



# Apex Police Department General Order



<b>Title</b> Field Interviews and Investigations		<b>Order Number</b> 707-20
<b>Effective Date:</b> October 22, 2020	<b>Amends:</b> 707-13	
<b>CALEA Standard:</b> 1.2.3 (a), 1.2.4, 40.2.3 (d)	<b>Rescinds:</b>	
<b>Reference:</b>	<b>Pages:</b> 5	
<b>Forms:</b> F703 – Permission to Search Authorization F707 – Field Interview Card F1101n – Canvass Interview Sheet		

## Field Interviews and Investigations

### Purpose

The purpose of this directive is to establish procedures for conducting field interviews and reporting intelligence or suspect information.

### Policy

It will be the policy of the Apex Police Department that officers interview persons observed under questionable or suspicious circumstances and report any intelligence or suspect information derived from the interview on a Field Interview Card (FIC) and/or Incident Report.

### Definitions

*Field Contact Interview Application* – A software application used to document and complete field interviews through a mobile data computer (MDC).

*Field Interview* – Is a temporary detention of any person for the purpose of investigating an unusual activity that reasonably implies criminal activity. A field interview occurs when an officer uses police authority either to compel a person to halt, remain in a certain place, or perform some act. If the person being stopped reasonably believes that he/she is not free to leave the officer's presence, a field interview is occurring. A field interview also occurs when the officer questions a person during a consensual encounter in a public or private place.

*Field Interview Report* – An administrative record made by field officers to document official contacts with persons under suspicious circumstances or in other specified cases. A field interview report can be completed on a FIC and/or Incident Report. It provides a means of systematically recording information on persons contacted to facilitate the retrieval of that information for use as investigative leads and to support criminal investigations.

## **Procedures**

### **General**

#### *Source of Information*

1. The field interview is based upon 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 expand his/her power of observation is to obtain information from persons living or working within his/her patrol area.

#### *A Means of Identifying the Suspect*

1. 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 that stops to question a person who has aroused his/her suspicions. Information obtained during a field interview may also be used at a later date to identify a criminal.

#### *A Means of Obtaining Witnesses*

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

#### *A Prevention Tool*

1. The vigilance of officers may be brought to a criminal's attention. The criminal can also observe the activities of the police and conclude that the possibility of escaping detection and apprehension are not favorable.

## **Investigative Detention**

1. The Terry v. Ohio Supreme Court decision grants an officer authority to: (1.2.4)
  - Stop and detain a person under circumstances that lead the officer to have reasonable, articulable suspicion (probable cause is not required) that "criminal activity is afoot", and
  - Frisk the detainee for dangerous weapons if there is reasonable, articulable suspicion that the detainee is armed

2. An investigative detention is otherwise characterized by: (1.2.4)
  - Brevity – Investigative detentions should be reasonably brief
  - No inappropriate movements or location changes – Movement of a detainee even a short distance from his original location would not be appropriate unless:
    - Legitimate and articulable safety or security justifications exist for such a move
    - The detainee has consented to such a move
  - No excessive force – Only a reasonable and necessary amount of force should be used as authorized by North Carolina General Statutes (NCGS) and General Order 701 – *Use of Force*
3. An investigative detention for a vehicle stop is predicated on the same reasonable, articulable suspicion as used in pedestrian checks. (1.2.4)
  - An officer may "frisk" a vehicle for any dangerous weapon accessible to vehicle occupants.
  - The *Carroll v. United States* (United States Supreme Court) decision grants an officer authority to conduct a warrantless search of a vehicle under circumstances which lead the officer to believe that the vehicle contains evidence of a crime which may be destroyed or lost if the officer does not act immediately to recover it.
4. In cases where a person gives consent for an officer to search his/her person or his/her vehicle, the officer: (1.2.4)
  - Will be responsible for ensuring that such consent is given voluntarily, knowingly, and without coercion, and
  - May, when practical, document such consent by means of form F703 – *Permission to Search Authorization*

### **Field Interviews (1.2.3 (a))**

1. Field interviews may be conducted under the following circumstances:
  - The officer does not have the reasonable, articulable suspicion (specified Investigative Detection) to meet the requirements for investigative detention of a person, but
  - The officer may seek to interview a person who is observed under unusual circumstances to assure the safety of the person and/or to determine the identity of the subject based on the circumstances and observed behavior being suspicious in nature based on the Supreme Court decision of *Terry v. Ohio*
2. The officer should remain mindful that the field interview must be a voluntary encounter, such that a reasonable person does not feel restrained.
3. The key to carrying out a successful, voluntary encounter is to request cooperation in a manner where the subject does not feel that he/she is "under arrest."
  - The officer should phrase questions to elicit voluntary responses.

- The officer should be mindful that a coercive tone of voice and physical conduct can detract from the interview.

### *Considerations*

1. Caution and courtesy must be balanced. Suspicion, often vague and difficult to describe, serves as the primary reason for taking action. The officer should recognize that many citizens are sensitive to any police contact, that the original suspicion may be unfounded, and that an overly aggressive approach may result in the loss of important support from the person being stopped.
2. The unusual or suspicious actions of a person may trigger a field interview. Arrests are made consistently by officers who are quick to recognize something unusual in the actions of a person or a vehicle.

### *Approach Strategy & Limitations*

1. As field interviews may result in an arrest if probable cause is developed, officers should select the field contact location with care, consideration for possible escape routes of criminal suspects, the lighting in the area, the safety of bystanders, and officer safety. To the extent possible, the officer intending to conduct a field interview should form a tactical plan prior to approaching any suspect. Readiness must be maintained to guard against any violent or evasive action.
2. Any officer who conducts an investigative detention or field interview will notify the Communications Center and provide, at a minimum:
  - The location
  - The number of people being stopped
  - A description of the person(s) being stopped

### **Canvass Interview**

1. The purpose of this interview is to identify potential witnesses. The questioning is very cursory and is oriented toward identification of witnesses for a specific crime or attempted crime.
2. A canvass interview is typically conducted during the preliminary investigation of a crime in the immediate area where the crime occurred (i.e. a neighborhood canvass after a Breaking and Entering has been reported). **Officers conducting a neighborhood canvass will use form F1101n – *Canvass Interview Sheet*, as necessary, to document information associated with the investigation.**

3. Once an individual is identified as a potential witness, then a field interview can be performed to gain the relevant information from the individual, at that or a later time.

### **Documentation of Field Contacts and Observations**

1. Officers will document field interviews via an incident report, Information Only Report, form F707 – *Field Interview Card*, Computer Aided Dispatch (CAD) System, or some other equally effective method. Observations to document include:
  - Unusual conditions, such as observation of a vehicle parked near a business after business hours
  - Observations (description, behavior, objects carried, etc.) concerning people who the officer does not want to approach directly for the purpose of a field interview and/or have refused to speak with the officer in reference to a field interview
  - Notation of a person's presence in a specific place at a specific time, when the officer has previously conducted a field interview with that person

### *Form F707 – Field Interview Card*

1. Officers that are unable to access their MDC to complete a field interview report will complete all applicable sections of form F707 - *Field Interview Card*, giving special attention to attire, scars, marks, tattoos, circumstances for stop and reason given, as well as any other pertinent data.
2. Completed forms F707 - *Field Interview Card* will be submitted to the on-duty supervisor at the end of each officer's tour of duty.
3. Supervisors will review and forward original forms F707 - *Field Interview Card* to the Criminal Investigations Division Case Manager for additional review, assignment, data entry, and filing. (40.2.3 (d))
4. The Criminal Investigations Division Case Manager will maintain all original forms F707 - *Field Interview Card* in accordance with General Order 1106 – *Criminal Intelligence* and other applicable written directives.

Text in "Green" denotes a significant change in policy

**BY ORDER OF:**



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John W. Letteney  
Chief of Police