

# Encounters Leading to Detentions

November 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

## November 2023: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **2879** incidents during the month of November. These incidents included officer initiated, citizen assists, and calls for service.

Nineteen (**19**) of these incidents resulted in temporary detentions. Of these 19 incidents, **14** were non-officer initiated and **5** were officer initiated.

# Total Incidents 19

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	14	74%
Officer Initiated	5	26%
Total Incidents	19	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	6	32%
Suspect on Scene	8	42%
Description Provided	5	26%
Reasonable Suspicion	0	0%
Unconstitutional	0	0%
Total Incidents	19	100%



# Total Detentions: Non-Officer Initiated (14) and Officer Initiated (5)

	Total Detentions	Detention Percentages
Non-Officer Initiated	14	74%
Officer Initiated	5	26%

Review of Standards	Incidents
Arrests	11
Probable Cause: No Arrest	2
Reasonable Suspicion: No Arrest	6
Unconstitutional Encounters	0
Total <b>Detentions</b>	<b>19</b>



# Detention Summaries

Non-officer Initiated	<u>(14)</u>	Officer Initiated	<u>(5)</u>
Assault & Battery	3	FA by felon / PO violation	1
Burglary	2	Trespassing	2
Masturbation in public	1	Wanted/ outstanding warrant	2
Mental health/ suicidal	2		
Shoplifting/ Larceny	4		
Trespassing	1		
Wanted / outstanding warrant	1		
Trespassing & firearm violation	1		



All Detentions: **Non-Officer (14)** Initiated and **Officer Initiated (5)** resulted in **24 Individuals** Contacted

Review of Standards	AF	AM	HF	HM	BF	BM	WF	WM	UNK/ ND	Total
<b>Arrests</b>	0	0	0	0	1	7	0	3	0	11
<b>Probable Cause: No Arrest</b>	0	0	0	0	1	2	1	2	0	6
<b>Reasonable Suspicion: No Arrest</b>	0	0	0	0	3	1	2	1	0	7
<b>Unconstitutional</b>	0	0	0	0	0	0	0	0	0	0
<b>Total Individuals</b>	0	0	0	0	5	10	3	6	0	24



# Officer-Initiated Contacts: 5

## Individuals Contacted: 9

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	0	0	0	0	0	0	0%
Major Crime - Person	0	0	0	0	0	2	0	0	0	2	1	20%
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	1	1	1	2	0	5	2	40%
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	2	0	0	0	2	2	40%
<b>Total Individuals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>9</b>	<b>5</b>	<b>100%</b>
<b>% of Total Individuals</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>11%</b>	<b>56%</b>	<b>11%</b>	<b>22%</b>	<b>0%</b>	<b>100%</b>	--	

# Officer-Initiated Detentions: 5

## Outcomes for 9 individuals

Law-Enforcement Action	AF	AM	HF	HM	BF	BM	WF	WM	UNK/ND	Total Individuals	Total Detention Incidents	Total % of Actions
<b>Physical Arrest</b>	0	0	0	0	0	3	0	0	0	3	3	60%
<b>Summons - M1 &amp; M2</b> (Non-physical arrest)	0	0	0	0	0	0	0	0	0	0	0	0%
<b>Summons - M3 &amp; M4 / TI</b>	0	0	0	0	0	0	0	0	0	0	0	0%
<b>Warning</b>	0	0	0	0	1	1	1	2	0	5	2	40%
<b>No Action Taken</b>	0	0	0	0	0	1	0	0	0	1	0	0%
<b>Total Individuals</b>	0	0	0	0	1	5	1	2	0	9	5	100%
<b>% of Total Individuals</b>	0%	0%	0%	0%	11%	56%	11%	22%	0%		--	--

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	0	0	0	0	0	0	0
Major Crime - Person	0	0	0	0	0	1	0	0	0	1	1	33.33
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	2	0	0	0	2	2	66.67
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.

**2 incident** involving **6 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	1	0	0	0	1	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	1	1	1	2	0	5	2	100%
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%
<b>Total Individuals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>6</b>	<b>2</b>	<b>100%</b>
<b>% of Total Individuals</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>17%</b>	<b>33%</b>	<b>17%</b>	<b>33%</b>	<b>0%</b>		--	

## 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%
<b>Total Individuals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>% of Total Individuals</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>50%</b>	<b>0%</b>	<b>0%</b>	<b>100%</b>	<b>0%</b>	<b>0%</b>	<b>100%</b>	<b>---</b>	

# 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 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 - 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:

3 **Individual(s)** searched and 0 **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	3	0	0	0	--	0
Search	0	0	0	0	0	3	0	0	0	0	3

3- Search incident to arrest

Evidence Recovered	AF	AM	HF	HM	BF	BM	WF	WM	UNK/ND	Vehicle	Total
Firearm	0	0	0	0	0	2	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	0	0
Suspected Firearm	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	2	0	0	0	0	0
Total Individuals %	0%	0%	0%	0%	0%	100%	0%	0%	0%	--	--





# Officer-Initiated Demographics: 3 officers involved in 5 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	0	0	3	0	3	
Officers with 2+ Detentions	AF	AM	HF	HM	BF	BM	WF	WM	MR		
	0	0	0	0	0	0	0	2	0		
<b>2+ Detentions by Shift</b>											
Daylight	0										
Evening	1										
Midnight	1										

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





