2019 VEHICLE PURSUIT ANALYSIS

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BURLINGTON POLICE DEPARTMENT
267 W. FRONT ST
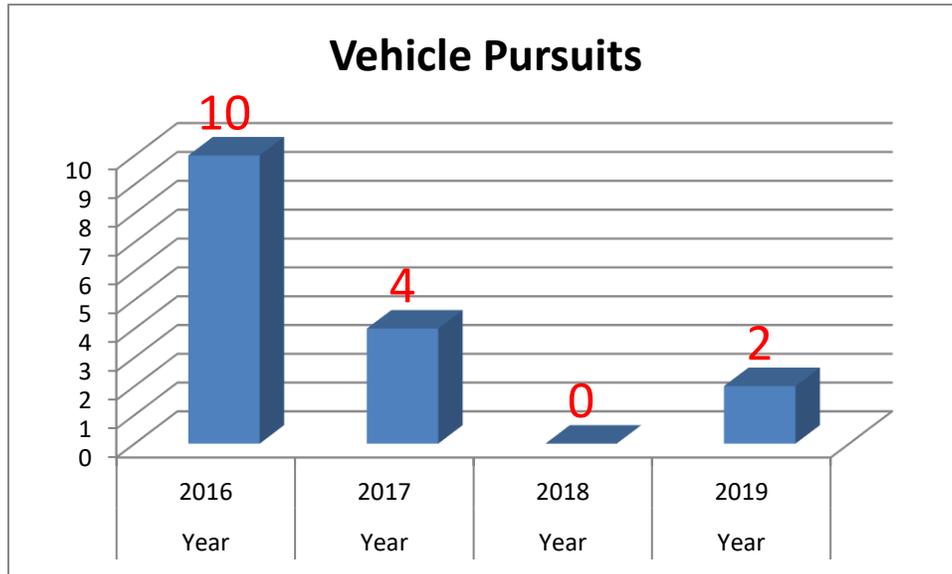### BURLINGTON, NC 27215

Overview of the Year

The Burlington Police Department engaged in two vehicle pursuits by four total officers in 2019. The vehicle pursuits were not in compliance with agency policy. Both incidents resulted in the suspect vehicle crashing. Tragically, one of the vehicle pursuits ended with a fatal car crash that caused the death of a passenger in the fleeing vehicle.

Recap of Last Year's Review Recommendations

1. Implement IA Pro/Blue Team software when analyzing pursuit data. This involves training line-level employees on data entry and administrators on extracting the data. **Complete**

2. Continue to conduct yearly pursuit training that involves policy review and reality-based scenario training.
   Complete – Classroom training, scenario training on pursuit intervention techniques, and driving simulator training that included vehicle pursuits.

3. Effectively track instances where an officer decides to disengage in a pursuit by creating an entry category in Blue Team.
   Eliminated

Report Data

In 2016, a more restrictive pursuit policy was implemented that resulted in a significant decrease in vehicle pursuits by the Burlington Police Department. The trend for fewer vehicle pursuits that began in 2017 continued in 2019.

Vehicle Pursuits

Year	Pursuits
2016	10
2017	4
2018	0
2019	2

In 2019, the Burlington Police Department engaged in two vehicle pursuits. The vehicle pursuits were not in compliance with agency policy. Since 2017, 100% of Burlington Police Department vehicle pursuits have been out of compliance with agency policy.

Policy Compliance

Year	Compliant	Non-Compliant
2016	9	1
2017		4
2018		
2019		2
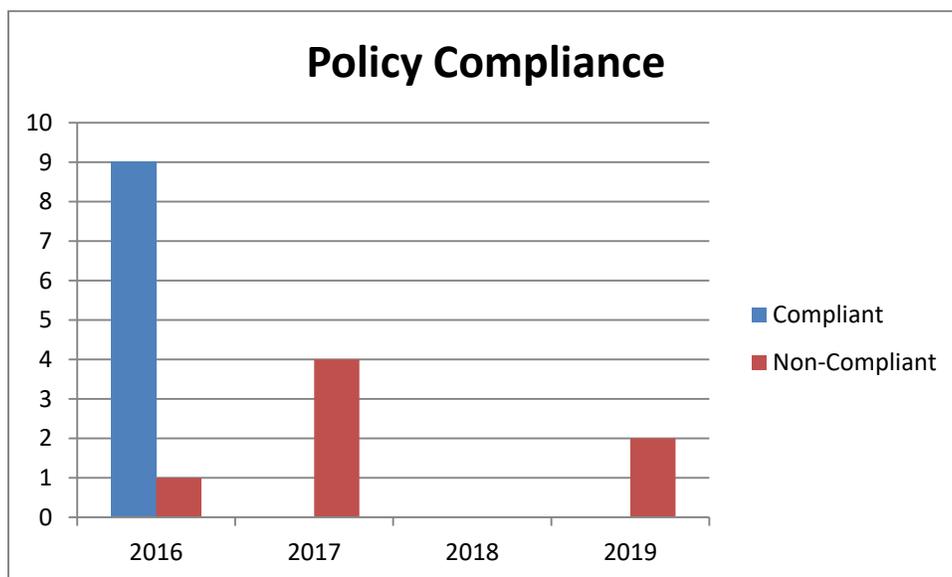
Vehicle Pursuits	
Pursuits	
Total Pursuits	2
Forcible stopping techniques used	0
Terminated by agency	2
Policy Compliant	0
Policy Non-compliant	2
Total Collisions	2
Injuries	
Officer	0
Suspects	1
Third Party	2
Reason Initiated	
Traffic	1
Felony	1
Misdemeanor	0
Data Collection Period:	1/1/2019 - 12/31/2019

The first vehicle pursuit involved three officers pursuing one suspect vehicle. The initiating officer (officer 1) attempted to conduct a traffic stop for a missing headlight. The suspect failed to yield to blue lights and siren. Officer 1 engaged in a low speed pursuit. Officers 2 and 3 joined the pursuit and attempted a rolling road block pursuit intervention technique after receiving authorization from a supervisor. The suspect crashed into the patrol vehicle of officer 3 and fled again. The officers then discontinued the pursuit.

The second vehicle pursuit in 2019 consisted of one officer pursuing a stolen vehicle (felony). The suspect vehicle fled at high speed and the officer terminated the pursuit. Within seconds of the termination, the vehicle crashed. The suspect vehicle was totaled and three occupants of the suspect vehicle were injured. The driver was severely injured and the front passenger killed. The rear passenger sustained minor injuries. Since 2017, 50% of vehicle pursuits have resulted in collisions.

Findings

In 2019, the Burlington Police Department conducted over 7,000 traffic stops that resulted in 2 vehicle pursuits. Both vehicle pursuits resulted in vehicle crashes. Future vehicle pursuits remain a low probability, but high-risk incident for the Burlington Police Department.

Continued training and routine emphasis on good decision-making prior to the initiation of a traffic stop are needed to improve compliance with policy regarding vehicle pursuits.

Policy and Procedure Review

The vehicle pursuit policy and procedures of the Burlington Police Department were not changed during 2019.

Currently, the Burlington Police Department policy for vehicle pursuits is comprehensive. A review of 2017 and 2019 vehicle pursuits (all non-compliant) reveals that the principle issue is the basis for initiating the pursuit. Current BPD policy authorizes a pursuit in the following situations:

> *"I. CRITERIA FOR AUTHORIZING A PURSUIT*
> *A. Officers are authorized to initiate and continue in a pursuit only when the officer reasonably believes the driver or occupant has committed or is attempting to commit a violent forcible felony and when officers can articulate the exigent need to apprehend the suspect(s) because of the potential for harm to the public. The following offenses are considered **violent forcible felonies**, but are not limited to:*
> > *1. Murder / Manslaughter*
> >
> > *2. Felony Death by Vehicle*
> >
> > *3. Armed Robbery (Including armed carjacking)*
> >
> > *4. Forcible Rape or Sexual Offense*
> >
> > *5. Aggravated Felony Assault (e.g., with deadly weapon, with intent to kill, inflicting serious injury, against public official)*
> >
> > *6. Discharging Firearm into Occupied Property*
> >
> > *7. Child Abuse Inflicting Serious Injury*

8. Kidnapping / Child Abduction

9. Arson to an occupied structure

10. Use of explosive or incendiary device against an occupied structure

11. Burglary (Occupied Dwelling at night)

12. Felony Riot

13. Escape from custody for any of the above offenses

14. Any other felony offense against a person or persons, which creates an ongoing threat to the safety of any person"

BPD policy defines a violent forcible felony as:

"a criminal offense that (1) constitutes a felony under federal or state law, and (2) involves violent physical force, and/or the use of a weapon against a person in order to facilitate that offense, and creates an ongoing threat of harm to any person, necessitating immediate apprehension of the suspect."

Blue Team / IAPro were implemented in 2019 and remain exceptional products for the receipt and analysis of vehicle pursuits. The administration of this product is assigned to the Administrative Lieutenant. Administration of vehicle pursuits in Blue Team or IAPro requires minimal work hours due to the low volume of vehicle pursuits. However, the total time required to administer IAPro is significant.

Review Process – Committee

The Use of Force/Pursuit Committee is comprised of personnel that have a diverse knowledge and subject-matter expertise. All officers involved in a vehicle pursuit are required to complete a vehicle pursuit entry in Blue Team. The form, along with the preliminary reports, Geotab data, and videos are reviewed by the Use of Force/Pursuit Committee to determine if the pursuit was in compliance with Burlington Police Department written directive 03-14 Pursuit. All findings by this committee are shared with the employee's Captain for final disposition.

The committee reviewed one vehicle pursuit in 2019 involving three officers and determined the incident was a pursuit and not in compliance with written directive 03-14. In accordance

with agency policy, the incident was reviewed by the divisional Captain who concluded the incident was not a vehicle pursuit and overturned the committee decision. During the research for this annual review, the incident was reviewed again by the the Chief of Police and the Assistant Chief of the Support Bureau. The incident was conclusively determined to have been a vehicle pursuit. Recommendations regarding changes to the vehicle pursuit review process follow in the section entitled "Recommendations for 2020." The second vehicle pursuit ending in a fatal crash was reviewed by the Chief of Police and found to be out of compliance with agency policy.

Recommendations For 2020

1. **Utilize data, training, and supervisory influence to improve agency culture regarding vehicle pursuits. Emphasize available evidence to make it clear to all staff what will happen during a vehicle pursuit, including:**
   - There will be a crash
   - Nearly 50% of the time someone will be injured
   - Vehicle pursuits are a <u>severe</u> risk to the safety of the public, officers, and suspects

2. **Simplify the terminology for an authorized pursuit to improve practical application by officers.**

3. **Utilize the simplified definition to conduct routine training (6-12 times per year) of sworn staff.**
   a. Include concise materials developed by the Training Section and shared with all staff
   b. Include a simplified decision-making model for traffic stops that teaches staff to decide whether a pursuit will or will not be initiated prior to the traffic stop
   c. Include a pre-pursuit process for terminating a traffic stop (1st person video)
   d. Instruct recommendation 3 to recently hired officers during post-academy training and field training.
   e. Conduct a 6 month and 12 month analysis of vehicle pursuits.
      - Determine whether the routine training dosage (recommendation 3) for authorized criteria for a pursuit (recommendation 3) and a simplified decision-making model (recommendation 3) are effective at reducing non-compliant vehicle pursuits. If ineffective, consider increasing the dosage of training or revising the training methodology.

4. **Revise the procedure for overturning the decision of the use of force committee regarding policy compliance or non-compliance for a use of force or vehicle pursuit.**
   a. Any committee decision recommended for reversal by the division Captain will be reviewed by the Command Staff for final adjudication.

5. **Conduct a fall-2020 evaluation of software programs currently in use within BPD, including Blue Team / IAPro.**
   a. Evaluate administrative time requirements, cost, and spectrum of uses.
   b. Complete evaluation and provide a recommendation to the Captain of the Professional Standards Division and the Assistant Chiefs regarding budgeting for additional personnel for FY2021-2022.
   c. The evaluation should consider the consolidation of Blue Team / IAPro administration with other software programs currently in use within BPD.

Currently, BPD software management is spread throughout the organization and includes IAPro, RMS/CAD, NC-4, CJLeads, NCAWARE, TLO, Guardian Tracking, Linx, and others.