

# Encounters Leading to Detentions

April 2023



# 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

## April 2023: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **3948** incidents during the month of April. These incidents included officer initiated, citizen assists, and calls for service. Twenty-six **(26)** of these incidents resulted in temporary detentions. Of these **26** incidents, **21** were non-officer initiated and **5** were officer initiated.

# Total Incidents 26

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	21	81%
Officer Initiated	5	19%
Total Incidents	26	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	4	15%
Suspect on Scene	17	66%
Description Provided	4	15%
Reasonable Suspicion	0	0%
Unconstitutional	1	4%
Total Incidents	26	100%



# Total Detentions: Non-Officer Initiated (21) and Officer Initiated (5)

	Total Detentions	Detention Percentages
Non-Officer Initiated	21	81%
Officer Initiated	5	19%

Review of Standards	Incidents
Arrests	16
Probable Cause: No Arrest	2
Reasonable Suspicion: No Arrest	7
Unconstitutional Encounters	1
Total <b>Detentions</b>	<b>26</b>



# Detention Summaries

Non-officer Initiated	<u>(21)</u>	Officer Initiated	<u>(5)</u>
Assault/ Assault & Battery	8	Traffic violations (wanted x 2 )	2
Destruction of Property	1	Urinating in Public	1
Disorderly Conduct	1	Warrants	2
Intoxication/ DIP	1		
Masturbating/ indecent exposure	1		
Petit Larceny	3		
Probation violation	1		
Protective Order Service	1		
Robbery	1		
Trespassing	1		
Violation of protective order	1		
Warrant	1		



All Detentions: **Non-Officer (21) Initiated** and **Officer Initiated (5)** resulted in **26 Individuals Contacted**

Review of Standards	AF	AM	HF	HM	BF	BM	WF	WM	Total
Arrests	0	0	0	2	3	8	0	3	16
Probable Cause: No Arrest	0	0	0	0	0	2	0	0	2
Reasonable Suspicion: No Arrest	0	0	0	1	0	6	0	0	7
Unconstitutional	0	0	0	0	0	0	0	1	1
<b>Total Individuals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>16</b>	<b>0</b>	<b>4</b>	<b>26</b>



# Officer-Initiated Contacts: 5

## Individuals Contacted: 5

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	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	20%
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	1	2	2	40%
Warrant	0	0	0	0	1	1	0	0	2	2	40%
Total Individuals	0	0	0	0	1	3	0	1	5	5	100%
% of Total Individuals	0%	0%	0%	0%	20%	60%	0%	20%	100%	-----	

# Officer-Initiated Detentions: 5

## Outcomes for 5 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	1	0	1	3	3	60%
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	1	0	0	1	1	20%
No Action Taken	0	0	0	0	0	1	0	0	1	1	20%
Total Individuals	0	0	0	0	1	3	0	1	5	5	100%
% of Total Individuals	0%	0%	0%	0%	20%	60%	0%	20%	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: **3 incidents** involving **3 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	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	1	2	2	67%
Warrant	0	0	0	0	1	0	0	0	1	1	33%
Total Individuals Arrested	0	0	0	0	1	1	0	1	3	3	100%
% of Total Individuals	0%	0%	0%	0%	33.33%	33.33%	0%	33.33%	100%	--	

# Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

**1 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	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%
<b>Total Individuals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>100%</b>
<b>% of Total Individuals</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>100%</b>	<b>0%</b>	<b>0%</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	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	1	0	0	1	1	100%
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%		



# O/I -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:

3 Individual(s) searched and 0 Vehicle(s) searched:

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	1	1	0	1	0	3

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

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	0	0
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	0	0
Total Individuals %	0%	0%	0%	0%	0%	0%	0%	0%	--	--



# Composition of the Charlottesville Police Department

- The Charlottesville Police Department currently has 82 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>	55	2	25	8	2	12	3	2		1
<b>BM</b>	13	1	7			2	2		1	
<b>AM</b>	1		1							
<b>HM</b>	2		2							
<b>Bi-Racial</b>	1	1								
	72									
<b>WF</b>	7	1	4	1		1				
<b>BF</b>	1	1								
<b>AF</b>	1		1							
<b>HF</b>	1		1							
	10									



# Officer-Initiated Demographics: 2 officers involved in 5 encounters

Investigative Detention by Officer Race/Sex	AF	AM	HF	HM	BF	BM	WF	WM	Total
Officer Making Detention	0	0	0	0	0	0	0	2	2
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.





