



Course Title: 7.31 MLEAP Eyewitness Evidence

Time: 2 hours

Course Description: This course provides the basic concepts, legal standards, and investigative procedures related to the collection and use of eyewitness evidence. Law enforcement personnel will review relevant case law, and the recommended practices contained in the National Institute of Justice Eyewitness Evidence Guide. The course addresses factors that affect eyewitness identification, including system variables and estimator variables, and outlines proper procedures for interviewing witnesses and conducting identification procedures. Instruction includes the composition and administration of photo arrays, live lineups, and field identifications (show-ups), including the use of blind administration, appropriate witness instructions, and documentation requirements to ensure reliable and legally sound identification procedures. This course meets Level 2 MLEAP training requirements.

Learning Objectives:

- Relevant Case Law regarding Eyewitness Evidence.
- Describe a show-up and photo array, recall the instructions to be given to a witness.
- State the categories of eyewitness identification procedures.
- Explain the guidelines for a photo array.
- List the three methods for blind administration.
- Name at least three estimator variables and three system variables and discuss an example of unconscious transference.

Course Outline Sections:

- Eyewitness Evidence Part One
 - Use of the National Institute of Justice Eyewitness Evidence Guide
 - Case Law



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- *Manson v. Brathwaite*
- *Perry v. New Hampshire*
- Variables that Affect Eyewitness Identification
 - System Variables
 - Instructions to Eyewitnesses
 - Content of a Lineup
 - Presentation Procedures
 - Behaviors of the Lineup Administrator
 - Post-Diction Variables
 - Certainty
 - Estimator Variables
 - Cross-Race Identification
 - Weapon Focus
 - Exposure Duration
 - Stress
- Definitions
 - Sequential Photographic Line-Up
 - Independent Administrator
 - Blind Testing Procedure
 - Fillers
 - Confidence Statement
 - Limited English Proficiency
 - Field Identification
- Investigating the Primary Scene (Preliminary Investigating Officer)
 - Identify the Perpetrators
 - Determine the Location of the Perpetrators
 - Detain/Arrest the Perpetrators
 - Determine/Classify What Crime Occurred
 - Broadcast Description(s)
 - Verify Identity of Witness(es)
 - Separate Witness(es)



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- Canvass the Area for Other Witnesses
- Obtaining Information from Witness(es)
 - Establish Rapport
 - Ask About Witness Condition
 - Use Open-Ended Questions
 - Augment with Closed-Ended Questions
 - Avoid Leading Questions
 - Clarify the Information Received
 - Document Information
 - Encourage Witness to Avoid Media
- Eyewitness Evidence Part Two
 - 4 Types of Witness Identifications
 - Photo Lineups
 - Live Lineups
 - Field Identification (Show Ups)
 - Composite
 - Composing Photo Lineups
 - Composing Live Lineups
 - Blind Administration
 - Witnesses with Disabilities or Limited English Proficiency
 - Instructions to a Witness Prior to Viewing a Lineup
 - Field Identification
 - Developing and Using Composite images
- Videos
 - Video – Example of a Proper Police Sequential Photo Array
 - Video – Norwood Police Department Lineup
- QUIZ: Eyewitness Evidence