



DATE: April 17, 2024
TO: Zach Walker, City Manager
FROM: Adam Dustman, Chief of Police
SUBJECT: Independence Police Department Pursuit Policy Review

As requested, I have completed a thorough review of our Vehicle Pursuit policy. This review included a statistical analysis, using data from 2015-2023, and I find our current policy to be **effective, well-administered, and well comprehended by police personnel.**

Following this cover memorandum is a comprehensive report completed by Captain Billy Pope, Commander of the Professional Standards Unit. Captain Pope did an outstanding job in conducting a thorough and thoughtful review of our current policy. Additionally, Captain Pope included relevant case law and recent national trends surrounding police pursuits.

It is my hope that this report will satisfy all of Councilmember McCandless' concerns regarding our current policy. Additionally, it is my hope that this report will be shared with the entire Council, in an effort to educate them, and by extension the public, as to the actual facts surrounding IPD police pursuits.

The only concern raised by Councilmember McCandless that could not be addressed by Captain Pope was regarding the cost of settlements (liability) surrounding claims from alleged police pursuits. It is my opinion that this is not a benchmark that should be used in this discussion. My reasoning for this position is that any decision to settle is made exclusively by the City Council. As such, the Police Department has no stake in the decision to settle, and presents no facts in these cases. Instead, the Council relies on the advice of legal counsel, and wisely compares the cost of litigation against the cost to settle.

I am not suggesting at all that a decision to settle is a bad decision. Rather, I contend that these are smart and often cost effective **business decisions.** However, a business decision, regardless of how prudent and fiscally responsible, should not be used as a benchmark to imply that Police Department policy, nor the conduct of police personnel, is inappropriate.

To the contrary, as highlighted in the following report, well-established and settled case law is clearly on the side of both our poilicy and the conduct of our personnel. If the decision were to litigate these cases (with the understanding that the cost may outweigh the benefit), almost without exception the City would prevail under the law.



After reviewing this report, I hope you will share my sentiments regarding the thoroughness of this review. I further hope that this report will continue to instill confidence in you that our Police Department is well-run and staffed with exceptionally skilled professionals.

I am happy to attend a future executive session of the Council to discuss the details of this report further, if that is a desire of yours.

This report will serve as the official departmental review of this policy for 2024.