

Encounters Leading to Detentions

September 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

September 2021: Investigative Detentions

The Charlottesville Police Department's officers were engaged in **3303** incidents during the month of September. These incidents included officer initiated, citizen assists, and calls for service. **Thirty-eight (38)** of these incidents resulted in temporary detentions. Of these 38 incidents, **23** were non-officer initiated and **15** were officer initiated.

Total Incidents 38

Nature of Contact	Total Incidents	% of Total Incidents
Non-Officer Initiated	23	61%
Officer Initiated	15	39%
Total Incidents	38	100%

Reason for Detention	Total Incidents	% of Total Incidents
Officer Witnessed	17	45%
Suspect on Scene	15	39%
Description Provided	6	16%
Reasonable Suspicion	0	0%
Unconstitutional	0	0%
Total Incidents	38	100%



Total Detentions: Non-Officer Initiated (23) and Officer Initiated (15)

	Total Detentions	Detention Percentages
Non-Officer Initiated	23	61%
Officer Initiated	15	39%

Review of Standards	Incidents
Arrests	23
Probable Cause: No Arrest	4
Reasonable Suspicion: No Arrest	11
Unconstitutional Encounters	0
Total Detentions	38



Detention Summaries

Non-officer Initiated	<u>(23)</u>	Officer Initiated	<u>(15)</u>
Assault	1	Assault & discharge of a firearm	1
Assault & Battery	3	DIP	2
Carjacking	1	DUI	1
DIP	1	DUI Investigation	1
Disorder threat to kill	1	DUID Investigation	1
Disorder w weapon & DIP	1	Possession of Narcotics	1
Domestic Assault & Battery	3	Possession of narcotics / with intent to distribute	1
DUI	2	Search Warrant	1
DUID	1	Stolen Vehicle	1
Narcotics Investigation	1	Walking in the roadway	1
Obstruction of Justice by Force / CCW	1	Warrant	4
Passed out at wheel of vehicle	1		
Petit Larceny	1		
Racing	1		
Stolen Vehicle	1		
Threats while armed w knife	2		
Trespassing	1		




All Detentions: **Non-Officer (23) Initiated** and **Officer Initiated (15)** resulted in **48 Individuals Contacted**

Review of Standards	AF	AM	HF	HM	BF	BM	WF	WM	Total
Arrests	0	0	0	2	3	11	0	8	24
Probable Cause: No Arrest	0	0	0	0	1	3	0	4	8
Reasonable Suspicion: No Arrest	0	0	0	1	1	6	3	5	16
Unconstitutional	0	0	0	0	0	0	0	0	0
Total Individuals	0	0	0	3	5	20	3	17	48



Officer-Initiated Contacts: 15

Individuals Contacted: 18

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	1	0	0	0	4	5	5	33%
Major Crime - Person	0	0	0	0	0	1	0	0	1	1	6.33%
Major Crime - Property	0	0	0	0	0	0	0	0	0	0	0%
Minor Crime - Person	0	0	0	0	0	3	0	1	4	1	6.33%
Minor Crime - Property	0	0	0	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	1	0	2	3	3	20%
Other	0	0	0	0	0	0	0	0	0	0	0%
Traffic	0	0	0	0	0	0	0	1	1	1	6.33%
Warrant	0	0	0	0	0	2	0	2	4	4	27%
Total Individuals	0	0	0	1	0	7	0	10	18	15	99.99%
% of Total Individuals	0%	0%	0%	5%	0%	39%	0%	56%	100%	--	

Officer-Initiated Detentions 15

Outcomes for 18 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	4	0	6	10	10	67%
Summons - M1 & M2 (Non-physical arrest)	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%
Warning	0	0	0	0	0	0	0	1	1	1	6%
No Action Taken	0	0	0	1	0	3	0	3	7	4	27%
Total Individuals	0	0	0	1	0	7	0	10	18	15	100%
% of Total Individuals	0%	0%	0%	5%	0%	39%	0%	56%	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: **10 incidents** involving **10 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	2	2	2	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	10%
Minor Crime - Person	0	0	0	0	0	1	0	0	1	1	10%
Minor Crime - Property	0	0	0	0	0	0	0	0	0	0	0%
Narcotics	0	0	0	0	0	0	0	2	2	2	20%
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	2	0	2	4	4	40%
Total Individuals Arrested	0	0	0	0	0	4	0	6	10	10	100%
% of Total Individuals	0%	0%	0%	0%	0%	40%	0%	60%	100%	--	

Officer-Initiated Detentions

Probable Cause to Arrest, but no Arrest.

3 incident involving 6 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	1	1	1	16.33
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	2	0	1	3	0	50%
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	16.33%
Warrant	0	0	0	0	0	0	0	1	1	1	16.33%
Total Individuals	0	0	0	0	0	2	0	4	6	3	
% of Total Individuals	0%	0%	0%	0%	0%	33%	0%	67%	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	1	0	0	0	0	1	1	50%
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	0	0	0	0%
Total Individuals	0	0	0	1	0	1	0	0	2	2	
% of Total Individuals	0%	0%	0%	50%	0%	50%	0%	0%	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%	0%	0%	0%	0%	0%	0%	0%	0%	--	--



Officer-Initiated Contacts:

10 **Individuals** searches and 1 **Vehicle** searches:

Nature of Contact	AF	AM	HF	HM	BF	BM	WF	WM	Vehicle	Total
Pat-Down	0	0	0	1	0	3	0	3	0	7
Search	0	0	0	0	0	4	0	6	1	11

9 search incident to arrest; 1 consent search; 1 probable cause

Evidence Recovered	AF	AM	HF	HM	BF	BM	WF	WM	Vehicle	Total
Firearm	0	0	0	0	0	1	0	0	0	1
Narcotics	0	0	0	0	0	0	0	0	1	1
Firearm & Narcotics	0	0	0	0	0	0	0	0	0	0
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	0	1	2
Total Individuals %	0%	0%	0%	0%	0%	100%	0%	0%	--	--



Composition of the Charlottesville Police Department

- The Charlottesville Police Department currently has 99 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	73	3	35	7	9	12	5	2		
BM	11	1	5		1	1	2		1	
AM	3	1	2							
HM	2	1	1							
Bi-Racial	1	1								
	90									
WF	7		4	2	1					
BF	1									1
AF	1		1							
HF	0									
	9									



Officer-Initiated Demographics: 13 officers involved in 15 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	0	11	13
Officers with 2+ Detentions	AF	AM	HF	HM	BF	BM	WF	WM	
	0	0	0	0	0	0	0	2	
2+ Detentions by Shift									
Daylight	0								
Evening	2								
Midnight	0								

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



Total Individuals contacted **(18)** officer initiated by **Neighborhood**

Detentions by Neighborhood	Incidents								
	Total – 15	AF - 0	AM-0	HF-0	HM-1	BF-0	BM- 7	WF- 0	WM -10
Mall-1	1	0	0	0	0	0	0	0	1
Downtown-2	1	0	0	0	0	0	0	0	1
Star Hill-3	2	0	0	0	1	0	3	0	1
Westhaven-4	1	0	0	0	0	0	0	0	1
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	1	0	0	0	0	0	0	0	1
Little High-9	1	0	0	0	0	0	0	0	1
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	2	0	0	0	0	0	1	0	1
Fifeville-13	0	0	0	0	0	0	0	0	0
JPA-14	0	0	0	0	0	0	0	0	0
The Corner-15	1	0	0	0	0	0	0	0	1
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	1	0	0	0	0	0	1	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	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	3	0	0	0	0	0	1	0	2
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	1	0	0	0	0	0	1	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 (30) non-officer initiated by Neighborhood

Detentions by Neighborhood	Incidents								
	Total – 23	AF - 0	AM- 0	HF- 0	HM - 2	BF- 5	BM- 13	WF – 3	WM – 7
Mall-1	1	0	0	0	0	1	0	0	0
Downtown-2	3	0	0	0	0	0	3	0	3
Star Hill-3	0	0	0	0	0	0	0	0	0
Westhaven-4	1	0	0	0	0	0	1	1	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	2	0	1	0	0
Garrett-11	1	0	0	0	0	0	1	0	0
Ridge St-12	0	0	0	0	0	0	0	0	0
Fifeville-13	1	0	0	0	0	1	0	0	0
JPA-14	0	0	0	0	0	0	0	0	0
The Corner-15	1	0	0	0	0	0	0	0	1
Venable-16	2	0	0	0	0	0	2	0	0
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	2	0	0	0	0	0	1	0	1
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	1	0	0	0	0	1	1	0	0
BRSC Area-25	0	0	0	0	0	0	0	0	0
BRSC-26	1	0	0	0	0	0	0	1	0
Blue Ridge-27	0	0	0	0	0	0	0	0	0
CHS-28	2	0	0	0	0	0	1	0	1
Greenbrier-29	0	0	0	0	0	0	0	0	0
29 North-30	2	0	0	0	0	2	0	0	0
The Meadows-31	1	0	0	0	0	0	0	1	1
5th Street-32	1	0	0	0	0	0	2	0	0
Longwood-33	0	0	0	0	0	0	0	0	0

