

Encounters Leading to Detentions

November 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

November 2022: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **3105** incidents during the month of November. These incidents included officer initiated, citizen assists, and calls for service. Thirty (30) of these incidents resulted in temporary detentions. Of these 30 incidents, 23 were non-officer initiated and 7 were officer initiated.

Total Incidents 30

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	23	77%
Officer Initiated	7	23%
Total Incidents	30	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	7	23%
Suspect on Scene	19	64%
Description Provided	4	13%
Reasonable Suspicion	0	0%
Unconstitutional	0	0%
Total Incidents	30	100%



Total Detentions: **Non-Officer Initiated (23)** and **Officer Initiated (7)**

	Total Detentions	Detention Percentages
Non-Officer Initiated	23	77%
Officer Initiated	7	23%

Review of Standards	Incidents
Arrests	21
Probable Cause: No Arrest	10
Reasonable Suspicion: No Arrest	9
Unconstitutional Encounters	0
Total Detentions	30



Detention Summaries

Non-officer Initiated	(23)	Officer Initiated	(7)
Assault & Battery / intoxicated	2	Drive Under Influence	4
Burglary	3	Traffic – Suspended License	2
Destruction of property	1	Warrants	1
Destruction of property/ intoxicated/ possess narcotics	1		
Discharge F/A in public	1		
Domestic A&B (1 TDO related)	2		
DUI	3		
DUI related accident/ Hit & Run	2		
Indecent exposure	1		
Malicious Wounding	1		
Murder investigation	1		
Robbery	1		
Shoplifting	2		
Trespass/ wanted subject	1		
Violate protective order	1		




All Detentions: **Non-Officer (23) Initiated** and **Officer Initiated (7)** resulted in **30 Individuals Contacted**

Review of Standards	AF	AM	HF	HM	BF	BM	WF	WM	Total
Arrests	0	0	0	2	1	6	3	9	21
Probable Cause: No Arrest	0	0	0	0	0	1	0	0	1
Reasonable Suspicion: No Arrest	0	0	0	3	5	6	0	1	15
Unconstitutional	0	0	0	0	0	0	0	0	0
Total Individuals	0	0	0	5	6	13	3	10	37



Officer-Initiated Contacts: 7

Individuals Contacted: 8

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	1	0	1	0	0	2	2	29%
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	0	0	0	0%
Traffic	0	0	0	0	1	3	0	1	5	4	57%
Warrant	0	0	0	0	0	1	0	0	1	1	14%
Total Individuals	0	0	0	1	1	5	0	1	8	7	100%
% of Total Individuals	0%	0%	0%	12.33%	12.33%	63%	0%	12.33%	100%	-----	

Officer-Initiated Detentions: 7

Outcomes for 8 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	1	0	2	0	1	4	4	57%
Summons - M1 & M2 (Non-physical arrest)	0	0	0	0	1	1	0	0	2	2	29%
Summons - M3 & M4 / TI	0	0	0	0	0	0	0	0	0	0	0%
Warning	0	0	0	0	0	1	0	0	1	1	14%
No Action Taken	0	0	0	0	0	1	0	0	1	0	0%
Total Individuals	0	0	0	1	1	5	0	1	8	7	100%
% of Total Individuals	0%	0%	0%	12.33%	12.33%	63%	0%	12.33%	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: **6 incidents** involving **7 individuals**

Category	AF	AM	HF	HM	BF	B M	WF	WM	Total Individuals Arrested	Total Incidents	% of Total Incidents
Alcohol Related	0	0	0	1	0	1	0	0	2	2	33%
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	0	0	0	0%
Traffic	0	0	0	0	1	2	0	1	4	3	50%
Warrant	0	0	0	0	0	1	0	0	1	1	17%
Total Individuals Arrested	0	0	0	1	1	4	0	1	7	6	100%
% of Total Individuals	0%	0%	0%	14.33%	14.33%	57%	0%	14.33%			



Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

0 incident involving 1 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	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	1	0	0	1	0	100%
Warrant	0	0	0	0	0	0	0	0	0	0	0
Total Individuals	0	0	0	0	0	1	0	0	1	0	100%
% of Total Individuals	0%	0%	0%	0%	0%	100%	0%	0%	100%		



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	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	1	0	0	1	1	100%
Warrant	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0	0	0	1	0	0	1	1	100%
% 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%
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:

Individual(s) searched and 0 Vehicle searches:

Nature of Contact	AF	AM	HF	HM	BF	BM	WF	WM	Vehicle	Total
Pat-Down	0	0	0	0	0	2	0	0	--	2
Search	0	0	1	0	0	2	0	1	0	4

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

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	0	0	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	1	0	0	0	1
Total Individuals %	0%	0%	0%	0%	0%	100%	0%	0%	--	--



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		26	8	3	13	3	2		
BM	12		7			2	2			1
AM	1		1							
HM	2		2							
Bi-Racial	0		0							
	71									
WF	6	1	4	1		1				
BF		1								
AF	1		1							
HF	1		1							
	8									



Officer-Initiated Demographics: 5 officers involved in 7 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	1		
2+ Detentions by Shift										
Daylight	0									
Evening	0									
Midnight	1									

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



