INVESTIGATIVE PROCEDURES POLICY

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I.   POLICY

FED agents will use all legal investigative techniques available to them to identify the perpetrator(s) of a reported or suspected crime under the jurisdiction authorized by the Maryland General Assembly or when directed by the Comptroller and to arrest or identify those involved.

II.   PURPOSES

The purpose of this policy is to provide guidelines on the preparation, use of, and storage of photographic lineups and one–on-one identifications. These procedures are to ensure that members of the division maintain consistency and to assure that when challenged in court, the lineup or one-on-one identification could not be construed as prejudicial to a defendant.

III.   DEFINITIONS

A.   Sequential Photographic Lineup

The supplying of six or more photographs, to a victim/witness, stacked on top of each other. The photograph of the suspect is secreted within this stack. This type of lineup can be shown to multiple victims and witnesses.

B.   Simultaneous Photographic Lineup

1. Folder Form
The supplying of a folder with six or more photographs attached inside. This type of lineup is best used for only one victim or witness.
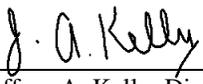
2. Sheet Form
This lineup is produced by a computer. Six photographs, one being the suspect, are printed on a single sheet of paper. The photographs of the five additional persons (fillers) are selected by the computer after certain facts are entered.

C.   One-on-One Identification
An attempt to determine if a suspect is the perpetrator being sought, by means of having the victim(s)/witness(es) view the suspect in person without conducting a formal, multi-person lineup. Note: It is not necessary for the suspect to be able to see the victim/witness making the identification, but the victim/witness must be able to clearly see the suspect.

IV.   **CANCELLATION:** None.

J. A. Kelly

Jeffrey A. Kelly, Director