

Encounters Leading to Detentions

December 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

December 2023: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **2836** incidents during the month of December. These incidents included officer initiated, citizen assists, and calls for service.

Seventeen (**17**) of these incidents resulted in temporary detentions.

Of these 17 incidents, **9** were non-officer initiated and **8** were officer initiated.

Total Incidents 17

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	9	53%
Officer Initiated	8	47%
Total Incidents	17	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	7	40%
Suspect on Scene	5	30%
Description Provided	5	30%
Reasonable Suspicion	0	0%
Unconstitutional	0	0%
Total Incidents	17	100%



Total Detentions: [Non-Officer Initiated \(9\)](#) and [Officer Initiated \(8\)](#)

	Total Detentions	Detention Percentages
Non-Officer Initiated	9	53%
Officer Initiated	8	47%

Review of Standards	Incidents
Arrests	12
Probable Cause: No Arrest	2
Reasonable Suspicion: No Arrest	3
Unconstitutional Encounters	0
Total Detentions	17



Detention Summaries

Non-officer Initiated	<u>(9)</u>	Officer Initiated	<u>(8)</u>
Assault & Battery (family & non-family)	4	Auto Theft	1
Burglary	2	ECO	1
Malicious Wounding (attempt)	1	Trespassing	2
Malicious Wounding	1	Warrant	4
Warrant	1		



All Detentions: **Non-Officer (9)** Initiated and **Officer Initiated (8)** resulted in **26 Individuals** Contacted

Review of Standards	AF	AM	HF	HM	BF	BM	WF	WM	UNK/ ND	Total
Arrests	0	0	0	0	1	4	0	7	0	12
Probable Cause: No Arrest	0	0	0	0	0	1	2	6	0	9
Reasonable Suspicion: No Arrest	0	0	0	0	0	3	0	2	0	5
Unconstitutional	0	0	0	0	0	0	0	0	0	0
Total Individuals	0	0	0	0	1	8	2	15	0	26



Officer-Initiated Contacts: 8

Individuals Contacted: 11

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	0	0	0	0	0	0	0%
Major Crime - Property	0	0	0	0	0	1	0	0	0	1	1	12.5%
Minor Crime - Person	0	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime - Property	0	0	0	0	0	0	1	4	0	5	2	25%
Narcotics	0	0	0	0	0	0	0	0	0	0	0	0%
Other	0	0	0	0	0	0	0	1	0	1	1	12.5%
Traffic	0	0	0	0	0	0	0	0	0	0	0	0%
Warrant	0	0	0	0	0	1	0	3	0	4	4	50%
Total Individuals	0	0	0	0	0	2	1	8	0	11	8	100%
% of Total Individuals	0%	0%	0%	0%	0%	18%	9%	73%	0%	100%	--	



Officer-Initiated Detentions: 8

Outcomes for 11 individuals

Law-Enforcement Action	AF	AM	HF	HM	BF	BM	WF	WM	UNK/ND	Total Individuals	Total Detention Incidents	Total % of Actions
Physical Arrest	0	0	0	0	0	2	0	3	0	5	5	62%
Summons - M1 & M2 (Non-physical arrest)	0	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	0%
Warning	0	0	0	0	0	0	1	4	0	5	2	25%
No Action Taken	0	0	0	0	0	0	0	1	0	1	1	13%
Total Individuals	0	0	0	0	0	2	1	8	0	11	8	100%
% of Total Individuals	0%	0%	0%	0%	0%	18%	9%	73%	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: **5 incidents** involving **5 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	0	0	0	0	0	0	0%
Major Crime – Property	0	0	0	0	0	1	0	0	0	1	1	20%
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	1	0	3	0	4	4	80%
Total Individuals Arrested	0	0	0	0	0	2	0	3	0	5	5	100%
% of Total Individuals	0%	0%	0%	0%	0%	40%	0%	60%	0%	100%	--	

Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

2 incident involving **5 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	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	1	4	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%
Total Individuals	0	0	0	0	0	0	1	4	0	5	2	100%
% of Total Individuals	0%	0%	0%	0%	0%	0%	20%	80%	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	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	1	0	1	1	100%
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	1	0	1	1	100%						
% of Total Individuals	0%	100%	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 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:

5 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	0	0	1	0	--	1
Search	0	0	0	0	0	1	0	4	0	0	5

5- Search incident to arrest

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	0	0
Suspected Firearm	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0
Total Individuals %	0%	0%	0%	0%	0%	0%	0%	0%	0%	--	--



Officer-Initiated Demographics: 4 officers involved in 8 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	0	3	0	4
Officers with 2+ Detentions	AF	AM	HF	HM	BF	BM	WF	WM	MR	
	0	0	0	0	0	0	0	2	0	
2+ Detentions by Shift										
Daylight	0									
Evening	2									
Midnight	0									

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



