

Encounters Leading to Detentions

Aug 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

August 2023: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **3552** incidents during the month of August. These incidents included officer initiated, citizen assists, and calls for service. Ten **(10)** of these incidents resulted in temporary detentions. Of these 10 incidents, 6 were non-officer initiated and 4 were officer initiated.

Total Incidents 10

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	6	60%
Officer Initiated	4	40%
Total Incidents	10	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	4	40%
Suspect on Scene	3	30%
Description Provided	2	20%
Reasonable Suspicion	1	10%
Unconstitutional	0	0%
Total Incidents	10	100%



Total Detentions: **Non-Officer Initiated (6)** and **Officer Initiated (4)**

	Total Detentions	Detention Percentages
Non-Officer Initiated	6	60%
Officer Initiated	4	40%

Review of Standards	Incidents
Arrests	4
Probable Cause: No Arrest	1
Reasonable Suspicion: No Arrest	5
Unconstitutional Encounters	0
Total Detentions	10



Detention Summaries

Non-officer Initiated	<u>(6)</u>	Officer Initiated	<u>(4)</u>
Assault/ Assault & Battery	2	DIP/ intoxicated person	1
Burglary/ BE	1	Stolen auto	1
DIP/ intoxicated person	1	Traffic – Improper Tags	1
Domestic A&B	1	Traffic – Reckless Driving	1
Murder/ (false call)	1		



All Detentions: **Non-Officer (6) Initiated** and **Officer Initiated (4)** resulted in **12 Individuals Contacted**

Review of Standards	AF	AM	HF	HM	BF	BM	WF	WM	UNK/ ND	Total
Arrests	0	0	0	1	0	3	0	0	0	4
Probable Cause: No Arrest	0	0	0	0	0	1	0	1	0	2
Reasonable Suspicion: No Arrest	0	0	0	0	0	3	1	2	0	6
Unconstitutional	0	0	0	0	0	0	0	0	0	0
Total Individuals	0	0	0	1	0	7	1	3	0	12



Officer-Initiated Contacts: 4

Individuals Contacted: 5

Reason (Crime) Detained	AF	AM	HF	HM	BF	BM	WF	WM	UNK/ND	Total Individuals Contacted	Total Officer Initiated Incidents	% of Total Incidents
Alcohol Related	0	0	0	0	0	1	0	0	0	1	1	25%
Major Crime - Person	0	0	0	0	0	0	0	0	0	0	0	0%
Major Crime - Property	0	0	0	0	0	2	0	0	0	2	1	25%
Minor Crime - Person	0	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	0%
Narcotics	0	0	0	0	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	1	0	1	0	2	2	50%
Warrant	0	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0	0	0	4	0	1	0	5	4	100%
% of Total Individuals	0%	0%	0%	0%	0%	80%	0%	20%	0%	100%	-----	

Officer-Initiated Detentions: 4

Outcomes for 5 individuals

Law-Enforcement Action	A F	AM	H F	H M	B F	B M	W F	W M	UNK/ ND	Total Individuals	Total Detention Incidents	Total % of Action s
Physical Arrest	0	0	0	0	0	2	0	0	0	2	2	50%
Summons - M1 & M2 (Non-physical arrest)	0	0	0	0	0	1	0	0	0	1	1	25%
Summons - M3 & M4 / TI	0	0	0	0	0	0	0	0	0	0	0	0%
Warning	0	0	0	0	0	0	0	0	0	0	0	0%
No Action Taken	0	0	0	0	0	1	0	1	0	2	1	25%
Total Individuals	0	0	0	0	0	4	0	1	0	5	4	100%
% of Total Individuals	0%	0%	0%	0%	0%	80%	0%	20%	0%	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	UNK / ND	Total Individuals Arrested	Total Incidents	% of Total Incidents
Alcohol Related	0	0	0	0	0	1	0	0	0	1	1	33.33%
Major Crime - Person	0	0	0	0	0	0	0	0	0	0	0	0%
Major Crime – Property	0	0	0	0	0	1	0	0	0	1	1	33.33%
Minor Crime - Person	0	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	0%
Narcotics	0	0	0	0	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	1	0	0	0	1	1	33.33%
Warrant	0	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals Arrested	0	0	0	0	0	3	0	0	0	3	3	100%
% of Total Individuals	0%	0%	0%	0%	0%	100%	0%	0%	0%	100%	--	

Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

1 incident involving **2 individual(s)**

Encounters w/ PC – No Arrest	AF	AM	HF	HM	BF	BM	WF	WM	UNK /ND	Total Individuals Contacted	Total Officer Initiated Incidents	% of Total Incidents
Alcohol Related	0	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	0%
Major Crime – Property	0	0	0	0	0	1	0	0	0	1	0	0%
Minor Crime - Person	0	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	0%
Narcotics	0	0	0	0	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	0	0	1	0	1	1	100%
Warrant	0	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0	0	0	1	0	1	0	2	1	100%
% of Total Individuals	0%	0%	0%	0%	0%	50%	0%	50%	0%	100%	--	

Officer-Initiated Detentions

Reasonable Suspicion: **0 incidents** involving **0 individual(s)**

Reasonable Suspicion– No Arrest	AF	AM	HF	HM	BF	BM	WF	WM	UNK /ND	Total Individuals Contacted	Total Officer Initiated Incidents	% of Total Incidents
Alcohol Related	0	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	0%
Major Crime – Property	0	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	0%
Minor Crime – Property	0	0	0	0	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	0	0	0	0	0	0	0%
Warrant	0	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0%									
% of Total Individuals	0%	100%	---									

O/I -Unconstitutional Encounter:

0 incidents involving 0 individuals

Unconstitution al Encounter	AF	AM	HF	HM	BF	BM	WF	WM	UNK/ ND	Total Individuals Contacted	Total Incident s	% of Total Incident s
Alcohol Related	0	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	0%
Major Crime - Property	0	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	0%
Minor Crime - Property	0	0	0	0	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	0	0	0	0	0	0	0%
Other - Unconstitutio nal	0	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	0	0	0	0	0	0	0%
Warrant	0	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0	0	0	0	0	0	0	0	0	0%
% of Total Individuals	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	--	



Officer-Initiated Contacts:

2 Individual(s) searched and 1 Vehicle(s) searched:

Nature of Contact	AF	AM	HF	HM	BF	BM	WF	WM	UNK/ND	Vehicle	Total
Pat-Down	0	0	0	0	0	2	0	0	0	--	2
Search	0	0	0	0	0	2	0	0	0	1	3

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

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



Officer-Initiated Demographics: 5 officers involved in 6 encounters

Investigative Detention by Officer Race/Sex	AF	AM	HF	HM	BF	BM	WF	WM	MR	Total
Officer Making Detention	0	0	0	0	0	1	1	2	0	4
Officers with 2+ Detentions	AF	AM	HF	HM	BF	BM	WF	WM	MR	
	0	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.



