

INTRADEPARTMENTAL CORRESPONDENCE

August 19, 2021
1.14

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: FIELD INTERVIEWS; AND, FIELD INTERVIEW REPORT,
FORM 15.43.00 – REVISED

RECOMMENDED ACTION

It is recommended that the Board of Police Commissioners REVIEW and APPROVE the revised Department Manual Section and form pertaining to the Field Interview Report, Form 15.43.00.

DISCUSSION

The revised Department procedures clarify the guidelines and circumstances under which the Field Interview Report shall be completed. In addition, the revised form enables Department personnel to more accurately capture pertinent information during encounters with the public. These revisions are in accordance with the Office of the Inspector General Stop Recommendations, dated October 2020.

The attached Administrative Order revises Section 4/202.01 of the Department Manual, as well as the Field Interview Report, Form 15.43.00.

Should you have additional questions regarding this matter, please contact Director Lizabeth Rhodes, Office of Constitutional Policing and Policy, at (213) 486-8730.

Respectfully,



MICHEL R. MOORE
Chief of Police

Attachments

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO.

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON

SUBJECT: FIELD INTERVIEWS – REVISED; AND, FIELD INTERVIEW REPORT, FORM 15.43.00 – REVISED

PURPOSE: This Order revises Field Interviews, Contacts with Gang Members, and Field Interview Report, Form 15.43.00 (FI Card) and defines the purpose of the FI Card and provides guidelines as to the circumstances under which FI Cards may be completed.

The information captured on an FI Card should be relevant to an official investigation (initiated at that time or on-going). Officers are encouraged to document:

- Relevant specific facts and observations including, but not limited to, date, time and location of the interview;
- Relevant facts to memorialize a consensual encounter;
- Details concerning interview subject's appearance, including dress and visible physical characteristics (e.g., tattoos or scars);
- Statements made by the subject at the time of the contact (including any references made to gang membership);
- Specific facts relating to the subject's possible involvement in criminal activity;
- Information the person knowingly and voluntarily gives to the officer at the time of the contact; and,
- Facts the officer observes.

Field Interview Cards provide the basis for conducting follow up investigations using other resources including, but not limited to, Body Worn Video, Digital In-Car Video System (DICVS), witness interviews, or other techniques to establish evidence needed in criminal cases or other investigations. When completing an FI Card on a person, officers shall explain the rationale for completion in a professional manner.

Completion of an FI Card shall not unnecessarily prolong a stop or detention. The FI Card should be completed as soon as practicable after the contact has concluded in order maximize accuracy of the documented information.

Note: As noted in Department Manual Section 3/203.10, "The number of FIs an officer produces should not be used as the sole measure of the officer's productivity." In addition, there shall not be an expectation of a certain number or type of FI Cards to be produced by an officer or a unit.

PROCEDURE:

- I. **FIELD INTERVIEWS – REVISED.** Department Manual Section 4/202.01, *Field Interviews*, has been revised and is attached.
- II. **FIELD INTERVIEW REPORT, FORM 15.43.00 – REVISED.** The Field Interview Report Form, 15.43.00 has been revised and is attached. The following sections have been removed:

- Business address/school/union affiliation;
- Social Security Number; and,
- Gang membership/identification.

Note: Department personnel have legitimate authority and a statutory duty (California Penal Code Section 186.22) to document gang activity. Officers may denote specific and articulable **facts** related to gang activity, however, officers shall **not** document opinions, including an opinion that the person is a member or affiliate of a gang, unless they indicate the **specific and articulable facts** upon which they base that conclusion.

If “CRIMINAL ACTIVITY” is checked on the front of the FI Card, the observed activity shall be thoroughly documented within the FI Card narrative section including any specific statements made by the subject.

Additionally, the vehicle information section has been modified and updated to reflect information most often seen in vehicles currently. The additional persons section has been expanded and moved to the front of the card, and a Multiple Source check box and blank field have been added to document information sources other than the person contacted (e.g., prior contacts with the person, roll call briefing, crime alert flyer). These changes have focused on creating additional narrative space on the back of the card. Officers are free to document additional information regarding work or school locations, or social media account information in this space.

FORM AVAILABILITY: The revised FI Card is immediately available on the Department Local Area Network (LAN) and will be distributed to Areas/divisions by November 1, 2021. All other versions of the FI Card shall be marked “obsolete” and placed into the Area/divisional recycling bin. The use, completion, and distribution of this form remain unchanged.

AMENDMENT: This Order amends Section 4/202.01 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



MICHEL R. MOORE
Chief of Police

Attachments

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202. FIELD INTERROGATION.

202.01 FIELD INTERVIEWS. When an officer questions a person in the field, he or she may record the details of that interview on a *Field Interview Report (FI Card)*, Form 15.43.00, only in any of the following circumstances:

- *When officers have reasonable suspicion that the subject is involved with, or possesses knowledge of, criminal activity;*
- *To document criminal activity, including ongoing or unsolved criminal activity that may be used in a later investigation;*
- *To memorialize a consensual encounter relating to either of the above two bullets;*
- *To document contact with a probationer or parolee; and/or,*
- *To document contact with an arrestee.*

Note: Criminal activity may include, but is not limited to, suspected violations of the Los Angeles Municipal Code, as well as the California Vehicle Code and Penal Code.

The completion of an FI Card should be neither a routine task completed during all stops nor one completed in a random, arbitrary, or biased way. Moreover, because the Department has ceased using the CalGang database, officers shall not complete an FI Card for every encounter with a suspected gang member unless its completion is consistent with at least one of the provisions above.

The information captured on a FI Card should be relevant to an official investigation (initiated at that time or on-going). Completion of an FI Card shall not unnecessarily prolong a stop. The FI Card should be completed as soon as practicable after the stop has ended in order to maximize accuracy of the documented information. When completing an FI Card, officers should document relevant specific facts and observations including, but not limited to:

- *The date, time and location of the interview;*
- *Details concerning how the subject being interviewed is dressed;*
- *Visible physical characteristics (e.g., tattoos or scars) of the subject being interviewed;*
- *Statements made by the subject at the time of the contact (including any references made to gang membership); and,*
- *Any specific statements or facts relating the subject's knowledge of or involvement in criminal activity.*

Note: The FI Card is meant to record facts. Officers shall not document opinions, including an opinion that the person is a member or affiliate of a gang, without also documenting on the back of the FI Card the specific and articulable facts upon which they base that opinion.

Except in conjunction with arrests or conditions of parole or probation (where required), an individual is not obligated to answer questions for the sole purpose of completing an FI Card.

Additionally, only officers assigned to a Gang Enforcement Detail (GED) may request to view obscured tattoos, scars or other marks of a person (e.g., a tattoo underneath a person's shirt and not otherwise visible). In such instances, officers shall be guided by the Department's Consent to Search Policy, as

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outlined in Administrative Order No. 22, dated November 20, 2020.

Officers who are not assigned to a GED shall not request to view obscured tattoos, scars or other marks of a person unless that person is arrested or legally detained.

Officers' contacts with the public shall be captured on Body Worn Video (BWV), as per Department Manual Section 3/579.15, Objectives of Body Worn Video. Additionally, officers are reminded and encouraged to utilize their BWV equipment to capture facts and the pertinent visual perspectives pertaining to encounters and interactions during stops and detentions. For example, officers can use BWV to capture additional details regarding a person's clothing, tattoos, or physical description that may not fit in the limited space provided on the FI Card.

Limitations on Place of Birth Inquiries. Some members of the public may misperceive the purpose of inquiring about a person's birthplace when questioned during a law enforcement contact, especially when contacting the police as a victim or witness. To minimize the potential misperception and possible degradation of public trust, the following procedures shall be followed:

- **Victims, Witnesses and Temporarily-Detained Persons.** Officers shall not ask a victim, witness, or temporarily-detained person for their place of birth unless particular circumstances make it necessary *in order* to investigate a criminal offense.
- **Arrestees.** Department personnel may ask *for* and record an arrestee's place of birth in the *narrative section of the FI Card* when it is:
 - *Required* to book or process the arrestee for a criminal offense;
 - *Required* to comply with consular notification obligations;
 - *Required* to investigate a criminal offense; or,
 - Otherwise required by law.

Exception: When persons are arrested for public intoxication [Penal Code (PC) Section 647(f)], begging [PC Section 647(e)], or a misdemeanor traffic warrant, an *FI Card* need not be completed unless there are indications of possible involvement in *additional* criminal activity.

Social Security Numbers: *Social Security Numbers shall not be requested from subjects or witnesses interviewed and shall not be noted on an FI Card.*

SUBJ INFO Field. *Officers shall circle the "Homeless" category in the SUBJ INFO Field when a subject of an FI Card meets the definition of "Homeless" and officers shall document the specific and articulable facts upon which they base that conclusion, as defined in Department Manual Section 1/240.07, Police Contact with Persons Experiencing Homelessness. Officers shall also circle this category when a subject self-identifies to the officer at the time of completion of the FI Card that he or she is homeless or experiencing homelessness.*

MULTIPLE SOURCE Box. *Officers shall mark the "MULTIPLE SOURCE" box when information on the FI Card comes from a source other than the person contacted. Examples of additional sources include but are not limited to: prior contacts with the person, information from additional persons, roll call briefings, crime flyers, computer database inquiries, or social media. If officers check this box, they*

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shall document the details regarding the additional sources in the narrative portion of the FI Card. [i.e., name(s) of person's in the case of information from additional person(s); date(s) of prior contact(s) in the case of information from prior contact(s)].

DESTRUCTION OF ORIGINAL FI CARDS. *The destruction for both original hard copy and electronic versions of the completed FI Card shall follow the same schedule as specified in Department Manual Section 3/203.10, Field Interview Report Procedures.*

SUPERVISOR'S RESPONSIBILITIES. *As part of their report processing procedures, field supervisors shall ensure that sworn personnel are utilizing the most current (active) Form 15.43.00 and that each FI Card is completed appropriately.*

TRAINING DIVISION'S RESPONSIBILITY. *Training Division shall provide sworn personnel, periodic training on the proper completion of Form 15.43.00.*

RECORDS AND IDENTIFICATION DIVISION'S RESPONSIBILITIES. *Records and Identification Division shall be responsible for the purging and destruction schedule for the original, hard copies of the FI Cards in accordance with Department Manual Section 3/203.10.*

INFORMATION TECHNOLOGY DIVISION'S RESPONSIBILITIES. *Information Technology Division shall be responsible for the purging and destruction schedule of the electronic versions of the FI Cards in accordance with Department Manual Section 3/203.10.*

Note: *As noted in Department Manual Section 3/203.10, "The number of FIs an officer produces should not be used as the sole measure of the officer's productivity." In addition, there shall not be an expectation of a certain number or type of FI Cards to be produced by an officer or a unit.*

FRONT

OP. LIC. NO. O		STATE F	NAME (LAST, FIRST, MIDDLE) N		SUFFIX (JR., ETC.) J				
RESIDENCE ADDRESS A				CITY C	STATE	SEX S	DESCENT D	HAIR H	EYES E
HEIGHT T	WEIGHT W	BIRTHDATE B		CLOTHING					
PERSONAL ODDITIES						PHONE NO.			
ADDITIONAL PERSONS									
NAME (LAST, FIRST)				DOB	SEX	ALIAS/AKA			
NAME (LAST, FIRST)				DOB	SEX	ALIAS/AKA			
NAME (LAST, FIRST)				DOB	SEX	ALIAS/AKA			
SUBJ		1 LOITERER	3 HOMELESS	5 CRIMINAL ACTIVITY	7 ON PAROLE	<input type="checkbox"/> DRIVER <input type="checkbox"/> PASSENGER			
INFO		2 PROWLER	4 WITNESS	6 HAS RECORD	8 ON PROBATION				
V	YEAR	MAKE	MODEL	TYPE	COLOR	VEH. LIC. NO.	TYPE	STATE	

BACK

ADDITIONAL INFORMATION: BOOKING NO., NARRATIVE, ALIAS/AKA, E-MAIL, SOCIAL MEDIA ACCOUNT(S).								
		<input type="checkbox"/> MULTIPLE SOURCE						
DATE	TIME	LOCATION					RD	
OFFICER				SERIAL NO.		OFFICER		SERIAL NO.
FIELD INTERVIEW 15.43.00 (04/21)		INCIDENT NO.			DIVISION		DETAIL	SUPV. INITS.