

Date: April 7, 2020

Departmental Directive

I. PURPOSE

The purpose of this Departmental Directive is to modify current Lexipol Policy 604-Eyewitness Identification.

II. DIRECTIVE

During the COVID-19 pandemic, we will continue providing law enforcement services to the community. However, the pandemic has caused us to reconsider how we handle investigations and other established practices.

Until now, our Infield Show-up procedure involved bringing the victim/witness to the suspect by placing them in our patrol vehicle and driving that person to the suspect. This procedure places both officer and victim/witness in an enclosed space where COVID-19 can be easily transferred.

We are suspending this process until further notice.

Our Infield Show-up procedure going forward is as follows:

- Officer with the victim:
 - Conduct this procedure while maintaining a safe distance from the victim/witness
 - Record the Infield show-up with your Axon Bodyworn camera
 - Read the Infield Witness Admonishment to the victim/witness and ensure the person understands
 - On your department issued iPhone, use the Facetime application and connect with the officer detaining the suspect
 - Make sure your camera lens is flipped away from your victim/witness and proceed with the show-up

- Officer with the detained suspect:
 - Record the show-up with your Axon Bodyworn camera
 - Place the detained suspect in a well-lighted area
 - When both officers are ready, connect with the officer who has the victim/witness using Facetime and use the camera to show the victim/witness the detained suspect
 - Document the show-up including this procedure making sure to note the lighting conditions and distance the camera was from the detained suspect

Requirements:

1. You must possess enough information to show the detained subject(s) could be the suspect(s) in the crime
2. The show-up is conducted close in time to the offense being investigated

By using this procedure, our department members will not have to transport the victim/witness in a confined space during the Infield show-up process. The identification process will be video recorded for evidentiary purposes and possible further examination in court. The Infield Show-up procedure will occur in accordance with People v. Hall (1979) 95 cal.app 3rd 299, and the likelihood of spreading COVID-19 during the process will be greatly reduced.

By Order Of:

Jeff Tudor
Chief of Police