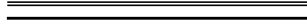
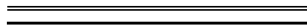


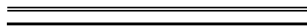
**The Bill Blackwood  
Law Enforcement Management Institute of Texas**



**The Need for Standardized Pursuit Reporting  
Requirements for Law Enforcement Agencies**



**A Leadership White Paper  
Submitted in Partial Fulfillment  
Required for Graduation from the  
Leadership Command College**



**By  
Ely Reyes**

**Austin Police Department  
Austin, Texas  
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## **ABSTRACT**

Vehicle pursuits are one of the most dangerous aspects of law enforcement that an officer can be involved in. There have been several concerns as to whether or not police pursuits are justified and under what circumstances they should be allowed. Most law enforcement agencies have a clearly defined pursuit policy; however, very few agencies keep track of standardized pursuit data. The Uniform Crime Reporting (UCR) Program established a standardized crime reporting system for law enforcement agencies. This serves as an ad-hoc report card for agencies to compare their crime rate with other agencies across the country. Since there is no national standard for pursuit reporting, this same type of report card is not available for law enforcement agencies. In order for law enforcement agencies to develop good pursuit policies and training programs, they need to have the ability to report, track, compare and analyze pursuit data with other agencies.

A review of the literature confirmed the benefits and recommendations for reporting and analyzing police pursuit data on both a local and national level. Standardizing the reporting process will result in law enforcement agencies being able to analyze historical data and use that information as a predictive model for what may occur in future similar situations. The best predictor of the future is to analyze the past. Society understands that suspects are going to flee and that police are going to chase. Technology has now given police the ability to understand and learn from these events and do everything they can to make them safer. Having a standardized process for reporting and analyzing pursuit data is just one step to assist law enforcement agencies in engaging in safer vehicle pursuits.

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## INTRODUCTION

Vehicle pursuits are one of the most dangerous aspects of law enforcement that an officer can be involved in. The need to apprehend fleeing suspects must be delicately balanced with the risks involved in pursuing the suspect. Pursuits are not controlled by the police, they are controlled by the suspect, and sometimes innocent people are caught between perceived justice and a fleeing criminal that has no regard for their safety. There have been several concerns as to whether or not police pursuits are justified and under what circumstances they should be allowed. Most law enforcement agencies have developed a clearly defined pursuit policy; however, very few agencies keep track of standardized pursuit data. When a critical incident involving a pursuit occurs, a lawsuit is almost guaranteed to follow. This leaves agencies scrambling to review and analyze available pursuit information without any comparable data to use for a benchmark. Intelligence-led policing is at the forefront of many police agencies, but when it comes to pursuits, the intelligence piece of the puzzle is absent. In order to complete this puzzle, law enforcement agencies should be required to collect and report standardized pursuit information to a centralized database.

The International Association of Chiefs of Police recognized the importance of collecting standardized crime information in the 1920s. Congress created legislation in 1930 authorizing the Attorney General to begin collecting crime data. The Federal Bureau of Investigation (FBI) was designated as the agency that would be responsible for collecting this data and 400 cities began participating in what came to be known as The Uniform Crime Reporting (UCR) Program (U.S. Department of Justice, 2012). There were initially seven Part I crimes that included murder, non-negligent

manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft and motor vehicle theft. Arson was added to this list in 1979 and in 2011 FBI Director Robert S. Mueller III approved revisions to remove the term “forcible” from the crime of rape (U.S. Department of Justice, 2012). The UCR Program has grown tremendously and now encompasses information from over 18,000 law enforcement agencies. The Department of Justice stated that “The program’s primary objective is to generate reliable information for use in law enforcement administration, operation, and management; however, its data have over the years become one of the country’s leading social indicators” (“Uniform crime reporting statistics,” 2009, para. 1).

The National Highway Traffic Safety Administration (NHTSA) was established in 1970 to carry out traffic safety programs. Their responsibilities range from reducing crash related deaths and injuries to conducting research on traffic safety and driver behavior (NHTSA, n.d.). In 2011, NHTSA conducted an in depth analysis of law enforcement crash related deaths. This analysis was performed in response to a recent trend indicating a significant increase in crash related line of duty deaths. The research indicated that from 1982-2008 there were 726 police related crash deaths with 69 of those indicating they were involved in a pursuit (Noh, 2011). In a separate report utilizing information from 1982-2004, 6,336 pursuit related fatality crashes resulting in 7,430 fatalities were reported. These results indicated 81 officer deaths, 5,355 in the chased vehicle and 1994 innocent parties were killed. The report’s recommendations include a requirement for all states to annual pursuit data for review (Hutson et al., 2007). These types of reports are outcome based and do not paint a full picture of the dynamics involved in police pursuits. The NHTSA website has detailed crash

information available as far back as 1975. With just a few clicks of the mouse, it is possible to obtain detailed results drilled down to a specific county with five years of trend data ready to print or download in pdf format.

UCR data and crash statistics available from NHTSA are vital information that law enforcement agencies utilize to shape both their policies and policing efforts. If all law enforcement agencies reported standardized information related to police pursuits, this same type of in depth analysis would be available for pursuits. Standardized reporting will result in more comprehensive policies, procedures and training.

## **POSITION**

Police departments are tasked with developing a policy to manage pursuits, but many are not armed with adequate information to justify their policy. The information available to most agencies consists of the number of pursuits they were involved in and possibly the number of crashes associated with those pursuits. By having a standardized pursuit reporting system, law enforcement agencies will be able to conduct an in depth analysis and comparison of all available pursuit data. There are a few states that do require some type of pursuit reporting requirement, however the information that is required to be collected varies by state. New Jersey has a law that was updated in 2009 and includes a comprehensive list of mandatory requirements for pursuit policies. The pursuits are reported on a paper form and reviewed internally. The law also establishes an annual pursuit reporting requirement that must be submitted to the county prosecutor. The pursuit reporting requirements submitted to the prosecutor are very minimal and only contain basic information in relation to the

pursuit (State of New Jersey, 2009). Although this information is beneficial in providing some assistance to police agencies, the lack of a standardized reporting fields makes analyzing and comparison difficult if not impossible.

The State of Pennsylvania has very detailed data available for police pursuits. The state law requires all police agencies to report all pursuit information to the Pennsylvania State Police since 1996. The state police are then required to analyze the data and publish a summary of the results. This enables Pennsylvania to produce a comprehensive report on all police pursuits. The report contains a pursuit factor analysis that includes information obtained prior to, during and after a pursuit has ended. Some of the information collected include: reason initiated, tactics utilized, termination methods, apprehension rates, crash data and injuries. The report also includes a five-year trend and a cross tabulation analysis. Some of the information from the 59 page 2012 report include the fact that there were 1522 pursuits, 423 of them were terminated by the police and 453 ended when the violator stopped voluntarily (Pennsylvania State Police, 2012). Several of the data tables from this report are available in Appendix A. Having this type of information available is instrumental for law enforcement agencies to make informed decisions on pursuit training and policies.

Over the years, there have been many requests for pursuit related information from the media. Many police agencies simply do not have a process in place to collect pursuit information unless the pursuit results in a crash or even worse, death. Imagine a police agency conducting a press briefing following the death of an innocent third party as a result of a pursuit. The media is likely going to request

various types of information related to pursuit reports. Some information may include the number of police pursuits, number of crashes, and number of pursuits that have been terminated by police because they were too dangerous to continue. Although the practice of terminating pursuits during chases is common practice, those incidents are never sensationalized. So when the media asked how many times that agency had terminated pursuits, it would be disappointing for them not to be able to provide that information. Not being able to provide the media with information, gives the perception that the police are hiding something, and unfortunately, their perception is their reality. By having a standardized pursuit reporting system, law enforcement agencies will have the ability to respond in a timely manner to information requests for pursuit related data. They can also be assured that the information will be accurate, standardized and will keep the public informed.

Research is continually being conducted into all aspects of law enforcement services, at all levels of service providers. In order to be able to adequately respond to requests for information related to research, law enforcement agencies must be able to provide accurate, verifiable data. In 1996, the Pursuit Management Task Force (PMTF) was created to analyze and review all aspects of pursuits in a nine state area in the Western Region of the United States. The task force consisted of over 40 members representing the following states: Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington. In 1997, the PMTF sent out a survey to 1,420 law enforcement agencies and received responses from 419 local, county and state agencies. Agencies were asked to provide pursuit data for all pursuits from 1994-1996. It is extremely disappointing, yet not surprising that many of



the agencies did not keep any records related to pursuits and many others merely estimated their numbers. (Osborne, 1998). This is a great example of the lack of information that is available when it comes to pursuit data. But like many other issues, sometimes identifying the deficiencies must occur in order to make effective changes. One of the six priority recommendations in the 114-page report is “that a national model for collection of pursuit statistics be developed, perhaps through the IACP or similar professional law enforcement organization, for the purpose of encouraging and facilitating research and to expand the body of knowledge relating to pursuits” (Osborne, 1998, p. xiii.). In order for researchers to conduct in depth analysis on pursuit related issues, law enforcement agencies must be required to collect and report standardized pursuit data.

### **COUNTER POSITION**

Law enforcement agencies are constantly reviewing and updating their policies and practices to be in compliance with what is known as industry best practices. Standardized pursuit reporting requirements should not be required because it has not been established as best practices criteria. The Commission on Accreditation on Law Enforcement (CALEA) has established standard requirements for agencies that wish to be nationally accredited. CALEA was established in 1979 and is the only nationally recognized law enforcement accreditation agency (The Commission, 2010). Since CALEA is the foremost leading expert on industry best practices, the reporting requirements established by CALEA should be sufficient for all law enforcement agencies.

Although CALEA does establish reporting requirements for agencies that are

accredited by them, it is important to recognize that not all law enforcement agencies are CALEA accredited. In an article written by CALEA Commissioner Gary Cordner (2009), accredited agencies consisted of the following breakdown by size of police agency: 1-24, less than one percent; 25-74, 20%; 75-299, 33%; 300+, 50%. The article also indicated that the number of police agencies in the United States was close to 18,000 (Cordner, 2009). There are currently 624 accredited law enforcement agencies and 152 in the process of becoming accredited (CALEA, n.d.). Not only are the number of accredited agencies small, the CALEA reporting requirement (Appendix B) merely states that a documented annual analysis of the pursuit reports be conducted by the agency. The information that is collected on the reports and the manner in which the analysis is conducted is left up to the individual agency. In order for law enforcement agencies to effectively review and analyze pursuit issues, a standardized collection and reporting system must be required.

Another reason why standardized reporting is not possible is funding. It is estimated that of the 18,000 law enforcement agencies, there are between 10,000 and 12,000 police agencies that have less than 24 employees. Many of these do not have the staff or the funding available to take on the additional responsibilities of tracking and reporting pursuit related information. In addition, many of the medium and even larger agencies are facing economic hardships and adding an additional reporting requirement would likely stretch their resources to the breaking point.

Technological advances are far more advanced and easier to achieve than most police agencies ever imagined possible. Standardized pursuit related databases can be built at an agency level using something as simple as an excel spreadsheet

with drop down menus to input information. Once the template is created, agencies would be able to track and share the information at minimal cost utilizing existing resources. Another economically viable option is to utilize the existing on-line database created by the IACP. This database project began in 2000 in response to numerous research studies identifying the need to create a standardized pursuit reporting system. By 2004, the database was fully operational with detailed pursuit information being entered by 40 law enforcement agencies from 30 different states (Nichols, 2004). Any law enforcement agency can be provided full access to add their pursuit information to the database for \$500 a year. When considering the potentials costs associated with pursuits, \$500 is a small price to pay for access to a fully functional pursuit database.

## **RECOMMENDATION**

Regardless of how stringent a police departments pursuit policy is, anytime an officer is involved in a pursuit, they must be aware that in each and every pursuit the possibility of someone being injured or killed exists. Knowledge is power, and arming our officers with as much knowledge as possible is a critical element to ensure they are making wise decisions. By having a standardized pursuit reporting system, agencies would be able to critically analyze their pursuits and develop policies and training recommendations based on those results. This would allow officers to have access to higher quality information related to pursuits, which would result in better overall decision-making.

Transparency in law enforcement agencies seems to be at the forefront of many conversations. Part of being transparent is having the ability to provide

information to the public and the media. Law enforcement agencies are involved in pursuits on a regular basis all around the country. The reason for the pursuit, apprehension techniques utilized and outcome of these pursuits are seldom requested. These requests usually come as a result of a critical incident that occurs during the pursuit. If law enforcement agencies were required to report standardized information on all pursuits, this information would be readily available to provide to the media and the public. When law enforcement agencies provide information related to critical incidents in a timely manner, this not only increases transparency, but also helps to build trust in the community.

There have been numerous studies and research conducted relating to pursuits. In order for researchers to be able to conduct an in depth analysis of police pursuits they must have access to accurate, verifiable pursuit information. Although this information exists, the minute amount of standardized information available compared to the actual number of pursuits limits these studies. If all law enforcement agencies report standardized pursuit information to a centralized database, researchers would be able to conduct a more thorough analysis of police pursuits, thus resulting in a more detailed research report.

While there are some agencies and states requiring standardized reporting, standardized pursuit reporting not being a requirement is troubling. CALEA, one of the most recognized accreditation agencies in the country, does not require standardized reporting from agencies seeking accreditation. However, although it is not a requirement, CALEA does support standardized reporting, which is evident in their acceptance of the information reported to the pursuits standardized database

(Scott, 2004).

The IACP model pursuit policy requires that a written report be completed and that the department periodically analyze pursuit activity. The Vehicular Pursuit model policy also contains the following recommendation in the heading of the report: “that the IACP and National Highway Traffic Safety Administration (NHTSA) develop a uniform pursuit reporting criteria and form to accurately document pursuit involvements and results nationwide” (Highway Safety Committee, 2004, p. 1). The IACP recognized the need for a standardized reporting system and in 2001 began developing an on line standardized pursuit reporting system.

This database contains 30 standardized fields for agencies to enter their pursuit data. The database started with a pilot program from a few departments and now encompasses over 12,500 reports from 220 law enforcement agencies (“Pursuits,” 2012). Although this is a small number in comparison to the number of agencies in the United States, many departments are not aware that this database is available. In addition, the small price of \$500 per year is well worth the investment. For agencies that already track this information, it may be possible to simply transfer the information from your existing database using an accepted file format containing the same fields.

In order for all law enforcement agencies to collect and report standardized pursuit information, it is a recommendation that local, state and federal law makers work together to construct legislation mandating this requirement. There are several ways to implement a standardized reporting system throughout the country. One method would be to have NHTSA create a standardized format which to receive all

pursuit information from law enforcement agencies. A pilot program could be conducted to support all the law enforcement agencies from a state that do not currently have any type of standardized reporting requirements. The same methodology could be used by requiring that the top 1000 largest law enforcement agencies in the country to submit their data. Another method would be to provide federal funding to law enforcement agencies to utilize the standardized pursuit database available through the IACP. Any type of fees should be waived for agencies that have less than 24 officers to reduce the financial burden on those agencies. The number of pursuits for an agency that small would be limited, but in order to obtain all available information, their participation is vital.

It is evident that the benefits of requiring all law enforcement agencies to report standardized pursuit information to a centralized collection agency far outweigh any opposition. There are several hurdles that will need to be achieved but this challenge is a worthy one. By obtaining this requirement, pursuits will be better managed and safer for all parties involved.

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## APPENDIX A

REASON INITIATED	2012		2011	
	N	%	N	%
DUI or Suspected DUI Operator	214	14.06%	240	16.52%
Felony Criminal Offenses	228	14.98%	208	14.32%
Misdemeanor Criminal Offenses	91	5.98%	102	7.02%
Other Traffic Offenses	800	52.56%	730	50.24%
Stolen or Suspected Stolen Vehicle	131	8.61%	127	8.74%
Summary Criminal Offenses	58	3.81%	46	3.17%

APPREHENSION	2012		2011	
	N	%	N	%
Apprehended During Pursuit (Incl. on Foot)	906	59.53%	893	61.46%
Delayed - After Termination	166	10.91%	156	10.74%
None - Decision Made to Terminate	170	11.17%	143	9.84%
None - Stopped, but Escaped on Foot	108	7.10%	98	6.74%
None - Violator Successfully Eluded Police	172	11.30%	163	11.22%

REASON TERMINATED	2012		2011	
	N	%	N	%
Violator Abandoned Vehicle	157	10.32%	126	8.67%
Crash/Collision (All)	282	18.53%	308	21.20%
Discontinued	423	27.79%	376	25.88%
Other Police Action/Induced	98	6.44%	95	6.54%
Police Vehicle Disabled	7	.46%	6	.41%
Violator Vehicle Disabled	102	6.70%	107	7.36%
Voluntary Stop	453	29.76%	435	29.94%

CRASH TYPE	2012		2011	
	N	%	N	%
Pursuits Without Crashes	1,005	66.03%	907	62.42%
Pursuits With Crashes	517	33.97%	546	37.58%
Police/Tire Deflation Deployment Crash	1	0.14%	1	0.14%
Uninvolved/Tire Deflation Deployment Crash	2	0.29%	2	0.27%
Violator/Tire Deflation Deployment Crash	7	1.01%	13	1.78%
Violator Crash	355	51.23%	379	51.85%
Police Crash	24	3.46%	30	4.10%
Uninvolved Crash	23	3.32%	25	3.42%
Violator/Police Crash	55	7.94%	58	7.93%
Violator/Uninvolved Crash	134	19.34%	136	18.61%
Violator/Police Deliberate Intent	31	4.47%	30	4.10%
Violator/Uninvolved Deliberate Intent	6	0.87%	5	0.68%
Police/Violator Legal Intervention	48	6.93%	47	6.43%
Uninvolved/Police Crash	7	1.01%	5	0.68%
<b>Total Crashes: *</b>	<b>693</b>		<b>731</b>	

## APPENDIX B

### *CALEA Standards for Law Enforcement Agencies, Version 5.19*

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#### Pursuit of Motor Vehicles

**Standard 41.2.2** A written directive governs pursuit of motor vehicles, to include:

- a. evaluating the circumstances;
- b. initiating officer's responsibilities;
- c. designating secondary unit's responsibilities;
- d. specifying roles and restrictions pertinent to marked, unmarked, or other types of police vehicle involvement in the pursuit;
- e. assigning dispatcher's responsibilities;
- f. describing supervisor's responsibilities;
- g. specifying when to terminate pursuit;
- h. engaging in inter and intra-jurisdictional pursuits involving personnel from the agency and/or other jurisdictions;
- i. requiring a written report and an administrative review of each pursuit;
- j. conducting a documented annual analysis of pursuit reports; and
- k. conducting a documented annual review of pursuit policies and reporting procedures.

**Commentary:** The agency should have clear-cut policies and procedures for pursuits. All sworn personnel should be provided with this written directive. Agencies may wish to consider frequent discussion and review of these policies/procedures during shift briefings and/or in-service training sessions.

A review of incidents involving vehicle pursuits may reveal patterns or trends that indicate training needs and/or policy modifications. The absence of pursuit reports does not remove the requirement of reviewing the policies, procedures and practices associated with the reporting process. (M M M M)