

Pursuit-related crashes, on average, kill three innocent bystanders every week.



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June 12, 2015

The Honorable Barbara Boxer
112 Hart Senate Office Building
United States Senate
Washington, DC 20510

The Honorable Cory Booker
359 Dirksen Senate Office Building
United States Senate
Washington, DC 20510

Dear Senators Boxer and Booker:

Re: Support for Police Reporting of Information, Data, and Evidence Act

We write on behalf of PursuitSAFETY, a national nonprofit 501(c)3 organization committed to reducing the number of deaths and injuries that result from vehicular police pursuit and police response call crashes. We are following your proposed “Police Reporting of Information, Data, and Evidence Act,” which would require states to gather and report data on instances of police-involved shootings to the Justice Department. This proposal marks an important step in the direction of bringing better accountability to police uses of lethal force. **We respectfully request that you extend the proposal to include data collection on vehicular police pursuits and police response call crashes resulting in deaths or injuries.**

Our organization works with law enforcement to prevent pursuit-related deaths and injuries, especially those of innocent bystanders and police officers. The research we have on police pursuits—including a study by the International Association of Chiefs of Police (IACP) between February 2001 and May 2007—suggests that on average, **one American dies each day as the result of a vehicular pursuit, and that about three deaths per week are of innocent bystanders.** In addition, we estimate that pursuits result in one law enforcement officer death every six weeks. The IACP database, which relied on voluntary reporting from 56 departments across the nation, found that 9% of pursuits result in personal injury,¹ 16% of these being serious and 3% being fatal.² These estimates probably underestimate the problem, however, since the data was voluntarily submitted by departments who were already committed enough to self-scrutiny to participate in the study.³

The IACP research found that 42.3% of all pursuits begin after officers attempt stops for misdemeanor traffic violations.⁴ This circumstance brings to mind certain officer-involved shootings that have provoked recent outrage, when an encounter between police and a person suspected of a minor violation culminated in a shooting death. We would point out a key difference between the two uses of lethal force—the officer’s use of firearms versus the officer’s use of vehicular pursuit: typically, even ill-trained officers and those willfully violating their own departmental policies use firearms only when they are able to target the suspect alone.

By contrast, vehicular pursuits put large numbers of uninvolved motorists and pedestrians at risk. To draw the contrast more clearly, imagine that an officer pursuing a suspect fleeing on foot were to fire into an urban intersection crowded with pedestrians. This approximates what occurs on a daily basis as law enforcement officers give pursuit. Both fleeing drivers and

¹ Cynthia Lum and George Fachner, Police Pursuits in an Age of Innovation and Reform, International Association of Chiefs of Police, September 2008 (hereafter referred to as IACP Database), p. 57

² IACP Database, p. 57

³ Lum and Fachner’s report on the IACP database notes that “the agencies who voluntarily participated . . . are not a representative sample, and . . . we are unsure whether each agency submitted all pursuits which occurred in their jurisdiction” (p. 55). Still, the report found that approximately 11 pursuits per every 100 officers occur each year (p. 56).

⁴ IACP Database, p. 56



A National Nonprofit Organization,
PursuitSAFETY is working to
reduce deaths and injuries as
a result of unnecessary police
pursuits and response calls.

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pursuing vehicles travel at elevated speeds, disregarding traffic controls at cross streets, in effect sending multi-ton missiles across the path of unsuspecting motorists who do not hear sirens until it is too late to get out of the way.

Public concern over unjustified officer-involved shootings has grown dramatically in recent months. Unfortunately, public awareness of pursuit-related deaths and injuries remains low. We recently saw an officer who shot a non-violent suspect fleeing on foot rightfully arrested for murder. By contrast, officers who pursue non-violent driver suspects at high speed, not relenting until a crash occurs, are generally thought to be acting within the law. Although many departments have adopted restrictive pursuit policies, officers who violate the policies are rarely found liable even in civil proceedings.

As Senator Booker observes, “The first step in fixing a problem is understanding the extent of the problem you have. Justice and accountability go hand in hand—but without reliable data it’s difficult to hold people accountable or create effective policies that change the status quo.”

We heartily agree. Our organization is working with limited funds to document the pursuits that occurred in 2014, but we must rely on media reporting, which is incomplete. National legislation mandating the reporting of vehicular pursuits would lead to a much more accurate measure of the dangers presented by vehicular pursuits. Since your bill will already put a reporting mechanism into place, adding another category of death and injury reports should not present significant additional costs.

Once the government implements mandatory data collection on vehicular police pursuits, we can more effectively advocate alternative suspect apprehension methods.

Alternatives do exist. Law enforcement agencies have used various strategies to prevent pursuits, perhaps the most important one being investigative work. When nonviolent offenders flee unexpectedly, many progressive departments opt to discontinue pursuit after recording the drivers’ identifying information so that arrests can be made later. Other departments use an interagency approach making extensive use of two-way radios and other forms of communications that connect a large community of police.

PursuitSAFETY’s annual “Safer Way Award” recognizes law enforcement departments and officers who avoid pursuits by using safer apprehension methods. We present this award at the yearly IACP Conference and Exposition. With accurate and comprehensive data on the pursuit problem, we will become better advocates for safer apprehension procedures.

Thank you for considering our request to include data collection on vehicular police pursuits and police response calls in your proposed bill. We invite you to contact us for further information. In the meantime, we await your favorable response to our request.

Sincerely,

*Signed on behalf of PursuitSAFETY’s Board of Directors
and Professional Advisory Board listed in the right-hand column*



Candy Priano
Board Chair



Esther Seoanes
Executive Director

Also signed by,



Ellen Deitz Tucker
Media Relations Associate



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