

January 31, 2021

To: Chief of Police George Kral

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

Captain Tom Morelli *CM-2112*
Support Services Bureau

Lieutenant David Wieczorek *DW*
Planning, Research & Inspections Section

From: Sergeant Michael Kurjan *MK-232*
Accreditation Manager

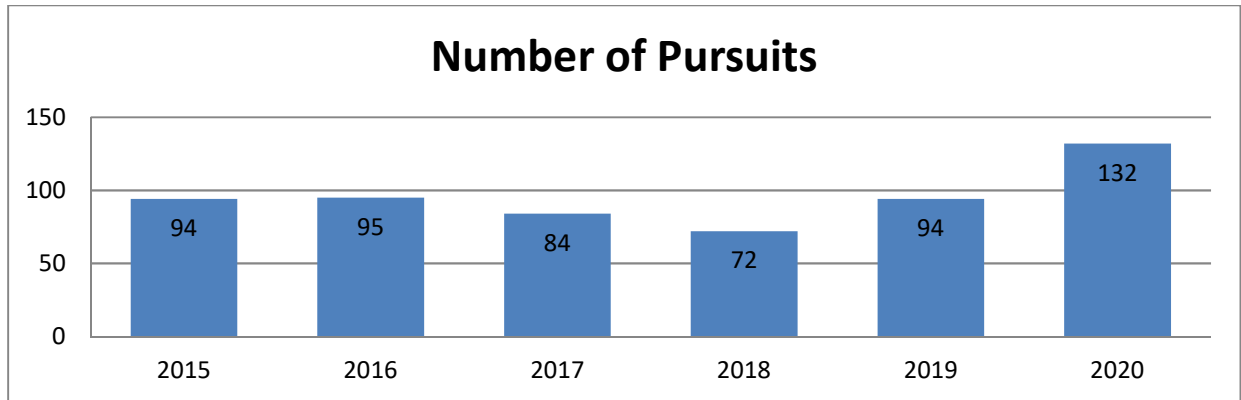
Subject: Annual Pursuit Analysis – 2020

The following is a pursuit analysis, which is required by the Commission on Accreditation for Law Enforcement Agencies (CALEA) on an annual basis. This report takes an in-depth look into all pursuits that occurred in 2020, with focus given to the reasons pursuits were 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.

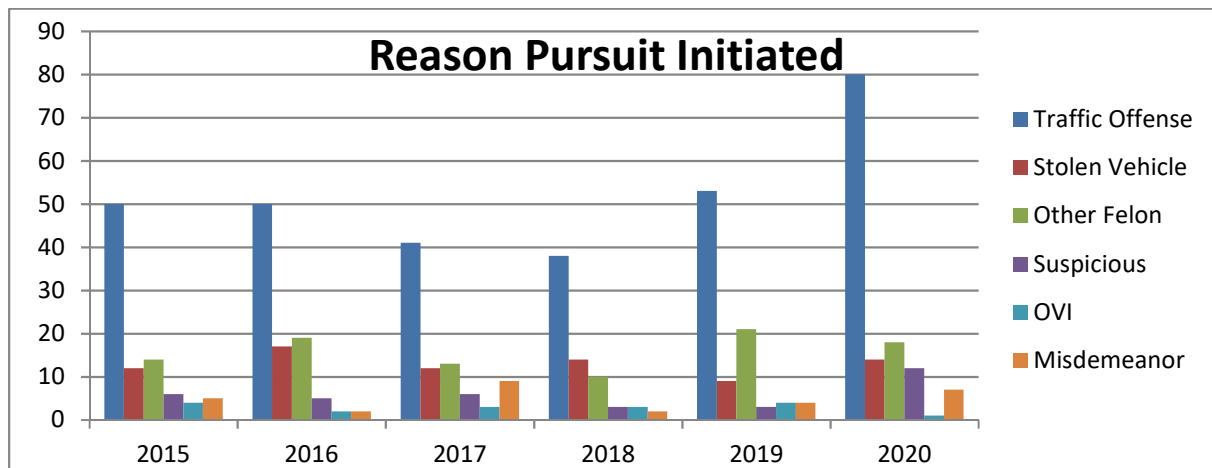
The Toledo Police Department recognizes the fact that pursuits can be inherently dangerous. For that reason, pursuits go through multiple layers of review to ensure that protocol is being followed and to identify officer safety issues, potential risks to the public, training needs and liability issues. 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 in the review process, giving them a better understanding of what is expected.

It should be noted that the vehicle pursuit numbering system (2020-VP-00000) was changed to a different format (VP20-00-00) during the month of October. This occurred as the result of the department transitioning to a new reporting system (Benchmark Analytics). These numbers will be used throughout this report to cite specific pursuits that occurred in 2020.

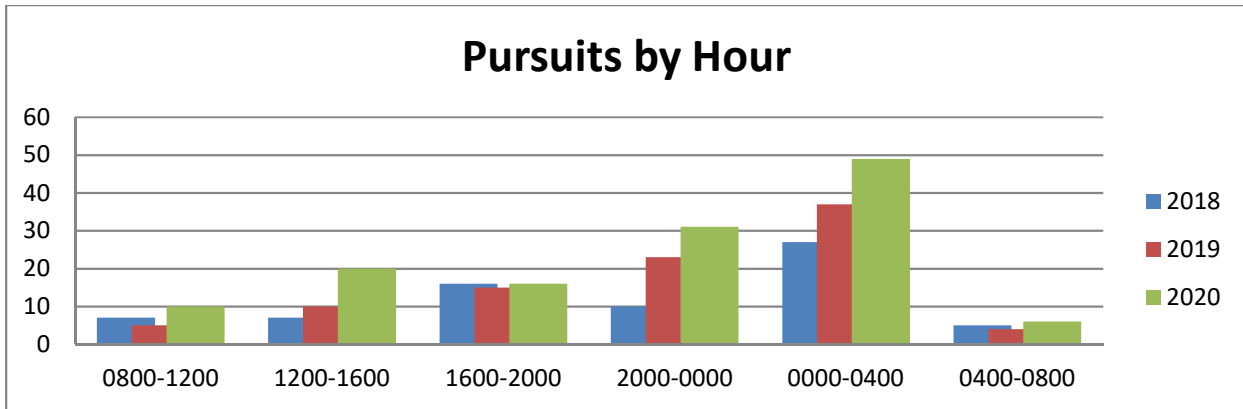
The first section of this analysis will begin by examining the total number of vehicle pursuits that occurred in 2020. The research will look to compare the number of pursuits from the previous year with the goal being to explain any data trends.



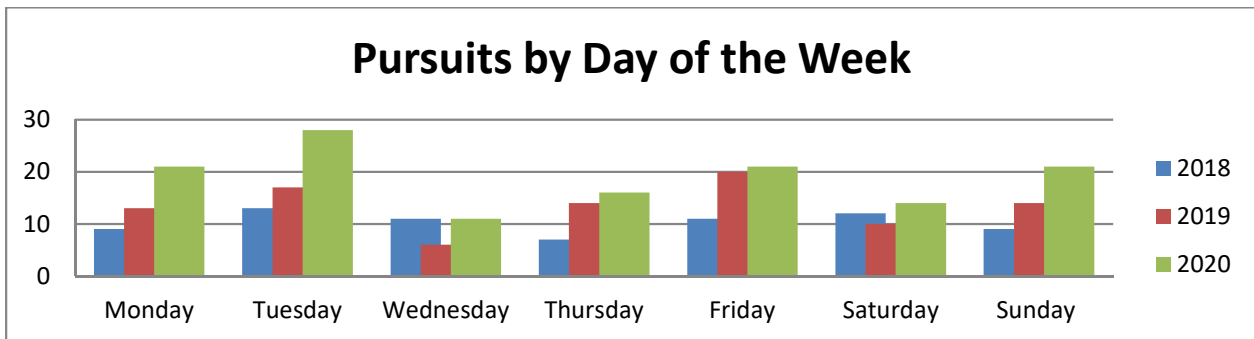
The above chart displays the number of pursuits that have occurred over the past six years. A total of 132 pursuits occurred in 2020 compared to 94 in 2019. The 40.4% increase in pursuits from 2019 to 2020 is the largest increase in pursuits we have seen over the course of the last six years. An increase such as this is difficult to quantify, especially when one considers that the number of traffic stops conducted by Toledo Police officers in 2020 decreased by 39.6% from 2019 (There were 29,341 traffic stops in 2019 compared to 17,713 in 2020). It is also important to recognize that the year 2020 was an anomaly for a variety of reasons, most notably the COVID-19 pandemic. Furthermore, violent crime increased tremendously in Toledo during 2020. Total violent crimes (which include homicides, shooting incidents, and robberies) increased by a total of 41.1% from 2019 to 2020 (1,340 violent crimes in 2019 compared to 1,891 in 2020). After seeing such a dramatic increase in these types of crimes, perhaps it should come as no surprise that there would also be a substantial increase in the number of vehicle pursuits (which can potentially occur while officers are looking to suppress crimes such as these).



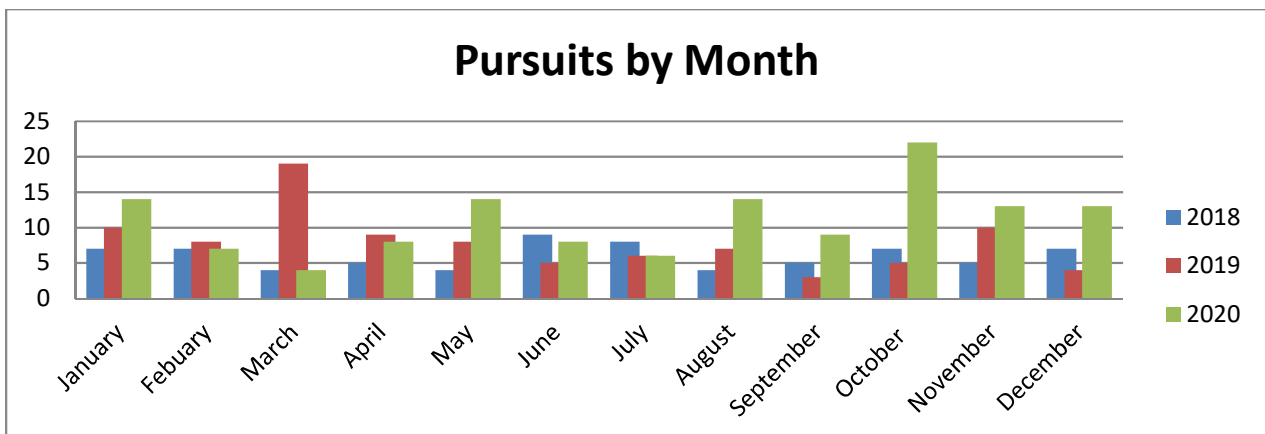
Suspects avoid apprehension for a multitude of reasons and given that numerous police contacts are initiated through traffic stops, it is clear to see why vehicle pursuits can transpire. For the purpose of this analysis, only the initial reason for the pursuit was tracked. Traffic violations were the most frequent reason for the initiation, accounting for roughly 60.6% of the total number of pursuits. This was followed by felony violations at 13.6%, stolen vehicles at 10.6%, and finally misdemeanor violations, suspicious vehicles and OVI violations accounting for the remaining 15.2%.



The hours between 0000 and 0400 had the highest percentage of pursuits at 37.1%. Only 4.5% of the pursuits occurred between 0400 hours and 0800 hours. Sixty-one percent of all pursuits occurred between 2000 hours and 0400 hours. This information is consistent with previous years.

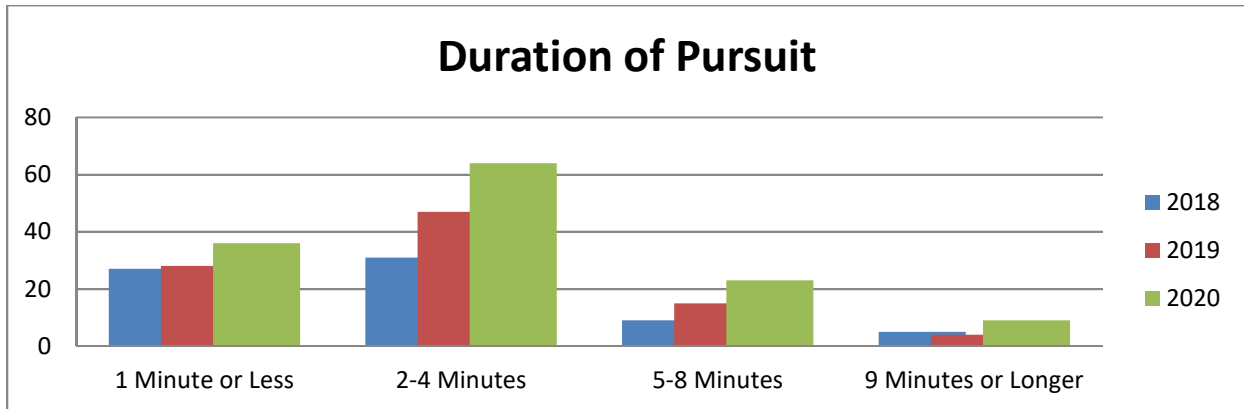


There was a large increase in pursuits on Mondays and Tuesdays compared to previous years. Tuesday had the highest amount of pursuits with 28 while Wednesday had the least with 11.

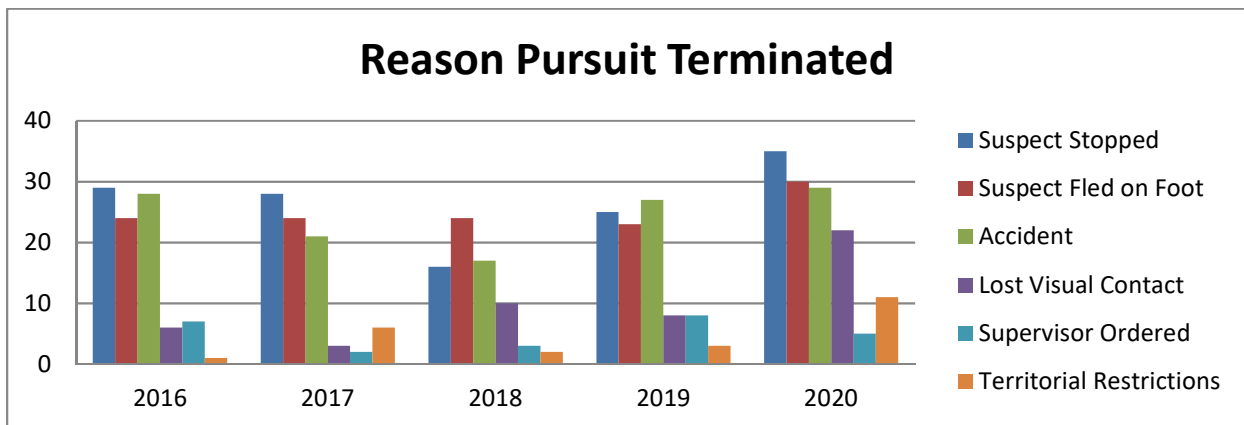


The month of October saw the highest number of pursuits with 22. This is the most pursuits we have had in a month since March of 2019 (19 pursuits). January, May and August were tied for the second highest month with 14 pursuits each. The month of March had the lowest number of

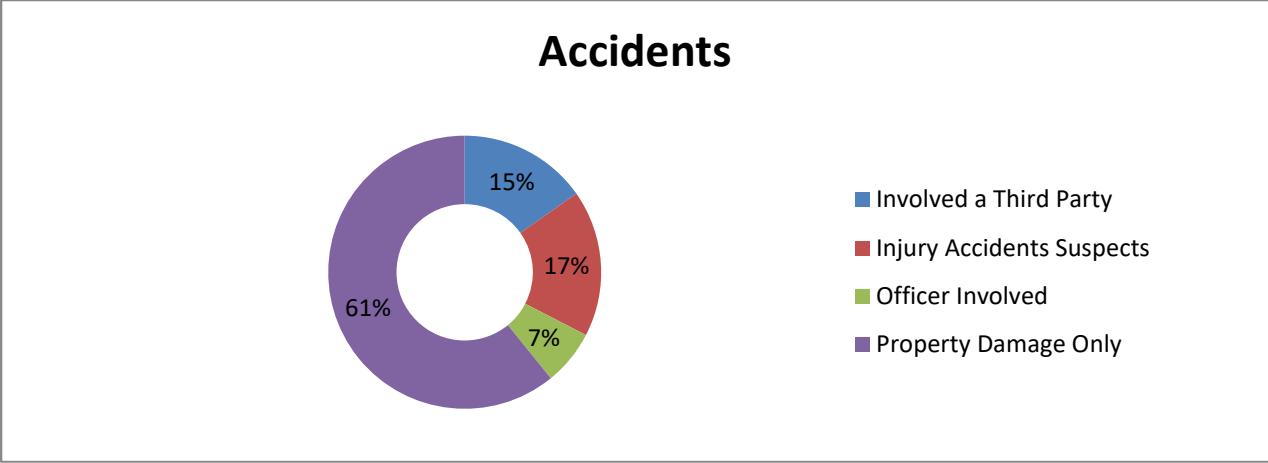
pursuits at four. This comes as no surprise since COVID-19 began to surge during this month resulting in reduced vehicular traffic due and a decrease in self-initiated traffic stops by officers.



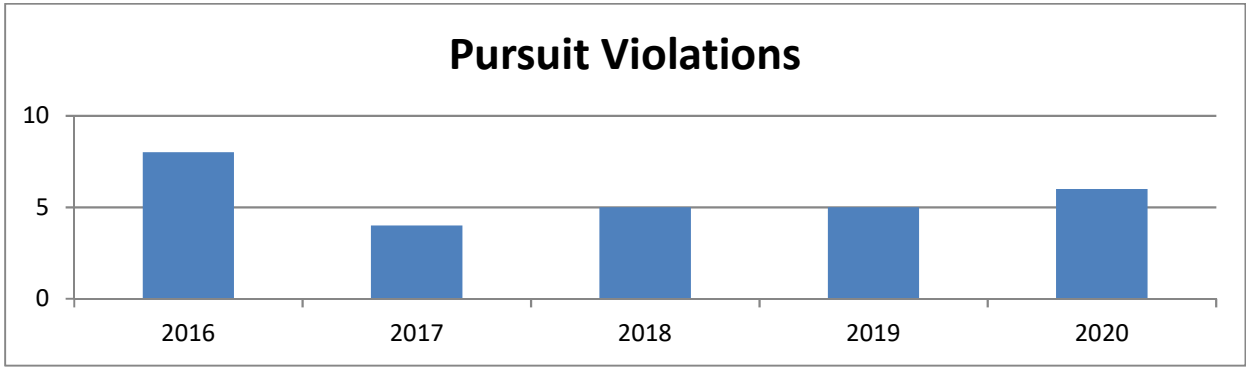
In 2020, 75.7% of vehicle pursuits initiated by a Toledo Police officer lasted less than four minutes in duration. Additionally, 27.2% of all pursuits lasted one minute or less. The longest pursuit (**VP20-10-19**) was 24 minutes in duration and is summarized later in this report.



The majority of vehicle pursuits, 26.6%, ended because the suspect vehicle stopped on their own accord. This is in contrast with 2019 where accidents were the leading cause of a pursuit ending (28.7%). In 22.8% of the pursuits, the suspect fled the vehicle on foot. Vehicle accidents accounted for ending 21.9% of all pursuits. This number is down approximately 7% from 2019. Those pursuits ending because of a loss of visual contact, territorial restrictions, and supervisor ordered amounted to 28.7% percent in total. This number increased from 2019 by approximately 8%. This may be attributed to the supervisors, as well as the patrol officers, more closely weighing the totality of the circumstances.



A total of 43 pursuits that occurred in 2020 involved an accident (32.6% of all pursuits) compared to 27 in 2019 (28.7% of all pursuits). Considering there was a 40% increase in pursuits from 2019 to 2020, it is to be expected that the number of accidents would rise as well. The above graph represents the breakdown of those incidents. There was one fatal pursuit (**2020-VP-00017**) which resulted in the suspect losing their life and is summarized later in this report. There were an additional seven pursuits that resulted in injury to the suspect. Most of the injuries were minor in nature. Toledo Police officers were involved in three accidents that resulted in property damage only. There was a total of seven accidents involving a third party. Two of those accidents resulted in serious injuries while an additional two involved minor injuries to the third party. It should be noted that a total of three accidents accounted for more than one above listed category.



In 2020 there were a total of six pursuits where an officer was found to have committed a violation. All of the violations were directly related to the pursuit policy and were minor in nature. In three of the incidents, officers were either formally counseled or given a verbal reprimand, provided instruction on proper procedure of the department's pursuit policy, and advised on how to avoid future violations. In the remaining incidents, the officers underwent post pursuit debriefings, were made aware of the violation(s) and received informal counseling(s) to enhance awareness of the department's pursuit policy.

Forcible-Stop Devices Used in 2020

Incident Number	Date	Effective
2020-VP-00029	04/19/20	Yes
VP20-10-4	10/05/20	No
VP20-10-19	10/24/20	No
VP20-11-34	11/13/20	Yes

Per the Toledo Police Department Manual, the use of road spike devices (forcible-stop device) shall be permitted in order to prevent or to terminate a vehicle pursuit for a misdemeanor or felony offense, under the training guidelines established. In 2020, there were four instances where officers deployed a forcible stop device (road spikes) during vehicle pursuits. Two of the four deployments were successful. In vehicle pursuit **(2020-VP-00029)** the suspect vehicle struck a forcible stop device resulting in a deflated front left tire. As a result, the suspect vehicle stopped and the suspect was apprehended. In **(VP20-11-34)**, a forcible stop device was deployed, striking both right side tires and causing the vehicle to stop a few blocks later. The suspect was then apprehended. In all of the incidents there were no injuries caused to the officers, suspects or the public by deploying the forcible stop devices.

Review of 2020 Pursuits

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

- **2020-VP-00004** – A police unit received information from the Fostoria Police Department regarding a possible sighting of a murder suspect from their jurisdiction. The police unit assisted and located the suspect in a vehicle. A traffic stop was attempted in the area of Hudson and Maple, resulting in the suspect fleeing in their vehicle. The pursuit continued until the officers lost sight of the vehicle. Within moments of losing the vehicle, the officers located it in a yard, abandoned. Shortly after, the suspect was located on foot and taken into custody. Along with charges from Toledo Police, the suspect was also charged with Murder, Attempted Murder, Aggravated Burglary, Aggravated Robbery and Having Weapons While under Disability by Fostoria Police. This pursuit occurred on January 2, 2020, at 1343 hours and lasted approximately three minutes.
- **2020-VP-000017** – A police unit observed a vehicle driving recklessly in the downtown area. The initial police unit attempted to catch up to the vehicle but lost sight of it, ultimately providing a description of the vehicle over the radio. Another police unit heard this radio transmission and re-located the vehicle in the area of Western and the Anthony Wayne Trail. The police unit attempted to stop the vehicle but the driver did not comply, continuing to travel at a high rate of speed. While fleeing the police unit, the vehicle passed over a rough portion of the road where railroads used to cross. The vehicle then veered left of center and struck two utility poles. The Toledo Fire and Rescue Department was notified and upon their arrival, the driver was pronounced deceased. This pursuit occurred on February 8, 2020, at 0135 hours and lasted approximately two minutes.

After review, the 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.

- **2020-VP-00049** – A police unit was on routine patrol in the area of Airport Highway and Sugar Creek when they noticed a vehicle fail to make a complete stop at a stop sign. This act almost caused the vehicle to collide with the police unit. While this was occurring, the police unit also observed two passengers hanging outside of the vehicle's windows, waving something in their hands. The police unit was able to position themselves behind the suspect vehicle and attempted to perform a traffic stop. The suspect vehicle did not comply and began to accelerate away from the police unit. The suspect vehicle continued traveling at a high rate of speed, ultimately failing to stop at a traffic light that was red. This act caused the suspect vehicle to strike another vehicle on the roadway. This collision then caused the suspect vehicle and the additional vehicle to strike a third vehicle. Numerous parties sustained injuries from the crash. The suspect vehicle driver sustained minor injuries while the passengers in the vehicle sustained serious injuries and were admitted to the hospital. Injuries sustained to the occupants of the additional involved vehicles were listed as non-life threatening. The pursuit occurred on June 7, 2020, at 0323 hours and lasted approximately two minutes.

After review, the 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.

- **2020-VP-00055** – A police unit observed a suspect known to have a suspended operator's license, get on a motorcycle in the 800 block of Stickney and begin driving down a sidewalk. While still behind the motorcycle by a considerable distance, the police unit activated their overhead lights and siren. The motorcycle then began fleeing at a high rate of speed, failing to stop for a stop sign and a traffic light. The pursuit was shortly terminated due to safety concerns. Since the suspect was positively identified, a neighboring jurisdiction later took him into custody. This pursuit occurred on June 30, 2020, at 0843 hours and lasted one minute.

After review, it was determined that some of the officers' actions violated department policy regarding the pursuit of motorcycles. The policy states that the pursuit of a motorcycle or an all-terrain vehicle is prohibited, unless the pursuit is initiated because of a crime of violence or a felony.

- **2020-VP-00072** – A police unit attempted to stop a vehicle for a traffic violation in the area of Dorr and Bell. As this was occurring, the suspect vehicle accelerated and began fleeing from the police unit. As the pursuit continued, an additional police unit joined the pursuit as the secondary unit. At this point, both police units were operating limited marked police vehicles. Due to this, a third police unit (fully marked vehicle) entered the pursuit. Shortly thereafter, the initiating police unit relinquished their primary position in the pursuit to the fully marked police unit and took over the secondary position in the pursuit. As the pursuit continued, the initiating police unit experienced vehicle trouble and had to exit the pursuit, relinquishing their secondary position to the other limited marked police unit. The initiating sergeant continued to monitor the pursuit over the radio in a supervisory

role. As the suspect vehicle continued fleeing, the vehicle began driving off the roadway, traveling through yards and between houses. Due to the recklessness of the suspect vehicle, the initiating police unit advised the pursuing units to cancel the pursuit. At this point, one of the pursuing units relayed to the sergeant that it appeared that the driver of the suspect vehicle was about to exit the vehicle. This act did not end up occurring and the pursuit continued with the suspect vehicle driving over a grassy median and into a backyard. Once again, the sergeant advised the pursuing units to cancel the pursuit. The suspect vehicle briefly continued fleeing until the driver exited the vehicle without placing it into park, causing it to slowly strike a house. The driver was then placed into custody after a brief foot pursuit. Several officers involved in this incident were found to have violated department policy regarding pursuits. The offenses were determined to be minor in nature and discipline ranged from formal counseling to a verbal reprimand. This pursuit occurred on August 18, 2020, at 1509 hours and lasted eight minutes.

After review, it was determined that some of the officers' actions violated department policy regarding the mandatory termination of vehicular pursuits. The policy states that a vehicle pursuit shall be terminated whenever the level of danger created by the pursuit outweighs the consequences of the suspect's immediate escape.

- **2020-VP-00078** – A police unit was on routine patrol when they attempted stop a vehicle for traffic violations in the 4100 block of Lagrange. The suspect vehicle ignored the police unit's emergency lights and sirens and began to accelerate. The suspect vehicle continued to flee until the suspect vehicle ultimately went left of center and into oncoming traffic. This action resulted in the suspect vehicle crashing into a third-party vehicle head-on. The driver of the suspect vehicle was transported to the hospital with non-life-threatening injuries. The driver of the third-party vehicle had to be extricated from their vehicle by the Toledo Fire and Rescue Department and was transported to the hospital with serious, life-threatening injuries. This pursuit occurred on September 17, 2020, at 1814 hours and lasted two 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.

- **VP20-10-19** – A police unit was on patrol in the area of Brown and Nebraska when they observed a vehicle commit a stop sign violation. The police unit attempted to initiate a traffic stop and the suspect vehicle began fleeing. The pursuit traveled approximately 19.8 miles. The pursuit ended when the driver of the suspect vehicle pulled into a gas station parking lot, stopped, and was placed into custody. During the course of the pursuit, a police unit observed a firearm being thrown from the suspect vehicle. That firearm was later recovered. This pursuit occurred on October 24, 2020, at 2358 hours and lasted 24 minutes, making it the longest pursuit of 2020.

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

The Toledo Police Department has demonstrated a clear understanding of the risks associated with vehicle pursuits and due to this, a strict pursuit policy continues to be maintained, reviewed, and enforced. This pursuit policy incorporates numerous practical restrictions that are put into place to assist both officers and supervisors with their constant evaluation of the pursuit. These restrictions encompass categories such as the nature and seriousness of the offense, weather and roadway conditions, volume of vehicular and pedestrian traffic, speed of the pursuit, territorial restrictions, and the number of police vehicles allowed in a pursuit. Additionally, there are explicit guidelines that require the mandatory termination of the pursuit. These restrictions ensure a balance between the apprehension of the suspect and the protection of all persons from injury and unnecessary property loss. These current restrictions routinely produce a safe resolution to the vast majority of all vehicle pursuits.

The Toledo Police Department's pursuit policy is also in compliance with the Commission on Accreditation for Law Enforcement Agencies (CALEA) as well as the Ohio Collaborative Community-Police Advisory Board. These organizations recognize that vehicle pursuits pose a high risk to both officers and the community. Because of this, these organizations require an accredited agency to have explicit policies and procedures for vehicle pursuits. Furthermore, initial training and annual review of these policies and procedures is also necessary.

It is crucial for a law enforcement agency to be able to comprehend the risk and liabilities that are associated with pursuits. This understanding can greatly assist an agency when the time comes to review a pursuit. The review should be a collaborative effort that assists both officers and supervisors in recognizing mistakes, while also highlighting any areas of concern or in need of improvement. This should ultimately ensure increased accountability, successful performance, and will ideally lead to an even higher amount of safe pursuit resolutions. The Toledo Police Department consistently demonstrated in 2020 that they abide by this mentality.

Recommendations

After analyzing the 2020 pursuit data, it is evident that supervisors are doing an exceptional job of monitoring the entirety of a pursuit from start to finish. This, along with a thorough review of each pursuit, provides a transparent account of what occurred during the course of a pursuit. It is recommended that the current guidelines for monitoring and reviewing pursuits stay in place. A thorough review of the incident through available video footage (both body-worn and in-car cameras) is not only leading officers to higher levels of accountability but also allowing them to become better trained and more efficient at vehicle pursuits. This type of review should continue to assist officers in the further understanding of environmental and external factors such as the nature and seriousness of the offense, road conditions, traffic, speed, and the likelihood of the suspect's apprehension.

Next, it is recommended that annual motor vehicle pursuit training continues. In 2020, the Toledo Police Department began implementing this type of training. For many officers, this training was the first refresher they have had on motor vehicle pursuits since their initial academy training. This training proved invaluable and further helped to provide officers with an increased understanding of pursuit policy and procedure. Due to the restrictions of COVID-19, this training was completed virtually with the main emphasis being on pursuit policy and procedure. Moving forward, the department could benefit by having officers periodically complete training that involves the actual

operation of a police vehicle in a simulated pursuit scenario. The goal of this training would be to strengthen the officers' skill set as it relates to the operation of a police vehicle under emergency conditions. Annual training such as those mentioned above could also potentially assist in reducing the risk and liability associated with vehicle pursuits.

Lastly, it is recommended that the accreditation manager formally collaborates annually with the Training Section to discuss the findings from the pursuit analysis report. The discussions of the findings would include specific pursuits that were highlighted in the annual analysis report due to them involving a policy violation, accident, or unusual circumstances. Pursuits involving the use of stop sticks could also be included. The goal would be to use any video associated with these pursuits as training tools for future academy classes.