

Salt Lake City Police Department



142450

COMMUNITY AFFAIRS DIVISION

MAY 28 1993

ACQUISITIONS

Salt Lake City Police Department
Chronology of Pursuit Policy Revision

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- II. Pursuit Database (National Figures).
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U.S. Department of Justice
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Salt Lake City Police Department
Chronology of Pursuit Policy Revision

10 Mar 1992

I. Historical Background.

8 Aug 1990

Last revision of the existing policy, reference Salt Lake City Police Department Manual section 4-08-20.00, currently in place prior to the 17 May 1991 fatality.

17 May 1991

2358 hours, pursuit and fatality, 91-47230. A thirty-six (36) year old male, the driver of the victim vehicle, was killed when the suspect vehicle ran a red light at a business district intersection and broad-sided the victim vehicle. The pursuit lasted six (6) minutes and went approximately five and one half (5.5) miles through business and residential neighborhoods. Traffic accident investigators calculated the suspect locked his brakes at sixty-three (63) miles per hours prior to impact. The suspect driver was charged and plead guilty to a 2nd degree felony and was sentenced to a year in the county jail.

23 May 1991

Then Chief Mike Chabries announced an interim pursuit policy which curtailed pursuits less forcible felony situations in which the use of deadly force would be justified.

15 Jun 1991

The Planning and Research staff from the Community Affairs Division was detailed to begin work gaining data from a variety of sources towards the possible modification of the Police Department's pursuit policy.

At the time of the fatal accident a high density of media coverage, both as news features and editorial comments, was directed towards the Police Department. Questions pertained to the logic of pursuing to the point of a fatality when the officer who initiated the pursuit was first drawn to the suspect vehicle because of traffic violations. One newspaper editorial suggested following the lead found in many other cities now, the structuring of a Citizen's Review Board to monitor and review police activity. This board would not concern itself with criminal activity and would function between formal civil litigation and the Police Department's Internal Affairs office.

29 Aug 91

A citizen's pursuit advisory committee was formed. After much deliberation by the administration, desiring to obtain a board scope of participation, four individuals accepted invitations from Chief Ed Johnson to serve on this committee. These citizens were

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the editor of a major Salt Lake City newspaper, the personnel director from a large corporation and sitting member of the Civil Service Commission, a former college president and current executive with the Salt Lake City School District, and a recently retired District Court Judge.

The advisory committee met with Department officials to obtain a current status as to Department policies and procedures concerning pursuits. The committee also met several times on their own without Department participation.

The timing of this situation corresponded with the 1 Jul 1991 implementation of the Salt Lake City Police Department Five Year Strategic Plan. The main thrust of this plan was the transition to Community Oriented Policing. Chief Johnson desired as much input from citizens and the community at large as possible.

Sep 1991

Two town meetings sponsored by the Police Department were held in the community. They were conducted at public city schools, advertised in the media, with the intent of gaining citizen response as to whether or not the Police Department should utilize high speed pursuits to effect criminal apprehension. While citizen turn out was limited for these town meetings responses were generally at either end of the spectrum. Yes, the Police should be allowed to utilize their training and discretion to pursue criminal suspects. Or no, the police should not under any circumstances use such a dangerous tool considering the safety of the citizens at large that stand to be injured as a result of a pursuit.

Sources used by the Police Department's Planning and Research staff included public surveys completed by the Salt Lake Tribune and the University of Utah, both used with permission. Sample pursuit policies from some twenty-five (25) other police agencies were also obtained arriving at some commonalities. A formal university academic study was referenced for information pertaining to the make-up of the typical fleeing driver.

The multitude of issues looked at included the geographical and environmental considerations during a pursuit. Time of day, rural, urban, or suburban density, weather and road conditions, pursuit driving training and experience of the officer involved, maintenance status of police vehicles, and the alleged offense of the suspect driver were all issues factored. Officer, citizen and suspect safety was always paramount in the decision making process.

A detailed survey was prepared and presented to Salt Lake City Police Department Officers who had been involved in a pursuit during the survey window, 1 Jul 89-1 Oct 91, which totaled one hundred twenty-two (122) pursuits. The survey asked why the pursuit originated and how it was terminated, the percentage which

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ended in an accident, and what criminal charges resulted from the situation. Data was also gathered pertaining to the age and gender of the suspect driver and what brought the suspect driver to the attention of the officer. Dispatch and field supervisory procedures during the event were also considered.

An additional survey was prepared and presented to citizens who participated in the town meetings. Crime Prevention Officers also circulated the survey at district council meetings. This same survey was also presented to a cross-section of high school students in the city. In every situation the results strongly concurred with police use of high speed pursuits as a technique to apprehend criminal suspects.

Two main themes continued to present themselves from the two surveys conducted, the town meetings, and from the citizen's advisory committee. One, field officer discretion must be preserved, and two, overall responsibility remains a function of command bearing in mind that pursuits are a potential extension of deadly force.

The uniformed Patrol Division independently formed a committee and submitted recommendations about the pursuit policy issue. The committee's report stressed allowing a police officer a reasonable capability to perform the duties of protecting life and property.

8 Oct 1991

The citizen's pursuit advisory committee presented their recommendations to Chief Johnson. There were no significant suggestions for change except for the committee's recommendation to establish a Citizen's Review Board. Chief Johnson did not sustain this recommendation.

6 Feb 1992

A new department pursuit policy was published. It was presented in its entirety as a public press release, along with the citizen Pursuit Advisory Committee's recommendations. The press release also detailed committee membership.

The new policy addressed officer discretion to terminate a pursuit, allowed for, but limited to, three (3) marked police vehicles to assist, and detailed dispatch procedures. It also discussed crossing jurisdictional lines, both extending into other jurisdictions and receiving pursuits initiated by other agencies into the city. The policy emphasized post-pursuit officer discipline at the point of actual physical suspect apprehension.

The new policy addressed a point of futility at which time it is better to back off the pursuit when considering safety v. the alleged offense of the suspect being pursued. If the identity of

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the suspect is known apprehension is not mandatory at the time of the pursuit and can be accomplished at a later date.

During the time of the interim pursuit policy Salt Lake City Officers were directed to complete police reports on situations that were potential pursuits. These are suspect drivers that did not respond to marked police vehicle commands to stop but rather evaded instead. These "non-pursuit" incidents were tracked by the Traffic Division Hit and Run Detail. Approximately fifty percent (50%) of these suspect drivers were identified and apprehended after the fact. It should be noted this sample consisted of only twenty (20) situations of this type.

The new policy did establish an in-house Police Department Pursuit Review Board. Board membership consists of the Bureau Commander of the officer involved (LTC), the Traffic Division Commander (CPT), the Records Division Commander (LT), the Department Training Coordinator (LT), plus one additional officer appointed by the Chief, rank unspecified. The Pursuit Review Board can make the following recommendations to the Chief. One, the pursuit was in policy, two, in policy but sub-standard performance, or three, out of policy. As before the new policy a required number of formal police reports must be completed when a pursuit occurs. Chain of command involvement remains critical and a thorough department Internal Affairs investigation is completed on each situation.

II. Pursuit Database - National Figures.

A. Officer experience.

1. 0-5 years	47%
2. 6-10 years	30%
3. 11-15 years	17%
4. 16+ years	6%

B. Pursuit termination.

1. Suspect captured	77%
2. Suspect escaped	23%

C. Pursuits terminating in an accident.

1. Non-injury	23%
2. Police Officer injury	1%

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- | | |
|----------------------------|-----|
| 3. Police Officer fatality | >1% |
| 4. Suspect injury | 10% |
| 5. Suspect fatality | 2% |
| 6. Civilian injury | 5% |

D. Suspect reasons given for evading.

- | | |
|------------------------------|-----|
| 1. Outstanding warrants | 3% |
| 2. Intoxicated | 12% |
| 3. Thought escape might work | 6% |
| 4. Evade for other crimes | 33% |
| 5. Fear of consequences | 20% |
| 6. Did not see officer | 5% |
| 7. Thrill seeking | 3% |
| 8. Unknown other | 18% |

E. Suspect reasons for conceding pursuit.

- | | |
|--------------------------|-----|
| 1. Involved in accident | 37% |
| 2. Overwhelmed by police | 15% |
| 3. Chase too difficult | 15% |
| 4. Reached destination | 11% |
| 5. Other | 22% |

F. Age and gender of fleeing driver.

- | | |
|----------------|-----|
| 1. Male | 96% |
| 2. Female | 4% |
| 3. 11-20 years | 37% |
| 4. 21-30 years | 45% |
| 5. 31-40 years | 14% |
| 6. 41+ years | 3% |

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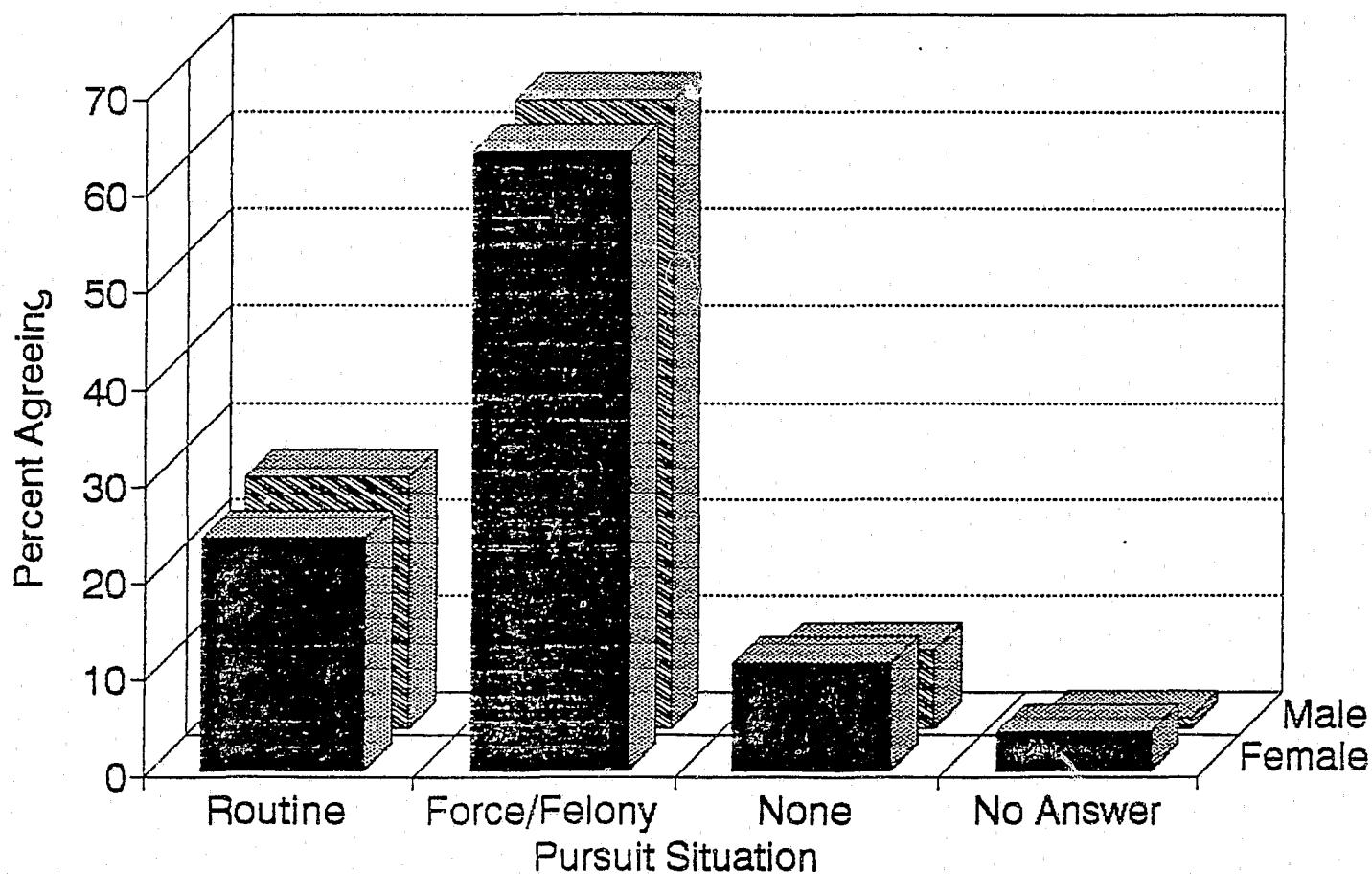
III. Multi-Jurisdictional Pursuit Policy Commonalities.

1. Utilize air assets when available.
2. The issue of officer discretion to start/continue/terminate a pursuit with regards to public safety is a priority at all times.
3. Alternate means of apprehension. If the suspect has been identified could he be arrested at a later date and hence discontinue the pursuit at this time.
4. Number of police vehicles involved. Almost all policies direct no more than two police vehicles participate in a pursuit without supervisory authorization.
5. The use of forcible stops is no different than the decision to use deadly force. This includes ramming, boxing, channelization. In all cases supervisory approval was required beforehand.
6. Field supervisors must monitor the air and provide continuous guidance.
7. Dispatch assumes a different posture when a pursuit occurs and dictates other than normal radio procedures.
8. The existing environmental conditions, to include locale, are always a major consideration in a pursuit decision.
9. Outside agency assistance with pursuits. The local jurisdiction may assist an outside agency that enters the local jurisdiction during a pursuit, or, the local jurisdiction may go outside and anticipate being assisted by the outside agency.
10. Pursuit driver training is either highly encouraged or recommended but was rarely mandatory.
11. There should be no civilian passengers in the police vehicle during a pursuit.
12. Only a couple of agencies had a pursuit specific report form to detail the event.
13. Notably missing all across the board was any specific direction pertaining to what criminal offenses warranted pursuit authorization. Agencies did not dictate to their officers when or when not to pursue beyond the public safety considerations.

IV. Salt Lake Tribune Survey.

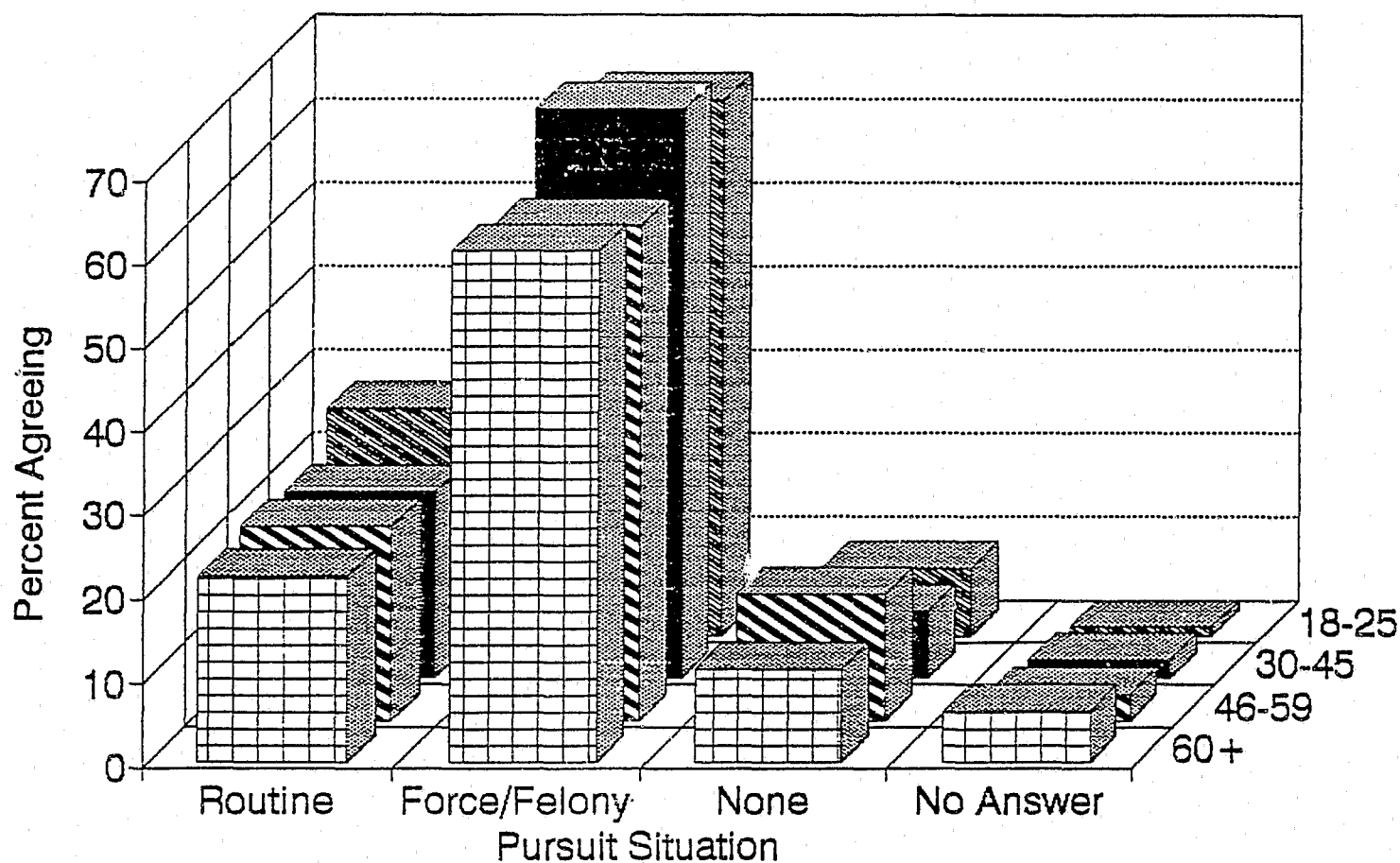
Pursuits through residential areas

S.L. Tribune Poll Results



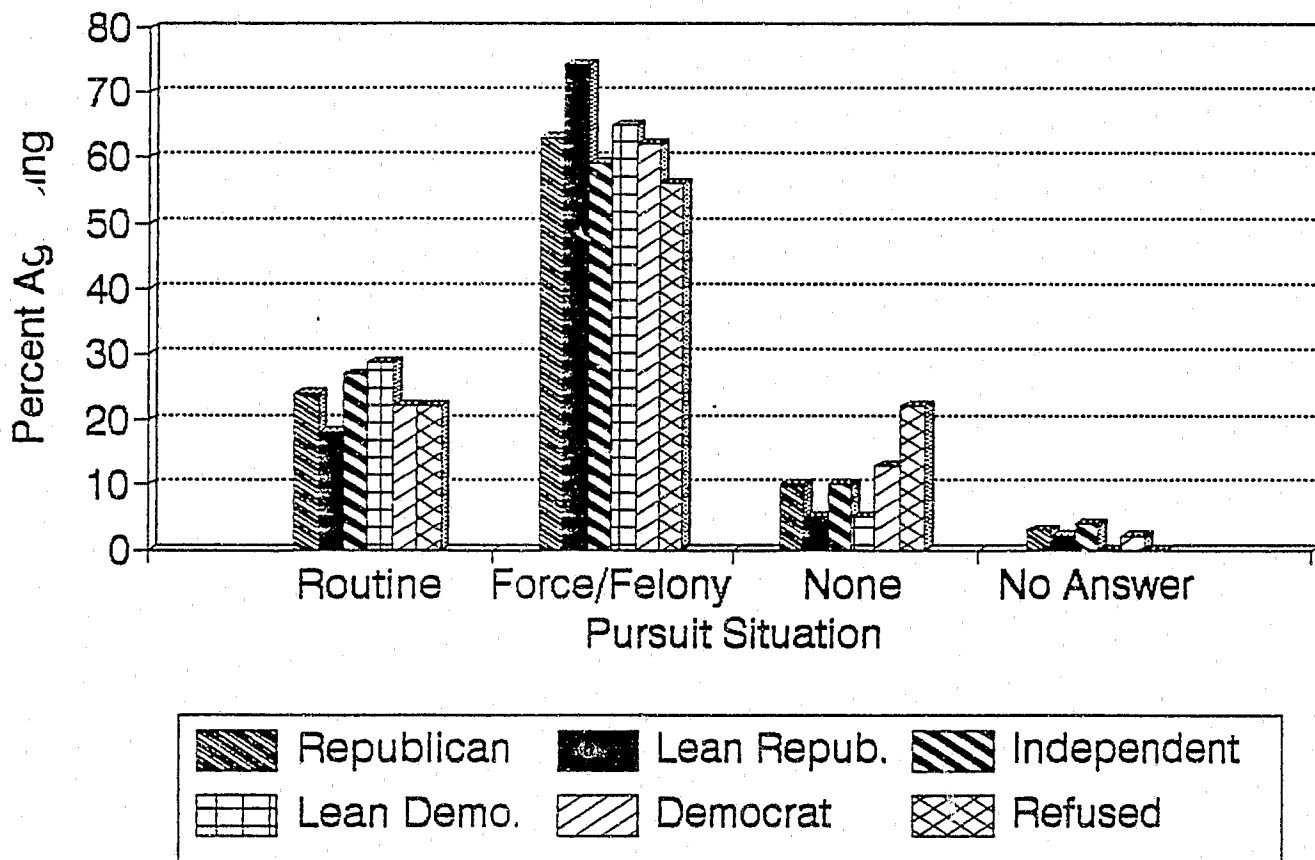
Pursuits through residential areas

S.L. Tribune Poll Results



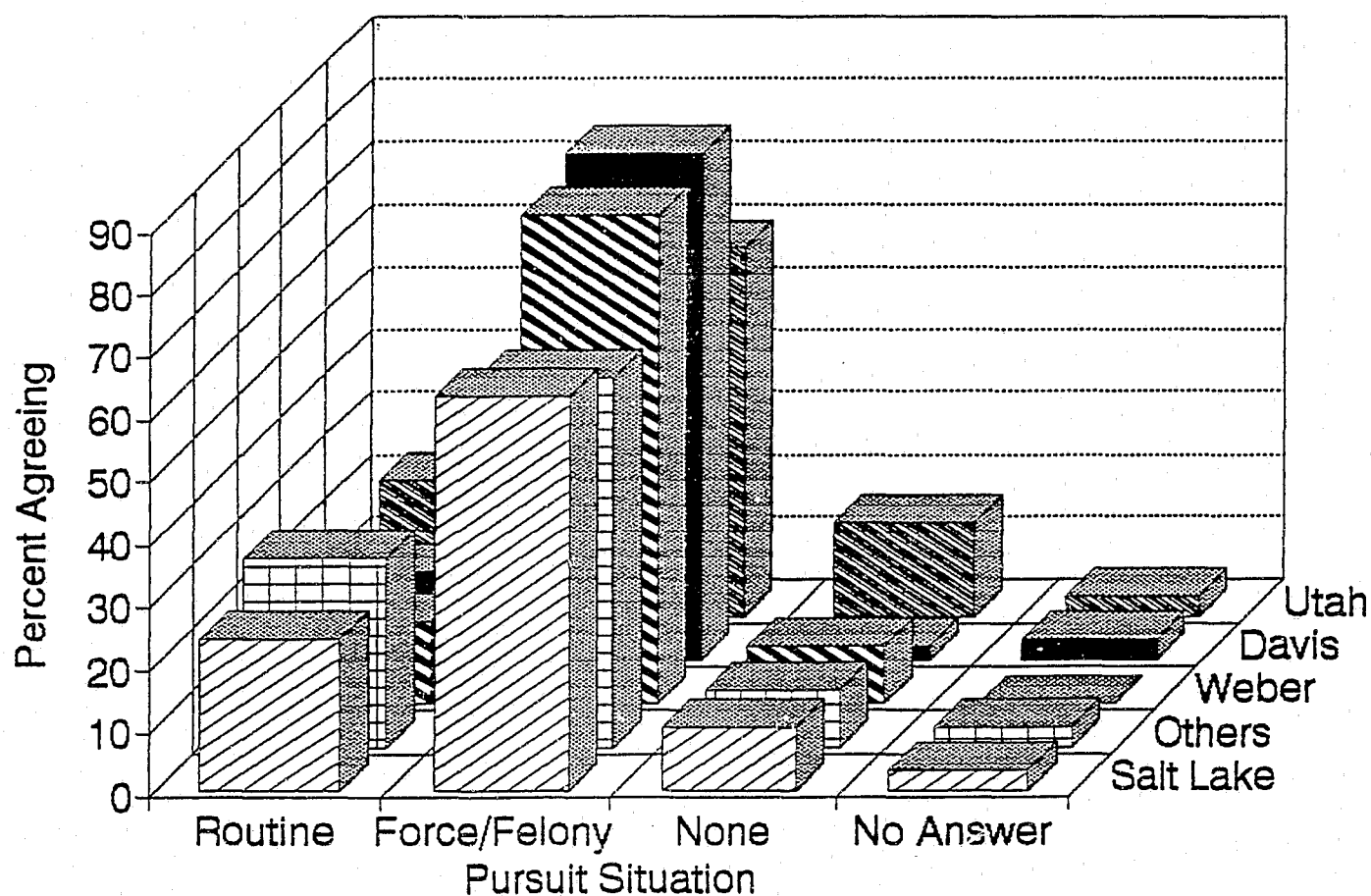
Pursuits through residential areas

S.L. Tribune Poll Results



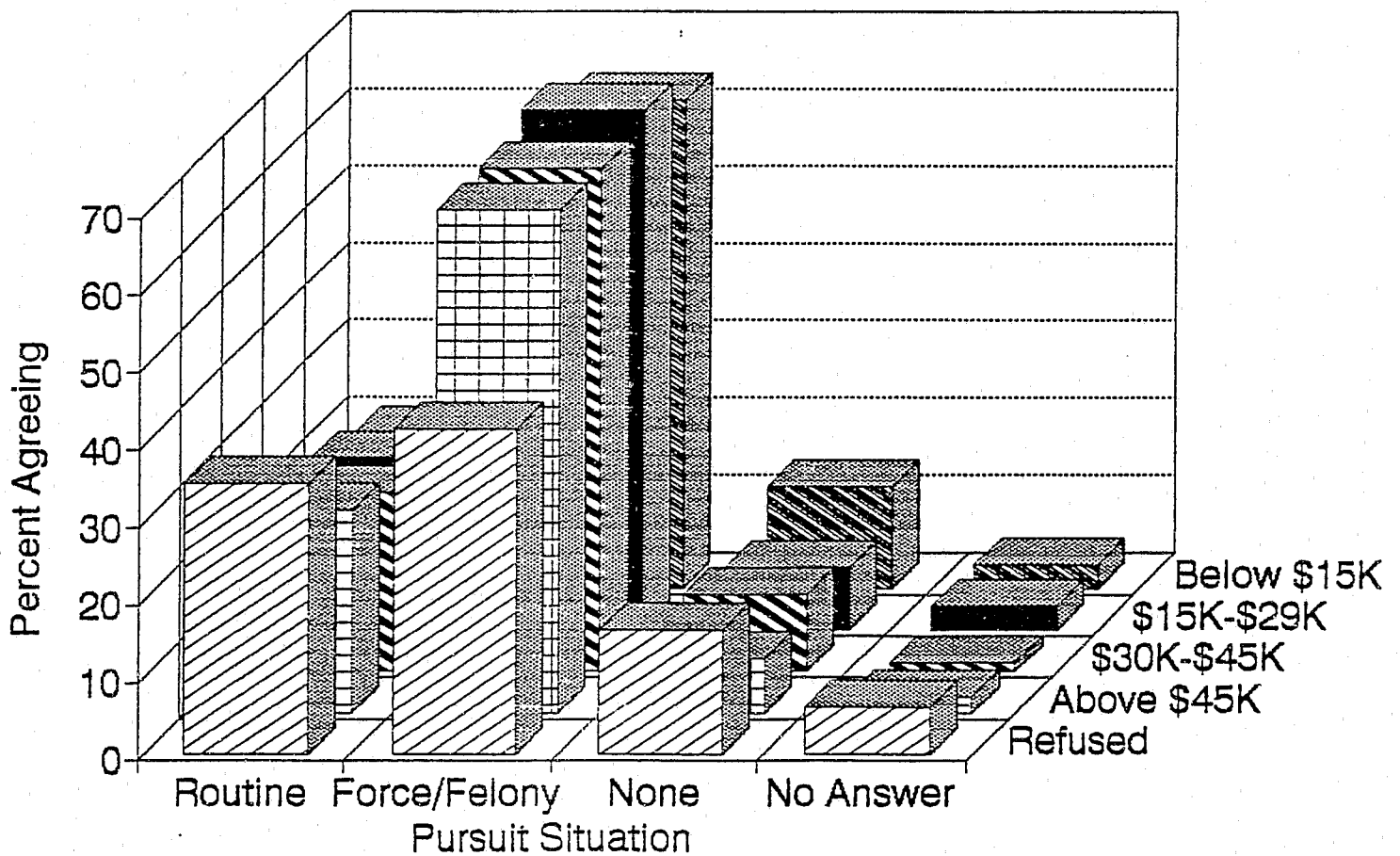
Pursuits through residential areas

S.L. Tribune Poll Results



Pursuits through residential areas

S.L. Tribune Poll Results



V. Salt Lake City Police Officer Survey.

Salt Lake City Police Department
Community Affairs Division
Plans and Research

_____ (Presented to the Initial Officer Assigned by ID ##)

RE: _____ (Referenced against the specific case ##)

We are continuing to gather data from many sources for possible policy revision pertaining to the department vehicle pursuit policy. The survey period is 1 Jan 1989 to present. You were either assigned as the initial officer, the accident investigator for an accident that terminated the pursuit, or as assisting an officer no longer with the department. Your input in the following questionnaire is extremely valuable in this matter. All cases are available in records for your review. Please be as accurate as possible in your responses. We realize some factors will not be clear or retraceable. Please return the survey to the Community Affairs Division no later than 22 Aug 1991.

BOLD type are the answers interjected in the survey as it was presented to the Officers. The Police Department's Internal Affairs Office provided the total case listing of all pursuits during the survey period. This amounted to (122) pursuits. This includes the twelve "non-pursuits" since the implementation of the interim pursuit policy. Answers were no different for the "non-pursuits" except that the suspect was not followed. Only (58) or 48% of the survey questionnaires were returned.

Time of the department (at the time of the pursuit)

0-5	years	_____	33%
6-10	years	_____	18%
11-15	years	_____	23%
16-20	years	_____	23%
20+	years	_____	03%

Time of day pursuit started

0001-0400	_____	38%	0401-0800	_____	03%
0801-1200	_____	09%	1201-1600	_____	09%
1601-2000	_____	16%	2001-2400	_____	25%

Formal training in pursuit driving Yes ___ 59% No ___ 41%

What training _____

Previous pursuits, how many ? _____

Range: 0-15

Duration of pursuit in minutes _____

0-2	minutes	16%	3-5	minutes	50%
6-10	minutes	31%	11+	minutes	03%

In two situations the Watch Commander called off pursuit.

Length of pursuit in blocks and/or miles _____

Range: One-half mile to ten plus miles. Norm: 1-2 miles.

Reason for pursuit, what drew your attention to the suspect

Known suspect in matter you were currently working ___ 26%

Known suspect via an ATL or previous matter ___ 08%

Auto theft ___ 13%

DUI ___ 16%

Routine traffic stop ___ 37%

Was suspect already known to you

Yes ___ 13% No ___ 87%

Was there a reasonable expectation that suspect could have been apprehended after the fact if the pursuit were discontinued

Yes ___ 24% No ___ 76%

Locale (by percentage)

Residential ___ 52% Business ___ 31% Freeway ___ 10%
Other/combination ___ 07%

Environmental conditions

Daylight ___ 25% Darkness ___ 75%

Wet ___ 10% Dry ___ 90%

How many total police vehicles involved (indicate all that apply)

Marked ___ 62% Motors ___ 07% Unmarked ___ 31%

Jurisdiction

Outside agency entered the city and assisted SLCPD
Yes ___ 20% No ___ 80%

SLCPD assisted outside agency that entered Salt Lake City
Yes ___ 07% No ___ 93%

SLCPD left the city and was assisted by outside agency
Yes ___ 25% No ___ 75%

Police speed majority of time, plus maximum speed ____/____

Range: 30-85 MPH. Norm: 40-50 MPH.

Suspect speed majority of time, plus maximum speed ____/____

Range: 30-90 MPH. Norm: 50-60 MPH.

How did pursuit terminate

Accident

Suspect damage ___ 29%	Suspect injury ___ 05%
Police damage ___ 05%	Police injury ___ 03%
Civilian damage ___ 12%	Civilian injury ___ 02%

Suspect ended pursuit without force ___ 63%

Suspect was lost/got away ___ 35%

Forcible stop by police ___ 02%

Suspect ran on foot after leaving vehicle ___ 29%

Suspect was identified and apprehended later ___ 16%

Arrests

Auto theft __ 15% DUI __ 17% Other/specify __ 39%

Sampling of charges: Hit & run, agg assault, agg robbery, escapee, soliciting sex acts, other misdemeanor traffic violations. Not every situation concluded in an arrest.

Other parties in vehicle __ 30%_

Court action (if known)

Specific charges __ Numerous variety of felony and misdemeanor charges, with almost all those suspects stopped being charged with fleeing. Data very inclusive, very few returned surveys included first hand knowledge of the court disposition.

Dismissed __ 02% Charged and found guilty __ 28%
Charged and found not guilty __ 0%

Recommendations

Training deficiencies _____

Almost all of the Officer's summary comments expressed concerns and desires for pursuit and emergency vehicle operations training, specifically field training. Some indicated some cursory pursuit training while at POST but nothing since their initial training experience.

Dispatch procedures _____

Officer concerns were that dispatch stay off the air once the pursuit is called. Minimize air time. Otherwise there were few negative comments from the field about dispatch in this regard.

Field supervisory roles _____

Officers felt supervisors should monitor the air but stay off the air as much as possible. There were no negative comments to the effect a supervisor interfered with a pursuit.

Public safety concerns _____

Many Officers expressed their dislike for pursuits with regards to the public's and their own safety. Comments were honest and open to the effect that maybe suspects ought not be pursued because of safety.

Any other considerations _____

Officers did express their "hands were tied" because they were not being allowed by policy to uphold the law. Further, Officers felt police public reputation was badly damaged because citizens know we can do nothing when a suspect runs.

VI. Citizen Survey.

AGE 16-20 ___ 21-25 ___ 26-34 ___ 35-44 ___ 45-60 ___ 61+ ___

MALE ___ FEMALE ___

STRONGLY
AGREE

SOMEWHAT
AGREE

SOMEWHAT
DISAGREE

STRONGLY
DISAGREE

1. Police officers should be allowed to routinely pursue suspects who have broken the law.

1 2 3 4

2. Regardless of the offense committed by a suspect concerns for uninvolved citizen safety should have priority over the practice of Police vehicle pursuits.

1 2 3 4

3. Police should only be allowed to pursue suspects in forcible felonies situations, for example, robberies, burglaries, rapes, felony assaults.

1 2 3 4

4. Police should pursue suspects in auto theft situations.

1 2 3 4

5. Suspects in misdemeanors, for example, thefts, gas station drive offs, simple vandalisms, should be pursued.

1 2 3 4

6. Suspected drunk drivers should be pursued if the driver refuses to stop for a Police Officer.

1 2 3 4

7. Drivers being stopped for traffic violations but flee instead should be pursued.

1 2 3 4

8. Laws should be passed that allow Police/Government agencies to permanently retain possession of a suspect's vehicle when the suspect is arrested as a result of a high speed pursuit. (This law is already in effect for drug related arrests.)

1 2 3 4

STRONGLY
AGREE

SOMEWHAT
AGREE

SOMEWHAT
DISAGREE

STRONGLY
DISAGREE

9. Suspects in high speed pursuits should be held financially liable for any damages or injuries caused as a result of a pursuit.

1

2

3

4

10. Police/Government agencies (taxpayer dollars) should be financially liable for damages or injuries resulting from a pursuit.

1

2

3

4

11. Citizens should be granted the opportunity for input into Police Department policy decision-making. This is the concept of Community Oriented Policing.

1

2

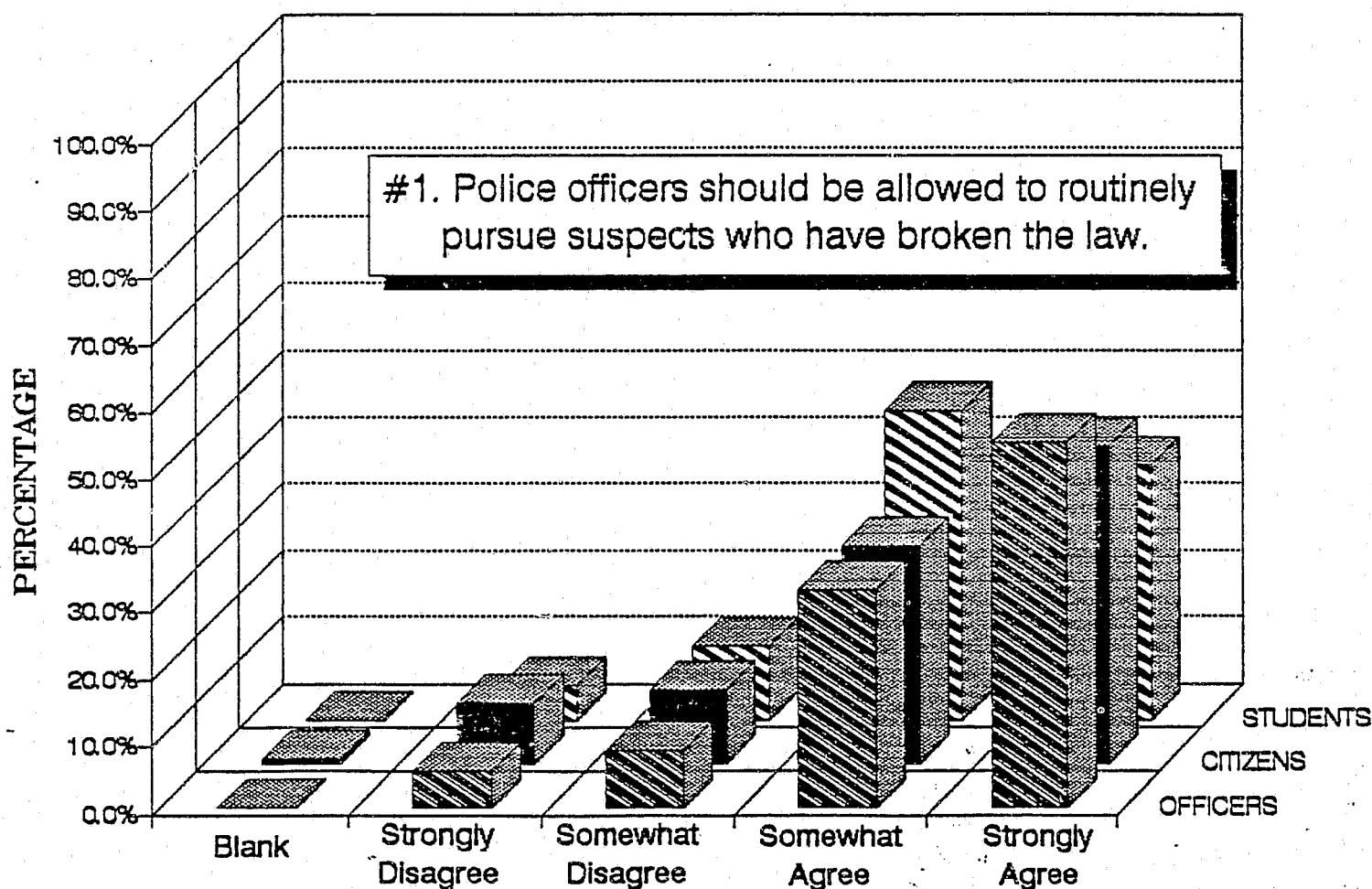
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12. Comments.

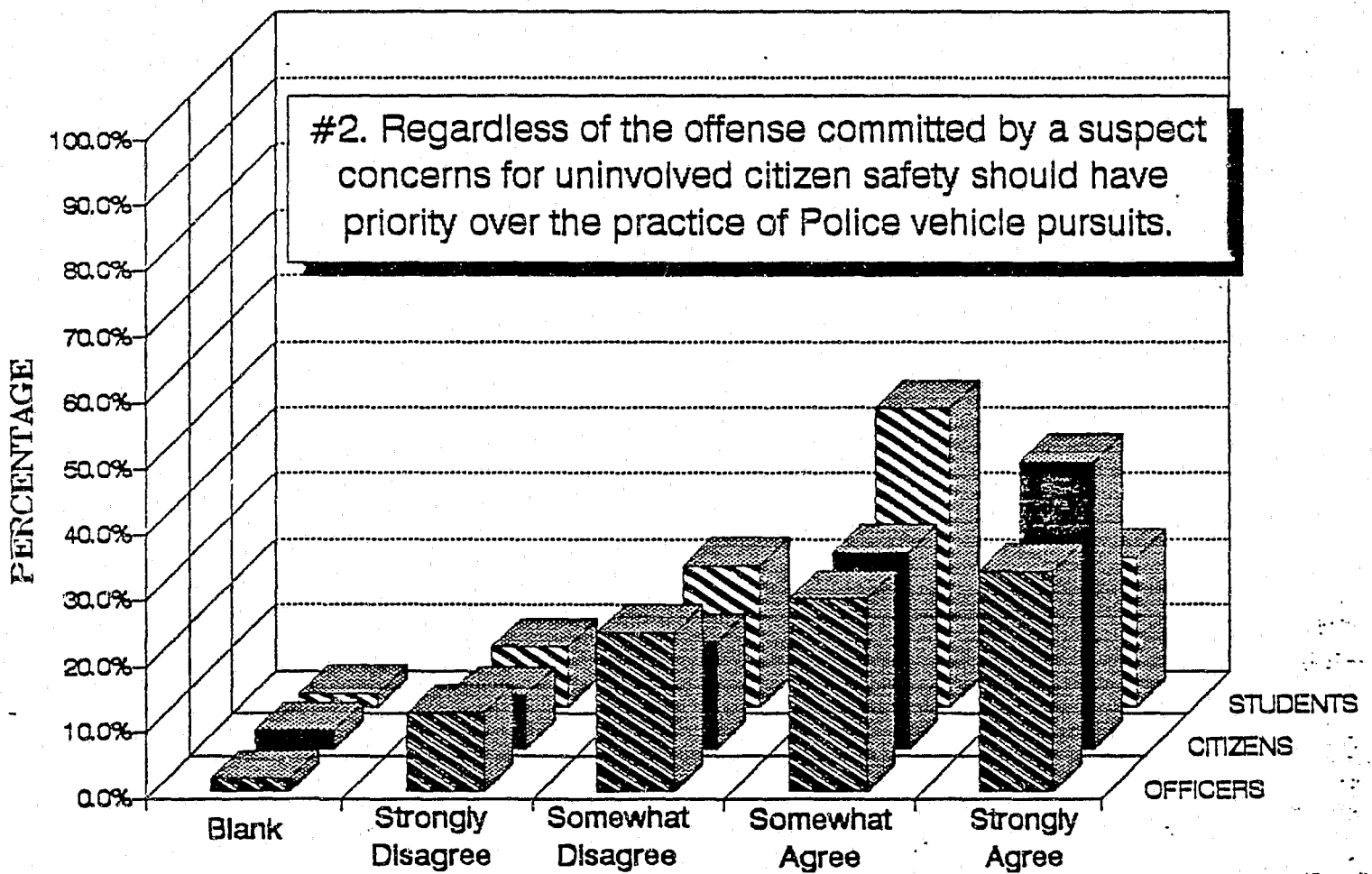
SLCPD PURSUIT SURVEY COMPARISON

SEPTEMBER 1991



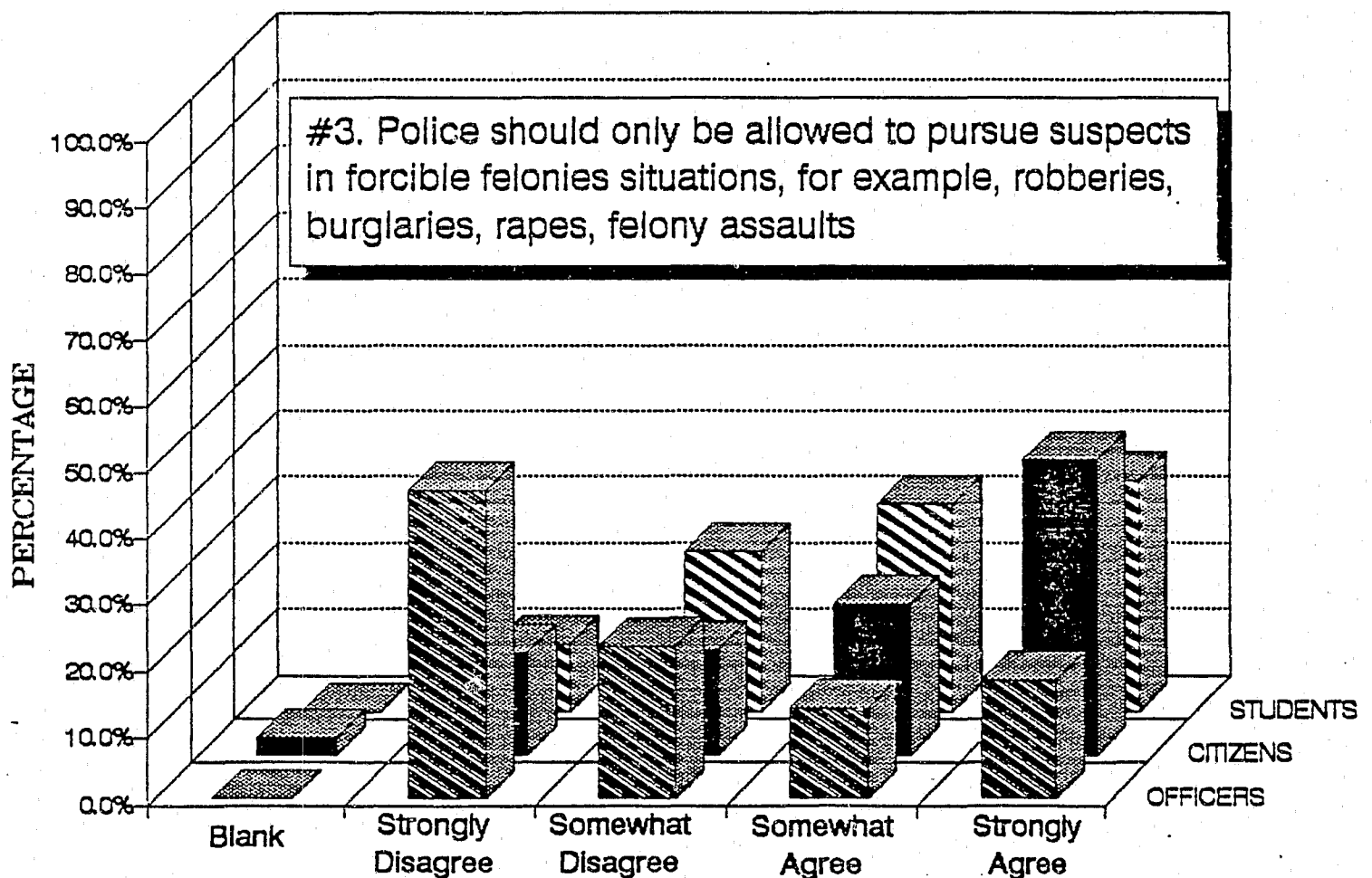
SLCPD PURSUIT SURVEY COMPARISON

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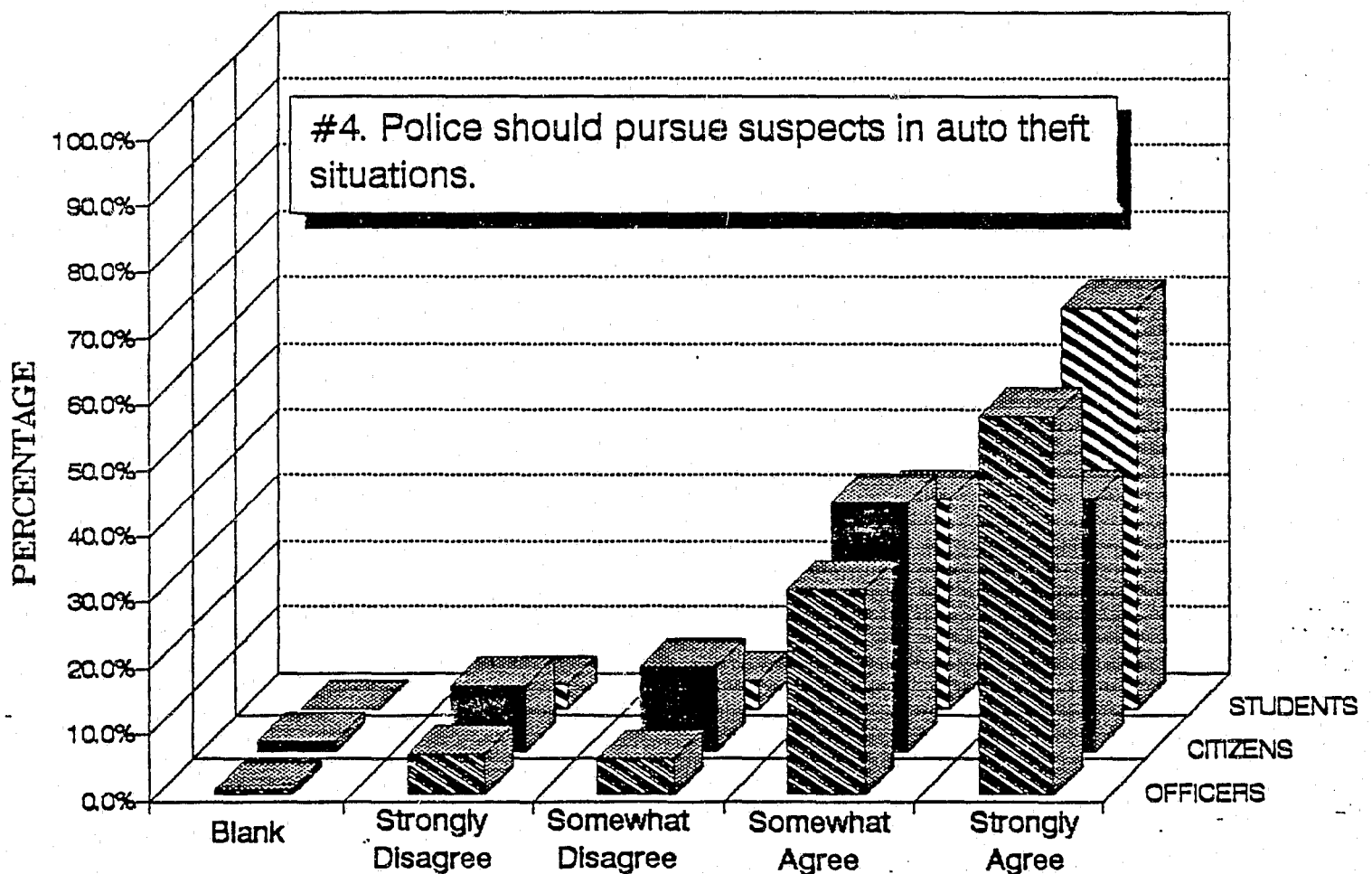
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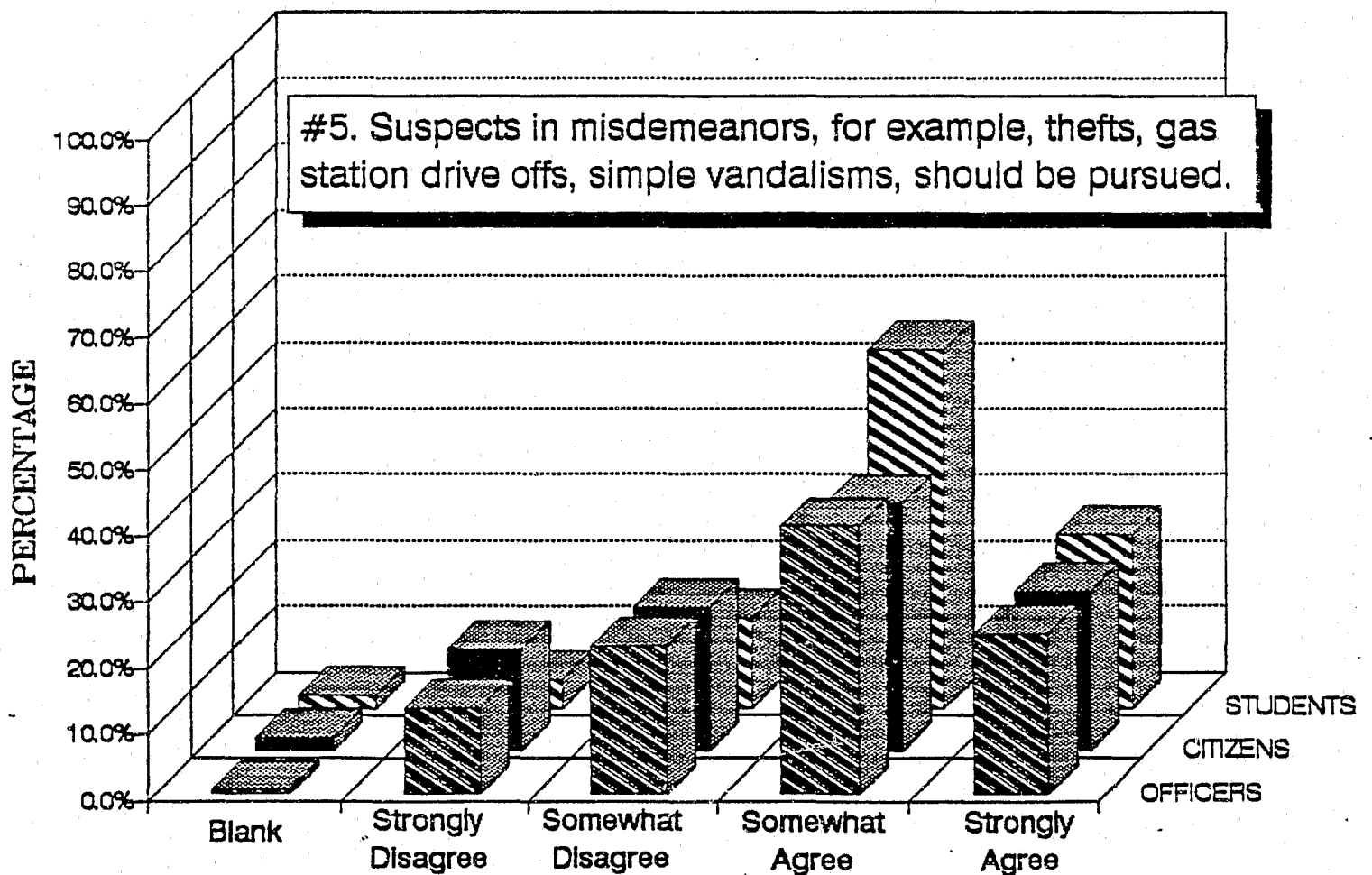
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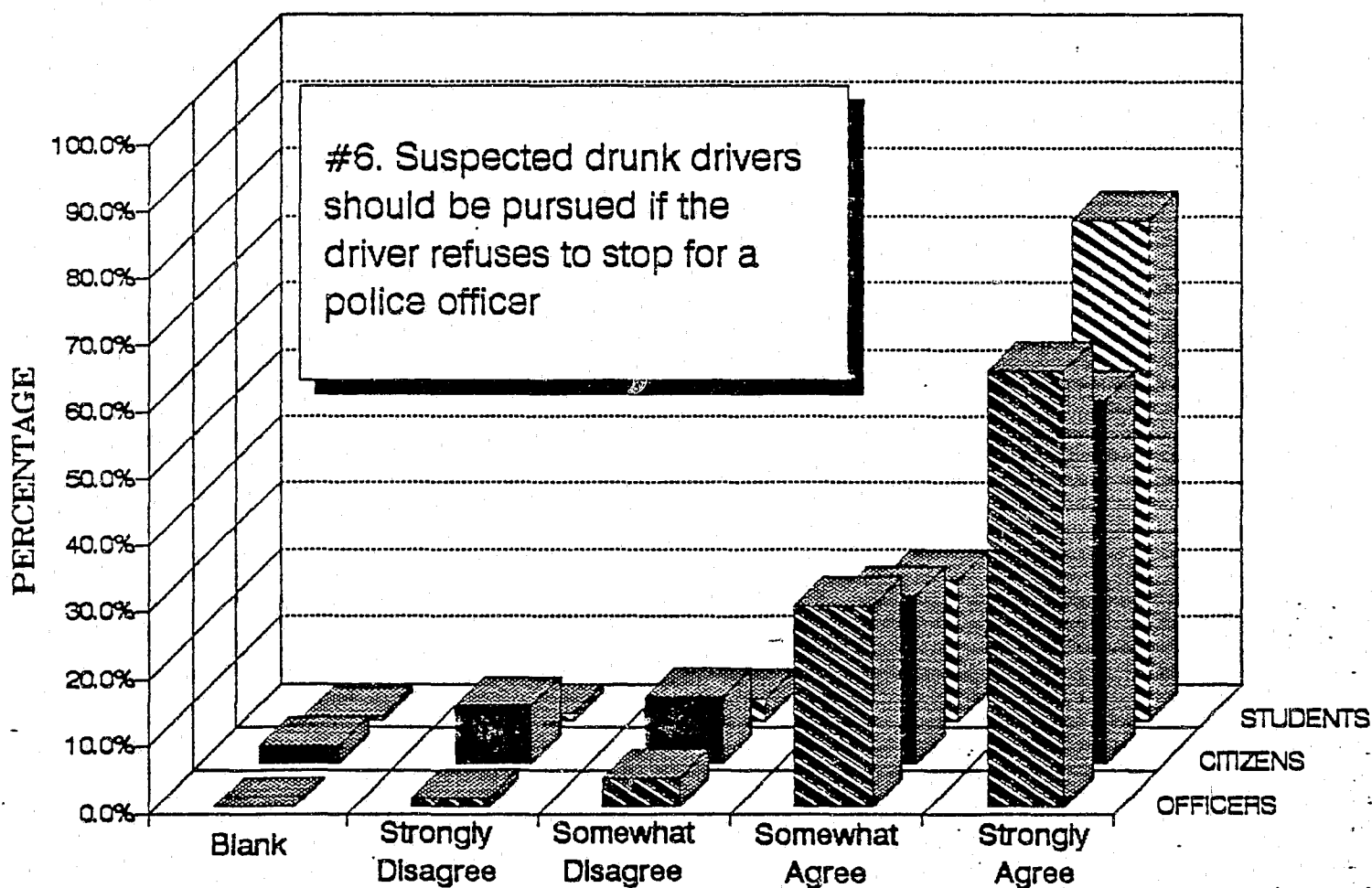
SLCPD PURSUIT SURVEY COMPARISON

SEPTEMBER 1991



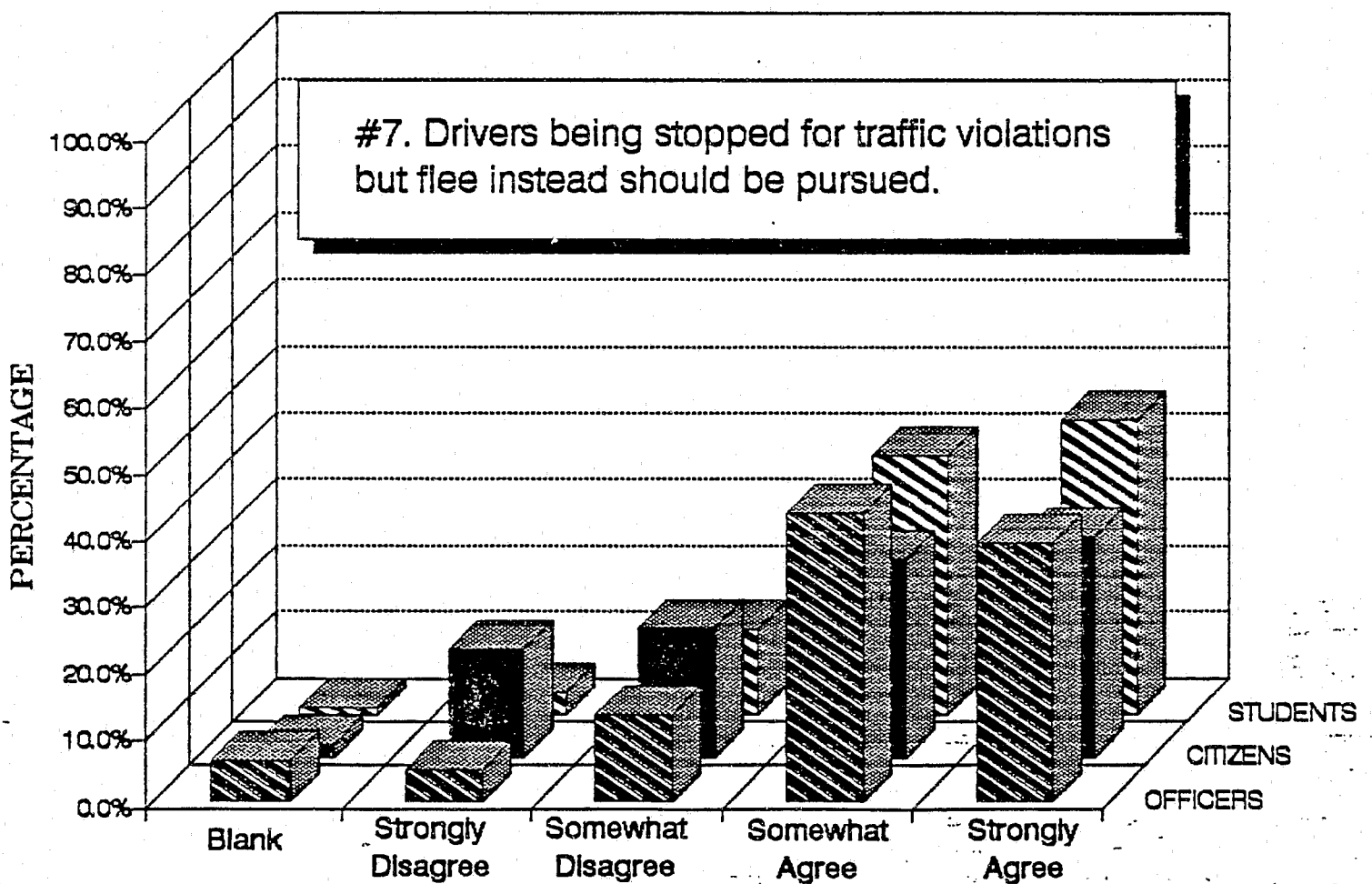
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SEPTEMBER 1991



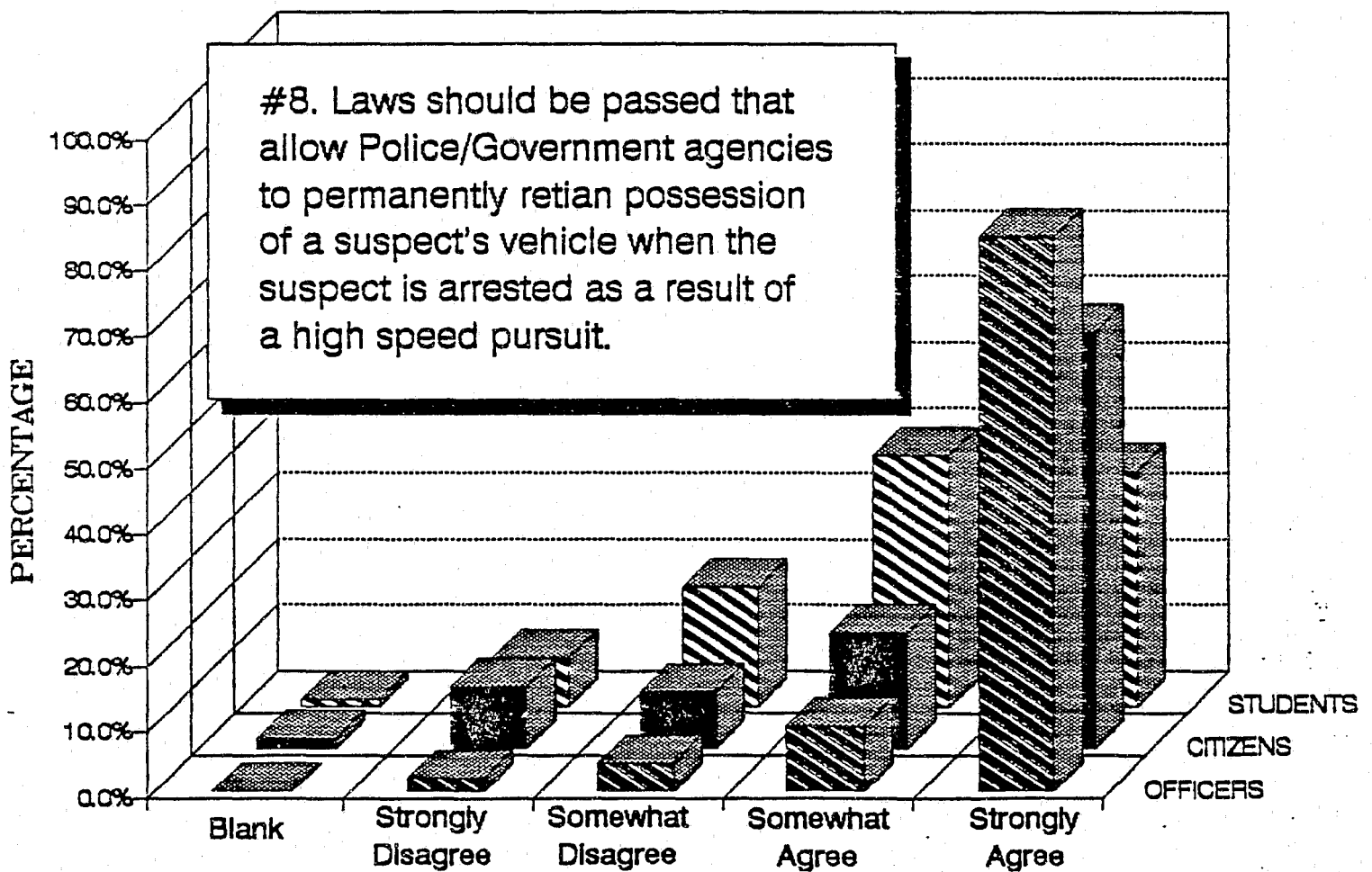
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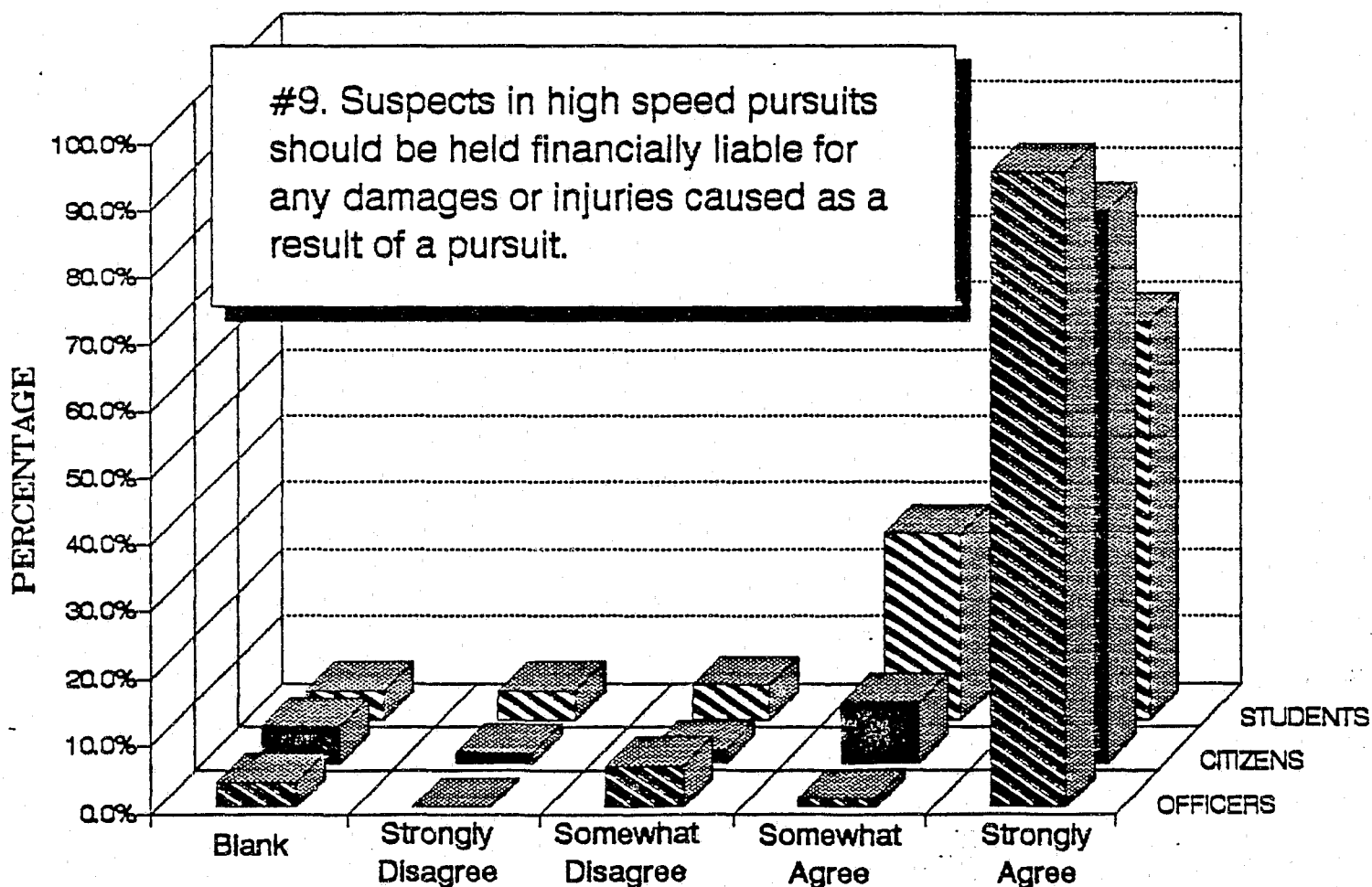
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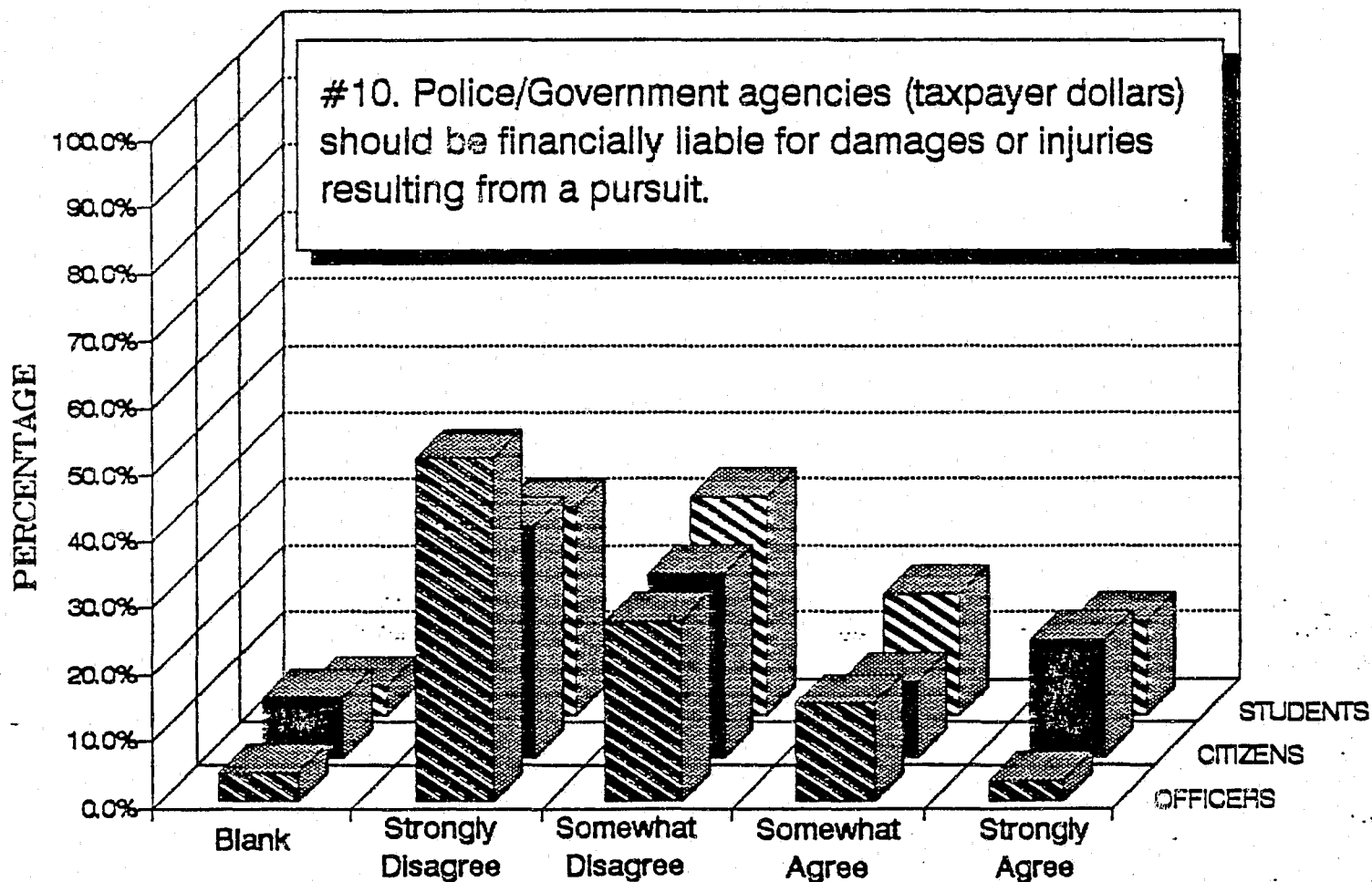
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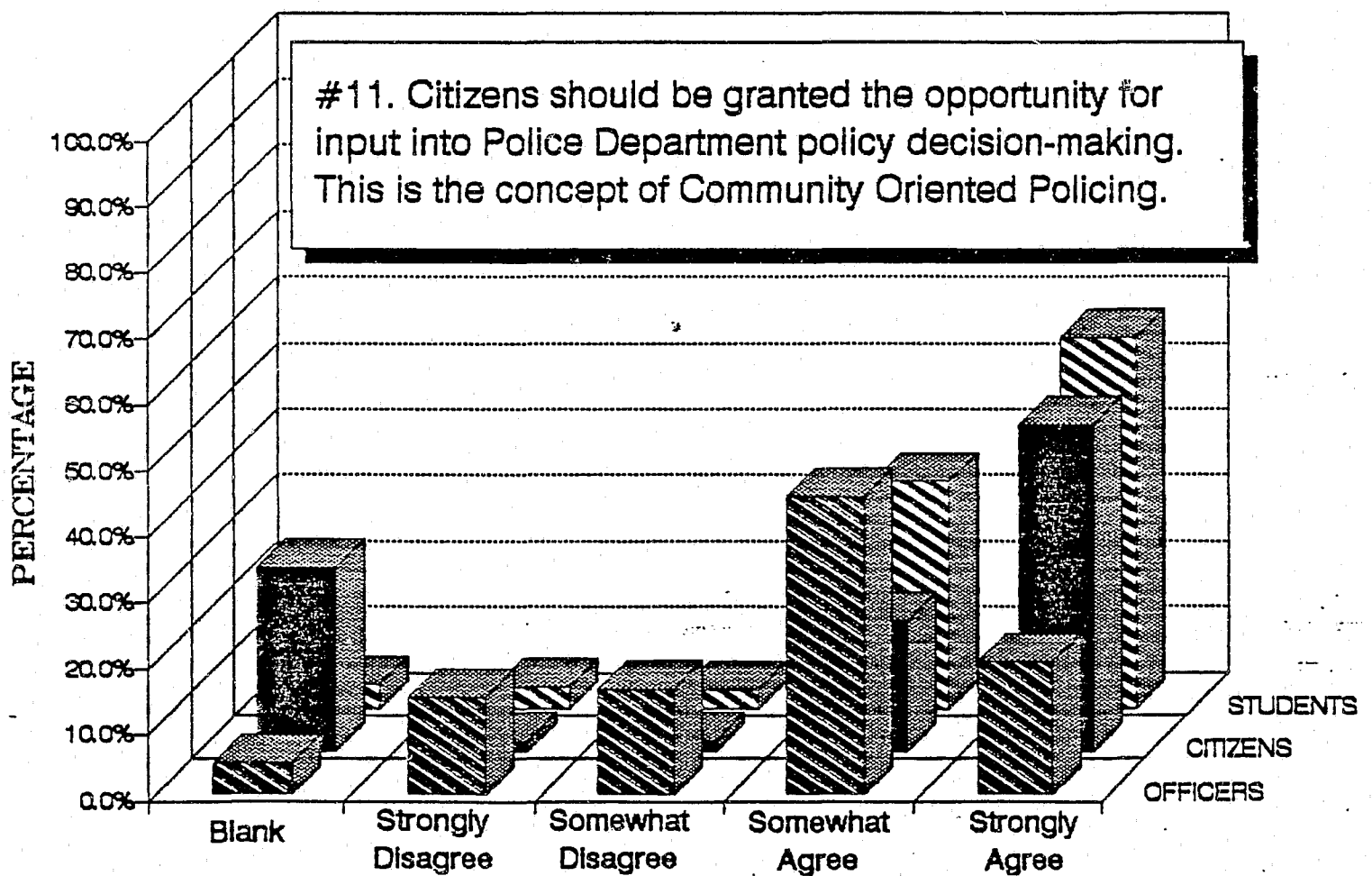
SLCPD PURSUIT SURVEY COMPARISON

SEPTEMBER 1991



SLCPD PURSUIT SURVEY COMPARISON

SEPTEMBER 1991



VII. Citizens' Advisory Committee Official Response.



SALT LAKE CITY CORPORATION
POLICE DEPARTMENT



TELEPHONE (801) 799-3000
FAX (801) 799-3557

315 EAST 200 SOUTH
SALT LAKE CITY, UTAH 84111

MIKE CHABRIES
CHIEF OF POLICE

TO: Colonel Ed Johnson
Chief of Police
City of Salt Lake City

October 8, 1991

FROM: Citizens' Advisory Committee, Pursuit Matter

Your office asked the undersigned to serve as a Citizens' Advisory Committee to review the issue of high speed pursuits conducted by the Salt Lake City Police Department. Our mission is to recommend policies and practices consistent with citizen safety and effective law enforcement.

Your office provided us with extensive background materials, both initially and upon committee request. Two town meetings were held to receive citizen input. Several written surveys were conducted to receive additional citizen and police officer input. Using this information, we have met on several occasions to arrive at the conclusions and recommendations noted below.

The issue of high-speed pursuits is complex and not conducive to black and white solutions. On the one hand, the potential danger to innocent third parties is paramount; on the other, is the use of a long-standing law enforcement and apprehension tool.

Conclusions

1. High speed pursuits must be dealt with on a substantially elevated level of visibility by the police, citizens, and public officials.
2. Pursuing fleeing subjects in law enforcement vehicles on public streets and highways at high rates of speed is akin to an officer firing a gun at a fleeing suspect.
3. The decision to pursue a suspect and the continuation of that pursuit must be based on a determination by the field officer that a grave and immediate danger to society exists by the at-large presence of the fleeing suspect, and that this danger is greater than that presented by the pursuit required to apprehend.
4. Increased accountability to the public is necessary. High speed pursuit must be treated by the Police Department and the public with oversight and review equal to that of firing a weapon in the line of duty.

Recommendations

1. Develop a policy that places a premium on analysis and discretion by the field officer and the watch commander on whether to initiate and when to terminate pursuits.
2. Establish a Pursuit Review Panel to conduct post incident reviews of all high speed pursuits.
 - a. Establish a five member panel consisting of three people from the Police Department and two private citizens.
 - b. Police Department participation should be similar to the Shoot Review Board.
 - c. Citizen members should be drawn on a strict rotation basis from a pool of six citizens appointed for two year terms (staggered between one and two year terms in the initial year). Special care must be taken to insure the panel has minority representation and women in its membership.
 - d. The review board would operate in the same fashion as the panel that determines the appropriateness of firing a weapon in the line of duty. The same five determinations ought to be available to the Pursuit Review Panel.
 - e. The Pursuit Review Panel should meet regularly (e.g. monthly) to review all high-speed pursuits undertaken in the previous period.
 - f. In the case of a death or serious injury the Pursuit Review Panel should be convened shortly thereafter to consider the case specifically. The pursuing officer should be placed on administrative leave until the Review Panel has come to a conclusion on the matter.
 - g. The conclusions of the Pursuit Review Panel should be made a matter of public record.
3. Develop and conduct extensive driving and psychological training related to high speed pursuit for all officers, including periodic updates.
4. Patrol cars should be properly equipped with devices aimed at keeping suspects from fleeing.
5. Initiate a feasibility study into the acquisition and operation of helicopters equipped to conduct pursuit of fleeing suspects.
6. Enact stiffer laws and provide for more severe penalties for vehicular flight from an officer. We urge, for example, that the Salt Lake City Council take the initiative in this matter and enact an ordinance that would place the penalty for high-speed flight as

being a mandatory 6-month jail sentence, an additional 6 months of community service in neighborhoods in which the chase occurred, revocation of the driver's license for a year, and full liability for all injuries and damage that occurred because of the chase. Further, judges need to accept the premise that high-speed flight to avoid arrest often is more serious and a more grave danger to society than the original transgression, and sentence accordingly.

7. Develop a public education program, especially in the high schools, about the dangers and legal consequences of high-speed flight to avoid a ticket or arrest.

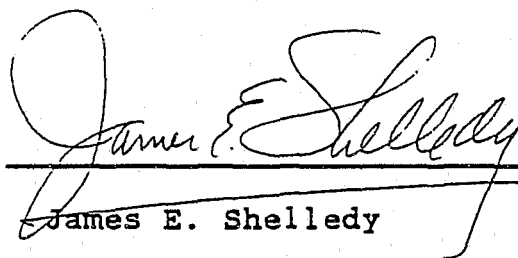
We respectfully submit these recommendations in the matter of high speed pursuits. We appreciate this opportunity to be of service to you and the community.

Sincerely,

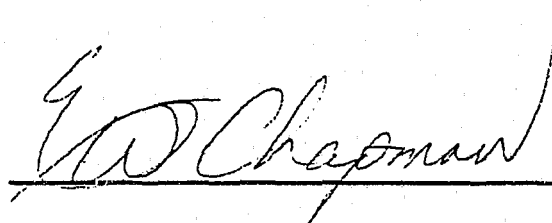
Citizens Advisory Committee



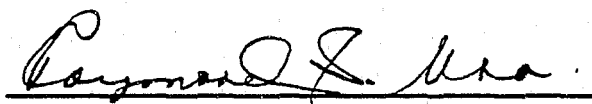
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