

# Henderson Police Department 2021



# Department Vehicle Pursuit Analysis 2021

This analysis was conducted for the purpose of reviewing the Police Department's Vehicle Pursuits for the calendar year 2021. 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 2020 and 2021**

There were a total of 12 reported vehicle pursuits in 2021 and will be compared to 11 reported vehicle pursuits from 2020. This represents a 9.09 % change in number of pursuits from 2020 to 2021.

<b>Reason for contact</b>	<b>2020</b>	<b>2021</b>	<b>Difference</b>
Traffic violation only	4	7	+3
Misdemeanor Offenses	2	1	-1
Felony Offense	2	1	-1
Outstanding Warrant	0	0	0
Suspicious Activity	2	2	0
Suspected Intoxication	0	1	+1
Medical	1	0	-1
<b>Total</b>	<b>11</b>	<b>12</b>	<b>+1</b>
	11	12	+1

## Individual Officer Analysis

There is no analysis provided for this report.

### Reasons for a Pursuit

In 2021, there were 12 vehicle pursuits initiated by HPD Officers. A pursuit is when suspects are signaled to stop by an officer in a clearly marked Patrol Unit displaying activated emergency equipment (lights and siren) but the suspect refuses to yield or stop. Failure to stop a vehicle when lawfully signaled to do so by a Police Officer is Evading Arrest/Detention, a State Jail Felony. While some of the 2021 pursuits were for minor Traffic Violations, others were due to other reasons such as Misdemeanor and Felony offenses, or suspicious activity. 1) On 2-25-21, our Officer observed a black passenger car traveling with a defective passenger side headlight out and upon our officer turning around and getting behind the suspect vehicle with emergency lights and siren activated, the driver refused to stop or yield. The suspect vehicle then went into a neighborhood and finally stopped at a residence, whereupon the driver quickly exited the vehicle and fled on foot behind a residence, leaving the suspect vehicle in neutral instead of park, which caused the suspect vehicle to roll backwards into our Patrol Unit. While fleeing, the suspect became entangled in a chain link fence and was able to be apprehended. The suspect was subsequently charged with Evading Arrest/Detention, Warrants and POCS (Possession of Controlled Substance). 2). On 3-20-21, 3 HPD Officers responded to the intersection of 259 N. and FM 782 in reference to the caller and her husband having to pull over to the side of the road due to their adult daughter (who was riding inside their vehicle with them) reportedly being on drugs and out of control. While officers were investigating and had parties outside their SUV, the daughter jumped back into her parents SUV and fled the scene without permission of her parents. The 3 HPD officers (one a supervisor) then gave chase and a short distance down the road, a DPS Trooper took over the chase as it left the City. Only 2 of the HPD Officers were able to keep up with the chase, so the 3<sup>rd</sup> officer (the supervisor) dropped out of the pursuit upon losing sight of the suspect vehicle and pursuing patrol cars. A 4<sup>th</sup> HPD Officer attempted to locate and catch up to the chase, but subsequently lost control of his Patrol Unit on an unexpected sharp hairpin turn and totaled the Patrol Unit while never actually participating in the pursuit. The chase went up into Smith County and the suspect eventually had to stop because she ran out of fuel. Upon stopping, the suspect immediately attempted to flee the scene on foot but was caught at gunpoint by our PD Officer. The suspect was charged with UUMV

(Unauthorized Use of a Motor Vehicle) and Evading Arrest/Detention. 3) On 3-27-21, our officer observed a vehicle driving at night (after 10pm) without headlights. The officer attempted to stop the suspect vehicle by initiating their emergency lights, but the suspect at first refused to comply and stop. The suspect subsequently did stop, but the driver immediately fled the vehicle and ran into a nearby residence where he was apprehended and charged with Evading Arrest/Detention. 4) On 4-12-21, our officer observed a passenger car and a sport motorcycle traveling side by side on Hwy 79 S and the passenger car had an obstructed LP. Our officer initiated a traffic stop on the passenger car and immediately, the sport bike accelerated to an extremely high rate of speed traveling South on 79 out of the City. Our officer abandoned the attempted traffic stop and immediately gave chase to the speeding sport bike with his Patrol Units emergency lights and siren activated, but was unable to catch up to the motorcycle and eventually lost sight of the bike. Our officer then called off the pursuit, but following a brief follow-up investigation, a possible suspect and witnesses were identified and our officer then filed Evading Arrest charge in absentia. 5) On 5-12-21, HPD received a report of 3 possible Armed Robbery suspects leaving a residence on W. Elk in a dark colored car. Our officer responded to the vicinity and immediately observed a black passenger car leaving the area at a high rate of speed. The officer attempted to stop the car with his activated lights and siren, but the vehicle refused to stop. A pursuit ensued that was joined by 2 other HPD Officers and eventually went out Evenside to FM 225 S. where the chase left the City. The pursuit then turned off of FM 225 S. onto FM 84 and then finally turned onto FM 95 in Garrison, Tx where the vehicle finally stopped. The suspect vehicle initially rolled back into one of our Patrol Units and when the driver refused to exit the vehicle, the driver's window had to be broken out in order to open the door. The 3 suspects were then taken into custody and charged with Aggravated Robbery and the driver had an additional charge of Evading Arrest/Detention. 6) On 7-4-21, our officer observed two 4-wheelers being illegally operated on Webster Drive at 500 Broadway and one was doing a "wheelie". Our officer attempted to catch up to the 4-wheelers and activated his overhead lights at Red Bud St. but the 4-wheelers split up. Our officer caught up to one of the 4-wheelers on Parkview and observed the 4-wheeler to turn onto Plum, then Marie and then finally onto Cherry where our officer lost sight of it as well and called off the pursuit. 2 B/M suspects dressed like the two 4-wheeler operators were then observed attempting to hide behind a residence on Parkview but when officers attempted to detain them, they fled the area on foot. Officers subsequently located one of the 4-wheelers behind a nearby residence on Parkview where the homeowner denied the vehicle was his or any knowledge of the 4-wheeler. The owner of the 4-wheeler then arrived on scene and insisted that though he had loaned the 4-wheeler to his son to ride, it was one of his son's friends that had been operating the 4-wheeler when it ran from Police. Officers towed the 4-wheeler and filed an Evading Arrest/Detention report in absentia. 7) On 7-22-21, HPD received a report of a vehicle being stolen and the complainant was on Summer St. Our officer proceeded to the scene and took a UUMV report after getting the vehicle description. Upon leaving the area, our officer observed the stolen vehicle

at Webster Drive and N. Mill St. Our officer initiated his overhead lights and attempted a traffic stop on N. Mill, but the vehicle refused to stop and instead turned onto Red Bud St., then onto Zion St. and finally onto Wood St, whereupon the suspect proceeded into a pasture where our officer could not follow without getting stuck so our officer called off the pursuit. Our officer subsequently checked the pasture on foot and found the stolen vehicle abandoned and unoccupied, so it was recovered by Tow Truck. 8). On 8-28-21, our officer responded to Texas St. in reference to a disturbance call with yelling and screaming being heard on the 911 call. Upon arrival of officer #1, they approached the residence on foot and attempted contact with a vehicle attempting to leave the location but the officer was almost struck by the vehicle. HPD Officer #2 was arriving on scene when this occurred and officer #2 witnessed officer #1 almost be struck by the vehicle that was leaving. Officer #2 then activated their overhead lights and siren and attempted to stop the vehicle but the vehicle continued on and refused to stop. Officer #2 followed the vehicle onto Lobb St., W. Main St. and then Katherine St. whereupon the vehicle driver threw something out the driver's window. The vehicle then proceeded onto W. Elk St where it finally stopped in the 700 block of W. Elk. The suspect was found to be in possession of various types of illegal substances and was subsequently charged with Evading Arrest/Detention, Tampering with Evidence, POCS PG1<1G, and POCS PG3<28G. 9) On 9-13-21, HPD Officers were providing a Funeral Escort on Hwy 79 N. when a passenger car was observed not yielding to the funeral procession or patrol cars that had their emergency equipment activated. Our officer then attempted to conduct a traffic stop on this passenger car with his emergency lights and siren activated, but the passenger car refused to stop or yield. A 2<sup>nd</sup> HPD Officer joined the 1<sup>st</sup> HPD Officer and a pursuit then ensued out of the City Limits on Hwy 259 N. The pursuit continued at high speeds towards Kilgore, Tx and eventually ended up on the Kilgore, Tx loop where a RCSO Deputy joined the chase at the Rusk County/Gregg County line. The officers were able to get the car to slow down and finally stop and the driver was subsequently taken into custody and charged with Evading Arrest/Detention. 10). On 10-21-21, an HPD Officer observed a passenger car in the 1100 block of Hwy 79 N fail to signal a turn and it also turned from an improper lane. The officer got behind the passenger car as it turned onto Hwy 79 E. and followed the vehicle Eastbound as it proceeded at a very slow speed. The passenger car then attempted to turn left onto Hubbard Drive but turned wide and almost went into the ditch on the Northeast side of the Hubbard/ 79 intersection. The passenger car then failed to signal within required distance as it attempted to turn right onto Hays St. but the driver started their turn too early and the passenger side of the car to left the roadway. Our officer then activated his emergency lights for a traffic stop but the vehicle suddenly sped down Hays St. at a high rate of speed and our officer then activated his emergency siren. The passenger car continued to refuse to stop or yield as it continued down Hays and took a left onto Wylie. The passenger car then proceeded down Wylie and took a right onto Hubbard. The passenger car then took a right onto Hwy 43 E. and continued Eastbound on 43 before taking a right onto Woodbox Drive. The vehicle then took a left onto Woodhaven and after traveling a short distance down Woodhaven (a dead-end

road), the driver turned around and went back the opposite direction and crashed into the embankment in front of a residence on Woodbox Drive. The driver and passenger then fled on foot into a nearby wooded area and our officer was subsequently able to locate and apprehend the driver after a brief physical struggle. The suspect was charged with Evading Arrest/Detention, Resist Arrest/Search/Transport, Assault Causing Bodily Injury on Public Servant, Take Weapon From an Officer, POCS PG2>=4G<400G, Unlawful Possession Firearm by Felon, Failure to ID Fugitive from Justice, Warrant (other Agency). 11). On 10-25-21, our officer observed a motorcycle leave a location in the 400 block of Hwy 79 S. at a high rate of speed as the motorcycle jumped the curb and popped a "wheelie" while entering traffic on Hwy 79 S. without yielding right-of-way to on-coming traffic and almost causing an accident. Our officer immediately activated his overhead emergency lights and got behind the motorcycle that was traveling behind another motorcycle. The motorcycles immediately split at the intersection of East Main and Hwy 79, with one traveling Eastbound on East Main and the other continuing on Hwy 79. Our officer initially followed the motorcycle on Hwy 79, thinking that it was the correct motorcycle, but our officer quickly realized he was behind the wrong motorcycle and turned around to catch up to the correct bike in the 500 block of East Main. The motorcycle then accelerated and quickly turned right onto N. Mill St. and our officer then activated his emergency siren. The motorcycle continued on N. Mill at a high rate of speed before turning right onto Redbud and then turning right onto Zion St where it quickly attempted to conceal itself behind an abandoned residence facing Redbud. The driver of the motorcycle was subsequently apprehended and charged with Evading Arrest/Detention. 12). On 11-15-21, HPD received a report of a suspicious person at a business in the 700 block of W. Main. Upon arrival in the area, our officer observed a vehicle pull out from the business onto N. Evenside so the officer followed. This passenger car suddenly stopped in the middle of the roadway in about the 300 block of N. Evenside and stopped so abruptly, our officer had to swerve around the vehicle to avoid a collision. Our officer then turned around and got behind the vehicle and activated his overhead emergency lights to attempt a traffic stop. The vehicle refused to stop or yield to the officer and continued to travel Northbound on N. Evenside until it turned left onto Elm St. At this time, our officer activated his emergency siren as the vehicle turned right onto Whippoorwill St. The suspect vehicle then turned left onto Sweetgum St. and in about the 700 block of Sweetgum, the suspect stopped in the middle of the roadway and then put their vehicle into reverse and backed into our officers Patrol Unit. The suspect then pulled away from the Patrol Unit and put the vehicle in park, so our Officer was able to approach and take the driver into custody for Evading Arrest/Detention and DWI.

### 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	2020	2021
Voluntary by Officer	2	4
Voluntary by Supervisor	0	0
Stopped by Arrest	7	9
Stopped-Fled on foot Escaped	1	3
Stopped- Fled on foot Captured	0	3
Accident-Violator involved in crash	1	4
Accident-Police involved in crash	2	3
Firearm discharged	0	0
Escaped-Not Captured	0	0
Escaped-Captured later	0	0

### Damage and Injury

In 2021, there were 3 pursuits which had some damage or injury associated with the incident as a result of the pursuit. 1) In the 2-25-21 Pursuit listed above, the suspect fled the vehicle on foot without putting the vehicle completely in park, causing said vehicle to roll backwards into our Patrol Unit and causing minor damage to the Units front end. 2) In the 5-12-21 Pursuit listed above, at the end of the Pursuit, the suspect driver refused to open his vehicle door, prompting our officer to utilize his ASP Baton to break out the glass of the door and open the door. Also in this same Pursuit, at the end when the suspect vehicle initially came to a stop, the suspect driver subsequently backed into one of our Patrol Units, causing minor damage before the suspects were taken into custody. 3) In the 10-12-21 Pursuit listed above, at the end of the Pursuit, the suspect driver crashed his vehicle into an embankment and did an unknown amount of damage to their vehicle. Furthermore, upon our officer catching up to the suspect driver, a physical altercation ensued in which the officer received minor injury to his hand while attempting to take the suspect into custody and keep the suspect from grabbing the officer’s gun.

It should be noted that in the 3-20-21 Pursuit, a police vehicle wrecked out and was subsequently determined to be totaled, however, this vehicle is not counted in the Pursuit damage statistics because this officer was never in sight of the Pursuit and never participated in the actual Pursuit.



Additionally, at the end of the 11-15-21 Pursuit, the suspect backed into our Patrol Unit, but there was no damage done to either 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.

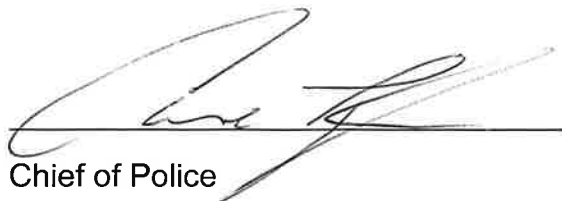
In 2021, there were   0   policy violations identified in regards to pursuit initiation or termination.

### **Summary and Recommendations**

There were 12 pursuit reports completed for 2021. 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.**

  
Chief of Police

8-31-22  
Date