



# LOUISVILLE POLICE DEPARTMENT

## MEMORANDUM

To: Deputy Chief Jeff Fisher

From: [REDACTED]

Date: Sept 15, 2020

Subject: Officer Misconduct

[REDACTED] and I reviewed written reports prepared by Officer Thomas Thayer and [REDACTED] concerning a vehicle pursuit that occurred in the morning hours of [REDACTED]. The related case report number is [REDACTED]. We also had a brief conversation with [REDACTED], who was the shift supervisor, during the incident. [REDACTED] did not prepare a report but was instructed by [REDACTED] to prepare a memo detailing his role as a supervisor. We have not reviewed that memo. We believe the Officer's conduct violated several Louisville Police Department policies and warrants investigation. Based solely on written reports and brief cursory conversations we believe the below policy violations occurred.

### 307.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle, and that the driver or passenger of the pursued vehicle has committed a violent felony that is likely to endanger human life or inflict serious bodily injury to a person. These crimes must be separate and apart from the eluding situation and must precede the vehicular pursuit.

### 307.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

### 423.6 ACTIVATION OF THE AUDIO/VIDEO RECORDER

.This policy is not intended to describe every possible situation in which the recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The recorder should be activated in any of the following situations:

- Vehicle pursuits

Officer Thomas Thayer

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### 307.5.1 PURSUIT TRAILING

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

### 319.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

### 307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

..Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

- Immediately notifying involved officers and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.
- Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- Exercising management and control of the pursuit even if not engaged in it.



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- Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.
- Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- Ensuring that assistance from air support, canines or additional resources is requested, if available and appropriate.
- Ensuring that the proper radio channel is being used.
- Ensuring that the Shift Supervisor is notified of the pursuit, as soon as practicable.
- Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- Controlling and managing Louisville Police Department officers when a pursuit enters another jurisdiction.

### 307.6.1 SHIFT SUPERVISOR RESPONSIBILITIES

.Upon becoming aware that a pursuit has been initiated, the Shift Supervisor should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Supervisor has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.



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