

# Basics of Blind Sequential Lineups

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## What is the change?

The traditional law enforcement procedure used for eyewitness identification is for the investigator who knows the identity of the suspect to present a simultaneous array (usually 6 photos) to the witness. This is called a nonblind simultaneous procedure. The change is to a blind sequential procedure.

**“Blind”** administration of a lineup means the administrator does not know the identity of the suspect and therefore cannot inadvertently cue the witness or validate the witness’s selection. If a blind administrator is not available, a **“blinded”** procedure may be used: this means an investigator who knows the identity of the suspect can show the lineup but only in a manner which ensures he does not know and cannot see the position of the suspect in the lineup, and the witness knows this.

## Why Change?

A growing number of DNA exonerations based on faulty eyewitness identification have raised concerns about whether law enforcement procedures may have contributed to misidentifications. Twenty-five years of scientific laboratory studies conclusively demonstrate that the use of blind sequential photo displays significantly reduces the likelihood of mistaken eyewitness identification. Since 2001, a growing number of law enforcement jurisdictions have found these reforms can also be applied in the field. Departments who have adopted the change have not experienced a noticeable loss in identifications, and, by following a scientifically preferred method, they feel more confident in identifications made.

## How Is a Sequential Lineup Prepared? (Folder Method)

- If a blind administrator is available, the investigator who knows identity of suspect selects lineup photos based on witness description, numbers all photos, numbers all folders and places each photo in file with same number (make sure suspect is not # 1); a blind administrator conducts the lineup; the investigator who prepared the lineup must be out of sight during the procedure.
- If no blind administrator is available, the investigator who selects the order of the photos and places them in the folders may not show the lineup; a second investigator who does not know the order of the photos conducts the lineup in such a manner that he cannot see the photos the witness is viewing and the witness knows this (sit across from the witness and have witness open file facing witness).



## What Are the Basics of Administering a Blind Sequential Lineup?

- Show only one photo at a time; remove from view before the next photo is shown; return folder to bottom of pile before witness views next folder, or keep remaining out of sight so witness does not know how many photos will be shown
- After witness has looked at photo, ask “Is this the person who [state act committed]?”
- If no, go to next photo and repeat; if yes, ask “How certain are you of your identification?” Continue showing rest of photos
- Note all comments witness makes about any photo
- After all photos have been shown, if witness asks to see any or all photos again, repeat cycle; all photos must be shown in the same order if the lineup is repeated
- Keep track of number of times lineup is shown (science shows there is a sharp drop-off in the reliability of any identification after two cycles)

## What Instructions Must Be Given to the Witness before the Lineup Begins?

- The person who committed the crime may or may not be included
- (If **blind** administration) I do not know if any person being investigated is included **or** (**blinded** administration) I do not know the order of the photos
- Even if you identify someone, I will continue to show you all the photos
- 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
- Do not feel you have to make an identification; it is just as important to clear innocent persons as to identify the guilty; whether or not you identify someone, the investigation will continue
- You will see only one photo at a time; they are in no particular order; take as much time as you need

## What Happens If an Identification Is Made?

- Ask “How certain are you of your identification?” (Write answer verbatim)
- Document any physical or emotional reaction
- Do **not** give the witness any feedback on the identification (such as “good job” or “that’s who we thought it was”)—doing so will artificially inflate the witness’s level of confidence
- Continue showing remaining photos

## Record of the Lineup

Be sure to preserve a copy of the photos shown in the order shown (the simultaneous 6-pack template works well). Have witness sign photo picked. The report should include whether blind or blinded method was used, instructions given to the witness and results of the lineup (whether or not an identification was made).