

Police Pursuit Background Information

Pursuit is defined by the PA Vehicle Code as *“an active attempt by a police officer operating a motor vehicle to apprehend one or more occupants of a motor vehicle when the driver of the vehicle is resisting the apprehension by maintaining or increasing his speed or by ignoring the police officer’s audible or visual signal to stop.”*

Police pursuit is addressed by Title 75 of the Pennsylvania Consolidated and related Statutes. It is commonly known as the Vehicle Code. Specific references:

- Subchapter C: Pursuit of Vehicles (§6341 – §6345)
Requires police agencies to develop and implement written policies and procedures governing pursuits (also makes such policies confidential); maintain records of pursuits; report pursuits to the PA State Police.
- 75 Pa.C.S. §3105. Drivers of emergency vehicles.
Extends certain privileges to police and other drivers of emergency vehicles engaged in an emergency response.
- 75 Pa.C.S. §3733. Fleeing or attempting to elude a police officer.
Establishes an effort to flee police in pursuit as a Misdemeanor of the 2nd degree and imposes a \$500.00 fine (in addition to any other fines that may be incurred during the pursuit).

Since 1996, all PA police agencies have been required to keep a record of all vehicle pursuits and to report them to the Pennsylvania State Police

(PSP) monthly. The PSP compiles an annual report, Pennsylvania Police Pursuits, which is available to the public. The report does not provide data to the local level. Currently, there is not a national database of police pursuit data.

The following is taken from the report, 2005 Pennsylvania Police Pursuits:

- 2215 pursuits were reported
 - 745 pursuits resulted in 989 crashes (44.65%)
 - 13 people were killed
 - 10 violators
 - 3 uninvolved people
 - 0 police officers
- 48.58% were initiated for Other Traffic Violations (speeding, traffic signal, stop signs, etc.)
 - 17.70% were initiated for stolen or suspected stolen vehicle status
 - 14.22% were initiated due to felony crimes
 - Violation of Crimes Code: 1285 violations resulted
 - Violation of Vehicle Code: 7986 violations resulted
- 71.43% resulted in an arrest (62.17% apprehended during the pursuit; 9.26% delayed arrest)
- 25.06% were terminated by police
 - 26.37% violator voluntarily stopped
 - 18.92% were terminated due to crashes

- 989 crashes resulted in the course of 745 pursuits, among those:
 - 514: violator crashed
 - 42: police crashed
 - 27: uninvolved crashes secondary to the chase
 - 94: involved violator & police crash
 - 165: violator & uninvolved unoccupied crash
 - 84.20% involved marked police vehicles
 - 6.86% involved unmarked vehicles
 - 8.94% involved both marked & unmarked police vehicles
 - 272 of the 2215 pursuits resulted in injuries (12.28%):
 - 201 (73.90%) injured violators
 - 74 (27.21%) injured police
 - 42 (16.54%) uninvolved persons
 - Average property damage to violator: \$530.97 (2005: \$1,176,098.00)
 - To police unit: \$182.79 (2005: \$404,887)
 - To uninvolved person: \$394.20 (2005: \$873,156)
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50% of all pursuit crashes happen within the first 2 minutes; more than 70% of crashes occur before the 6th minute of the pursuit.

The results: of a May 1997 report compared the effects of policy changes made in Metro-Dade and Omaha:

Table 2: Numbers of Police Pursuits Before and After Policy Changes

Jurisdiction	Nature of Policy Change	Before Change	After Change
Metro-Dade, Florida	more restrictive	279	51
Omaha, Nebraska	more permissive	17	122

Table 3: When Police Officers Say They Would Engage in Pursuits

Violation	Level of Risk*	
	Low	High
Traffic Violation	43%	10%
Property Crime: Misdemeanor	42%	17%
Property Crime: Felony	64%	34%
Stolen Vehicle	65%	37%
DUI	70%	43%
Violent Felony: No Death	87%	80%
Violent Felony: With Death	96%	95%
Officer Shot	96%	95%

* Risk was defined by level of traffic congestion, weather conditions, type of road (e.g., whether surface street, highway, or interstate), and area of pursuit (e.g., whether urban, rural, or commercial). In filling out the questionnaire, respondents themselves determined whether they felt their risk was high or low.

(Alpert, G., NIJ, Police Pursuit: Policies & Training, May 1997)

Around 2002, Los Angeles and Atlanta imposed restrictive guidelines around police pursuits, limiting them to felony apprehension only. Boston excluded pursuit of minor traffic violations and stolen vehicles.

Many insurance companies, police research groups, and public policy analysts encourage policy makers to think of police pursuits as a public safety issue, not a police apprehension issue. This promotes balancing the

risk to the public and pursuing officers caused by the pursuit, as opposed to the risk imposed to the public and pursuing officers if the offender is not apprehended.

Model policies have been reviewed and the Pittsburgh policy complies with recommended principles.

Recommendation considerations:

- Caution with regard to tampering with officers' discretionary judgment (*discretion is a necessary tool for police officers; restraint of discretion should be minimal and done without ambiguity in the policy language. For example, if pursuit of a stolen vehicle just because it is stolen is not going to be accepted every time, then it should not be acceptable at any time*).
- Organizational values and culture influence the decision-making environment (*influences that contribute to the decision-making include pressure to arrest, pressure to respond to community demands, acceptance of rogue behavior.*)
- Adherence to policy (*including disciplinary actions pursued by police management; severe penalties and loss of work for violations are effective deterrents*).
- Enhanced after-action analysis (*thorough investigation, verification of legitimate probable cause to initiate, reconstruction and evaluation of policy adherence by involved parties*)
- Training must include annual defensive driving with consideration given to usual climate and road conditions. Training must also clearly convey the organization's values and accepted conduct. It must also emphasize the effectiveness of stopping a pursuit when it is clearly evident that the offender will do anything to elude police – data suggest that when a pursuit is terminated, the offender usually slows or stops which quickly minimizes any remaining risk to public safety.

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