

Eyewitness Identification

Dead

Risk: Medium

Comprehensive

Last Action (Mar 13, 2026): Died in Criminal Justice Subcommittee

Summary

This bill revises eyewitness identification procedures, requiring documentation of eyewitness descriptions, specifying lineup composition, and detailing identification preferences.

Business Impact

If you operate in law enforcement, you must revise eyewitness identification procedures by [date] or face potential legal challenges.

Key Provisions

- Requires documentation of eyewitness descriptions of potential perpetrators.
- Specifies that lineups are preferable to show-ups or in-court identifications, with specific circumstances for their use, such as feasibility or immediate necessity.
- Mandates audio and video recording of identification procedures, except when not feasible due to equipment malfunction or other exigent circumstances.
- Requires lineup administrators to document identifications or non-identifications in a specified manner.
- Mandates evidence-based reasons for including a person in a lineup and specifies lineup composition.
- Limits the use of facial recognition technology in certain circumstances.
- Allows defense attorneys to be present during identification procedures.
- Requires instructions to be given to eyewitnesses before any identification procedure and mandates the revision of such instructions.

Compliance Checklist

- Document eyewitness descriptions of potential perpetrators | Who: Law enforcement officers | Penalty: Potential undermining of identification evidence in court

- Record identification procedures via audio and video | Who: Lineup administrators | Penalty: Potential invalidation of identification evidence

Industries Affected

Law Enforcement

Technology

Legal Services

Topics

Facial Recognition

Related Bills

- S1202 (FL)

Official Source

<https://www.flsenate.gov/Session/Bill/2026/875>

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