

It is my pleasure to present to you the 2014 Annual CMPD Internal Affairs Report. The men and women of the CMPD are committed to providing the exemplary service while maintaining the community's trust. Our Internal Affairs (IA) process plays an integral role in building and maintaining that trust.

Since 2003 and in an effort to be as transparent and as pro-active as possible, the Internal Affairs Bureau has created an annual report for citizens. Our hope is that this year's report will help you better understand the seriousness with which we approach citizen complaints and help build understanding about the processes we follow anytime an employee uses force, is involved in a motor vehicle accident, is injured, or is accused of misconduct. This report also will give you an overview of our 2014 activities and provide similar data from previous years for comparison.

I hope you will find the information in this report reassuring and helpful. I look forward to working with all members of our community as we work together to make Charlotte a better and safer place to live, work, play and visit.

Sincerely,

*Kerr Putney
Chief of Police*



Contents

Executive Summary.....	3
CMPD Mission Statement.....	4
CMPD Internal Affairs Bureau Mission Statement.....	4
Internal Affairs Bureau.....	5
Internal Affairs Bureau Staff.....	6
Community Oversight.....	7
Complaint Investigations.....	8
Disciplinary Action.....	14
Criminal Investigations Involving Employees.....	15
Use of Force.....	16
In-Custody Death.....	22
Police Vehicle Pursuits.....	23
Employee Motor Vehicle Collisions.....	25
Acknowledgements.....	26

Executive Summary

The Internal Affairs Unit processed 205 misconduct allegations cases for 2014. These cases involved 369 alleged violations of a rule of conduct. Thirty-One percent or 64 cases were related to the Violation of Rules directive, which is part of the 100+ directives and standard operating procedures. The majority of those 64 complaints (66%) were made by CMPD employees against other CMPD employees. In 77% of those cases, it was determined that there was sufficient evidence to show the employee's actions violated policy. This is a consistent trend with past years where the majority of all complaints are made internally; indicating employees' willingness to report errors or improper behavior to their supervisors.

Citizen calls for service to the department increased by 16,181 from last year; there were 731 more arrests and an increase in uses of force by CMPD officers in 2014 compared to 2013. The number of vehicle pursuits was nearly the same as last year, and the in the majority of the cases the pursuits were initiated for the offense of armed robbery.

There were seven deadly force incidents in 2014. One of those incidents resulted in fatal injuries to the suspect. These incidents received intense scrutiny from the Homicide Unit, Internal Affairs Bureau, Mecklenburg County District Attorney's Office, and in some cases, the North Carolina State Bureau of Investigation.

Twelve CMPD employees were criminally charged in 2014. While these incidents are a disappointment and not in keeping with CMPD's expectations, the number of employees charged is approximately one half of one percent of CMPD's workforce.

CMPD employees drove 21,031,230 miles in 2014. There were 338 collisions of which 175 were determined to have been not preventable by the employee.

Please recognize this 2014 annual report is based on data which is not static, and is subject to change following publication. While the Charlotte-Mecklenburg Police Department strives to share accurate, timely information with the community, there are factors which influence these changes. One way the Department attempts to minimize these changes, or updates, is by adjudicating 2014 case investigations prior to publishing this annual report. This is important because the annual report is based on the calendar year, and a complaint from an event in December may take several months to adjudicate, depending on the severity of the allegation and length of the investigation. In the case of an appeal, particularly related to an employee suspension or termination, the final adjudication may be overturned by the Civil Service Board, or the length of suspension may be increased or decreased. With that caveat, please use this report to help understand the yearly trends related to our internal investigations and our commitment to thoroughly investigating all citizen complaints.

CMPD Mission Statement

The Charlotte-Mecklenburg Police Department will build problem-solving partnerships with our citizens to prevent the next crime and enhance the quality of life throughout our community, always treating people with fairness and respect.

We Value:

- *Partnerships*
- *Open Communication*
- *Problem-solving*
- *People*
- *Our Employees*
- *Integrity*
- *Courtesy*
- *The Constitution of North Carolina*
- *The Constitution of the United States*

CMPD Internal Affairs Bureau Mission Statement

The Internal Affairs Bureau will preserve the public's trust and confidence in the Charlotte-Mecklenburg Police Department by conducting thorough and impartial investigations of alleged employee misconduct and using proactive measures to prevent such misconduct in order to maintain the highest standards of fairness and respect towards citizens and employees.



Internal Affairs Bureau






We are proud to be part of an organization that places a high value on integrity and public trust. The Internal Affairs Bureau is charged with ensuring the level of trust and confidence the public has in its police department is safeguarded and that our agency remains deserving of that trust. We also ensure the rights of our employees are protected and all persons involved in an inquiry are treated with dignity and respect.

The CMPD realizes that some misconduct allegations can generate significant community concern. Internal Affairs sergeants are assigned to investigate such allegations thoroughly so that commanders overseeing board hearings can make informed, unbiased decisions regarding complaint dispositions. Internal Affairs presents the information gathered during an investigation to employee commanders in what is called an Independent Chain of Command Review. While Internal Affairs remains present throughout these reviews, its staff assumes **no** active role in determining the final adjudication of any alleged violation. That responsibility is reserved for an Independent Chain of Command Board and, ultimately, the Chief of Police. Internal Affairs also represents the department and the Chief of Police when a case disposition is appealed to one of the community oversight boards.

The men and women who are assigned to the Internal Affairs Bureau take their responsibilities seriously and are dedicated to the unit's mission. The sergeants that comprise the unit's investigators apply internally for the bureau and are selected based on their investigative skills, their ability to communicate effectively with the public, and their commitment to both the department and the community we serve.

The Internal Affairs staff of eight sergeants, led by a captain and a major, is always willing to assist the public in addressing their concerns. Please feel free to contact any unit member with any questions or concerns you may have. To learn more please visit www.cmpd.org. To read more about the role of Internal Affairs, click on "[Our Organization/Office of the Chief/Internal Affairs](#)." This area of our website contains detailed information about the Charlotte-Mecklenburg Police Department Disciplinary Process, the complaint process, and an FAQ section. For a complete list of the Rules of Conduct and who may investigate a potential violation please go www.cmpd.org and click on the "[Departmental Directives](#)" link.

The Internal Affairs Bureau performs several critical functions to help the CMPD reach its goals:

-  Documents internal and external complaints
-  Investigates serious allegations of misconduct
-  Reviews investigations performed by field supervisors
-  Facilitates the adjudication of allegations
-  Prepares cases appealed to community oversight boards

The Internal Affairs Staff

Major
Sherie Pearsall

Captain
Roslyn Maglione

Sergeants
Mike Burke
Greg Coutts
Marsha Dearing
John Kitchens
Bryan Miller
LeeAnn Oehler
Mike Sloop
Miguel Santiago



Community Oversight

Police-community partnerships are critical for improving the quality of life in our community by preventing and addressing crime. These partnerships rely on public trust, which is why the CMPD welcomes community oversight and strives to be transparent in its disciplinary process. The CMPD works with three different organizations that provide oversight of issues brought to the Internal Affairs Bureau: the Community Relations Committee, the Civil Service Board, and the Citizens Review Board.

Community Relations Committee

- City of Charlotte Department, independent of CMPD
- Representatives from the Community Relations Committee perform the following:
 - Participate in hearings involving allegations of officer misconduct and shooting review boards in cases of serious injury or death to a citizen
 - Review case files prior to hearings (e.g., statements, physical evidence)
 - Question witnesses, accused employees, and Internal Affairs investigators
 - Participate in the discussion, deliberation and final adjudication of cases
 - Participate in discussions and recommendations for disciplinary action

Civil Service Board

- Community-based board consisting of 7 members (3 appointed by the mayor, 4 by City Council) who:
 - Maintain final authority over hiring, promotion, demotion, and termination decisions for all sworn police officers through the rank of major
 - Hear officer-initiated appeals of certain disciplinary actions (i.e., suspension without pay (imposed or deferred), demotions, terminations)
- Appeals of Civil Service Board decisions are limited to procedural matters and are heard in Mecklenburg County Superior Court

Citizens Review Board (CRB)

- Community-based board consisting of 11 members (3 appointed by the mayor, 5 by City Council, 3 by the City Manager) that was created in September 1997 to increase CMPD's accountability to the public
- Reviews citizen appeals of departmental decisions in internal investigations involving:
 - Unbecoming conduct
 - Excessive use of force
 - Illegal arrest, search or seizure
 - Discharge of firearms resulting in personal injury or death
- Conducts hearings for citizen appeals to review the Chief of Police's use of discretionary powers, oversees the presentation of evidence, and considers witness testimony

Complaint Investigations

The Charlotte-Mecklenburg Police Department has a responsibility to prevent unethical and improper conduct among our employees, and to give them the very best preparation to make sound, appropriate, and responsible decisions.

The CMPD has more than 100 [Directives and Standard Operating Procedures](#) that establish policies for topics ranging from Use of Force to Towing Vehicles; however, to make internal discipline matters clearer, CMPD employees have 42 [Rules of Conduct](#) that must be followed. These rules cover the broader categories of behavior and performance expectations to which we hold all employees accountable. **Note: The CMPD Office of Professional Standards Unit added two new Rules of Conduct in 2015: Arbitrary Profiling and Use of Body Worn Cameras.**

We recognize that despite our best efforts, there will be times when citizens, fellow employees or supervisors perceive an employee's behavior to be inappropriate. When this occurs, staff uses a well-established process for receiving, investigating, and adjudicating complaints.

Complaints regarding employee conduct are classified as either internal or external. Internal complaints are generated by CMPD employees. External complaints originate from someone outside of the CMPD. Most police departments require citizens to follow a more formal process than CMPD, which accepts complaints by telephone, in-person, written correspondence or e-mail. While the Internal Affairs Bureau would like to communicate effectively with complainants and assist complainants through the process, anonymous complaints are also investigated.

The Internal Affairs Bureau investigates allegations of significant concern to the community at large. Other allegations of misconduct are investigated by a supervisor in the employee's chain of command. After an investigation is complete, depending on the allegation, the complaint is either reviewed by the employee's chain of command or an Independent Chain of Command Review Board to determine a disposition. Complaint investigations completed by Internal Affairs are most often adjudicated by an Independent Chain of Command Review Board. These Boards are comprised of supervisors and command staff members from throughout the Department who do are not in the accused employee's immediate chain of command, as well as a representative from the Community Relations Committee.



The CMPD disciplinary process mandates the adjudication of complaint allegations by a supervisory chain of command. Internal Affairs Bureau personnel serve to advise the chain of command on the investigation and disciplinary process, but do not participate in determination of the final disposition. There are four outcomes to which a complaint allegation can be adjudicated based on evidence of the alleged behavior and an evaluation of the appropriateness of the employee's behavior: sustained, not sustained, exonerated, and unfounded.

Exonerated: The acts that provided the basis for the complaint or allegation occurred, but the investigation revealed that they were justified, lawful and proper.

Sustained: The investigation disclosed sufficient evidence to prove the allegation made in the complaint.

Not Sustained: The investigation failed to disclose sufficient evidence to prove or disprove the allegation made in the complaint.

Unfounded: The allegation is false. The incident never occurred or the employee was not involved in the incident, or the investigation conclusively proved that the employee's alleged act or actions never took place.

If an allegation is sustained by a Chain of Command Review Board, the Board will discuss and impose a corrective action consistent with the department's disciplinary philosophy. [Internal Affairs](#) reviews every internal investigation for consistency with the disciplinary policy and philosophy, and works with the Board to resolve any inconsistencies.

Upon disposition of a complaint allegation, Internal Affairs sends a letter to the complainant to advise them that their complaint has been thoroughly investigated and resolved. The CMPD makes every effort to investigate and adjudicate all complaint allegations within 45 days from the time a complaint is made. However, there are circumstances, including case complexity and witness availability, which prevent this goal from being achieved in every instance.

Overall Complaints in 2014. The CMPD received 205 complaints in 2014, the majority of which were internal complaints. As can be seen in **Table 1**, the number of external complaints increased by 5, while the number of internal complaints decreased by thirty-three.

Table 1. Total Complaint Events			
	2013	2014	Change
External Complaint Events	54	59	+5
Internal Complaint Events	179	146	-33
Total Complaint Events	233	205	-28

In some cases, a complaint event includes more than one officer and/or a given officer may be accused of more than one act of misconduct in the same event; therefore, it is often the case that the number of alleged rule of conduct violations is higher than the number of complaint events.

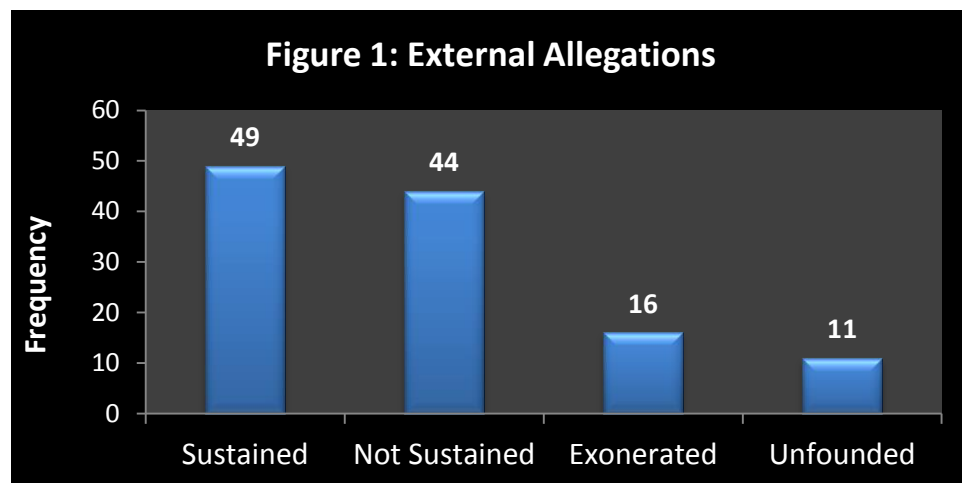
In 2014, there were 369 alleged rules of conduct violations, compared to 477 in 2013. This is a 22.6% decrease. **Table 2** identifies the rules of conduct that account for the majority of all misconduct allegations.

Table 2. Most Common Alleged Rule of Conduct Violations									
	External			Internal			Total		
	2013	2014	Change	2013	2014	Change	2013	2014	Change
Violation of Rules	12	22	+10	54	42	-12	66	64	-2
Driving	0	1	+1	26	37	+5	26	38	+12
Unbecoming Conduct	8	12	+4	34	24	-10	42	36	-6
Courtesy	23	26	+3	8	8	0	31	34	+3
Neglect of Duty	10	11	+1	41	19	-22	51	30	-21
Use of Force	18	16	-2	14	12	-2	32	28	-4
Arrest, Search and	13	16	-3	8	7	-1	21	23	+2
Conformance to Laws	3	2	-1	26	18	-8	29	20	-9
Employment Outside CMPD	1	2	+1	14	17	+3	15	19	+2
Departmental Reports/Records	0	4	+4	17	11	-6	17	15	-2



- Internal: Of all allegations – 73% were sustained in 2014
- Internal and External: Neglect of Duty – 74% were sustained in 2014
- Internal: Use of Force – 43% were sustained in 2014
- Internal: Arrest, Search, and Seizure – 33% were sustained in 2014

2014 Investigation Decisions (Figure 1). Following investigations, only 41% of external allegations were sustained. In Figure 2, a much higher percentage (**90%**) of internal allegations was sustained. It is possible that officers have a better understanding of what constitutes appropriate behavior in certain circumstances than do the public; therefore, officers may only be submitting complaints when they are certain misconduct has occurred whereas the public may not have the benefit of this knowledge prior to submitting an allegation. This pattern is consistent with those observed in previous years.



For the majority of external allegations of misconduct (**59%**), employee behavior was determined to be appropriate or there was insufficient evidence to suggest otherwise.

90% of complaints made against employees by other employees were sustained.

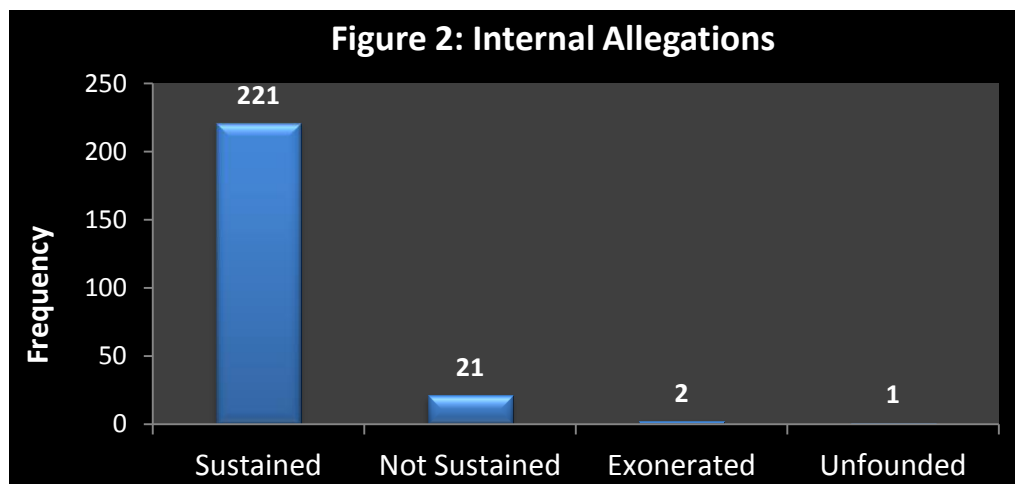
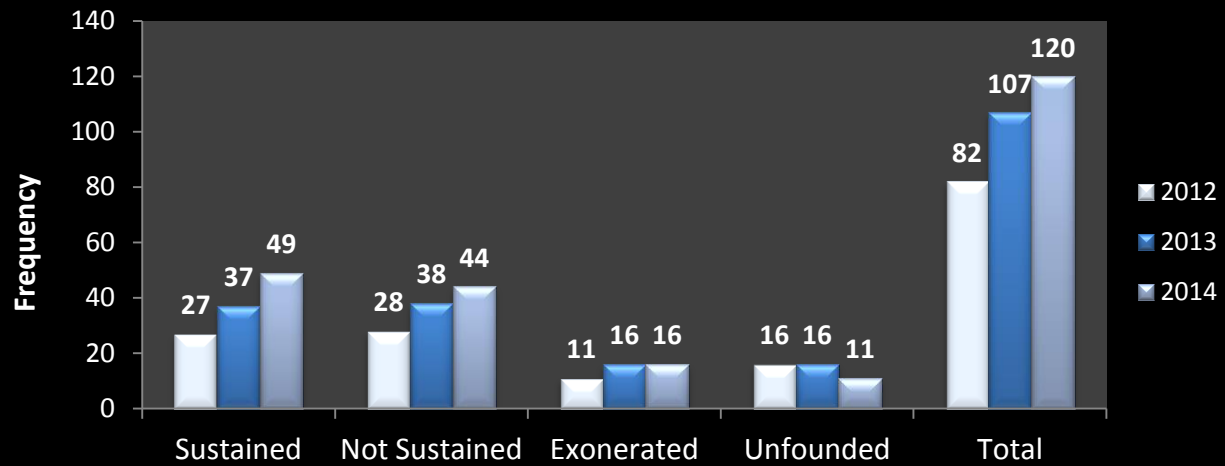
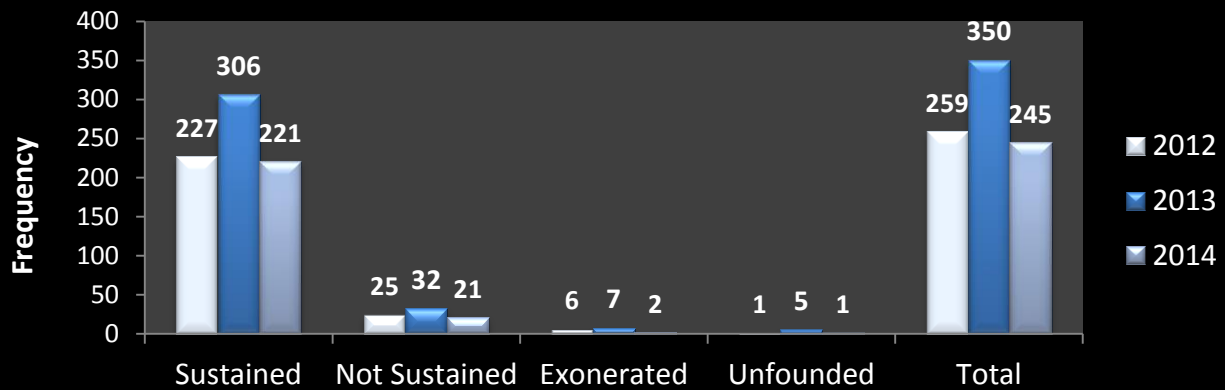


Figure 3: External Allegations



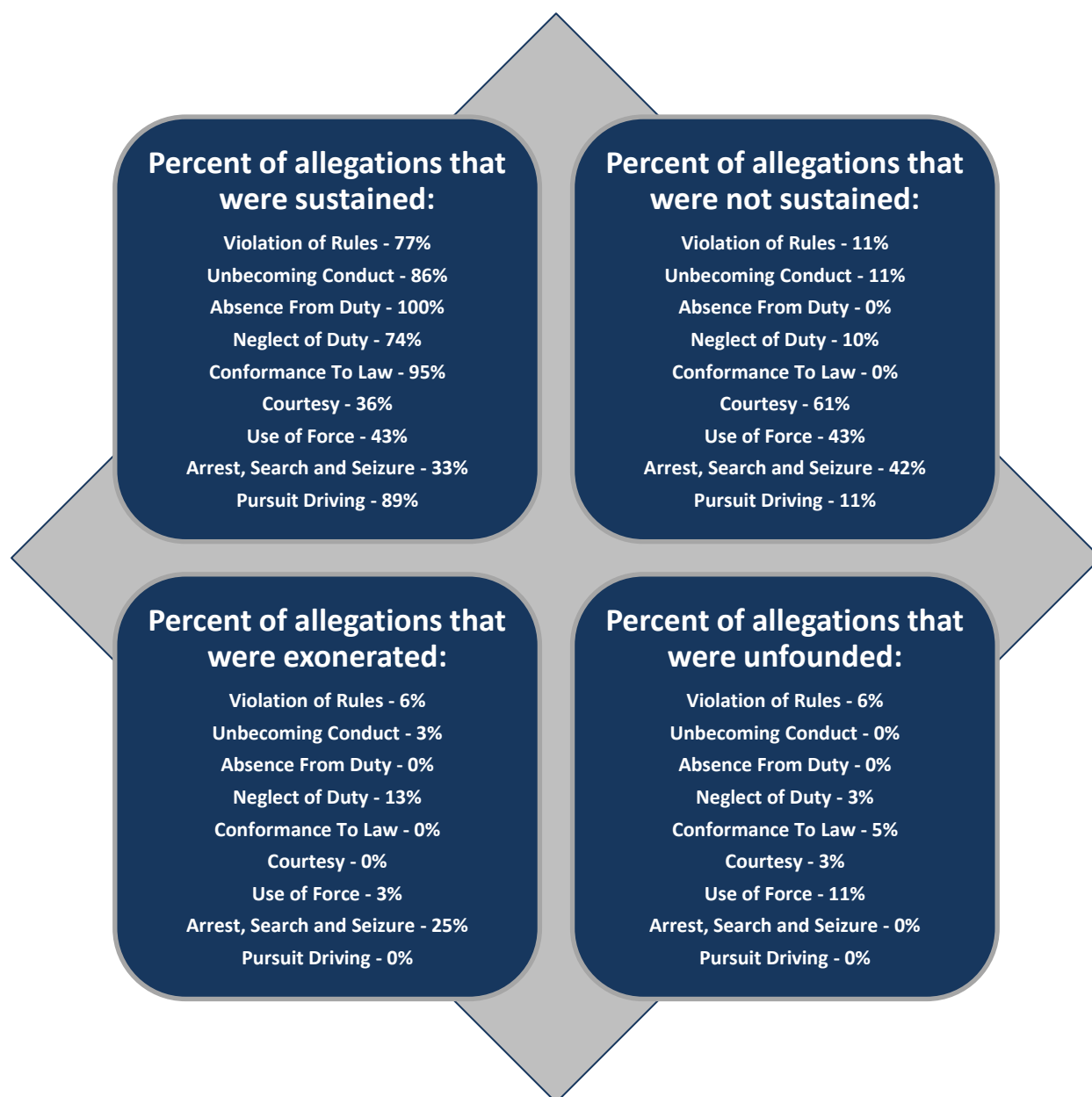
In Figure 3, the number of sustained allegations in 2014 increased by 12 from the previous year, and the number of not sustained allegations increased by ten as well. Nine percent of all 2014 external allegations were unfounded.

Figure 4: Internal Allegations



A high rate of sustained internal allegations persists from previous years, most likely due to CMPD employees having a strong sense of what constitutes misconduct in various circumstances.

The chart below shows the percentage of the most frequent allegations in 2014 that were sustained, not sustained, exonerated, or unfounded.

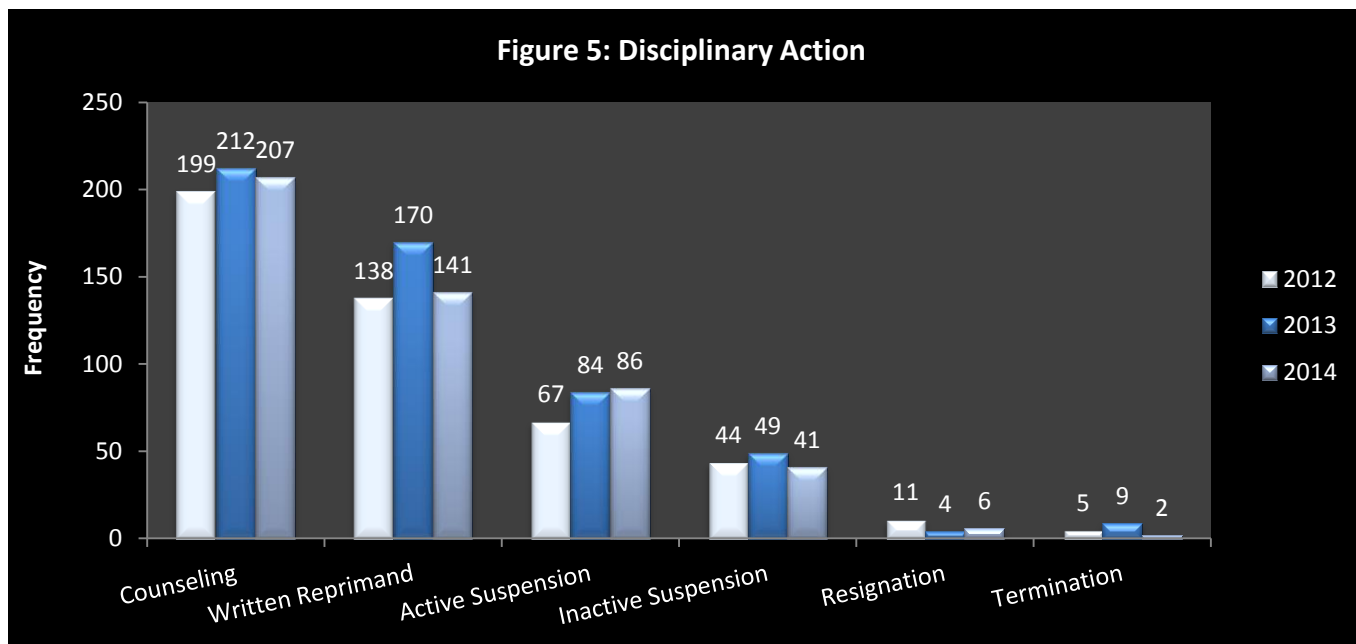


Disciplinary Action

The department is committed to applying progressive disciplinary actions to ensure misconduct will not be repeated. Disciplinary actions can range from counseling to a recommendation for employee termination. In many cases, employees also receive additional training in the subject areas where violations occur.

The Chain of Command makes the decision on the appropriate disciplinary action based on the CMPD's disciplinary philosophy. This philosophy takes into account five factors: employee motivation, degree of harm, employee experience, whether the violation was intentional or unintentional and the employee's past record. To view a more detailed explanation of our department's disciplinary philosophy, visit www.cmpd.org, E-Policing Resources, then select [Departmental Directives](#), then [100-004 Disciplinary Philosophy](#).

The below graph illustrates the disciplinary action taken for sustained allegations in 2012 through 2014. An inactive suspension is activated if an employee violates a similar rule of conduct within a year. There is no disciplinary action if an employee resigns while under investigation. There are more actions taken than allegations, as some allegations result in multiple disciplinary actions, such as reprimands and suspensions together. The pattern of disciplinary actions taken in 2013 is nearly identical to those that were observed in recent years.

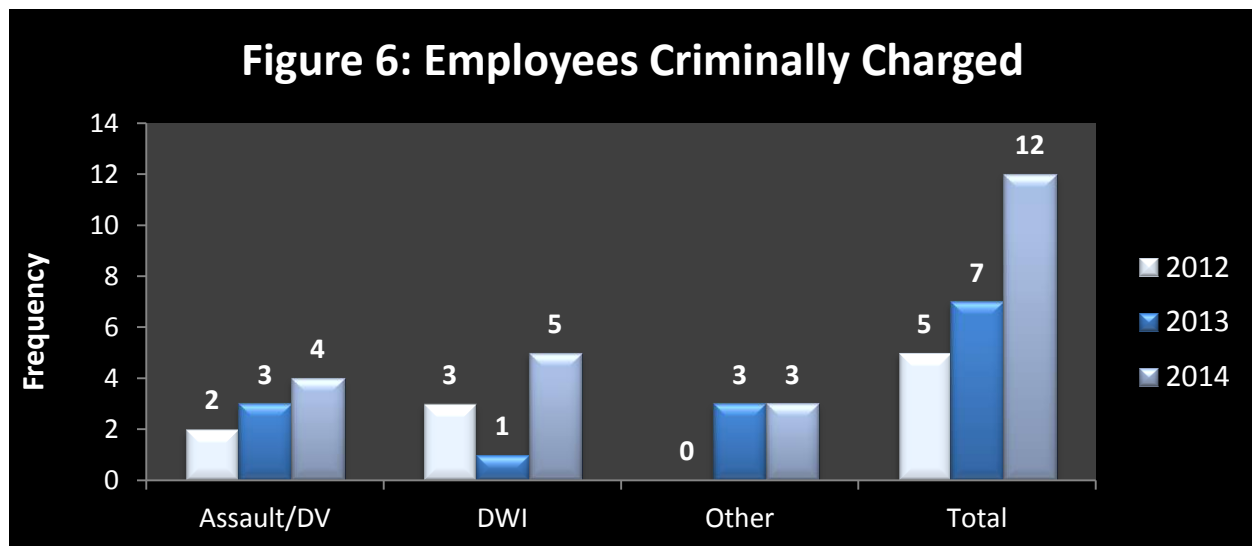


In Figure 5, low to moderately severe disciplinary actions (e.g., counseling, reprimands, and suspensions) were used most often in 2014, as has been the case in recent years.

Criminal Investigations Involving Employees

When a CMPD employee is charged with a crime in Mecklenburg County, the department conducts a separate criminal investigation in addition to the Internal Affairs investigation. Criminal investigations are conducted by detectives in the Criminal Investigations Bureau and are presented to the Mecklenburg County District Attorney for a decision on prosecution. If the alleged crime occurs outside of Mecklenburg County, then the agency with jurisdiction in that area conducts the criminal investigation in accordance with local procedures. Decisions on the final disposition of the criminal and administrative cases are made independently of one another. Employees charged with a crime, including certain traffic offenses, are required to report the charges to the Chief of Police.

The graph below compares the types and frequency of employee criminal charges across the last three years.



In Figure 6, the number of employees criminally charged increased from 2013 to 2014. The largest increase was in DWI cases.

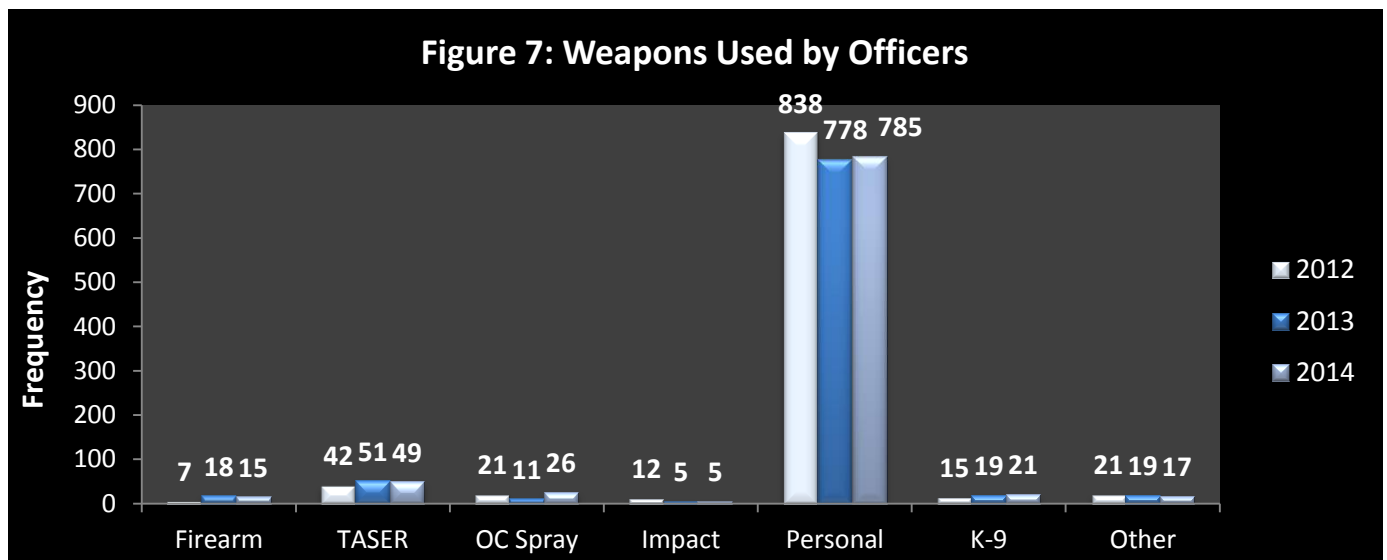
Use of Force

Police officers are trained to seek voluntary compliance through lawful direction. However, they are sometimes met with circumstances in which a subject's actions compel them to use force in order to gain compliance. CMPD policy requires officers to report use of force incidents under a broad range of circumstances. Supervisors investigate and document each incident. **Table 3** displays the number of instances officers used force as compared with total arrests and citizen initiated calls for service.

	2012	2013	2014	2013-2014 Change
Total Use of Force Events	459	431	439	+8
Total Calls for Service	360,713	367,973	384,154	+ 16,181
Total Arrests	24,714	22,000	22,731	+731

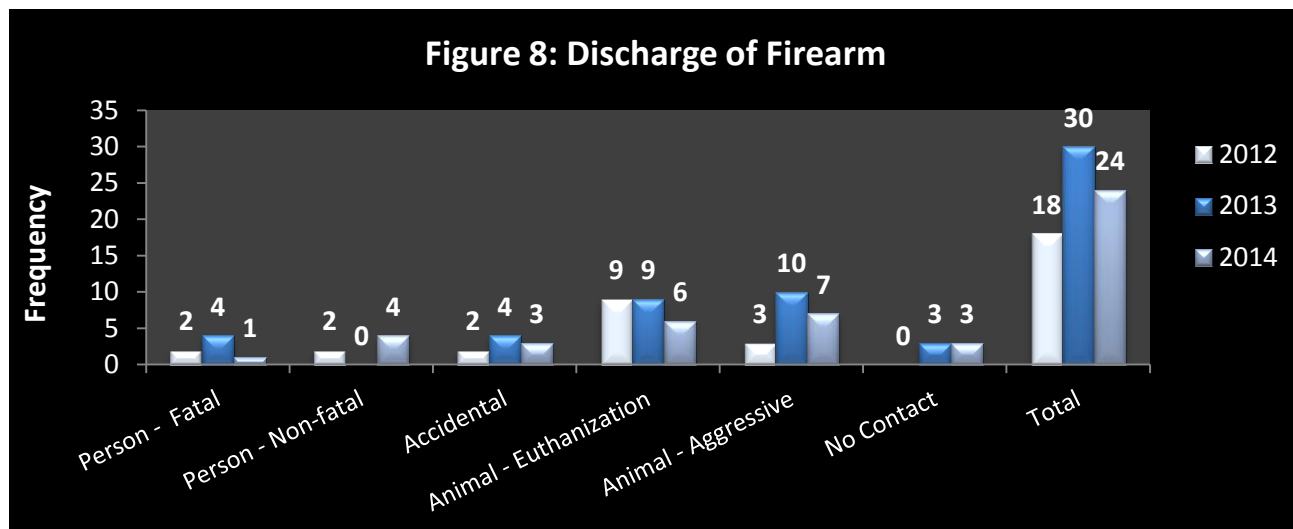
The numbers increased in all 3 categories: for calls for service there was a 4.4 percentage increase; for Use of Force a 1.9 percent increase and arrests had a 3.3 percentage increase in 2014.

Figure 7 displays use of different weapons by officers during use of force situations against aggressive individuals and animals from 2012 to 2014. Note that any single use of force event may have included the use of multiple weapons by one or more officers, which is explains why the number of weapons used is greater than the number of events.



Personal weapons (e.g., hands) continue to be the most often used 'weapon' by officers in use of force situations. This occurs because most encounters begin when officers are in physical contact or close proximity with a suspect at the time the suspect decides to act with aggression or resistance.

Figure 8 displays the number of incidents where employees discharged firearms in the performance of their duties for the past three years.



Over half of all shooting incidents (13) in 2014 involved euthanizing injured animals or shooting an aggressive animal.

Use of Non-Deadly Force. Officers are authorized to use *non-deadly force* under both North Carolina General Statute and Departmental Directives in circumstances limited to situations where the officer believes it is necessary to protect himself or another person, or to affect a lawful arrest. To better understand Charlotte-Mecklenburg Police Department use of force policies, visit www.cmpd.org and under E-Policing Resources, select [All Departmental Directives](#) and select 600-019 Use of Non-Deadly Force and 600-018 Use of Deadly Force.

When appropriate, officers may use several non-deadly force options. Officers receive training consistent with the [Use of Force Continuum](#) (see Directive 600-018), as well as federal and state statutes. The North Carolina Criminal Justice Education and Standard Commission require officers to have use of force training on an annual basis to maintain their police certification. In addition, officers receive use of force training and techniques to de-escalate volatile situations throughout the year at the CMPD Training Academy. The use of force training given to CMPD officers exceeds the state's minimum requirements.

Use of Deadly Force. The circumstances in which an officer may use *deadly force* are limited by North Carolina General Statute and further restricted by Departmental Directives. To help officers train and understand what level of force is most appropriate, the CMPD utilizes a continuum to identify what actions may be taken in response to certain behaviors by a subject. To better understand this continuum, visit www.cmpd.org. From the homepage, click under E-Policing Resources, [All Departmental Directives](#). The department's Use of Force Continuum can be found under 600-020 Use of Force Continuum.

An officer's use of deadly force is rigorously investigated and thoroughly reviewed both criminally and administratively. Deadly force, most commonly the discharge of a firearm, is investigated administratively by Internal Affairs. If the shooting resulted in injury or death to a person, CMPD's Homicide Division or the State Bureau of Investigation conducts a criminal investigation. Since October 2008, North Carolina law has required the SBI to investigate fatal shootings by police if the family of the deceased requests such an investigation within 180 days of the death. The law applies to shootings by any law enforcement agency in the state.

Regardless of who investigates, the facts revealed by the criminal investigation are presented to the Mecklenburg County District Attorney, who determines if the officer's action should result in criminal prosecution. Simultaneously, the Internal Affairs Bureau conducts a parallel investigation to determine if the involved officer(s) complied with department policies. An Independent Chain of Command Shooting Review Board is presented the administrative case, (which also includes the criminal investigation) and determines if any CMPD policies were violated. It also assesses whether the shooting was justified, not justified or negligent.

To the greatest degree permitted under law, the CMPD releases current and relevant information to the public throughout the investigative process during a deadly force investigation. Any case involving a discharge of firearm that results in serious injury or death can be appealed to the Citizens Review Board.

The policy concerning the use of deadly force is reviewed with officers annually. Additionally, officers are required to train and qualify with their firearm four times each year, twice during the daylight hours and twice during the hours of darkness. Officers must also qualify yearly with the Department-issued shotgun. Officers assigned to SWAT participate in firearms training each month.

During 2014, there were seven deadly force incidents where officers discharged a firearm.

First Incident

Description: On Tuesday, January 7, 2014, officers with CMPD's Violent Criminal Apprehension Team and deputies with the York County (SC) Sheriff's Office went to a residence in Fort Mill, South Carolina looking for an individual wanted on a warrant for armed robbery. While searching inside the residence, the wanted suspect fired a weapon at the CMPD officers. One CMPD officer was shot and returned fire striking the suspect. Both the officer and suspect received non-life-threatening injuries. Upon his release from the hospital, the suspect was charged with Attempted Murder, Resisting Arrest with a Deadly Weapon, Possession of a Weapon During a Violent Crime, and the armed robbery warrant.

Conclusion: The CMPD officer who fired his weapon in this case was operating as a Task Force Officer with the Federal Bureau of Investigation's Safe Streets Task Force. A criminal investigation was conducted by the Federal Bureau of Investigation and the South Carolina Law Enforcement Division. The Sixteenth Circuit Solicitor of the State of South Carolina reviewed the investigation and found that the use of force by the CMPD officer was lawful under South Carolina law. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officer's actions. An Independent Chain of Command Shooting Review Board determined that the force used by the officer was justified.

Second Incident

Description: On Thursday, March 20, 2014, Detectives with the Vice and Gang Unit were conducting an undercover drug investigation at the 1100 block of Jordans Pond Lane in the Freedom Division. During the pre-arranged drug investigation the suspect robbed an undercover officer and an informant. The suspect then jumped into a vehicle being driven by a female and began to leave the neighborhood.

Additional officers attempted to stop the vehicle at which time the vehicle stopped and the suspect exited the vehicle and shot at officers. An officer returned fire at the suspect. The suspect then continued to run away from the scene. Detectives concluded that during the suspect's escape he shot and killed a dog that belonged to a civilian.

No officers, civilians, or the suspect were injured as a result of the exchange of gunfire. Detectives developed information about the suspect's identity and requested the assistance of the Violent Criminal Apprehension Team. The suspect was located the next day and charged with attempted murder, assault with a firearm on a law enforcement officer, armed robbery and possession of a firearm by felon. He was also wanted on an unrelated attempted murder charge in South Carolina.

Conclusion: A criminal investigation was conducted by the Homicide Unit regarding the officer's actions. The Mecklenburg County District Attorney reviewed the investigation and concluded that the use of deadly force by the officer was lawful under North Carolina law. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officer's actions. An Independent Chain of Command Shooting Review Board determined that the force used by the officer was justified.

Third Incident

Description: On Monday, June 16, 2014, Metro Division patrol officers responded to an armed person call for service in which a subject claimed a male suspect armed with a handgun had threatened him. Upon their arrival officers located a suspicious male subject who matched the suspect description. When officers attempted to make contact with the suspect he fled on foot. While fleeing, the suspect fired several shots at officers. One officer returned fire, but at the time, it did not appear that the suspect was struck. No officers were injured during the course of the incident.

The K-9 Unit responded to the scene to assist with tracking the suspect. The suspect was not located after an extensive search of the area. He was last seen fleeing on foot down W. 5th Street towards Flint Street.

Conclusion: A criminal investigation was conducted by the Homicide Unit regarding the officer's actions. The Mecklenburg County District Attorney reviewed the investigation and concluded that the use of deadly force by the officer was lawful under North Carolina law. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officer's actions. An Independent Chain of Command Shooting Review Board determined that the force used by the officer was justified.

Fourth Incident

Description: On Wednesday, June 18, 2014, University City Division patrol officers responded to a 911 call for service regarding a subject being seen in the 7700 block of N. Tryon Street. This subject was wanted in connection with the shooting incident described in the "Third Incident". When officers arrived on scene they observed a male matching the description of the subject enter a 3rd story room at the Intown Suites located at 7706 N. Tryon Street. Officers moved nearby residents to a safe location and established a perimeter. Members from the Violent Criminal Apprehension Team also responded to the scene. Officers called the room and spoke to a female occupant who came out of the room voluntarily. Officers observed the wanted subject and attempted to convince him to surrender peacefully however he refused. The wanted subject presented a weapon at officers.

A member of the Violent Criminal Apprehension Team shot the wanted subject once in the abdomen. Medic was staged nearby and immediately responded to the scene to treat him. Medic transported him to Carolinas Medical Center where he was later pronounced deceased.

Conclusion: A criminal investigation was conducted by the Homicide Unit regarding the officer's actions. It was determined that the suspect fired his weapon during this incident. The Mecklenburg County District Attorney reviewed the investigation and concluded that the use of deadly force by the officer was lawful under North Carolina law. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officer's actions. An Independent Chain of Command Shooting Review Board determined that the force used by the officer was justified.

Fifth Incident

Description: On Friday, September 12, 2014, Hickory Grove Division patrol officers responded to a shots fired call for service in the 5600 block of Farm Pond Lane. An officer was working off-duty nearby when he heard gunshots and responded to the scene. Upon arrival, the officer observed two suspects shooting weapons and gave them verbal commands to drop their weapons. The suspects took off running into the apartment complex. During the foot pursuit a suspect pointed his weapon at the officer. After a short foot chase, the suspects stopped and pointed their weapons at the officer who fired his service weapon striking one of the armed suspects. Medic responded to the scene and transported the suspect to Carolinas Medical Center with non-life threatening injuries. Officers searched for the second suspect but did not locate him. Upon his release from the hospital, the suspect was charged with Assault with a Deadly Weapon on a Law Enforcement Officer, Discharging a Firearm within City Limits and Resist, Obstruct and Delay.

Conclusion: A criminal investigation was conducted by the Homicide Unit regarding the officer's actions. The Mecklenburg County District Attorney reviewed the investigation and concluded that the use of deadly force by the officer was lawful under North Carolina law. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officer's actions. An Independent Chain of Command Shooting Review Board determined that the force used by the officer was justified.

Sixth Incident

Description: On Sunday, October 26, 2014, Metro Division patrol officers responded to a “shots fired” call for service in the 2100 block of Lasalle Street. The 911 caller advised the occupants of the vehicle were riding up and down the street shooting from the vehicle and gave a detailed description. Officers arrived on scene and located a vehicle matching the description and conducted a traffic stop in the 2500 block of Beatties Ford Road. Prior to the vehicle coming to a complete stop, the passenger exited the vehicle armed with a shotgun. One of the officers fired his service weapon at the suspect who fled on foot. Officers detained the driver and interviewed him at police headquarters.

The K-9 Unit responded to the scene to assist with tracking the suspect. The suspect was not located after an extensive search of the area. It is unknown if the suspect was injured during this incident, and his identity remains unknown.

Conclusion: A criminal investigation was conducted by the Homicide Unit regarding the officer’s actions. The Mecklenburg County District Attorney reviewed the investigation and declined to prosecute the officer. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officer’s actions. An Independent Chain of Command Shooting Review Board determined that the force used by the officer was not justified. The officer resigned from the department.

Seventh Incident

Description: on Monday, December 1, 2014, Hickory Grove Division Focus Mission Team Officers were attempting to serve a warrant at a residence in the 7300 block of Rosecroft Drive on a male subject that was known to be armed. During the course of serving the warrant, the suspect came out of the residence and fired several shots at officers. The officers both returned fire, striking the suspect. The suspect attempted to flee on foot and was located a short distance away without further incident. The suspect’s gun was recovered at the scene. The suspect sustained non-life threatening injuries as a result of the shooting and was transported to Carolinas Medical Center. The officers were not injured, but were transported to Presbyterian Hospital for observation. Upon his release from the hospital, the suspect was charged with 3 counts of Assault on a Government Official with a Firearm, Shooting into Occupied Property, and Possession of a Firearm by Felon.

Conclusion: A criminal investigation was conducted by the Homicide Unit regarding the officers’ actions. The Mecklenburg County District Attorney reviewed the investigation and concluded that the use of deadly force by the officers was lawful under North Carolina law. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officers’ actions. An Independent Chain of Command Shooting Review Board determined that the force used by the officers was justified.

In-Custody Death

If a person dies while in the custody of CMPD, detectives from the Homicide Unit respond to the scene to conduct a criminal investigation. The investigation is presented to the Mecklenburg County District Attorney, who conducts an independent review and decides whether to press criminal charges. An Internal Affairs investigation is simultaneously conducted to ensure policy compliance. At the conclusion of the internal investigation, an Independent Chain of Command Review Board reviews the case to determine if officers acted in compliance with our policies and procedures.

The CMPD trains its employees to monitor all persons taken into custody and to summon medical treatment whenever a subject appears or states they are in distress. To aid in that endeavor, the CMPD has developed several policies related to prisoner care and transportation. For a complete list of those guidelines, please refer to www.cmpd.org. From the homepage, click E-Policing Resources, [Departmental Directives](#), then 500-002 Confinement of Arrestees and Booking Procedures, 500-003 Management of Subjects in Extreme Distress, 500-007 Use of Interview Rooms and 500-008 Prisoner Transport. These guidelines are periodically reviewed and updated to best guide employees in their handling of persons in custody.

In 2014, CMPD had no in-custody deaths.

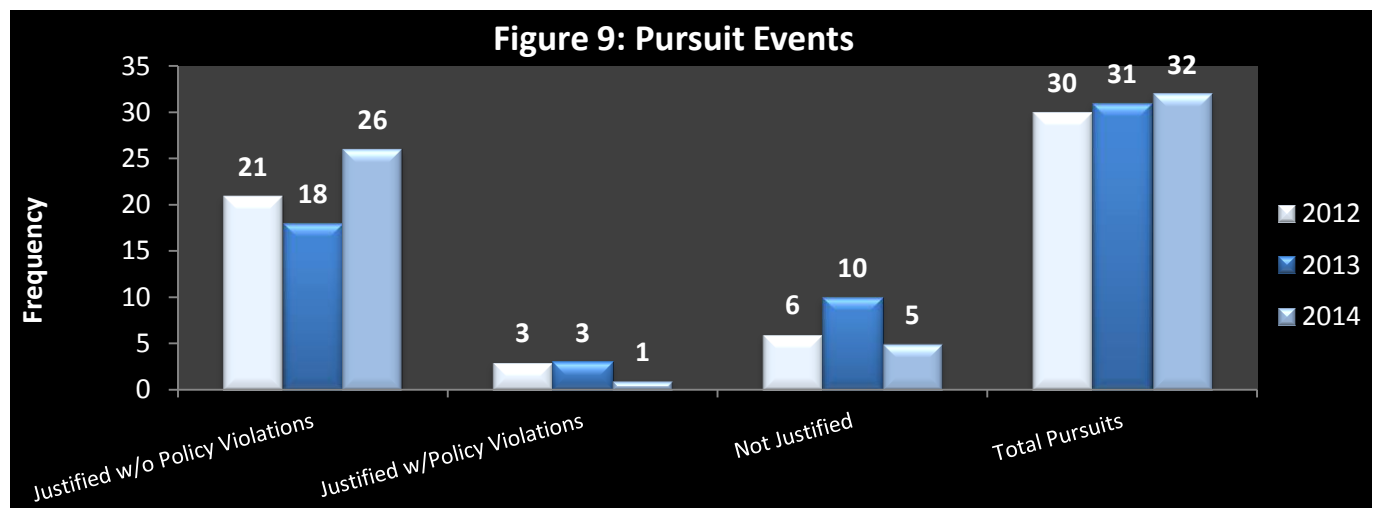
Police Vehicle Pursuits

From time to time, police officers encounter a subject in a motor vehicle who refuses to stop when blue lights and siren (emergency equipment) are activated. When police continue to keep pace with a vehicle in their attempts to stop its driver, a police pursuit occurs. Vehicle pursuits pose a significant risk to the general public, those in the pursued vehicle and the pursuing officers. For this reason, the CMPD significantly restricts, thoroughly investigates and closely reviews each of these incidents. Officers must have permission from a supervisor to continue a pursuit. The supervisor then closely manages all aspects of the pursuit to include evaluating the risk it creates. Officers are allowed to pursue under the following circumstances: (a) When the officer has reasonable suspicion that the driver or occupant has committed or is attempting to commit a crime dangerous to life, (b) The officer has probable cause to believe that the driver or occupant has just committed a felony residential burglary/ breaking or entering. (c) The officer can articulate the exigent need to apprehend the suspects(s) because of potential harm to the public if the suspect(s) are not apprehended.

Once a pursuit incident has ended, regardless of the means of termination, a patrol supervisor is responsible for completing an internal investigation. The investigation includes, at a minimum, a map of the pursuit route, statements from all employees involved and all audio, visual or documentary information. The investigation is reviewed by the involved employees' Chain of Command and ultimately by Internal Affairs to ensure compliance with CMPD policy.

To view the complete departmental directive governing pursuits, go to www.cmpd.org, E-Policing Resources, and then to [Departmental Directives](#), then to Directive 600-022, Emergency Response and Pursuit Vehicle Operations.

Pursuits vary greatly in length, vehicle speed and number of units involved. While some pursuits extend for several miles at high speeds, most last only seconds and cover short distances. **Figure 9** shows the number of pursuits and how they were adjudicated from 2012 to 2014.



The Charlotte-Mecklenburg Police Department periodically reviews and updates its pursuit policies, equipment and training in order to ensure the highest level of safety during these high-risk situations. **Table 4** shows that, as in previous years, the majority of all pursuits were for violent felony offenses.

Table 4. Offenses Initiating a Pursuit			
	2012	2013	2014
Arson	0	1	0
Homicide	0	0	2
Burglary	0	0	1
Assault on Government Officer or Employee	1	0	0
Assault w/ Deadly Weapon	2	5	4
Larceny from Vehicle	0	0	1
Rape/Sex Offense	0	0	1
Breaking & Entering	6	2	1
Damage to Property	1	0	0
Driving While Impaired	1	0	0
Drug	0	0	0
Hit and Run	0	1	1
Larceny of Vehicle	0	3	1
Robbery – Armed	14	11	14
Robbery – Common Law	0	1	1
Traffic Offense (Not DWI)	4	5	3
Unauthorized Use/Failure to Return Motor Vehicle	0	1	0
Warrant/Order for Arrest	0	1	1
Weapons Law Violation	1	0	1
Total Pursuits	30	31	32

The majority of pursuits were initiated to apprehend armed robbery suspects, which has also been the case in recent years.

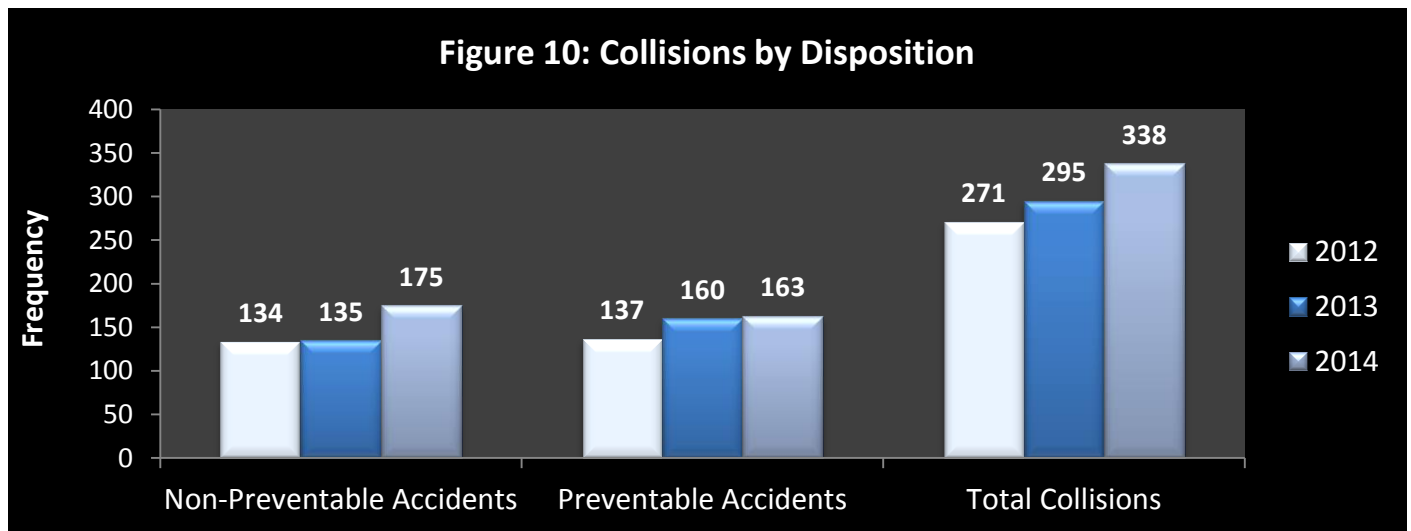
Employee Motor Vehicle Collisions

To provide police services throughout urban and suburban Mecklenburg County, department employees drive an enormous number of miles in CMPD vehicles. The geographic jurisdiction for the Charlotte-Mecklenburg Police Department includes the City of Charlotte and the unincorporated areas of Mecklenburg County, covering 438 square miles. Employees drive vehicles in all types of weather, traffic and emergency conditions.

In total, the department has approximately 2,000 employees operating 1,408 vehicles, with many vehicles being operated 24-hours a day. Department vehicles were driven a total of 20,445,961 miles in 2012, 20,981,498 miles in 2013, and 21,031,230 in 2014.

A supervisor investigates all collisions involving a CMPD vehicle and the employee's chain of command determines if the collision was preventable or not preventable. When an employee is involved in a preventable collision, they are assigned specialized training at the CMPD driver training facility to address the driving error that caused the collision.

The number of collisions associated with employee driving is displayed in the graph below. This graph reflects the total number of preventable and non-preventable collisions from 2012 through 2014.



Although there was a 14.6% increase in total collisions from 2013 to 2014, employees drove over 49,732 more miles 2014 than in 2013.

Acknowledgements

Internal Affairs Bureau

Bryan Miller

Jibril Abdum-Muhaymin

Crime Analysis Division

Monica Nguyen

Robert Broughton

Fleet Section

Rick Smith

Public Affairs

Maurice Osborne

