

Encounters Leading to Detentions

September 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

September 2022: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **3355** incidents during the month of September. These incidents included officer initiated, citizen assists, and calls for service. Twenty-one (21) of these incidents resulted in temporary detentions. Of these 21 incidents, 8 were non-officer initiated and 13 were officer initiated.

Total Incidents 21

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	8	38%
Officer Initiated	13	62%
Total Incidents	21	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	13	62%
Suspect on Scene	6	29%
Description Provided	2	9%
Reasonable Suspicion	0	0%
Unconstitutional	0	0%
Total Incidents	21	100%



Total Detentions: **Non-Officer Initiated (8)** and **Officer Initiated (13)**

	Total Detentions	Detention Percentages
Non-Officer Initiated	8	38%
Officer Initiated	13	62%

Review of Standards	Incidents
Arrests	13
Probable Cause: No Arrest	1
Reasonable Suspicion: No Arrest	7
Unconstitutional Encounters	0
Total Detentions	21



Detention Summaries

Non-officer Initiated	<u>(8)</u>	Officer Initiated	<u>(13)</u>
Assault	1	Assault & battery	1
Attempt Grand Larceny	1	DIP	1
Discharge a F/A in public	1	DUI/ DUID	5
Disorder w knife	1	Runaway	1
DUI	1	Stolen Auto	1
Petty larceny	1	Traffic / license issues	3
Robbery/ carjacking	1	Warrant	1
Warrant	1		




All Detentions: **Non-Officer (8) Initiated** and **Officer Initiated (13)** resulted in **25 Individuals** Contacted

Review of Standards	AF	AM	HF	HM	BF	BM	WF	WM	Total
Arrests	0	1	0	2	1	3	1	6	14
Probable Cause: No Arrest	0	0	0	0	0	0	0	4	4
Reasonable Suspicion: No Arrest	0	0	0	0	0	4	0	3	7
Unconstitutional	0	0	0	0	0	0	0	0	0
Total Individuals	0	1	0	2	1	7	1	13	25



Officer-Initiated Contacts: 13

Individuals Contacted: 16

Reason (Crime) Detained	AF	AM	HF	HM	BF	BM	WF	WM	Total Individuals Contacted	Total Officer Initiated	% of Total
										Incidents	Incidents
Alcohol Related	0	1	0	1	0	1	0	3	6	6	46%
Major Crime - Person	0	0	0	0	0	0	0	0	0	0	0%
Major Crime - Property	0	0	0	0	0	0	0	2	2	1	7.75%
Minor Crime - Person	0	0	0	0	0	1	0	0	1	1	7.75%
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	1	1	1	7.75%
Traffic	0	0	0	1	0	0	1	3	5	3	23%
Warrant	0	0	0	0	1	0	0	0	1	1	7.75%
Total Individuals	0	1	0	2	1	2	1	9	16	13	100%
% of Total Individuals	0%	6%	0%	13%	6%	13%	6%	56%	100%		

Officer-Initiated Detentions: 13

Outcomes for 16 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	1	2	1	3	7	7	54%
Summons - M1 & M2 (Non-physical arrest)	0	1	0	2	0	0	0	0	3	3	23%
Summons - M3 & M4 / TI	0	0	0	0	0	0	0	2	2	1	7.66%
Warning	0	0	0	0	0	0	0	1	1	1	7.66%
No Action Taken	0	0	0	0	0	0	0	3	3	1	7.66%
Total Individuals	0	1	0	2	1	2	1	9	16	13	99.98%
% of Total Individuals	0%	6%	0%	13%	6%	13%	6%	56%	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: **10 incidents** involving **10 individuals**

Category	AF	AM	HF	HM	BF	BM	WF	WM	Total Individuals Arrested	Total Incidents	% of Total Incidents
Alcohol Related	0	1	0	1	0	1	0	2	5	5	50%
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	10%
Minor Crime - Property	0	0	0	0	0	0	0	1	1	1	10%
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	1	0	0	1	0	2	2	20%
Warrant	0	0	0	0	1	0	0	0	1	1	10%
Total Individuals Arrested	0	1	0	2	1	2	1	3	10	10	100%
% of Total Individuals	0%	10%	0%	20%	10%	20%	10%	30%	100%	--	

Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

1 incident involving **4 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	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	1	1	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	3	3	1	100%
Warrant	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0	0	0	0	0	4	4	1	100%
% of Total Individuals	0%	0%	0%	0%	0%	0%	0%	100%	100%	--	

Officer-Initiated Detentions

Reasonable Suspicion: **2 incidents** involving **2 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	1	1	1	50%
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	0	0	0	0	0	0	0	1	1	1	50%
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	0	0	2	2	2	
% of Total Individuals	0%	0%	0%	0%	0%	0%	0%	100%	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%
Total Individuals	0	0	0	0	0	0	0	0	0	0	0%
% of Total Individuals	0%	0%	0%	0%	0%	0%	0%	0%	0%	--	--



Officer-Initiated Contacts:

5 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	2	0	2	--	4
Search	0	0	0	0	1	0	1	3	1	6

5- Search incident to arrest, 0 -Probable Cause Search, 0- consent search (CS), 1 Vehicle (CS)

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	1	0	1	1	3
Firearm & Narcotics	0	0	0	0	0	0	0	0	0	0
Stolen Property	0	0	0	0	0	0	0	1	0	1
Suspected Firearm	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	1	0	2	1	4
Total Individuals %	0%	0%	0%	0%	0%	33%	0%	67%	--	--



Composition of the Charlottesville Police Department

- The Charlottesville Police Department currently has 79 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>
WM	56	2	24	8	3	13	4	2		
BM	12		7			2	2			1
AM	1		1							
HM	2		2							
Bi-Racial	0		0							
	71									
WF	6	2	2	1		1				
BF										
AF	1		1							
HF	1		1							
	8									



Officer-Initiated Demographics: 6 officers involved in 13 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	1	4	6
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.



