

1 Q. If that will fresh your recollection.

2 A. I have down 15:30 hours which is 3:30
3 P.M.

4 Q. And then did you show both Mr. Mendell
5 and Ms. Longfellow a photographic lineup
6 involving -- of people, involving a suspect you
7 thought might be involved in this case?

8 A. Yes.

9 Q. And where did you get that lineup?

10 A. It was put together through our
11 computer system. Put together ~~six photos,~~
12 computerized photos, one piece of paper.

13 Q. Okay. How does that work; did you do
14 that yourself or did somebody do that for you?

15 A. I don't really remember if I did it
16 myself or someone did it for me. I remember having
17 those photo lineups in hand.

18 Q. Okay. Let me ask a more general
19 question then: How does that work, in general,
20 when you want to put together a photo lineup; are
21 you familiar with that process?

22 A. Yes.

23 Q. How does that work?

24 A. You would choose the person in question
25 and you would find five additional photos with
26 similar characteristics, descriptions, and you
27 would put a photo lineup of six photos together and
28 under each photo there is a number 1 through 6, and

1 once that is ready you approach whatever witness
2 you are going to show these photos to.

3 Prior to showing them those photos you
4 admonish them saying that just because there are
5 photos here doesn't mean that anyone here on these
6 photos is part of the crime, guilty of the crime or
7 even knows what the crime is about, try to keep it
8 as equal as possible.

9 Q. Okay.

10 A. And then we proceed to show the photo
11 lineup to whatever witness we have. And that
12 witness takes a look. We tell them to take your
13 time. And we ask them to, you know, say what they
14 think of the photo lineup.

15 Q. Okay. Now, let me ask you some more
16 questions about the creation of that lineup itself.

17 You said that you have the target person
18 and then you find other people with similar, I
19 don't know if you said characteristics or what.
20 How would you do that?

21 A. We use a DMV photo. It's called CAL
22 Photo. We'll plug in their height and weight type,
23 if they have facial hair or not, and then we will
24 press search and it will search all of the
25 different kinds of pictures from different counties
26 throughout the state. That's one way.

27 Another way is we have a system in our
28 county calls ARIES, and we can do photo lineups

1 from ARIES and it works the same way, but uses
2 county photographs.

3 Q. Okay. Now, do you put in the
4 characteristics that you are trying to get in order
5 to create the lineup; do you put in the information
6 that is similar to the target persons, the
7 suspects, in essence?

8 A. Yes.

9 Q. Okay. So if they are five ten or, you
10 know, five three or whatever it is, you will look
11 for other people who are five ten and about the
12 same weight or something like that?

13 A. Yes.

14 Q. Then if they have blue eyes then you
15 look for other people who have blue eyes, et
16 cetera?

17 A. Yes.

18 Q. And then it spits out a lineup or spits
19 out a number of people that you could use or how
20 does that work?

21 A. It spits out a number of people you can
22 use and you pick the one that would be the most
23 fair in your mind.

24 Q. When you showed those to -- those photo
25 lineups to Ms. Longfellow and Mr. Mendell, did you
26 show them to them at the same time?

27 A. No.

28 Q. Do you recall in which order you showed

1 them?

2 A. I believe I ~~showed Longfellow first and~~
3 ~~then Mendell second.~~

4 Q. And was that part of your interview
5 with her, so one transaction was showing her that
6 photo lineup?

7 A. Yes.

8 Q. Now, you had done the interview with
9 Mr. Mendell before you went to go talk to
10 Ms. Longfellow. Normally would you show a lineup
11 as part of the interview if you are going to show
12 somebody a lineup?

13 A. It depends. It depends on the
14 situation. It depends if we have a photo lineup
15 available.

16 I had it available at the time of the
17 interview, and then for practical reasons I would
18 show it.

19 Q. Okay. So if you don't have the lineup
20 then you wouldn't?

21 A. Right.

22 Q. And if you do, you probably would?

23 A. Right.

24 Q. Okay. And do you recall whether you
25 put, you or anyone I should say, put times on the
26 lineups themselves as to what time each of those
27 lineups were done?

28 A. Yes.

1 Q. Okay. Is that something that you put
2 on there on the admonishment form itself on the
3 front or back of the lineup itself?

4 A. I like it to do it on the back of the
5 lineup itself.

6 Q. Were you present when either
7 Mr. Mendell or Ms. Longfellow looked at a
8 photograph on a computer screen?

9 A. I was not.

10 Q. Are you familiar with the, uhmm,
11 concept of a photo show-up or a single photo
12 lineup?

13 A. I am familiar with an in-field show-up
14 if that's what you're referring to.

15 Q. Okay. An in-field show-up would be
16 maybe a single person, generally a live body, where
17 somebody names a suspect and there is somebody
18 matching the description nearby and you would --
19 you would bring the victim or the witness to that
20 person and say is that the person?

21 A. That's correct.

22 Q. Okay. And would you give them some
23 sort of in-field admonishment similar to the photo
24 lineup, the one you just talked about and don't
25 assume?

26 A. It would be almost exact.

27 Q. Okay. And have you ever seen that
28 occur with a photo instead of a live body?