

CHAPTER.....

AN ACT relating to criminal procedure; requiring the adoption of certain policies and procedures governing the identification of criminal suspects; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Section 1 of this bill requires each law enforcement agency to adopt policies and procedures governing certain identification procedures conducted to determine whether an eyewitness to a crime is able to identify a suspect as the perpetrator of the crime. Specifically, such identification procedures include live lineups, photo lineups and show-ups.

Section 2 of this bill requires the Advisory Commission on the Administration of Justice, for two scheduled meetings of the Commission, to include as an item on the agenda a discussion of the progress of law enforcement agencies in adopting such policies and procedures. **Section 2** also requires a representative of the Nevada Sheriffs’ and Chiefs’ Association to appear at those meetings to report on the progress of law enforcement agencies in adopting such policies and procedures.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 171 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Each law enforcement agency shall adopt policies and procedures governing the use of live lineups, photo lineups and show-ups.

2. As used in this section:

(a) “Live lineup” means an identification procedure in which a group of persons, including the suspect, is displayed to an eyewitness to determine whether the eyewitness identifies the suspect as the perpetrator of a crime.

(b) “Photo lineup” means an identification procedure in which an array of photographs, including a photograph of the suspect, is displayed to an eyewitness in hard copy or by digital image to determine whether the eyewitness identifies the suspect as the perpetrator of a crime.

(c) “Show-up” means an identification procedure in which the suspect appears individually for possible identification by the eyewitness as the perpetrator of a crime.

Sec. 2. 1. The Advisory Commission on the Administration of Justice shall, for each of two separate meetings held by the



Commission, include as an item on the agenda a discussion of the progress of law enforcement agencies in this State in adopting policies and procedures as required by section 1 of this act. The meetings must be held not later than:

- (a) April 1, 2012, for the first meeting; and
- (b) October 1, 2012, for the second meeting.

2. A representative of the Nevada Sheriffs' and Chiefs' Association or its successor organization shall attend each meeting required by subsection 1 to provide a report concerning the progress of law enforcement agencies in this State in adopting such policies and procedures.

