



Colorado Springs Police Department

General Order

1036 Identifications

Section 1000 – Patrol Functions

Effective Date: 9/12/2024

Supersedes Date: 11/22/2021

.01 Purpose

The purpose of this directive is to specify guidelines and procedures that apply to all forms of suspect identification.

.02 Cross Reference

[GO 104 Determining Probable Cause](#)

[GO 120 Treatment of the Public](#)

[GO 121 Fair and Impartial Policing](#)

[GO 1005 Reporting Citizen Contacts](#)

[GO 1903 Body Worn Cameras](#)

.03 Discussion

Colorado Springs Police Department (CSPD) peace officers have a responsibility to identify persons responsible for alleged criminal acts as part of the investigative process. A major part of the identification process involves interviewing victims and witnesses for the purpose of having them identify persons who were allegedly involved in criminal offenses.

Identifications are essential to aid in prosecution, however errors in identifications can result in violations of individual rights. Due to significance of identifications, officers must remain diligent when conducting the identification process to ensure due process of the law and appropriately document all parts of the process and outcomes.

.04 Policy

CSPD personnel will comply with this directive in all investigations, when conducting any form of identification to avoid compromising the rights of any person, or the court admissibility of evidence.

Officers will ensure proper documentation when conducting any identification process that includes, but not limited to, time and location of identification process, persons present, details how the process was conducted, all statements from eyewitnesses verbatim.

.05 Definitions

Blind: The administrator of a live lineup, photo array, or show up does not know the identity of the suspect.

Blinded: The administrator of a live line up, photo array, or show-up may know who the suspect is but does not know in which position the suspect is placed when viewed by the eyewitness.

Composite Image: An image created, based upon the memory of, or from the description of, a witness.

Eyewitness: A person who observed another person at or near the scene of an offense and can testify to that fact.

Eyewitness Identification: A type of evidence by which one who has seen the event testifies as to the person or persons involved from their own memory of the event.

Filler: Either photographs of or individuals not suspected of the offense in question who is included in an identification procedure.

Informal Identification: A process by which witnesses may view potential suspects without the suspect being detained or being aware of the viewing.

Live Lineup: An identification procedure in which a group of persons, including the suspected perpetrator of an offense and other persons who are not suspected of the offense, is displayed to an eyewitness for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator.

Show-up: An identification procedure in which an eyewitness is presented with a single subject, in person, for the purpose of determining whether the eyewitness identifies the individual as the suspect.

Subject: A person observed by law enforcement to be in the vicinity, who may or may not be involved in an alleged criminal offense.

Suspect: The person law enforcement officers believe to have committed a criminal offense.

Witness: A person who is present for or who has knowledge of an event, the occurrence of a crime, or an incident.

.10 Integrity of Identification

Officers conducting eyewitness identification processes will do so in a manner that ensures individual witnesses are not influenced by any other witnesses, incidents, or by any behavior of police personnel.

The following guidelines will be considered when conducting any type of identification procedure:

- Eyewitnesses will view the suspects out of the presence of other eyewitnesses or witnesses.
- Eyewitnesses who have taken part in identification procedures must not be permitted to discuss their observations or conclusions within the presence of other eyewitnesses or witnesses before, during, or after the identification procedure.
- When presenting a subject to a witness for identification, officers will remain as neutral as possible, while maintaining safe control of the subject.
 - Officers must not by word or gesture, before, during, or after the identification procedure, suggest that a suspect committed the crime being investigated.
 - Officers will not say or do anything to lead a witness to believe that a subject has been formally arrested or detained, that a subject has confessed, or that the subject had incriminating evidence in their possession.

.20 Named Subjects

When a subject is personally known to the witness and can be definitively named (e.g., first name, last name, physical description, etc.), such as a spouse, close friend, known neighbor, etc., it is not necessary to conduct show-up or physical line-up procedures. However, officers should show a victim/witness at least one photograph from a known source (e.g., police records, department of revenue records, etc.) of the named suspect to the witness, for the purpose of confirming their identity.

.25 Casual Acquaintance Identification

When witnesses are only casually acquainted with subjects, (e.g., known first name, monikers, unknown neighbors, etc.) officers will use a photo array or a live line-up to ensure the person is properly identified.

.30 Informal Identification

An informal identification procedure may be considered when officers are unable to perform a show-up, a photo array (because the identity of the suspect is unknown or there is no useable photograph available) of the suspect, or a live line-up.

An informal identification procedure may be accomplished by taking the witness to a single location where the potential suspect and a number of other people, some of whom are physically similar to the suspect, are likely to be found. If it is likely that no single location will have a number of people who are similar to the suspect, the witness may be taken to other similar locations, where the suspect may reasonably be found.

The conditions of informal identification procedures are less subject to the officer's control, so it is important to avoid, by word or gesture, suggesting to a witness that the witness focus upon a specific person. Caution must also be exercised to avoid placing witnesses into unreasonably dangerous situations while conducting an informal identification procedure.

Alternatively, witnesses of recent criminal events (generally within two or three hours), who have described a suspect and indicated an ability to identify the suspect, may be asked to accompany an officer, in a police vehicle, to drive in public areas where the suspect might reasonably be found. Although officers may direct the witness to view persons in the area who reasonably could be the described suspect, officers should avoid using words or gestures that suggest, in the officer's own opinion, that a particular person is the suspect.

.40 Composite Images

Although a composite image's purpose is to assist with the recognition of an unidentified person, feature or property, the end result will always be an approximation rather than an exact likeness.

When a suspect has not been identified, but a witness is able to provide a good physical description of the suspect and feels that they could assist in a graphic rendering of that person, creation of a composite image may be considered. Composite images are intended to be used to generate investigative leads, by helping witnesses recall details, corroborate statements, and elicit new investigative information.

As practicable, a composite image should be initiated within a week or two of the incident. However, in some situations, a composite image may still be attempted after a significant period of time has passed. Although recall retention has been shown to decline over time, instances of extreme stress have been shown to extend the retention of details by some individuals. Each case should be evaluated on an individual basis before a decision is made to produce a composite image.

To obtain assistance with the production of a composite image, officers or civilian investigators should consult the special victims section lieutenant.

Composite images should be created by personnel who have received appropriate training in their application. Because cases involving composite images will likely involve courtroom testimony in which credibility will be considered, only personnel who are employed by, or who have been thoroughly screened by a bona-fide law enforcement agency should be used to create composite images.

It is critical that proper interview techniques be employed to ensure the graphic rendering is from the witness's memory and has not been unduly influenced by suggestiveness on the part of the person creating the image or impacted by artistic license.

Investigators or officers who are considering the use of composite images in their investigations should avoid showing photographs to witnesses, or using any other identification procedure, until the composite images have been completed. These precautions should be taken to eliminate the risk of, or suggestion of, contamination to a primary memory that could affect recall.

When used, composite images may be displayed by themselves and need not be included in a panel or arrangement of other images. Any release of a composite image to the news media must be coordinated with the CSPD public information officer.

.50 Annual Reviews

Directives regarding identifications will be reviewed every four (4) years to ensure for updates and inclusion of best practices recognized by nationally accepted peer reviewed research, in accordance with CRS §16-1-109(4).