

January 12, 2018

To: Chief of Police George Kral

Through: Deputy Chief Cheryl Hunt *CH*  
Support and Administrative Services Division

Captain Joseph Heffernan  
Support Services Bureau

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Grants, Accreditation and Inspections Section

From: Sergeant Jill Mannebach *JM*  
Accreditation Manager

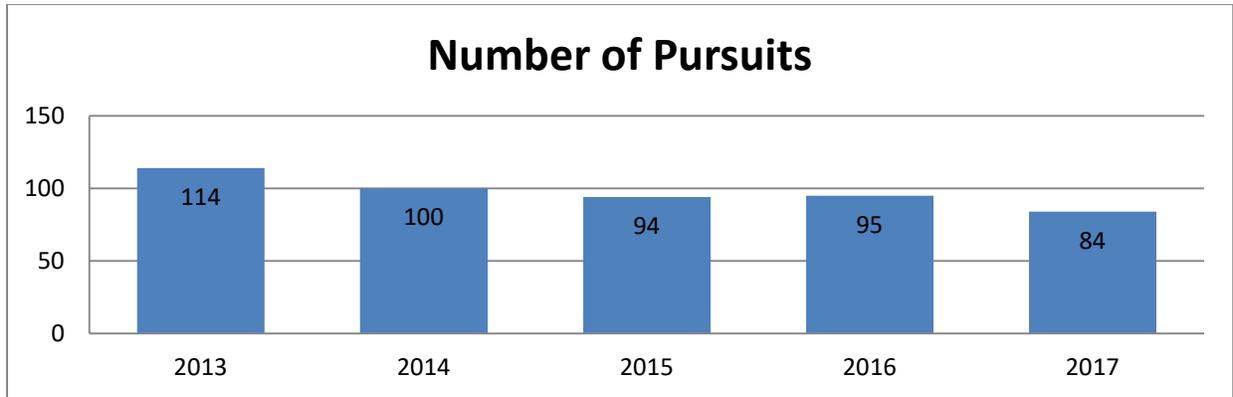
Subject: Annual Pursuit Analysis – 2017

The following is a Pursuit Analysis, which is required by CALEA on an annual basis. The report takes an in-depth look into all pursuits that occurred in 2017, with focus given to the reasons pursuits are being initiated, terminated and any violations of the pursuit policy that may have occurred. The main purpose of this analysis is to reveal patterns or trends that indicate training needs and/or policy changes. After the data is analyzed, recommendations will be made to the Chief of Police on ways to improve or enhance our current pursuit policy.

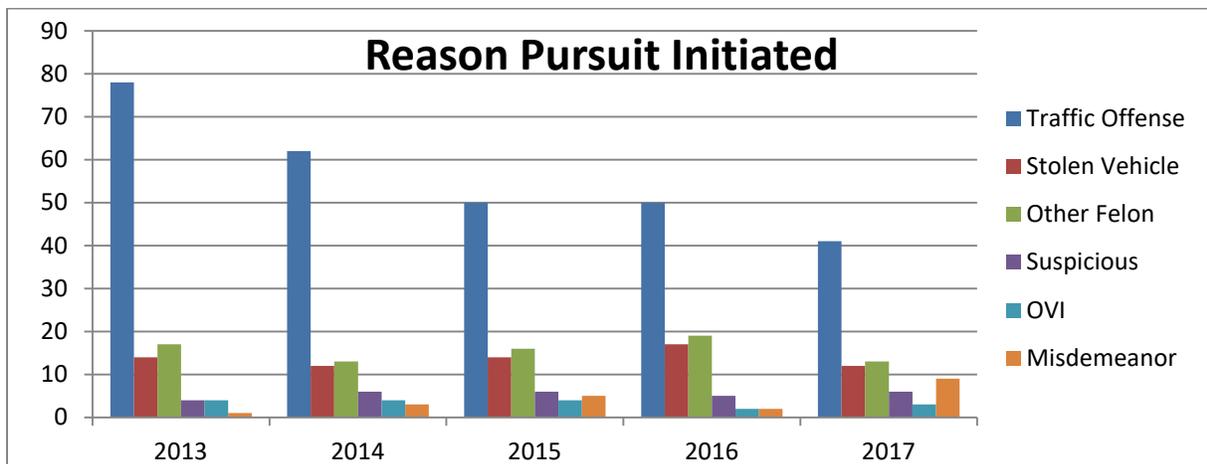
The Toledo Police Department recognizes the fact that pursuits can be inherently dangerous. For that reason, pursuits go through multiple layers of review not only to ensure that protocol is being followed but to also identify officer safety issues, potential risks to the public, training needs and liability issues. All pursuits are subject to an after action review which is completed by the pursuing officer's immediate supervisor and includes all officers involved. This is a crucial part of the review process for a couple of reasons. It typically happens shortly after the pursuit, leaving it fresh in the minds of all involved. It also allows the officers a chance to be involved with the review process, giving them a better understanding of what is expected.

A Pursuit Review Committee meets quarterly to serve as another layer of review. This committee better ensures consistency and continuity to the review process and makes recommendations to the Chief of Police regarding policy and training issues.

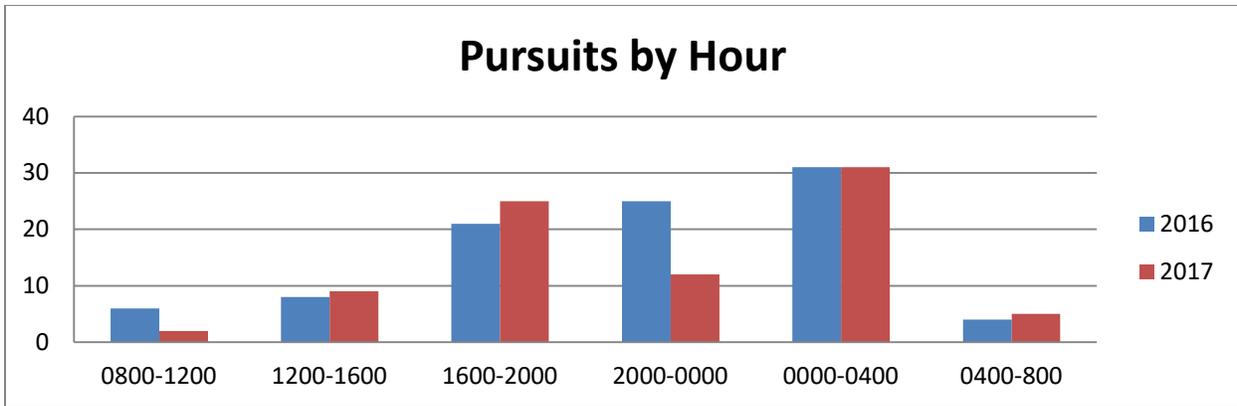
One of last year's recommendations was to eliminate pursuits of motorcycles for violations involving minor traffic offenses and/or non-violent crimes. This policy was implemented successfully and there were no pursuits in 2017 involving motorcycles.



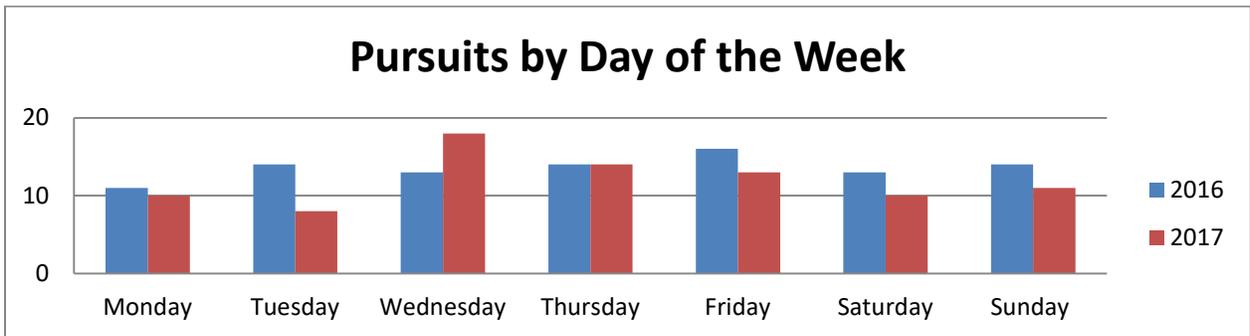
The above chart displays the number of pursuits which have occurred over the past five years. A total of 84 pursuits occurred in 2017 following the downhill trend we have been seeing since 2013.



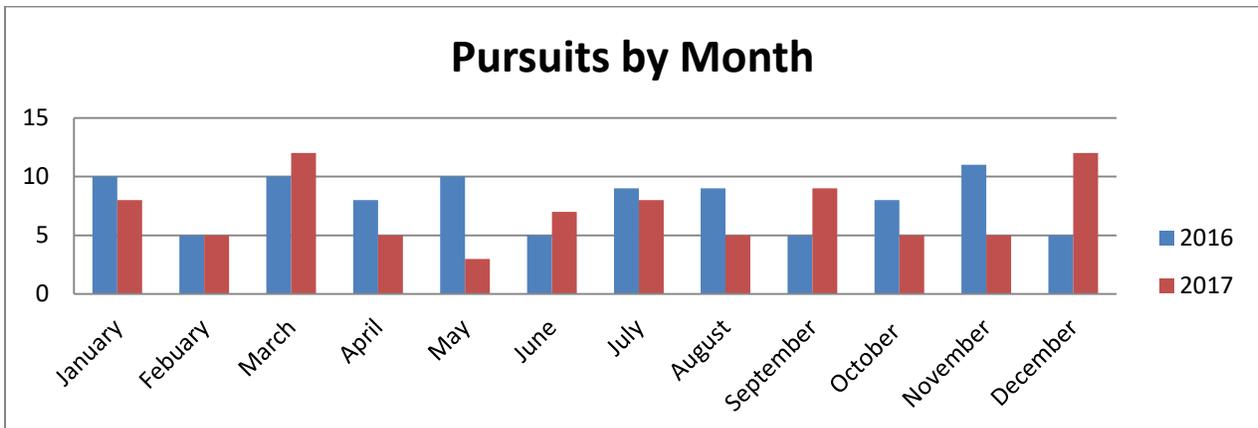
Suspects avoid apprehension for a multitude of reasons and given that numerous police contacts are initiated through traffic stops, it is clear to see why vehicle pursuits transpire. For purposes of this analysis only the initial reason for the pursuit was tracked. Traffic violations were the most frequent reason for the initiation, accounting for 49% of the total number of pursuits, followed by felony violations at 15%, stolen vehicles at 14%, misdemeanor violations at roughly 10%, and OVI violations at 2%.



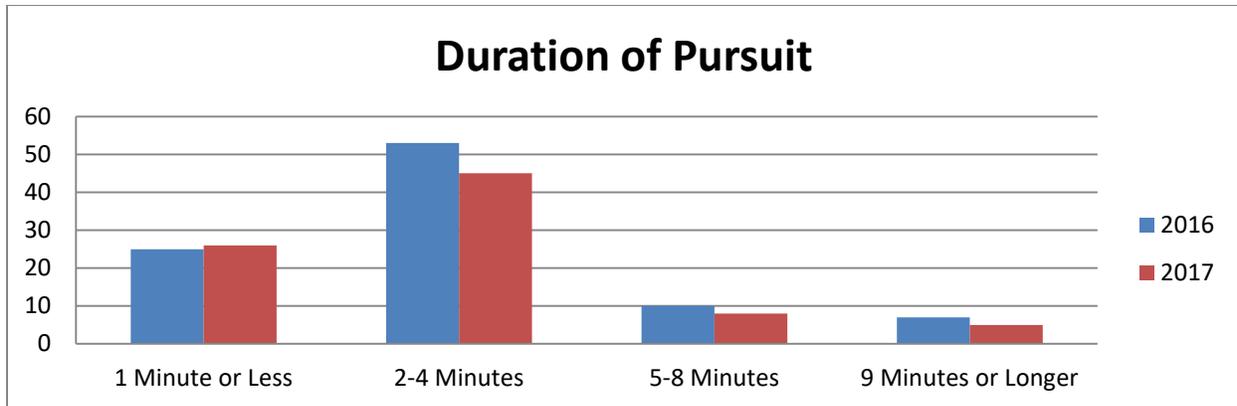
The hours between 0000 and 0400 had the highest percentage of pursuits at 39%. Only 8% of the pursuits occurred between 0400 hours and 1200 hours. This information is consistent with previous years.



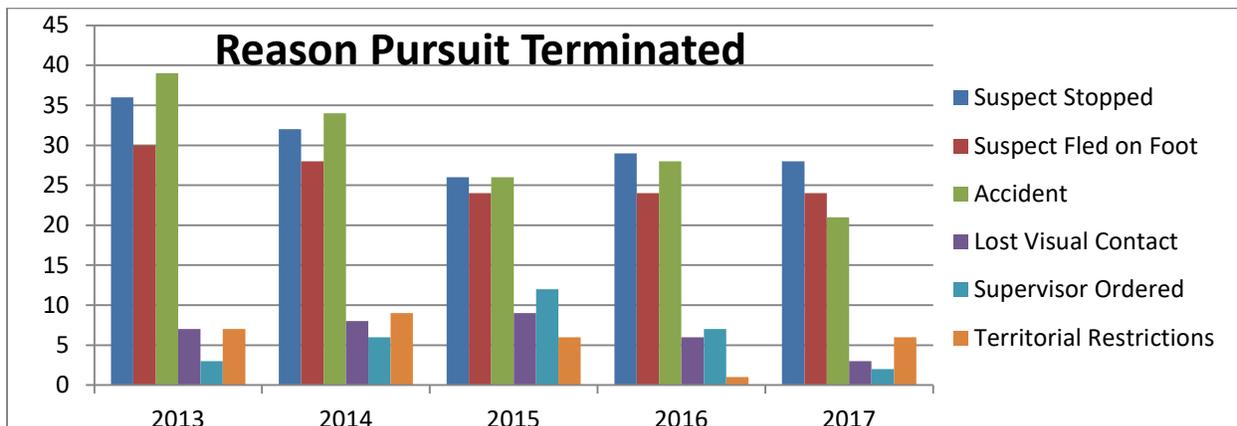
Most of the days of the week were consistent with each other. Pursuits peaked on Wednesdays at 18 and decreased throughout the week with only eight occurring on Tuesdays.



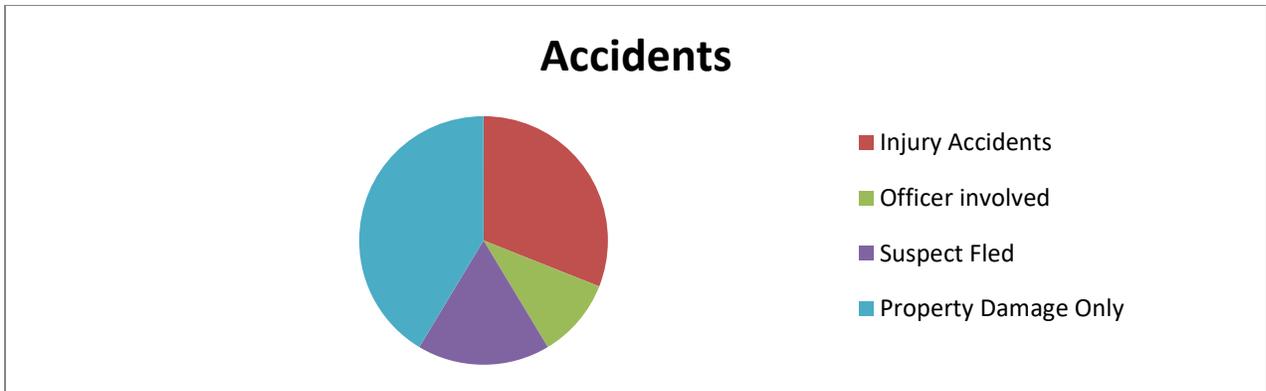
The months of March and December saw the highest number of pursuits, each with twelve. The month of May had the lowest number of pursuits at three. Five pursuits occurred in February, April, August, October and November.



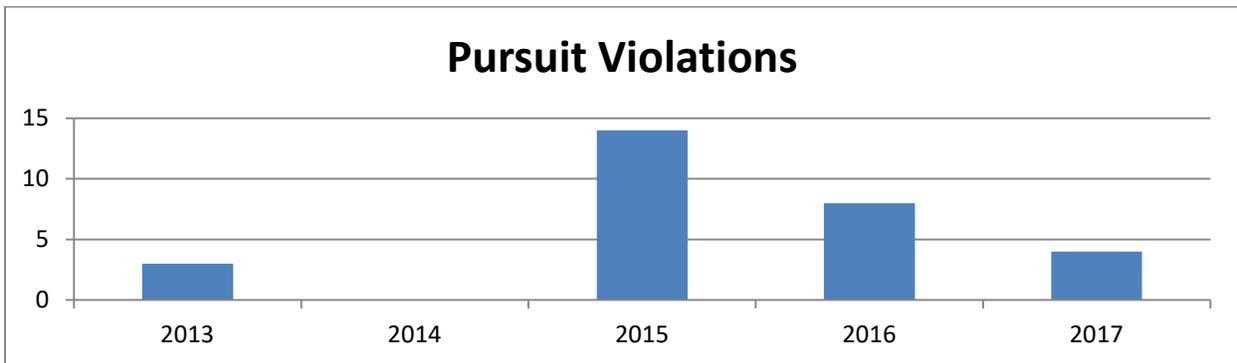
In 2017, vehicle pursuits initiated by Toledo Police Officers lasted an average of three minutes in duration. Additionally, 52% of all pursuits lasted between two and four minutes. The longest pursuit in 2017 was 14 minutes in duration and is reviewed below.



The majority of vehicle pursuits, 62% to be exact, were terminated because the suspect either stopped or abandoned the vehicle and fled on foot. Additionally, 25% of vehicle pursuits were terminated because the suspect vehicle was involved in an accident, usually with a fixed object. This percentage represents the lowest total of accidents over the past five years. Nine percent of pursuits were terminated for one of the following reasons: a supervisor ordered it terminated, the suspect crossed jurisdictional lines, the officer lost visual contact, and/or the officer determined environmental conditions were unsafe. Supervisor ordered terminations and territorial restrictions often go hand in hand because the supervisor will advise units to cancel the pursuit at the jurisdictional line.



There were a total of 29 incidents that occurred in 2017 that involved an accident, which is down from 39 the previous year. The above graph represents the breakdown of those incidents. There were nine pursuits that resulted in injury to the suspect, none of which were life threatening and the majority being minor in nature. No officers sustained injury in 2017 as a result of a traffic pursuit and only one instance where uninvolved parties sustained injury. There were five additional accidents that were caused when the suspect abandoned the vehicle, leaving the car in drive, and allowing it to strike another fixed object. Forty-one percent of the accidents were property damage accidents caused by the suspect.



In 2017, there were a total of four pursuits where an officer was found to have committed a violation. Three of the violations were directly related to the pursuit policy and were minor in nature. The fourth violation involved the officer's demeanor.

## ***Review of 2017 Incidents***

Below is a review of some of the pursuits that involved an accident, policy violation or had unusual circumstances.

- 2017-VP-00007 – An officer attempted to stop a possible stolen vehicle for a traffic violation by activating his overhead lights and sirens. The driver of the vehicle refused to comply and fled, leading officers on a seven mile chase. The pursuit came to an end when the suspect vehicle rear ended another vehicle then veered off the road striking a guardrail. The suspect was taken into custody and all parties were transported to the hospital for minor injuries. This was the only accident in 2017 where an uninvolved party was injured. Three marked police units, operated by patrol officers, were involved in the pursuit which is a violation of department policy. Those officers who were involved were advised. This pursuit occurred on January 15, 2017 at 0010 hours and lasted approximately eight minutes.

Although, some of the officers' actions were not within the agency's policy, it does not appear that a change in policy or training would have produced a different outcome.

- 2017-VP-00016 – While on patrol a police sergeant observed a vehicle matching the description of a vehicle that had recently been stolen. As the sergeant attempted to turn around to further investigate, the vehicle made an erratic turn and increased speed. The sergeant then activated his overhead lights and sirens and began to pursue the vehicle. The suspect vehicle approaching a curve in the road, lost control and veered to the left. The vehicle rolled over, coming to rest on a resident's front porch. The suspect was transported to a nearby hospital due to the nature of the accident. This pursuit occurred on March 11, 2017 at 0355 hours and lasted approximately 19 seconds.

After review, all officers' actions were determined to be within agency policy and it does not appear that a change in policy or training would have produced a different outcome.

- 2017-VP-00017 – A police unit witnessed the driver of a vehicle drop off a known prostitute. The officers began to follow the vehicle but before they could initiate a traffic stop, the vehicle made a sudden lane change and increased speed. At that time, the officers activated their overhead lights and sirens and attempted to stop the vehicle. The driver refused to comply and continued forward until losing control of the vehicle striking a light pole. The suspect was taken to a nearby hospital for observation. This pursuit occurred on March 26, 2017 at 1831 hours and lasted approximately 22 seconds.

After review, all officers' actions were determined to be within agency policy and it does not appear that a change in policy or training would have produced a different outcome.

- 2017-VP-00044 – Officers were responding to a disorder when a description of an involved vehicle was broadcasted. Officers witnessed the vehicle operating at a high rate of speed and making no attempt to stop at a stop sign. The officers activated their overhead lights and sirens and began to pursue the vehicle. The pursuit continued for 1.18 miles when it came to an abrupt stop after the suspect vehicle struck a parked vehicle and began to flip. The suspect and the passenger both suffered non-life threatening injuries and were transported to a nearby hospital. This pursuit occurred on July 21, 2017 at 0215 hours and lasted approximately 2 minutes.

After review, all officers' actions were determined to be within agency policy and it does not appear that a change in policy or training would have produced a different outcome.

- 2017-VP-00050 – Officers were responding to a "CODE 3" weapons call when they observed the suspect vehicle that had fled the scene. Officers initiated a traffic stop but the driver refused to comply and fled. The pursuit continued on for eleven miles making it the longest pursuit in 2017. A police unit attempted to deploy stop sticks but was unsuccessful. This was the only pursuit in 2017 where a forcible stop device was deployed. The suspect abandoned his vehicle and fled on foot, but was apprehended a few minutes later. No injuries occurred because of the pursuit but the suspect did sustain a cut to his hand from scaling a large privacy fence while trying to avoid apprehension. This pursuit occurred on June 28, 2017 at 1539 hours and lasted approximately 14 minutes.

After review, all officers' actions were determined to be within agency policy and it does not appear that a change in policy or training would have produced a different outcome.

### **Conclusions**

In researching pursuit policies from other police departments, it appears that the trend for many departments is moving towards a more restrictive pursuit policy, i.e. only allowing officers to pursue when certain criteria is met (e.g. fleeing felon). Currently, the Toledo Police Department's pursuit policy allows pursuits but with practical restrictions. A department that can monitor themselves and terminate a pursuit when it needs to be cancelled is the best option for the both the department and the community it serves. This is what the Toledo Police Department has been doing and I hope continues to do.

Understanding the risks and liabilities that are associated with pursuits is an important aspect to being able to critically review them. Review should not just come from the supervisory level but also from the officers involved. Officers should be capable of recognizing their own mistakes and should be aware of the liability issues they face when pursuing a subject, especially today with the increase use of body cameras. Therefore, litigation and personal responsibility should be included in any pursuit training that the officers receive. It is a must that departments are willing to make hard and sometimes unpleasant decisions in regards to their policies. Department policy should constantly be reviewed and adjusted to fit a changing society.

## **Recommendations**

The Toledo Police Department's supervisors appear to be doing an excellent job of actively monitoring pursuits and reviewing them after the incident has concluded. It is my recommendation that all review and monitoring procedures stay in place. The Pursuit Review Committee should continue to meet quarterly and every effort should be made to have an after action review with all officers involved as soon as practical. Reviewing the footage from body and in-car cameras can be a great tool for both the officers involved and supervisors alike.

There was only one instance in 2017 where officers attempted to deploy a forcible stop device; this number is down from six last year. After reviewing the pursuits, no particular reason was found for the decrease; therefore, there are no recommendations at this time. It is however advised to closely monitor the use of forcible stop devices over the next couple of years to not only determine if they are right for the department but also that the department is using them in the most efficient way. I would recommend looking into the costs that are associated with them and make sure training needs are being adequately met, giving officers the confidence they need to use these devices.