

PORTSMOUTH POLICE DEPARTMENT

MEMORANDUM

DATE: January 22, 2019
TO: Chief Robert Merner
FROM: Lt. Michael Maloney
RE: Annual Pursuit Analysis- 2018

- This analysis will address the department's pursuits for calendar year 2018. The mission of the Portsmouth Police Department includes providing a feeling of security and safety among persons within our jurisdiction. Each incident in which the Department becomes involved should be resolved in a fashion that maintains the positive level of confidence which the community has in the Department.
- Vehicular pursuit of fleeing suspects can present a danger to the lives of the public, officers, and suspects involved in the pursuit. It is the responsibility of the Portsmouth Police Department to assist its officers in the safe performance of their duties. It will be the policy of this Department to regulate the manner in which vehicular pursuits are undertaken and performed. The intent of the department's policy on pursuits (SOP O-150) is to reduce potential dangers involved in a pursuit situation.
- Our policy defines a pursuit as an active attempt by a law enforcement officer in a motor vehicle, displaying emergency lights and siren, to apprehend one or more occupants of another motor vehicle, where the driver of the fleeing vehicle is aware, or should be aware, of the attempt, and is resisting apprehension by failing to stop. Under this definition, it is the VIOLATOR who initiates a pursuit.

Incidents of pursuits are documented on the department's Pursuit Form prior to the officer going off duty the day of the incident. The form is submitted to the Shift Commander, who in turn forwards it to the Captain of Operations. After review, the Captain of Operations forwards the form to the Professional Standards Division. The Professional Standards Lieutenant makes an entry in Guardian Tracking under the Pursuit category, transferring all the data from the form.

Each incident where a department member engages in a vehicle pursuit, is reviewed by the Pursuit Review Committee. The committee consists of two sergeants and a lieutenant, two of which are emergency vehicle driving instructors. Every pursuit is analyzed by the committee as soon as practical after the reports are complete. The committee reviews the report and any associated paperwork, along with any other documentation including but not necessarily limited to the radio audio recording of the entire incident. The committee analyzes each incident to ensure proper procedure and protocol was followed. Any discrepancies that are noted or identified are followed up with documented remedial training, discipline, or policy adjustment as necessary.

In 2018, there were 7 pursuits involving Portsmouth Police Officers. This number is relatively high in that there were no pursuits in 2017 and 2 pursuits in 2016. Analyzing the data there is no clear indication as to why this is the case. In fact, in 2017 there were actually more motor vehicle stops than in 2018. Motor vehicle stops for traffic violations is by far the most common reason a pursuit is initiated.

2018 Total Pursuits – 7

Terminated by Agency - 2

Policy Compliant – 7

Crash Resulting – 1

Injuries – Unknown. In 6 out of the 7 pursuits there were no injuries. In one instance a motorcycle crashed but the operator fled on foot and was never located.

Policy Revisions - 2

Reasons for Pursuit

Traffic Violations/DWI – 5

Assist other Agency – 1

BOLO/Armed Suicidal Subject - 1

After carefully analyzing the seven pursuits the Pursuit Review Committee determined that in each instance policy and procedure were followed. However, in two instances it was determined revisions to the policy be made, which have been done.

One revision encompassed more clearly defining the term, “terminate”. In this instance an officer was pursuing a motorcycle for multiple traffic offenses when he was ordered to terminate the pursuit. The officer did as directed but still followed the motorcycle with the flow of traffic at a distance (no lights or siren). The offender at this point was travelling with the flow of traffic. The officer was in a low profile cruiser some distance behind the offender. At one point the offender turned around and noticed the cruiser behind him. This caused the offender once again to increase speed, drive recklessly and pass other vehicles. The Committee determined that although the officer did follow policy and the order of the supervisor to terminate the pursuit it should be more clearly stated in the policy the definition of, “terminate”. The policy now reads that, “terminate” is defined as discontinuing all efforts to observe, monitor or apprehend the offender.

Another revision to the policy as a result of the committee review was to further restrict the parameters for pursuing motorcycles and other such vehicles. This restriction was

based on the increased likelihood of injury or death to a person riding or being a passenger on a motorcycle or OHRV type vehicle. Also taken into considerations the extreme high speeds these vehicle can attain and the likelihood of “outrunning” pursuing officers. The policy now reads that pursuits involving these types of vehicles shall only occur when the offender has previously caused serious bodily injury or death in the commission of a crime or there is probable cause to believe the offender WILL commit serious bodily injury or death to another unless immediately apprehended.

Although it remains difficult to determine what caused the increased in pursuits in 2018 it is clear that the review procedures in place to ensure compliance with department policy and procedure is effective. In all circumstances the safety of the public, the officer and the offender are always a priority when determining courses of action following a pursuit. Every pursuit is unique and a “one size fits all” approach is not appropriate. In 2019 all pursuits will once again be closely reviewed, scrutinized and evaluated for improvement if necessary.

END OF REPORT

