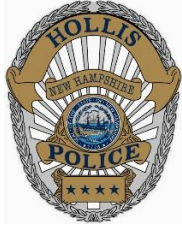


MEMORANDUM FOR RECORD



HOLLIS POLICE DEPARTMENT

To: Joseph R. Hoebeke, Chief of Police
From: Lieutenant Brendan LaFlamme, Operations Bureau Commander
Date: January 26, 2018
Subject: Annual Pursuit Analysis (CALEA 41.2.2j) and Review of Pursuit Policies and Reporting Procedures (41.2.2k)
Cc: Lieutenant James Maloney, Administrative Services Bureau Commander

I. INTRODUCTION:

At your direction, I have completed an analysis of the one vehicle pursuit conducted by the Hollis Police Department during the 2017 calendar year.

The following definition is found in *Hollis Police Department General Order PR-314, Vehicular Pursuit*:

- A. **Vehicular Pursuit:** A multi-stage process by which a police officer initiates a vehicular stop and a driver resists the signal or order to stop, increases speed, takes evasive action and/or refuses to stop the vehicle. Once the driver refuses to obey the police officer's signal or order, this pursuit general order will determine the officer's and agency's actions.

I analyzed the one incident report by the involved officer in compliance with our written directive.

1. 17H-50-OF/17-1-VP January 28, 2017

II. 2017 HOLLIS POLICE DEPARTMENT INITIATED PURSUITS:

- A. **GIST:**

1. **17H-50-OF**
01/28/2017
2356 hours

Officer Phillip Landsteiner was traveling down Route 111A when he observed a Subaru Impreza execute a right onto Route 111 from Route 111A without stopping for a red traffic light. Officer Landsteiner activated his emergency lights and siren and saw the car start to pull to the side of the roadway and slow a bit; however, instead of stopping, the vehicle increased its speed to roughly 65 mph. Officer Landsteiner continued pursuing the vehicle through Nashua, New Hampshire, traveling at speeds, at times, in excess of 100 mph. At one point, Officer Landsteiner's body camera, which was pointed at the speedometer, displayed a speed of 120 mph. Additionally, Officer Landsteiner traveled alongside the suspect vehicle at various points and on one occasion, traveled head on in the vehicle's path as they were traveling around a cul-de-sac. The pursuit continued through Nashua and onto the Everett Turnpike, where the pursuit was terminated when the suspect's vehicle traveled into Massachusetts. Due to the obvious policy violations, which included a pursuit initiated for a violation level motor vehicle offense, as well as traveling head-on in the vehicle's path, Officer Landsteiner received formal discipline, including a five-day suspension, four days of which were held in abeyance for a period of 6 months. Additionally, he participated in an extensive remedial action plan, including his attendance at a risk reduction driver training course at Primex, the Town of Hollis' risk liability insurer.

B. REPORTING:

A Hollis Police Department Pursuit Report was completed by Officer Landsteiner; however, he was found to be in violation of department policy in that he did not complete the Pursuit Report prior to the end of the tour of duty in which the pursuit occurred. The report was completed six days after the pursuit as Officer Landsteiner was on vacation. The report was ultimately reviewed by a Patrol Supervisor, the Operations Bureau Commander, and the Chief of Police, where it was found to be in violation of department policy and procedure.

C. SAFETY:

A careful review of the one Pursuit Report identified above revealed significant safety issues, which resulted in disciplinary action against the officer involved. Additionally, the officer was placed on a remedial action plan, which included a policy review with the Administrative Services Bureau Commander, Line of Duty Training, and a Driver Training/Risk Reduction course at Primex.

D. ANALYSIS:

- The one pursuit initiated by the Hollis Police Department in 2017 was deemed to be in violation of *Hollis Police Department General Order PR-314, Vehicular Pursuit*. This resulted in disciplinary action, which included a 5-day suspension with all but 1 day held in abeyance for 6 months.
- At the time of the pursuit, a shift supervisor was not on-duty and therefore, was not involved in the decision-making process of the pursuit.
- Aside from the policy violations, there did not appear to be any cruiser or communications failures during the pursuit. Additionally, the body camera footage was a valuable tool in terms of ensuring proper accountability and remedial action/training.
- There were no injuries to police officers, defendants, or innocent persons as a result of this pursuit.
- The individual operating the suspect vehicle at the time of the pursuit remains at large.

E. OPINION:

Based on the information detailed above, significant policy modifications were made to *Hollis Police Department General Order PR-314, Vehicular Pursuit*. This included stricter policy language that would prevent officers from pursuing for violation level offenses and non-violent criminal offenders unless the officer has reasonable grounds to believe that the driver was operating under the influence of drugs or alcohol, as defined in applicable New Hampshire Statutes. Additionally, past policy practices relative to vehicle pursuit tracking had been lacking prior to 2016. A more thorough review of each vehicle pursuit, coupled with increased training, accountability, and policy modification have resulted in better decision making by officers. Specifically, there have been no pursuits since January 28, 2017.

F. Recommendations:

1. Training: Continue providing annual training, which includes policy review, training videos, and policy tests. It is important to note that the Hollis Police Department does not authorize roadblocks or other means of forcible stopping like spike strips, stop strips, etc.
2. Equipment: No changes or additional equipment needed.
3. Policy Modification: Significant policy modifications were completed and finalized in October 2017. This included the addition of language and provisions that narrowly regulate the manner in which vehicle pursuits are undertaken and performed.

III. REVIEW OF PURSUIT AND REPORTING PROCEDURES:

[CALEA Standard 41.2.2k: “conducting a documented annual review of pursuit policies and reporting procedures”.

Commentary: “A review of the 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.”]

Since 2011, the Hollis Police Department has initiated eleven vehicle pursuits, which equates to less than one pursuit per year (.63). The written directive covering vehicular pursuits (*Hollis Police Department General Order PR-314*) was originally published as a Hollis Police Department General Order on July 7, 2015. Since that time, it has been modified as follows:

- In October 11, 2017, a significant policy modification was published and disseminated to all sworn officers. The policy modification included stricter provisions with the purpose of narrowly regulating the manner in which vehicle pursuits are undertaken and performed.
- Policy modifications included the development and use of a new Hollis Police Department Vehicle Pursuit Report, which includes more detailed reporting information.
- Two minor policy modifications occurred on October 20, 2017, and December 5, 2017, specifically to address minor formatting issues and a slight modification to the definition of vehicle pursuit to eliminate and clarify redundant language.

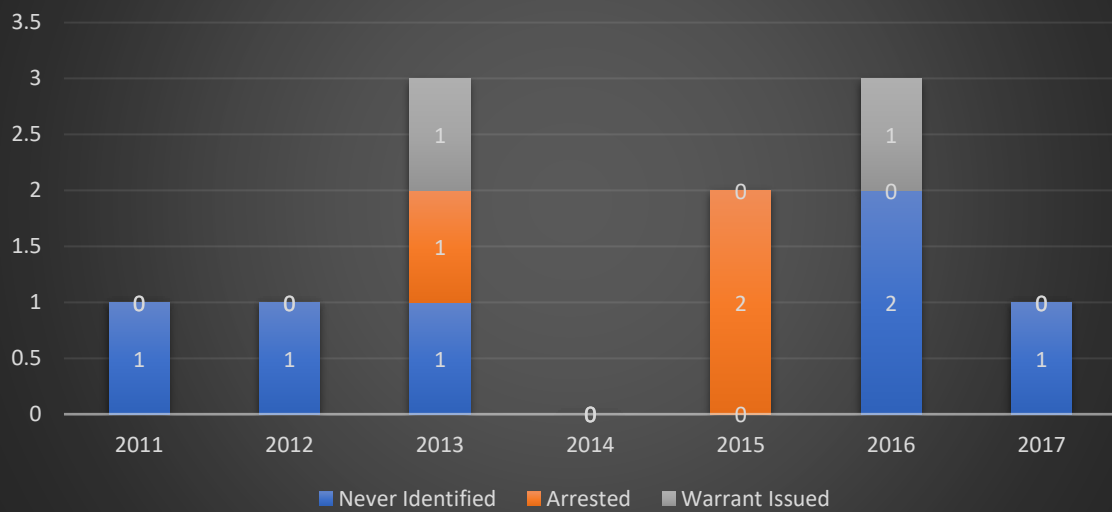
Although the completion of Vehicle Pursuit Reports was apparently not required prior to 2015, Hollis Police Officers have (since 2015) and continue to report their pursuits using the required reporting form. Once the form is submitted, the Vehicle Pursuit Reports are submitted to the Guardian Tracking System. This serves as a mechanism to properly document the pursuit and to utilize the system's feature of sending an Early Intervention Alert should entries indicate a pattern of questionable behavior by an officer. This is also the case for Use of Force Reports.

As noted above, the department's pursuit policy is and will continue to undergo review and revision depending on the changing needs of the agency. Since major policy modifications were completed by Chief Hoebeke in October 2017 (then Lieutenant Hoebeke), I recommend no further changes to *Hollis Police Department General Order PR-314, Vehicular Pursuit* at this point.

Respectfully Submitted,

Lieutenant Brendan LaFlamme
Operations Bureau Commander

Hollis Police Department Pursuits Seven Year Trend



Date	Day	Time	Officer	Offense Report #/ Arrest Report #	P.C. to Stop	Max Speed	Distance Traveled	Terminated?	Charges
1/28/17	Saturday	2356 hours	Landsteiner	17H-50-OF	Violation Traffic Control Device	120 mph	10 miles	Yes - By Officer	Suspect Not Apprehended