

Cobb County Police Department

Policy 5.08

FIELD INTERVIEWS

Effective Date: January 9, 2011
Rescinds: Policy 5.08 (September 30, 2007)
Related Orders: Policy 5.24 “Search and Seizure”
Issued By: Chief J.R. Houser Page 1 of 2
The words “he, his, him,” which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department.

The purpose of this policy is to assist officers in determining when field interviews are warranted, and the manner in which they should be conducted.

I. POLICY

Officers are encouraged to contact, identify, and document suspicious persons and vehicles. This process shall be conducted in accordance with state and federal guidelines.

II. DEFINITION

Field Interview: The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual’s identity and resolving the officer’s suspicions.

III. PROCEDURES

A. Justification for Conducting a Field Interview

Law enforcement officers may stop an individual/vehicle for the purpose of conducting a field interview only where reasonable suspicion is present. Reasonable suspicion must be more than a hunch or feeling, but need not meet the test for probable cause sufficient to make an arrest. In justifying the stop, the officer must be able to point to specific facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to, the following:

1. The actions of the suspect suggest that he is engaged in criminal activity.
2. The suspect’s presence in a place at a time or in a manner not usual for law abiding citizens.
3. The suspect is located in proximate time and place to an alleged crime.

4. The suspect is carrying a suspicious object.
5. The suspect's clothing bulges in a manner that suggests he is carrying a weapon.
6. The officer has knowledge of the suspect's prior criminal record or involvement in criminal activity.
7. The appearance or demeanor of an individual suggests that he is part of a criminal enterprise.

B. Conducting a Field Interview

The following guidelines should be followed when making an authorized stop to conduct a field interview.

1. Prior to making contact, the officer should determine whether the circumstances require back-up assistance and whether the contact can/should be delayed until such assistance arrives.
2. When approaching the suspect, the officer, if not in uniform, should clearly identify himself as a law enforcement officer by announcing his identity and displaying Departmental identification.
3. The officer should maintain caution and vigilance for furtive movements to retrieve weapons, conceal or discard contraband, or other suspicious actions (see Policy 5.24 "Search and Seizure").
4. The officer should obtain the person's name, date of birth, address, and identification, and make inquiries to resolve the officer's suspicions. Whenever possible, officers should make wanted checks on suspicious persons. However, suspects are not required, nor can they be compelled, to answer any questions posed during field interviews. Failure to respond to an officer's inquiries is not, in and of itself, sufficient grounds to make an arrest; although it may provide sufficient justification for additional observation and investigation.
5. The officer is not required to give a suspect Miranda warnings in order to conduct a field interview.