


Police Department
City of Keene, New Hampshire

Date: January 09, 2024

To: Steven Stewart – Police Chief

SMS #1576

From: Benjamin Nugent - Lieutenant

 #174

Subject: Annual Vehicle Operation Report, CY-2023

SECTION 1 - PURSUITS:

This section contains data compiled from Pursuit Reports (KPD Form 41-2) covering the period as noted above, completed in accordance with Department Pursuit Policy 4104F, Section IX, Post-Pursuit Actions.

Number of Pursuits:

During the period of January 2023 through the end of December 2023, Keene Police Officers were involved in ten pursuits. This is the same number of pursuits that were reported in CY 2022, with one qualification. Two of the pursuits involve the same target vehicle and two different officers on the same day. They are listed as two separate pursuits because there was a temporal and spatial separation between two officers pursuing the same vehicle. Of the ten pursuits this year, all but two of them were initiated in the City.

The suspect vehicles of CY 2023 consisted of (1) Motorcycle, (2) Pick-up trucks, and (7) Sedans (six different vehicles with one having been pursued twice)

Initial Contact/Terminated:

The reason/circumstances for how each pursuit was initiated and ultimately terminated vary; therefore they will be broken down individually for better clarity.

February 10th – A KPD Officer, while affecting another arrest, witnessed a subject he knew did not hold a valid driver's license operating a motor vehicle. When told he was being detained, the subject disobeyed this order and fled in the vehicle. A Second officer located the vehicle as it traveled north on Court St and tried to conduct a motor vehicle stop. The vehicle continued north on Court St reaching an estimated 85-90 MPH in the posted 30 MPH zone. The on-duty Sgt terminated the pursuit as it neared the rotary at the hospital. The Officer continued at road speeds as the vehicle traveled onto Allen Ct. to the end where it struck a large snowbank and was forced to stop. The driver was

taken into custody without further incident. Suspect was charged with License required (Misd B), Disobeying an officer x2 (Misd A), Reckless Conduct w/ deadly weapon (Fel B), Reckless Op (Vio)

March 17th – While on patrol the officer witnessed a motor vehicle violation, an Illegal “U”turn, at the intersection of Main and Emerald St. Officer activated emergency lights and turned to follow and stop the vehicle. The target vehicle turned onto Winchester St then onto Wilson St and began to increase speed. The officer noted that the target vehicle appeared to be fleeing from him and increased his speed. The target vehicle turned onto Emerald St and eventually stopped in the parking lot of 63 Emerald St. The driver exited the vehicle and attempted to flee on foot and was apprehended after a very short foot pursuit. The driver was charged with License required (Vio), driving after revocation /suspension (Misd B), and disobeying an officer (Misd B). The cruiser sustained minor cosmetic damage as a result of not being fully in park when the officer exited to pursue the fleeing driver, it rolled into the building. There were no injuries.

April 16th – While on patrol the reporting officer was traveling EB on 101 approaching the Main St intersection. A vehicle traveled south on Main St and turned right to head WB on 101. The vehicle missed both the slip lane and the WB lanes and was traveling West in the EB lane directly toward the reporting officer. The officer activated his emergency blue lights and the suspect vehicle increased speed and continued WB on 101 eventually moving to the correct side of the road after the median ended. The suspect vehicle exited onto Winchester St and once it cleared the construction area at Key Road and continued toward downtown the reporting officer terminated the pursuit due to knowing of high pedestrian traffic in the college area. Another officer in the area witnessed the suspect vehicle turn onto Foundry St, a dead-end road. The driver was located in the vehicle shortly thereafter and taken into custody. The driver was charged with aggravated DWI, Disobeying an Officer, Reckless Conduct, speeding, and failure to drive on the right side of the road.

June 28- KPD received multiple reports of a large-scale theft possibly involving handguns at the Keene Home Depot. Officer operating an unmarked police vehicle moved to that location and continued WB on Route 9 in an effort to locate the suspect vehicle which had last been seen turning right onto Rt 9 from Ash Brook Road. The suspect vehicle was located just prior to Route 9 and Route 63 intersection. Before a marked unit could get into position the suspect vehicle turned right onto Route 63 and increased its speed. The officer in the unmarked vehicle followed the suspect vehicle providing updates on location while awaiting a marked unit to take over. Eventually making its way back to Route 9 WB. At that point, Chesterfield Police in a fully marked police cruiser took over the lead in the pursuit with the KPD unmarked vehicle in support and retaining the communications with County Dispatch. The pursuit continued to the NH/VT border where Brattleboro was unable to deploy any tire deflation device. Sight of the suspect vehicle was lost in the roundabout and the Pursuit ended. The suspects were later located by Mass State Police where a second pursuit ensued. The vehicle eventually stopped after being struck with a tire deflation device and the suspects fled on foot but were located by a Local department’s police K-9. Charges in NH are Felony Theft, Disobeying an officer, and reckless conduct.

September 11 – Officer was on patrol in a marked patrol cruiser and witnessed a vehicle stop in the middle of the intersection of Roxbury St and N. Lincoln St for no apparent reason. The officer attempted to make a motor vehicle stop on the vehicle of Stop/Stand/Park Prohibited. Target vehicle failed to stop and continued to the intersection of Beaver St where it turned right. Target vehicle continued to the dead end of Beaver St and stopped. The driver then exited the vehicle and attempted

to flee on foot. The officer gave chase and caught the driver after he ran into a fence and fell backward. The suspect continued to resist arrest and was sprayed with OC spray and was eventually secured in handcuffs. Driver was charged with (8) charges, most notably Disobeying an Officer, Resisting Arrest, Driving after suspension, DUI 2nd Offense and possession of a controlled drug.

September 22 – Patrol officer was dispatched to Oak St for a report of subjects sleeping in a vehicle. Officer located the blue Honda with Mass plates parked outside the reporting party's house. Upon arrival of the patrol cruiser, the vehicle pulled away from the house and the officer followed. The officer noted a speed violation and attempted to stop the vehicle. When the officer tried to initiate the stop the vehicle increased speed and tried to elude the officer. The target vehicle traveled Roxbury St running the red light into Central Square. It then exited onto West St. Speeds reached 70 mph on West St where the target vehicle continued to run red lights. Due to traffic volume and speeds, the pursuing Officer lost visual contact with the target vehicle, and he terminated the pursuit.

September 22 – This pursuit documents a second attempt to stop the above-mentioned Honda. An officer working during the above pursuit, but not in a position to participate was patrolling in the area of the "T" intersection when he saw the same vehicle travel from West St and turn right onto Route 9 W. Immediately the vehicle accelerated to a high rate of speed and the officer began to pursue. Officer's speeds were up to 100 MPH and was losing ground to the target vehicle. The pursuit was then terminated by the shift supervisor. The suspect/operator has not been identified.

November 15 - The Patrol Supervisor was patrolling in the area of Arch St when he witnessed a motorcycle being operated in front of him with a false license plate. The officer attempted to conduct an MVS on the motorcycle. The operator of the MC turned onto Blossom St as the officer was activating his emergency lights to make the stop. The operator looked over his left shoulder looking back at the patrol car and then accelerated to a high rate of speed refusing to stop. The officer then activated the siren as well. The MC continued on Blossom St toward West St extension at speeds estimated to be 60 MPH. The officer tried to position himself to the left of the MC to keep it from turning left towards the highly congested West St. The operator of the MC then turned right onto West St extension towards Base Hill Road. The operator of the MC then utilized the Cheshire Rail trail to elude police. He entered the rail trail and traveled towards Pitcher St. The initial officer could not access the trail and eventually lost visual on the bike. Another officer, soon thereafter, radioed that he had located the bike driving near the Home Depot and it turned behind Price Chopper. When the second officer proceeded behind Price Chopper the operator was hiding behind a structure and when the officer drove past, he drove out again heading towards the Home Depot. The operator attempted to jump the curb into a field but got hung up on it. The second officer was able to then take the operator into custody. The operator was a 16 Y/o and charged with multiple driving offenses including: Disobeying an Officer (x2), operating a motorcycle without a M/C endorsement, Driving after suspension, and several moving traffic offenses.

November 17 0517 Hours- The officer was stopped at the intersection of Route 101 and Main St intending to turn left onto Main St NB. The officer witnessed a vehicle travel through a red light at a high rate of speed traveling south on Main St to Lower Main St. The Officer attempted to catch up to the vehicle but it continued to pull away from the officer who was traveling approximately 70-80 on Lower Main St near the cemetery. The vehicle continued to try to elude the officer, now utilizing lights and siren, by exiting the roadway and using a parking area to get around traffic traveling at posted speeds. The vehicle traveled through the Papagallo's parking lot and a chain link fence into the

abutting property. The vehicle then crashed into a retaining wall and came to rest. The driver refused to exit the vehicle despite verbal commands. He was eventually removed from the vehicle and placed under arrest. The driver was charged with: Disobeying an Officer, DUI Aggravated attempt to elude, DUI 2nd, and several MV violations.

November 17 2022 Hours – A vehicle that had been broadcast as a BOLO for Brattleboro VT PD for failing to stop for them was located by Chesterfield PD in Chesterfield. Chesterfield PD began its attempts to stop the vehicle as it traveled towards Keene. Units from Keene PD attempted to stop the vehicle with a spike mat but the vehicle traveled off the road into the grass to avoid them. The vehicle continued down Base Hill Road towards Swanzey where it was eventually spiked by Swanzey PD in their town. The driver was arrested in Swanzey and no Keene charges apply. One Keene unit acted as the backup officer to Chesterfield PD in the pursuit from the Chesterfield Hill area until the conclusion of the pursuit in Swanzey at Base Hill Road and Route 10.

Apprehension:

The driver was arrested in seven of the ten reported pursuits. Of the three that were not apprehended, one was arrested by Massachusetts State Police shortly after the KPD pursuit was terminated. The remaining two unidentified operator pursuits are the same driver noted in two separate pursuit reports as noted previously.

Number of Officers:

When we look at this piece of data, we are actually looking at two different items: the number of officers actively involved in pursuing the offender, and the number of officers who assume tactical roles; such as the deployment of deflation devices. Our policy allows for two marked police units to be actively involved in the pursuit itself, but it allows any number of officers to assume peripheral roles in an attempt to help resolve it.

In all pursuits from CY 2023 Officers adhered to the above-mentioned policy and if not engaged in the pursuit took up positions of support. All but one of the pursuits recorded in 2023 were short in distance and duration. Because of the short distances, it is more common that there is only one pursuing police unit involved. The lone pursuit over 3 miles began in Chesterfield and continued to the Vermont border. The underlying crime originated in Keene, but the suspect vehicle was located in Chesterfield. The sole Keene unit in the pursuit was backed up, and eventually relinquished lead in the pursuit to, a Chesterfield Police unit.

This annual review of our driving and pursuit policies shows that officers are effective in this area and are reacting and attempting to respond accordingly and effectively.

Distance:

The distances traveled during the ten pursuits are approximate figures, and noted in miles as follows:

1.2 miles

0.3 miles

0.8 miles

15.9 miles

.15 miles

1.4 miles

3 miles

1.62 miles

0.7 miles

1.9 miles

The average distance traveled was 2.7 miles. However, that is somewhat misleading since one of the pursuits was nearly 16 miles long leading to an abnormally high average. When averaging all pursuits sans this one the average is 1.23 miles.

Regardless, the 2.7-mile average is a decrease from CY 2022 pursuits, where the average distance traveled was 4.1 miles.

Speed/Unwarranted Risk to Public Safety:

Speeds traveled during a pursuit are critical to their management and potential outcome.

Regarding safety and the deciding factors to terminate (or not), it would appear that speed was a factor in the outcome of four of the pursuits this year, in which the Keene officer or the Supervisor determined to terminate the pursuit due to the speed traveled by the suspect in a densely populated area and/or with heavy pedestrian and motor vehicle traffic.

Weather/Pavement/Traffic:

In reviewing each incident reported in CY2023, weather/pavement was not a factor. However, Traffic, both pedestrian and motor vehicle traffic, was a factor in four, see above.

Other Data:

There remains no pattern as to where and when pursuits occur within our City; CY 2023 saw ten incidents occur. Based on the low frequency of the pursuits, the varying times in which they occur, and the unknown actions of individuals, it is not possible to predict or prevent a pursuit from occurring. Further, in reviewing the officers' reports and actions when deciding to stop the suspected vehicles, it appears that they are using the appropriate techniques and decision-making skills when deciding to initiate a stop or waiting for backup.

Policy Compliance:

All reported incidents in 2023 were within compliance of our General Order (GO 4104) Pursuits. Our policy remains effective in the safe conclusion of pursuit-related incidents.

Decision Making

The data shows that officers are making good decisions relative to pursuits. Taking into consideration the environmental and traffic conditions, officers are continually evaluating the nature of the pursuits and making reasonable decisions concerning termination or continuation.

Pursuit Reporting:

It is currently the policy of the Keene Police Department that all pursuits shall be reported in an Offense or Arrest report, and that no matter the length of the pursuit nor how it was terminated, that a Pursuit Report (KPD form 41-2) be completed prior to the end of the officer's shift. These two methods have proven to be very effective in the collection of data and the timeliness of the reporting.

Conclusions:

Officers are responding appropriately when faced with pursuit situations and are taking appropriate action as the circumstances may dictate. It can be reasonably concluded that the established annual review of our pursuit policy is a reason for this. The fact that the pursuit policy itself is drafted to a standard of reasonableness also plays a role.

In reviewing this and previous years' reports, it shows that officers are making sound decisions regarding pursuits. It further shows that backup officers are deploying appropriately to assist in ensuring a successful resolution to a pursuit. We also saw that supervisors continue to closely monitor incidents such as these and are making appropriate decisions concerning turning pursuits over to other agencies, canceling multiple units, or terminating the pursuit, for example.

SECTION 11 - CRUISER ACCIDENTS/DAMAGE:

This section contains data compiled from Keene Police Department collision/damage reports (KPD Safety Report, commonly referred to G-I's) involving police cruisers and unmarked police vehicles, covering the period January 2023 through December 2023.

Number of Cruiser-Involved Collisions/Damage to Cruisers:

Keene Police vehicles were involved in five incidents during CY 2023. This number is two less than reported in CY2022. All of the collisions/damage were minor in nature and did not require the city-owned vehicle to be taken out of service until repairs could be scheduled.

This year one unmarked or administrative vehicle was involved in minor motor vehicle collisions.

This year, one collision/damage occurred during an emergency, pursuit, or stressful driving situation. However, as noted below, the damage was the result of the vehicle not being put into park at the end of a pursuit. The damage was minor and there were no injuries.

The rest of the collisions/damage were low-speed, low-stress accidents.

Actions Being Performed By Officers at Time of Collision:

Jan 5th – The officer was backing into a parking spot behind the police department and struck another cruiser. No injuries and the vehicle was driven from the scene.

Feb 17th – The officer was conducting surveillance on a suspect and was pulling to the side of the road when he struck a frozen snowbank. No injuries and the vehicle was driven from the scene.

Mar 17th – After a pursuit the driver of the suspect vehicle fled on foot. The pursuing officer exited the cruiser quickly to chase the suspect and did not get the cruiser fully into park. The cruiser rolled into a nearby building causing minor damage.

April 3rd – The officer was pulling between two parked cruisers at the police department and struck the rear corner of a parked cruiser. No injuries and the vehicles were driven from the scene.

Oct 23 – The Officer was backing up to allow a tow truck to remove a vehicle and struck a wooden stake causing minor damage to the cruiser.

Weather:

The weather did not play a factor in any of the reported collisions/damage for this calendar year outside of the frozen snowbank being struck.

Policy Compliance

This year there were no violations of the General Order governing the Operation of Police Vehicles (G04103G).

It is the policy of this Department to counsel or issue Letters of Guidance to Officers/Employees when they become involved in a preventable motor vehicle accident. This practice serves to reinforce accountability. By the same token, one must take a step back and balance the fact that Officers routinely spend a much greater amount of time on the road and thus the odds of becoming involved in a collision, however minor in nature, increase greatly. To bring this more into perspective, I offer the following CY 2023 mileage figures for the Department's fleet, as provided by the City's fleet services division:

Total miles driven by all police department vehicles — 286,752 miles
Total miles driven by marked police cruisers only — 216,418 miles.

SECTION 111 - CITIZEN COMPLAINTS

This section contains data compiled from citizen complaints pertaining to police vehicle operation, as articulated to the Department by telephone, correspondence, or third party.

Number and Nature of Complaints:

No complaints of driving or cruiser operation were made to the Keene Police Department for CY2023. This is the sixth year in a row that we have received no complaints for driving.

Methods of Reporting:

N/A

Location/Date/Time of Complaints:

N/A

Complaint Disposition:

N/A

Recommendations:

- Continue to post this annual document to the Department's global information-sharing files for all officers to review and to the Department's web page for viewing by all citizens.
- Periodic reminders, via roll call sessions, about the importance of driving safely and avoiding distractions. These reminders should include the importance of non-stress driving as well as emergency driving.
- In-house driving training utilizing our department's driving instructors. We continue to have department-wide driver training annually for all sworn members of the department. We continue to evaluate each accident and adjust the lesson plan of this annual training to adjust to the needs or issues seen during the previous years, as well as adjustments to state and national trends regarding the operation of police vehicles. As shown, this strategy appears to be working. When we analyze the accidents, they typically are very minor, and most times do not require repair.