

It is my pleasure to present to you the 2013 Annual 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 process plays an integral role in building and maintaining that trust.

In an effort to be as transparent and as pro-active as possible, the Internal Affairs Bureau 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 2013 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,

Rodney D. Monroe

Rodney D. Monroe
Chief of Police



Executive Summary

As of April 17, 2014, IA processed 233 cases of misconduct allegations for 2013. These cases involved 477 alleged violations of a rule of conduct. The majority of these cases (66) were related to an alleged violation of one of the 100+ directives and standard operating procedures. The vast majority of those 66 complaints were made by CMPD employees against other CMPD employees. In 89% of those cases, it was determined that there was sufficient evidence to show the employee's actions violated policy. This is a consistent trend with past years where the majority of all complaints are made internally; indicating employees' willingness to report errors or improper behavior to their supervisors.

While citizen calls to the department increased by over 7,000 from last year, there were fewer arrests and fewer uses of force by CMPD officers in 2013 compared to last year. The number of vehicle pursuits was nearly the same as last year, and the majority of the time the pursuits were initiated for the offense of armed robbery.

There were five deadly force incidents and one in-custody death incident in 2013. These incidents receive intense scrutiny from the Homicide Unit, Internal Affairs Bureau, Mecklenburg County District Attorney's Office, and in some cases, the North Carolina State Bureau of Investigation.

Seven CMPD employees were criminally charged in 2013. While these incidents are a disappointment to the organization, the number charged is less than one half of one percent of CMPD's workforce.

CMPD employees drove nearly 21 million miles in 2013. Even so, there were fewer than 300 collisions of which 135 were determined to have been not preventable by the employee.

Please recognize this 2013 annual report is based on data which is not static, and is subject to change following publication. While the Charlotte-Mecklenburg Police Department strives to share accurate, timely information with the community, there are factors which influence these changes. One way the Department attempts to minimize these changes, or updates, is by adjudicating 2013 case investigations prior to publishing this annual report. This is important because the annual report is based on the calendar year, and a complaint from an event in December may take several months to adjudicate, depending on the severity of the allegation and length of the investigation. In the case of an appeal, especially an employee suspension or termination, the final adjudication may be overturned by the Civil Service Board, or the length of suspension may be increased or decreased. With that caveat, please use this report to help understand the yearly trends related to our internal investigations and our commitment to thoroughly investigating all citizen complaints.

Contents

Executive Summary	2
CMPD Mission Statement	4
CMPD Internal Affairs Bureau Mission Statement	4
Internal Affairs Bureau	5
The Internal Affairs Staff.....	6
Community Oversight.....	7
Complaint Investigations	8
Disciplinary Action.....	14
Criminal Investigations Involving Employees.....	15
Use of Force.....	16
In-Custody Deaths.....	23
Police Vehicle Pursuits	24
Employee Motor Vehicle Collisions.....	26
Acknowledgements.....	27

CMPD Mission Statement

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

We Value:

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

CMPD Internal Affairs Bureau Mission Statement

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



Internal Affairs Bureau

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

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

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

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

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

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

The Internal Affairs Staff

Major
Cam Selvey

Captain
Roslyn Maglione

Sergeants
Mike Burke
Marsha Dearing
Will Farrell
John Kitchens
Bryan Miller
Vicky Suarez
Mike Sloop



Community Oversight

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

Community Relations Committee

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

Civil Service Board

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

Citizens Review Board (CRB)

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

Complaint Investigations

The Charlotte-Mecklenburg Police Department has a responsibility to prevent unethical and improper conduct among our employees, and to give them the very best preparation to make sound, appropriate, and 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 more clear, CMPD employees have 40 [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.

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

Complaints about employee conduct 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 Bureau would like to communicate effectively with complainants and assist complainants through the process, anonymous complaints are also investigated.

The Internal Affairs Bureau investigates allegations of significant concern to the community at large. Other allegations of misconduct are investigated by a supervisor in the employee's chain of command. After an investigation is complete, depending on the allegation, the complaint is either reviewed by the employee's chain of command or an Independent Chain of Command Review Board to determine a disposition. Complaint investigations completed by Internal Affairs are most often adjudicated by an Independent Chain of Command Review Board. These Boards are comprised of supervisors and command staff members from throughout the Department, as well as a representative from the Community Relations Committee.



The CMPD disciplinary process mandates the adjudication of complaint allegations by a supervisory chain of command. Internal Affairs Bureau personnel serve to advise the chain of command on the investigation and disciplinary process, but do not participate in determination of the final disposition. There are four 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.

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

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

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

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

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

Upon disposition of a complaint allegation, Internal Affairs 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 2013. The CMPD received 233 complaints in 2013, the majority of which were internal complaints. As can be seen in **Table 1**, the number of external complaints increased by only four while the number of internal complaints rose by thirty-seven.

Table 1. Total Complaint Events			
	2012	2013	Change
External Complaint Events	50	54	+4
Internal Complaint Events	142	179	+37
Total Complaint Events	192	233	+41

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

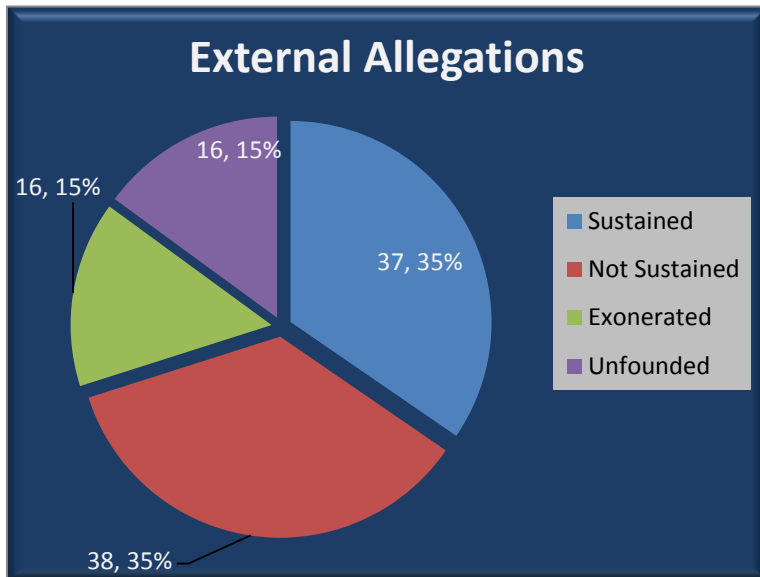
In 2013, there were 477 alleged rule of conduct violations, compared to 362 in 2012. **Table 2** identifies the rules of conduct that account for the majority of all misconduct allegations.

Table 2. Most Common Alleged Rule of Conduct Violations									
	External			Internal			Total		
	2012	2013	Change	2012	2013	Change	2012	2013	Change
Violation of Rules	10	12	+2	54	54	0	64	66	+2
Unbecoming Conduct	5	8	+3	30	34	+4	35	42	+7
Absence From Duty	0	0	0	14	9	-5	14	9	-5
Neglect of Duty	13	10	-3	32	41	+9	45	51	+6
Conformance To Law	9	3	-6	11	26	+15	20	29	+9
Courtesy	19	23	+4	6	8	+2	25	31	+6
Use of Force	15	18	+3	11	14	+3	26	32	+6
Arrest, Search and Seizure	13	13	0	6	8	+2	19	21	+3
Pursuit Driving	0	0	0	14	26	+12	14	26	+12

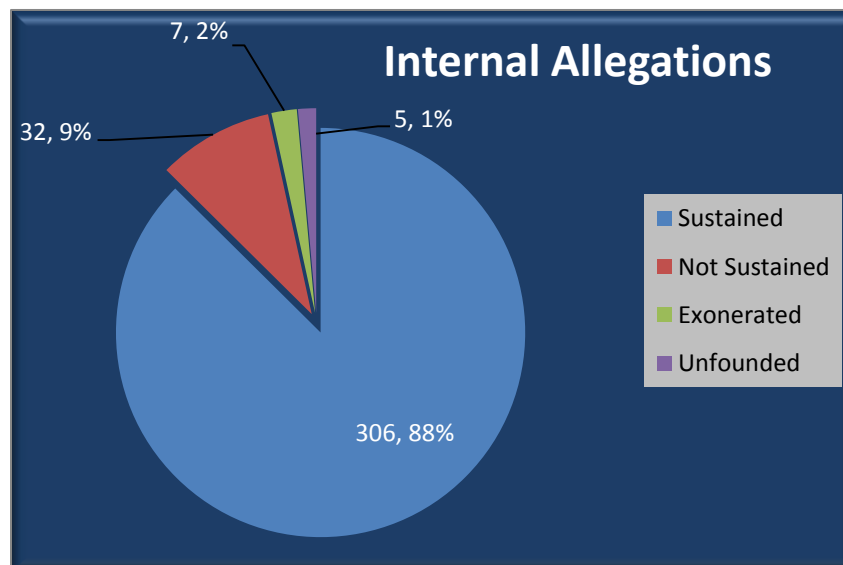


- Internal: Violation of Rules – 91% were sustained in 2013
- Internal and External: Neglect of Duty – 84% were sustained in 2013
- Internal: Use of Force – 36% were sustained in 2013
- Internal: Arrest, Search, and Seizure – 38% were sustained in 2013

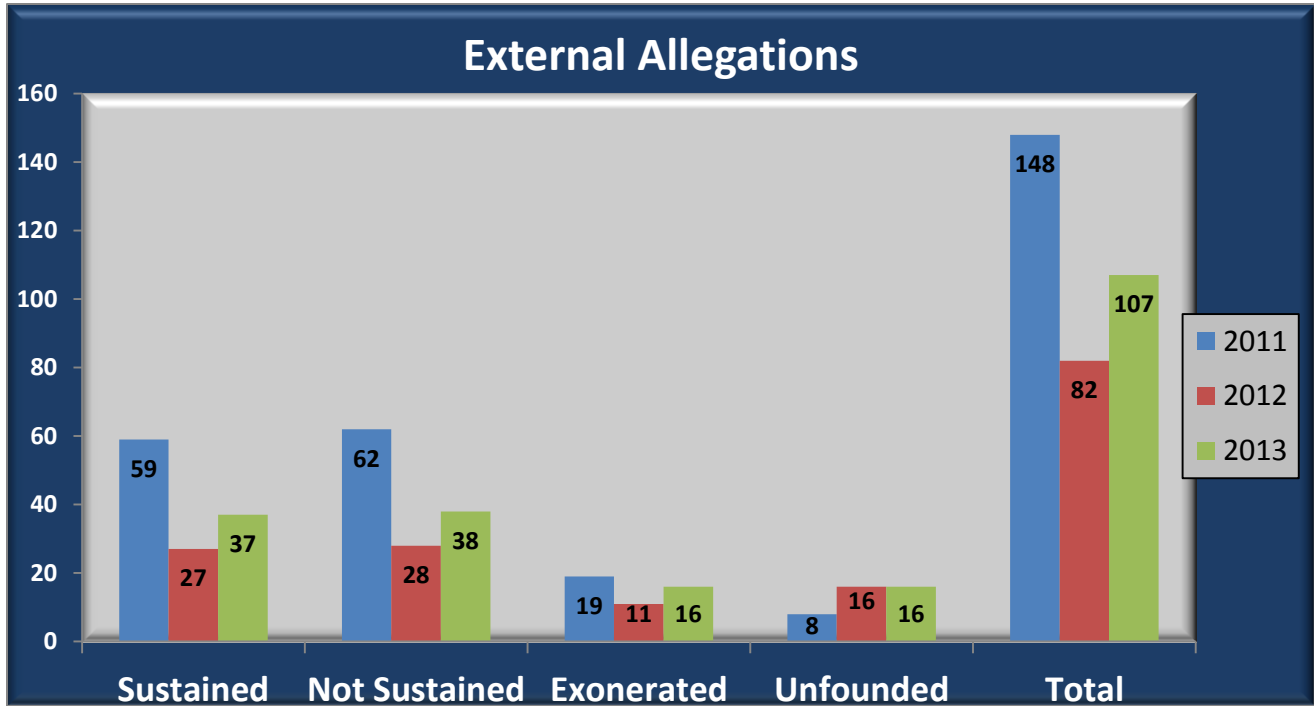
2013 Investigation Decisions. Following investigations, only 35% of external allegations were sustained. A much higher percentage (88%) of internal allegations were sustained. It is possible that officers have a better understanding of what constitutes appropriate behavior in certain circumstances than do the public; therefore, officers may only be submitting complaints when they are certain misconduct has occurred whereas the public may not have the benefit of this knowledge prior to submitting an allegation. This pattern is consistent with those observed in previous years.



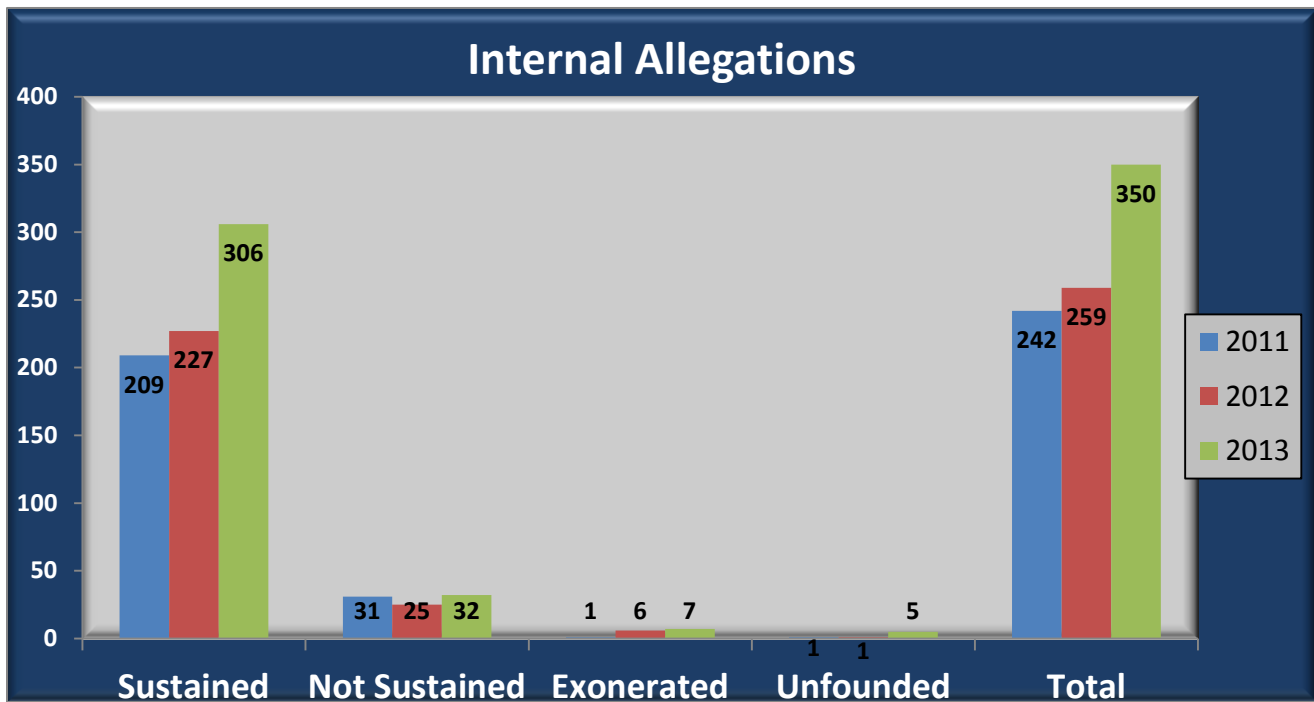
For the majority of external allegations of misconduct (65%), employee behavior was determined to be appropriate or there was insufficient evidence to suggest otherwise.



88% of complaints made against employees by other employees were sustained.



The number of sustained allegations in 2013 increased by ten from the previous year, and the number of not sustained allegations increased by ten as well. Fifteen percent of all 2013 external allegations were unfounded.



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

The chart below shows the percentage of the most frequent allegations in 2013 that were sustained, not sustained, exonerated, or unfounded.

Percent of allegations that were sustained:

Violation of Rules - 89%
Unbecoming Conduct - 73%
Absence From Duty - 89%
Neglect of Duty - 86%
Conformance To Law - 53%
Courtesy - 45%
Use of Force - 23%
Arrest, Search and Seizure - 24%
Pursuit Driving - 96%

Percent of allegations that were not sustained:

Violation of Rules - 6%
Unbecoming Conduct - 12%
Absence From Duty - 11%
Neglect of Duty - 12%
Conformance To Law - 21%
Courtesy - 52%
Use of Force - 40%
Arrest, Search and Seizure - 14%
Pursuit Driving - 4%

Percent of allegations that were exonerated:

Violation of Rules - 2%
Unbecoming Conduct - 2%
Absence From Duty - 0%
Neglect of Duty - 0%
Conformance To Law - 0%
Courtesy - 0%
Use of Force - 23%
Arrest, Search and Seizure - 52%
Pursuit Driving - 0%

Percent of allegations that were unfounded:

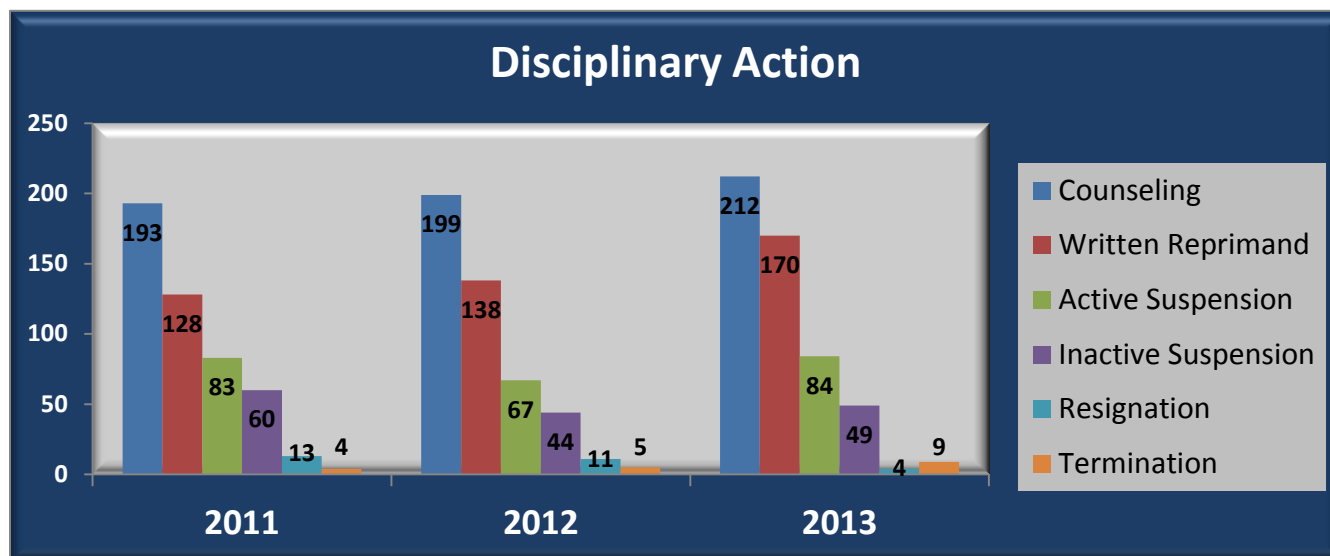
Violation of Rules - 2%
Unbecoming Conduct - 12%
Absence From Duty - 0%
Neglect of Duty - 2%
Conformance To Law - 26%
Courtesy - 3%
Use of Force - 13%
Arrest, Search and Seizure - 10%
Pursuit Driving - 0%

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 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, E-Policing Resources, then select [Departmental Directives](#), then [100-004 Disciplinary Philosophy](#).

The below graph illustrates the disciplinary action taken for sustained allegations in 2011 through 2013. An inactive suspension is activated if an employee violates a similar rule of conduct within a year. There is no disciplinary action if an employee resigns while under investigation. There are more actions taken than allegations, as some allegations result in multiple disciplinary actions, such as reprimands and suspensions together. The pattern of disciplinary actions taken in 2013 is nearly identical to those that were observed in recent years.

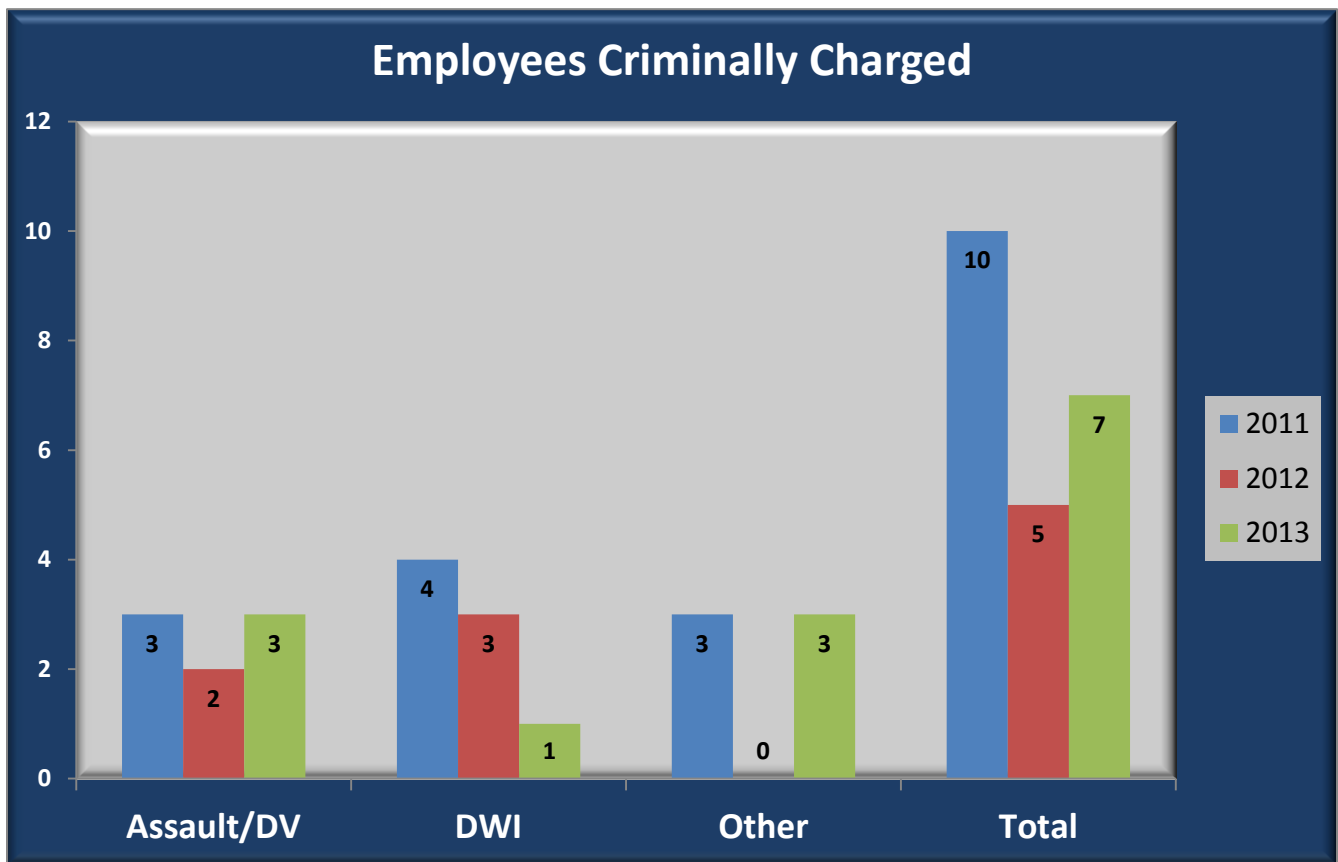


Low to moderately severe disciplinary actions (e.g., counseling, reprimands, and suspensions) were used most often in 2013, as has been the case in recent years.

Criminal Investigations Involving Employees

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

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



The number of employees criminally charged was slightly higher in 2013 than 2012 but lower than it was in 2011. CMPD employs over 2,200 individuals.

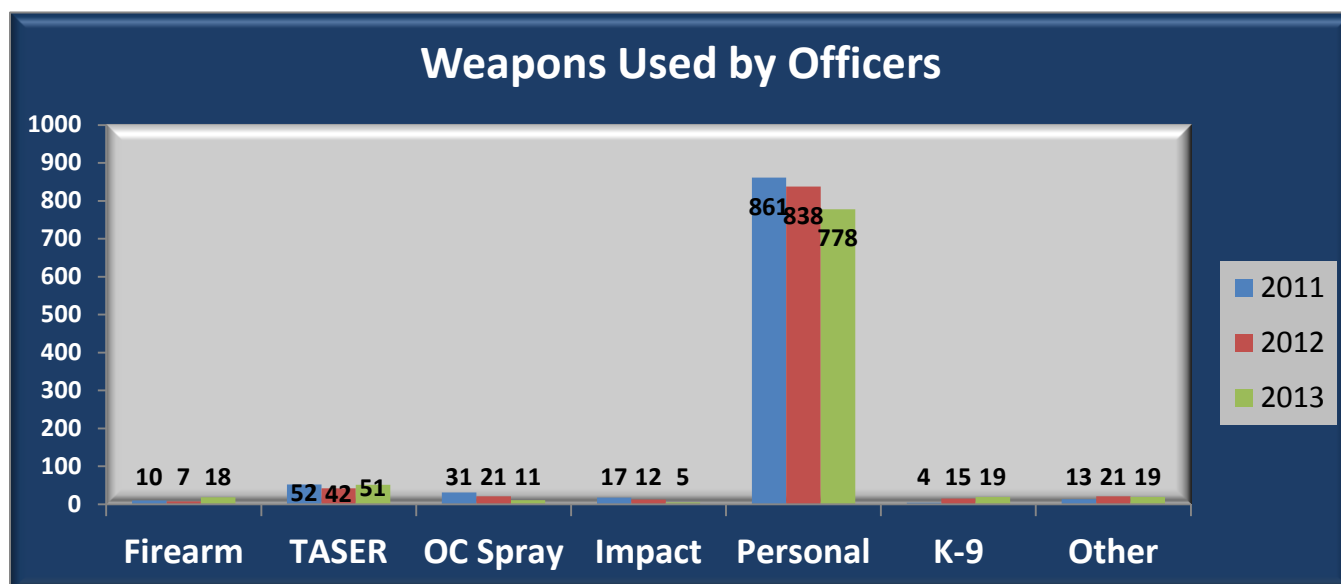
Use of Force

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.

	2011	2012	2013	2012-2013 Change
Total Use of Force Events	471	459	431	28 fewer
Total Calls for Service	375,855	360,713	367,973	7,260 more
Total Arrests	26,497	24,714	22,000	2,714 fewer

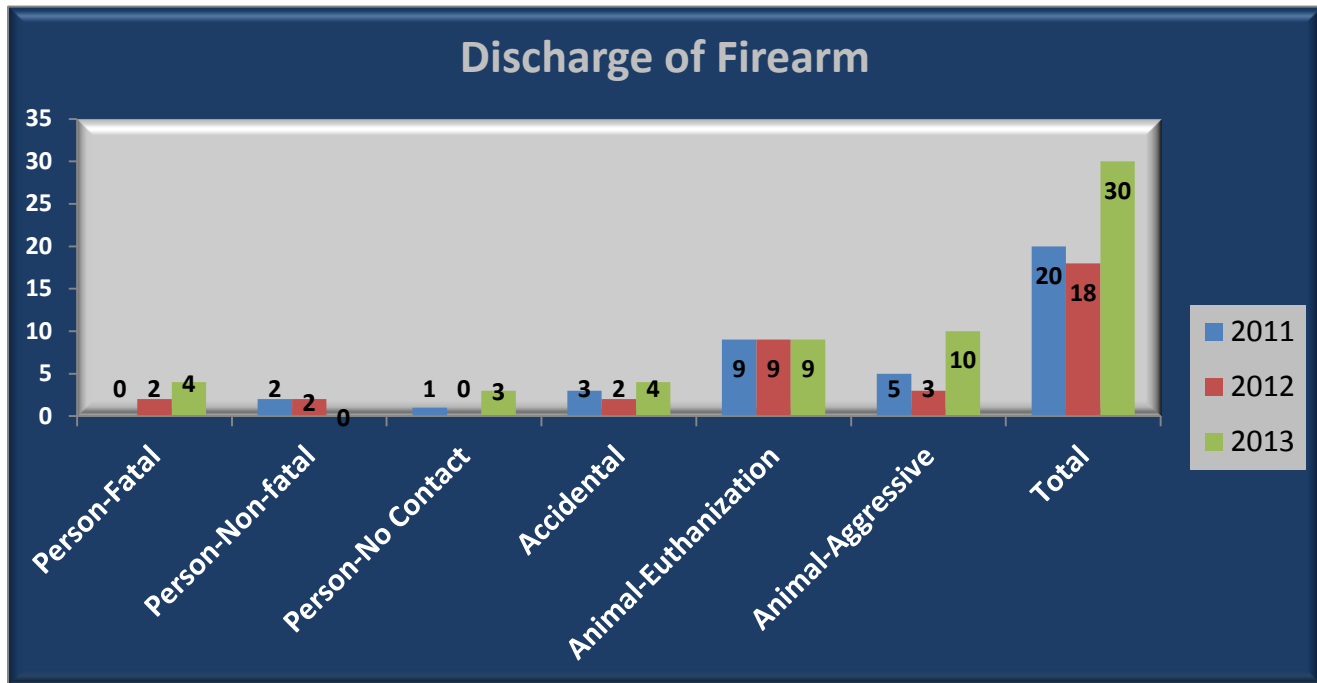
Despite more calls for service, there were fewer arrests and fewer uses of force in 2013.

The below graph displays use of different weapons by officers during use of force situations against aggressive individuals and animals from 2011 to 2013. 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) 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.

The below graph displays the number of incidents where employees discharged firearms in the performance of their duties for the past three years.



↑

Over half of all shooting incidents (19) in 2013 involved euthanizing injured animals or shooting an aggressive animal.

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

When appropriate, officers may use several non-deadly force options. Officers receive training consistent with the [Use of Force Continuum](#) (see 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. From the homepage, click under E-Policing Resources, [All Departmental Directives](#). The department's Use of Force Continuum can be found under 600-020 Use of Force Continuum.

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

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

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

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

During 2013, there were five deadly force incidents where officers discharged a firearm.

First Incident

Description: On Sunday, January 6, 2013, at approximately 10:54 p.m., officers were on a traffic stop when they were approached by an elderly male who was having problems with his son and requested assistance at his residence on Cooper Drive. Upon arrival, officers encountered a male who was holding a box cutter to his throat. After the subject ignored several verbal commands directing him to drop the box cutter, one of the officers deployed his Taser in an effort to prevent the subject from harming himself. The Taser missed the subject who continued to ignore the officers' commands. The subject then charged towards one officer with the box cutter. One of the officers then fired his service weapon striking the subject. Medic responded to the scene and transported the subject to Carolinas Medical Center where he was later pronounced deceased.

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

Second Incident

Description: On Tuesday, June 18, 2013, at approximately 1:43 p.m., Charlotte-Mecklenburg Police Department Gang Unit detectives were conducting an undercover drug investigation on Snow White Lane. After completing a drug transaction, the suspects left briefly and returned to the location and were observed carrying handguns. One of the suspects shot an informant. A detective then returned fire, striking the suspect. The second suspect fled on foot while firing a gun in the direction of a detective and the injured informant. A second detective fired at the fleeing suspect who was not struck. The injured suspect was transported to Carolinas Medical Center where he was later pronounced deceased.

Conclusion: A criminal investigation was conducted by the Homicide Unit regarding the officers' actions. At the request of the deceased suspect's family, a separate criminal investigation was conducted by the North Carolina State Bureau of Investigation. The Mecklenburg County District Attorney reviewed both criminal investigations and concluded that the use of deadly force by both detectives was lawful under North Carolina Law. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officers' actions. An Independent Chain of Command Shooting Review Board determined that the force used by both officers was justified.

Third Incident

Description: On Saturday, July 6, 2013, at approximately 1:15 a.m., officers responded to an assault with deadly weapon call in the 2500 block of Penninger Circle. Upon arrival officers determined that no one had been injured. Officers spoke to the 911 caller on scene who stated that he and the suspect, who was later identified as his father, got into an argument inside the residence, and the suspect shot at him and barricaded himself inside the residence. SWAT negotiators made contact with the barricaded suspect over the telephone in an effort to have him surrender peacefully. During several failed attempts to have the suspect surrender peacefully, the suspect told the negotiators repeatedly that he was not going to be taken alive.

Members of the SWAT team were establishing a perimeter around the residence when the suspect exited the home. A SWAT officer could see that the suspect had two handguns. As the suspect started to raise the handguns toward officers on the perimeter, a SWAT officer fired his service rifle one time, striking the suspect. Medic was on scene and immediately moved to treat the suspect. Medic pronounced the suspect deceased on scene.

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



Fourth Incident

Description: *On Saturday, September 14, 2013, at 2:36 a.m., officers were dispatched to a breaking and entering call for service at a home in the 7500 block of Reedy Creek Road. A female had called 911 after a male subject had knocked on the front door to her home. The caller opened the front door, believing it was her husband coming home from work. Once realizing it was not her husband, she immediately closed the door and called 911. The subject stood outside the door for a time and continued to attempt to gain the attention of the homeowner.*

When officers arrived they discovered the subject who matched the description of the 911 caller a short distance from the caller's home. Officers approached the subject in an attempt to investigate the original call. Upon the officers exiting their vehicles the subject immediately ran toward the officers. One of the officers deployed his CMPD issued Taser at the subject, but it was unsuccessful. The subject continued to run towards another officer, who had his service weapon drawn. That officer discharged several rounds striking the subject multiple times. The subject was pronounced deceased on scene by medic.

The subject was not armed with a weapon. It is further believed through the investigation that a wrecked vehicle located near the scene had been operated by the subject.

Conclusion: *A criminal investigation was conducted by the Homicide Unit regarding the officer's actions. Homicide Unit detectives charged the officer who shot the subject with voluntary manslaughter. The detectives believed the facts of the case showed the shooting was excessive and in violation of North Carolina General Statute 14-18. At the request of the deceased subject's family, a second criminal investigation was conducted by the North Carolina State Bureau of Investigation. The Mecklenburg County District Attorney requested the State Attorney General's Office prosecute the case against the officer. A grand jury indicted the officer on the charge of involuntary manslaughter. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officer's actions. An Independent Chain of Command Shooting Review Board will convene to determine if the officer's use of force was justified. The officer is currently suspended without pay.*

Fifth Incident

Description: On Sunday, September 29, 2013, at approximately 3:55 a.m., patrol officers responded to the 1800 block of North Tryon Street in reference to an armed person call for service. The caller stated that they observed the occupants of a vehicle sitting inside the vehicle loading guns. Officers arrived on scene and as they exited their patrol vehicles, the suspects shot at the officers. Two officers returned fire on the suspects before the suspects fled in the vehicle. Officers immediately broadcast a description of the suspect's vehicle to all CMPD divisions, and shortly thereafter, officers observed the vehicle on North Tryon Street.

Officers attempted to conduct a traffic stop but the vehicle refused to stop. A vehicle pursuit ensued which led into Cabarrus County where the vehicle was successfully stopped with the assistance of the Cabarrus County Sheriff's Office. All three occupants of the vehicle were taken into custody. Two firearms were located inside the suspect vehicle. It was determined that no one was injured during the exchange of gunfire or the vehicle pursuit.

Conclusion: A criminal investigation was conducted by the Homicide Unit in regards to the officers' actions. The Mecklenburg County District Attorney reviewed the investigation and found that the officers' actions were lawful under North Carolina law. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officers' actions. An Independent Chain of Command Shooting Review Board will convene to determine if the officers' use of force was justified.

CMPD.ORG



In-Custody Death

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

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

In 2013, CMPD had one in-custody death.

Incident

Description: On May 17, 2013, Metro Division patrol officers responded to the 3400 block of Mathis Drive in reference to several 911 calls for service about an assault in progress between two male subjects. One of the subjects was reported to be armed with a handgun. Upon arrival, officers located both individuals, separated and detained them for investigative purposes. During the course of their investigation, officers noticed that one of the male subjects, later identified as Quinton Milhouse, sustained obvious signs of trauma from the altercation with the other subject. The Charlotte Fire Department arrived at the scene to treat Mr. Milhouse and noted that he was not breathing. Medic was staging nearby and immediately transported the victim to Carolinas Medical Center where he was pronounced deceased. It was determined that Mr. Milhouse and the other subject had been engaging in drug activity together overnight.

Conclusion: A criminal investigation was conducted by the Homicide Unit, and the Medical Examiner's Office determined that Mr. Milhouse died from cocaine toxicity. A separate administrative investigation was conducted by the Internal Affairs Bureau regarding the officers' actions. An Independent Chain of Command Review Board determined that the in-custody death was not preventable. That ruling indicates that the board found that there was no action or lack of action on the part of the officers that resulted in the death of Mr. Milhouse.

Police Vehicle Pursuits

From time to time, police officers encounter a subject in a motor vehicle who refuses 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, 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. **Table 4** shows the number of pursuits and how they were adjudicated in 2012.

Table 4. Pursuit Events				
	2011	2012	2013	2012-2013 Change
Total Pursuits	22	30	31	1 More
Justified Pursuits w/o Policy Violations	20	21	18	3 Fewer
Justified Pursuits w/ Policy Violations	1	3	3	No Change
Unjustified Pursuits	1	6	10	4 more

The number of pursuit incidents remained similar to previous years.

The Charlotte-Mecklenburg Police Department periodically reviews and updates its pursuit policies, equipment and training in order to ensure the highest level of safety during these high-risk situations. **Table 5** indicates that, as in previous years, the majority of all pursuits were for violent felony offenses.

Table 5. Offenses Initiating a Pursuit			
	2011	2012	2013
Arson	0	0	1
Assault on Government Officer or Employee	0	1	0
Assault w/ Deadly Weapon	5	2	5
Breaking & Entering	5	6	2
Damage to Property	0	1	0
Driving While Impaired	0	1	0
Drug	1	0	0
Hit and Run	0	0	1
Larceny of Vehicle	0	0	3
Robbery – Armed	10	14	11
Robbery – Common Law	0	0	1
Traffic Offense (Not DWI)	0	4	5
Unauthorized Use/Failure to Return Motor Vehicle	0	0	1
Warrant/Order for Arrest	1	0	1
Weapons Law Violation	0	1	0
Total Pursuits	22	30	31

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

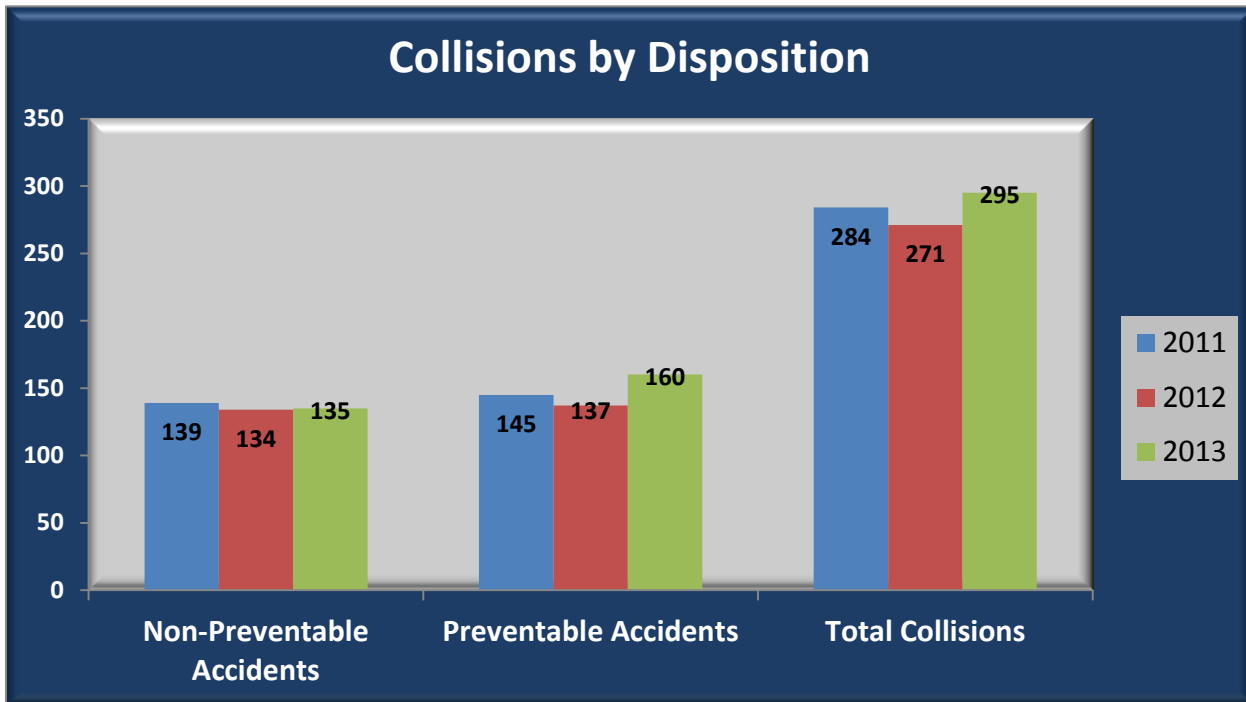
Employee Motor Vehicle Collisions

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 1,428 vehicles, with many vehicles being operated 24-hours a day. Department vehicles were driven a total of 19,908,453 miles in 2011; 20,445,961 miles in 2012; and 20,981,498 miles in 2013.

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. This graph shows the total number of preventable and non-preventable collisions from 2011 through 2013.



Although there was a slight increase in total collisions in 2013, employees drove over 500,000 more miles than in 2012.

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