

*It is my pleasure to present to you the 2016 Annual Charlotte-Mecklenburg Police Department (CMPD) Internal Affairs Report. The men and women of the CMPD are committed to providing the very best service possible and maintaining the high level of confidence this community has in us. Our Internal Affairs (IA) process plays an integral role in building and maintaining that trust.*

*In an effort to be as transparent and as proactive as possible, the Internal Affairs Division has created an annual report for citizens since 2003. 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 2016 activities and supply 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 this an even better and safer place to live, work and visit.*

*Sincerely,*



**Kerr Putney**  
Chief of Police



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## Executive Summary

In 2016, the Charlotte-Mecklenburg Police Department's Internal Affairs Division processed 189\* cases of misconduct allegations, 36 cases less than 2015. These cases consisted of a total of 300 alleged violations of a rule of conduct (some cases involved multiple violations). Thirty-seven of the cases were related to the Violation of Rules directive, which is part of over one hundred directives and standard operating procedures CMPD personnel are held to upholding. In 91% of those cases, it was determined that there was sufficient evidence to show the employee's actions violated policy. Thirty-one of the thirty-seven Violation of Rules cases were made internally by CMPD employees against other employees. This is a consistent trend with past years where the majority of all complaints are made internally. It is an indication of our employees' willingness to report errors or improper behavior to their supervisors.

CMPD recently began tracking compliments and commendations for employees submitted by members of the public. 2016 marked the first full year of tracking those commendations. We received over 1,000 individual, positive comments in 2016. Some of the compliments and commendations received were for assisting citizens in changing flat tires, providing food and clothing items to those in need, and dedicating off duty time to mentor and coach youth in the community. We are humbled by the public's acknowledgment of these acts that many of our employees regard as their everyday duties.

A snapshot of the year revealed that CMPD had 612,272 police interactions with the public. There was a decrease in the number of uses of force compared to 2015. Vehicle pursuits increased by thirteen, with the majority being initiated for the offense of armed robbery. Additionally, there were twelve deadly force incidents in 2016, five of which resulted in fatal injuries to the suspect. In each instance the suspect was armed when the officers discharged their weapon. These incidents were investigated by the CMPD Homicide Unit and Internal Affairs Division and in some instances by the North Carolina State Bureau of Investigation. Eleven of the twelve were reviewed by the Mecklenburg County District Attorney's Office and one by the Catawba County District Attorney's Office.

One CMPD employee was criminally charged in 2016. While this type of incident is a disappointment to the organization, the number of employees charged is less than one half of one percent (.05%) of CMPD's workforce.

CMPD employees drove 20,237,635 miles in 2016. There were 354 collisions, of which 166 (47%) were determined to have been not preventable by the employee.

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\*The numbers reflected in this report are 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 2016 case investigations prior to publishing this report. However, cases that are still pending adjudication or under appeal may affect the final numbers.

## 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*

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## CMPD Internal Affairs Division Mission Statement

*The Internal Affairs Division 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 Division

We are proud to be part of an organization that places a high value on integrity and public trust. The Internal Affairs Division 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 most often 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, such as the Citizens Review Board or the Civil Service Board.

The men and women who are assigned to the Internal Affairs Division 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 deal 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 two captains 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](http://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](http://www.cmpd.org) and click on the "[Departmental Directives](#)" link.

### **The Internal Affairs Division performs several critical functions to help the CMPD reach its goals:**

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

## Current Internal Affairs Staff

### Major

*Estella Patterson*

### Captains

*Harold Henson*

*Jacquelyn Hulsey*

### Sergeants

*Mike Burke*

*Greg Coutts*

*Marsha Dearing*

*Angela Haywood*

*Bryan Miller*

*Lee Ann Oehler*

*Miguel Santiago*

*Mike Sloop*

### Administrative Support

*Mary Ann Hall*



## 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 Division: 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 9 members (3 appointed by the mayor, 6 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

- 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
  - Arbitrary Profiling
- 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
- Provides recommendations to the City Manager when the CRB has determined an abuse of discretionary power



## 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 respectable 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. This year was the first full year of policies in effect related to the use of Body Worn Cameras and Arbitrary Profiling. There were nine (9) cases investigated related to the Body Worn Camera policy and seven (7) cases investigated related to Arbitrary Profiling.

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, IA staff uses a well-established process for receiving, investigating, and adjudicating complaints.

Complaints concerning employee misconduct are classified in two ways: 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 the CMPD, which accepts complaints by telephone, in-person, written correspondence or e-mail. While the Internal Affairs Division would like to communicate effectively with complainants and assist complainants through the process, anonymous complaints are also accepted and investigated.

The Internal Affairs Division 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, 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 Division 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 ways 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.

**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.

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

**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 mails a letter to the complainant to advise them 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 2016:** The CMPD received 189 complaints in 2016, the majority of which were internal complaints. As can be seen in **Table 1**, the number of external complaints decreased by 35, while the number of internal complaints decreased by one.

**Table 1. Total Complaint Events**

	2014	2015	2016	3 Yr. Avg. '14-'16	% Change (comparison of 2016 to 3 yr. avg.)
External Complaint Events	59	77	42	59.3	-29.2
Internal Complaint Events	146	148	147	147	0
Total Complaint Events	205	225	189	206.3	-8.4

**Note: Multiple allegations may result from a single event.**

In 2016, there were 300 alleged rules of conduct violations, compared to 365 in 2015. This is a 17.8 percent decrease. **Table 2** identifies the rules of conduct that account for the majority of all misconduct allegations. **Note: Some allegations in Table 2 are pending due to investigation.**

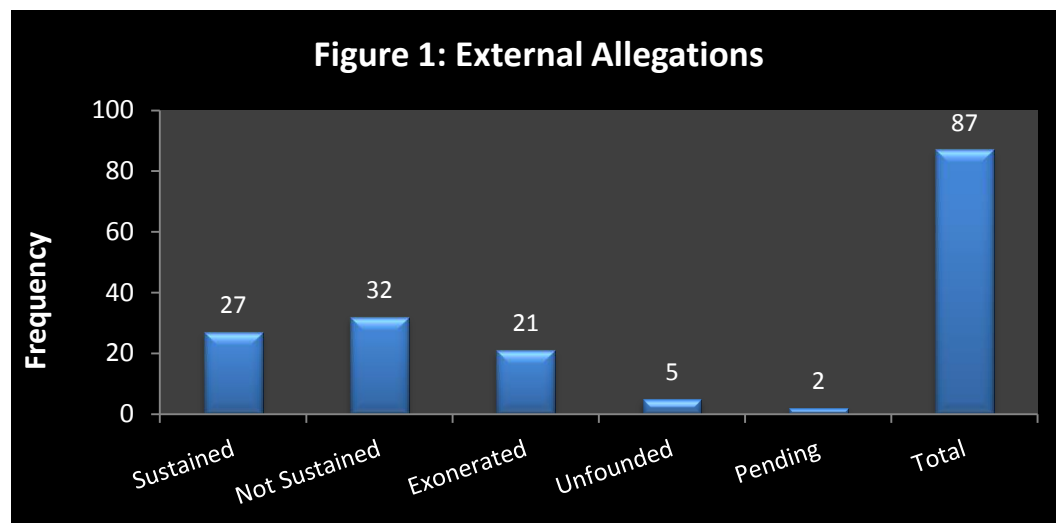
**Table 2. Common Alleged Rule of Conduct Violations**

	External				Internal				Total			
	2014	2015	2016	3 Yr. Avg. '14-'16	2014	2015	2016	3 Yr. Avg. '14-'16	2014	2015	2016	3 Yr. Avg. '14-'16
Violation of Rules	22	13	6	13.7	42	33	31	35.3	64	46	37	49
Driving	1	3	1	1.7	37	30	24	30.3	38	33	25	32
Unbecoming Conduct	12	4	8	8	24	18	11	17.7	36	22	19	25.7
Courtesy	26	23	13	20.7	8	10	8	8.7	34	33	21	29.3
Neglect of Duty	11	6	2	6.3	19	18	22	19.7	30	24	24	26
Use of Force	16	11	13	13.3	12	13	5	10	28	24	18	23.3
Arrest, Search, Seizure	16	31	17	21.3	7	7	4	6	23	38	21	27.3
Conformance to Laws	2	9	8	6.3	18	14	8	13.3	20	23	16	19.7
Employment Outside CMPD	2	2	0	1.3	17	29	14	20	19	31	14	21.3
Departmental Reports/Records	4	2	0	2	11	13	4	9.3	15	15	4	11.3

**Table 2 Highlights**

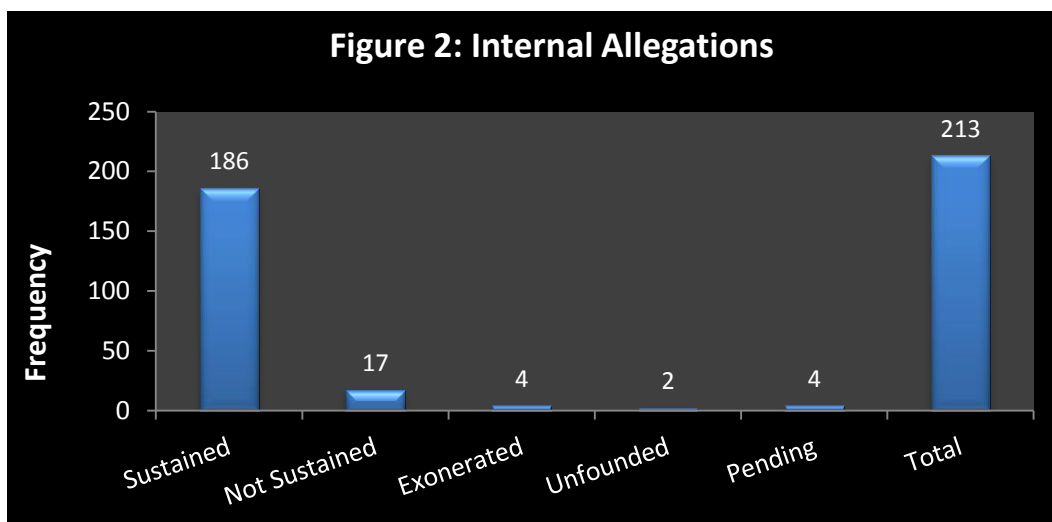
- Internal: Of all allegations: 91% were sustained in 2016
- Internal and External: Neglect of Duty: 92% were sustained in 2016
- Internal: Use of Force: 28% were sustained in 2016
- Internal: Arrest, Search, and Seizure: 100% were sustained in 2016

**2016 Investigation Decisions (Figure 1).** Following the investigations and adjudications, **32%** of External allegations were sustained compared to 39% in 2015. In Figure 2, **89%** of Internal allegations were sustained. This pattern is consistent with those observed in previous years.

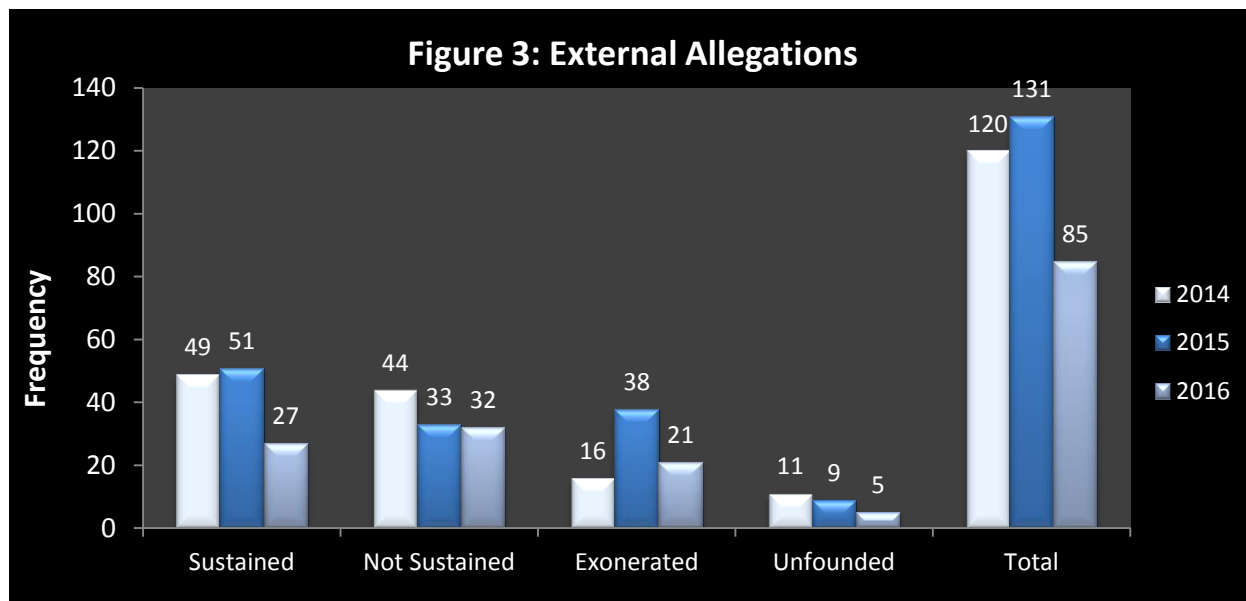


For the majority of external allegations of misconduct (67%), employee behavior was determined to be appropriate or there was insufficient evidence to suggest otherwise.

89% of complaints made against employees by other employees were sustained.

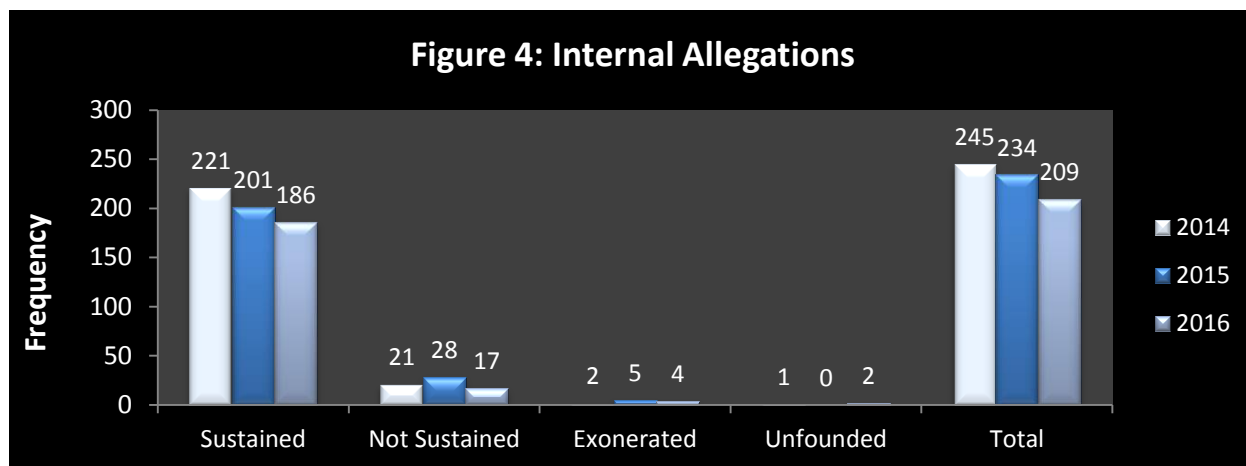


**Note: There were 189 individual cases of misconduct allegations reported internally & externally. Some case contained multiple allegations of misconduct.**



**Note: For 2016 cases, there are 2 pending allegations.**

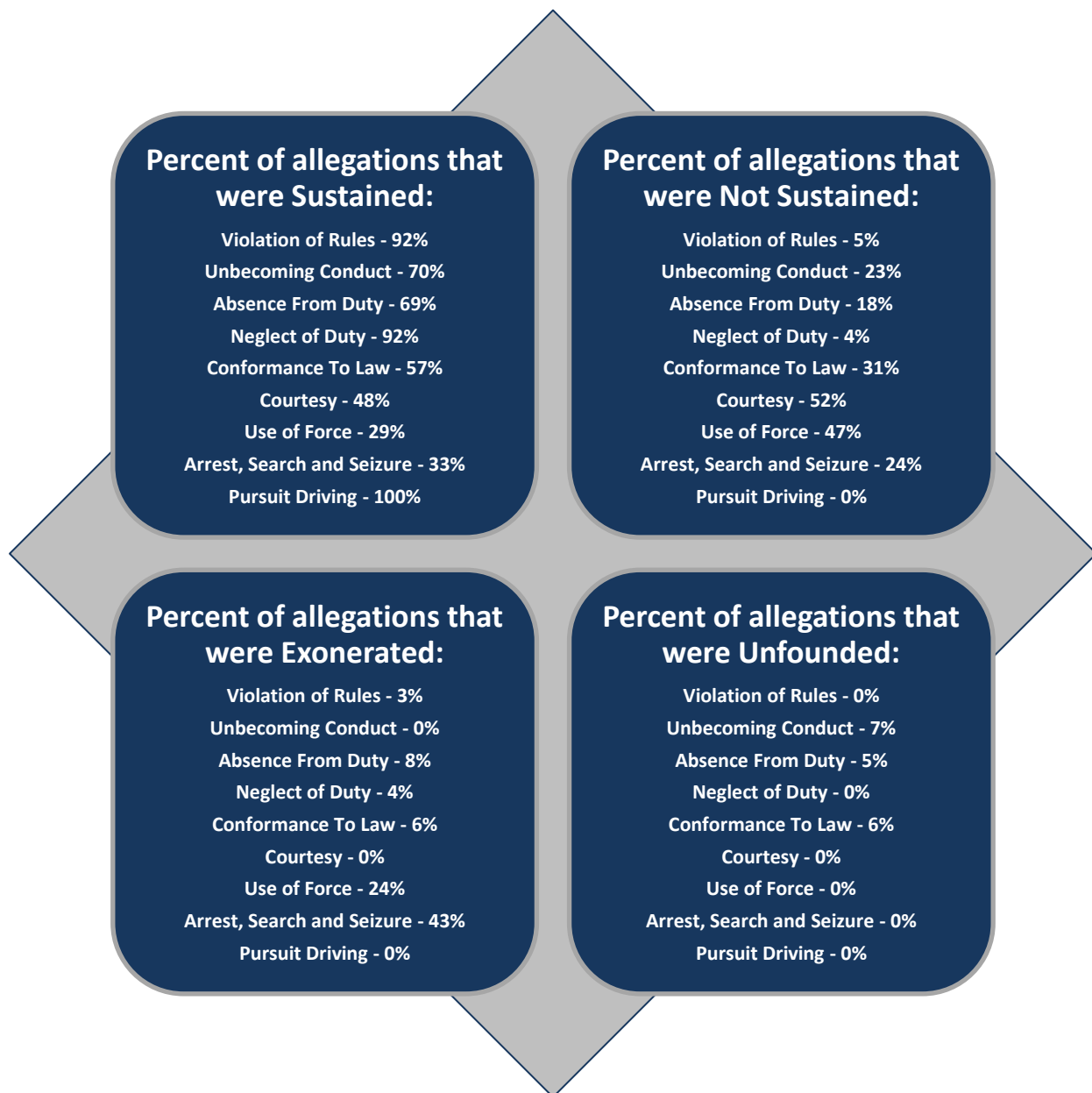
In Figure 3, the number of sustained allegations in 2016 decreased by 24 from the previous year, and the number of not sustained allegations decreased by 1 as well. Six percent of all 2016 external allegations were unfounded.



**Note: For 2016 cases, there are 4 pending 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 frequent allegations in 2016 that were Sustained, Not Sustained, Exonerated, or Unfounded.



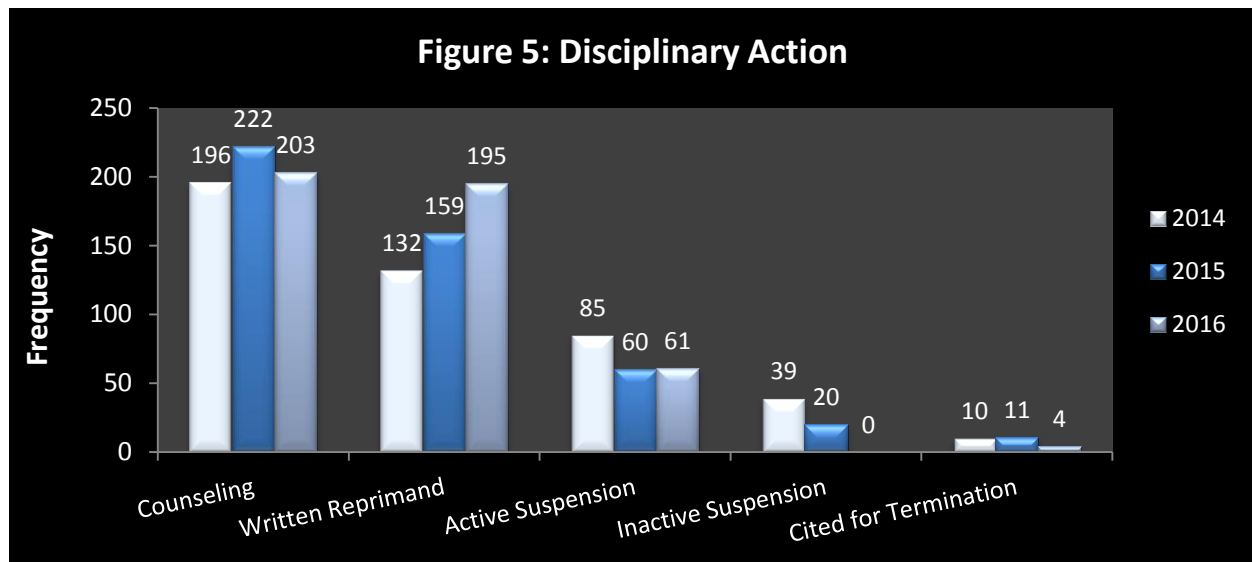
**Note:** The statistics in the above chart are for cases that have received a disposition.

## Disciplinary Action

The department is committed to applying progressive disciplinary action to ensure misconduct will not occur again. Disciplinary action 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 or Independent Chain of Command board makes the decision on the appropriate disciplinary action based on the CMPD's disciplinary philosophy. This philosophy takes into account 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](http://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 2014 through 2016. 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 2016 is similar to those that were observed in recent years.

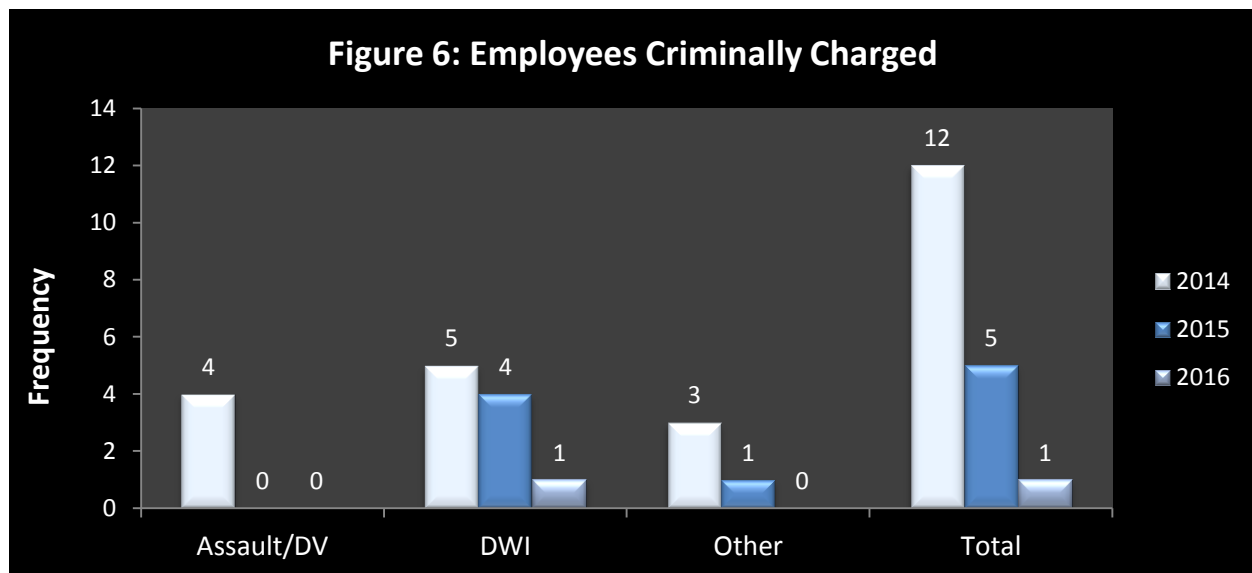


In Figure 5, low to moderately severe disciplinary actions (e.g., counseling, reprimands, and suspensions) were used most often in 2016, as has been the case in recent years.

## Criminal Investigations Involving Employees

When a CMPD employee is charged with a crime in Mecklenburg County, the department conducts a separate criminal investigation from 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 decreased from 2015 to 2016. There were decreases in all categories.



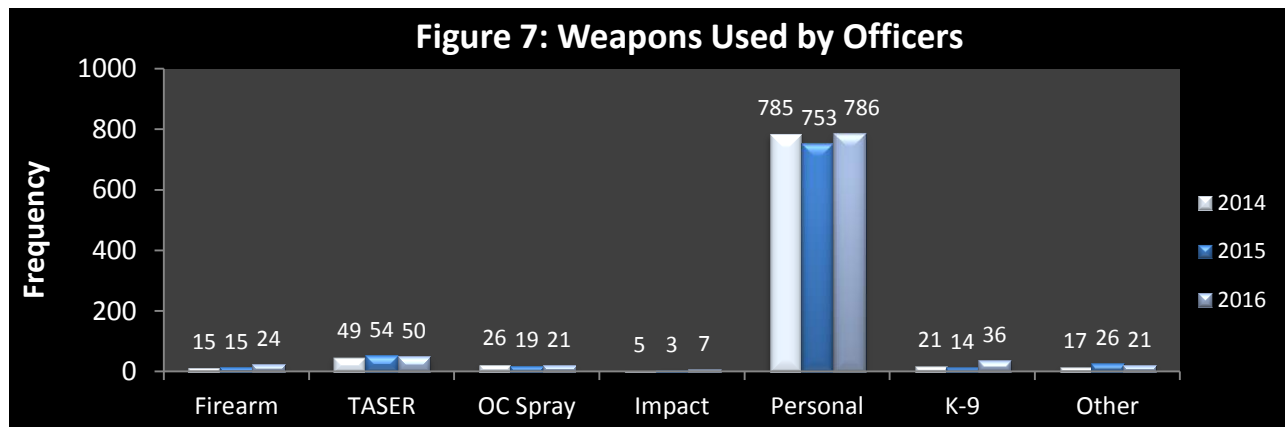
## Use of Force

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 times officers used force as compared with total arrests and citizen initiated calls for service.

	2014	2015	2016	3 Yr. Avg. '14-'16	2015-2016 Change
<b>Total Use of Force Events</b>	440	425	414	<b>426.3</b>	11 less
<b>Total Police Interactions</b>	653,893	651,128	612,272	<b>639,097</b>	38,856 less
<b>Total Arrests</b>	22,731	20,673	19,771	<b>21,058</b>	902 less

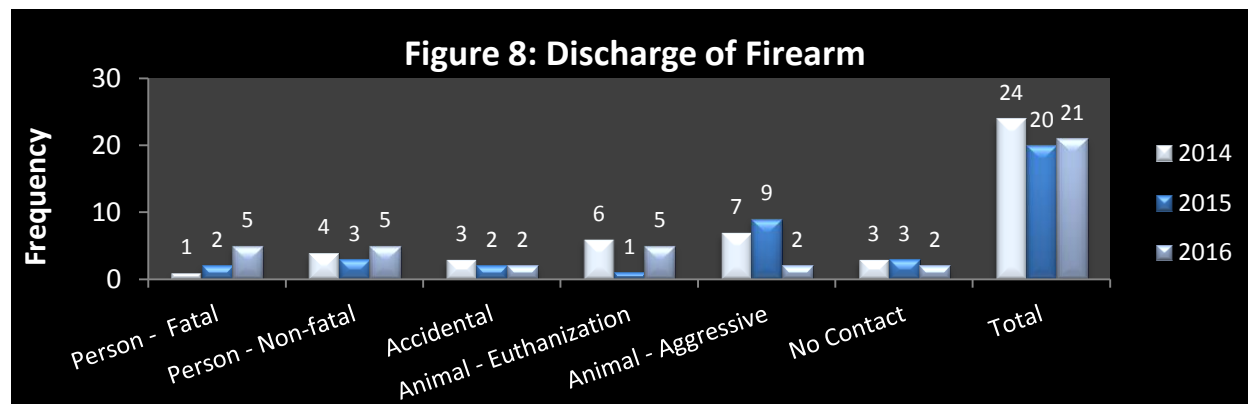
The numbers decreased in all categories: use of force (-2.6%) arrests (-4.4%) and police interactions (-6%).


Figure 7 displays use of different weapons by officers during use of force situations against aggressive individuals and animals from 2014 to 2016. Note that any single use of force event may have included the use of multiple weapons by one or more officers, which is why the number of weapons used is greater than the number of events.



Personal weapons (e.g., hands, physical strength) 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.




  
 Thirty-five percent of all shooting incidents in 2016 involved euthanizing injured animals or shooting aggressive animals. **Note: Accidental discharge occurs when an officer unintentionally fires his or her weapon. For the cases in the above table, there were no persons or animals struck in accidental discharges.**

**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](http://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](#) (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 a yearly 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](http://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 Division 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.

In 2016, the Charlotte-Mecklenburg Police Department created an Open Data Source webpage to provide the public with detailed information about officer involved shooting incidents. We provide information about officer involved shootings in an effort to create greater transparency of the actions of our employees. It is important to us that members of the community are informed whenever an officer discharges his/her firearm at a person and whether the shooting follows department policies and procedures. We believe that your trust and confidence in the Charlotte-Mecklenburg Police Department will increase as you understand what our officers encounter and how we hold them accountable for their actions. The CMPD is continuously reviewing and improving our practices to reduce the likelihood of deadly force incidents.

The policy concerning the use of deadly force is reviewed with officers annually. Additionally, officers are required to train and qualify with their firearm annually, both during the daylight hours and 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.

In 2016, there were twelve incidents where an officer discharged a firearm at a person. Following is a summary of each case with additional information available from the Open Data Source webpage which is located at: <http://charlottenc.gov/CMPD/Pages/Resources/CMPD-OpenData.aspx>

1.

**Description:** On January 3, 2016, officers were attempting to locate a murder suspect. As officers approached the residence where the suspect was believed to be, two individuals exited the residence and upon encountering the police, one of them fired at the officers. Subsequently, multiple officers returned fire, striking one of them.

2.

**Description:** On January 5, 2016, patrol officers responded to a shots fired call for service. When officers arrived, a male inside a second story apartment exited onto his balcony and began shooting at officers, striking a patrol vehicle. While the individual was shooting at officers, an officer returned fire.

3.

**Description:** On January 22, 2016, patrol officers responded to a robbery call for service. Upon arrival, the victim stated that two individuals exited a vehicle and approached her on foot. They stole her purse and fled the scene in a vehicle. The individuals then traveled to Sharview Circle and were observed checking door handles on parked cars in the apartment complex parking lot. A concerned citizen observed their actions and notified the officer, who was working in an off duty capacity at the apartment complex. While the officer was being notified, the individuals robbed a male victim at gunpoint. The individuals then fled from the scene on foot. The officer located the individuals in the parking lot. As he approached them, he verbally identified himself as an officer and gave orders for them to cooperate. One of the individuals pointed a firearm in the direction of the officer, who subsequently fired his weapon.

4.

**Description:** On March 26, 2016, patrol officers responded to a shots fired call for service. When officers and the Charlotte Fire Department arrived on scene, the individual began shooting at them, striking an officer. Officers returned fire but did not strike the individual.

**5.**

**Description:** On April 19, 2016, patrol officers responded to an individual threatening suicide. When patrol officers arrived on scene they observed the individual holding a firearm. Members of the SWAT Team and Negotiators were activated and responded to the scene. After several attempts to convince the individual to put down the firearm, the individual moved in a way that was perceived as an imminent threat at which time two SWAT officers fired their weapons striking the individual.

**6.**

**Description:** On June 2, 2016, patrol officers responded to an assault with a deadly weapon call for service. The caller stated that a male victim had been shot while riding a CATS bus and the individual got off and began walking inbound on N. Tryon Street. As officers approached the scene they observed a subject walking inbound on N. Tryon Street who fit the description of the shooting suspect. The two officers exited their patrol vehicles, and engaged with the individual. They determined him to be armed with a handgun. During the encounter, they perceived an imminent deadly threat and fired their service weapons striking the individual.

**7.**

**Description:** On June 21, 2016, detectives with the Violent Criminal Apprehension Team were attempting to serve an arrest warrant on a suspect who was wanted for several armed robberies from businesses. Detectives made contact with the occupants of the apartment who were escorted outside. Detectives then made contact with the wanted suspect who pulled out a firearm. A SWAT officer perceived an imminent lethal threat and fired his service weapon. The suspect then retreated back inside the apartment. Additional members of the SWAT Team and Negotiators were activated and responded to the scene. After a standoff with the suspect, the SWAT Team made entry in to the apartment and located the injured suspect who was transported to the hospital.

8.

**Description:** On August 10, 2016, patrol officers responded to a robbery call for service where two victims were shot. Officers attempted to apprehend the individuals who fled the scene. Officers engaged in a vehicle pursuit with the suspects. The pursuit concluded when the suspect's vehicle struck a utility pole on Highway 16 in Catawba County. Officers attempted to arrest the individuals. One individual displayed a gun and refused to comply with the officers' commands and made movements with the weapon that threatened the safety of the officers. Officers fired at the individual who was struck several times.

9.

**Description:** On August 28, 2016, patrol officers responded to an armed person call for service in which a subject claimed a male was armed with a handgun. Upon their arrival, officers located an individual who matched the description. When officers attempted to make contact with the individual, he fled on foot. During the foot pursuit, officers determined him to be armed with a handgun. While pursuing the individual, an officer perceived an imminent deadly threat and fired his service weapon, striking the individual. No officers were injured during the course of the incident.

10.

**Description:** On September 20, 2016, officers were preparing to serve an arrest warrant when a vehicle pulled into the parking lot and parked beside them. The officers observed the driver rolling what they believed to be a marijuana blunt. Officers did not consider the driver's drug activity to be a priority at the time and resumed the warrant operation. A short time later, an officer observed the driver hold a gun up. Due to the combination of illegal drugs and the gun possession, officers decided to take enforcement action for public safety concerns. Officers departed the immediate area to outfit themselves with marked duty vests and equipment that would identify them as police officers. Upon returning, the officers again witnessed the driver in possession of a gun. The officers immediately identified themselves as police officers and gave verbal commands to drop the gun. The driver refused to follow the officers' verbal commands. A uniformed officer in a marked patrol vehicle arrived to assist the officers. The uniformed officer utilized his baton to attempt to breach the front passenger window in an effort to arrest the driver. The driver then exited the vehicle with the gun and backed away from the vehicle while continuing to ignore officers' repeated verbal commands to drop the gun. An officer perceived the driver's actions and movements as an imminent physical threat to himself and the other officers. This officer fired his issued service weapon, striking the individual.



**11.**

**Description:** On October 12, 2016, an officer was traveling on Woodlawn Rd and heard multiple gunshots coming from the parking lot of the Days Inn hotel. When she pulled into the parking lot and exited her vehicle, she immediately encountered an individual who was armed with a handgun. This officer perceived that this individual was an imminent deadly threat at which time she fired her service weapon, striking the individual.

**12.**

**Description:** On October 12, 2016, Freedom Division officers responded to an armed robbery in progress from the Cash America Pawn on Wilkinson Boulevard. The caller stated that multiple individuals had entered the business and were robbing the business at gunpoint. When responding officers entered the business, they encountered one of the individuals who fired a handgun at officers. One of the officers subsequently fired his service weapon at the individual. This individual was then immediately taken into custody.

## **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](http://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 2016, the CMPD had no in-custody death incidents.



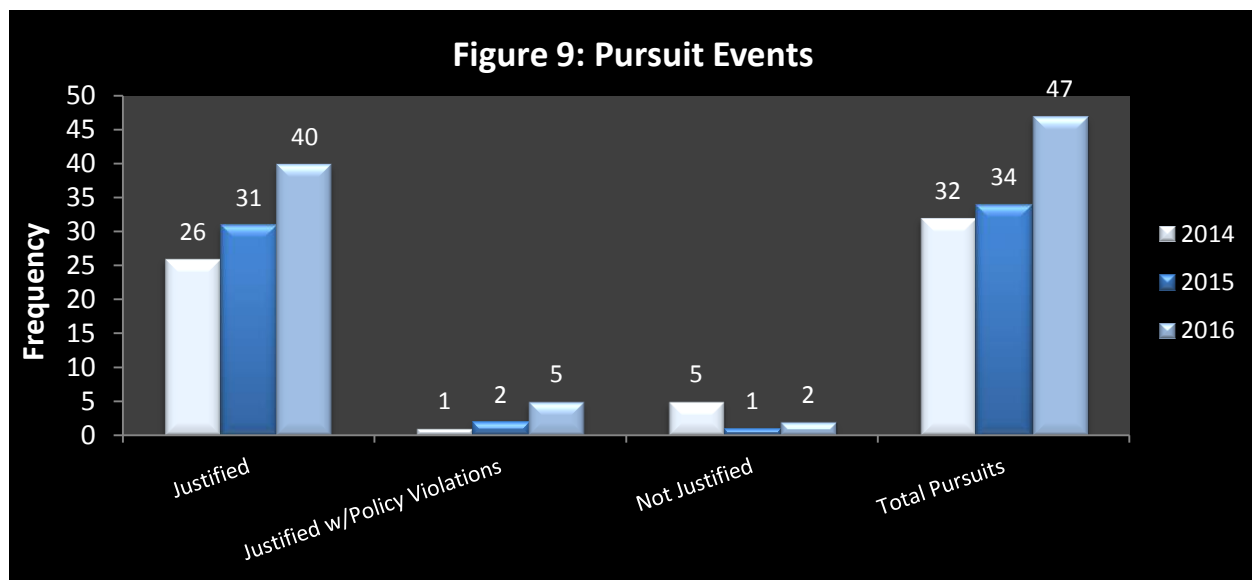
## Police Vehicle Pursuits

From time to time, police officers encounter individuals in motor vehicles who refuse to stop when the blue lights and siren 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. Pursuits are restricted to those situations where a suspect has recently committed or will reasonably be expected to commit an offense that puts a life in danger. Pursuits may also be authorized when officers are immediately able to locate a suspect vehicle following a felony breaking and entering of a residence.

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](http://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 go 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 2014 to 2016.



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

<b>Table 4. Offenses Initiating a Pursuit</b>				
	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>3 Yr. Avg. '14-'16</b>
<b>Arson</b>	0	0	0	<b>0</b>
<b>Homicide</b>	2	1	0	<b>1</b>
<b>Burglary</b>	1	1	1	<b>1</b>
<b>Assault on Government Officer or Employee</b>	0	1	2	<b>1</b>
<b>Assault w/ Deadly Weapon</b>	4	9	9	<b>7.3</b>
<b>Larceny from Vehicle</b>	1	0	0	<b>.33</b>
<b>Rape/Sex Offense</b>	1	0	1	<b>.67</b>
<b>Breaking &amp; Entering</b>	1	2	1	<b>1.3</b>
<b>Hit and Run</b>	1	0	1	<b>.67</b>
<b>Larceny of Vehicle</b>	1	0	1	<b>.67</b>
<b>Kidnapping</b>	0	1	0	<b>.33</b>
<b>Robbery – Armed</b>	<b>14</b>	<b>16</b>	<b>29</b>	<b>19.7</b>
<b>Robbery – Common Law</b>	1	2	0	<b>1</b>
<b>Traffic Offense (Not DWI)</b>	3	1	0	<b>1.3</b>
<b>Unauthorized Use/Failure to Return Motor Vehicle</b>	0	0	0	<b>0</b>
<b>Warrant/Order for Arrest</b>	1	0	1	<b>.67</b>
<b>Weapons Law Violation</b>	1	0	0	<b>.33</b>
<b>Total Pursuits</b>	<b>32</b>	<b>34</b>	<b>46</b>	<b>32</b>

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

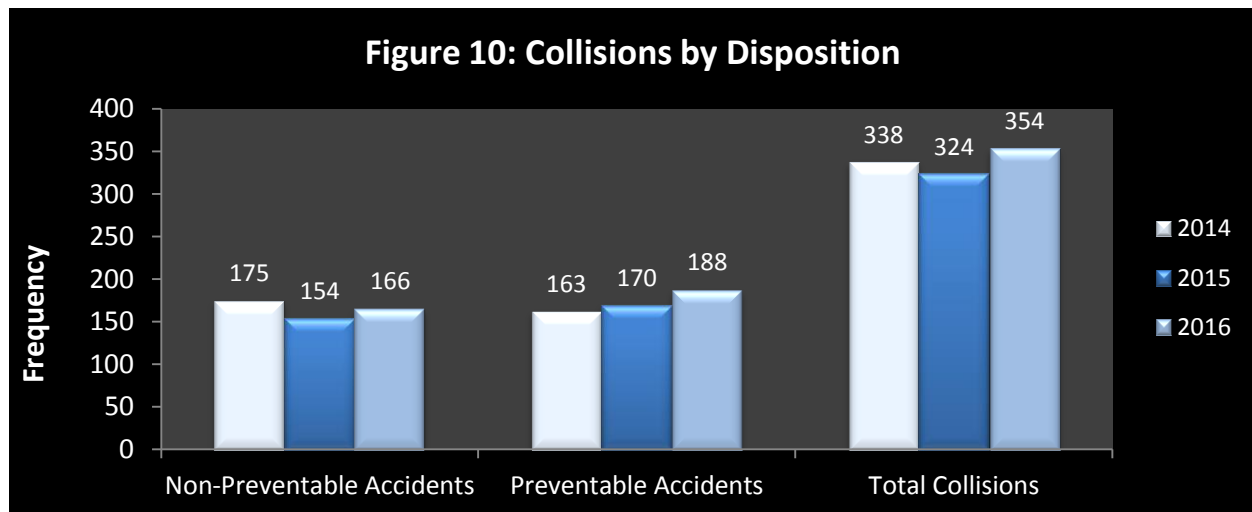
## Employee Motor Vehicle Collisions

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 1,397 vehicles, with many vehicles being operated 24-hours a day. Department vehicles were driven a total of, 21,031,230 miles in 2014; 20,731,935 in 2015; and 20,237,635 in 2016.

A supervisor investigates all collisions involving a CMPD vehicle and the employee's chain of command determines if it 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. **Figure 10** shows the total number of preventable and non-preventable collisions from 2014 through 2016.



There was a 9.2 % increase in total collisions from 2015 to 2016; employees drove 494,300 less miles in 2016 than in 2015.

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