

ALAMEDA COUNTY SHERIFF'S OFFICE DETENTION AND CORRECTIONS POLICY AND PROCEDURE	NUMBER: 8.06	PAGES: 1 of 5
	RELATED ORDERS: CALEA 42.2.11 & 42.2.12 General Order 5.39	
	ISSUED DATE: July 1, 1989	
	REVIEW DATE: December 1, 2015	
	REVISION DATE: September 14, 2013	
CHAPTER: Security and Control	SUBJECT: Line-Ups	

I. **PURPOSE:** To establish policy and procedure for conducting line-ups.

II. **POLICY:** The Classification Sergeant will coordinate and make the line-up room available to all law enforcement agencies in compliance with the following procedures.

III. **PROCEDURE:**

A. **SCHEDULE:**

1. When a request for using the line-up room is received, the Classification Sergeant shall be notified.
2. The request can be made by telephone or in person, Monday through Friday, between 0700-1500 hours. At least five (5) days advance notice needs to be given. Advance notice allows time to pick the appropriate inmates for the line-up, and ensure they will still be in custody on the day selected.
3. If circumstances require that a line-up be conducted sooner, it will be at the discretion of the Classification Sergeant.
4. Line-ups can be conducted at the convenience of all involved, but in no case will a line-up be allowed when it is disruptive to the operation or affects the security/safety of staff or inmates.
5. The line-up requestor should be made aware of public visiting hours for inmates and of the possibility of their witness(es) coming in contact with relatives/friends of the suspect.
6. It is suggested that line-ups will be scheduled between the following hours:
 - a. At the Glenn E. Dyer Detention Facility (GEDDF), between the hours of 1100 and 1430 and/or 1800 and 2030, Monday through Friday.
 - b. At the Santa Rita Jail (SRJ), between the hours of 1230 and 1430, Monday through Friday, and/or between 1800 and 2030, Thursdays and Fridays only.

7. The line-up witnesses shall be met in the administration lobby and escorted to the viewing area. Under no circumstances will anyone involved in the line-up be allowed to enter the jail security area without proper authorization.

B. DEVELOPING THE LINE-UP:

1. The agency/division conducting the line-up is responsible for ensuring all legal requirements are met, i.e. defendants attorney present, suggestive wording to witness avoided, etc.
2. If it is necessary and/or requested that inmates be used in the line-up, they will be selected from the inmate population. Inmates selected shall be informed that participation is voluntary. Inmates in the line-up will be staged in multi-purpose rooms at GEDDF and in the Morrissey area holding cells at SRJ. They will be brought to the line-up room as one group. They will enter the line-up room in a straight line formation.
3. To conduct a line-up, a group of five (5) to seven (7) subjects should be available. The following precautions should be observed:
 - a. Subjects participating in the line-up should have the same general appearance as the suspect with respect to race, height, weight, hair color, clothing, etc.
 - b. The suspect will be permitted to select his/her own position in the line-up. This will be done prior to the investigator conducting the viewing.
 - c. The investigator requesting the line-up will be instructed before entering the line-up room to inform his/her witness(es) that they should enter the room and study the group without pointing, shaking heads or otherwise indicating a decision. The witness(es) will be instructed by the investigator to remain quiet and in the event of any problems to follow the directions of the deputies immediately.
 - d. The line-up members will be ordered not to talk while in transit to the line-up room, during the line-up, or while moving from the line-up room. If voice identification is required, it will be done at the direction of the investigator. Line-up participants will be informed in advance if voice identification is required.
4. The investigator requesting the line-up should determine prior to the line-up if it will be necessary to have line-up members wear hats, show certain physical areas or demonstrate any characteristics.
5. In selecting inmates to participate in a line-up, six (6) or eight (8) participants are needed (5-subjects/1-suspect or 7-subjects/1-suspect).
 - a. Form ML-70 shall include the names and number of inmates chosen for the line-up.
 - b. Subjects should be similar in height to the suspect.

- c. Subjects should be similar in weight to the suspect.
 - d. Hair color, style and length should be similar.
 - e. Facial hair should be similar (at time of line-up).
6. Inmates have a right to refuse to participate in the line-up.
 7. On dayshift and swing-shift, the Classification Sergeant will select deputies to conduct line-ups. These deputies will be responsible for selecting inmates to participate in the line-up.
 8. If it is not possible to match physical descriptions of subjects to a suspect, the individual requesting the line-up will be notified he/she will have to obtain his/her own participants. If this occurs, these participants will be staged and handled separately from inmates.
 9. A minimum of two (2) deputies are needed to conduct a line-up.
 - a. One deputy shall meet the participants in the lobby and escort them to and from the line-up room, and assist in the operation of the communication and control systems.
 - b. The second deputy shall ensure line-up participants are assembled in multi-purpose rooms or holding cells, at least thirty (30) minutes prior to the line-up and escort the participants to and from the line-up room at the appropriate times.
 10. Inmates will be checked to ensure they are dressed in similar jail clothing. If a special garment is to be worn at the time of the line-up, it will have to be provided by the requesting agency on the day of the line-up.
 11. Ensure the requesting officer has:
 - a. A camera to photograph the line-up group
 - b. Witness/suspect admonition forms
 - c. A suspect selection form for the witness(es) to make their selection on.
 12. Numbered placards to identify suspects are kept in the viewing room area and will be issued to the line-up members prior to entering the line-up room, out of the sight of witness(es). The suspect is allowed to select his/her position.

C. CONDUCTING THE LINE-UP:

1. Assemble all line-up participants at least thirty (30) minutes prior to the line-up time in the holding area.
 - a. Check all inmates, again, to ensure similarity in physical appearance.
 - b. Ensure clothing is the same.

- c. If special clothing needs to be worn, the requesting agency must provide it prior to the line-up subjects assembling.
 2. Once the inmates are checked, a request for the witnesses to move to the witness review room should be given.
 - a. When assembled in the viewing room, all lights inside will be turned off and lights in the line-up room turned on. If lights are on in the viewing room while inmates are in the line-up room, they could possibly see the witnesses. Unless an emergency exists, lights in the viewing room will be off during the line-up.
 - b. Communication systems will be checked.
 3. A call will be made for the line-up members.
 - a. The line-up participants will move to the line-up room as a group. They will be wearing or holding the number issued for their position.
 - b. The line-up participants will enter the line-up room in a single line, position one followed by two, then three, etc.
 - c. The deputy in charge of the line-up will then take a group photograph of the line-up.
 - d. All inmates will face forward. They will not speak or talk among themselves.
 - e. The first member will then be directed to step forward to a predetermined spot facing forward.
 - f. The inmate will face forward for approximately 20 seconds. The inmate will then turn right, and hold that position for approximately 20 seconds. Again, the inmate will turn to the right and hold that position for approximately 20 seconds. The inmate will now have his back to the viewer. The inmate will then walk to the wall in front of him, and turn around to face the viewer. The inmate will walk back to the designated starting point and stop. If there are any statements that the inmate is supposed to make, they will be made at this time. After that, the inmate will step back against the wall to his place in the line-up.
 - g. Repeat (f) for each line-up participant until finished. After all inmates in the line-up have been through the procedure in (f), the whole line of inmates will step back up to the designated line on the floor simultaneously and remain there for 30 to 45 seconds, then step back to the wall.
 - h. It may be necessary to conduct the same line-up more than once due to availability of witnesses or other factors.
 - i. Maintain order during this procedure. Move inmates quickly and quietly in and out of

the line-up room.

- D. Deputies involved in the line-up must exercise security and safety measures when dealing with witnesses. The possibility does exist that a witness could smuggle in a weapon in an attempt to injure a suspect.
- E. An ML-70 form shall be completed by the deputies conducting the line-up, and that form shall be forwarded to the Classification Unit Sergeant. A copy shall also be given to the law enforcement personnel requesting the line-up.