will be the same. If multiple suspects are involved in a crime, only one suspect will appear in a line-up.

B. To avoid any allegation that the officer influenced the witness during the identification procedure, the photographic line-up should be shown to the witness by an officer who does not know whether the line-up contains the suspect, nor who the suspect is. In some cases the investigator will need to do the line-up because no other appropriate officer is available.

C. In either case, the presenter should handle the line-up as follows. The line-up photos should be printed one at a time, randomly mixed, placed in a file folder and given to the witness. The witness should then be seated across from the officer so that the officer cannot see the photos the witness is viewing. The officer should ask the witness to look at the photos one at a time, turning the photos over so that no two photos are visible at the same time. The officer must

take care not to say anything or do anything that communicates the identity of the suspect or influences the witness in any way.

1. Prior to viewing the line-up, the officer shall ask the witness to review and sign the Sequential Photo Lineup Admonition Form.
2. The victim should view the photographs one at a time and should be allowed to look at each photo as long as desired. The victim or witness should view all photographs even if the witness identifies the suspect before seeing all of the photographs. The witness may go through the photos a second time if desired. If the witness goes through the photographs a second time, this fact shall be documented in the DR.
3. After the line-up, the officer shall initial the back of each photograph, noting the date and time of the identification procedure. If the witness identifies a person as the suspect, the witness should be instructed to initial and date the back of the photograph. The officer's documentation of the line-up should include any witness reactions or statements regarding the photograph, as well as the date and time the photographs were shown to the witness. Photographic line-up procedures should be audio or video recorded.
4. The actual photographs used must be preserved so that the line-up can be reconstructed at trial.

42.6 USE OF INTERVIEW ROOMS

A. Interview rooms may be used by both uniformed and non-uniformed personnel.

B. No officer shall use a video or audio equipped room without first having been trained in the use of the equipment.

C. Officers shall search suspects who are in-custody prior to taking them into the interview room.

COOLIDGE POLICE DEPARTMENT
Sequential Photo Lineup Admonition Form

Case Number: _____

Date & Time: _____

Photos will be shown to you one at a time. Please let the administrator know if you recognize someone.

If you identify someone during the procedure, you will continue to be shown the rest of the photos in the lineup.

The photographs will not be shown in any particular order. You should take as much time as you need to look at each photo.

The person who committed the crime may or may not be included in this lineup.

The administrator does not know the order in which the photos will be shown.

Keep in mind that things like hairstyles, beards, and mustaches can be easily changed and that complexion colors may look slightly different in photographs.

You do not have to make identification. This procedure is important to the investigation and the investigation will continue, whether or not you identify someone.

If you pick a photograph, I'm going to ask you to explain why you picked that photograph and to describe how confident you are in your selection. You should not use a number scale to describe your level of confidence.

Please do not discuss with other witnesses in the case the results of this line up.

Do you understand these instructions?

Detective/Officer Signature _____

Witness Signature _____