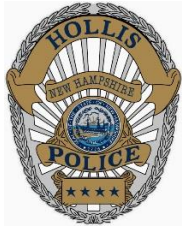


MEMORANDUM FOR RECORD



HOLLIS POLICE DEPARTMENT

To: Joseph R. Hoebeke, Chief of Police
From: Lieutenant Brendan LaFlamme, Operations Bureau Commander
Date: January 29, 2020
Subject: Annual Pursuit Analysis and Review of Pursuit Policies and Reporting Procedures (41.2.2 L.)
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 2019 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 officers and compared it to the directives provided in PR-314.

1. 19H-351-OF/19-VP-1 August 12, 2019

II. 2019 HOLLIS POLICE DEPARTMENT INITIATED PURSUITS:

A. GIST:

1. **19H-351-OF**
08/12/19

1854 hours

On the above listed date and time, Hollis Police Officers were notified of a pursuit entering Hollis from the neighboring town of Brookline NH. It was reported that Officer Torrasi (Brookline PD) was attempting to stop a motorcycle on Route 130, traveling eastbound into Hollis. The motorcycle was not stopping. Officer Collishaw positioned himself in the driveway of a local business on Proctor Hill Rd. to wait for the pursuit to reach him. After the motorcycle and Officer Torrasi passed him, Officer Collishaw pulled in behind them and followed with lights and siren activated. Officer Collishaw had his BWC activated. It should be noted that Officer Torrasi only had his siren activated, not his emergency lights. Officer Wallent requested, via radio, that Officer Torrasi activate his lights as well. Officer Wallent followed the pursuit at a safe distance, and lost sight of the vehicles quickly. He was not directly involved in the pursuit.

The pursuit reached the intersection of Route 130 and Route 122, where Sgt. Tate was positioned with a marked cruiser. He was parked in a manner to stop traffic from entering the intersection as the pursuit came through. The Brookline Officer pulled to the right of Sergeant Tate, and made a right-hand turn, travelling southbound on Rt 122 (Main St). Officer Collishaw went around Sergeant Tate on the left side and turned down Main St, still following the Brookline Officer. The pursuit continued on Main St until Sgt. Tate directed Officer Collishaw to terminate the pursuit in the area of Merrill Ln. Sgt. Hervieux (Brookline PD) terminated Officer Torrasi's involvement shortly after that. The motorcycle is believed to have traveled into Massachusetts. No arrests have been made.

B. REPORTING:

An offense report form was completed by Officer Wallent and Officer Collishaw. Officer Collishaw also completed a Hollis Police Department Pursuit Report. The Report was reviewed Sergeant Tate, Lieutenant Maloney, and Chief Hoebeke. All reviewing parties determined the pursuit to be in violation of Hollis Police Department General Order PR-314, Vehicular Pursuit. As a result, and per the direction of Chief Hoebeke, Lieutenant Maloney conducted a thorough review of the incident as it relates to policy adherence.

C. SAFETY:

Lt. Maloney's review of the one Pursuit Report identified above revealed that there were some violations of PR-314. First and

foremost, given the violation that lead to the initiation of the pursuit (speed), Hollis Officers were not permitted to pursue.

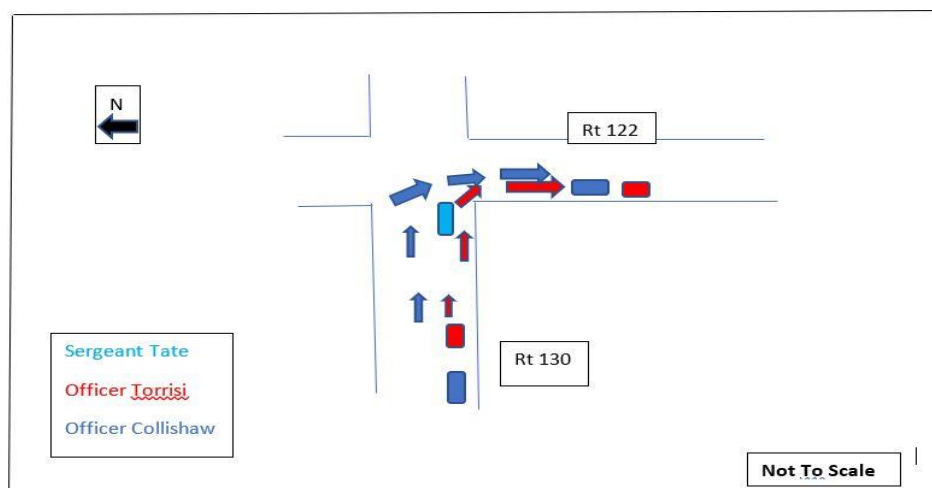
This pursuit occurred around peak travel times through the Town of Hollis, and on two highly traveled roadways. These areas have high traffic volumes during this time of the day, and also plenty of pedestrian/bicycle during this time of year. These facts contribute to the safety concerns and should be taken into consideration when making the decision to pursue. Although exact speeds during the pursuit are not known, it was readily apparent in reviewing Officer Collishaw's body camera footage that the pursuit exceeded 20 MPH over the posted speed limit, which is a violation of policy PR-314. In addition to the footage, Officer Collishaw's report states that the motorcycles estimated top speed was 90 MPH, and footage shows pursuing officers keeping up with it.

Officer Collishaw maintained good radio contact through his involvement in the pursuit. He kept dispatch, and in turn all other involved officers, updated with locations, etc. He maintained a calm composure as well.

Sgt. Tate stopped traffic from entering the intersection of Rt 130 and Rt 122, to help ensure safety of motorists on the roadway. This was not a violation of policy; however, his cruiser placement was not ideal. He was parked essentially in the travel lane of the pursuit, causing the pursuit to have to go around him, which added to potential safety issues.

When the pursuit entered the intersection of Rt 122 and Rt 130, Officer Torrisi passed Sergeant Tate's parked cruiser on the right side, and Officer Collishaw passed it on the left, as they were both attempting to turn right onto Rt 122. This caused a complex traffic pattern, increasing the risk of an accident significantly.

Since this pursuit was deemed to be not in compliance with the provisions of PR-314, Vehicular Pursuit, Officer Collishaw received verbal counseling as to the policy violations. Sergeant Tate also received verbal counseling for his roles in the supervision of this pursuit. Specifically, he should have asked more questions regarding the details of the offenses, so as to better gauge this agencies involvement.



D. ANALYSIS:

- The one pursuit initiated by the Hollis Police Department in 2019 was deemed to be in violation of *Hollis Police Department General Order PR-314, Vehicular Pursuit*. The violations were a result of participating in the pursuit to begin with, along with excessive speed.
- The Officers who initiated the pursuit clearly were not justified in doing so as the operator's actions as reported to the dispatch center and relayed to the officers did not meet the requirements to initiate a pursuit.
- A shift supervisor was not directly involved with the pursuit, but was on duty and monitoring the situation. The supervisor made a mature and appropriate decision to terminate the pursuit.
- The distance of the pursuit was three and a half miles, with top speeds reaching approximately 90 MPH. The pursuit lasted for approximately 3 minutes, and was terminated when a supervisor learned that the registration information was known.
- There were no reported equipment failures during this pursuit.
- There were no injuries to police officers, defendants, or innocent persons as a result of this pursuit.

E. OPINION:

Based on the information detailed above as well as a critical examination of our recently modified pursuit policy, there does not appear to be any need for any major revisions of Hollis Police Department PR-314, Vehicular Pursuit, at this time. The policy

provides an effective guide for officers to follow to ensure our pursuits remain reasonable and justifiable, with proper accountability and responsibility.

It should be noted that there the years 2018 and 2019 only had one pursuit each. Both of these pursuits originated in another jurisdiction. This is noteworthy, as Hollis units engaged in both pursuits. Policy PR-314 states that Hollis Officers shall only engage in these pursuits “only in response to a specific request for participation. Mere notification of the existence of the pursuit shall not be construed as a request for participation.” It is recommended that policy language be added to ensure that dispatch will confirm a specific request for Hollis Officers to participate. Additionally, it is recommended that this policy component be emphasized with our annual and ongoing training.

It is important for ongoing training in the area of vehicular pursuits, as they happen very infrequently. An officer involved pursuit continues to be a low frequency/high risk event for the Hollis Police Department, and officers need ongoing refresher training to effectively deal with pursuits.

F. Recommendations:

1. Training: We should continue to provide annual training on the topic of Vehicular Pursuit, which includes policy review, training videos through Line of Duty and NST, and policy tests. We also should continue to send officers to programs like the Stevens Advanced Driving School, which is offered by our Risk Management Insurer, Primex.
2. Equipment: No changes or additional equipment is needed.
3. Policy Modification: To better clarify expectations of participation in pursuits that enter Hollis from other jurisdictions.

III. HISTORICAL REVIEW OF HOLLIS POLICE DEPARTMENT PURSUIT POLICY

Since 2011, the Hollis Police Department has initiated 13 vehicle pursuits, which equates to less than one pursuit per year (.69). 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 at this time included the development and use of a new Hollis Police Department Vehicle Pursuit Report, which includes more detailed reporting information for administrative reviews and officer accountability.
- 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 redundant language and clarify remaining language.
- On February 28, 2019, the policy was amended again, to include “All newly hired sworn personnel shall be given documented initial training on...” whereas previous versions did not account for initial training of newly hired officers. This amendment was not related to the one pursuit from 2019.

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 and go through the administrative review process, which includes review by the Chief of Police, they are scanned and added to the Guardian Tracking System. This serves as a mechanism to properly document the pursuit. It also allows us to administratively utilize the software’s feature of sending an Early Intervention Alert should entries indicate a pattern of questionable behavior by an officer.

IV. CONCLUSION

As noted above, the department’s pursuit policy is currently effective and suitable for the agency. In the future, we should continue to undergo review and revision depending on the changing needs of the agency. Since major policy modifications have been completed on an ongoing basis, I recommend no major changes to *Hollis Police Department General Order PR-314, Vehicular Pursuit* at this point.

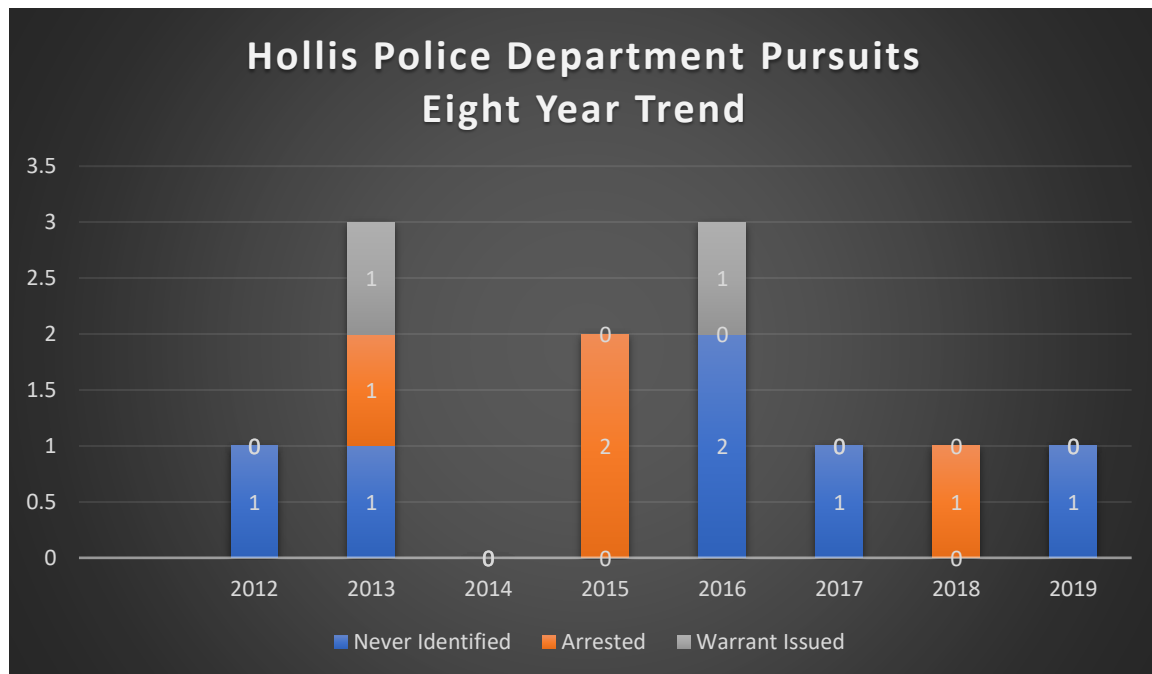
Respectfully Submitted,

Captain Brendan LaFlamme
Operations Bureau Commander

Review by the Chief of Police on _____.

Joseph R. Hoebeke, Chief of Police

Signature: _____



Date	Day	Time	Officer	Offense Report #/ Arrest Report #	P.C. to Stop	Max Speed	Distance Traveled	Terminated?	Charges
8/12/19	Monday	1854 hours	Collishaw	19H-351-OF	Pursuit from another jurisdiction	90 mph	3.5	Yes - By Officer/Sgt.	No arrests made