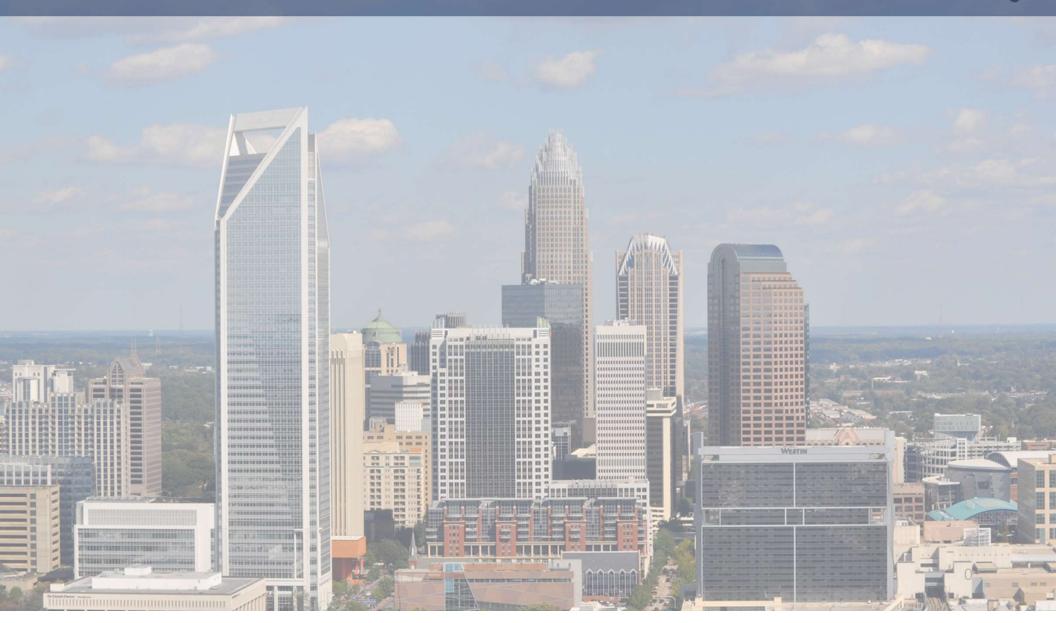
# CHARLOTTE-MECKLENBURG POLICE DEPARTMENT INTERNAL AFFAIRS 2023 ANNUAL REPORT



In a climate where we find our law enforcement profession under extreme scrutiny, the Charlotte-Mecklenburg Police Department continues to set the standard of transparency and accountability within the community we serve and our nation. It is an honor for me to serve as police chief in this city and of the men and women that put the uniform on each day and represent the highest standards of the law enforcement profession. The 2023 Internal Affairs Annual Report will provide a glimpse of the tremendous work of our officers and the entire CMPD.

Each day, we are reminded that the work we do is a direct reflection of our entire agency. Every patrol, every action and every interaction provide us the opportunity to make a positive impression on every member of our community. From every 911 call received, to every interaction our officers encounter daily, we strive to fulfill the call to uphold the priorities, policies and policing that aligns and even exceeds the expectations of our agency and our community.

With more than 500,000 police interactions in 2023, less than 3 percent resulted in arrest, and only a small fraction involved use of force. Our officers are encouraged to make every effort to foster strong and trusted relationships within the communities they serve. Those positive

interactions between our officers and our community members assist our efforts to ensure public safety and establish community trust and community support of our officers, which in turn will lead to the reduction of criminal activity in our communities.

Every member of this great organization has a tremendous responsibility of professional accountability. It is shown by our care for our citizens and each other and as we reflect the core values of the CMPD – upholding transparency and accountability. We will not just police our community, but we will hold ourselves accountable first for our own actions and efforts to ensure we promote and uphold the values and standards of this organization.

As we move forward, the CMPD will continue to set the national standard of what it means to be a transparent and an accountable law enforcement agency. We recognize the weight of the responsibility we have and the call we have accepted to exemplify the highest standards of this profession in serving our community with fairness and respect. We will lead by example, and we will display what it means to protect and serve through our actions. As I have said before, I am extremely proud of the phenomenal work of the men and women of the CMPD, and we will continue to strive to Empathize, Educate and Exceed each and every day!

Respectfully,

**Chief Johnny Jennings** 



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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.

### **EXECUTIVE SUMMARY**

The Charlotte-Mecklenburg area continues to see a great deal of growth as more and more people move into the area to work and live. Mecklenburg County's population is just over one million, and CMPD's jurisdiction population is 1,008,662 people. The Charlotte-Mecklenburg Police Department employs 1,608 sworn officers and 642 civilians. Our employees interact with the public daily. A snapshot of 2023 revealed that CMPD had 534,083 police interactions with the public, up from 528,572 last year.

In 2023, the Charlotte-Mecklenburg Police Department's Internal Affairs Division processed 332\* cases of misconduct allegations, 31 cases less than 2022. These cases consisted of a total of 515 alleged violations of a rule of conduct (some cases involved multiple violations). There were 62 cases related to the Response to Resistance/Use of Force directive, one of over 100 directives and standard operating procedures CMPD personnel are responsible for upholding. In 14% (7) of those cases, it was determined that there was sufficient evidence to show the employee's actions violated policy. Ten of the 62 Response to Resistance/Use of Force cases were reported by CMPD employees against other employees.

Officers were involved in eight use of deadly force incidents in 2023, which resulted in two non-fatal injury and four fatal injuries to the suspects, and two misses that did not strike an individual. Officer Involved Shooting (OIS) cases are investigated by the Criminal Investigations Bureau or the North Carolina State Bureau of Investigation (SBI) after consultation with the Mecklenburg County District Attorney's Office and subsequently are reviewed by the Mecklenburg County District Attorney's Office.

Three CMPD employees were criminally charged in 2023. While these types of incidents are a disappointment to the organization, the number of employees charged is less than one tenth of one percent (0.09%) of CMPD's workforce.

<sup>\*</sup>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 beyond our control that influence these changes. One way the Department attempts to minimize these changes, or updates, is by adjudicating 2023 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 implements solutions and expands collaborative relationships within our organization and community to enhance trust, fairness, and respect, to increase public safety.

### At CMPD We Value:



## Oath of Office Upholding the United States and North Carolina Constitutions.



### People

Treating all people with dignity, respect, fairness and compassion.





### Human Life

Recognizing the value of every person.



### Inclusion

Fostering a diverse and equitable culture that is committed to embracing all differences.



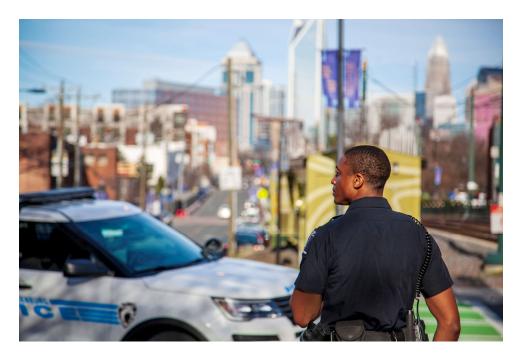
### Integrity

Promising to uphold the highest standards of integrity, being honest and ethical in all our actions.



### Community

Meeting citizens where they are, working together to achieve a shared vision.



#### 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 and 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 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 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 the supervising members of the Independent Chain of Command Review Board. 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 the Independent Chain of Command Review Board or the employee's chain of command 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 Internal Affairs staff of seven 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 <a href="www.cmpd.org">www.cmpd.org</a>. 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 to <a href="www.cmpd.org">www.cmpd.org</a> and click on the "Departmental Directives" link.

### **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 in its disciplinary process. The CMPD works with three different organizations that provide oversight of complaints brought to the Internal Affairs Division: the Community Relations Committee, the Civil Service Board, and the Citizens Review Board.

#### Community Based Board

- 11 members appointed by the mayor (3), City Council (5), & City Manager (3)
- Created in 1997 to increase CMPD's accountability to the public
- Provides recommendations to the City Manager and the Chief of Police

#### Responsibilities

- Conducts hearings for citizen appeals to review the Chief of Police's use of discretionary powers
- Oversees the presentation of evidence
- Considers witness testimony

Citizens Review Board

### 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
- Neglect of Duty/Duty to Intervene

Community Relations Committee

### City of Charlotte Department, independent of CMPD

- Represenetatives 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, etc.)
- 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

Community Oversight



#### Community Based Board

- 9 members appointed by the mayor (3) & City Council (6)
- Appeals of Civil Service Board decisions are limited to procedural matters and are heard in Mecklenburg County Superior Court

### Responsibilities

- Maintain final approval 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, demotions, terminations)



### **Early Intervention System (EIS)**

Beginning in May of 2015, the CMPD partnered with the University of Chicago's Center for Data Science and Public Policy to improve CMPD's existing threshold-based EIS which operated from 2005 through October 2017. That work culminated in creating a machine-learning system that incorporated over 1,100 risk factors from multiple data sources. The primary data sources included, but were not limited to, officer data, traffic stops, dispatches, IA investigations, arrests, crime reports, and field interviews. Using the data sources, a risk rank was generated for each active sworn employee. The risk rank was a starting point in identifying employees who may be at risk and in need of assistance.

A new EIS platform was purchased from a vendor. It was delivered with training that began in April 2023 and full usage that began in May 2023.

EIS alerts are generated by the system or initiated by a supervisor. There were 37 EIS alerts in 2023. Of the 37 alerts, 35 were generated by the EIS system including 32 advisable alerts and 3 actionable alerts. In addition, two alerts were generated by supervisors. All of the alerts have been reviewed and closed.

Actionable alerts indicate that employees are highly likely to be involved in adverse situations without intervention. Advisable alerts indicate that employees are trending toward possible adverse situations and intervention may be needed.

Of the 37 EIS alerts, there were 32 in which no courses of action were recommended by officers' chains of commands. Five alerts resulted in courses of action. Those courses of action included training (1), mentoring and coaching (2), training and monitoring (1), and temporary reassignment and utilization of wellness resources (1).

The system-generated alerts were created in conjunction with information provided by internal data sources. While there are three information feeds (case information, PeopleSoft, and Arrest Data), the data used to generate alerts in EIS comes almost exclusively from internal data sources (Response to Resistance, Pursuits, Complaints, and Sustained Violations). The Quality Assurance Division is committed to working closely with internal partners as well as the vendor to improve the functionality of the EIS system and to instill confidence in its continued use to identify potential behavioral concerns. This tool is an important way that CMPD can bolster internal and external confidence in our officers while promoting professional accountability and officer wellness.



#### 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 Response to Resistance to Towing Vehicles. CMPD employees have 43 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.

In 2017, Rule of Conduct 43 – Duty to Report was added to CMPD's policies. This rule requires employees who witness or have knowledge of another employee engaging in what may be unbecoming conduct to report that immediately to a supervisor. In addition, the policy requires any employee who witnesses or has knowledge of another employee engaging in behavior that violates any State or Federal law to immediately report it to a supervisor. The final part of the policy requires any employee who witnesses or has knowledge of a use of force that is required to be reported to immediately notify a supervisor.

In 2020 Rule of Conduct 10-G—Neglect of Duty was revised to include a "Duty to Intervene" provision to ensure 'Officers will take appropriate and immediate action in any situation in which they know or should have known their failure to act would result in an excessive response to resistance or egregious behavior which shocks the conscience.'

In August 2023, an IACMS investigation became required when a person flees from police contact causes property damage or is involved in a vehicle crash (non-pursuit).

In September 2023, changes were made to Directive 200-001 Discipline, Internal Investigations, and Employee Rights to allow an employee to have a supervisor present during administrative interviews during an administrative investigation. Also added was an impact statement offered by the complainant of the personal impact that the alleged misconduct had on the complainant. The impact statement will be considered by the board when deliberating Citizen Review Board reviewable misconduct allegations and provide information for the board to consider when evaluating the degree of harm caused by the alleged misconduct, specifically related to the complainant.

In November 2023, Rule of Conduct 14 – Conformance to Laws was amended to add that employees shall adhere to notification requirements found in 12 NCAC 09B .0101

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 email. 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.

#### COMPLAINT ADJUDICATIONS

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.

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 compliance with directives and standard operating procedures.

Upon disposition of an external complaint allegation, Internal Affairs mails a letter to the complainant to advise them the 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 some situations.

### **Complaint Adjudication Outcomes**



### 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 investigation proved the allegation to be unsubstantiated. 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 which provided the basis for the complaint or allegations did not occur.

#### **COMPLAINTS**

Overall Complaints in 2023: The CMPD received 332 complaints in 2023, the majority of which were internal complaints. As can be seen in the table to the right, internal complaints decreased by 49 (a 16% decrease). This decrease is attributed to additional steps that were taken to ensure officers do not miss scheduled training, including emails being sent on Monday on the week an officer has training.

Total Complaint Events									
	2021	2022	2023	3 Yr. Avg. '21-'23	% Change (comparison of 2023 to 3 yr. avg.)				
External Complaint Events	48	53	71	57.3	23.8%				
Internal Complaint Events	90	310	261	220.3	18.5%				
Total Complaint Events	138	363	332	277.7	19.6%				

The type of complaint (internal vs. external) is based on the source of the original complaint. Some complaint types could result in internal and external allegations.

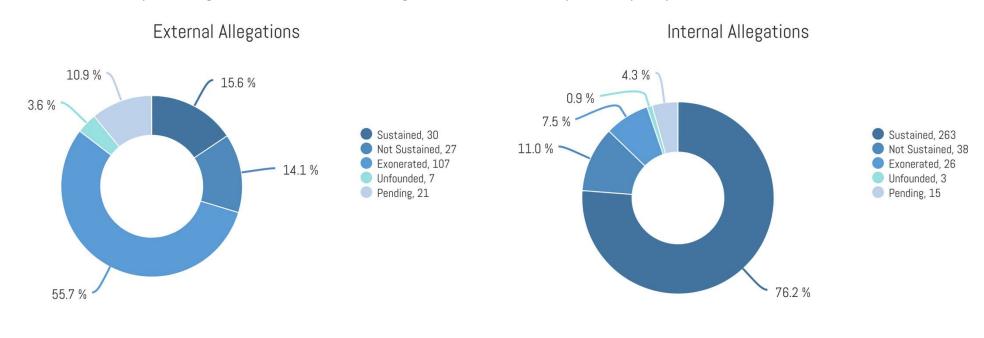
In 2023, there were 515 alleged rules of conduct violated, compared to 505 in 2022. This is a 2% percent increase. In 2022, CMPD began opening a complaint investigation for Absence of Duty if an officer failed to show up for scheduled training without notifying their supervisor in advance. This continues to impact the number of ROC violations. The below table identifies the rules of conduct that account for the majority of all misconduct allegations. Note: Some allegations in this table may still be pending adjudication.

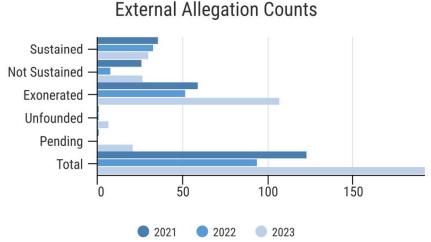
			Com	mon Alleg	ed Rule	of Condu	ct Violati	ons				
	EXTERNAL				INTERNAL				TOTAL			
	2021	2022	2023	3 Yr. Avg. '21-'23	2021	2022	2023	3 Yr. Avg. '21-'23	2021	2022	2023	3 Yr. Avg. '21-'23
Absence from Duty	0	0	<b>℃</b>	0.0	2	210	151	121.0	2	210	151	121.0
Arbitrary Profiling	9	4	8	7.0	0	0	0	0.0	9	4	8	7.0
Arrest, Search, and Seizure	29	44	66	46.3	11	6	8	8.3	40	50	74	54.7
Conformance to Laws	1	4	5	3.3	10	4	5	6.3	11	8	10	9.7
Courtesy	13	18	9	13.3	3	6	15	8.0	16	24	24	21.3
Driving	0	0	0	0.0	19	32	30	27.0	21	19	30	23.3
Neglect of Duty	4	9	13	8.7	14	18	17	16.3	7	18	30	18.3
Use of Body Worn Cameras	8	3	11	7.3	27	36	27	30.0	35	39	38	37.3
Use of Force	34	18	50	34.0	1	7	12	6.7	35	25	62	40.7
Unbecoming Conduct	2	2	2	2.0	5	4	6	5.0	7	6	8	7.0
Violation of Rules	8	4	7	6.3	16	21	27	21.3	24	25	34	27.7

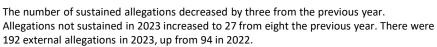
Note: A case can have more than one alleged Rule of Conduct violation.

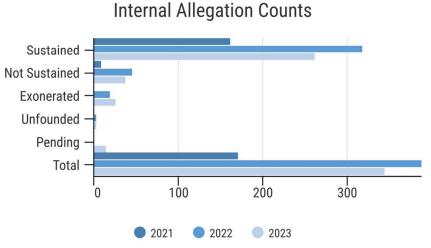
### **EXTERNAL AND INTERNAL ALLEGATIONS**

**2023 Adjudications.** External allegations were sustained at a rate of 15.6% compared to 35% in 2022. This percentage of sustained external allegations decreased compared to past years. Internal allegations were sustained in 76.2% of cases in 2023 compared to 82% in 2022. This percentage of sustained internal allegations decreased compared to past years.









A high rate of sustained internal allegations persists from previous years.

#### **TOTAL ADJUDICATIONS**

0%

5%

10%

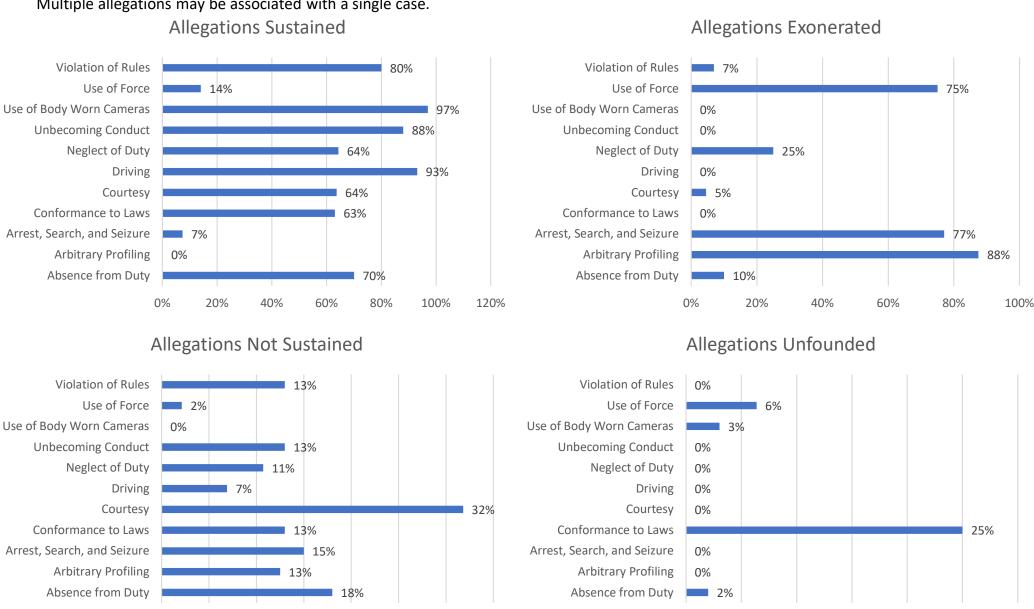
15%

20%

25%

30%

The charts below show the percentage of frequent allegations in 2023 that were Sustained, Not Sustained, Exonerated, or Unfounded. Multiple allegations may be associated with a single case.



0%

5%

10%

15%

20%

25%

35%

30%

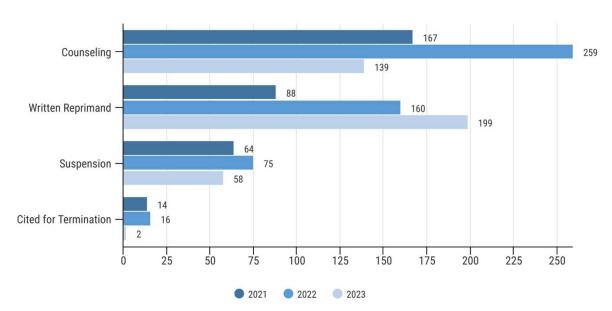
### **CORRECTIVE ACTION**

To the extent allowed by law and policy, an employee's history will be taken into consideration in determining the consequences of a failure to meet the department's expectations. An employee who continually makes errors can expect the consequences of this behavior to become progressively more punitive. Corrective action can range from counseling to a recommendation for employee termination. In many cases, employees also receive additional training in the subject areas in which violations occur.

The chain of command or Independent Chain of Command Review Board makes the decision on the appropriate corrective 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 <a href="https://www.cmpd.org">www.cmpd.org</a>, E-Policing Resources, then select <a href="Departmental">Departmental</a> <a href="Directives">Directives</a>, then 100-004 Disciplinary Philosophy.

The below graph illustrates the corrective action taken for sustained allegations in 2021 through 2023. There is no corrective action if an employee resigns while under investigation. There are more actions taken than allegations, as some allegations result in multiple corrective actions, such as written reprimands and suspensions together. The percentage of corrective action taken in 2023 saw an increase in those cited for written reprimand, and a decreases in counseling and those cited for termination compared to percentages in recent years.

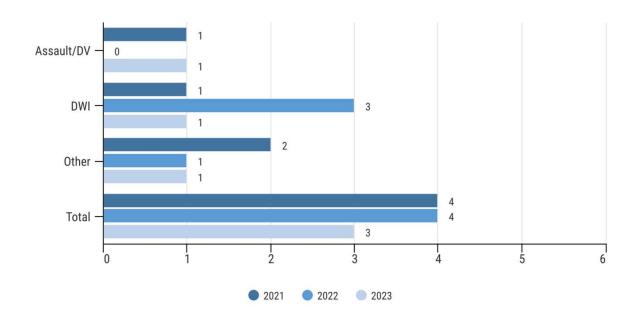
### **CORRECTIVE ACTION PER ALLEGATION**



### CRIMINAL INVESTIGATIONS INVOLVING EMPLOYEES

When a CMPD employee is alleged to have committed a crime in Mecklenburg County, the department conducts a criminal investigation separate from the Internal Affairs investigation. Criminal investigations are conducted by detectives in the Criminal Investigations Bureau and not by Internal Affairs. If the alleged crime occurs outside of Mecklenburg County, the agency within that jurisdiction 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 will immediately report to the Chief of Police in writing of the criminal charges brought against them.

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





### **RESPONSE TO RESISTANCE/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. The table displays the number of times officers used force as compared with total arrests and total police interactions.

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.

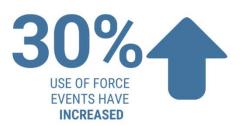
In 2023, the Charlotte-Mecklenburg Police Department continued to update the Open Data Source webpage that provides the public with detailed information about officer involved shooting incidents. We provide information about officer involved shootings in an effort to create greater transparency to the public. 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 they are held accountable for their actions. The CMPD is continuously reviewing and improving our training and practices to reduce the likelihood of deadly force incidents.

Effective November 6, 2019, CMPD adopted a new Directive that replaced the Use of Force Directive which addressed concerns from some residents about police use of force, while acknowledging that officers face an inherently dangerous job. The Response to Resistance Directive recognizes and respects the integrity and paramount value of human life. The CMPD believes that human life is sacrosanct and the goal of any encounter with the public is guided by the unwavering commitment to the preservation of life.

	2021	2022	2023	3 Yr. Avg. '21-'23	2022-2023 Change
Total Use of Force Events*	380	368	478	409	110
Total Police Interactions	533,957	528,572	534,083	532,204	5,511
Total Arrests	13,201	14,059	15,248	14,169	1,189

POLICE INTERACTIONS HAVE INCREASED





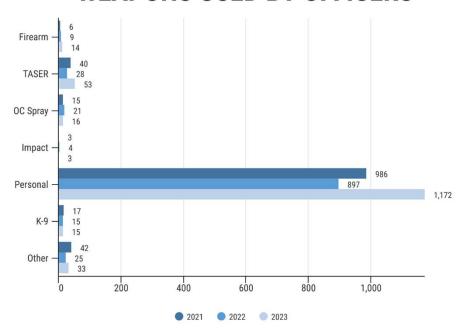
The policy concerning the use of deadly force is reviewed with officers annually. Additionally, officers are required to train and qualify with their firearm annually, both during the daylight hours and during the hours of darkness. Officers must also qualify yearly with the department-issued shotgun.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

#### **DISCHARGE OF FIREARM**

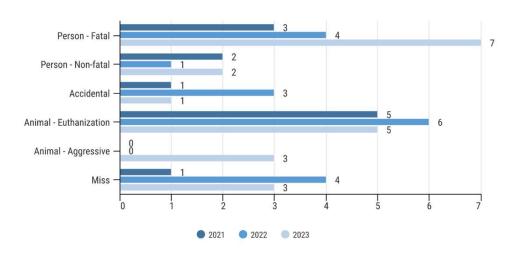
The chart to the right displays use of different weapons by officers during use of force situations against individuals and injured/aggressive animals from 2021 to 2023. Note that any single use of force event may have included the use of multiple weapons by one or more officers, which is why the number 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.

### **WEAPONS USED BY OFFICERS**



### NUMBER OF EMPLOYEES WHO DISCHARGED FIREARM





The number of employees who discharged firearms in the performance of their duties for the past three years.

### **RESPONSE TO RESISTANCE/USE OF FORCE**

Use of Less-lethal Control: 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 <a href="https://www.cmpd.org">www.cmpd.org</a> and under E-Policing Resources, select <a href="https://www.cmpd.org">All</a> <a href="https://www.cmpd.org">Departmental Directives</a> and select 600-019 Response to Resistance.

When appropriate, officers may choose from several non-deadly control options. Officers receive response to resistance training in accordance with federal and state statutes. The North Carolina Criminal Justice Education and Training Standards Commission requires officers to have use of force training on a yearly basis to maintain their law enforcement 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.

On 8/30/2023, an update to 600-019 Response to Resistance was added to specify that an Internal Affairs investigation is required when a person in a vehicle flees from police contact (not a pursuit) and is involved in a crash.

**Use of Deadly Levels of Control:** The circumstances in which an officer may use deadly force are limited by North Carolina General Statute and further restricted by Departmental Directives.

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, the Criminal Investigation Bureau's Homicide Unit or the State Bureau of Investigation (SBI) conducts a criminal investigation after consultation with the Mecklenburg County District Attorney's Office. 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.

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 an administrative 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.

### **Employee and Subject Injury Statistics**

EMPLOYEE_INJURY_TYPE	2021	2022	2023	EMPLOYEE_INJURY_TYPE	2021	2022	2023
Animal Bite	14	26	16	Animal Bite	3.3%	6.9%	4.1%
Animal Scratch	3	0	0	Animal Scratch	0.7%	0.0%	0.0%
Broken Bones/Teeth	11	5	8	Broken Bones/Teeth	2.6%	1.3%	2.1%
Bruises/Scratches	161	148	166	Bruises/Scratches	37.6%	39.1%	42.8%
Fatal Injury	1	0	0	Fatal Injury	0.2%	0.0%	0.0%
Gunshot Wound	1	1	0	Gunshot Wound	0.2%	0.3%	0.0%
Internal Injuries	5	8	17	Internal Injuries	1.2%	2.1%	4.4%
Joint Injury	35	27	31	Joint Injury	8.2%	7.1%	8.0%
Knife Wound	1	2	5	Knife Wound	0.2%	0.5%	1.3%
Loss of Conciousness	6	0	1	Loss of Conciousness	1.4%	0.0%	0.3%
No Physical Injury	0	0	5	No Physical Injury	0.0%	0.0%	1.3%
Other Injury	91	93	67	Other Injury	21.3%	24.5%	17.3%
Sprain/Strain	99	69	72	Sprain/Strain	23.1%	18.2%	18.6%
TOTAL	428	379	388	TOTAL	100.0%	100.0%	100.0%

Note: The number of employee injuries include those sustained during the performance of duties, subject interactions, or training.

SUBJECT INJURY FROM POLICE ACTION	2021	2022	2023	SUBJECT INJURY FROM POLICE ACTION	2021	2022	2023
40 mm Launcher Impact	1	1	1	40 mm Launcher Impact	0.4%	0.5%	0.4%
Animal Bite	14	8	8	Animal Bite	5.8%	3.6%	3.4%
Animal Scratch	0	1	0	Animal Scratch	0.0%	0.5%	0.0%
Broken Bones/Teeth	4	3	2	Broken Bones/Teeth	1.7%	1.4%	0.8%
Bruises/Scratches	137	135	139	Bruises/Scratches	56.8%	61.1%	58.9%
Complaint Of Injury	42	35	37	Complaint Of Injury	17.4%	15.8%	15.7%
Fatal Injury	0	3	3	Fatal Injury	0.0%	1.4%	1.3%
Gunshot Wound	4	1	3	Gunshot Wound	1.7%	0.5%	1.3%
Internal Injury	2	1	2	Internal Injury	0.8%	0.5%	0.8%
Joint Injury	2	1	4	Joint Injury	0.8%	0.5%	1.7%
Loss Of Conciousness	1	2	2	Loss Of Conciousness	0.4%	0.9%	0.8%
Not Stated	2	0	1	Not Stated	0.8%	0.0%	0.4%
Other Injury	8	16	15	Other Injury	3.3%	7.2%	6.4%
Sprain/Strain	3	0	2	Sprain/Strain	1.2%	0.0%	0.8%
Taser Probe Injury	21	14	17	Taser Probe Injury	8.7%	6.3%	7.2%
TOTAL	241	221	236	TOTAL	100.0%	100.0%	100.0%

Note: The numbers reflected in this report are based on data which is not static and is subject to change following publication.

### **OFFICER INVOLVED SHOOTING SUMMARIES**

In 2023, there were eight incidents where an officer discharged a firearm at a person. Following is a summary of the case with additional information available from the Open Data Source webpage which is located at: <a href="http://charlottenc.gov/CMPD/Pages/Resources/CMPD-OpenData.aspx">http://charlottenc.gov/CMPD/Pages/Resources/CMPD-OpenData.aspx</a>.

### Officer Involved Shooting, Incident 1

On Saturday, January 21, 2023, at 1:04 p.m., officers responded to a residence in the 2700 block of Billings Park Drive to serve an Involuntary Commitment Order. While officers were preparing to serve the order, multiple calls for service were placed through 911 regarding a Communicating Threats and an Assault with a Deadly Weapon at the same residence. While officers were working to contain the scene, they observed an armed subject at the residence actively shooting. One CMPD officer discharged his weapon at a subject who had just fired gunshots. Officers immediately rendered medical aid to those injured. No officers were injured. Two subjects were transported by Medic with non-life-threatening injuries. A firearm was located on the scene.

### Officer Involved Shooting, Incident 2

On Saturday, March 11, 2023, at approximately 6:46 a.m., officers responded to a residence in the 3800 block of Griers Fork Drive in reference to a communicating threats call for service. Multiple 911 calls were received advising that an individual was outside threatening to kill his neighbors. Officers arrived on scene and tried to make contact with the individual, however, the individual remained inside of his residence and refused to come out. Officers learned during this time that the subject had an outstanding order for his arrest and was armed with a handgun. On Sunday, March 12, 2023, at approximately 1:30 p.m., the subject surrendered to CMPD SWAT and was taken for mental health treatment.

### Officer Involved Shooting, Incident 3

On Saturday, May 27, shortly after 2:00 a.m., officers responded to an Assault with a Deadly Weapon with No Injury call for service. The call for service stated it appeared to be a large party where multiple individuals had guns. Preliminary information indicates that as officers arrived on scene, a suspect inside a stopped vehicle started firing rounds. An officer perceived an imminent deadly threat and fired their service weapon. The suspect vehicle fled the scene. There are no known injuries reported.

### OFFICER INVOLVED SHOOTING SUMMARIES, CONTINUED

In 2023, there were eight incidents where an officer discharged a firearm at a person. Following is a summary of the case with additional information available from the Open Data Source webpage which is located at: <a href="http://charlottenc.gov/CMPD/Pages/Resources/CMPD-OpenData.aspx">http://charlottenc.gov/CMPD/Pages/Resources/CMPD-OpenData.aspx</a>.

### Officer Involved Shooting, Incident 4

On Monday, July 17, 2023, shortly before 6:30 p.m., officers responded to a check the welfare call for service. Officers arrived on scene and met with family members who placed the call for service. Yelling was heard from inside the apartment followed by an apparent gunshot. Officers made entry into the apartment and once inside, officers observed a female subject with a firearm in close proximity. Officers proceeded to give commands to the subject not to reach for the firearm. When the subject did not comply, an officer perceived an imminent deadly threat and fired their service weapon. Immediately following, officers retreated from the apartment and established a perimeter. Members of the SWAT Team made entry into the apartment and a female subject was located inside with at least one apparent gunshot wound. MEDIC responded to the scene and transported the female subject to an area hospital with life-threatening injuries. The juvenile was located inside the home and did not appear to have any physical injuries.

### Officer Involved Shooting, Incident 5

On Sunday, August 20, 2023, shortly before 8:00 a.m., officers responded to a domestic disturbance call for service. When officers arrived on scene, they heard sounds of a disturbance inside an apartment. Officers forced entry into the apartment and were met by the combative suspect. An altercation ensued, during which the suspect stabbed an officer in the neck. Officers perceived an imminent deadly threat and one officer discharged their service weapon, striking the suspect. The suspect was pronounced deceased on scene. The officer who was stabbed, and a female victim who sustained a gunshot wound were transported to the hospital with non-life-threatening injuries. Multiple firearms were recovered from inside the apartment.

### Officer Involved Shooting, Incident 6

On Friday, August 25, 2023, shortly before 12:30 a.m., officers responded to a domestic disturbance call for service. Upon arrival, officers feared a threat inside the apartment and entered. Officers observed a lethal threat to the victim and one officer discharged their service weapon. The subject was pronounced deceased on the scene. The victim was transported to a local hospital with lifethreatening injuries due to multiple stab wounds. All officers are unharmed from the incident.

### OFFICER INVOLVED SHOOTING SUMMARIES, CONTINUED

In 2023, there were eight incidents where an officer discharged a firearm at a person. Following is a summary of the case with additional information available from the Open Data Source webpage which is located at: <a href="http://charlottenc.gov/CMPD/Pages/Resources/CMPD-OpenData.aspx">http://charlottenc.gov/CMPD/Pages/Resources/CMPD-OpenData.aspx</a>.

### Officer Involved Shooting, Incident 7

On Wednesday, October 4, 2023, at approximately 9:30 p.m., officers responded to a shots fired call for service. Upon arrival, an officer encountered an armed subject matching the description of the individual in question. The officer gave repeated verbal commands for the subject to stop and drop the weapon. An encounter ensued resulting in shots being fired and the subject was struck. The officer was not injured. The officer immediately began rendering life-saving measures before MEDIC arrived. MEDIC transported the subject to a nearby hospital where he was pronounced deceased. A firearm was recovered on scene.

### Officer Involved Shooting, Incident 8

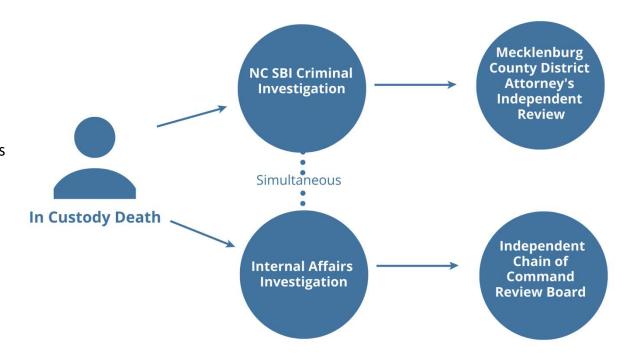
On Saturday December 16th, shortly after 6:00 a.m., officers received a shots fired call for service. Preliminary information indicates as officers were responding to the scene, additional gunshots were heard. Upon arrival, officers located a male subject pointing a gun at another subject. Officers gave the subject pointing the gun repeated verbal commands in an attempt to de-escalate. Preliminary information indicates the subject did not comply. At that point, officers perceived an imminent and deadly threat and multiple officers fired their service weapons. The armed subject then retreated into the residence. Officers entered the residence and discovered the subject suffering from gunshot wounds and immediately began rendering aid. MEDIC arrived on scene and pronounced the subject deceased. No officers were injured in the incident.

#### **IN-CUSTODY DEATH**

If a person dies while in the custody of CMPD, the District Attorney's office may request that investigators from the SBI 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 pursue 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 accordance with CMPD 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 arrestee care and transportation. For a complete list of those guidelines, please refer to <a href="https://www.cmpd.org">www.cmpd.org</a>. From the homepage, click E-Policing Resources, <a href="https://www.cmpd.org">Departmental Directives</a>, 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 2023, the CMPD had one in-custody death incident.



### In Custody Death, Incident 1

On December 3, 2023, at around 4:30 a.m., officers responded to the 4700 block of Palm Breeze Lane, in reference to a Check the Welfare call for service. Preliminary information indicates that the suspect was involved in a domestic violence incident, fired a weapon multiple times, and then left the scene in his vehicle prior to the officer's arrival.

The suspect's car was located nearby in the 5300 block of Windy Valley Drive after he had crashed into multiple vehicles and broke into a nearby residence. Officers approached the suspect who was acting erratically, and detained him using a "soft, empty hands" approach as detailed in CMPD's response to resistance policy. Due to his erratic behavior, officers immediately called for Medic. The suspect was conscious when CFD arrived, however, during evaluation the suspect went into cardiac arrest and was transported by Medic to Atrium Main where he was pronounced deceased. Because the suspect was detained prior to transport, this would be considered an "incustody" death. A firearm was recovered at the scene.

#### **POLICE VEHICLE PURSUITS**

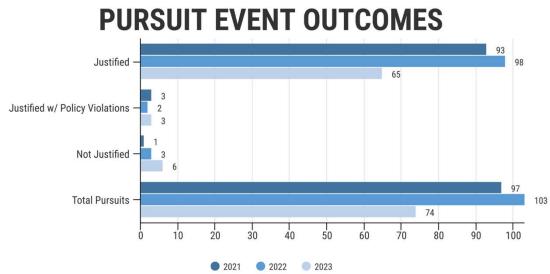
On occasion, police officers may encounter individuals in motor vehicles who refuse to stop when the blue lights and siren are activated. When police continue to keep pace with a vehicle in their attempts to stop its driver, a police pursuit occurs. Vehicle pursuits pose a significant risk to the general 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 initiate pursuits, but must have permission from a supervisor to continue the pursuit. The supervisor then closely manages all aspects of the pursuit to include evaluation of the risk it creates. Pursuits are restricted to those situations where a suspect has recently committed an offense that puts a life in danger or there is reasonable expectation they will do so. 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 reason, 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 <a href="www.cmpd.org">www.cmpd.org</a>, E-Policing Resources, and then to <a href="Departmental Directives">Departmental Directives</a>, then to Directive 600-022 Emergency Response and Pursuit Vehicle Operations.

Pursuits vary greatly in length, vehicle speed and number of police vehicles involved. While some pursuits travel several miles at high speeds, most last only seconds and cover short distances. The below chart shows the number of pursuits and how they were adjudicated from 2021 to 2023.



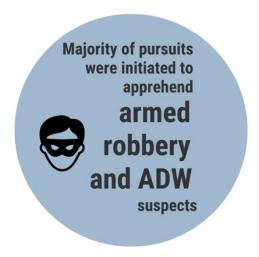


### **POLICE VEHICLE PURSUITS**

The Charlotte-Mecklenburg Police Department annually reviews and updates our pursuit policy, equipment, and training in order to ensure the highest level of safety during these high-risk situations. The below table indicates, as in previous years, the majority of all pursuits were for violent felony offenses. In December 2023, Directive 600-022 was updated with a new definition for pursuit. Pursuits are defined as when a sworn employee operates a law enforcement vehicle outside of traffic laws, in an attempt to follow, stop, apprehend, or maintain visual contact on a vehicle, which either has fled or engaged in an evasive action.

### SUSPECT OFFENSES INITIATING A PURSUIT

	2021	2022	2023	3 Yr. Avg. '21-23
Homicide	6	4	2	4.0
Burglary	0	2	0	0.7
Assault on Government Officer or Employee	3	4	3	3.3
Assault w/ Deadly Weapon (ADW)	39	35	20	31.3
Death by Vehicle: Felony/Misdemeanor (Traffic Fatality)	0	1	0	0.3
Rape/Sex Offense	2	0	0	0.7
Breaking & Entering	1	2	0	1.0
Hit and Run	1	1	0	0.7
Kidnapping	2	5	3	3.3
Resist, Obstruct or Delay	0	0	0	0.0
Robbery - Armed	40	43	37	40.0
Robbery - Common Law	0	1	0	0.3
Traffic Offense (Not DWI)	1	2	0	1.0
Warrant/Order for Arrest	2	3	4	3.0
Weapons Law Violation	0	0	1	0.3
Larceny of Vehicle	0	0	4	1.3



### **EMPLOYEE MOTOR VEHICLE COLLISIONS**

To provide police services throughout urban and suburban Mecklenburg County, department employees drive an expansive amount 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 411 square miles. Employees drive vehicles in all types of weather, traffic and emergency conditions.

In total, the department has approximately 2,250 employees operating 1,694 vehicles, with many vehicles being operated 24-hours a day. Department vehicles were driven a total of 21,001,227 miles in 2021; and 21,255,641 in 2022; and 21,904,591 in 2023.

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, the employee may be referred to the Training Academy for additional training.

The number of collisions associated with employee driving is displayed in the graph to the right and shows the total number of preventable and non-preventable collisions from 2021 through 2023.

### **Collisions by Disposition**

