

Encounters Leading to Detentions

August 2022



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 2022: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **3574** incidents during the month of August. These incidents included officer initiated, citizen assists, and calls for service. Thirty **(30)** of these incidents resulted in temporary detentions. Of these 30 incidents, 19 were non-officer initiated and 11 were officer initiated.

Total Incidents 30

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	19	63%
Officer Initiated	11	37%
Total Incidents	30	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	11	37%
Suspect on Scene	16	53%
Description Provided	2	7%
Reasonable Suspicion	0	0%
Unconstitutional	1	3%
Total Incidents	30	100%



Total Detentions: Non-Officer Initiated (19) and Officer Initiated (11)

	Total Detentions	Detention Percentages
Non-Officer Initiated	19	63%
Officer Initiated	11	37%

Review of Standards	Incidents
Arrests	13
Probable Cause: No Arrest	4
Reasonable Suspicion: No Arrest	12
Unconstitutional Encounters	1
Total Detentions	30



Detention Summaries

Non-officer Initiated	<u>(19)</u>	Officer Initiated	<u>(11)</u>
Assault	2	Assault & Battery	1
Assault & Battery	4	Disorder	1
Brandishing a firearm	2	DUI Investigation	2
Breaking & Entering	2	Grand Larceny	1
Disorder armed w knife	1	Narcotics	1
Drunk in public	1	Stolen Auto	1
DUI	1	Warrant	4
Grand Larceny	1		
Runaway	1		
Stolen Auto	2		
Trespassing	1		
Warrant	1		




All Detentions: **Non-Officer (19) Initiated** and **Officer Initiated (11)** resulted in **35 Individuals** Contacted

Review of Standards	AF	AM	HF	HM	BF	BM	WF	WM	Total
Arrests	0	0	1	0	0	5	2	5	13
Probable Cause: No Arrest	0	0	0	0	0	0	3	3	6
Reasonable Suspicion: No Arrest	0	1	0	0	2	4	1	7	15
Unconstitutional	0	0	0	0	0	0	0	1	1
Total Individuals	0	1	1	0	2	9	6	16	35



Officer-Initiated Contacts: 11

Individuals Contacted: 13

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	1	0	1	1	9%
Major Crime - Person	0	0	0	0	0	0	0	0	0	0	0%
Major Crime - Property	0	0	0	0	0	1	1	0	2	2	18%
Minor Crime - Person	0	0	0	0	0	0	2	2	4	2	18%
Minor Crime - Property	0	0	0	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	1	0	0	1	1	9%
Other	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	0	0	1	1	1	9%
Warrant	0	0	0	0	0	1	1	2	4	4	37%
Total Individuals	0	0	0	0	0	3	5	5	13	11	100%
% of Total Individuals	0%	0%	0%	0%	0%	23%	38.5%	38.5%	100%		

Officer-Initiated Detentions: 11

Outcomes for 13 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	2	1	1	4	4	36.5%
Summons - M1 & M2 (Non-physical arrest)	0	0	0	0	0	0	1	0	1	1	9%
Summons - M3 & M4 / TI	0	0	0	0	0	0	0	1	1	1	9%
Warning	0	0	0	0	0	1	0	0	1	1	9%
No Action Taken	0	0	0	0	0	0	3	3	6	4	36.5%
Total Individuals	0	0	0	0	0	3	5	5	13	11	100%
% of Total Individuals	0%	0%	0%	0%	0%	23%	38.5%	38.5%	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	1	0	1	1	20%
Major Crime - Person	0	0	0	0	0	0	0	0	0	0	0%
Major Crime – Property	0	0	0	0	0	1	0	0	1	1	20%
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	1	1	1	3	3	60%
Total Individuals Arrested	0	0	0	0	0	2	2	1	5	5	100%
% of Total Individuals									100%	--	

Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

3 incident involving **5 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	1	0	1	1	33.33%
Minor Crime - Person	0	0	0	0	0	0	2	1	3	1	33.33%
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	33.33%
Warrant	0	0	0	0	0	0	0	0	0	0	0%
Total Individuals	0	0	0	0	0	0	3	2	5	3	100%
% of Total Individuals	0%	0%	0%	0%	0%	0%	60%	40%	100%	--	

Officer-Initiated Detentions

Reasonable Suspicion: **2 incidents** involving **2 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	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	1	0	0	1	1	50%
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	1	1	1	50%
Total Individuals	0	0	0	0	0	1	0	1	2	2	
% of Total Individuals	0%	0%	0%	0%	0%	50%	0%	50%	100%	--	



Unconstitutional Encounter:

1 incidents involving 1 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	1	1	1	100%
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	1	1	1	100%
% of Total Individuals	0%	0%	0%	0%	0%	0%	0%	100%	100%	--	--



Officer-Initiated Contacts:

5 Individual(s) searched and 2 Vehicle searches:

Nature of Contact	AF	AM	HF	HM	BF	BM	WF	WM	Vehicle	Total
Pat-Down	0	0	0	0	0	0	0	3	--	3
Search	0	0	0	0	0	2	2	1	2	7

4 - Search incident to arrest, 0 – PC; 1 - Consent Search, 2 vehicles – 1 PC & 1 CS

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	1	1	0	0	2
Firearm & Narcotics	0	0	0	0	0	0	0	0	0	0
Stolen Property	0	0	0	0	0	1	1	0	0	2
Suspected Firearm	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	2	2	0	0	4
Total Individuals %	0%	0%	0%	0%	0%	50%	50%	0%	--	--



Composition of the Charlottesville Police Department

- The Charlottesville Police Department currently has 84 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>
WM	59	3	25	7	4	14	4	2		
BM	12		7			2	2			1
AM	1		1							
HM	2		2							
Bi-Racial	0		0							
	74									
WF	8	2	3	2		1				
BF										
AF	1		1							
HF	1		1							
	10									



Officer-Initiated Demographics: 8 officers involved in 11 encounters

Investigative Detention by Officer Race/Sex	AF	AM	HF	HM	BF	BM	WF	WM	Total
Officer Making Detention	0	0	0	0	0	2	1	5	8
Officers with 2+ Detentions	AF	AM	HF	HM	BF	BM	WF	WM	
	0	0	0	0	0	0	0	1	
2+ Detentions by Shift									
Daylight	0								
Evening	0								
Midnight	1								

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



Total Individuals contacted (22) non-officer initiated by Neighborhood

Non-Officer Initiated Detentions - Neighborhoods	Incidents Total – 19	AF -0	AM -1	HF- 1	HM -0	BF - 2	BM - 6	WF -1	WM - 11
Mall-1	4	0	0	0	0	2	1	1	2
Downtown-2	2	0	0	0	0	0	1	0	1
Star Hill-3	1	0	0	0	0	0	0	0	1
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	3	0	0	0	0	0	2	0	1
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	1	0	0	0	0	0	0	0	1
The Corner-15	1	0	1	0	0	0	0	0	1
Venable-16	0	0	0	0	0	0	0	0	0
Kellytown-17	1	0	0	0	0	0	0	0	1
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	1	0	0	1	0	0	0	0	0
Prospect-21	0	0	0	0	0	0	0	0	0
Johnson Village-22	3	0	0	0	0	0	0	0	3
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	0	0	0	0	0	0	0	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	1	0	0	0	0	0	1	0	0