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## **“The Folder System”: A Recommended Practice for the ‘Blind’ Administration of Eyewitness Procedures For Small Police Departments With Limited Resources**

Understandably, small police departments with limited officer power may believe that the requirement of ‘blind administration’ of eyewitness procedures is unfeasible. The “Folder System” was devised to address concerns surrounding limited resources while allowing for blind administration. It is recommended, however, that the officer administering the procedure be a non-investigating officer in those departments that are able to expend the personnel. Should the investigating officer of a particular case be the only law enforcement personnel available to conduct a photo lineup, the following instructions are recommended:

1. Use one suspect photograph that resembles the description of the perpetrator provided by the witness, five filler photographs that match the description but do not cause the suspect photograph to unduly stand out, and ten folders [four of the folders will not contain any photos and will serve as ‘dummy folders’].
2. Affix one filler photo to Folder #1 and number the folder.
3. The individual administering the lineup should place the suspect photograph and the other four filler photographs into Folders #2-6 and shuffle the photographs so that he is unaware of which folder the suspect is in, and then number the remaining folders, including Folders #7-10, which will remain empty. [This is accomplished so that the witness does not know when he has seen the last photo].
4. The administrator should provide instructions to the witness. The witness should be informed that the perpetrator may or may not be contained in the photos he is about to see and that the administrator does not know which folder contains the suspect.
5. Without looking at the photo in the folder, the administrator is to hand each folder to the witness individually. Each time the witness has viewed a folder, the witness should return the photo to the administrator. The order of the photos should be preserved, in a facedown position, in order to document in Step 6.
6. The administrator should then document and record the results of the procedure. This should include: the date, time and location of the lineup procedure; the name of the administrator; the names of all of the individuals present during the lineup; the number of photos shown; the order in which the folders were presented; the sources of all of the photos that were used; a statement of confidence *in the witness’s own words* as to the certainty of his identification; and any additional information the administrator deems pertinent to the procedure.

\* The information described above was informed by “Eyewitness Identification Procedure Recommendations” put forth by Wisconsin’s Avery Task Force as well as existing research on the folder shuffle.