



**Colorado Springs Police Department
General Order 755**

Section 7: Field Interviews -- Force, Detention, and Arrest

Active Date: 6/26/2017

Supersedes Date: 7/12/2012

.1 Purpose

To define, describe, and set guidelines for conducting field interviews.

.2 Cross Reference

[GO 740, Determining Probable Cause](#)

[GO 750, Citizen Contacts](#)

[GO 758, Handling of Street Gang](#)

[Contacts GO 760, Physical Arrest](#)

[GO 1303, Bias Based Profiling Prohibited](#)

.3 Discussion

The "field interview" is a very useful and effective means of maintaining the safety and welfare of the community. By remaining alert, perceiving circumstances that may indicate crime, stopping suspicious persons and conducting field interviews, officers serve the community by preventing, discovering, or solving crimes. Properly conducted, a field interview can improve the Department's performance; improperly conducted, it can jeopardize successful prosecution and/or expose the Department and its personnel to adverse legal consequences.

.4 Policy

The courts have indicated that certain elements must be present before an officer initiates a field interview. In this regard, the Department maintains procedures that detail these elements and officers will abide by them when conducting a field interview.

.5 Definitions

FIELD INTERVIEW: A field interview is temporary detention of any person for the purpose of investigating activity that reasonably implies criminal conduct. A field interview occurs when an officer uses police authority either to compel a person to halt, to remain in a certain place, or to perform some act (such as walking to a nearby location where the officer can use a radio or telephone). If the person being stopped reasonably believes that s/he is not free to leave the officer's presence, a field interview is occurring.

FIELD INTERVIEW REPORT: A field interview report is an internal administrative report made by field officers to document official contacts with persons under suspicious circumstances or in other specified cases. It provides a means of systematically recording information on persons, contacted under suspicious circumstances, for the purpose of facilitating the retrieval of that information for use as investigative leads and to support criminal investigations.

REASONABLE SUSPICION: The term "reasonably suspects", CRS 16-3-103, cannot be precisely defined. The term means information known to the officer which amounts to more than a mere hunch or generalized suspicion, but less than probable cause to arrest. Unless a field interview is conducted as part of a consensual contact, the stop should be treated as an investigative detention which requires an officer to have reasonable suspicion that the individual being contacted is engaged in illegal activity.

.10 Authority and Required Elements

Legal authority to conduct field interviews is granted in section 16-3-103, CRS, "Stopping of Suspect," which provides:

(1)A peace officer may stop any person whom he reasonably suspects is committing, has committed or is about to commit a crime and may require him to give his name and address, identification if available, and an explanation of his actions. The stopping shall not constitute an arrest. A peace officer shall not require any person to produce or divulge such person's social security number.

(2)When a peace officer has stopped a person for questioning pursuant to this section and reasonably suspects that the person is armed and dangerous, the officer may conduct a pat-down search of that person for weapons. In determining whether a person presents such a danger as to require a pat-down search, an officer may consider all of the relevant factors including but not limited to; the person's behavior, prior knowledge that the person is known to carry weapons, the type of crime that is reasonably suspected, number

of suspects or other people present, the time of day, the number of officers present, and any other information that supports the officer's conclusion that the person is armed and poses a danger to the officer or others.

(3) Officers should note that pat-down searches for weapons may be conducted at any time upon the consent given by the person subject to the pat-down search.

.20 Initial Approach

Once reasonable suspicion is established, a person may be stopped. If it is safe and practical to do so, an officer may elect to delay contact with a suspicious person in order to develop probable cause for an arrest. The guideline is: "Don't ruin a good arrest by making a premature stop."

.30 Use of Force To Detain

Officers will use the least coercive means necessary to stop a person. The means used may be a verbal request, an order, or physical force. In general, officers shall not employ a level of force that could cause death or serious bodily injury to the person detained. However, if the officer is attacked, or circumstances exist that create probable cause to arrest, the officer may use reasonable force to defend him or herself or make a full custody arrest.

.32 Refusal to Cooperate

Refusal to answer questions or cooperate in other ways does not, by itself, establish probable cause to arrest. Nonetheless, such refusals may be considered along with other facts discovered during the contact, as elements that may establish probable cause.

For example, a person fitting the description of a burglary suspect is observed walking down the sidewalk in the vicinity of a very recent "channel lock" burglary. The time is 00:30 hours. Officers stop and question the person who then refuses to give a name and address. The officers then observe a pair of channel lock pliers in the suspect's hand. Under these circumstances, the officers may attach some weight to the suspect's refusal to answer their questions about his identity and address. At this point, an arrest for burglary may be proper.

.34 Treatment of Detained Persons

Officers will be courteous and use only reasonable force during a field interview. They will identify themselves as law enforcement officers as soon as practical. At some point during the interview, the officer initiating the stop will explain to the suspect why the field interview is being conducted.

As outlined in G.O. 1303, Bias Based Profiling Prohibited, when no enforcement is taken, and as a courtesy to the members of our community, officers will provide the individual(s) with his/her business card with the date and time of contact written clearly on any part of the card.

.36 Moving the Detained Person

When an officer moves a detainee or orders a detainee to move, a court may conclude that the suspect has been taken into custody. An officer who moves a detainee risks losing evidence gathered as a result of the movement. As a general rule, officers should not move detainees from the location where the stop was made. If an officer believes the need exists to move a detainee, and no probable cause for an arrest exists, the officer should obtain the suspects consent for the movement. If an officer wishes to obtain an identification of the suspect by a victim/witness, the victim/witness should be brought to the location where the suspect is at if possible.

.38 Duration of Stop

During a field interview, an officer may only detain a person for a reasonable time. If probable cause cannot be established within a reasonable time, the person must be released. What constitutes a reasonable period of time is based upon the totality of the circumstances. If a field interview exceeds 20 to 30 minutes, an officer should be prepared to provide the court with an explanation. In addition, officers must act diligently to conclude the investigation. Any unnecessary delay may result in evidence being suppressed.

.40 Guidelines for Use of Field Interview Reports

Field interview reports shall be made in the following cases:

- To facilitate retrieval of information for use as investigative leads and to support criminal investigations
- To document contacts with, or observations of, confirmed career criminals
- To document contacts with citizens that lead the officer to believe that future contact by officers may pose a serious threat to the officers' safety. Under such circumstances, officers should also consider completing an Intelligence Report and sending it to the Metro VNI Intelligence Unit.

Field interview reports may also be made at the officer's discretion. Examples would be as follows:

- Persons contacted under suspicious circumstances pursuant to consent or reasonable suspicion.
- Misdemeanor arrests which the officer feels should be entered.
- All field interviews will be conducted in conformance with Colorado Statutes including but not limited to 16-3-103.