



2-67 PHOTOGRAPHIC ARRAY / FIELD IDENTIFICATIONS

Related SOP(s):

2-60 Preliminary and Follow-Up Investigations

2-82 Restraint and Transportation of Individuals

2-67-1 Purpose

The purpose of this policy is to provide guidelines for completing photo arrays and field identifications in criminal investigations.

2-67-2 Policy

It is the policy of the Department ~~policy is~~ to conduct photographic arrays and field identifications according to established legal principles and to provide an opportunity for victims and witnesses to correctly identify ~~correctly~~ suspects accused of committing crimes without the appearance of suggested identification.

2-67-2 ~~Rules~~Procedures

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A. Photographic Arrays

1. Any photographic array shown by any officer will be recorded and will require the use of the Albuquerque Police Department Photographic Identification Form (PD 1336).
2. A complete report containing the following information is required:
 - a. Name of person(s) to whom the array was shown.
 - b. Name of the suspect.
 - c. Type of identification made (positive, negative, or tentative).
 - d. Name and ~~APD~~ photo numbers of other persons shown in the photographic array.
 - e. Use of at least five photos.
 - f. All photographs used in the photographic array will be of persons similar in appearance to the suspect.

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B. Exceptions

1. Photo arrays are not appropriate in ~~the following~~ circumstances, including but not limited to:
 - a. A suspect is personally known to the victim or witness.
 - b. A suspect has been arrested at the scene of a crime and in the presence of the victim or witnesses.
 - c. The victim or witnesses have apprehended the suspect.



d. DNA evidence involving sex crimes may be an exception to the needs of photo arrays.

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C. Field Identification for Felony Offenses

1. When an officer deems it necessary to conduct a field identification during a felony investigation, the following conditions and reliability, given the totality of the circumstances, should be considered:

- a. The witness/victim(s) had ample opportunity to view the suspect.
- ~~b. The degree of attention paid at the time the witness/victim observed the suspect.~~
- ~~c. The accuracy of the suspect's physical description(s) given by witness/victim(s).~~
- ~~d.~~b. The witness/victim(s) level of certainty and cooperation when identifying the suspect.
- ~~e.~~c. The reasonable time between the crime and the identification.

2. The witness/victim(s), who are willing to be transported, will be transported by law enforcement to the possible suspect's location.

3. The suspect will not be transported back to the scene because once the suspect has been moved, he/she might be considered under arrest.

- ~~a. The witness/victim(s) will be transported for the field identification by law enforcement.~~
- ~~b.~~a. In situations where multiple witnesses/victims are present, officers will select the most reliable individuals to conduct the field identification (based on credibility, degree of involvement, etc.) to establish probable cause for making an arrest.
- ~~c.~~b. All efforts must be made to avoid the appearance of law enforcement suggestive field identifications. Officers will not use suggestive language when giving instructions to witnesses during a field identification.
- ~~d.~~c. If more than one witness/victim is transported for the field identification, separate field identifications will be conducted with each witness/victim. Witnesses/victims will not be allowed to discuss the crime being investigated.

4. The officer(s) will explain the field identification process to the witness/victim(s).

- a. The identity of the witness/victim(s) will be protected from the suspect's view during the field identification.
- b. At the conclusion of the field identification, the officer(s) will communicate the type of identification (positive, negative, or tentative) via Emergency Communications~~APD Dispatch~~.

5. Any exceptions to the above must be approved by a supervisor or the on-call Assistant District Attorney and will be documented in the report.



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-67

OPA DRAFT

- a. ~~A report will be completed as outlined in SOP 2-16 and will describe the above circumstances and conditions of the field identification.~~

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