

REFERENCE GUIDE FOR PEACE OFFICERS



COMPASSION



MISSION STATEMENT

PursuitSAFETY[®], a national 501(c)(3) nonprofit organization, is committed to reducing the number of deaths and injuries as a result of vehicular police pursuit and response call crashes. We are working for a safer way[®] to prevent these tragedies from happening to others and to save lives, especially innocent bystanders and police officers.

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With special thanks to Commissioner Joseph A. Farrow

of the California Highway Patrol. During a meeting with Candy Priano, Commissioner Farrow brought up the concept for this guide.

He stated, "With all of the accumulated research and lessons learned, this information needs to be shared with law enforcement and the public."

Reference Guide for Peace Officers

VEHICULAR POLICE PURSUITS AND INNOCENT BYSTANDERS

At PursuitSAFETY, we say, "Thank you" to peace officers who keep our roads safer and put themselves in harm's way every day as they strive to keep their communities safe.

This Reference Guide for Peace Officers evolved because career officers who serve on PursuitSAFETY's Professional Advisory Board believe "**Protect and Serve**" encapsulates what officers do each day. They also understand that the duty of law enforcement to protect and serve the public extends to communication with crime victims about law enforcement procedures. Innocent bystanders killed or injured as a result of vehicular police pursuit crashes are crime victims, too. Yet, bereaved families and the injured say they were treated as "accident" victims and received little, if any, information from the involved law enforcement agency. They also note that all too often the police chief of the involved law enforcement agency never spoke to them or expressed condolences. It may be a challenge for chiefs to respond with sensitivity and compassion to these victims while supporting the officers who work under them in their often difficult and dangerous work.

We prepared this guide because we believe in the promise that law enforcement personnel and their departments are set up to protect us and to treat all crime victims with sensitivity and compassion. PursuitSAFETY, a national 501(c)(3) nonprofit

organization, provides a safe place for bereaved families and injured innocent victims of pursuit to turn to for the support they need. The organization advances programs that help reduce the number of pursuits and, consequently, saves the lives of police officers and bystanders. PursuitSAFETY surveyed family members of innocent bystanders killed or injured as a result of police pursuit crashes. We asked them to describe the way law enforcement communicated with them at the time of their family tragedy. We found that in almost every case, law enforcement avoided communication with bereaved families and injured victims.

This guide offers a better way to deal with the aftermath of these tragic events. Correctly handled, your responses can build public trust in your agency, relieve a burden of accusation on the involved officers, and help the department to improve its procedures and effectiveness. When it happens in your law enforcement family, you now have a reference. You now have a tool to help the families you protect and serve every day.



1 COMMUNICATION

Before it happens, devise *a plan*.

Within the department's pursuit policy and procedures include an authorized plan regarding communication with innocent bystanders and their families. Having an effective communication plan in place when the need arises will make your response more assured.

Confirm with the city/county legal representatives what can and cannot be communicated. Be truthful, especially since families will learn that law enforcement often has various immunity shields that protect them from civil liability.

Promise only what you realistically can do. Then, *follow through on your commitments*.

You will need to reconnect with injured victims or bereaved family members to explain how you handled their request(s). In the beginning, the family will not have the strength to contact you, so it will be up to you to maintain communication with them.

2 AT THE CRASH SITE

An officer involved in the pursuit should immediately disengage and assist innocent bystanders should a crash occur. The need for possible *medical attention takes PRIORITY!* If only one officer is in pursuit and an urgent apprehension is necessary for public safety then promptly assign the nearest officer to the crash site.

Innocent bystanders and bereaved families say it took too long for someone to come to their aid. They question whether their loved ones would have survived if help had arrived sooner.

Comment: Bereaved families have read in newspapers that all officers on the scene went to the fleeing driver's vehicle first. This communicates to them that law enforcement officials think their loved ones were not important. A mother shared how a passerby later told her, "I felt your son's pulse at the crash site, but no one was paying attention to him." Her son was alive and later died. A daughter learned that her father, killed when a fleeing driver crashed into him, was left dead in his truck for four hours.

The officer assigned to attend to the survivors will be the first to communicate with them.



The officer assigned to help innocent bystanders at the crash site needs to ensure their safety and comfort. The officer needs to explain to them in the least traumatic way possible what is going on and what help they will receive: an update on their loved ones' condition, transportation to the hospital where their loved ones were taken, etc. Do not leave survivors alone. They are disoriented and may walk away if no one is talking to them.

Comment: Innocent bystanders and/or families do not know what happened. Tell innocent bystanders that the crash was a result of a vehicular police pursuit. They need to know that they did not cause the crash. They may be looking at a loved one deceased or dying or disfigured.

3 At the Hospital/at the Family's Home PROVIDE MORE INFORMATION

The police chief or an assigned ranking officer needs to speak with family members of the victims, even if the family is keeping vigil in the hospital with their loved ones.

It helps if the assigned ranking officer has crisis intervention training.

Locate and work with the hospital/police chaplain and hospital social worker to provide information to hospitalized family members about the medical condition of their loved ones.

PursuitSAFETY's victims' advocate:
*Candy Priano, 530-343-9754,
candy.priano@pursuitsafety.org*

Show compassion during interviews you conduct with family members.



The chief or assigned officer needs to provide truthful answers to the family's questions and provide more information about the pursuit than the family was given at the crash site.

The chief or assigned officer needs to provide the family with a prepared informational sheet, including contact information for the assigned officer, victims' services, the district attorney's office, PursuitSAFETY's victims' advocate (listed in left column), and other pertinent agencies. For each government agency or organization, provide the following information: agency or organization's name, address and phone number; the name of the contact person, their e-mail address and direct phone number.

The name, e-mail address, and direct phone number will prevent the family from getting caught in a "transfer phone loop." Offer to send this informational sheet via e-mail, as well. Victims' services and government agencies do not always get back to the victims. During a follow-up call with the family, the officer needs to ask if these other services are helping the family.

***Comment:** At the hospital and even at home, injured bystanders and surviving family members are still in shock. One moment they were minding their own business. The next moment, their loved ones were killed or injured.*

We understand an officer needs to interview all the witnesses. **How an officer conducts this interview is critical.** The involved department's officers know more about what happened than the innocent bystanders, who are now in shock. It is recommended to take a brief preliminary verbal statement at the first contact and a detailed interview with survivors after one or two sleep cycles.

***Comment:** Families say officers have treated them as if they did something wrong. Officers have "intimidated," "cornered," and ordered them to sit down for the "interrogation" while their loved ones were dying. Families have described the actions of officers at the crash site or hospital as "uncaring."*

Officers need to be aware that family members may arrive at the scene. They need to be TREATED WITH COMPASSION.

4 MEDIA

Media coverage of the crash will begin within hours, at a time when the family has just heard the news or perhaps has not heard the news at all. The story you give the media should not reveal details you have not shared with the family. If you are sending out your own press releases to TV stations and newspapers, *you need to speak to the family first*. If possible, provide copies of press releases to the family.

Families of innocent victims need to find out what happened from the chief or the assigned officer—not by watching the TV news or reading about it in the newspapers.

Comment: *Innocent bystanders and/or families have shared that they learned everything about the pursuit from the media. They learned by watching the TV news, reading newspaper stories, or clicking on an online news story. Others received details of the pursuit from a third party. In the days following a crash, new details sometimes emerge in the media as journalists pose questions. This prolongs the family's trauma. One family learned from the news that officers did not arrest the fleeing driver until 21 days after the crash, even though their child, an innocent bystander, had died within a week of the crash.*

5 OFFER ASSISTANCE TO THE FAMILY

Offer transportation assistance to the family in regard to picking up out-of-town relatives from the airport and taking them to their destination, i.e., hotel, hospital, family home.

Families may welcome this gesture of help during this time of grief and turmoil when loved ones have been killed or injured. Please understand that even if the family rejects your offers of help, they will remember that you reached out to them.

Comment: *Families have talked about their hardships when this pursuit tragedy occurs and they are scrambling to get their out-of-town relatives near them.*

6 FUNERAL PROTOCOL

The officer assigned to attend to the survivors will be the first to communicate with them.



If appropriate, make this offer to the head of the family or another close immediate family member who has been a decision-maker. Tell them you or a patrol officer will contact them the next day for their answer, so that they have time to consult other family members. This offer may or may not be welcomed by the family. Afford the bereaved family members this respect.

Even within the family, each person will have a different view about this offer. For example, the victim's spouse may take a view that differs from that of the victim's parents. Sometimes, parents of a victim are divorced, so explain that you wish to allow time for the family to discuss this.

Comment: *Our survey showed that some family members would welcome this offer and others would not. Those who said they would not accept the offer noted that the police chief had not contacted them at the hospital or afterward. Others stated that the chief did speak to the family but lied to them.*

7 POLICE ESCORT FOR FUNERAL PROCESSION

The assigned officer must know the department's policy on escorts for funeral procession. The officer will need to discuss this with the family and the funeral director.

These citizens did not offer to be the means to stop pursuits. They were people just like you or me doing the same things you or I do. They were individuals and families going about their day-to-day business—driving to and from work, the movies, the mall, or picking up their children from school or day care. They were also babies and toddlers sleeping in their car seats after a fun day at grandma's house.



8 DAILY AND FUTURE INTERACTION

If the police chief has not yet spoken with the family, he/she should request a meeting with them within a week of the crash.

The chief needs to make personal contact with innocent victims and/or the head(s) of the family even though another officer is assigned to the family. Direct contact with these crime victims is imperative. It will show that the chief does care.

Comment: *Bystanders and families left behind have spoken about what they perceive as law enforcement leaders summarily dismissing the lives of their loved ones.*

A common quote: *"They didn't care about my family; they cared about 'someone else.' ... They spoke of having to catch the fleeing driver to protect 'someone else.' Wasn't my son, my husband, my daughter as important as 'someone else'?"*

9 CRIMINAL TRIAL

Continue to keep lines of communication open with the family during criminal trials.

Ensure that the assigned officer and the prosecutor keep the family informed of possible plea negotiations, court appearances and court proceedings. Show support for the family by requiring officers to attend the trial, even trials and hearings for juvenile offenders.

10 PARTING COMMENTS



"Showing compassion is not admitting guilt. It is the moral and ethical thing to do. It will strengthen the community's faith and trust in your department. Policy, training, supervision, and discipline are needed to prevent these tragic events from happening. Should an incident involve your department, I hope you can say, 'I did everything I could to protect the people of my community and my police officers.' "

Richard E. Schardan, Sr., Police Chief (Retired),
Maryville, Illinois and PursuitSAFETY Advisory Board Member

"Police officers have told me that 'Collateral Damage has no place in law enforcement.' Professional and caring officers throughout the world support my advocacy to reduce the number of vehicular police pursuits. These officers helped rebuild my trust in law enforcement. I had lost this trust in 2002 because the involved police department treated my family with resentful silence as we buried our 15-year-old daughter Kristie, an innocent bystander."

Candy Priano, Founder of PursuitSAFETY,
a national nonprofit organization committed to saving
the lives of innocent bystanders and police officers



"By treating innocent victims of police pursuits as the victims that they are, the pursuing agency will go a long way toward healing the pain of an overwhelmingly tragic event. Always remember that no one volunteered to be a rolling road block to stop a police pursuit and deaths or serious injuries under such circumstances are very difficult for loved ones to understand!"

D.P. Van Blaricom, Police Chief (Retired), Bellevue, Washington
and PursuitSAFETY Advisory Board Member



"Compassion can go a long way. The day after my husband James Williford was killed the police were quick to say they followed policy and moved the blame onto others. They forgot to respect the loss of a great man who obeyed all laws and minimized the innocent grieving family. Compassion from LEO would have been well received."

Esther Seoanes, Acute Care Nurse Practitioner
and PursuitSAFETY Executive Director

"The responsibility of the pursuit goes further than just apprehending the suspect(s). The needs of those who are indirectly affected need to be addressed. It is important to include care for bystanders in any pursuit policy."

Thomas Gleason, Captain (Retired),
Founder and Trainer of Honor the Badge; Ret. Sgt., Lakeland
FL Police Dept.; Ret. Capt., State of Florida Fraud Division;
and PursuitSAFETY Advisory Board Member



"Often the instinct of leadership is to withhold information about the process officers followed when a pursuit occurred. Ironically, suits are filed when families feel they have been stonewalled or told false stories. Few civil suits will succeed, but all will damage the agency's reputation for trustworthiness. The agency that conducts an open review and follows up with disciplinary actions or reforms will earn the public's respect."

Ellen Deitz Tucker (right) pictured with her late sister Donna,
Publications Editor and PursuitSAFETY Member

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National Office
Chico, CA



PursuitSAFETY.org



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