

## Adrian Police Department Policy and Procedure

41.2.4

### Field Interviews

#### I. POLICY:

The police activity of inquiring into a person's identity and the reason for his presence at an unusual time and/or place or under suspicious circumstances plays an important role in the prevention of crime and the apprehension of criminals. The quality and the frequency with which they are conducted will contribute materially to the success of the department in repressing and preventing crime. It is the policy of the Adrian Police Department to encourage its members to actively engage in this process. Officers conducting field interviews must understand the legal basis and authority for these actions. Such documented interviews can contribute greatly to crime analysis/solution if the information obtained is properly recorded, collected and analyzed. In addition the field interview program may deprive actual and potential offenders of some of their initiative in selecting the time, place, and circumstances for the commission of crimes.

#### II. PROCEDURE:

##### 1. PURPOSE OF FIELD INTERVIEWS:

- A. SOURCE OF INFORMATION:** The field inquiry is based on the principle that the opportunity to apprehend criminals and to prevent crime increases with the number and frequency of persons interviewed. One way a police officer can increase his/her effectiveness is to obtain information from persons frequenting his patrol area.
- a. Sources of information include:
    - i. The victim(s)
    - ii. Witnesses
    - iii. Other people who have information pertinent to the case, even if they were not physically present
    - iv. Expert witnesses
  - b. Officers must obtain complete statements from any source of information, whether that information proves or disproves the theory of the case. All statements must be included in the report.
  - c. Officers may wish to re-interview sources of information as the case develops and more information becomes available.
  - d. Interviews shall be recorded on body camera per policy, unless the interview is being recorded by other means such as the fixed recording system, at the department, or at another location with fixed recording equipment.
  - e. All interview recordings shall be preserved according to policy until the case is disposed in court or closed due to lack of leads.

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**B. MEANS OF IDENTIFYING SUSPECTS:** An on-view arrest is not always based upon the immediate recognition of a wanted criminal. Frequently, it is the outgrowth of the action taken by a police officer who stops and questions a person who has aroused suspicion. Information obtained during a field contact may also be used at a later date to identify a criminal.

**C. MEANS OF OBTAINING SUSPECTS OR WITNESSES:**

The value of reported field inquiries becomes very pronounced when a crime is committed and there are but a few investigative leads. The investigator must then rely on the field interview reports to sift out any information. A review of these reports will show if anyone had been questioned in the vicinity and at the approximate time of the crime.

**D. CRIME PREVENTION:** The aggressiveness of the patrol activity may be brought to the attention of the criminal and of his friends. The criminal can also observe the activities of the police and conclude that the possibility of escaping detection and apprehension is not favorable.

**2. APPROACHING THE SUBJECT:**

**A.** As many field inquiries result in an arrest, the field contact location must be selected with care. Officers should give consideration to possible escape routes, lighting conditions, and to the safety of bystanders and themselves. Furthermore, the approach must afford the greatest element of surprise. On foot or in a vehicle, the approach is usually made from the rear. This technique provides a tactical advantage. At night, the headlights of the police vehicle can be used to provide added illumination. It is imperative to have decided upon a plan of action before attempting to stop a suspect. Vigilance must be maintained to guard against any violent or evasive action.

**B.** The purpose of the field inquiry will determine the method of contacting the subject. It may vary from an authoritative command of "Stop, Police!" to a diplomatic request of "Good evening, may I speak to you for a moment?" **Officers working in civilian dress have the added responsibility of identifying themselves as police officers before stopping a person for questioning.**

**3. CONDUCTING THE FIELD INTERVIEW:**

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**A.** There is a fine line drawn between a field interview and a lawful detainment. Reasonable suspicion is the key element on which the officer should base his action. The US Supreme Court, in Terry v. Ohio, gave police officers the authority to stop and question a person whom they have reason to suspect has committed, is committing or is about to commit a crime. If an officer stops a person for questioning and reasonably suspects that he is in danger of life or limb, and that the subject may be armed, he may conduct a "pat down search" of such person for a dangerous weapon. If he finds such weapon or any other thing the possession of which may constitute a crime, he may take and keep it until the completion of the questioning, at which time he shall return it, if lawfully possessed, or he shall arrest such person.

**B.** The field interview may not meet the above requirements, but the officer may still seek to talk to the individual while realizing that the person is under no obligation to answer his questions or remain with the officer. This is called an "encounter", and is a valuable method to gain information. The officer should recognize that some citizens are sensitive to any police contact and an over aggressive approach may result in the loss of important support from the person being stopped.

**C.** The unusual or suspicious actions of people should trigger field interview. Felony arrests are made consistently by officers who are quick to recognize something unusual in the actions or the appearance of a person or of a vehicle.

**D.** The person not fitting the place or time should be questioned. Personal appearances, the area, the time of day, the information being sought, and other factors will determine who is to be questioned.

**E.** Officers will frequently develop probable cause to arrest an individual as a result of conducting a field interview. At this point to ensure the admissibility of statements "Miranda" Warnings should be given.

#### 4. RECORDING THE FIELD INTERVIEW

- A.** Officers will record said field interview as a call for service. Officers should obtain as much "booking" information as possible, additionally noting the attire, anything unusual, and any conversation.
- B.** Information obtained that may be of benefit to other officers should be passed along using the shift referral process.
- C.** Body cameras shall be activated per policy

#### 5. MIRANDA WARNINGS

- You have the right to remain silent.

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- If you do say anything, what you say can be used against you in a court of law.
- You have the right to consult with a lawyer and have that lawyer present during any questioning.
- If you cannot afford a lawyer, one will be appointed for you if you so desire.

A Miranda warning may be given to any subject at any time. However, it is mandatory to give a Miranda warning to a subject who is in custody, or otherwise does not have a reasonable expectation that they are free to leave the encounter.

### **6. INTERVIEWING JUVENILES**

Juveniles interviews are covered by 44.1.1 Juvenile Operations, VII (X)

### **III. APPLICATION**

This order constitutes department policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard or safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law.

By Order Of:

Vincent P. Emrick  
Chief of Police