

# Henderson Police Department

## 2022



# Department Vehicle Pursuit Analysis

## 2022

This analysis was conducted for the purpose of reviewing the Police Department's Vehicle Pursuits for the calendar year 2022. Vehicle pursuits are inherently dangerous to both the officers involved and the public. The Henderson Police Department takes its obligations seriously to provide the most effective and efficient police service with the least adverse impact on our citizens. The Henderson Police Department is committed to protecting our citizens, but at the same time ensuring the manner in which we do so does not place the public at risk to greater harm. This process requires continuous evaluation of the risks and benefits of each action. This analysis is conducted each year to comply with the Texas Law Enforcement Best Practice 7.14 and to attempt to identify methods for reducing the number of vehicle pursuits and the inherent risks involved.

Officers are trained by the department in pursuit tactics and emergency driving. However skilled an officer might be, the vehicle being pursued may not have a competent driver, may be under the influence of alcohol or drugs, or have impaired mental status.

### **Vehicle Pursuit Reporting Requirements**

Texas Law Enforcement Best Practice 7.13 and Henderson Police Department Policy 7.15 (v) requires a written report be completed anytime an officer pursues a vehicle.

An officer, while in an authorized emergency vehicle, may initiate a vehicular pursuit when the suspect exhibits the intention to avoid apprehension by refusing to stop when directed to do so. A pursuit may also be initiated if the officer believes that the suspect, if allowed to escape, would pose a danger to human life or cause serious injury.

The on-duty supervisor will ensure that all officers involved in a pursuit complete a PURSUIT REVIEW REPORT. The report will be completed before the end of the officer's tour of duty.

Any time an officer initiates a pursuit, department policy requires a supervisor be immediately notified by the dispatch center. The on-duty supervisor will retain authority over the pursuing officers of the department for the duration of the pursuit, and shall

order the pursuit to be discontinued should the risks outweigh the benefits of apprehending the offender. Both the on-duty supervisor and the initiating officer are charged with continuous evaluation of the pursuit as it occurs.

Each individual PURSUIT REVIEW REPORT is immediately reviewed by the officer's supervisor, and through the chain of command up to the Chief of Police. At the time of the incident, the pursuit is reviewed to ensure the use was appropriate and within the guidelines of department policy. If the officer initiated a pursuit inappropriately, a departmental investigation is required, and the officer may receive additional training. In some cases, disciplinary action may be taken. This annual analysis is not intended to determine if an officer acted inappropriately, but to identify department wide trends that may suggest needed or necessary changes in policy, training, equipment, or supervision.

All pursuit reports will be attached to a copy of the Offense Report for review up the chain of command. Once the Chief of Police signs the report, it will then be given to the Patrol Commander to retain for records.

### **Vehicle Pursuit Comparison 2021 to 2022**

There were a total of 7 reported vehicle pursuits in 2022 and will be compared to 12 reported vehicle pursuits from 2021. This represents a 41.6% change in number of pursuits from 2021 to 2022.

<b>Reason for contact</b>	<b>2021</b>	<b>2022</b>	<b>Difference</b>
Traffic violation only	7	6	-1
Misdemeanor Offenses	1	0	-1
Felony Offense	1	1	0
Outstanding Warrant	0	0	0
Suspicious Activity	2	0	-2
Suspected Intoxication	1	0	-1
Medical	0	0	0
<b>Total</b>	<b>12</b>	<b>7</b>	<b>-5</b>

## **Individual Officer Analysis**

There is no analysis provided for this report.

### **Reasons for Pursuit**

In 2022, there were 7 vehicle pursuits initiated because the officer observed a traffic violation, or the officer knew the suspect was committing a Felony and the suspect then failed to stop when signaled to stop by the officer. Failure to stop for an officer is a separate violation, and fleeing from an officer in a vehicle is a State Jail Felony.

In 2022, there were 6 vehicle pursuits initiated because the officer observed a traffic violation and then the suspect driver failed to stop when signaled by the officer.

1. On 01-25-22, our Officer observed the suspect vehicle driving without its tail lights on. Our officer then positioned himself behind the suspect vehicle and attempted to initiate a traffic stop by activating his overhead lights. Our officer then followed the suspect vehicle as it turned onto a 2nd street and increased its speed, so our officer then activated his emergency siren. The suspect vehicle then turned onto a 3rd street and then sped onto a 4<sup>th</sup> street after running the stop sign at an intersection. The suspect vehicle then proceeded to cross a nearby highway at a high rate of speed and ran the red light at the intersection of that street and the highway. The suspect vehicle then continued on at a high rate of speed and attempted to turn onto a 5<sup>th</sup> street, but its speed was too high and the driver lost control and rolled the car over in the front yard of a residence. The suspect driver then attempted to flee the scene on foot but after running a short distance into nearby woods, the suspect fell down and was immediately ordered by our officer to remain on the ground until he could be cuffed and the driver complied, allowing himself to be taken into custody.
2. On 2-7-22, our officers observed a vehicle that did not display a front License Plate. Our officers then positioned themselves behind the vehicle and activated their overhead emergency lights in an attempt to initiate a traffic stop, but the suspect vehicle failed to stop and continued on by turning onto a 2<sup>nd</sup> street. The suspect vehicle then stopped at the intersection of a 3<sup>rd</sup> street, but then continued on, bypassing another marked police unit at the intersection with its lights and siren activated. The suspect then proceeded at a high rate of speed and crossed a highway, running a red light at the intersection of the 3<sup>rd</sup> street and the highway, and the suspect vehicle then continued to evasively turn onto 9 more City streets, subsequently running 3 stop signs and another red light

before turning onto a Farm to Market road leading out of the City. A short distance outside the City, the suspect vehicle drove through a fence and turned onto a County Road where it drove around behind residences and finally came to a stop and the suspect attempted to flee the scene on foot. Officers gave chase and finally cornered the suspect at gunpoint and took him into custody.

3. On 3-24-22, our officer observed a sedan with a defective passenger side tail light traveling down one of our highways. Our officer positioned himself behind the suspect vehicle to make a traffic stop and as the vehicle turned onto a 2<sup>nd</sup> highway, it was observed to speed away at an unsafe high rate of speed. Our officer then activated his overhead emergency lights and the suspect vehicle was observed to accelerate even more, passing another vehicle on the improved shoulder and almost causing a car accident. Our officer then activated his emergency siren, but the suspect vehicle driver continued to refuse to stop and continued to flee at a high rate of speed. The suspect vehicle then turned onto a 3<sup>rd</sup> street (a Farm to Market) and traveled outside the City Limits where it then turned onto a County Road and the shift supervisor finally called off the chase. The suspect driver was subsequently located and taken into custody by another law enforcement agency outside the City.
4. On 3-29-22, our officer observed a vehicle traveling with a defective passenger side brake light and said vehicle driver was also observed to fail to signal a turn onto a 2<sup>nd</sup> street. Our officer attempted to position himself behind the suspect vehicle but immediately noted that it had accelerated and then quickly turned onto a 3<sup>rd</sup> street. Our officer then activated his overhead emergency lights and siren and attempted to catch up, but the suspect vehicle continued to increase its speed and the driver refused to slow down or stop. The suspect vehicle then turned onto a 4<sup>th</sup> road at a high rate of speed and left the roadway and entered a ditch. An officer from another agency attempted to intercept and stop the suspect vehicle, but the other agency patrol unit became stuck in the ditch as the suspect vehicle continued to flee while driving in the ditch. The suspect vehicle then struck a concrete bridge abutment, ripping one of its rear wheels off the vehicle, but the suspect driver continued to try to flee and drove a short distance more before the suspect driver finally stopped and exited the suspect vehicle, walking towards officers who took the subject into custody at gunpoint.
5. On 7-24-22, our officer observed a vehicle run a red light so the officer positioned himself behind the suspect vehicle and activated his emergency lights in an attempt to initiate a traffic stop. The suspect vehicle continued on without slowing down or stopping, so our officer then activated his emergency siren and the suspect vehicle driver continued on at a high rate of speed and ran a red light as he sped out of the City. Our officers gave chase as the suspect continued on at even higher rates of speed and just outside of a neighboring City, the suspect took a loop around the City where officers from other agencies were waiting to assist. Unfortunately, as an officer from another agency deployed a spike strip,

one of our officers was “spiked” and his vehicle was disabled, but another of our officers was able to continue on in the chase with other agency officers. A short distance later, officers from another agency were able to successfully spike strip all 4 of the suspect vehicle’s tires, slowing the suspect down as he lost pieces of his tires. The suspect then struck a guardrail and went into a ditch and struck road signs. The suspect vehicle then re-entered the roadway and continued approximately 100 yards further before losing control, crashing into another guardrail and then traveling into a flooded, marshy area where it finally came to rest. The driver of the suspect vehicle was then taken into custody at gunpoint.

6. On 12-21-22, our officer observed a speeding vehicle and attempted a traffic stop by positioning himself behind the suspect vehicle and activating his emergency lights. The suspect vehicle was then observed to speed up to a high rate of speed so our officer activated his emergency siren and gave chase. The suspect vehicle then quickly turned onto a 2<sup>nd</sup> street, traveling through a church parking lot and then lost control and crashed into a curb. The 2 occupants of the suspect vehicle then exited and attempted to flee the scene on foot, but our officer gave chase to the driver and a short distance away, the driver, seeing other units converging on him along with our officer on foot, the driver then stopped running and was taken into custody at gunpoint.

In 2022, there were 0 vehicle pursuits initiated due to Misdemeanor Offenses (other than Traffic Violations) in which the driver of the vehicle failed to stop after being signaled by our officer to stop.

In 2022, there was 1 vehicle pursuit that 2 of our officers participated in and assisted with because the officers became aware the driver was fleeing from another agency (a Felony) and being pursued into our City after the driver failed to stop when signaled by officers to stop.

1. On 6-27-22, our officers became aware that another law enforcement agency (Sheriffs Dept) was pursuing a suspect in an 18-wheeler who was refusing to stop. Said suspect vehicle was coming towards our City on a Farm to Market that intersects with a highway, so our officer positioned himself just up the highway to block highway traffic in order to allow the pursuit to continue unimpeded for safety. In the intersection of the FM road and our highway was one marked unit from the Sheriffs Dept with its emergency lights activated along with a civilian pickup that displayed red and blue emergency lights. When the suspect vehicle approached the FM/Hwy intersection, a County Officer at the intersection fired 4 shotgun rounds into the 18-wheeler without effect, as the 18-wheeler then turned onto the highway from the FM road and proceeded Southbound while being pursued by multiple law enforcement vehicles from

various agencies with all of their emergency lights and sirens activated. Our officer then followed the pursuit as it proceeded through our Traffic Star on a green light and our officer then attempted to pass the pursuit in order to get ahead and block traffic at the next intersection. As our officer was passing the pursuit at a high rate of speed in the middle turn lane of the highway, the suspect driver appeared to swerve the 18-wheeler towards our officer in an attempt to strike our officer, but failed to make contact between vehicles. Our officer then proceeded to the next intersection and successfully blocked traffic as the pursuit went through town and after the pursuit group had gotten through that intersection, our officer then proceeded to pass the pursuit and proceeded to the next intersection to block traffic and allow the pursuit to continue on safely. Once through that intersection, a 2<sup>nd</sup> unit from our agency attempted to get ahead of the pursuit to block traffic at yet another intersection, but was unable to before the 18-wheeler turned Southbound onto another roadway. The 2<sup>nd</sup> unit from our agency then successfully got around the pursuit on the new roadway and after getting ahead of the 18-wheeler, the 2<sup>nd</sup> unit made sure all Southbound traffic got out of the roadway by displaying his emergency lights and sirens. The pursuit then exited the City and continued on outside the City with the law enforcement officers from the other agencies continuing on in the chase.

In 2022, there were \_0\_ vehicle pursuits initiated because the officer became aware the driver was wanted on an outstanding misdemeanor offense warrant and then failed to stop when signaled by the officer.

In 2022, there was \_0\_ vehicle pursuits initiated because the officer observed the driver in suspicious circumstances and the suspect then failed to stop when signaled by the officer. Officers have the authority to stop and question persons who are found in suspicious circumstances and the officer has reasonable suspicion to suspect criminal activity.

In 2022, there were \_0\_ vehicle pursuits initiated because the officer had reasonable suspicion to suspect the driver may be impaired due to alcohol or drugs and the driver failed to stop when signaled by the officer

In 2022, there were \_0\_ vehicle pursuits initiated because the officer had reasonable suspicion to believe the suspect driver may be suffering from some sort of medical impairment and the driver failed to stop when signaled by the officer.

## Pursuit Terminations

Pursuits can be terminated at any time by the pursuing officer or any Supervisor when they believe the danger posed to the citizens is greater than the need to apprehend the offender. This "voluntary termination" may better protect the citizens than the continuation of a dangerous pursuit for minor offenses. The table below provides information on the manner in which pursuits were terminated.

Type of Termination	2021	2022
Voluntary by Officer	4	0
Voluntary by Supervisor	0	1
Stopped by Arrest	9	5
Stopped-Fled on foot Escaped	3	0
Stopped- Fled on foot Captured	3	3
Accident-Violator involved in crash	4	5
Accident-Police involved in crash	3	0
Firearm discharged	0	0
Escaped-Not Captured	0	0
Escaped-Captured later	0	1

## Damage and Injury

In 2022, there were 5 pursuits which had some damage or injury associated with the incident as a result of the pursuit. 1) In the 1-25-22 Pursuit listed above, at the end of the Pursuit, the suspect vehicle rolled over, doing undetermined damage value to the vehicle. 2) In the 02-07-22 Pursuit listed above, the suspect vehicle was driven through a barbwire fence, doing undetermined damage value to the suspect vehicle. 3) In the 03-29-22 Pursuit listed above, the suspect vehicle was driven through a ditch by the suspect driver and subsequently struck a concrete bridge abutment, ripping one of the rear wheels off of the vehicle and doing unknown damage value. 4) In the 7-24-22 Pursuit listed above, the suspect vehicle was spike stripped in all 4 tires, deflating all 4 tires. The suspect vehicle driver then continued to flee, driving on the 4 flat tires until they began shredding apart. The suspect driver subsequently lost control of the vehicle 2 times and struck 2 different guardrails before finally driving off the roadway and into a marshy area. There was unknown damage value done to the suspect vehicle in this incident. 5) In the 12-21-22 Pursuit incident listed above, the suspect vehicle was wrecked into a curb but the suspect, doing unknown damage value to the vehicle.

## **Policy Violations**

The department policy on pursuits is reviewed periodically with officers to ensure they are aware of when they should or should not pursue a vehicle. After each pursuit, a PURSUIT REVIEW REPORT is forwarded through the chain of command to the Chief of Police. If a violation of policy is identified, the Chief may decide on an appropriate response, which may include additional training or disciplinary actions if necessary.

In 2022, there were \_0\_ policy violations identified in regards to pursuit initiation or termination.

## **Summary and Recommendations**

There were 7 pursuit reports completed for 2022. The officers of the Henderson Police Department involved with these reports were justified in their actions and each incident was investigated through the chain of command for compliance with policy and procedures.

### **Command Review- Actions to be taken:**

**No violations detected or found in any of these incidents so no actions to be taken at this time beyond continuing to cover Pursuit Policy with officers during FTO and then at least once annually to ensure officers stay familiar with requirements and mandates.**

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Chief of Police

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Date