



**CHEVY CHASE  
VILLAGE  
POLICE  
DEPARTMENT**

Police Chief: John Fitzgerald

**GENERAL ORDER: 5-14.1; FIELD INTERVIEWS AND INVESTIGATIVE PHOTOGRAPHS OF INDIVIDUALS**

DATE: 2/4/2015    Pages: 2    ◇    New    ◇    Amended    ◆    Rescinds 5-14.1

CALEA: 1.2.3-a, 82.2.1-a-b-c-d-e, 82.3.1, 83.2.2

**I. POLICY**

Officers must understand the legal basis and authority for conducting field interviews. Officers are encouraged to use this investigative tool consistent with Constitutional requirements and Departmental policy. Field interviews when documented properly can contribute greatly to crime analysis and serve as a source of information as well as a means of developing suspects and witnesses. (CALEA 1.2.3-a)

**II. FACTORS/CONSIDERATIONS**

**A. Reasonable suspicion** is the key element on which an officer should base his/her action when deciding whether a field interview is appropriate. The following factors should also be considered:

1. Is it a public place or a place the officer has a right to be?
2. Does it appear that the person may commit, is committing, or has committed a crime?
3. Is the person reasonably suspected of carrying a concealed weapon and with it intends to do bodily harm?

**B.** Field interviews do not have to meet the aforementioned criteria in order for an officer to conduct such an interview, but officers should be aware that:

1. Some citizens are sensitive to any interaction with police and an over-aggressive approach by the officer may result in a lack of important support from the person to be interviewed.
2. The person to be interviewed is under no obligation to answer questions and may remain silent.
3. Unusual or suspicious actions may trigger a field interview because officers who are quick to recognize something suspicious in the actions or the appearance of a person or vehicle make felony arrests consistently.
4. A person not fitting the place or time should be

questioned.

**C.** As many field interviews result in an arrest, the field interview location must be selected with care. Officers should give consideration to lighting, officer and bystander safety, and possible escape routes.

1. When an officer first approaches a person to be interviewed, he/she must provide the greatest possible element of surprise either by vehicle or by foot.
2. Officers should have, prior to approaching a person for the purpose of conducting an interview, a "decided-upon plan-of-action" in the event violence erupts.

**III. INVESTIGATIVE PHOTOGRAPHS OF INDIVIDUALS**

*The policy of the department is to use photographs of individuals as an aid to criminal investigations. Identification should be the primary reason for photographing an individual. Officers shall not take any photographs or solicit the random photographing of any individual based solely upon the individual's race, gender, ethnicity, religious affiliation, or any other protected class.*

**A. Who May be Photographed**

*Officers conducting criminal investigations occasionally photograph individuals in the field for identification or investigative purposes. The officer may have reason to believe that the individual is involved in criminal activity or may simply need to identify the person for other reasons related to an investigation. An individual who is not under arrest may be photographed in the following situations:*

1. *Following the issuance of a criminal or civil citation to confirm identification (i.e., in-court identification); or*
2. *When stopped on reasonable suspicion of criminal activity; or*
3. *During a surveillance operation when the person*

photographed is related to the subject of the surveillance; or

4. When consent is given.

a. Individuals must freely give their consent; they must not be threatened, pressured, or coerced into giving consent.

b. For example, officers will not withhold a person's driver's license or other ID until consent is given.

**B. Use of Force Prohibited**

The use of physical force is prohibited to compel an individual to submit to an investigative photograph.

**C. Maintenance of Photographs (CALEA 83.2.2)**

1. Photographs will be maintained and utilized in a manner that is consistent with state and federal laws and departmental directives.

2. Digital photographs that have evidentiary value will be stored as evidence per department evidence control guidelines outlined in General Orders 5-26.2 and 5-26.4.

3. Investigative photographs taken in conjunction with a field interrogation report will be forwarded electronically to the Lieutenant who will load the image(s) into CODY and will distribute the image(s) for investigative purposes as appropriate.

**D. Return of Photographs (CALEA 83.2.2)**

1. Under the following circumstances photographs must be returned to individuals (and the Department's copy of the image will be destroyed) upon written request:

a. The individual has been cleared during an investigation and there is no valid reason to keep the photograph for investigative purposes in the case.

b. The individual was photographed based solely on his/her consent.

2. **Exception:** Whenever the Department is on notice of (or reasonably believes that there will be) a lawsuit, the Department will retain its copies of all relevant images until the conclusion of the litigation.

**IV. DOCUMENTATION**

A. Officers will document field interviews on a Village report, and they will alert the Lieutenant about any related photographs. (CALEA 82.2.1-a-b-c)

B. Officers will ensure that they alert the oncoming shift officers of the suspicious situation and will post the report and photographs near the report writing area.

C. The Lieutenant will review the report and append any photographs to it. The Lieutenant will then forward a copy of the report, along with any photographs, to the MCPD crime analyst and any other appropriate personnel within MCPD. (CALEA 82.2.1-d-e)

D. Communications personnel will enter the information on the Village Report into the Master Name Index database. (CALEA 82.3.1)

This directive voids the previous version dated 3/6/2009 incorporates language from Memo 14-14: *Investigative Photographs of Individuals.*