

Identification on the Street: Procedures, Outcomes and Reliability

Josh Davis, University of Greenwich
Tim Valentine, Goldsmiths, University of London
Amina Memon, University of Aberdeen
Andrew Roberts, University of Warwick

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Executive Summary

Street identification is the most frequently used method of identification in cases of street robberies (25%). Relatively few street identification procedures result in a positive identification (8.4%), but a high proportion of identified suspects are charged (63%), compared to only 7% when an identification attempt is unsuccessful. Approximately 35% of suspects identified in a street identification where subsequently also included in a video identification procedure, in which 78% were identified again. Laboratory studies showed that outcomes from a first identification attempt were similar for street identification (59% of culprits identified and 14% of innocent suspects), and for video identifications (59% of culprits identified and 22% of innocent suspects). If a witness makes a mistaken ID at a street ID and subsequently sees the same person in a video ID procedure they are very likely to make the same mistake (79% compared to 22% if the suspect had not taken part in a previous street identification.). There is some laboratory evidence that witnesses are less likely to make a mistaken identification if a suspect is alone than if they are among a group, but this issue is in need of further experimental work.

Introduction

Street identifications have an important role in the investigation of many crimes and yet research on this topic has been limited. Normally held soon after a crime, they often involve a victim or witness being taken on a drive round of the area in an attempt to locate the perpetrator. This briefing describes how street identifications are conducted and their outcomes in comparison to other methods. Details of a series of empirical studies are described. The risks associated with a witness participating in multiple identifications (i.e. a street identification followed by a video lineup are emphasised.)

Police and Criminal Evidence Act (PACE, 1984)

A street identification (ID) may sometimes involve the witness being taken to a specific locality to view an individual, to either justify cause for arrest or to eliminate them from further investigation. PACE Codes of practice (2008) provide direction as to how they should be conducted. These include: -

- ⊙ A prior description “*should*” be obtained
- ⊙ Attention “*should not*” be directed at specific individuals
- ⊙ Multiple witnesses “*should*” be separated

- ⊙ Acceptable with multiple suspects, and with the suspect(s) amongst others in a group
- ⊙ Prohibited if there is “*sufficient*” evidence to arrest, in which case a lineup must be conducted
- ⊙ A video lineup may also be carried out later at the direction of the suspect or the police

Perhaps not surprisingly due to the imprecise nature of the guidelines, in a survey of police officers Pike, Brace and Kynan (2002) found many who requested improved guidance.

Methodology

Field data were collected of 809 cases from four English police forces, - Hertfordshire Police, Northumbria Police and West Midlands Police and two boroughs within the Metropolitan Police within set time periods¹. Those included were robbery squad officer diary studies of 701 cases; monitoring report data of 80 area searches; and police ID officer’s diary studies of 59 cases referred to video ID suites following a positive street ID. In addition, five empirical studies evaluated ID performance with either the actual culprit or an innocent suspect present as the target. Experiments compared street ID and video lineup outcomes, the effect of a street ID on a subsequent video lineup conducted immediately or up to a month later; the influence of a change of clothing on ‘innocent bystander’ ID; and street IDs with the suspect(s) either alone or amongst others in a group.

Main findings

Field component 1: Diary study of robbery squad officers – Data was collated of all reported robbery cases in three project areas within specific time periods. This provided a comprehensive breakdown of police ID procedures and their outcome. Information was provided of all cases in which, -

- ⊙ A suspect name was provided to the police
- ⊙ A street ID was attempted, with either a locality drive round or with a specific target suspect
- ⊙ A witness was asked to view a WADS (Witness-Assist Directed Suspect) photo album
- ⊙ CCTV images were available²
- ⊙ A witness viewed a video lineup
- ⊙ A facial composite was constructed

Of the combined database of 701 cases (77% personal robberies, 4% business robberies; 19% snatches), an ID procedure was conducted in 240 (34.2%; Table 1). Note: The full details of street ID procedures and outcomes are included in the combined data below.

¹ Note: the data from the different sources is combined so as to ensure anonymity of source

² No information was supplied as to the quality of footage.

Table 1: Number and outcome of each type of identification procedure used in cases from the diary studies of robbery squad officers

Procedure ³	Number conducted	Percentage positive ID	Percentage charged
Suspect named	28	100%	25.0%
Street ID attempt	178	8.4%	5.1%
WADS viewing	83	8.4%	0%
CCTV	17	29.4%	29.4%
Video lineup	33	51.5%	39.4%
Facial composite	5	0%	0%

Field component 2: Area search monitoring data – Data from a variety of crime types was collected of area searches with (10 cases; street ID attempt) or without (70 cases - initiated by a police radio broadcast) the witness present in the vehicle. No suspects were identified if the witness was not present in a vehicle. A positive ID was made in three of the cases in which a witness was present (30%), although only a single suspect was charged. Over the time period of the study 49 robberies were reported to the local force. An area search was conducted with a robbery victim present in 10% of these cases, a proportion that is similar to the number of street ID attempts in Component 1.

Field component 3: Diary study of police ID officers – Data was collected of eighty suspects from 59 cases of different crime types (Figure 1) referred to video ID suites following a positive street ID. Approximately one-third (35.6%) of the suspects were members of groups when initially identified. Not all cases resulted in a video lineup procedure, as, for instance, some suspects confessed or cases were dropped. Of those conducted, the most were requested by suspects (38%). The remainder were requested by the police (35%) and the CPS (26%). A total of 36 lineups were conducted. Included were images of 33 suspects from 21 cases for viewing by 24 witnesses. Twenty-eight (77.8%) lineups viewed by 18 witnesses resulted in a positive ID of 26 suspects.

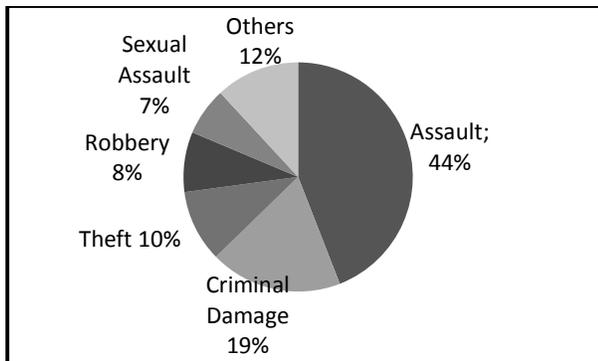


Figure 1: Types of crime included in Component 3

Combined street identifications

One hundred and eighty-eight street IDs were attempted in Components 1 and 2 of which 90% were negative. In the remaining 10% (23 cases), 29 suspects were identified. All Component 3 data involved a positive street ID and across the three components a total of 104 suspects were positively identified in a street ID. However, it was not

³ In some cases, more than one type of procedure was carried out.

possible to determine whether the procedure had involved a witness being taken to view a specific individual, or if they had been taken on a locality drive round.

Reasons for not conducting a street ID: Data was provided in 213 cases in two project areas as to why a street ID was not attempted. The most common explanation (51.6%) was that the report was late. Victims were unwilling or unable to assist in a further 20.2% of cases often due to intoxication, injury or the witness not getting a sufficient view of the suspect. No explanation was provided in 21.6% of cases, suggesting that a street ID *may* have been possible. Police contacts also stated that a street ID *should* have been attempted in 5 additional cases.

Descriptions: Thirty-four cases could have potentially violated PACE Codes of Practice as a description of a suspect was not obtained prior to a street ID attempt. In 44.1% this was because there was no time to interview witnesses, for instance; if the suspects were close to the scene of the crime as the officers arrived. However, according to police contacts, no satisfactory explanation was given in 14 cases and officers admitted to procedural errors in a further three cases.

Of the robbery cases in which a written description was provided to the project (167 cases), 63% of the suspects were described as wearing a hoodie, a baseball cap or some alternative covering disguising the face or hair. The most common description was gender (96%), followed by ethnicity (88%), age (80%), top worn (78%), height (77%), complexion (68%) and build (62%). Most robbers were male (93%), under (44%) or over (56%) the age of 18 from either a White-European (42%) or Afro-Caribbean (46%) background.

PACE violations: Police contacts also identified a handful of cases (less than five) which had violated PACE guidelines in that witnesses were taken on a drive round together.

Final outcomes: Of the 104 suspects in 81 cases identified in a street ID, 37% were charged or cautioned with no further ID evidence being available. CCTV evidence was available in the case of a further charged suspect. The cases of 28 suspects were dropped for a variety of reasons, often due to a lack of sufficient supportive evidence or the refusal of a witness to assist further.

The images of 37 suspects were included in a video lineup for viewing by either a different witness or the same witness⁴ who had positively identified them in a street ID. Of these, 78.4% resulted in a positive suspect ID and all these suspects were charged or cautioned. No ID was made in the remaining lineups and the cases of these suspects were also dropped. In total, 37 video lineups were viewed by a witness who had previously made a positive street ID of the suspect. Seventy-four percent were positive, confirming the original selection. The normal positive video ID rate is approximately 50% and these values perhaps unsurprisingly confirm that witnesses taking part in a second ID decision involving the same suspect are more likely to identify that suspect.

The delay between a positive street ID and conducting a video lineup varied from being held later the same day to 112 days later. However, there was no

⁴ In some cases, more than one witness viewed an individual suspect in a lineup

relationship between delay and ID. Indeed, lineups in which no suspect was identified tended to be held sooner ($M = 4.4$ days) than those in which the suspect was identified ($M = 25.0$ days).

Case outcomes

One aim of the current project was to assess the efficacy of a street ID procedure in comparison to other methods of solving robberies. Final outcome data of 571 robbery case reports were provided to the project in Component 1, in 8.8% of which, one or more suspects were charged.

A street ID was attempted in 25.2% of these cases, 20 of which were positive and eventually led to 14 suspects being charged in 10 cases (20% of all cases for which a suspect was charged). Of the remaining cases in which a suspect was charged a suspect name was provided in four (8%); a positive video lineup was conducted in twelve (24%), sometimes as a consequence of a suspect being arrested for a similar crime; CCTV evidence was available in three (6%) and non-visual identification evidence was secured in 21 (42%). This included DNA evidence, an arrest at the scene of the crime or traced from a detailed vehicle description.

A comparison of suspect charging rates following a positive street ID (63%) with the proportion of cases in which a suspect was charged after a non-successful drive round (7%) also illustrates the procedure's usefulness. A street ID will only normally be attempted if a witness states that they will be able to recognise the perpetrator and there is no reason to believe that those making a positive street ID were any more confident than witnesses who failed to spot their assailant on a drive round. The area search data provided to the project from Component 2 also highlights the advantage of the witness being present in the vehicle as none of the 70 area searches conducted without the witness present was successful.

Estimate of the number of video lineups conducted following a positive street ID

The data provided by Component 3 allows for an estimation of the number of times a positive street ID may be followed by a video ID procedure. Throughout the period of data collection, 558 lineups were conducted in this ID suite. The 33 lineups reported to the project comprised 5.9% of this total. If these values are directly extrapolated to the approximately 100,000 video IDs per annum in England and Wales it would suggest that there may be 5,900 cases in which a positive street ID is followed by a video lineup.

Empirical data

The first four experiments were conducted at Goldsmiths, University of London and at the University of Aberdeen using a similar design whereas Experiment 5 was conducted in a shopping centre.

To maximise ecological validity in the first four experiments, different pairs of actors were employed to enact a staged incident in person and to be the focus of a simulated street ID procedure. In each experiment, one (*the culprit*) or two actor(s) would enter the room while an experimenter was lecturing to groups of naïve participants. The culprit would engage in a brief argument, consistently retrospectively rated as highly believable, complaining of a wrongful accusation of plagiarism.

After a break, the participants were informed the act had been staged, and once written suspect descriptions had been collected, the majority took part in a street ID of the same culprit (*culprit-present*) or someone meeting a similar description (*culprit-absent*), to replicate a scenario whereby an *innocent suspect* or *bystander* is under investigation. The participants then viewed the same suspect a second time in a video lineup. Controls took part in the video lineup trials only. The percentage of correct culprit IDs in culprit-present trials and incorrect innocent suspect or bystander IDs in culprit-absent trials in each experiment are presented in Table 2 as a function of ID condition. Table 3 lists the proportion of lineup IDs of the suspect as a function of whether that suspect had been identified (chooser) or not (non-chooser) previously.

The specific aims of the experiments were as follows:

Experiment 1: Two female actresses meeting a reasonably similar physical description were employed. Culprit-present and absent *Street IDs*, *video showup* (solo ID procedure on video) and *video lineup* were conducted for a comparison of different ID methods. The influence of taking part in a solo ID procedure on a subsequent video lineup within 30 minutes (probably the minimum time practical in a real investigation) was also investigated. The proportion of witnesses making a correct culprit present ID was higher when the culprit was displayed on video, than when present in person. Most participants who identified a suspect in a solo ID subsequently identified the same suspect in a lineup, even if they were 'innocent'.

Experiment 2: The second experiment was designed to investigate whether the advantage for ID of a culprit from a video showup would be consistent using a different actor. No culprit-absent or second ID phase trials were conducted. In contrast to Experiment 1 there was no

Table 2: Positive ID rates for first ID trials in culprit-present and absent trials in Experiments 1 to 4 (n = number of participants in each condition)

	Street ID		Video showup		Video lineup	
	n	Suspect ID	n	Suspect ID	n	Suspect ID
Culprit-present correct culprit identifications						
Experiment 1	47	51.1%	48	79.2%	47	72.3%
Experiment 2	49	79.6%	58	65.5%	46	52.2%
Experiment 3	125	54.4%	-	-	93	54.8%
Total	221	59.3%	106	71.7%	186	58.6%
Culprit-absent incorrect innocent suspect/bystander identifications						
Experiment 1	48	4.2%	46	6.5%	47	4.3%
Experiment 3	92	35.9%	-	-	96	42.7%
Experiment 4	220	7.7%	-	-	56	0.0%
Total	360	14.4%	46	6.5%	199	21.6%

video ID advantage. Accuracy in the street ID trials was better than in the other experiments, probably as the actor was described as possessing a highly distinctive gait suggesting that ID decisions might be based on more than physical appearance.

In *Experiment 3* participants viewed a surprise lineup either 1 to 6 days, or 9 to 30 days after viewing the staged incident and street ID. The two actresses were highly similar in appearance and perhaps not surprisingly, culprit-absent error rates were high. Participants who had taken part in a street ID, particularly if they made a positive selection were again more likely than controls to select the same person from a lineup. This effect was enhanced if the lineup was held within a week, rather than after a longer delay.

Experiment 4 was designed to examine the effect of a change of clothing and its distinctiveness on *innocent bystander* street ID and a subsequent video lineup. Two actors of similar age and ethnicity but dissimilar appearance enacted the plagiarism incident. One who was 6 foot tall always played the *loud* protagonist. The second 5 foot 6 tall *quieter* actor played the innocent bystander. During the incident one wore a *distinctive* shirt, the other a *plain* shirt. This was counterbalanced across trials. All street ID trials were culprit-absent. Participants were asked to identify the *loud* protagonist. However, the target was the innocent bystander, wearing either the same top as during the staged incident or that of the loud protagonist. In the culprit-absent video lineups held 30 min later, the innocent bystander was depicted wearing a different plain top. Street ID rates were similar to those of *Experiment 1*. Nevertheless, a few participants made an incorrect false positive ID and yet the two actors were specifically selected for their differences in

appearance. These errors were primarily made when the innocent bystander wore the distinctive clothing in the staged incident, regardless of clothing in the street ID.

Summary: With the exception of *Experiment 2*, culprit-present street ID rates were approximately 50%, illustrating the difficulties inherent in this task even under conditions of minimal stress taking place a few minutes after the incident and with clear viewing conditions. Culprit-absent performance was far more accurate, except in *Experiment 3* when two highly similar actresses were employed. Lineup decisions were highly dependent on previous trials, so that a positive street ID decision was more likely to result in an ID of the same suspect in a lineup. Across all experiments and type of trial, confidence in incorrect decisions was high, although not usually as high as when decisions were correct.

In *Experiment 5* street ID performance was measured with the target alone or within a group. A *culprit* actress approached shoppers in a shopping centre asking for volunteers for a memory study. If they expressed willingness to participate, they were introduced to an associate, who, once the actress had left the area would ask them to watch an escalator in order to identify the culprit. The same culprit actress or an innocent suspect of similar appearance would travel on the escalator alone or amongst a convenient group of shoppers. Participants were more likely to make a positive ID decision when the culprit was in a group. However, more were accurate when the culprit was alone (culprit present correct culprit ID rates: group 39.1%; solo 61.2%; culprit absent correct rejection rates: group 34.7%; solo 78.7%).

Table 3: Percentage of suspect IDs from video lineups as a function of whether that suspect had been chosen or not in a previous solo ID procedure or if no solo ID procedure had been conducted in control conditions

	Street ID				Video showup				No first phase	
	Chooser		Non-chooser		Chooser		Non-chooser		Control	
	<i>n</i>	% ID	<i>n</i>	% ID	<i>n</i>	% ID	<i>n</i>	% ID	<i>n</i>	% ID
Culprit-present correct culprit identifications										
Experiment 1	24	91.7	23	17.4	38	94.7	10	0.0	47	72.3
Experiment 3	45	93.3	51	62.7	-	-	-	-	93	54.8
Total	69	92.8%	74	48.6%	38	94.7%	10	0.0%	140	60.7%
Culprit-absent incorrect innocent suspect/bystander identifications										
Experiment 1	2	100.0	46	15.6	3	66.7	43	9.3	47	4.3
Experiment 3	28	85.7	55	60.0	-	-	-	-	96	42.7
Experiment 4	17	64.7	203	4.9	-	-	-	-	56	0.0
Total	47	78.7%	304	16.4%	3	66.7%	43	9.3%	199	21.6%

List of references

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