

**Quality Assurance
Organizational Development Bureau
Professional Standards Division
Las Vegas Metropolitan Police Department**

Comparative Analysis of Vehicular Pursuits



2011

**Prepared for:
Office of the Sheriff**

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Executive Summary

In the previous five years, vehicular pursuits have ranged from fifty (50) to fifty-eight (58) annual pursuits, with the average being fifty-four (54). However, in 2011 the number of pursuits fell to the lowest number recorded in the past twelve years. Thirty-nine (39) pursuits were recorded in 2011, which is a twenty-five percent¹ drop from the year before.

Policy changes, training (both formal and at squad level) and Awareness Reports appear to have dramatically reduced the number of annual pursuits from a high of 269 in 2004 to the 'new' low of thirty-nine (39) in 2011.

Several observations can be made:

- In 2011, a comparable agency (Phoenix) reported in 2010 just under thirty pursuits. Phoenix does not have 2011 data, but expects it to be at or slightly higher than 2010.
- The initial reason for a pursuit was felonies, with almost seventy percent (68-69%) for the past two years.
- Twenty-one percent (21%) of the pursuits were concluded by the driver stopping voluntarily. This has been a consistent observation for the past five years.
- When Air Support assisted, the apprehension rate was at its highest recorded level of ninety (90%) percent.
- The known racial and ethnicity of the pursued drivers broke into four classifications:
 - 1) Hispanic (40%), 2) White (34%), 3) Black (20%), and 4) Asian/Pacific (6%).
 - Nevada's state demographer's estimates for Clark County racial and ethnic breakdown for 2010 are: 1) White (54%), 2) Hispanic (29%), 3) Black (9%), and 4) Asian/Pacific (8%).
- With the total number of pursuits dropping over twenty-five percent, it appears anomalous that NEAC and BAC Area Commands marginally increased the number of pursuits over the previous year.

¹ 26.4%.

Table of Charts

| <u>Description</u> | <u>Page</u> |
|---|-------------|
| Vehicular Pursuits: 2004 through 2011 | 1 |
| Number of Apprehensions | 2 |
| Original Violation Observed | 3 |
| Percentage of Felonies to Non-Felonies | 3 |
| Most Serious Violation after Discontinuance by Agency | 4 |
| Pursuit Origination Point (Area Command) | 5 |
| Stop Stick Success | 5 |
| Circumstances of the Pursuit | 6 |
| Day of the Week | 7 |
| Pursuits Terminated by Distance | 7 |
| Helicopter Usage | 8 |
| Blue Team Omissions | 9 |
| Lawsuits | 9 |
| Cost of Vehicle Repairs | 10 |

Vehicular Pursuit Report

Introduction

This comparative analysis² addresses Las Vegas Metropolitan Police Department's vehicular pursuits from 2004 through 2011. The report has four basic components:

- Executive Summary,
- The body of the report contains Vehicular Pursuit information collected throughout this period,
- Issues and Observations, and
- Methodology and Purpose.

| Vehicular Pursuits: 2004 through 2011 ³ | | | | | | | | |
|--|------------|----------|-----------|-----------|-----------|-----------|------------|-------------|
| Total Number of Pursuits | | | | | | | | |
| | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
| Pursuits | 269 | 254 | 50 | 51 | 58 | 57 | 53 | 39 |
| # of Policy Revisions | 0 | 3 | 0 | 0 | 0 | 2* | 1** | 0 |
| Training & Awareness Publication(s) | - | - | - | - | - | - | - | 2*** |

*PO-73-09 and GO-35-09 (Safe Driving Policy)

** Most of the changes or explanations regarded PIT.

** New course developed and a Field Awareness Publication was introduced.

In the previous seven (7) years listed, the number of vehicular pursuits had a significant correlation to the revision dates for the pursuit policy, albeit with a year lag time. However in 2011, two significant changes were incorporated bringing more awareness to the issue of pursuits and officer safety, reducing the total number of pursuits.

This marked reduction of pursuits is the first significant downward trend since 2006.

² General Order 35-09: The Office of Internal Affairs will prepare an annual analysis report of vehicular pursuits. Office of Quality Assurance has assumed this responsibility.

³ Vehicular pursuits from 2004 and 2005 are immaterial for this discussion and are dropped from this review. Next year's report will not include 2004 & 2005 in their entirety.

Number of Pursuits Put Into Perspective

2006 thru 2010: The number of pursuits was averaging just fewer than 54 pursuits per year.

2011: There was **more than a 25% reduction in the total number of pursuits** from the previous year. Total pursuits in 2011 was 39.

| Apprehensions and Number of Terminated Pursuits | | | | | | |
|--|------|------|------|------|------|------|
| | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
| # of Pursuits | 50 | 51 | 58 | 57 | 53 | 39 |
| # of Apprehensions | 42 | 38 | 45 | 39 | 44 | 39 |
| Discontinuance by Agency | * | 14 | 12 | 10 | 17 | 9 |
| Percentage of discontinuance by agency to the total number of pursuits | * | 28% | 21% | 18% | 32% | 23% |

*Not Available.

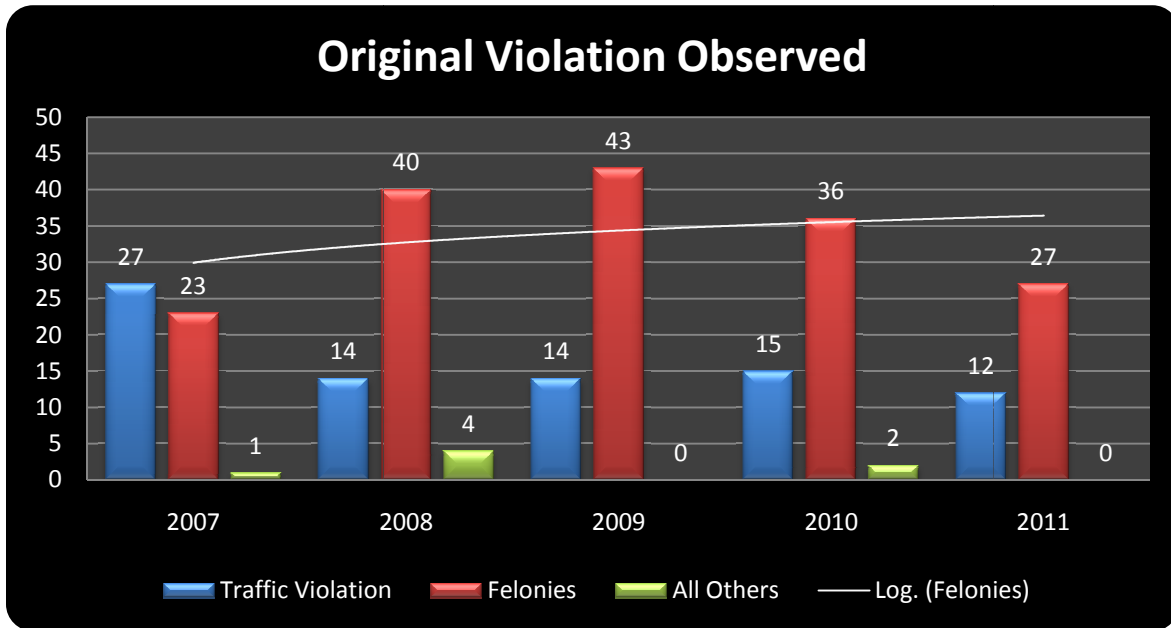
The past two years (2010 – 2011) have had the least amount of pursuits going full term (without being terminated) compared to the past five years. In 2010 there were thirty-six (36) pursuits and in 2011 the number of pursuits dropped to thirty (30) pursuits.

The actual number of supervisory interventions during a pursuit was the lowest for the past five years. This trend may be indicative that more awareness of low frequency/high risk events can be positively impacted by squad discussions, Awareness Reports and training.

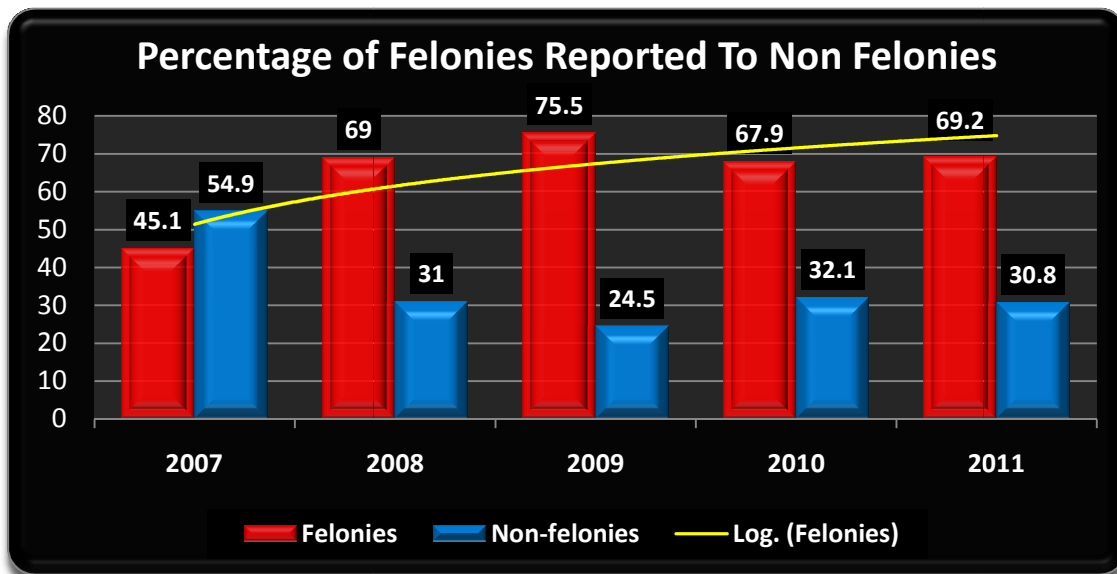
In 2011, a total of thirty-nine (39) arrests were made with several having two or more arrests in one pursuit. Due to the reporting methodology, officers can and do include arrests that are the direct and indirect fruits of their pursuit(s), and therefore the arrest data somewhat skews⁴ the data for this report.

⁴ Utilizing the IA-PRO system, all self-reported arrests are included. Thus IA-Pro does provide the reviewer with the final arrest or success rate, where a pursuit was a significant event in the incident.

Original Violation Observed:

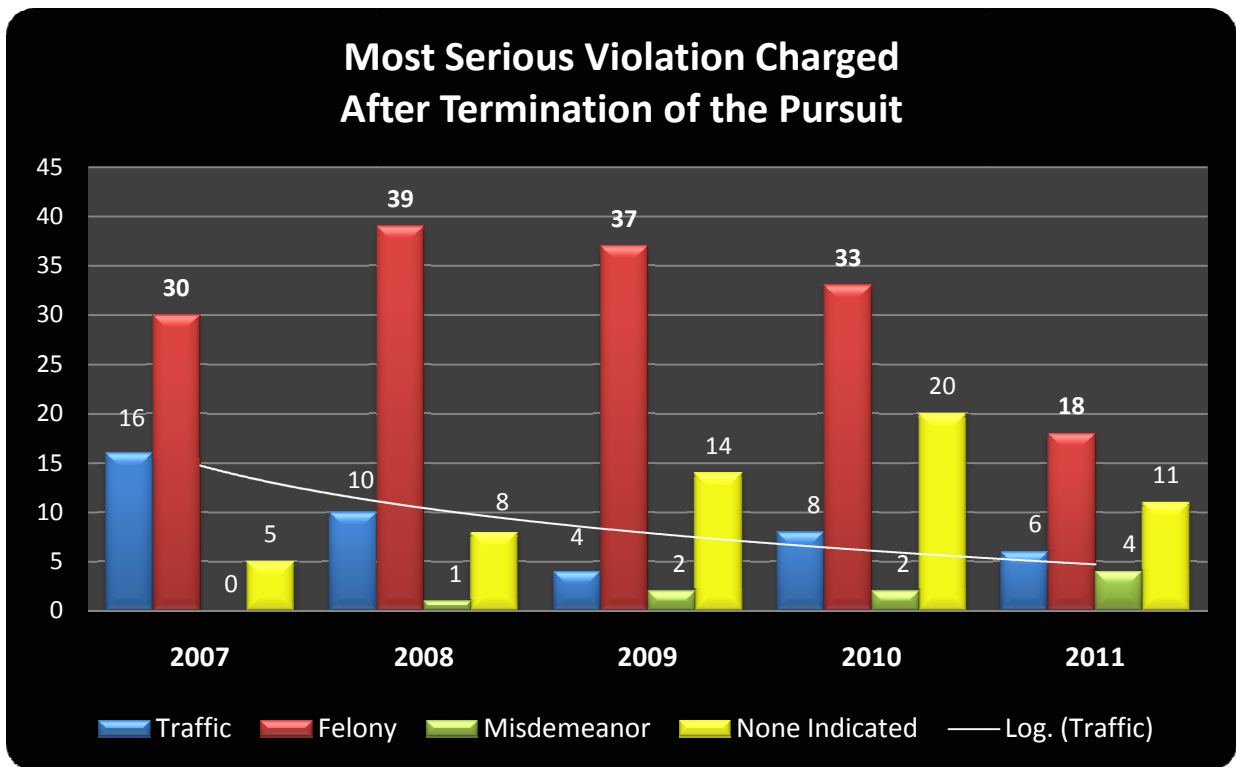


In the past four years, felonies have been the original violation recorded almost seventy percent (69%) of the time.



Approximately thirty (29%) percent of the felonies were for property crimes, traffic infractions, or misdemeanors, but were listed as felonies in IA-PRO. Without IA-PRO distinguishing between violent felonies and property crimes this will continue to be a weakness of the system.

Most Serious Violation Charged to Suspect:



“None Indicated” includes terminated, not listed in Blue Team and/or escaped events.

The trend line demonstrates that the relative number of pursuits resulting in a traffic-type infraction is trending downward.

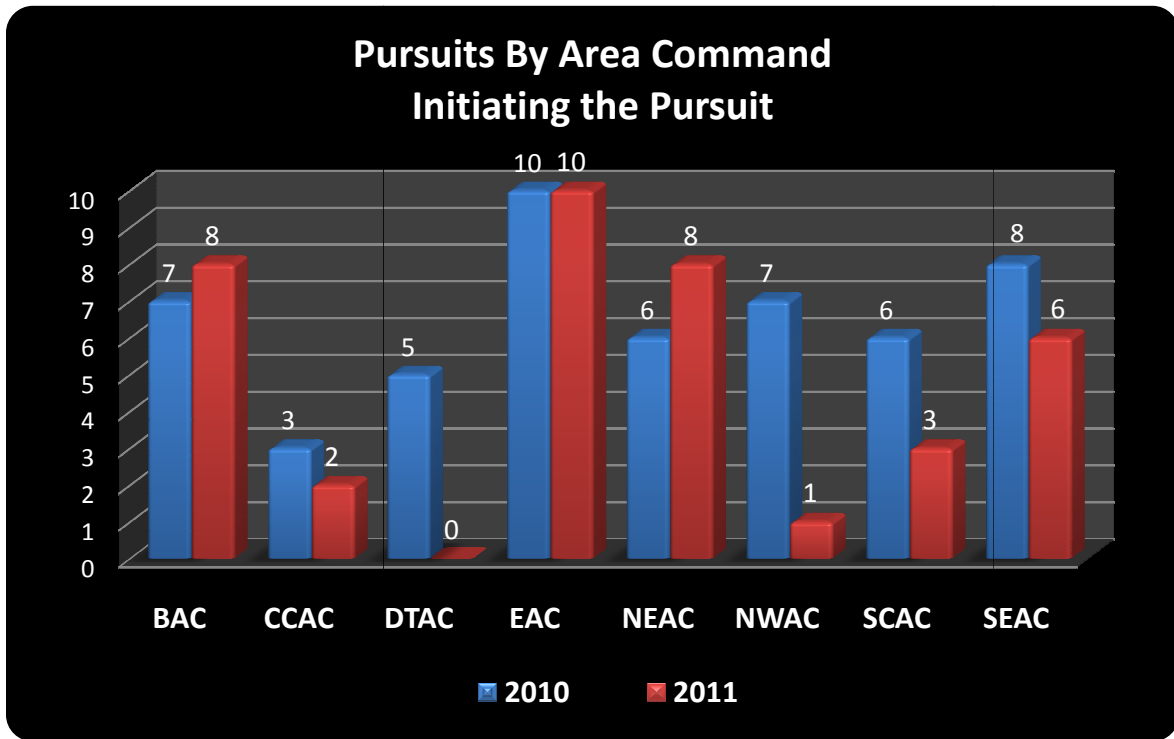
Over sixty-four percent (64.3%) of the pursuits ultimately resulted in a felony⁵.

Patrol Pursuits:

Pursuits are primarily handled by Patrol, or they become the primary vehicle in the majority of pursuits (see chart next page). The origination points for most pursuits by area command in 2011 were the Enterprise Area Command and the Southeast Area Command.

Normal distribution of pursuits would be expected. If demographics, such as geographic size and residential/commercial mix were considered, the 2011 numbers would appear to be a normal range of incidents, except for Northwest Area Command which is a large geographic area with only one pursuit.

⁵ Figure was calculated on the basis of actual arrests (excluding the column entitled ‘None Indicated’). Nine pursuits were terminated, and two events were citizens in medical crisis.



Enterprise Area Command has been at the top or near the top for the past three years regarding the most pursuits, which may not be surprising considering their geographic boundaries.

However, it is noteworthy that both Downtown Area Command (DTAC) and the Northwest Area Command (NWAC) had significant decreases that cannot be explained by the 25% drop in the total number of pursuits. DTAC had eight (8) pursuits in 2008, and in the next three years their cumulative total has been a total of eight (8) pursuits. The Area Command that consistently averages the fewest pursuits is the Convention Center with eight (8) pursuits over the **past four (4) years** or two (2) pursuits a year.

Stop Stick Success Rate:

| Stop Stick Utilization Rate | 2007 | 2008 | 2009 | 2010 | 2011 |
|-----------------------------|------|------|------|------|------|
| Number of Pursuits | 51 | 58 | 57 | 53 | 39 |
| Utilized | 3 | 4 | 7 | 9 | 6 |
| Successfully Utilized | - | - | 4 | 6 | 4 |

In 2009, stop sticks were listed as being used seven times with a success rate of approximately fifty-seven percent (57%)⁶; whereas, for the past two years stop sticks were utilized successfully sixty-seven percent (67%) of the time. In 2011 there were thirty (30) pursuits that were not terminated, with twenty (20%) percent of the pursuits utilizing stop sticks.

| Two Key Comparisons | 2010 | 2011 | Difference |
|--|------|------|------------|
| Pursuit Terminated by Law Enforcement Agency | 32% | 23% | - 9% |
| Stop Sticks Deployed | 17% | 20% | +3% |

Circumstances during the Pursuit:

| Circumstances of Pursuit Conclusions | 2007 | 2008 | 2009 | 2010 | 2011 |
|--|------|------|------|------------|------|
| Description | % | % | % | % | % |
| Pursued driver voluntarily stopped | 22% | 22% | 21% | 25% | 21% |
| Forcible stop (P.I.T.) | 12% | 12% | 11% | 8% | 18% |
| Pursuit aborted by law enforcement agency | 28% | 21% | 18% | 32% | 23% |
| Pursued vehicle involved in a collision (minus PIT) or disabled | 14% | 10% | 14% | 26% | 21% |
| Pursued vehicle escaped pursuing vehicles | 4% | 9% | 9% | 9% | 3% |

Pursuits by the Month:

Charting monthly pursuits revealed that pursuits plummeted in April (1) and was the busiest in August (7). However with such small numbers, the relevance of the high month versus a low month may appear indicative, when statistically not significant for deployment strategies. As an example, the seven pursuits in August ranged from 0200 hours in the morning to 2300 hours at night, and from Tuesday through Saturday.

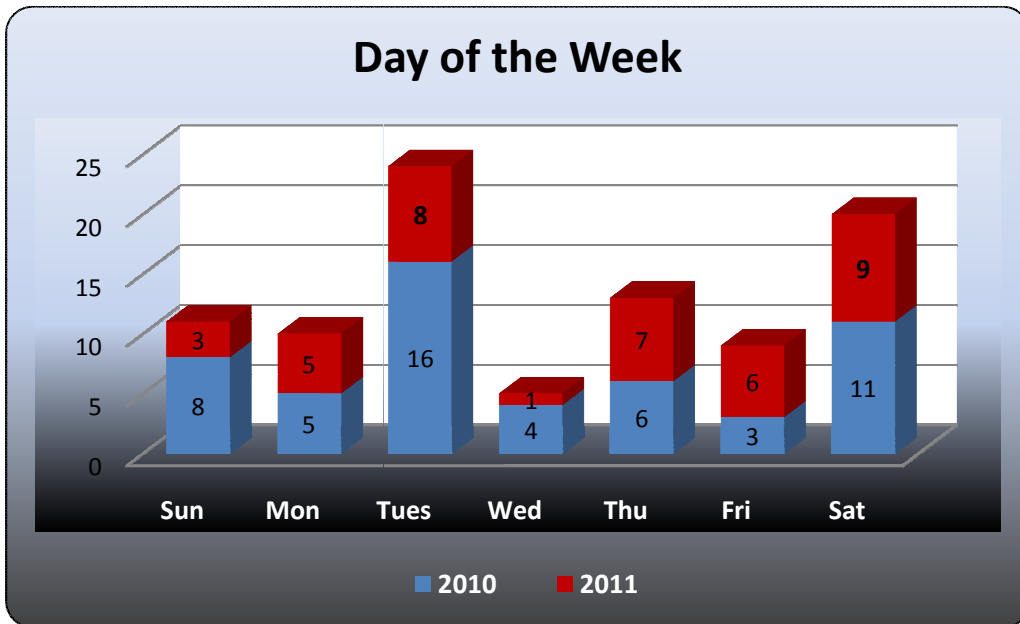
Pursuits by Hour of the Day:

Reviewing pursuits by the hour of the day has revealed no significant nexus. With such a limited number of pursuits, no meaningful conclusion could be drawn.

⁶ Caveat: Narratives by the officers indicated that on at least two other occasions they were unsuccessfully utilized before officer(s) utilized the P.I.T. method successfully.

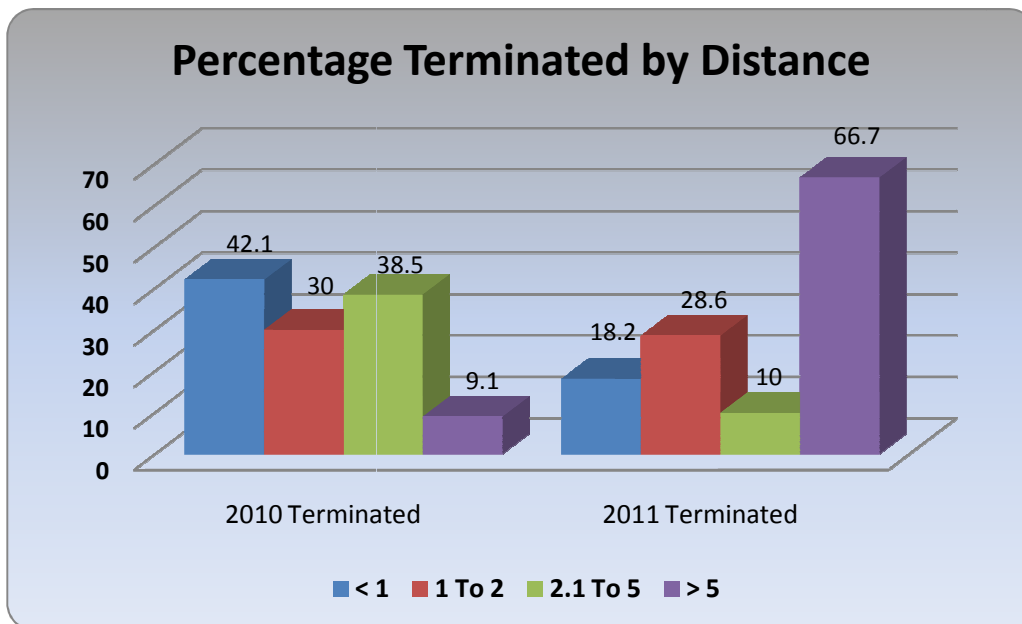
Pursuits by Day of the Week:

No explanation could be ascertained regarding Tuesday's spike, but in 2011 no discernable preference was found.



Pursuits by Distance:

Within the first five miles of the start of a pursuit, nearly forty (38.1%) percent of the pursuits in 2010 were terminated. However, in 2011 the percentage of terminations dramatically dropped to twenty (20.0%) percent in the first five miles.



Several factors may have impacted this figure:

- The low number of overall pursuits compared to the year before (53 to 39),
- The increased awareness through ANs, Roll Call, and publications (Awareness Reports and Fieldtactics articles), and/or
- The training of over 120 officers, sergeants and above regarding pursuits.

Although 2011 had a substantial percentage spike in discontinuances by agency that were over five (5) miles in duration, it can be explained by the low number of pursuits (3) fitting that category.

Helicopter Intervention Provided:

| Year | Assistance Provided | Apprehension (When Assisted) |
|------|---------------------|------------------------------|
| 2007 | 37% | 68% |
| 2008 | 34% | 85% |
| 2009 | 33% | 84% |
| 2010 | 43% | 83% |
| 2011 | 26% ⁷ | 90% |

Please note 2011 flight time hours were substantially reduced.

Suspect Demographics:

Over the past four years, males have been arrested ninety-one percent (91%) to ninety-four percent (94%) of the time. On the other hand, females were consistent at about 5% - 7.5% of the fleeing drivers. Female drivers in 2011 made up slightly more than the normal range with 8.6% being arrested.

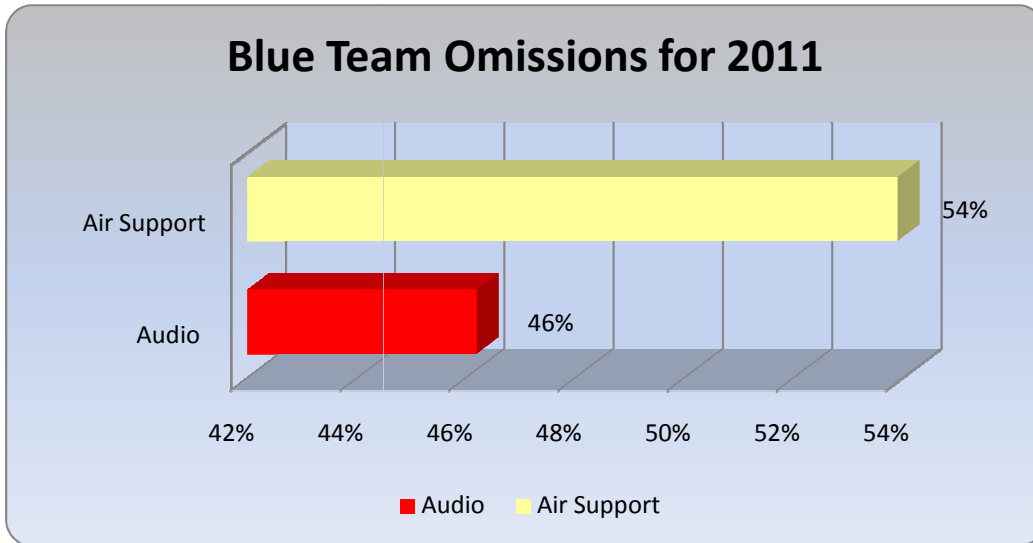
Most (57.1%) of the suspects were twenty-five (25) years or older, with only six (6.0%) percent under 20 years of age.

The known racial and ethnicity of the pursued drivers broke into four classifications: 1) Hispanic (40%), 2) White (34%), 3) Black (20%), and 4) Asian/Pacific (6%).

Nevada's state demographer's estimates for Clark County racial and ethnic breakdown for 2010 are: 1) White (54%), 2) Hispanic (29%), 3) Black (9%), and 4) Asian/Pacific (8%).

⁷ Due to the low number of pursuits and the reduced hours of flight time this chart may skew the 'Assistance Provided' figure when compared to other years.

Significant Omissions from Blue Team Reports:



Helicopter support was **not** indicated (i.e., Helicopter Available, Helicopter Assisted) on the majority of the reports by the officers.

In forty-six (46%) of the pursuits, the audio file was **not** attached to the Blue Team report.

Cost & Liability:

Increased liability and associated costs do not automatically and directly correlate to the sheer number of pursuits conducted.

Factors such as: the reason for initiating the pursuit, the overall and maximum speed attained, factors of citizen and officer safety, offender’s driving behavior, and the duration of the pursuits, can either increase LVMPD’s liability exposure marginally or exponentially.

**Lawsuits and Cost of Repairs
(Stats from Risk Management)**

| Lawsuits | | | | |
|-------------------|-----------------|---------------|---------------------------|---------------|
| Year | Number of Cases | Cases Settled | Cases Settled with Payout | Total Payouts |
| 2008 | 0 | 0 | 0 | 0 |
| 2009 | 1 | 0 | 1 | \$130,000 |
| 2010 ⁸ | 1 | 0 | 0 | Still Active |
| 2011 | 0 | 0 | 0 | 0 |

⁸ Carillo fatality

An additional cost of the pursuits is the cost of accidents or repairs caused by the pursuit.

| Cost of Repairs On LVMPD Vehicles (Fleet Service Records) | | |
|--|----------------------------|-------------------|
| Year | Number of Incidents | Total Cost |
| 2008 | 13 | \$45,890 |
| 2009 | 15 | \$38,781 |
| 2010 | 10 | \$25,427 |
| 2011 | 5 | \$22,002 |

Approximately one out of every eight (8) pursuits resulted in some degree of repair.

Statement of Complaint Actions Taken:

Statement of Complaints that were opened due to a pursuit was a small percentage of the cases reviewed in Internal Affairs.

In 2011, there have been two SOC's with one closed with no policy violation, and the other was closed with supervisor intervention.

Watch Commander Log(s):

The correlation between the Watch Commander's Logs to the IA-Pro Pursuit reports demonstrated that no consistent method of reporting pursuits in the Watch Commander's Logs has been institutionalized. With under sixty (51.3%) percent of the pursuits⁹ listed in the Watch Commander's logs, it only presents part of the picture regarding the scope of pursuits. However, the Watch Commander logs did indicate possible pursuits that did **not** have a corresponding pursuit report in the system. This possible under reporting of approximately ten (10%) percent of pursuits for the year, while not large in percentage, can alter the overall perception regarding pursuits.

⁹ 51.3%. If you take out the terminated pursuits the percentage of pursuits not listed in the Watch Commander logs drops to 44.1%.

End of Substantive Report

Final Comparison:

Phoenix Police Department's policy specifically states that "pursuits will not be initiated for traffic violations, stolen vehicles, misdemeanors, and non-violent felonies" (Operations Order 4.2, pg.6, revised 6/09). Their number of vehicular pursuits went from 53 in 2008 to 29 in 2010. Phoenix has not compiled their statistics for 2011, but indicated 'it was about the same as 2010, if not a bit higher'.

Methodology and Purpose

Purpose -

To analyze pursuits with both transparency and accountability for the Department, as well as the community in which we serve. The assessment, trend lines, and report will follow standard protocols of the industry, be objective¹⁰, fact based and reliable. This report reviews historical and current pursuit evidence, analyzes the components and factors, and presents findings and trends.

Scope -

Pursuit information will be gleaned from a variety of sources and databases, such as: DOC, Crime Analysis, IA-Pro, Risk Management and archival material. Evaluation of their veracity in compiling statistical components is outside the scope of this review.

Methodology -

Historically the primary instrument used for annual reporting was the Vehicular Pursuit Report form (LVMPD 174), but in 2008 the Department moved to utilizing an on-line reporting system (Blue Team). The report may omit or footnote data that does not reach a level of accuracy and reliability from historical data. With improvements to Blue Team, future annual reports will have higher confidence levels as data is captured and standardized.

The report is designed to provide a gauge of general trends and to be proactive by illustrating key indicators of new issues as they are evident on an annual basis. The assumption is that a proactive review will potentially save lives, protect property, and ensure that risks are perceived and reviewed.

Additionally, this report will address CALEA standard 41.2.2 which states in part, "*A written directive governs pursuit of motor vehicles, to include: . . . (Subsection) j .conducting an annual, documented analysis of those (pursuit) reports*". The CALEA Commentary places this rule in perspective with these directions, "*A review of incidents involving vehicle pursuits may reveal patterns or trends that indicate training needs and/or policy modifications*". Another CALEA standard, 41.2.3 indicates in part that "*... a written report and an administrative review of each such incident*" is required, which LVMPD completes both through the Blue Team case by case review and the Annual Pursuit Report

Modified Compliance Statement -

The auditor performed the review in accordance with GAGAS principals, but departed from review/approval oversight protocol, and found reliability of historical data weak in their controls.

¹⁰ Report is independent of any known contextual bias.

End of the Report

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