

Henderson Police Department 2020



Department Vehicle Pursuit Analysis 2020

This analysis was conducted for the purpose of reviewing the Police Department's Vehicle Pursuits for the calendar year 2020. 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 2019 to 2020

There were a total of 11 reported vehicle pursuits in 2020 and will be compared to 7 reported vehicle pursuits from 2019. This represents a 57% change in number of pursuits from 2019 to 2020.

Reason for contact	2019	2020	Difference
Traffic violation only	4	4	0
Misdemeanor Offenses	1	2	+1
Felony Offense	1	2	+1
Outstanding Warrant	0	0	0
Suspicious Activity	1	2	+1
Suspected Intoxication	0		
Medical	0	1	+1
Total	7	11	

Individual Officer Analysis

There is no analysis provided for this report.

Reasons for a Pursuit

In 2020, there were 4 vehicle pursuits initiated because of reported reckless driving/speeding, or the officer observed the driver commit a traffic violation and the suspect then failed to stop when signaled 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. 1) On 05-04-2020, Our Officer observed a suspect he is familiar with driving without a valid Texas DL, as confirmed by Dispatch. When a traffic stop was attempted, said suspect evaded officers until finally stopping on the opposite side of town. A passenger was found to have warrants and the Driver was charged with Evading, along with Possession of Drug Paraphernalia, Possession of Controlled Substance and Tampering with Evidence. 2) On 09-06-20, Our officer responded to a report of a Reckless Driver speeding and swerving all over the road. Upon our Officer locating the suspect vehicle, the suspect began a series of turns through a neighborhood in an attempt to get away from the officer before she activated her emergency equipment, but once it became obvious the suspect was fleeing, our Officer initiated a Pursuit. The suspect almost immediately pulled over to hide behind a car wash when they thought they were beyond the sight of our Officer. Upon our Officer making contact, the driver made res gestae statements admitting to evading, and also to possessing Mushrooms inside the vehicle. Driver charged with Evading, and Possession of Controlled Substance. 3) On 10-02-20, our Officer observed a vehicle leave a local bar at a high rate of speed. Our Officer attempted to catch up to the suspect but the subject began to evade. Our Officer pursued the suspect for a couple of miles before leaving the City Limits at a high rate of speed. The suspect picked up speed and upon losing sight of the suspect vehicle, our Officer called the Pursuit off. It was later discovered that the suspect driver had just gotten into a physical altercation at the bar but he was never identified beyond the name of "Kevin". 4) On 11-29-20, our Officer observed a vehicle traveling at a high rate of speed, as corroborated by pacing the suspect vehicle at 70 mph in a 40 mph Zone. Our Officer attempted to stop said vehicle, but the suspect began to drive all over Henderson at a very high rate of speed attempting to elude officers and at one point, the suspect let a female out of the vehicle before continuing to flee. The suspect eventually fled outside the City whereupon a few miles outside of town, the suspect vehicle driver lost control of his vehicle, struck a sign and then became stuck in the muddy median of the highway. Officers forcibly extracted the driver and subsequently charged him with Evading.

In 2020, there were 2 vehicle pursuits initiated because the officer became aware the driver was wanted for a misdemeanor offense, and then the driver failed to stop when signaled by the officer. 1) On 02-03-20, our Officers responded to a report of a Shoplifter at a local Sports Store. The suspect was able to flee the location before arrival of Officers, however, due to the good vehicle description, our Officers were able to locate the suspect a short distance away from the scene as the suspect was still fleeing. Officers pursued the suspect and a high-speed Pursuit ensued until the suspect lost control of his vehicle and wrecked out. The suspect had to be forcibly removed from the wrecked vehicle and the stolen merchandise was recovered. The suspect was charged with Theft, Evading and Possession of Controlled Substance. 2) On 09-24-20, our Officers responded to a reported Hit and Run Accident. The fleeing suspect vehicle was described well enough that Officers located the vehicle with fresh damage in a business parking lot not far from the accident scene. Before officers could approach, the vehicle driver sped away and a Pursuit ensued. The suspect driver evaded through town and finally turned in at Walmart, whereupon our Officer turned off his siren (but left his overhead lights on) and followed the suspect through the parking lot at a slow speed while repeatedly ordering the driver to stop over the patrol cars Public Address System. The suspect finally stopped in a parking spot and was detained. The suspect was found to be intoxicated and was subsequently charged with Leaving the Scene of an Accident, Evading and DWI.

In 2020, there were 2 vehicle pursuits initiated because the officer became aware the driver was wanted for a felony offense and then failed to stop when signaled by the officer. 1) On 02-21-20, our Officers responded to a reported Aggravated Robbery in which a daughter (who was strung out on drugs) attacked her father with a hammer, striking him about the head and face with the hammer before stealing his vehicle keys. Upon arrival of Officers, the suspect was inside her father's truck in the driveway and when Officers approached, the suspect reversed the vehicle at a high rate of speed towards the Officers, forcing them to have to jump out of the way. The suspect then fled the City and a high speed Pursuit ensued for approximately 5 or 6 miles outside the City, where the vehicle finally stopped at an intersection in a small community. Officers approached and conducted a Felony Stop, but the driver again sped away, almost striking officers. Officers again pursued the vehicle and upon approach to a highway intersection a few miles away, the driver lost control and wrecked out, striking our patrol unit and a County Unit that was assisting. Our Patrol Unit was totaled. 2) On 08-29-20, our Officer was called to a local gas station in reference to a vehicle at the pumps that had been reported stolen. Upon arrival, the suspect driver fled the location and a Pursuit ensued. The driver fled up and down City Streets and was able to cause our Officer to lose sight of the suspect and eventually, our Officer had to call the Pursuit off due to having lost the suspect. A short time later, an adjacent City reported locating this stolen vehicle and they further advised they located what appeared to be stolen property inside. An Evading Report was completed for this incident, though we never located or identified the driver suspect.

In 2020, 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 2020, there was 2 vehicle pursuit 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. 1) On 07-02-20, Our Officer observed what appeared to be 1 vehicle chasing another vehicle at a high rate of speed. Our Officer caught up to the 2 cars and the 2nd vehicle (the chaser) moved back and allowed the officer to get behind the front vehicle (the chase), who continued to speed and drive reckless. Our Officer initiated a Pursuit at that point and the front vehicle continued to evade through town until finally, the driver stopped in the middle of the roadway, exited his vehicle, and fled the area on foot. The suspect vehicle then rolled backwards into our Officers Patrol Unit, damaging the suspect vehicle. The suspect was never located, but he was identified by the driver of the 2nd vehicle and a record check through a nearby City where the 2 drivers were from and an open Evading report was completed for an "at large" charge. 2) On 08-07-20, one of our off-duty Officers observed what appeared to be a hand-to-hand drug exchange take place involving a known drug dealer. This information was passed on to an on-duty Officer who quickly arrived in the area. The on-duty Officer observed the known suspect leaving the area driving a vehicle, and the on-duty Officer knew that a recent interaction with this suspect revealed that he did not have a current valid Driver's License. The on-duty Officer then double checked that info through Dispatch and confirmed that the suspect in fact did not have a valid DL, so the Officer then caught up to the suspect and attempted a traffic stop. The suspect refused to stop and a Pursuit ensued outside the City into the County. After fleeing to a trailer park, the suspect finally pulled up at a residence and our Officer initiated a Felony traffic stop. The suspect was taken into custody and narcotics were found. The suspect was also found to have an active Warrant and was subsequently charged with Evading, Possession of Controlled Substance and Warrant.

In 2020, 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 2020, there were 0 vehicle pursuits initiated because the officer joined a pursuit which was already in progress.

In 2020, there was 1 vehicle pursuits initiated because the officer suspected a medical issue with the driver. On 01-24-20, our Officer responded to a location where the caller reported an elderly male subject on scene who was very confused and lost and appeared to be suffering from some sort of dementia or psychotic episode. This confused elderly male subject had driven to the location in a vehicle and upon arrival of the officer, the elderly male suddenly got into his vehicle and drove away. The officer

got behind the elderly male's vehicle and attempted to stop him to check his welfare, but the male would not pull over and stop. A slow speed Pursuit then ensued in which the elderly male continued to drive down the highway for several miles before finally stopping at a red light. The officer then ran up to the elderly male's vehicle and made contact with him and found that the subject was indeed confused and very hard of hearing. Family for the subject was contacted for the subject and our Officer filed a DPS Medical Review of the subjects Driving privileges.

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	2019	2020
Voluntary by Officer	1	2
Voluntary by Supervisor	0	0
Stopped by Arrest	4	7
Stopped-Fled on foot Escaped	0	1
Stopped- Fled on foot Captured	2	0
Accident-Violator involved in crash	0	1
Accident-Police involved in crash	0	2
Firearm discharged	0	0
Escaped-Not Captured	0	0
Escaped-Captured later	0	0

Damage and Injury

In 2020, there were 3 pursuits which had some damage or injury associated with the incident as a result of the pursuit. 1) In the 11-29-20 Pursuit listed above, at the end of the Pursuit, the suspect driver had to be forcibly extracted from the vehicle by shattering the driver's side window. The Officer who broke the window using an ASP Baton, injured his hand and had to seek subsequent medical attention. 2) in the 02-21-20 Pursuit incident listed above, the fleeing suspect lost control of their stolen vehicle and wrecked out, striking and severely damaging our Patrol Unit. 3) In the 07-02-20 Pursuit incident listed above, when our officer got the suspect vehicle to stop, the driver jumped out and fled the area on foot, leaving his vehicle in the middle of the roadway and said

vehicle then rolled backwards and struck the front end of our Patrol Unit, damaging the rear end of the suspect 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 2020, there were 0 policy violations identified in regards to pursuit initiation or termination.

Summary and Recommendations

There were 11 pursuit reports completed for 2020. 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

8-03-2021

Date