

# Encounters Leading to Detentions

July 2022



# 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.
- Non-discretionary interaction such as arrest or search warrant.

**Officer Initiated:** officer engages the individual through personal observations or activities.

# Monthly Summary

## July 2022: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **3529** incidents during the month of July. These incidents included officer initiated, citizen assists, and calls for service. Thirty **(30)** of these incidents resulted in temporary detentions. Of these 30 incidents, 22 were non-officer initiated and 8 were officer initiated.



# Total Incidents 30

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	22	73%
Officer Initiated	8	22%
Total Incidents	30	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	8	27%
Suspect on Scene	16	53%
Description Provided	6	20%
Reasonable Suspicion	0	0%
Unconstitutional	0	0%
Total Incidents	30	100%



# Total Detentions: **Non-Officer Initiated (22)** and **Officer Initiated (8)**

	<b>Total Detentions</b>	<b>Detention Percentages</b>
Non-Officer Initiated	<b>22</b>	73%
Officer Initiated	<b>8</b>	22%

<b>Review of Standards</b>	<b>Incidents</b>
<b>Arrests</b>	<b>14</b>
<b>Probable Cause: No Arrest</b>	<b>6</b>
<b>Reasonable Suspicion: No Arrest</b>	<b>10</b>
<b>Unconstitutional Encounters</b>	<b>0</b>
<b>Total <b>Detentions</b></b>	<b>30</b>



# Detention Summaries

Non-officer Initiated	<u>(22)</u>	Officer Initiated	<u>(8)</u>
Accident related DUI	1	Assault	1
Assault	3	Disorder	1
Assault & Batter	1	DUI (investigation)	1
Burglary	2	Missile at occupied vehicle	1
DIP	1	Reckless Driving	1
Disorderly conduct	2	Registration & narcotics	1
Disorder while armed w knife	1	Trespassing	1
Domestic Assault & Batter	1	Warrant	1
Hit & Run	1		
Larceny	1		
Malicious Wounding	1		
Reckless Handling of a firearm	1		
Sexual Assault	1		
Shoplifting	1		
Trespassing	3		
Warrant	1		




All Detentions: **Non-Officer (22) Initiated** and **Officer Initiated (8)** resulted in **44 Individuals Contacted**

Review of Standards	AF	AM	HF	HM	BF	BM	WF	WM	Total
Arrests	0	0	0	0	0	6	2	6	14
Probable Cause: No Arrest	0	0	0	0	1	6	2	1	10
Reasonable Suspicion: No Arrest	0	0	0	0	3	8	4	5	20
Unconstitutional	0	0	0	0	0	0	0	0	0
<b>Total Individuals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>20</b>	<b>8</b>	<b>12</b>	<b>44</b>



# Officer-Initiated Contacts: 8

## Individuals Contacted: 11

Reason (Crime) Detained	AF	AM	HF	HM	BF	BM	WF	WM	Total Individuals Contacted	Total Officer Initiated	% of Total
										Incidents	Incidents
Alcohol Related	0	0	0	0	0	0	0	0	0	0	0%
Major Crime - Person	0	0	0	0	0	0	0	1	1	1	12.5%
Major Crime - Property	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	0	3	0	0	3	3	37.5%
Minor Crime - Property	0	0	0	0	0	1	0	0	1	1	12.5%
Narcotics	0	0	0	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	1	4	0	1	6	3	37.5%
Warrant	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0	0	1	8	0	2	11	8	100%
% of Total Individuals	0%	0%	0%	0%	9%	73%	0%	18%	100%		

# Officer-Initiated Detentions: 8

## Outcomes for 11 individuals


Law-Enforcement Action	AF	AM	HF	HM	BF	BM	WF	WM	Total Individuals	Total Detention Incidents	Total % of Actions
Physical Arrest	0	0	0	0	0	1	0	0	1	1	12%
Summons - M1 & M2 (Non-physical arrest)	0	0	0	0	0	0	0	0	0	0	0%
Summons - M3 & M4 / TI	0	0	0	0	0	0	0	0	0	0	0%
Warning	0	0	0	0	0	2	1	0	3	2	25%
No Action Taken	0	0	0	0	1	5	0	1	7	5	63%
Total Individuals	0	0	0	0	1	8	1	1	11	8	100%
% of Total Individuals	0%	0%	0%	0%	9%	73%	9%	9%	100%	--	--

Summons [Class 1 & 2 Misdemeanors] are included in overall arrest totals.  
Class 3 & 4 Misdemeanors and Traffic Infractions are not arrestable offenses



# Officer-Initiated **Detentions**


Arrests: **1 incidents** involving **1 individuals**

Category	AF	AM	HF	HM	BF	BM	WF	WM	Total Individuals Arrested	Total Incidents	% of Total Incidents
Alcohol Related	0	0	0	0	0	0	0	0	0	0	0%
Major Crime - Person	0	0	0	0	0	0	0	0	0	0	0%
Major Crime – Property	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	0	1	0	0	1	1	100%
Minor Crime - Property	0	0	0	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	0	0	0	0	0	0%
Warrant	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals Arrested	0	0	0	0	0	1	0	0	1	1	100%
% of Total Individuals	0%	0%	0%	0%	0%	100%	0%	0%	100%	--	

# Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

6 incident involving 9 individual(s)

Encounters w/ PC – No Arrest	AF	AM	HF	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	0	0	0%
Major Crime - Person	0	0	0	0	0	0	0	1	1	1	17%
Major Crime – Property	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	0	3	0	0	3	2	33%
Minor Crime - Property	0	0	0	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	1	3	1	0	5	3	50%
Warrant	0	0	0	0	0	0	0	0	0	0	0%
<b>Total Individuals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>9</b>	<b>6</b>	<b>100%</b>
<b>% of Total Individuals</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>11%</b>	<b>67%</b>	<b>11%</b>	<b>11%</b>	<b>100%</b>	--	



# Officer-Initiated Detentions

Reasonable Suspicion: **1 incidents** involving **1 individual(s)**

Reasonable Suspicion–No Arrest	AF	AM	HF	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	0	0	0%
Major Crime - Person	0	0	0	0	0	0	0	0	0	0	0%
Major Crime – Property	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime – Property	0	0	0	0	0	1	0	0	1	1	100%
Narcotics	0	0	0	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	0	0	0	0	0	0%
Warrant	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0	0	0	1	0	0	1	1	
% of Total Individuals	0%	0%	0%	0%	0%	100%	0%	0%	100%	--	



# Unconstitutional Encounter:

**0 incidents** involving **0 individuals**

Unconstitutional Encounter	AF	AM	HF	HM	BF	BM	WF	WM	Total Individuals Contacted	Total Incidents	% of Total Incidents
Alcohol Related	0	0	0	0	0	0	0	0	0	0	0%
Major Crime - Person	0	0	0	0	0	0	0	0	0	0	0%
Major Crime – Property	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime - Property	0	0	0	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	0	0	0	0	0	0%
Other – Unconstitutional	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	0	0	0	0	0	0%
Warrant	0	0	0	0	0	0	0	0	0	0	0%
<b>Total Individuals</b>	0	0	0	0	0	0	0	0	<b>0</b>	<b>0</b>	<b>0%</b>
<b>% of Total Individuals</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	--	



# Officer-Initiated Contacts:

11 Individual(s) searched and 1 Vehicle searches:

Nature of Contact	AF	AM	HF	HM	BF	BM	WF	WM	Vehicle	Total
Pat-Down	0	0	0	0	0	0	0	0	--	0
Search	0	0	0	0	0	3	0	0	1	4

1 Search incident to arrest, 0 - Probable Cause Search, 2 & vehicle - consent search

Evidence Recovered	AF	AM	HF	HM	BF	BM	WF	WM	Vehicle	Total
Firearm	0	0	0	0	0	0	0	0	0	0
Narcotics	0	0	0	0	0	0	0	0	1	1
Firearm & Narcotics	0	0	0	0	0	0	0	0	0	0
Stolen Property	0	0	0	0	0	0	0	0	0	0
Suspected Firearm	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	1	1
Total Individuals %	0%	0%	0%	0%	0%	0%	0%	0%	--	--



# Composition of the Charlottesville Police Department

- The Charlottesville Police Department currently has 90 sworn employees.

		<u>Officer in training</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>
<b>WM</b>	63	3	29	7	4	14	4	2		
<b>BM</b>	12		7			2	2			1
<b>AM</b>	2		2							
<b>HM</b>	2		2							
<b>Bi-Racial</b>	1		1							
	80									
<b>WF</b>	8	2	3	2	1					
<b>BF</b>										
<b>AF</b>	1		1							
<b>HF</b>	1		1							
	10									



# Officer-Initiated Demographics: 5 officers involved in 8 encounters

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

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





