

**2020**

**BURLINGTON POLICE  
DEPARTMENT**

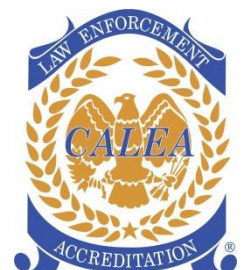
Vehicle Pursuit Analysis

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# Overview of the Year – 2020

## Overview

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The Burlington Police Department engaged in five vehicle pursuits in 2020. Two vehicle pursuits were in compliance with departmental directives and three were not. One vehicle pursuit not in compliance with department directive ended with the fleeing vehicle crashing into a house, but no one being injured.

# Recap of Last Year's Report Recommendations:

## Recommendations for 2020 and Actions Taken:

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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 severe risk to the safety of the public, officers, and suspects

**COMPLETE - Instruction to staff delivered in 2020. However, more pursuits (5) were initiated than in 2019 (2) with 3 of 5 being out of compliance with departmental directive.**

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

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."*

**COMPLETE - The definition of a vehicle pursuit was updated and now provides increased clarity to staff about when they are or are not involved in a vehicle pursuit.**

**Old:**

**"Vehicle Pursuit:** An attempt by a police officer, by use of an authorized vehicle, to initiate a stop of a vehicle, in which the driver of that vehicle resists the directive to stop and attempts to evade apprehension by maintaining or increasing speed, taking evasive action, or otherwise refusing to stop the vehicle. When an officer has both emergency lights and siren activated, is in a position in which the driver reasonably should be aware of the officer's presence and a directive to stop, and the officer reasonably believes that the suspect is attempting to evade apprehension, the provisions of this policy then apply."

**New:**

**"Vehicle Pursuits:** An attempt by a police officer, by use of an authorized vehicle, to initiate a stop of a vehicle, in which the driver of that vehicle resists the directive to stop and attempts to evade apprehension by:

- maintaining or increasing speed;

- not making a reasonable attempt to stop;
  - driving an illegal manner, but willfully failing to yield to an officer's emergency signal to stop."
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 pre-pursuit process for terminating a traffic stop (1<sup>st</sup> person video)

**REVISED: Routine training administered by supervisors in operations was likely administered, but without structure or tracked dosage. Training materials on vehicle pursuits, particularly those with negative outcomes from across North Carolina, were routinely distributed by the Training Section throughout the year. A simplified decision-making model for vehicle pursuits was a component of in-service training in 2020. The development of a 1st person video was eliminated.**

4. Conduct a 6 month and 12 month analysis of vehicle pursuits.
  - Determine whether the routine training dosage (recommendation 2) for authorized criteria for a pursuit (recommendation 2a) and a simplified decision-making model (recommendation 2b) are effective at reducing non-compliant vehicle pursuits. If ineffective, consider increasing the dosage of training or revising the training methodology.

**COMPLETE - A 6 month and 12 month analysis of vehicle pursuits was completed and found a similar rate of non-compliant vehicle pursuits in 2020 as 2019. The subcomponent of this objective (tracking training dosage) was not completed.**

5. Instruct recommendation 3 to recently hired officers during post-academy training and field training.

**COMPLETE - All newly hired officers received training on vehicle pursuits. However, the trainings were not totally successful. One non-compliant pursuit was conducted by an officer recently released from field training and second non-compliant pursuit was conducted by an officer in training under direct supervision of a field training officer.**

6. Conduct a fall-2019 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 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

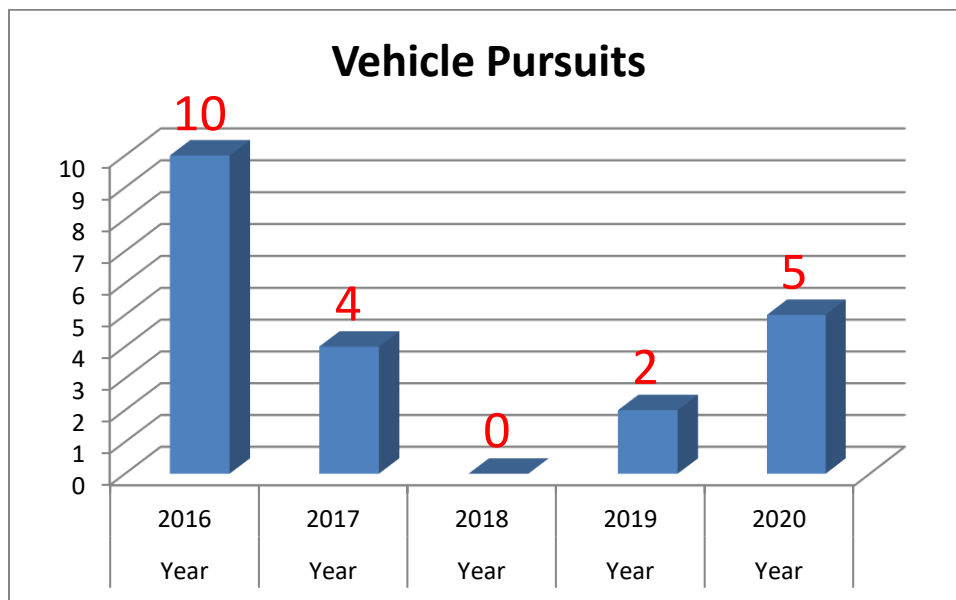
includes IPro, RMS/CAD, NC-4, CJLeads, NCAWARE, TLO, Guardian Tracking, Linx, and others.

**COMPLETE - The time to fully administer Blue Team / IPro is extensive. A recommendation was provided to the Captain of the Professional Standards Division for the addition of a part-time employee to administer Blue Team / IPro and further develop the standard operating procedures of the software for staff.**

# Report Data:

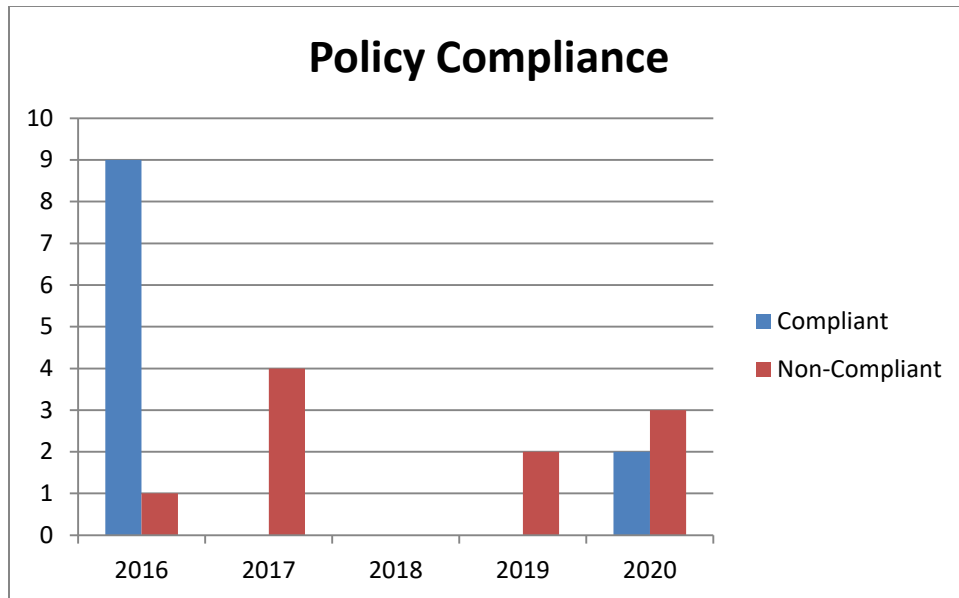
## Overview

In 2016, a more restrictive pursuit policy was implemented that resulted in a significant decrease to vehicle pursuits by the Burlington Police Department. The trend for fewer vehicle pursuits that began in 2017 has continued with some regression towards the expected yearly mean of the Burlington Police Department. The majority of vehicle pursuits in 2020 (4 of 5) began with police officers who were in the correct location to find a suspect vehicle from a crime that recently occurred. In 2 of the 4 incidents officers engaged in a non-compliant vehicle pursuit when the drivers of the vehicles failed to yield to blue light and siren. If the officers in these incidents had both recognized that the offense did not authorize a pursuit and deactivated their emergency equipment immediately to resume normal driving when the drivers failed to stop, the pursuits would have been avoided.



In 2020, the Burlington Police Department engaged in five vehicle pursuits. Two vehicle pursuits were in compliance with agency policy while the remaining three pursuits were not in compliance.





## Details of Vehicle Pursuits

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Pursuit 1: Patrol supervisor pursuing a possible getaway vehicle from the area of an attempted burglary with no injury to victim or entry into home. The suspect who attempted entry into the home was apprehend by other officers following a foot chase before the vehicle pursuit. The supervisor self-terminated the vehicle pursuit. A few minutes after the vehilce pursuit was terminated the suspect vehicle was again pursued by the Alamance County Sheriff's Office. The vehicle crashed and the suspect was apprehended.

- Not in compliance

Pursuit 2: Patrol officer pursuing a juvenile for careless and reckless driving, as well as speeding. The pursuit ended when the suspect vehicle crashed into a house. There were no injuries and the juvenile was apprehended.

- Not in compliance

Pursuit 3: Patrol officer in training (under supervision of Field Training Officer) continued to pursue a suspect vehicle from a robbery (common law by grabbing cash out of an open cash register) after the suspect vehicle fled officers and after being ordered to cancel the pursuit by a supervisor.

- Not in compliance

Pursuit 4: Patrol officer pursuing a suspect vehicle from an alleged burglary and armed robbery involving three suspects with handguns. The pursuit was initiated before officers could verify whether anyone on scene had or had not been injured. Pursuit self-terminated after suspect vehicle exceeded 100+ miles per hour on N. Church St.

- In compliance

Pursuit 5: Patrol officer pursuing a suspect in a domestic violence burglary who was wanted for prior incidents of domestic violence with the same victim. Pursuit self-terminated after vehicle evaded officer at extremely high speed.

- In compliance

<b>Vehicle Pursuits</b>	
<b>Total Pursuits</b>	<b>5</b>
Forcible stopping techniques used	0
Terminated by agency	5
Policy Compliant	2
Policy Non-compliant	3
<b>Total Collisions</b>	<b>1</b>
<b>Injuries:</b>	<b>0</b>
Officer	0
Suspects	0
Third Party	0
<b>Reason Initiated:</b>	<b></b>
Traffic	2
Felony	3
Misdemeanor	0
<b>Data Collection Period:</b>	<b>1/1/2020 - 12/31/2020</b>

# Findings:

## Successes or Failures:

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The Burlington Police Department conducted over 4,000 traffic stops in 2020 resulting in 5 vehicle pursuits (.12% of total traffic stops). Future vehicle pursuits remain a low probability, but high-risk incident for the Burlington Police Department.

Additional 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.

## Training:

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The Burlington Police Department continues to deliver effective training on vehicle pursuits.

## Operations and Personnel:

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## Disciplinary Actions, if taken:

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There were few, if any, disciplinary actions taken in response to the out of compliance vehicle pursuits detailed above.

Pursuit 1: Employment ended before final review of incident by use of force committee.

Pursuit 2: No action (reviewed IAPro entry for vehicle pursuit and employee file)

Pursuit 3: Remedial policy/procedure training by shift sergeants and lieutenant

# Policy, Procedure, and Technology Review:

## Policy/ Procedure:

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The Burlington Police Department vehicle pursuit policy and procedure was changed during 2020 in response to the 2019 annual review (detailed above).

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 substantial.

The Use of Force/Pursuit Committee is comprised of personnel that have a diverse knowledge and expertise on issues involving high liability issues or subjects. All officers involved in a vehicle pursuit are required to complete a Use of Force/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. These findings form the basis for this annual analysis.

## Technology/ Software:

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Vehicle pursuits, evaluation of the incident, and any disciplinary action are documented in Blue Team / IAPro. The software remains extremely effective. Administration of the software continues to be very time consuming for the Administrative Lieutenant. Administration, management, and further development of the IAPro database should be evaluated for a part-time position (IAPro only) or a full-time position (multiple database administration such as IAPro, Guardian Tracking, StreetSmart, etc.).

# Recommendations for 2021:

## Recommendations for 2021:

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1. Continue instruction of the critical decision-making model (CDM), a component of ongoing Burlington Police Department training on ICAT: Integrating Communications, Assessment, and Tactics. Continue to include a vehicle pursuit scenario during instruction.
2. Train staff on the tragic outcomes of vehicle pursuits from across North Carolina
3. Train staff on the safe operation of a patrol vehicle, including vehicle pursuits, during 2021 in-service training



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