



Eyewitness Identification Model Policy Review

January 16, 2020

Article 38.20 of the Texas Code of Criminal Procedure requires the Bill Blackwood Law Enforcement Management Institute of Texas (LEMIT) to review and, modify if necessary, the eyewitness identification model policy by December 31 of each odd-numbered year.

Since LEMIT created the model eyewitness identification policy, the most noteworthy event regarding eyewitness identification procedural reforms was the 2013 – 2014 review conducted by a committee of the National Academy of Sciences. The committee determined that sequential and simultaneous procedures performed equally in terms of identification outcomes. Detailed information about the committee’s review and recommendations can be found [here](#). A large-scale field experiment conducted by LEMIT personnel and the Houston Police Department found that sequential and simultaneous techniques performed similarly in terms of selection outcomes. Information about the study is located [here](#). In early 2017 the United States Department of Justice issued an [eyewitness identification policy](#) for federal law enforcement agencies, including the FBI, DEA, and ATF. That policy does not advocate for a sequential procedure over a simultaneous procedure.

Research developments since the 2017 review of the model policy have identified a practice that appears promising. Specifically, research findings support the collection of confidence statements from witnesses during the identification procedure. Research findings¹ indicate witness confidence at the time of the identification procedure is related to identification accuracy. High confidence selections are more likely to be accurate than identifications made with lower confidence. While more research remains to be done, the pattern of results suggests witness confidence is one piece of information police investigators can collect and use during their investigations.

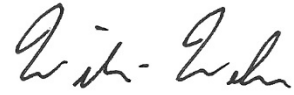
At this time, LEMIT does not advocate the use of either sequential or simultaneous procedures. When LEMIT delivered training sessions across the state in 2012, the sessions provided details about how to conduct sequential and simultaneous identification procedures. Two training sessions offered by LEMIT in 2015 also provided detailed information about both techniques.

¹ [Seale-Carlisle et al. \(2019\)](#); [Wixted et al. \(2015\)](#); [Wixted and Wells \(2017\)](#); [Wixted et al. \(2016\)](#);

Please contact LEMIT at 800-477-9248 or at www.lemitonline.org with questions about the eyewitness identification model policy.

A handwritten signature in black ink, reading "Rita Watkins", enclosed in a thin black rectangular border.

Rita Watkins, Executive Director

A handwritten signature in black ink, reading "William Wells", written in a cursive style.

William Wells, Research Director