

# Encounters Leading to Detentions

May 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

## May 2023: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **3757** incidents during the month of May. These incidents included officer initiated, citizen assists, and calls for service. Nineteen **(19)** of these incidents resulted in temporary detentions. Of these 19 incidents, 12 were non-officer initiated and 7 were officer initiated.



# Total Incidents 19

| Nature of Contact     | Total Incidents | % of Total Incidents |
|-----------------------|-----------------|----------------------|
| Non-Officer Initiated | 12              | 53%                  |
| Officer Initiated     | 7               | 47%                  |
| Total Incidents       | 26              | 100%                 |

| Reason for Detention | Total Incidents | % of Total Incidents |
|----------------------|-----------------|----------------------|
| Officer Witnessed    | 8               | 42%                  |
| Suspect on Scene     | 9               | 47%                  |
| Description Provided | 2               | 11%                  |
| Reasonable Suspicion | 0               | 0%                   |
| Unconstitutional     | 0               | 0%                   |
| Total Incidents      | 19              | 100%                 |



# Total Detentions: Non-Officer Initiated (12) and Officer Initiated (7)

|                       | Total Detentions | Detention Percentages |
|-----------------------|------------------|-----------------------|
| Non-Officer Initiated | 12               | 53%                   |
| Officer Initiated     | 7                | 47%                   |

| Review of Standards             | Incidents |
|---------------------------------|-----------|
| Arrests                         | 11        |
| Probable Cause: No Arrest       | 3         |
| Reasonable Suspicion: No Arrest | 5         |
| Unconstitutional Encounters     | 0         |
| Total <b>Detentions</b>         | <b>19</b> |



# Detention Summaries

| Non-officer Initiated                | <u>(12)</u> | Officer Initiated        | <u>(7)</u> |
|--------------------------------------|-------------|--------------------------|------------|
| Assault                              | 2           | Assault/ intoxicated     | 1          |
| Brandishing firearm                  | 1           | DUI                      | 1          |
| Burglary                             | 2           | Shoplifting              | 1          |
| Destruction of Property/ intoxicated | 1           | Stolen Property          | 1          |
| Domestic Assault & Battery           | 1           | Traffic/ eluding suspect | 1          |
| Noise Violation                      | 1           | Traffic/ Narcotics       | 1          |
| Other – Medical Condition            | 1           | Traffic/ Stolen firearm  | 1          |
| Shoplifting                          | 1           |                          |            |
| Trespassing                          | 1           |                          |            |
| Wanted/ outstanding warrants         | 1           |                          |            |




All Detentions: **Non-Officer (12) Initiated** and **Officer Initiated (7)** resulted in **21 Individuals Contacted**

| Review of Standards             | AF       | AM       | HF       | HM       | BF       | BM       | WF       | WM       | Total     |
|---------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|-----------|
| Arrests                         | 0        | 1        | 0        | 0        | 0        | 5        | 3        | 3        | 12        |
| Probable Cause: No Arrest       | 0        | 0        | 0        | 0        | 1        | 1        | 0        | 1        | 3         |
| Reasonable Suspicion: No Arrest | 0        | 0        | 0        | 0        | 2        | 2        | 0        | 2        | 6         |
| Unconstitutional                | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0        | 0         |
| <b>Total Individuals</b>        | <b>0</b> | <b>1</b> | <b>0</b> | <b>0</b> | <b>3</b> | <b>8</b> | <b>3</b> | <b>6</b> | <b>21</b> |



# Officer-Initiated Contacts: 7

## Individuals Contacted: 7

| 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      | 1      | 1                           | 1                       | 14%   |
| 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  | 1      | 0  | 0  | 0      | 0   | 0      | 0      | 1                           | 1                       | 14%   |
| Minor Crime - Property  | 0  | 0      | 0  | 0  | 0      | 1   | 1      | 0      | 2                           | 2                       | 29%   |
| 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      | 0      | 3                           | 3                       | 43%   |
| Warrant                 | 0  | 0      | 0  | 0  | 0      | 0   | 0      | 0      | 0                           | 0                       | 0%  |
| Total Individuals       | 0  | 1      | 0  | 0  | 1      | 3   | 1      | 1      | 7                           | 7                       | 100%  |
| % of Total Individuals  | 0% | 14.25% | 0% | 0% | 14.25% | 43% | 14.25% | 14.25% | 100%                        | -----                   |  |

# Officer-Initiated Detentions: 7

## Outcomes for 7 individuals


| Law-Enforcement Action                     | AF | AM     | HF | HM | BF     | BM  | WF     | WM     | Total Individuals | Total Detention Incidents | Total % of Actions |
|--|----|--------|----|----|--------|-----|--------|--------|-------------------|---------------------------|--------------------|
| Physical Arrest                            | 0  | 1      | 0  | 0  | 0      | 1   | 0      | 1      | 3                 | 3                         | 43%                |
| Summons - M1 & M2<br>(Non-physical arrest) | 0  | 0      | 0  | 0  | 0      | 0   | 1      | 0      | 1                 | 1                         | 14%                |
| Summons - M3 & M4 / TI                     | 0  | 0      | 0  | 0  | 0      | 0   | 0      | 0      | 0                 | 0                         | 0%                 |
| Warning                                    | 0  | 0      | 0  | 0  | 1      | 1   | 0      | 0      | 2                 | 2                         | 29%                |
| No Action Taken                            | 0  | 0      | 0  | 0  | 0      | 1   | 0      | 0      | 1                 | 1                         | 14%                |
| Total Individuals                          | 0  | 1      | 0  | 0  | 1      | 3   | 1      | 1      | 7                 | 7                         | 100%               |
| % of Total Individuals                     | 0% | 14.25% | 0% | 0% | 14.25% | 43% | 14.25% | 14.25% | 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: **4 incidents** involving **4 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  | 1   | 1                          | 1               | 25%   |
| 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  | 1   | 0  | 0  | 0  | 0   | 0  | 0   | 1                          | 1               | 25%   |
| Minor Crime - Property     | 0  | 0   | 0  | 0  | 0  | 0   | 0  | 1   | 1                          | 1               | 25%   |
| 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               | 25%   |
| Warrant                    | 0  | 0   | 0  | 0  | 0  | 0   | 0  | 0   | 0                          | 0               | 0%  |
| Total Individuals Arrested | 0  | 1   | 0  | 0  | 0  | 1   | 0  | 2   | 4                          | 4               | 100%  |
| % of Total Individuals     | 0% | 25% | 0% | 0% | 0% | 25% | 0% | 50% | 100%                       | --              |  |

# Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

2 incident involving 2 individual(s)

| Encounters w/<br>PC – No<br>Arrest | AF        | AM        | HF        | HM        | BF         | BM         | WF        | WM        | Total<br>Individuals<br>Contacted | Total<br>Officer<br>Initiated<br>Incidents | % of Total<br>Incidents   |
|------------------------------------|-----------|-----------|-----------|-----------|------------|------------|-----------|-----------|-----------------------------------|--|---|
| Alcohol<br>Related                 | 0         | 0         | 0         | 0         | 0          | 0          | 0         | 0         | 0                                 | 0  | 0%  |
| Major Crime -<br>Person            | 0         | 0         | 0         | 0         | 0          | 0          | 0         | 0         | 0                                 | 0  | 0%  |
| Major Crime –<br>Property          | 0         | 0         | 0         | 0         | 0          | 0          | 0         | 0         | 0                                 | 0  | 0%  |
| Minor Crime -<br>Person            | 0         | 0         | 0         | 0         | 0          | 0          | 0         | 0         | 0                                 | 0  | 0%  |
| Minor Crime -<br>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          | 1          | 0         | 0         | 2                                 | 2  | 100%  |
| Warrant                            | 0         | 0         | 0         | 0         | 0          | 0          | 0         | 0         | 0                                 | 0  | 0%  |
| <b>Total<br/>Individuals</b>       | <b>0</b>  | <b>0</b>  | <b>0</b>  | <b>0</b>  | <b>1</b>   | <b>1</b>   | <b>0</b>  | <b>0</b>  | <b>2</b>                          | <b>2</b>                                   | <b>100%</b>   |
| <b>% of Total<br/>Individuals</b>  | <b>0%</b> | <b>0%</b> | <b>0%</b> | <b>0%</b> | <b>50%</b> | <b>50%</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  | 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                                 | 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 2 Vehicle(s) searched:

| 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  | 1  | 0  | 0  | 0  | 1  | 0  | 1  | 2       | 3     |

3- Search incident to arrest, 0 -Probable Cause (PC) Search, 0- consent search (CS), 2 –Vehicle (1 PC & 1 CS)

| Evidence Recovered  | AF | AM | HF | HM | BF  | BM  | WF | WM  | Vehicle | Total |
|---------------------|----|----|----|----|-----|-----|----|-----|---------|-------|
| Firearm             | 0  | 0  | 0  | 0  | 0   | 1   | 0  | 0   | 0       | 1     |
| Narcotics           | 0  | 0  | 0  | 0  | 1   | 0   | 0  | 0   | 0       | 1     |
| Firearm & Narcotics | 0  | 0  | 0  | 0  | 0   | 0   | 0  | 0   | 1       | 1     |
| Stolen Property     | 0  | 0  | 0  | 0  | 0   | 1   | 0  | 0   | 0       | 1     |
| Suspected Firearm   | 0  | 0  | 0  | 0  | 0   | 0   | 0  | 0   | 0       | 0     |
| Total               | 0  | 0  | 0  | 0  | 1   | 2   | 0  | 1   | 1       | 5     |
| Total Individuals % | 0% | 0% | 0% | 0% | 25% | 50% | 0% | 25% | --      | --    |



# Composition of the Charlottesville Police Department

- The Charlottesville Police Department currently has 85 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 |                            | 25         | 9          | 2           | 13         | 2         | 3           |              | 1            |
| <b>BM</b>        | 14 | 2                          | 7          |            |             | 2          | 2         |             | 1            |              |
| <b>AM</b>        | 1  |                            | 1          |            |             |            |           |             |              |              |
| <b>HM</b>        | 2  |                            | 2          |            |             |            |           |             |              |              |
| <b>Bi-Racial</b> | 1  |                            | 1          |            |             |            |           |             |              |              |
|                  | 73 |                            |            |            |             |            |           |             |              |              |
| <b>WF</b>        | 9  | 2                          | 5          | 1          |             | 1          |           |             |              |              |
| <b>BF</b>        | 1  |                            | 1          |            |             |            |           |             |              |              |
| <b>AF</b>        | 1  |                            | 1          |            |             |            |           |             |              |              |
| <b>HF</b>        | 1  |                            | 1          |            |             |            |           |             |              |              |
|                  | 12 |                            |            |            |             |            |           |             |              |              |



# Officer-Initiated Demographics: 7 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  | 6  | 7     |
| Officers with 2+ Detentions                 | AF | AM | HF | HM | BF | BM | WF | WM |       |
|   | 0  | 0  | 0  | 0  | 0  | 0  | 0  | 0  |       |
| 2+ Detentions by Shift                      |    |    |    |    |    |    |    |    |       |
| Daylight                                    | 0  |    |    |    |    |    |    |    |       |
| Evening                                     | 0  |    |    |    |    |    |    |    |       |
| Midnight                                    | 0  |    |    |    |    |    |    |    |       |

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





