

**SAN DIEGO POLICE DEPARTMENT
PROCEDURE**

DATE: JANUARY 23, 2019
NUMBER: 6.03 - PATROL
SUBJECT: FIELD INTERVIEW REPORT
RELATED POLICY: N/A
ORIGINATING DIVISION: PATROL OPERATIONS
NEW PROCEDURE:
PROCEDURAL CHANGE: **MINOR CHANGES**
SUPERSEDES: DP 6.03 – 05/10/2018

I. PURPOSE

This Department procedure establishes guidelines for the use and processing of Field Interview (FI) Reports.

II. SCOPE

This procedure applies to all sworn members of the Department.

III. BACKGROUND

Court decisions have held that police officers, under certain circumstances, may contact or stop citizens to conduct an inquiry. Many inquiries reveal that an individual may be involved in some type of criminal activity. It is then important for the Department, and all concerned police personnel, to have a record of the contact available on file. See Department Procedure 4.01, Stop/Detention and Pat-Down Procedures for further details.

Just as for any private citizen, a legal cause is not needed for an officer to initiate a “contact” and officers may lawfully ask for information needed to fill out a Field Interview Report (ARJIS-1). However, the persons contacted may not be halted, detained, or patted-down against their will. They may not be required to answer questions, provide identification, or to cooperate in any way if they do not wish to do so voluntarily (*Gomez v. Turner*, 672 F.2d 134 (1982)). If they refuse to cooperate, they must be permitted to go on their way, unless the officer has developed reasonable suspicion to detain or probable cause to arrest.

If the officer has reasonable suspicion to detain a person, the officer may require the detained individual to identify himself /herself, and to provide identification. *People v. Loudermilk*, 195 Cal. App. 3d 996, 1002-3 (1987); *People v. Vibanco*, 151 Cal. App. 4th 1, 10 (2007). However, a suspect's refusal to identify himself/herself or provide identification does not justify a detention and search based solely on that basis. *Loudermilk* at 1004; *People v. Garcia*, 145 Cal.App.4th 782, 787-88 (2006).

IV. DEFINITION

A Field Interview (FI) is any contact or stop in which an officer reasonably suspects that a person has committed, is committing, or is about to commit a crime. Reasonable suspicion establishes the authority to detain a person. The officer may exercise this authority in any place that the officer has the right to be. Both pedestrians and persons in vehicles may be detained for an FI. A detention is warranted if there is a reasonable suspicion by the officer that:

- A. Some activity relating to crime has taken place, is presently taking place, or is about to occur; and,
- B. The person to be stopped or detained is involved in that activity, but there is insufficient evidence to make an arrest.

A Field Interview (FI) report is used to document the contact.

V. PROCEDURE

- A. Enforcement action (e.g., stop, detention, pat-down) resulting in a Field Interview Report shall be documented in the officer's Daily Journal. The Field Interview Report control number must be included in the journal entry and the report submitted for processing.
- B. The FI should capture the information specifically labeled on the FI form, with the "Remarks" area used to show the reason for contact or to elaborate on the crime potential.
- C. The white copy of the FI form should not be used when taking notes during victim, witness, or suspect interviews. All information written on an FI (including everything written on the back of the white copy) is discoverable. Officers shall use a PD-145, or other suitable notepad, when taking notes. Refer to Department Procedure 4.13, III, B (Retention of Officer's Notes).

D. Distribution

1. Completed forms will be turned in at end of shift.
2. Original (white) – routed to Records Division for data entry and filing.
3. Yellow copy – routed to the appropriate investigative unit/section.
4. Gold copy – may be retained by interviewing officer while conducting an investigation. Officers are not permitted to maintain personal files of Field Interviews and unneeded gold copies should be placed in shred bins for disposal.

E. Information Retrieval

1. All the information on an FI, including the information written in the remark area or on the back, is entered into ARJIS (See V. C.).
2. Procedures on how to retrieve this information from ARJIS can be found in the Resource Library, using any Department LAN computer, by selecting User Resource Guides and then ARJIS Users Guide.
3. This information will remain in the ARJIS system for one year, at which time it will be purged. The information is retained in CRMS for five years.
4. The original Field Interview Report is held on file in Records Division for five years.

F. Other Field Interview Uses

1. The form may also be used for an FI of a vehicle only.
2. Enter vehicle information, as well as all other pertinent information.
3. Records Division personnel will enter the FI into ARJIS as a "Vehicle FI."

G. Field Interviews Involving City Schools

Officers are to forward the gold copy or a photocopy of any Field Interview conducted on individuals found or contacted on school campuses to School Police at MS 726A. Distribute the original and yellow copy as outlined above in this procedure. If the youth/juvenile is involved in high-risk behavior (refer to DP 3.08, Juvenile Procedures, for criteria), a copy of the Field Interview Report needs to be sent to the Juvenile Services Team Sergeant in the command where the juvenile was contacted.

H. Procedure for Completing the Form

Complete instructions on how to properly prepare the Field Interview Report are contained on the Resource Library in the User Resource Guides on the LAN system under the file entitled “FI Instruction Guide for 603DP.”

NEW

VI. **ASSEMBLY BILL 953**

Assembly Bill 953 (AB 953), also known as the Racial and Identity Profiling Act (RIPA) of 2015, requires law enforcement agencies to collect data on all stops, detentions, and searches. This includes consensual searches and instances where force was utilized. In order to capture this data, a new application became available for every event generated through the Department’s MPS and Intranet systems beginning July 1, 2018. There is a template to collect the required data in the F: Drive under Templates/Patrol Based Forms/PD-953, if the database application is temporarily unavailable. The data documented on this form shall be entered into the electronic application prior to the end of officer’s shift unless exigent circumstances exist.

Under this mandate, the data collected will include the date, time, and duration of the stop, the location, perceived race or ethnicity, perceived gender, perceived LGBT, perceived or known disability, English fluency, perceived age, and the reason for the stop, detention, or search. The reason for the stop may be generated from a call for service, a traffic violation, reasonable suspicion or knowledge that the person was engaged, or about to engage in criminal activity and conclude with the actions taken by the officer. These actions will describe the basis of the search, whether or not contraband or other evidence is discovered, the reason for and type of property seized and the results of the stop or detention. The data collected under RIPA replaces the data previously collected from vehicle stop data cards.

NEW

To ensure compliance with the Racial Identity Profiling Act, a RIPA entry must be completed for every individual listed in a Field Interview report or ARJIS-1 submitted by an officer.