



2019

INTERNAL AFFAIRS

REPORT

Office of Professional Standards

City of Charleston Police Department
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OFFICE OF PROFESSIONAL STANDARDS



The Office of Internal Affairs is responsible for ensuring that the Charleston Police Department is operating within the boundaries and established guidelines of public trust and confidence. The department is committed to providing the highest standards of integrity and our administrative process plays an integral role in building and maintaining that public trust.

One of the functions of the Office of Internal Affairs includes the investigation, management, and review of complaints and allegations of misconduct against department personnel, both civilian and sworn.

The police department's image and reputation depend on the personal integrity and discipline of all departmental employees. To a large degree, the public image of the department is determined by a professional response to allegations of misconduct against its employees.

The Office of Internal Affairs also manages the reporting of all "Response to Resistance/Aggression", employee-involved vehicle collisions, and all vehicle pursuits. In addition, the Professional Standards Office oversees the Early Intervention System.

TABLE OF CONTENTS

	Page #
1. Mission.....	<u>4</u>
2. Core Values and Overview.....	<u>5</u>
3. Findings at a Glance.....	<u>6</u>
4. Use of Force Policy.....	<u>7</u>
5. Transparency & Accountability.....	<u>9</u>
a. Independent Investigations.....	<u>9</u>
b. Tracking and Monitoring Use of Force Incidents.....	<u>9</u>
c. Charleston Police Data Initiative (PDI).....	<u>9</u>
d. Body-Worn Camera (BWC) Program.....	<u>10</u>
6. Training & Geographical Overview.....	<u>11</u>
7. Use of Force Data.....	<u>12</u>
a. 2019 Use of Force Incidents.....	<u>12</u>
b. Weapons Used by Officers.....	<u>13</u>
c. 2019 Demographics in Use of Force Incidents.....	<u>14</u>
8. Internal Affairs.....	<u>15</u>
a. Making a Complaint	<u>19</u>
b. Investigations and Types of Dispositions.....	<u>20</u>
c. Discipline Procedures and Types of Discipline	<u>21</u>
d. 2019 Complaints and Dispositions.....	<u>22</u>
e. Supervisor Complaint Intakes.....	<u>23</u>
9. Vehicle Pursuits and Collisions	<u>27</u>
10. Appendix A	<u>30</u>

MISSION

It is the mission of the Charleston Police Department to serve all people within our jurisdiction with respect, fairness, and compassion.

Our mission will be accomplished by being committed to:

- The protection of life and property;
- The preservation of peace, order and safety;
- The vigorous enforcement of local, state and federal laws;
- The defense of the Constitution of the State of South Carolina and the Constitution of the United States of America, in a fair and impartial manner;
- Enhancing the quality of life and to nurture public trust by holding ourselves to the highest standards of performance and ethics;
- Serving as a deterrent to crime by developing relationships with community groups, and residential and business organizations;
- Promoting an environment receptive to tourism, visitors, and residents and to support historic preservation in our city; and
- Providing service of the highest quality to its community and fostering community partnerships in crime prevention.

CORE VALUES & OVERVIEW

H.E.A.R.T:

- **HONOR** – We serve with honor through our actions, conduct, and job performance. Performed with integrity, even at personal cost, we constantly strive towards ever-rising standards.
- **EXCELLENCE** – We seek excellence in all that we do and strive for continuous improvement. Our employees are encouraged to be innovative and creative.
- **ACCOUNTABILITY** – We are an organization of employees who do the right thing and are responsible for what we do and say.
- **RESPECT** – We value all citizens, each other and different points of view, regardless of race, gender, appearance, individual beliefs, or lifestyles.
- **TEAMWORK** – We support an environment that recognizes mutual cooperation and group accomplishments while encouraging individual contributions.

Charleston Police Department Overview

The police department currently employs 458 sworn police officers, 117 civilians and several reserve police officers. Providing a high level of public service is the police department's mission.

The department, headed by Chief Luther T. Reynolds, has many resources and specialized personnel at its disposal.

The Charleston Police Department was the first municipal law enforcement agency in South Carolina to be accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA).

FINDINGS AT A GLANCE

	2018	2019	Change
Calls for service (Self-Initiated Not Included)	127,343	128, 183	+840
Internal Investigations	41	55	+14
Supervisor Complaint Intakes	N/A	150	N/A
Use of Force Incidents Reported	259	303	+44
Arrests	5,306	4,647	-659
Est. Public Interactions (See Appendix A)	295,576	258,386	-37,190
Homicides	12	11	-1
Firearms Taken into Evidence	470	403	-67
Confirmed Shootings	62	85	+23
Collisions Involving CPD Vehicles	142	157	+15
Vehicle Pursuits	3	4	+1

USE OF FORCE POLICY

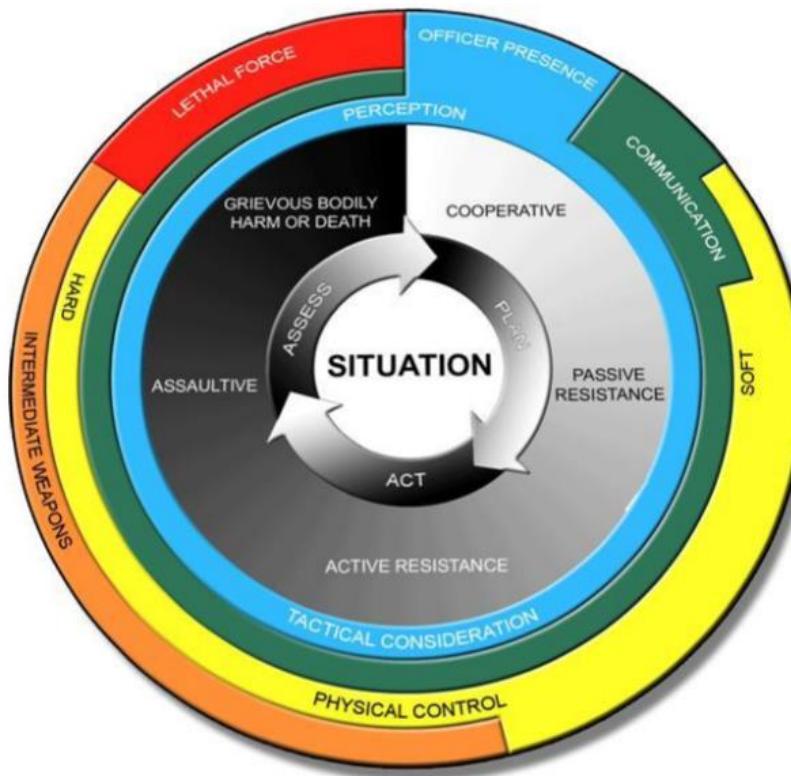


Figure 1: Response to Resistance/Aggression Decision Model. Data Sources: CPD

In a complex urban society, officers are confronted daily with situations where they must respond to resistance or aggression in order to gain the control necessary to affect arrests and to ensure public safety.

The Charleston Police Department (CPD) continually reviews policies and procedures to ensure compliance with changes to state and federal laws and provide officers with guidance based on best practices in policing. As a result, the department's Response to Resistance Policy was revised in 2017 and the Less-Lethal and Lethal Weapons policy was updated in 2020. The policy affirms that force is to be regarded as an unusual procedure and an absolute last resort in police operations.

USE OF FORCE POLICY

RESPONSE TO RESISTANCE OVERVIEW:

- Establishes that officers will only use the minimum amount of force necessary to accomplish lawful objectives.
- Establishes responsibility to render medical aid.
- Establishes a **duty to intervene** to prevent any officer present from using force that is clearly beyond that which is objectively reasonable under the circumstances.
- Establishes that officers may use deadly force only when the officer has a reasonable belief that his/her life or that of another is in immediate danger of death or serious bodily injury.
- When a CPD employee exercises any response to resistance and/or aggression or applies any means of force as dictated in the policy, a “Response to Resistance/Aggression Report” will be submitted through the officer’s chain of command before the end of the employee’s shift.

Police officers are authorized to use less-than-lethal techniques and/or weapons to protect themselves or others from physical harm, restrain or subdue a resistant individual, and bring an unlawful situation safely and effectively under control. In these situations, police officers will evaluate the totality of the circumstances in order to determine which approved weaponless control techniques and/or less-than-lethal weapons may most effectively deescalate the incident and bring the situation under control in a safe manner.

TRANSPARENCY & ACCOUNTABILITY

Independent Investigations

If an officer uses deadly force, SLED investigates the incident and presents the completed investigation to the Solicitor's Office. The Solicitor determines whether the use of deadly force was lawful or if the officer should be criminally charged. An internal affairs investigation is also conducted to determine if department policies were violated by the officer.

Tracking and Monitoring Use of Force Incidents

The department has procured IAPro, a software program, that improves IA's ability to track Use of Force incidents and officer involved shootings. This software will also support an early intervention system, allowing command staff to identify, address and prevent problematic behavior before it escalates to a matter for Internal Affairs.

Charleston Police Data Initiative (PDI)

As a participant in the White House Police Data Initiative (PDI), created under President Obama, the City of Charleston and the Charleston Police Department are committed to making policing activity data available to the public. The City of Charleston Police Department currently provides raw data on arrests, field contacts, electronic citations, hate bias incidents and calls for service (911), including officer initiated calls. Also accessible in this database, are weekly Compstat reports and monthly reports on officer use of force and investigations conducted as a result of citizen complaints.

TRANSPARENCY & ACCOUNTABILITY

Body-Worn Camera (BWC) Program

In 2015, the Charleston Police Department began the implementation of the body worn camera (BWC) program. The availability of BWC's enhances documentation of police-public contacts, arrests and critical incidents, improves public trust, and advances the departmental goal of transparency.

The BWC's are not only utilized by all uniformed officers but by all transport officers, animal control officers, and plainclothes officers who have a reasonable expectation that they will interact with the public. CPD's body-worn camera policy requires officers to wear BWCs while on duty and performing any uniformed law enforcement function, as well as any off-duty assignment.

BWCs are activated upon arrival at the location and remain on until the call is cleared. Officers have some discretion, in certain circumstances, where it is permissible to stop recording prior to clearing the call.

Supervisors will view all BWC footage that is related to a "Response to Resistance/Aggression" report. Furthermore, CPD requires supervisors and commanders to randomly select and review body worn camera videos monthly to ensure that policies and procedures are being adhered to and to address any identified training issues.

BWC video/audio files are maintained by the department as determined by the retention policy. All complaints are thoroughly investigated and the BWC has proven to be a very useful tool in resolving complaints.

TRAINING & GEOGRAPHICAL OVERVIEW

Training

All officers are required to attend training, demonstrate proficiency with all approved lethal and/or less-than-lethal weapons, and review the department's Response to Resistance policy at least once every year. Officers also receive training on a regular basis on techniques to reduce use of force incidents, such as conflict resolution, cultural diversity, de-escalation, responding to people with mental disabilities, and community policing.

In order to be authorized to carry lethal and/or less-than-lethal weapons, police officers must:

- Receive and sign a copy of the department's Response to Resistance Policy;
- Receive instruction on the Response to Resistance Policy;
- Pass the written Response to Resistance test; and
- Demonstrate proficiency in the use of all authorized weapons.

Geographical Overview

The City of Charleston is divided into five geographical teams. Team One and Team Two serve the peninsula of Charleston. The dividing line for Team One and Team Two is Calhoun Street. Specifically, everything north of Calhoun Street is in Team One and Team Two covers the area south of Calhoun Street. Both of which are situated between the Cooper and Ashley Rivers. Team Three encompasses James and Johns Island and Team Four encompasses the area known as West Ashley. Team Five encompasses the Daniel Island area.

USE OF FORCE DATA

2019 USE OF FORCE INCIDENTS

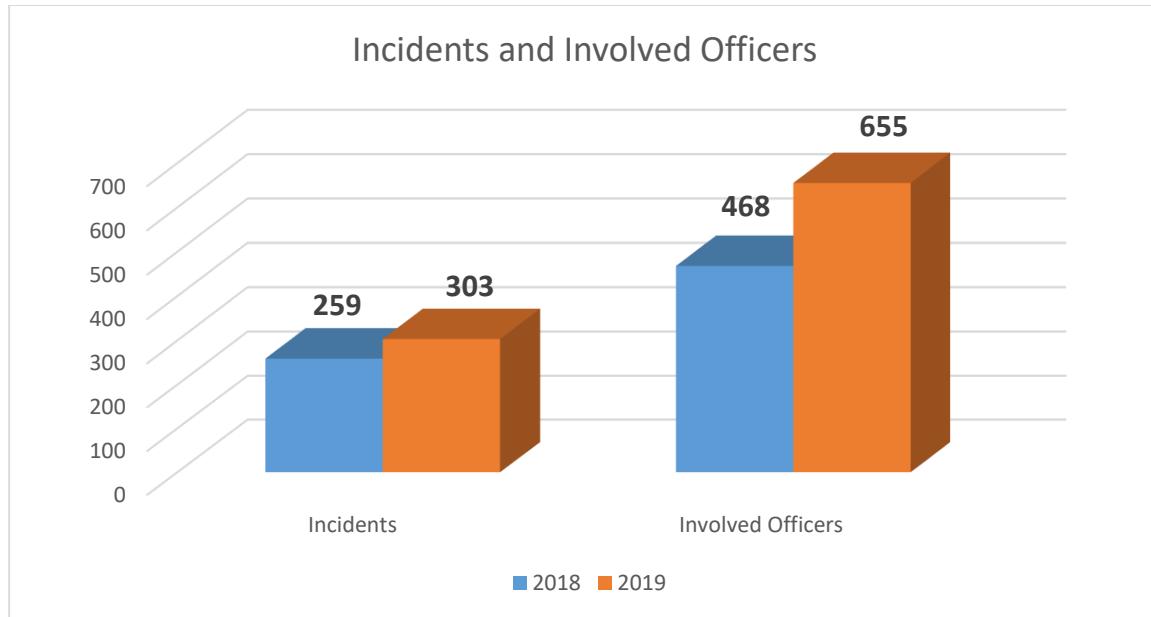


Figure 2: Number of times a use of force was reported and the number of involved officers. **Data Source:** CPD, IA PRO

During 2019, there were 303 incidents resulting in a reported response to resistance/aggression, with a total of 655 officers involved in the 303 incidents. There was a slight increase (16%) in reported use of force incidents from 2018 to 2019. The number of use of force incidents in 2019 represents approximately .11 % of the public encounters with officers and approximately 6.5% of arrests.

The number of officers involved in the 2019 use of force incidents also increased by 40%. The large increase in involved officers is due to a change made in how the officers are completing their response to resistance/aggression reports. In years past when there were multiple officers involved in a use of force, the primary officer would submit the use of force and the secondary officers would complete a memorandum that would be attached to the primary officer's report. To collect more accurate data, officers are now required to complete their own use of force report even when they use force in a support effort to the primary officer. (Example: An officer attempting to arrest a suspect gets involved in a physical altercation with the suspect and uses an intermediate or less lethal weapon. Two additional officers respond to assist and help the primary officer restrain the suspect. All three officers are required to complete a separate use of force report justifying their actions.)

USE OF FORCE DATA

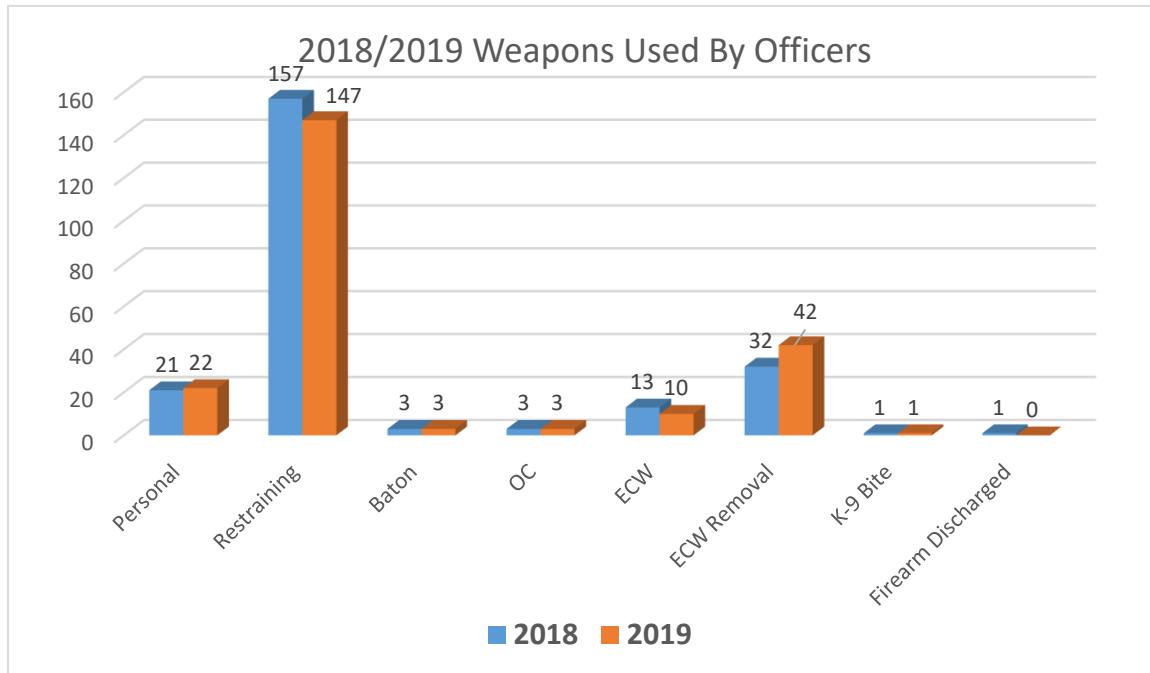


Figure 3: Weapons used by Officers during Use of force incidents.

Any single use of force incident may have included the use of multiple weapons or types of force used by one or more officers, which is why the number of weapons used is greater than the number of incidents.

Officers must report when empty hand control (i.e. Bringing a non-compliant suspect to the ground, escorting a disorderly citizen out of a business or to a police cruiser, etc.) is used to gain compliance. 245 Officers reported the use of empty hand control in 2019.

Officers must also report to their chain of command when their firearm or ECW (Taser) is removed in the view of public and/or when their firearm is displayed to gain compliance. Throughout the year of 2019, the number of officers that displayed/pointed their firearms was 281 and the removal of the ECW was 42.

The removal of a firearm and/or ECW is used in a multitude of scenarios to include; high risk traffic stops; building clearances; suicidal subjects; and responses to “in progress” felony calls, etc. The frequent occurrences of these types of responses allow officers to de-escalate incidents by the necessary display of the weapon, thereby, being able to gain compliance, or with the good use of verbal skills. The removal of a firearm was the most common type of force reported, followed by empty hand control, and thirdly, by restraining.

USE OF FORCE DATA

In 2019, 655 officers reported using force during a total of 303 incidents. Only 16 times were intermediate or less than lethal weapons actually used during these incidents. The use of the ECW in 2019 decreased by approximately 23% from the previous year.

Type of Service Being Rendered	2018	2019
Code Enforcement	1	1
Collision Inv.	2	9
Dispatched to Call	118	230
On-View Offense	73	82
Foot Pursuit	36	20
Traffic Enforcement	28	35
Warrant Service	10	22
Patrolling / Driving	43	23
Field Contact	1	10
Follow Up Investigation	16	12
Walk and Talk	4	1
Transporting	10	3

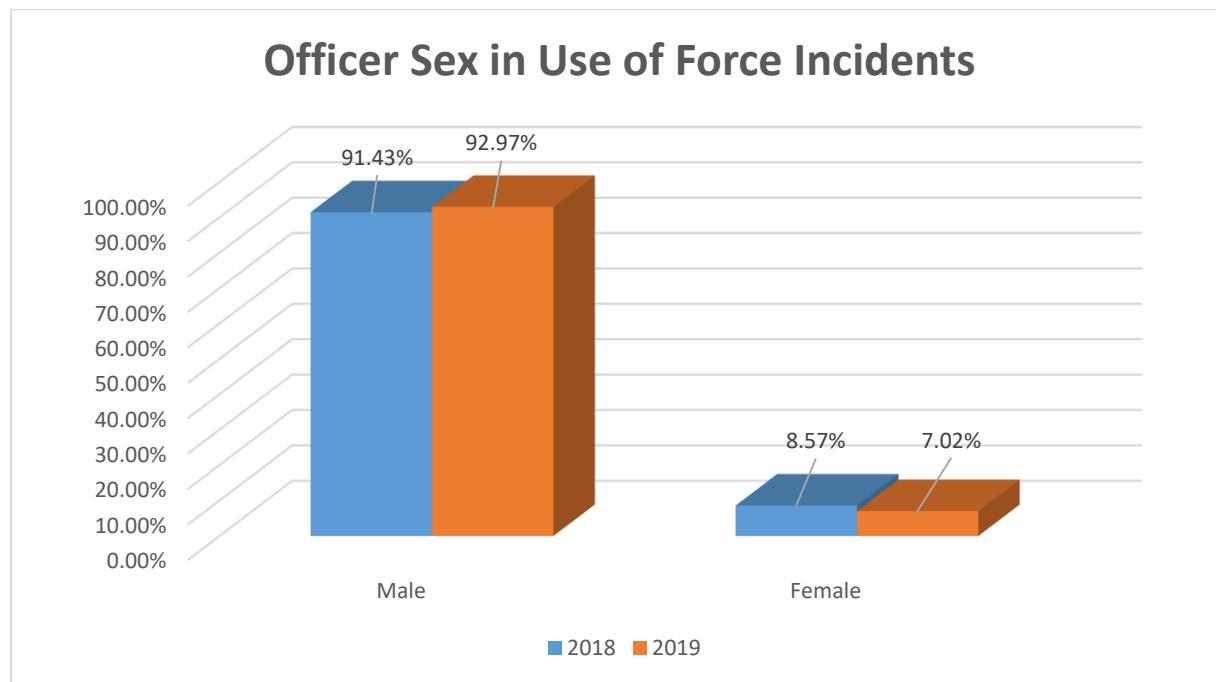
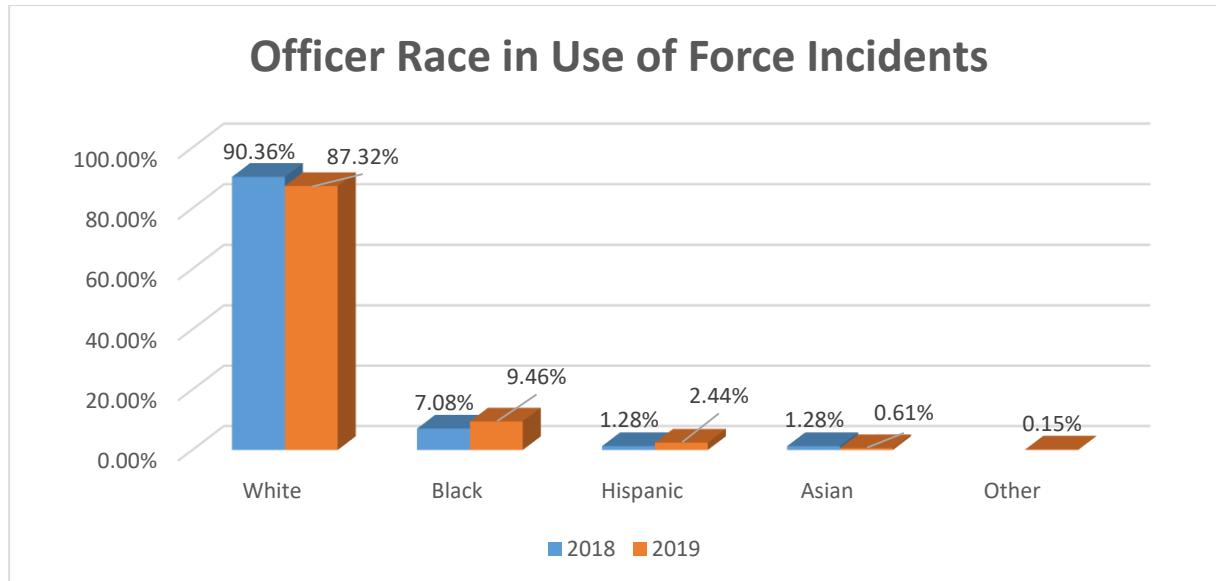
The most common type of police/citizen contact in 2019 were officers being dispatched to a call for service. The second most frequent type of contact, were offenses occurring in the presence of an officer. Calls for service and offenses occurring in the presence of an officer were also the top two in 2018.

2019 Demographics in Use of Force Incidents

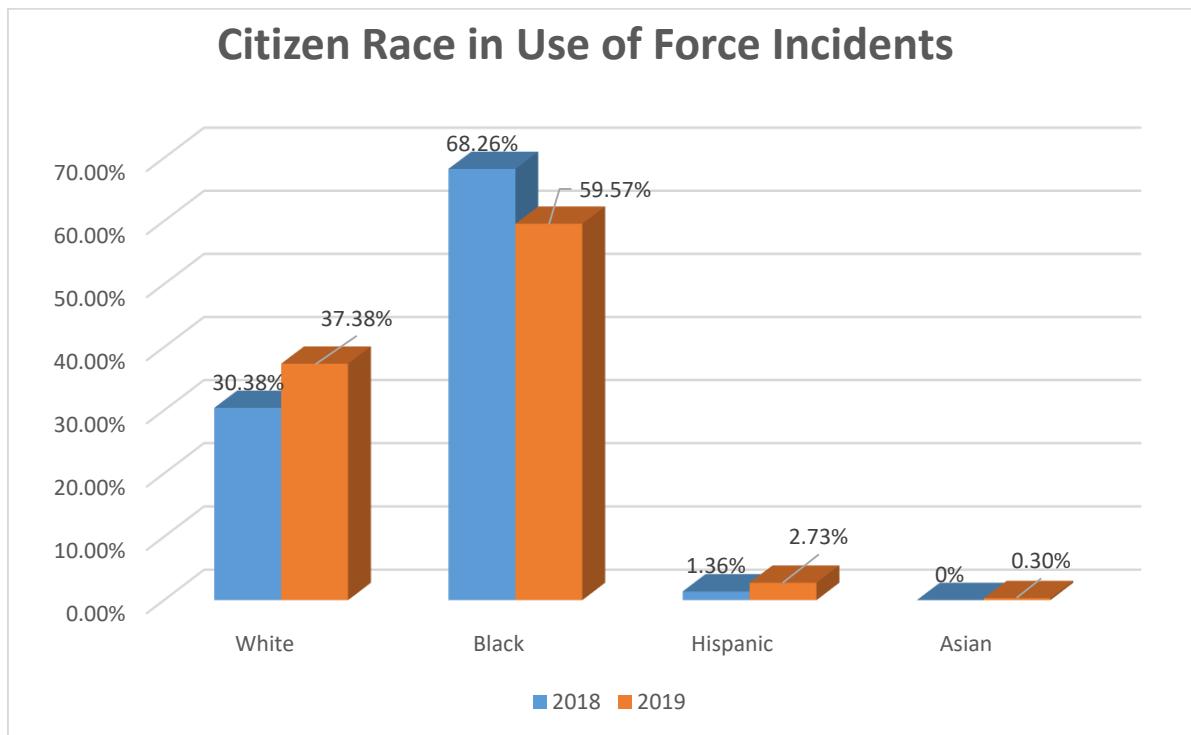
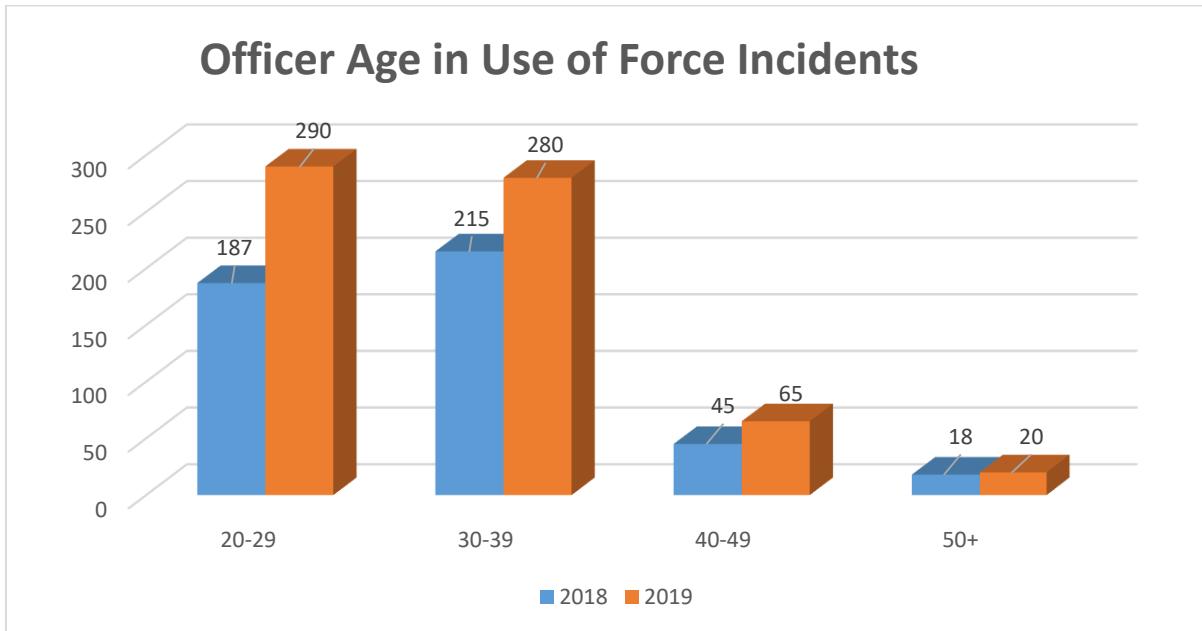
It's important to point out that it's not uncommon for one single response to a resistance/aggression incident to involve more than one citizen or more than one officer. For example, one incident can involve a single citizen, but involve several officers, which might be the case in a High-Risk Car Stop. Conversely, a single response to a resistance/aggression incident can involve several citizens and one officer, which might be the case in a large physical disturbance.

The demographic information with regard to the age, race, and gender for the officers in these incidents for both years is depicted in the following charts:

USE OF FORCE DATA

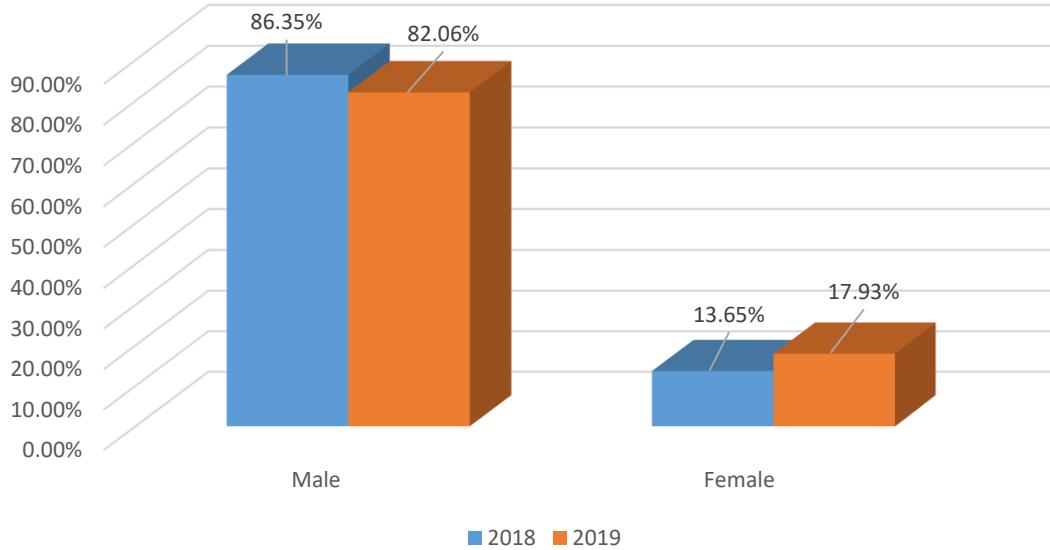


USE OF FORCE DATA



USE OF FORCE DATA

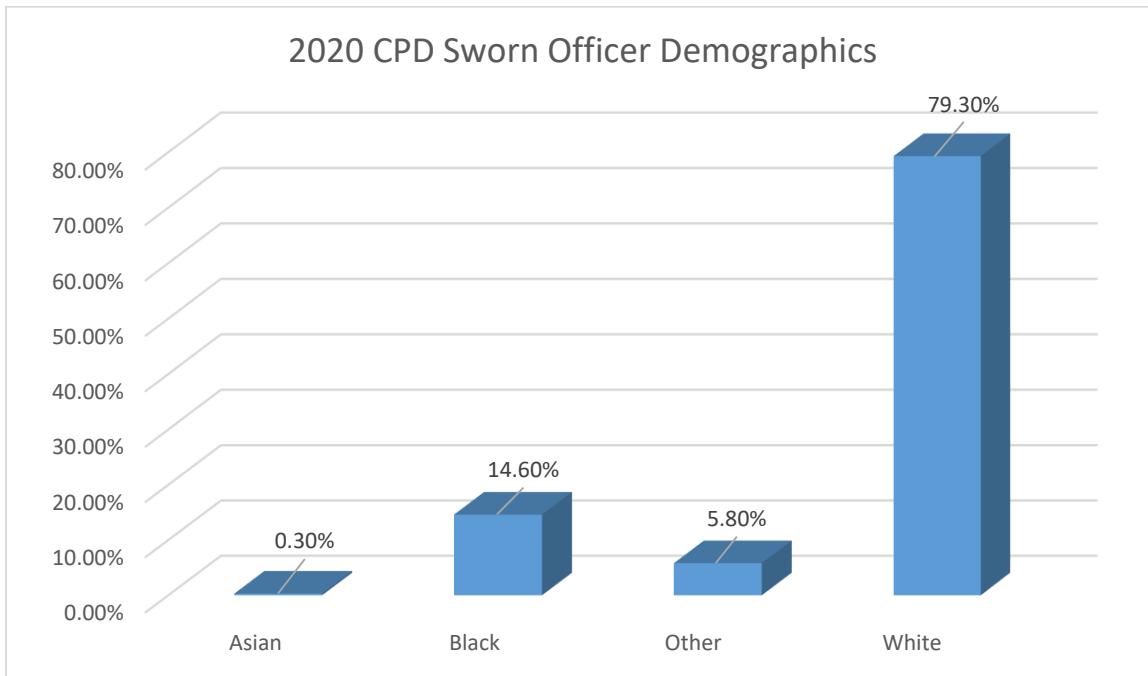
Citizen Sex in Use of Force Incidents



The analysis of the officer and citizen demographics did not yield any significant concerns regarding the response to resistance/aggression actions administered by CPD personnel during citizen encounters in 2019. The length of service time for the majority (approximately 65%) of the involved officers is 5 years or less. This was the case in 2018 as well.

USE OF FORCE DATA

The below chart and tables shows a breakdown of the Sworn Officer Demographics which includes race, sex, and age. Currently there are 397 Sworn Officers employed with the Charleston Police Department.



2020 City of Charleston Police Department Sworn Officer Demographics

	21- 29	30- 39	40- 49	50+ Total
Asian	1	-	-	-
M	1	-	-	-
Black	14	18	15	11
F	4	4	7	-
M	10	14	8	11
Other	6	10	4	2
F	2	2	1	-
M	5	8	3	2
White	82	146	55	32
F	17	20	5	3
M	65	126	50	29
Total	104	174	74	45
				397

	Male		Female		Total
	#	%	#	%	
Asian	1	0.3%	0	0.0%	1 0.3%
Black	43	10.8%	15	3.8%	58 14.6%
Other	18	4.5%	5	1.3%	23 5.8%
White	270	68.0%	45	11.3%	315 79.3%
Total	332	83.6%	65	16.4%	397

Source: RMS Database. Excluded individuals without DOB or with an End Term Date

INTERNAL AFFAIRS

Internal Affairs Unit

The department has a well-established process for receiving, investigating, and adjudicating complaints made by citizens, co-workers and supervisors regarding allegations of employees' misconduct.

It is the mission of the Office of Internal Affairs (OIA), within the Professional Standards Division, to ensure public confidence in the department through objective and thorough investigations of all allegations of employee offenses. It is the policy of the Charleston Police Department to accept and appropriately investigate all complaints, including anonymous complaints, against department employees, both internally and externally, to equitably determine the validity of any allegation.

OIA currently has a staff of one lieutenant and two sergeants, and the members of the OIA report to the Captain of Professional Standards, who in turn, reports directly to the Chief of Police.

Making a Complaint

Complaints against CPD Employees can originate externally (from a citizen) or internally (from an employee of CPD). A complaint can be submitted in a variety of ways:

- **Online** –fill out the Officer Comment Card at <http://www.charleston-sc.gov/FormCenter/Police-3/Officer-Comment-Card-48> or email the Office of Internal Affairs at InternalAffairs@charleston-sc.gov;
- **In Person** – file a written complaint at CPD headquarters or any team office;
- **Mail** – Send a letter to:
Charleston Police Department
Professional Standards Office
180 Lockwood Boulevard
Charleston, SC 29403; and/or
- **Phone** – Call the OIA at 843-720-2447.

INTERNAL AFFAIRS

Investigations

A complaint is defined as an expression of discontent, dissatisfaction or accusation made in a written or verbal form that alleges illegal activity, misconduct, or a violation of rules or regulations of the police department or of the City of Charleston.

A complaint is assigned to either the chain of command of the involved employee, or to an investigator in the OIA. The nature of the complaint determines the investigating entity; however, all cases are centrally recorded, tracked and managed by the OIA within the Professional Standards Office, to ensure timely completion and consistency.

While all allegations of misconduct are considered important to the department, the Office of Internal Affairs investigates allegations of misconduct that generally carry more serious consequences for the employee, the department, or community confidence in the police; while supervisors investigate those with less serious consequences. For example, OIA would investigate complaints of excessive force or unbecoming conduct, while an employee's unit supervisor would investigate allegations of rudeness.

Types of Dispositions

Complaint dispositions are classified as one of the following:

- **Not Sustained** – There is INSUFFICIENT evidence to prove or disprove the allegation;
- **Sustained** – There is SUFFICIENT evidence to prove the allegation;
- **Exonerated** - Incident occurred, but the employee's actions were proper;
- **Unfounded** - Allegation is proven to be false; and
- **Policy Review** – Employees' actions were within policy, but the consequences of the policy need to be addressed with the employee. If a finding indicates a review of the policy with the employee is necessary, then the employee should be exonerated. A policy may need to be reviewed and updated as well.

INTERNAL AFFAIRS

Once an investigation is complete, the complainant will be notified of the disposition. In matters where a violation was deemed sustained, the complainant will be notified that appropriate action has been taken by the department. Information regarding any related discipline will not be provided due to Human Resource privacy rules.

Discipline Procedures

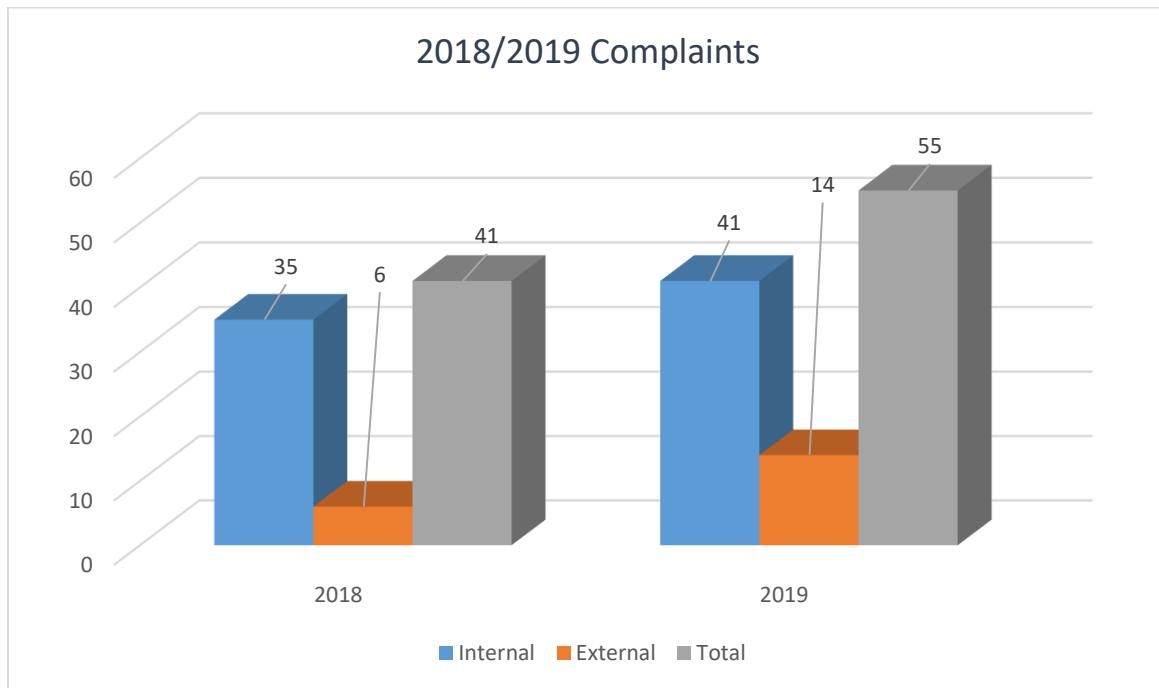
During the review for corrective action, all information associated with the investigation must be reviewed by the employee's chain of command. The Captain/Manager dispensing corrective or disciplinary actions for sustained allegations will review the employee's discipline history and consult the discipline matrix. This will maintain consistency with the amount and type of discipline that the employees receive. The action to be taken will be determined by the disciplinary matrix. It will be commensurate with the circumstances surrounding the incident, while considering the employee's service record and any prior sustained complaints. Corrective action and disciplinary action should serve to encourage the employee to perform at an acceptable level in the future

Types of Discipline

- Mediation
- Verbal or Written Counseling
- Employee Assistance Program
- Re-training
- Written Reprimand
- Suspension
- Demotion
- Termination

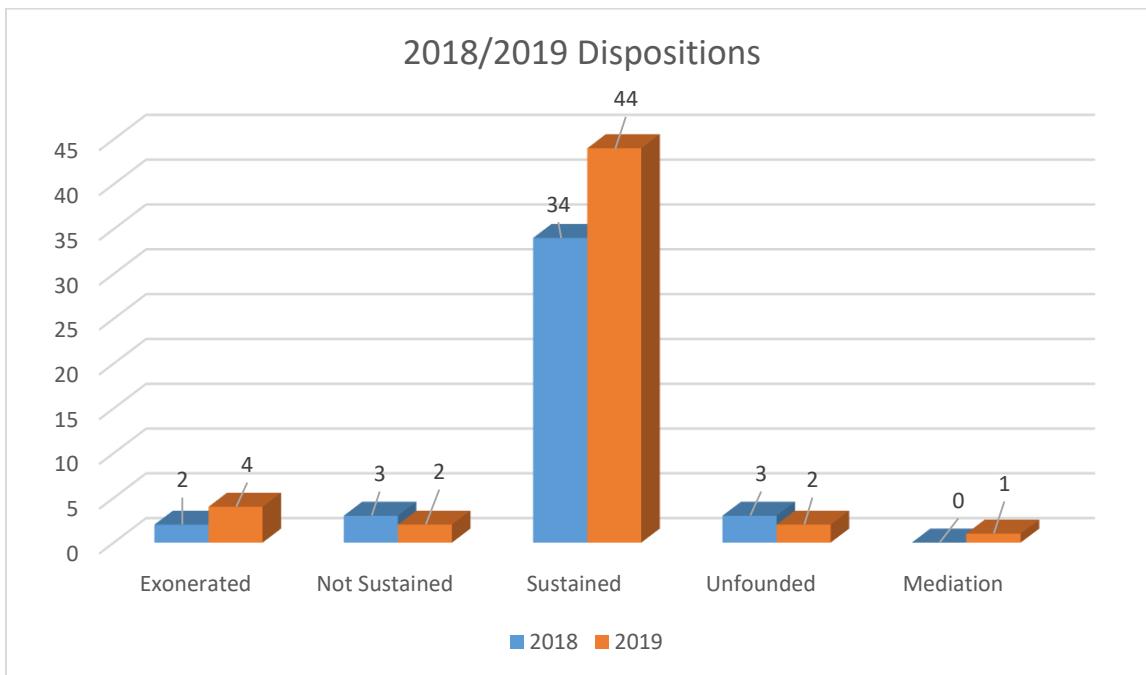
INTERNAL AFFAIRS

2019 Complaints and Dispositions



The Office of Internal Affairs documented, managed, or handled 55 investigations throughout the calendar year of 2019. This is a slight increase of 34% from the previous year of 2018, during which the Office of Internal Affairs managed 41 investigations. It should be noted that complaints may contain multiple allegations and multiple officers.

INTERNAL AFFAIRS



NOTE: Two of the investigations from 2019 are not completed; therefore are not reflected in the above chart.

While specific disciplinary actions taken against an employee as a result of an investigation cannot usually be disclosed to the complainant or to the public, we want to assure the public that action is indeed taken when it is found that an officer was not acting in accordance with all the governing rules, procedures, and laws. The following disciplinary actions were taken as a result of the sustained complaints in 2019:

INTERNAL AFFAIRS

Sustained Allegations - 2019	
Actions Taken	Number
Counseling	6
Verbal Reprimand	1
Written Reprimand	29
EAP	1
Initiated after end of Employment	2
Off-Duty Privileges Revoked	2
Take-Home Privileges Revoked	4
Policy Review	1
Remedial Training	5
Resigned	3
Resigned While Under Investigation	5
Restitution	1
Suspension	24
Demotion	2
Dismissal	6
Mediation Process	2
TOTAL	94

For the 44 sustained allegations from investigations in 2019, there were a total of 94 actions taken. It's important to note that for some of the allegations, more than one action was taken. For example, an officer may have received a written reprimand and remedial training for one allegation. And, there may be circumstances when an officer may have had three sustained allegations, but only one action was taken to cover all three allegations.

INTERNAL AFFAIRS

Supervisor Complaint Intakes

Supervisor Complaint Intakes (SCI's) were created in the beginning of 2019. A SCI is an entry in BlueTeam designed to document complaints taken by supervisors or the OIA to address and document any concern or questions about a possible policy violation, the procedure used, or action taken by any employee of the department. Supervisory Complaint Intakes will be documented in IAPro. This module was created to establish a method for complaints to be fielded at any time and documented in CPD's internal system.

Should a supervisor develop or receive information that a department employee is suspected of a Class "A" Offense, that supervisor will report the violation to their Chain of Command and in turn, the OIA will be notified. It will be the responsibility of the OIA to record all Class "A" complaints in IAPro as an Investigation.

Any supervisor receiving a Class "B" Offense complaint will complete a BlueTeam "Supervisory Complaint Intake" and forward it through the employee's chain of command. If the supervisor is able to handle the complaint at the time it was reported, it will be noted in the intake along with how the complaint was resolved and their findings. If the complaint cannot be resolved, or if the supervisor requests the complaint be opened as an investigation, the OIA will generate an Investigation.

INTERNAL AFFAIRS

In 2019, 150 complaints were generated and logged into the system as a Supervisor Complaint Intake. Below is a summary of the manner in which the complaints were resolved:

Disposition	Number
Exonerated	51
Unfounded	43
Not Sustained	8
Sustained	37
Referred for Investigation	11
Total	150

37 SCIs resulted in the complaint being sustained against the accused officer(s). The actions taken in these cases were either verbal counseling/reprimand or an employee feedback form. 11 SCIs were referred to an Investigation, which was conducted by the OIA or the employee's chain of command. Actions taken in these cases ranged from Exonerated, Suspended, Employee Assistance Program, Written Reprimand, and/or Take Home Vehicle Privileges Suspended. An employee's discipline history can be a factor when determining if a SCI needs to be referred to an investigation (Example: A citizen files a complaint about an officer speeding. If this specific officer has had a prior sustained SCI pertaining to driving issues, then a referral to an investigation is warranted).

VEHICLE PURSUITS & COLLISIONS

Vehicle Pursuits – Policy and Practice

Vehicular pursuit of fleeing suspects presents a danger to the lives of the public, officers, and suspects involved in the pursuit. The primary goal of the department is the protection of life and property. It is the policy of this department to protect all persons' lives to the extent possible when enforcing the law. To effect these obligations, it will be the policy of the department to strictly regulate the manner in which a vehicular pursuit is undertaken and performed. Officers involved in pursuits are permitted to exceed the speed limit and travel through traffic control devices, BUT ONLY WITH DUE REGARD FOR THE SAFETY OF OTHER PERSONS.

Officers must understand the laws of the State of South Carolina and any questions that arise must be immediately directed to a supervisor. Officers are reminded that in the security of their patrol cars, they may not naturally focus on the risks that their driving and the driving of the offender's car create, but such attention is critical. In addition, it is the responsibility of the department to assist officers in the safe performance of their duties. Officers are required to attend an Emergency Vehicle Operations course each year.

	2018	2019
CPD Pursuits		
Total Pursuits	3	4
Officers involved	7	9
Terminated by Supervisor	0	0
Terminated by Officer	1	1
Terminated by Suspect Action	2	3
Policy Compliant	3	3
Policy Non-compliant	0	1
Injuries:		
Officer	0	0
Suspect(s)	1	2
Third Party	0	0
Reason Initiated:		
Traffic Offense	0	0
Criminal Offense	3	4

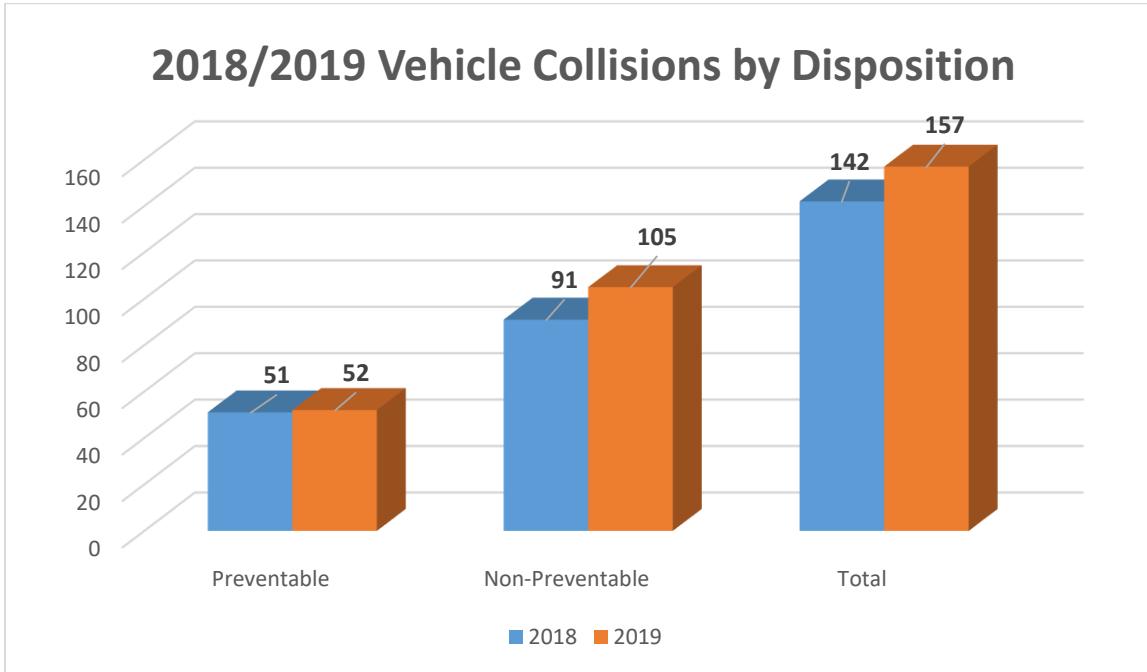
VEHICLE PURSUITS & COLLISIONS

Offenses Initiating a Pursuit	2019
Assault w/ Deadly Weapon	2
Larceny of a Vehicle	1
Robbery – Armed	1
Total Pursuits	4

The number of vehicle pursuits in 2019 was consistent with the prior year and the analysis did not yield any anomalies. There was one pursuit that was deemed to be not within CPD policy, which resulted in an internal investigation into the incident and discipline for the involved officer.

VEHICLE PURSUITS & COLLISIONS

Employee Motor Vehicle Collisions



Although the number of total accidents increased by approximately 10%, the number of accidents that were deemed preventable was about the same as the prior year. Furthermore, approximately 67% of the accidents in the year of 2019 were determined to be non-preventable, suggesting that the accident/collision was not the involved officers' fault.

APPENDIX A

2019 CPD Citizen Encounters

Source: OSSi RMS, TriTech CAD

Prepared by CIU (1950) on January 14, 2020

	Q1	Q2	Q3	Q4	Total YTD
Calls to CCCD	29,485	33,382	34,156	31,160	128,183
Self-Initiated	32,469	27,490	33,438	32,580	125,977
Investigations	902	1,062	1,050	852	3,866
Est. Interactions	63,216	61,934	68,644	64,592	258,386
Traffic Stops	6,724	4,688	3,538	3,086	18,036
Field Contacts	1,107	1,225	1,252	1,183	4,767
Arrests	1,350	1,134	1,094	1,069	4,647

2018 CPD Citizen Encounters

Source: OSSi RMS, TriTech CAD

Prepared by CIU (1950) on January 8, 2019

	Q1	Q2	Q3	Q4	Total YTD
Calls to CCCD	30,122	32,547	33,419	31,255	127,343
Self-Initiated	42,231	43,585	42,259	36,191	164,266
Investigations	983	1,177	931	876	3,967
Est. Interactions	73,336	77,309	76,609	68,322	295,576
Traffic Stops	6,419	6,203	5,956	7,184	25,762
Field Contacts	1,518	1,563	1,536	1,244	5,861
Arrests	1,318	1,316	1,394	1,278	5,306