

Encounters Leading to Detentions

February 2021



Encounters Definition

- Consensual Encounters: A consensual encounter with a law enforcement officer is not considered a stop or search and therefore, is not entitled to Fourth Amendment protection.
- A consensual encounter generally arises when an officer approaches a citizen to inquire about an incident that concerns public safety or the citizen's safety.



Encounters Definition

- Unconstitutional : In violation of the requirements of our constitution; not conforming, or authorized.
- Unconstitutional encounters may result in administrative, civil, and/ or legal action. The Chief of Police is made aware of any such behavior and may respond in a number of ways to address and assure these actions are corrected.



Encounters Definition

- Reasonable Suspicion : Reasonable suspicion is the legal standard by which a police officer has the right to briefly detain a suspect for investigatory purposes. The detention requires a well-founded suspicion of criminal activity. [Terry v. Ohio, 392 U.S. 1, 30 (1968)]
- A pat-down of the outside of their clothing for weapons can occur, but not for drugs.
- Must clearly articulate why the officer believes the individual is currently armed and/or dangerous.



Encounters Definition

- Probable Cause : “Probable cause exists where the facts and circumstances within the officers' knowledge and of which they have reasonably trustworthy information are sufficient in themselves to warrant a man of reasonable caution in the belief that an offense has been or is being committed.” (*Brinegar v. U.S.*)



Standardization

- Tracking all detentions regardless of outcome
- Standardize encounter definition as any contacts that led to a detention, arrest or detention and release
- Triangulation of data points: Reports, CAD, and Body-Cam.



Definitions

Non-Officer Initiated: officer did not cause the initial interaction. Examples include, but are not limited to the following scenarios:

- Officer is responding to a 911 call or dispatch from ECC.
- Officer receives information from another policing agency.
- Victim, citizen or witness engages the officer.
- Protective orders, temporary or emergency custody orders.

Officer Initiated: officer engages the individual through personal observations or activities. Officer or citizen requests an interaction through judicial review—arrest or search warrant.

Monthly Summary

February 2021: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **2586** incidents during the month of February. These incidents included officer initiated, citizen assists, and calls for service. **Twenty-five** of these incidents resulted in temporary detentions. Of these **25** incidents, **15** were dispatched and **10** were officer initiated.

Total Incidents 25

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	15	60%
Officer Initiated	10	40%
Total Incidents	25	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	8	32%
Suspect on Scene	10	40%
Description Provided	7	28%
Reasonable Suspicion	0	0%
Unconstitutional	0	0%
Total Incidents	25	100%



Total Detentions: **Non-Officer (15)** Initiated and **Officer Initiated (10)**

	Total Detentions	Detention Percentages
Non-Officer Initiated	15	60%
Officer Initiated	10	40%

Review of Standards	Incidents
Arrests	13
Probable Cause: No Arrest	1
Reasonable Suspicion: No Arrest	11
Unconstitutional Encounters	0
Total Detentions	25



Detention Summaries

Dispatched	Officer-Initiated
Aggravated Assault	Disorderly subject wanted and in possession of narcotics
Assault x 2	DUI
Disorder – (detained wanted subject)	Search warrant execution
Disorder – (detained warrant of extradition)	Traffic – Revoked DL - DUI related
Domestic	Traffic Stop – visible narcotics
Drunk in public	Traffic Stop – Revoked DL; voluntarily gave officer marijuana
DUI x 3	Warrant x 4 (detained until warrants confirmed)
Robbery	
Threaten to shoot into dwelling	
Trespass x 2	
Warrant (detained until confirmed)	



All Detentions: **Non-Officer (15)** Initiated and **Officer Initiated (10)** resulted in **30 Individuals** Contacted

Review of Standards	HF	BF	BM	WF	WM	Total
Arrests	0	2	8	1	5	16
Probable Cause: No Arrest	0	1	0	0	1	2
Reasonable Suspicion: No Arrest	1	0	3	3	5	12
Unconstitutional	0	0	0	0	0	0
Total Individuals	1	3	11	4	11	30



Officer-Initiated Contacts: 10

Individuals Contacted: 11

Reason (Crime) Detained	HF	BF	BM	WF	WM	Total Individuals Contacted	Total Officer Initiated Incidents	% of Total Incidents
Alcohol Related	0	0	1	0	0	1	1	10%
Major Crime - Person	0	0	0	0	0	0	0	0%
Major Crime - Property	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	1	1	1	10%
Minor Crime - Property	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	0	0	0%
Other – Unconstitutional	0	0	0	0	0	0	0	0%
Traffic	0	0	2	0	1	3	3	30%
Warrant	0	0	2	0	4	6	5	50%
Total Individuals	0	0	5	0	6	11	10	100%
% of Total Individuals	0%	0%	45%	0%	55%	100%	100%	



Officer-Initiated Detentions 10

Outcomes for 11 individuals

Law-Enforcement Action	HF	BF	BM	WF	WM	Total Individuals	Total Detention Incidents	Total % of Actions
Physical Arrest	0	0	2	0	3	5	5	50%
Summons (Non-physical arrest)	0	0	2	0	0	2	2	20%
Warning	0	0	0	0	1	1	1	10%
No Action Taken	0	0	1	0	2	3	2	20%
Total Individuals	0	0	5	0	6	11	10	100%
% of Total Individuals	0%	0%	45%	0%	55%	100%	--	--

Summons are included in overall arrest totals.



Officer-Initiated **Detentions**

Arrests: **7 incidents** involving **7 individuals**

Category	HM	BF	BM	WF	WM	Total Individuals Arrested	Total Incidents	% of Total Incidents
Alcohol Related	0	0	1	0	0	1	1	14%
Major Crime - Person	0	0	0	0	0	0	0	0%
Major Crime – Property	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	1	1	1	14%
Minor Crime - Property	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0%
Traffic	0	0	2	0	0	2	2	29%
Warrant	0	0	1	0	2	3	3	43%
Total Individuals Arrested	0	0	4	0	3	7	7	100%
% of Total Individuals	0%	0%	57%	0%	43%	100%		



Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

1 incident involving **1 individual(s)**

Encounters w/ PC – No Arrest	HM	BF	BM	WF	WM	Total Individuals Contacted	Total Officer Initiated Incidents	% of Total Incidents
Alcohol Related	0	0	0	0	0	0	0	0%
Major Crime - Person	0	0	0	0	0	0	0	0%
Major Crime – Property	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	0	0	0	0%
Minor Crime - Property	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	1	1	1	100%
Warrant	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0	0	1	1	1	100%
% of Total Individuals	0%	0%	0%	0%	100%	100%	--	



Officer-Initiated Detentions

Reasonable Suspicion: **2 incidents** involving **3 individual(s)**

Reasonable Suspicion–No Arrest	AM	BF	BM	WF	WM	Total Individuals Contacted	Total Officer Initiated Incidents	% of Total Incidents
Alcohol Related	0	0	0	0	0	0	0	0%
Major Crime - Person	0	0	0	0	0	0	0	0%
Major Crime – Property	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	0	0	0	0%
Minor Crime - Property	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	0	0	0%
Warrant	0	0	1	0	2	3	2	100%
Total Individuals	0	0	1	0	2	3	2	100%
% of Total Individuals	0%	0%	33.33%	0%	66.66%	99.99%	--	



Unconstitutional Encounter:

0 incidents involving **0 individuals**

Consensual Encounter	AM	BF	BM	WF	WM	Total Individuals Contacted	Total Incidents	% of Total Incidents
Alcohol Related	0	0	0	0	0	0	0	0
Major Crime - Person	0	0	0	0	0	0	0	0
Major Crime – Property	0	0	0	0	0	0	0	0
Minor Crime - Person	0	0	0	0	0	0	0	0
Minor Crime - Property	0	0	0	0	0	0	0	0
Narcotics	0	0	0	0	0	0	0	0
Other – Unconstitutional	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	0	0	0
Warrant	0	0	0	0	0	0	0	0
Total Individuals	0	0	0	0	0	0	0	0%
% of Total Individuals	0%	0%	0%	0%	0%	0%	--	--

Released without further action



Officer-Initiated Contacts:

8 **Individuals** searches and 3 **Vehicle** searches:

Nature of Contact	HM	BF	BM	WF	WM	Vehicle	Total
Pat-Down	0	0	1	0	2	N/A	3
Search	0	0	*2	0	*3	3	8

*These 5 searches of individuals PC - search incident to arrest.
3 consensual vehicle searches

Evidence Recovered	AM	BF	BM	WF	WM	Vehicle	Total
Firearm	0	0	0	0	0	0	0
Narcotics	0	0	0	0	1	3	4
Firearm & Narcotics	0	0	0	0	0	0	0
Stolen Property	0	0	0	0	0	0	0
Suspected Firearm	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0
Total Individuals	0	0	0	0	1	N/A	0



Composition of the Charlottesville Police Department

- The Charlottesville Police Department currently has 107 sworn employees.

		<u>RECRUIT</u>	<u>OFF</u>	<u>DET</u>	<u>CORP</u>	<u>SGT</u>	<u>LT</u>	<u>CAPT</u>	<u>MAJOR</u>	<u>CHIEF</u>
WM	84	1	43	7	11	14	5	2	1	
BM	11		6		1	1	2	1		
AM	2		2							
HM	1		1							
	98									
WF	7	1	4	2	1					
BF	1									1
AF	1		1							
HF	0									
	9									



Officer-Initiated Demographics: 5 officers involved in 10 encounters

Investigative Detention by Officer Race/Sex	AM	BF	BM	WF	WM	Total
Officer Making Detention	0	0	1	0	4	5
Officers with 2+ Detentions	AM	BF	BM	WF	WM	
	0	0	0	0	3	
2+ Detentions by Shift						
Daylight		0				
Evening		2				
Midnight		1				

Detentions assigned to initiating officer(s). Individual officers are counted once.

Total Individuals contacted (11) officer initiated by Neighborhood

Detentions by Neighborhood	Total - 11	HF - 0	BF - 0	BM - 5	WF - 0	WM - 6
Mall-1	1	0	0	0	0	1
Downtown-2	0	0	0	0	0	0
Star Hill-3	1	0	0	1	0	0
Westhaven-4	0	0	0	0	0	0
10th & Page-5	1	0	0	1	0	0
Rosehill Dr-6	0	0	0	0	0	0
North Downtown-7	0	0	0	0	0	0
MJH-8	0	0	0	0	0	0
Little High-9	0	0	0	0	0	0
Belmont-10	3	0	0	1	0	2
Garrett-11	0	0	0	0	0	0
Ridge St-12	0	0	0	0	0	0
Fifeville-13	0	0	0	0	0	0
JPA-14	0	0	0	0	0	0
The Corner-15	2	0	0	0	0	2
Venable-16	0	0	0	0	0	0
Kellytown-17	0	0	0	0	0	0
North East-18	0	0	0	0	0	0
Locust Grove-19	1	0	0	0	0	1
Woolen Mills-20	0	0	0	0	0	0
Prospect-21	0	0	0	0	0	0
Johnson Village-22	0	0	0	0	0	0
Fry's Spring-23	0	0	0	0	0	0
Lewis Mountain-24	0	0	0	0	0	0
BRSC Area-25	0	0	0	0	0	0
BRSC-26	0	0	0	0	0	0
Blue Ridge-27	0	0	0	0	0	0
CHS-28	1	0	0	1	0	0
Greenbrier-29	0	0	0	0	0	0
29 North-30	0	0	0	0	0	0
The Meadows-31	0	0	0	0	0	0
5th Street-32	1	0	0	1	0	0
Longwood-33	0	0	0	0	0	0



Total Individuals contacted (19) non-officer initiated by Neighborhood

Detentions by Neighborhood	Total – 19	HF – 1	BF - 3	BM - 6	WF - 4	WM – 5
Mall-1	0	0	0	0	0	0
Downtown-2	0	0	0	0	0	0
Star Hill-3	7	0	0	6	1	0
Westhaven-4	0	0	0	0	0	0
10th & Page-5	2	0	1	0	1	0
Rosehill Dr-6	0	0	0	0	0	0
North Downtown-7	0	0	0	0	0	0
MJH-8	1	0	0	0	0	1
Little High-9	0	0	0	0	0	0
Belmont-10	1	0	0	0	1	0
Garrett-11	0	0	0	0	0	0
Ridge St-12	0	0	0	0	0	0
Fifeville-13	0	0	0	0	0	0
JPA-14	0	0	0	0	0	0
The Corner-15	1	0	0	0	0	1
Venable-16	1	0	0	0	0	1
Kellytown-17	0	0	0	0	0	0
North East-18	0	0	0	0	0	0
Locust Grove-19	1	0	1	0	0	0
Woolen Mills-20	1	0	0	0	0	1
Prospect-21	1	0	1	0	0	0
Johnson Village-22	0	0	0	0	0	0
Fry's Spring-23	0	0	0	0	0	0
Lewis Mountain-24	0	0	0	0	0	0
BRSC Area-25	1	1	0	0	0	0
BRSC-26	0	0	0	0	0	0
Blue Ridge-27	0	0	0	0	0	0
CHS-28	0	0	0	0	0	0
Greenbrier-29	0	0	0	0	0	0
29 North-30	0	0	0	0	0	0
The Meadows-31	0	0	0	0	0	0
5th Street-32	0	0	0	0	0	0
Longwood-33	2	0	0	0	1	1

