

January 31, 2020

To: Chief of Police George Kral

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

Captain Tom Morelli *TM-2112*
Support Services Bureau

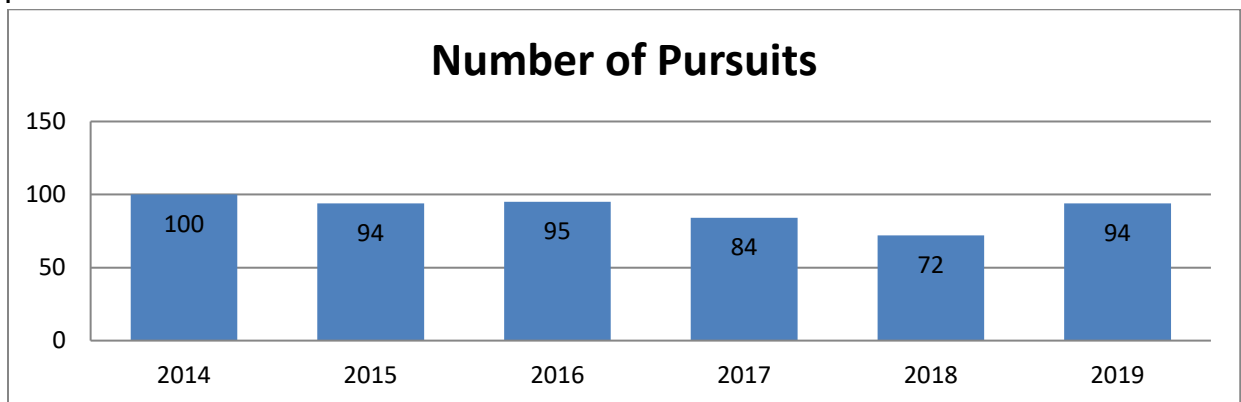
Lieutenant David Wieczorek *DW*
Planning, Research & Inspections Section

From: Sergeant Patricia Gomez *PG*
Accreditation Manager

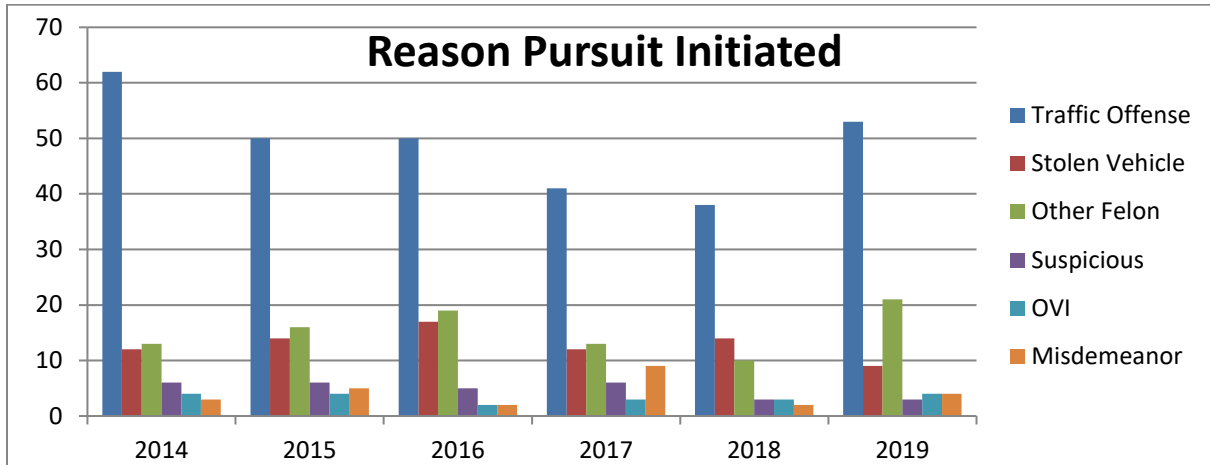
Subject: Annual Pursuit Analysis – 2019

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 2019, 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.

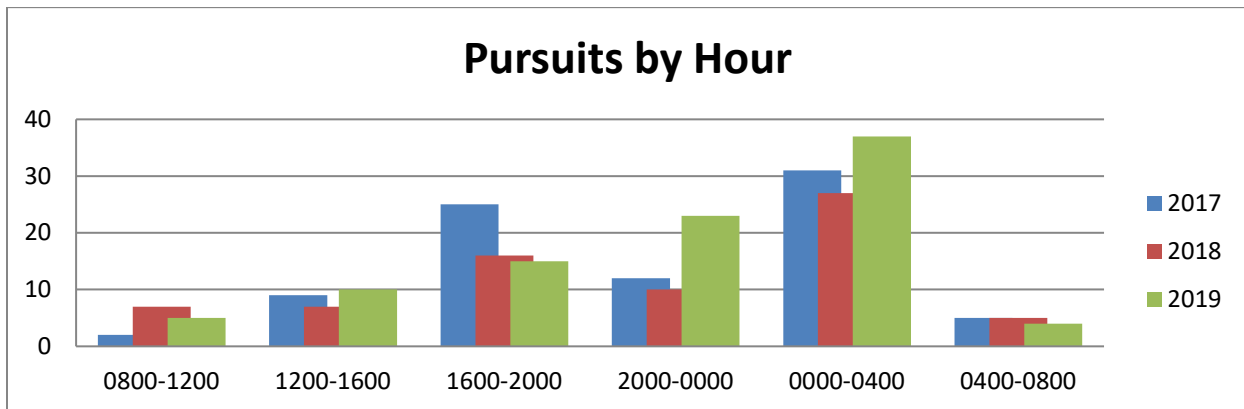
The Toledo Police Department recognizes the fact that pursuits can be inherently dangerous. For that reason, pursuits go through multiple layers of review to ensure that protocol is being followed and to identify officer safety issues, potential risks to the public, training needs and liability issues.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



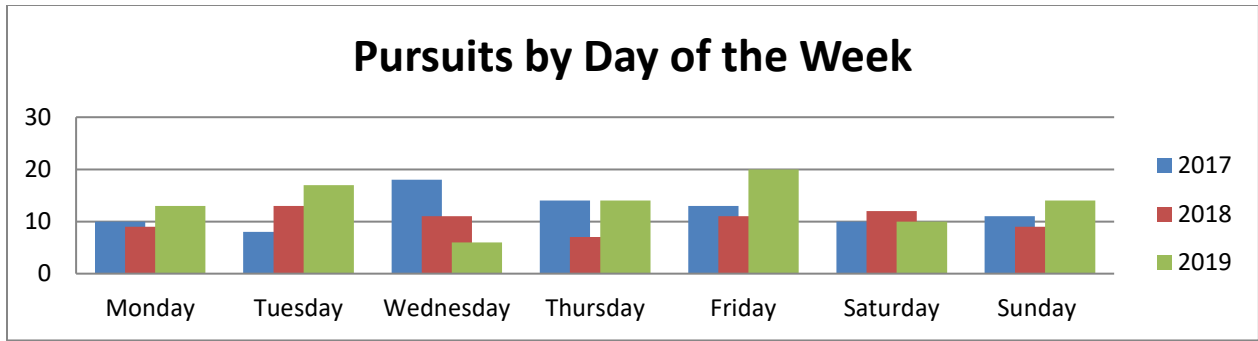
The above chart displays the number of pursuits that have occurred over the past six years. A total of 94 pursuits occurred in 2019 compared to 72 in 2018. The 31% increase in pursuits from 2018 to 2019 could be contributed to the mild fall and winter weather that occurred in 2019.



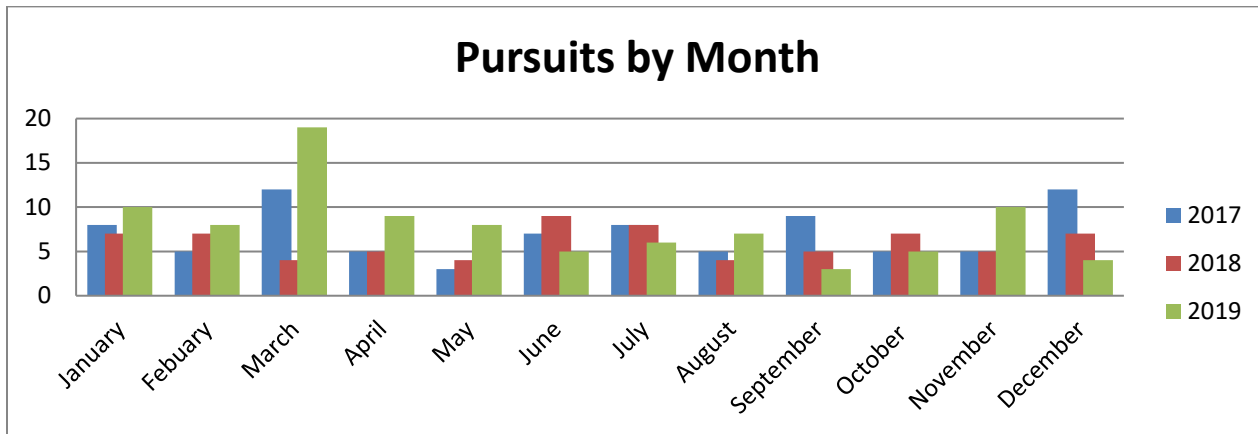
Suspects avoid apprehension for a multitude of reasons and given that numerous police contacts are initiated through traffic stops, it is clear to see why vehicle pursuits transpire. For purposes of this analysis, only the initial reason for the pursuit was tracked. Traffic violations were the most frequent reason for the initiation, accounting for roughly 56% of the total number of pursuits, followed by felony violations at 22%, stolen vehicles at 10%, and misdemeanor violations, suspicious vehicles and OVI violations accounting for the remaining 12%. There were also two pursuits that were not accounted for in the above chart because they were initiated by the Ohio State Highway Patrol and the Oregon Police Department with Toledo Police Department officers assisting.



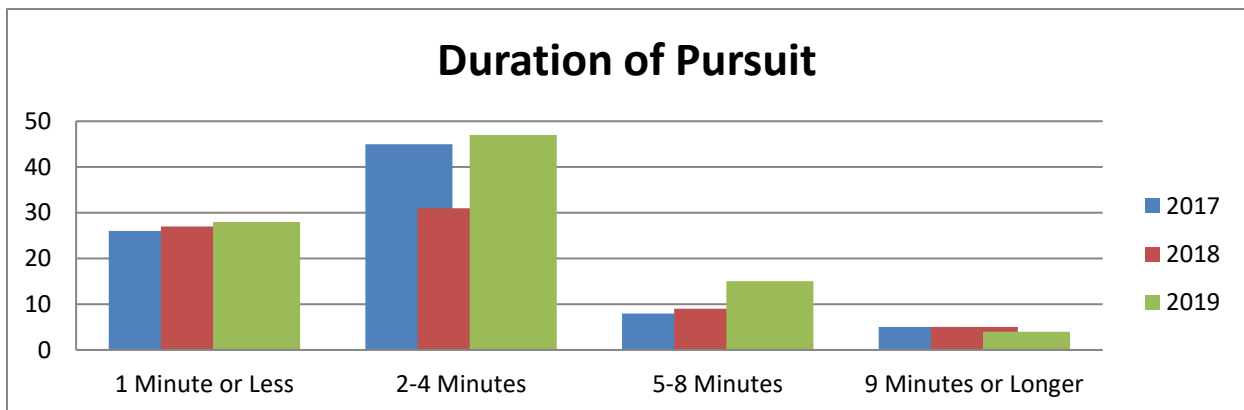
The hours between 0000 and 0400 had the highest percentage of pursuits at 39%. Only 4% of the pursuits occurred between 0400 hours and 0800 hours. This information is consistent with previous years.



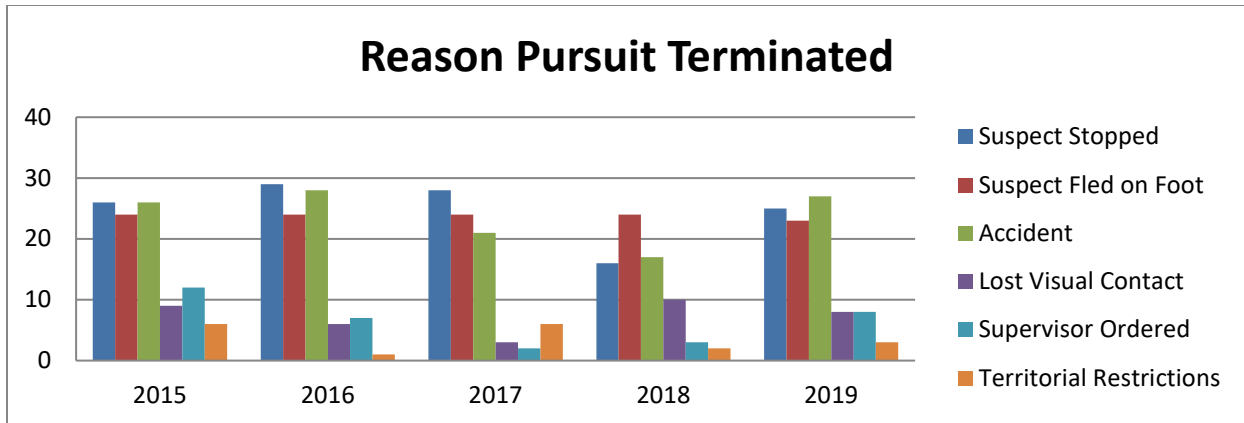
Most of the days of the week were consistent with each other. Fridays had the highest total of pursuits with twenty and Wednesdays had the least with six.



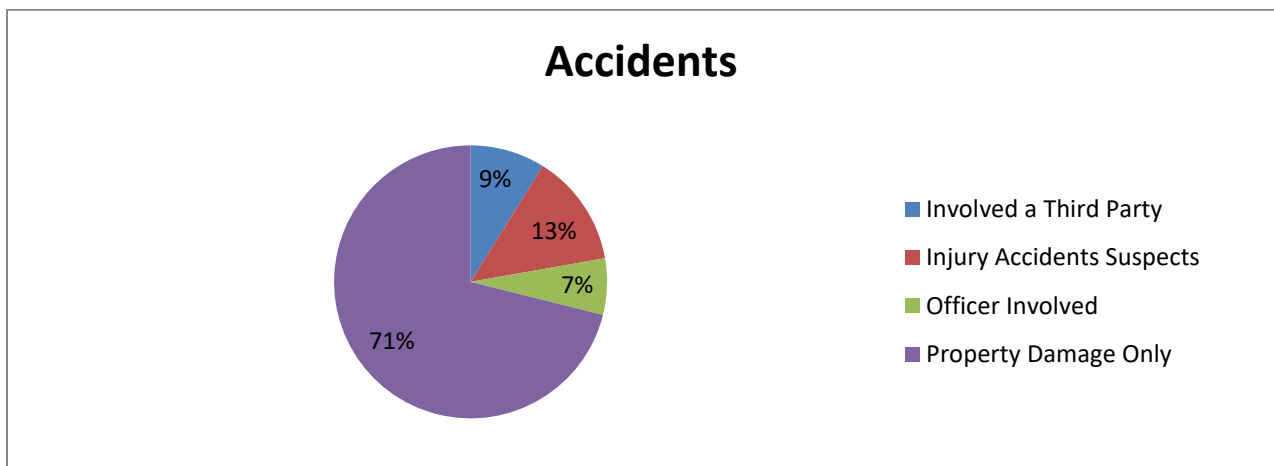
The month of March saw the highest number of pursuits with 19, followed by November with ten. The month of September had the lowest number of pursuits at three. There does not appear to be any real clear pattern regarding pursuits and the months that they occur.



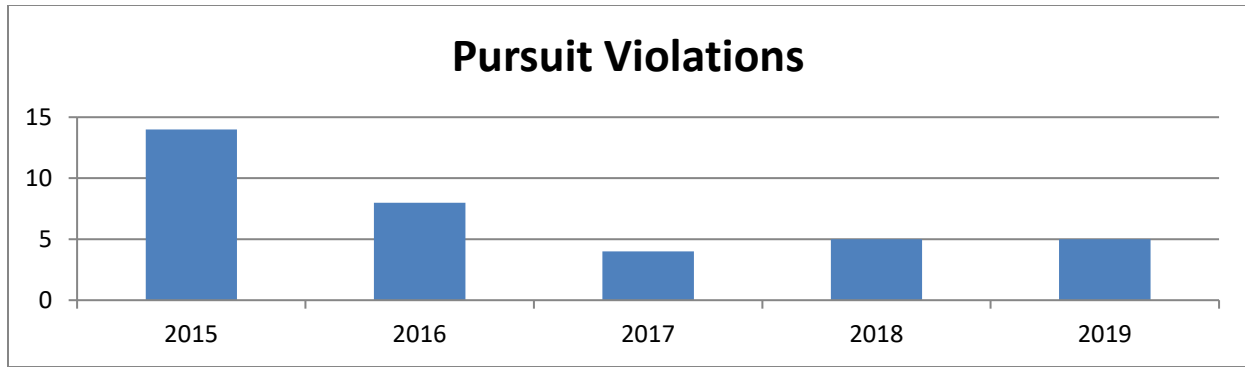
In 2019, 79% of vehicle pursuits initiated by a Toledo Police officer lasted less than 4 minutes in duration. Additionally, 30% of all pursuits lasted one minute or less. The longest pursuit (**2019-VP-00072**) was 23 minutes in duration and is summarized later in this report.



The majority of vehicle pursuits, 29%, ended because the suspect vehicle was involved in an accident, usually with a fixed object. In 7% of the pursuits resulting in accidents, the suspect drivers were persons under the age of eighteen. In 25% of the pursuits, the suspect vehicle stopped, which is slightly above the average for the past five years. In 2019, 24% of pursuits ended where suspects fled on foot, which is just slightly below those reported in the past five years. Those pursuits ending because of a loss of visual contact and territorial restrictions amounted to 11% percent. The number of vehicle pursuits terminated in 2019 due to a supervisor order more than doubled from those in 2018. Supervisors appear to be monitoring pursuits much more closely and following department policy.



There was a total of 27 pursuits that occurred in 2019 involving an accident, which is consistent with the previous year. The above graph represents the breakdown of those incidents. There was one fatal pursuit (**2019-VP-00073**) which resulted in the suspect losing their life and is summarized later in this report. There were an additional six pursuits that resulted in injury to the suspect. Most of the injuries were minor in nature. Toledo Police officers were involved in two accidents that resulted in property damage only. There was a total of four accidents involving a third party, two of which resulted in minor injuries. Seventy-one percent of the accidents caused by the suspect involved property damage only.



In 2019 there were a total of five 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 two of the incidents, officers were formally counseled, provided instruction on proper procedure of the department's pursuit policy and advised on how to avoid future violations. In the other 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 Device		
Incident Number	Date	Effective
2019-VP-00032	03/23/19	No
2019-VP-00033	03/27/19	No
2019-VP-00068	08/14/19	Yes/Yes
2019-VP-00074	10/07/19	No
2019-VP-00091	12/20/19	No
2019-VP-00093	12/20/19	Yes

There were six instances where officers deployed a forcible stop device during vehicle pursuits in 2019. Two of the six deployments were successful. In vehicle pursuit **(2019-VP-00068)** the suspect vehicle struck two devices on two separate occasions and deflated three of the four tires. As a result, the suspect vehicle stopped and the suspect was apprehended. In the remaining incident, a forcible stop device was deployed striking the two front tires causing the vehicle to slow down to a stop, the suspect fled on foot but was immediately 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 2019 Pursuits

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

- **2019-VP-00001** - A police unit attempted to stop a vehicle for a traffic violation. The driver refused to stop and a pursuit ensued. The police unit who initiated the pursuit continued pursuing the vehicle into an adjoining jurisdiction until two units from that agency were able to take over the pursuit. Once that happened, the Toledo Police unit terminated their participation and returned to the city. The suspect was then pursued throughout the adjoining city and the pursuit was terminated by that jurisdiction as the vehicle left their city and returned to the City of Toledo's boundaries (See 2019-VP-00005). This pursuit occurred on January 3, 2019, at 1839 hours and lasted approximately 3 minutes.
- **2019-VP-00005** - The suspect from the previous pursuit returned to the city and a traffic stop was initiated by Toledo Police. The suspect vehicle once again fled the attempted stop. The pursuit continued and was again terminated at the city line. An adjoining police department took over the pursuit and unsuccessfully deployed stop sticks. The pursuit continued into two other adjoining jurisdictions before the suspect was placed into custody and transported back to the City of Toledo. The suspect was displaying erratic behavior and unwilling to cooperate with the investigation. The suspect was booked into the Lucas County Corrections Center. This pursuit occurred on January 3, 2019, at 1931 hours and lasted approximately 7 minutes

After review of these two incidents, 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.

- **2019-VP-00072** – A police unit attempted a traffic stop on a vehicle that had been reported as an Unauthorized Use of a Motor Vehicle. The suspect vehicle sped off and a pursuit ensued. The vehicle fled throughout the city and during the pursuit, stop sticks were successfully deployed twice, disabling three of the four tires on the vehicle. The police unit continued the pursuit into an adjoining jurisdiction until two police units from the adjoining agency were able to take over the pursuit. The other agency pursued the vehicle until it exited their city into Michigan. The suspect was later placed into custody by Monroe County and warrants were issued for the suspect's arrest. The pursuit was reviewed and two police units were observed directly engaged in the pursuit as a third unit on two occasions during the pursuit route. This was an excess of the number of patrol vehicles allowed to participate in a pursuit and resulted in officers being counseled for violating department policy. The pursuit occurred on August 21, 2019, at 0304 hours and lasted approximately 23 minutes.

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

- **2019-VP-00073** – A police unit observed a vehicle involved in a breaking and entering complaint. The vehicle had also been reported stolen. The police unit was assisted by a second police unit and a stop initiated. The suspect vehicle failed to yield and accelerated; the vehicle ran a red light and was struck by a semi that was making a left turn. The driver and passenger of the suspect vehicle were both unresponsive and trapped in the vehicle and had to be extricated by Toledo Fire and Rescue Department. The driver was pronounced dead at St. Vincent Hospital and the passenger was critically injured. This pursuit occurred on September 24, 2019, at 0116 hours and lasted less than 45 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.

- **2019-VP-00068** – Communications personnel sent out a broadcast stating that a victim had been threatened with a handgun. A police unit later spotted the suspect vehicle. A traffic stop was initiated and the suspect vehicle fled at a high rate of speed and ran a red light. The suspect vehicle swerved to avoid the deployed stop sticks, lost control and struck a telephone pole; disabling power lines and causing a power outage to the area. The suspects were apprehended and treated for their injuries and then booked into the Lucas County Corrections Center. A stolen 9 mm handgun was recovered from the vehicle. This pursuit occurred on August 14, 2019, at 0355 hours and lasted four 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 are met (e.g. fleeing felon). Currently, the Toledo Police Department's pursuit policy allows pursuits with practical restrictions. The department closely monitors pursuits and terminates them when necessary. It is the department's stance that this is the best option for both the department and the community it serves.

Understanding the risks and liabilities that are associated with pursuits is an important aspect of being able to critically review them. The review should not just come from the supervisory level but also from the officers involved. The review process allows for officers to recognize their own mistakes and assists supervisors in ensuring accountability and transparency. At a time when an officer's actions are closely scrutinized, it is important to consider the importance of regular training as it pertains to pursuits. Department policy and training in this area should constantly be reviewed and adjusted when necessary.

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. Reviewing the footage from body and in-car cameras is a great tool for both the officers involved and supervisors alike. Officers should continue to be aware of the environmental conditions such as road conditions, traffic, time of day, and speed. All of these factors play an important role in determining whether to pursue a subject. Oftentimes, supervisors are not fully aware of these factors in real-time because they are not participating in the pursuit. That is why the multi-layered review process, coupled with officer and supervisory review of body camera and in-car video footage is vital.

One of the 2017 recommendations was to closely monitor incidents where a forcible stop device was deployed. There was only one incident in 2017 where officers deployed a forcible stop device but that number increased to six in 2018. In 2019 there were six incidents, three of which were successful, and two more effective deployments than in 2018. The need to have officers carry them is still a great option to assist in stopping those being pursued who may be a danger to the public or those who wish to elude officers for an extended amount of time. The timing and location of a successfully deployed forcible stop device has to be precise, which is why there are often unsuccessful deployments. However, when the suspect vehicle strikes the forcible stop device it usually works as designed. At this time the recommendation would be to continue to have as many officers as possible carry the forcible stop devices in their vehicles and ensure refresher training with regard to using the device.