



2010 Study Update: Law Enforcement Lineups

November 16, 2011

2010 Lineup Study



- Last year, Commission staff reviewed HB 207, which proposed to codify lineup procedures.
- Staff surveyed 134 law enforcement agencies across the Commonwealth on their adoption of a written lineup policy, in accordance with Va. Code § 19.2-390.02.
 - 95% (127 of 134) response rate.
 - 75% (95 of 127) of responding agencies indicated they had a written lineup policy.

2010 Study Recommendations



1. Require DCJS to develop training for law enforcement officers who regularly perform lineups.
 - SB 944 (Sen. Howell) was passed by the General Assembly and signed by the Governor. The new subsection requires DCJS to “Establish training standards and publish a model policy for law-enforcement personnel involved in criminal investigations that embody current best practices for conducting photographic and live lineups.”
 - Budget Amendments were introduced to fund the training, but did not pass.
2. Request DCJS to conduct a policy compliance audit and report findings to the Crime Commission by fall 2011 on the status of law enforcement agencies’ adoption of lineup policies in accordance with Va. Code § 19.2-390.02.

2010 Study Recommendations



3. Request the Virginia Law Enforcement Professional Standards Commission (VLEPSC) to consider revising the accreditation standard for lineups.
 - The current standard requires agencies to have a written policy.
 - Commission staff made a presentation in June to the VLEPSC Board about revising the accreditation standard for policies to include best practices, which will be voted on in February 2012.

Other Activities



- Staff also made presentations to the Virginia Sheriffs' Association and the Virginia Association of Chiefs of Police about the results of the 2010 study, specifically:
 - that 25% of agencies do not have a written lineup policy as required by Va. Code §19.2.390.02;
 - best practices, including the use of the sequential method and blind/double blind administration; and,
 - examples of DNA exonerations involving eyewitness misidentifications.



Discussion
