

Encounters Leading to Detentions

May 2021



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 2021: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **3127** incidents during the month of May. These incidents included officer initiated, citizen assists, and calls for service. **Thirty-two (32)** of these incidents resulted in temporary detentions. Of these **32** incidents, **25** were non-officer initiated and **7** were officer initiated.

Total Incidents 32

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	25	78%
Officer Initiated	7	22%
Total Incidents	32	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	9	28%
Suspect on Scene	17	53%
Description Provided	6	19%
Reasonable Suspicion	0	0%
Unconstitutional	0	0%
Total Incidents	32	100%



Total Detentions: Non-Officer Initiated (25) and Officer Initiated (7)

	Total Detentions	Detention Percentages
Non-Officer Initiated	25	78%
Officer Initiated	7	22%

Review of Standards	Incidents
Arrests	17
Probable Cause: No Arrest	4
Reasonable Suspicion: No Arrest	11
Unconstitutional Encounters	0
Total Detentions	32



Detention Summaries

Non-officer Initiated	<u>(25)</u>	Officer Initiated	<u>(7)</u>
Armed Robbery	1	Carrying F/A restricted area	1
Assault	2	DUI investigations	3
Attempt Burglary	1	Traffic / wanted driver	1
Destruction of property	1	Maliciously shoot at vehicle	1
Disorder	3	Warrant/ wanted	1
Disorder w weapon	3		
Domestic	1		
DUI	1		
DUI related accident	2		
DUID related accident	1		
Hit & Run	1		
Intoxicated in Public	4		
Left the scene of accident	1		
Robbery	2		



All Detentions: **Non-Officer (25) Initiated** and **Officer Initiated (7)** resulted in **37 Individuals** Contacted

Review of Standards	AF	AM	HF	HM	BF	BM	WF	WM	Total
Arrests	0	1	0	0	2	8	0	6	17
Probable Cause: No Arrest	0	0	0	0	0	0	0	4	4
Reasonable Suspicion: No Arrest	0	0	0	0	2	7	3	4	16
Unconstitutional	0	0	0	0	0	0	0	0	0
Total Individuals	0	1	0	0	4	15	3	14	37



Officer-Initiated Contacts: 7

Individuals Contacted: 9

Reason (Crime) Detained	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	1	1	2	2	29%
Major Crime - Person	0	0	0	0	0	3	0	0	3	1	14%
Major Crime - Property	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	0	0	0	1	1	1	14%
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	29%
Warrant	0	0	0	0	0	1	0	0	1	1	14%
Total Individuals	0	0	0	0	0	5	1	3	9	7	--
% of Total Individuals	0	0	0	0	0	56%	11%	33%	100%	--	



Officer-Initiated Detentions 7

Outcomes for 9 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	0	3	0	1	4	4	55%
Summons - M1 & M2 (Non-physical arrest)	0	0	0	0	0	0	0	1	1	1	15%
Summons - M3 & M4 / TI	0	0	0	0	0	0	1	0	1	1	15%
Warning	0	0	0	0	0	0	0	0	0	0	0%
No Action Taken	0	0	0	0	0	2	0	1	3	1	15%
Total Individuals	0	0	0	0	0	5	1	3	9	--	100%
% of Total Individuals	0%	0%	0%	0%	0%	56%	11%	33%	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	Total Individuals Arrested	Total Incidents	% of Total Incidents
Alcohol Related	0	0	0	0	0	0	0	1	1	1	20%
Major Crime - Person	0	0	0	0	0	1	0	0	1	1	20%
Major Crime – Property	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	0	0	0	1	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	0	1	1	20%
Warrant	0	0	0	0	0	1	0	0	1	1	20%
Total Individuals Arrested	0	0	0	0	0	3	0	2	5	5	--
% of Total Individuals	0	0	0	0	0	60%	0%	40%	100%	--	

Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

0 incident involving 0 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	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	0	0	0	0	0	0%
Total Individuals	0	0	0	0	0	0	0	0	0	0	
% of Total Individuals	0%	0%	0%	0%	0%	0%	0%	0%	0%	--	



Officer-Initiated Detentions

Reasonable Suspicion: **2 incidents** involving **4 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	1	0	1	1	50%
Major Crime - Person	0	0	0	0	0	2	0	0	2	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	1	1	1	50%
Warrant	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0	0	0	2	1	1	4	2	--
% of Total Individuals	0%	0%	0%	0%	0%	50%	25%	25%	100%	--	

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%	--	--								



Officer-Initiated Contacts:

4 **Individuals** searches and 0 **Vehicle** searches:

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	0	0	0	0	3	0	1	0	4

4 Searches Incident to Arrest

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	1	0	1
Firearm & Narcotics	0	0	0	0	0	1	0	0	0	1
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	1	0	1	0	2
Total Individuals %	0%	0%	0%	0%	0%	50%	0%	50%	--	--



Composition of the Charlottesville Police Department

- The Charlottesville Police Department currently has 109 sworn employees.

		<u>RECRUIT</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>
WM	82	3	41	7	10	13	5	2	1	
BM	12	1	6		1	1	2	1		
AM	3	1	2							
HM	2	1	1							
	99									
WF	8		5	2	1					
BF	1									1
AF	1		1							
HF	0									
	10									



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	0	0	7	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.



Total Individuals contacted (9) officer initiated by Neighborhood

Detentions by Neighborhood	Incidents								
	Total - 7	AF - 0	AM - 0	HF - 0	HM-0	BF - 0	BM - 5	WF - 1	WM - 3
Mall-1	0	0	0	0	0	0	0	0	0
Downtown-2	2	0	0	0	0	0	0	1	1
Star Hill-3	0	0	0	0	0	0	0	0	0
Westhaven-4	0	0	0	0	0	0	0	0	0
10th & Page-5	0	0	0	0	0	0	0	0	0
Rosehill Dr-6	0	0	0	0	0	0	0	0	0
North Downtown-7	0	0	0	0	0	0	0	0	0
MJH-8	0	0	0	0	0	0	0	0	0
Little High-9	0	0	0	0	0	0	0	0	0
Belmont-10	0	0	0	0	0	0	0	0	0
Garrett-11	0	0	0	0	0	0	0	0	0
Ridge St-12	0	0	0	0	0	0	0	0	0
Fifeville-13	1	0	0	0	0	0	1	0	0
JPA-14	0	0	0	0	0	0	0	0	0
The Corner-15	1	0	0	0	0	0	3	0	0
Venable-16	0	0	0	0	0	0	0	0	0
Kellytown-17	0	0	0	0	0	0	0	0	0
North East-18	2	0	0	0	0	0	0	0	2
Locust Grove-19	0	0	0	0	0	0	0	0	0
Woolen Mills-20	0	0	0	0	0	0	0	0	0
Prospect-21	0	0	0	0	0	0	0	0	0
Johnson Village-22	0	0	0	0	0	0	0	0	0
Fry's Spring-23	0	0	0	0	0	0	0	0	0
Lewis Mountain-24	0	0	0	0	0	0	0	0	0
BRSC Area-25	0	0	0	0	0	0	0	0	0
BRSC-26	0	0	0	0	0	0	0	0	0
Blue Ridge-27	0	0	0	0	0	0	0	0	0
CHS-28	0	0	0	0	0	0	0	0	0
Greenbrier-29	0	0	0	0	0	0	0	0	0
29 North-30	1	0	0	0	0	0	1	0	0
The Meadows-31	0	0	0	0	0	0	0	0	0
5th Street-32	0	0	0	0	0	0	0	0	0
Longwood-33	0	0	0	0	0	0	0	0	0



Total Individuals contacted (28) non-officer initiated by Neighborhood

Detentions by Neighborhood	Incidents								
	Total – 25	AF- 0	AM – 1	HF - 0	HM – 0	BF – 4	BM – 10	WF – 2	WM – 11
Mall-1	4	0	0	0	0	0	3	0	1
Downtown-2	0	0	0	0	0	0	0	0	0
Star Hill-3	3	0	0	0	0	0	1	0	2
Westhaven-4	0	0	0	0	0	0	0	0	0
10th & Page-5	0	0	0	0	0	0	0	0	0
Rosehill Dr-6	1	0	0	0	0	0	0	0	1
North Downtown-7	0	0	0	0	0	0	0	0	0
MJH-8	0	0	0	0	0	0	0	0	0
Little High-9	0	0	0	0	0	0	0	0	0
Belmont-10	4	0	0	0	0	1	1	1	3
Garrett-11	2	0	0	0	0	0	2	0	0
Ridge St-12	0	0	0	0	0	0	0	0	0
Fifeville-13	0	0	0	0	0	0	0	0	0
JPA-14	1	0	1	0	0	0	0	0	0
The Corner-15	1	0	0	0	0	1	0	0	0
Venable-16	1	0	0	0	0	0	0	0	1
Kellytown-17	0	0	0	0	0	0	0	0	0
North East-18	0	0	0	0	0	0	0	0	0
Locust Grove-19	0	0	0	0	0	0	0	0	0
Woolen Mills-20	0	0	0	0	0	0	0	0	0
Prospect-21	1	0	0	0	0	0	0	0	1
Johnson Village-22	0	0	0	0	0	0	0	0	0
Fry's Spring-23	0	0	0	0	0	0	0	0	0
Lewis Mountain-24	0	0	0	0	0	0	0	0	0
BRSC Area-25	1	0	0	0	0	1	0	0	0
BRSC-26	0	0	0	0	0	0	0	0	0
Blue Ridge-27	2	0	0	0	0	1	1	0	1
CHS-28	0	0	0	0	0	0	0	0	0
Greenbrier-29	0	0	0	0	0	0	0	0	0
29 North-30	2	0	0	0	0	0	1	0	1
The Meadows-31	2	0	0	0	0	0	1	1	0
5th Street-32	0	0	0	0	0	0	0	0	0
Longwood-33	0	0	0	0	0	0	0	0	0

