

# New police chase policy causes stir

By Alice Collins  
staff writer

You see it all the time — police vehicles speeding through city streets, cutting corners, jumping sidewalks, leaving the roadway and bouncing over lawns and fields, sometimes flying through the air in hot pursuit of fleeing suspects.

Innocent pedestrians and motorists are narrowly missed by the wild driving criminal and caravan of police cars on the chase.

"The scenario often ends with the cops deliberately smashing the police vehicle into the fleeing suspect's car to stop him.

That scene, or something similar, you can see day or night.

All you have to do is watch a police show on TV or go to the movies.

**IN REAL LIFE** Oakland County the chases don't occur every day nor are they quite so wild. But in the last two years, they've taken the lives of five innocent people who just happened to be at the wrong place at the wrong time. The most recent victim, Charles E. Hill Jr. of Troy, died April 12 at a Birmingham intersection.

Law enforcement in Oakland County is wrestling with the tough question: Is the high speed police chase worth the risk to the innocent bystander, to police officers involved and to the fleeing motorist?

County Prosecutor L. Brooks Patterson and staff, outraged by the number of innocent deaths, has gone all out to put limits on the police chase.

The prosecutor's office has come up with a model police chase policy. Patterson is hoping police agencies in the county will adopt it.

**A MAJOR DIFFERENCE** in the model policy is that it bars high speed pursuits in the cases of civil infractions, misdemeanors and even some felonies. The new rule states: "Pursuit at high speed is justified only when the officer knows or has reasonable grounds to believe that the violator has committed or attempted to commit a violent or life-threatening felony."

Area police chiefs and public safety directors have received copies of the

prosecutor's 21-page policy and say it is being reviewed. Birmingham Chief Edward Ostin signed an order adopting the model policy with a few minor changes on Thursday.

But a majority of the police officers on the road are unhappy with the proposed restrictions which they say chip away at their power of discretion. Some are threatening not to chase at all.

"I've forfeited about 13 years of good will in the law enforcement community because I've dared to raise this," said Patterson, "but damn it, five deaths in two years of innocent, uninvolved citizens is too high a price to pay."

**SOUTHFIELD PUBLIC** Safety Director Rollin Tobin said that city's department is reviewing the model policy. He calls it "well drafted from a legal standpoint."

"I recognize the validity of the policy," continued Tobin, "but I really question how it's going to transfer to the streets and if we're going to see the same productivity from our officers."

"The poor guy (officer) on the street can't read the signals. I can see the amount of frustration he's facing. It may ultimately cause the officer to think about the situation so long that he either misses the arrest or gets himself in danger thinking too long before he can react. I mean that very sincerely."

Tobin spoke of the need to "reduce the amount of (civil) liability to cities and provide safeguards so that citizens won't be killed or injured by someone fleeing. On the other hand we would be hindering police from being aggressive in trying to stop crime."

**WEST BLOOMFIELD** Chief Alfred McGhee said his department is ready to put the policy into effect, "but I don't exactly like it."

"It makes the officers feel a little more nervous about getting in a chase and the consequences. I don't think they'll be too anxious to get into a chase at all."

"We've got to live with it," added McGhee, "but I'm glad I don't work the road anymore."

Beverly Hills Capt. Jim Davis points to the 21 pages of the policy. "It's long. It's a lot for the police officer to apply

to a situation that's happening right now."

"The officers are confused," he said. "They really want to catch the criminal. It's going to be very difficult for them not to chase when they realize the guy responsible for the crime is right out in front of them."

Davis said the Beverly Hills Department of Public Safety is reviewing the proposed policy. "But if the prosecutor is standing hard on whatever policy he has, until that's changed we're almost obligated to follow it."

**OSTIN** said the policy "seems to be one that covers well everything from police pursuit through emergency responses. By following this general order our officers are less likely to become victims of criminal prosecutions if somebody is killed when they're following the procedure."

Bloomfield Township Chief Donald Zimmerman said of the high speed chase, "It's a hot issue right now, no doubt about that."

He said his department has "what I

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— Chief Alfred McGhee  
West Bloomfield Police

consider an adequate policy on the books right now," but he has selected a review committee from within the department to examine it for possible updating.

"We want to hear first from the people who'll use it in the field," Zimmerman added. "The prosecutor has really put a lot of time in this."

**THE STATE LEGISLATURE** is also focusing on the police chase and is considering several proposed bills. Among them is one recommended by the Oakland prosecutor's office creating stiffer

penalties for those who try to outrun police.

"The question is," said Patterson, "how aggressive do we want our officer to be when chasing a person for a traffic violation. Never does a traffic violation justify racing at high speeds."

Patterson said he's "sympathetic to police officers, they have a tough job to do. But they do need guidance. But I have an equal concern for the public at large."

According to the model policy, "All officers involved in emergency, pacing or pursuit-driving conduct will be held accountable for the manner in which they perform such conduct and for the consequences of their acts."

Major headings in the policy include pacing, which means staying at a fixed distance behind a speeding vehicle while making an evaluation, pursuit at moderate speeds and pursuit at high speeds.

**THE POLICY** reads: "Officers shall make every reasonable effort to apprehend a fleeing law violator; but pursuit shall not be carried to such an extent so as to endanger the lives of other innocent users of the roadway or the officers themselves."

A list of 15 items are listed for the officer to consider before initiating a high-speed chase and says he or she must continue evaluating the circumstances if a chase is initiated. It outlines when a chase is to be terminated.

It prohibits caravanning — lining up police cars in a chase. It says officers may not chase outside of their jurisdictions except in very specific circumstances. It says an officer must not use his car as a weapon to stop a fleeing suspect's car except in specific circumstances.

It also states: "The element of personal challenge to the officer should never enter into his or her decision on when to abandon the chase."



STEPHEN CANTRELL/staff photographer

Prosecutor L. Brooks Patterson, outraged by the number of innocent deaths, has made a major effort to limit the police chase.

## INSIDE ANGLES

Know someone doing something notable? Let us know. Write: Inside Angles, Farmington Observer, 33203 Grand River, Farmington 48024.

**RANDALL MILLER**, son of Mr. and Mrs. Raymond Miller of Farmington Hills, was elected treasurer of Sigma Chi Fraternity at the University of Michigan. Randy is in the Michigan Business School studying finance and marketing.

**DEREK HOOD**, of Farmington Hills, sang in the chorus for Michigan Opera Theatre's production of Aida on April 18 and 20 at the Masonic Temple. Derek attends Wayne State University where he is studying voice and music industry management.

**GEORGE F. BESS**, son of Dianne Bess of Farmington Hills and Boyd Bess of Indiana, has entered the U.S. Air Force's Delayed Enlistment Program. Bess is a 1980 graduate of Harrison High School and will enter the regular Air Force June 14. Following graduation at Lackland Air Force Base, Texas, he will receive technical training as a security specialist and be assigned to an Air Force duty station.

**KAREN WUERTZ**, daughter of Mr. and Mrs. Dwight Wuertz of Farmington and a junior at Hope College, recently presented a paper at the regional convention of Beta Beta Beta, National Biological Honors Society at Eastern Michigan University. She was among selected students from colleges and universities in Michigan, Ohio and Indiana invited to present a paper. Karen is a 1982 graduate of Farmington High School.

**DEBORAH HOUSER**, of Farmington Hills, has been included on the dean's list at the University of Alabama.

**STEVEN ZIMMIE**, son of Karl and Nancy Zimmie of Farmington Hills and a 1979 graduate of Harrison High School, has been promoted in the U.S. Air Force to the rank of senior airman. Zimmie is a missile systems analyst with the 7th Bombardment Wing at Carswell Air Force Base, Texas.

**KENNETH FULKNER**, a junior at the University of Michigan, was recognized at the 62nd annual honors convocation on March 31. He is a 1982 graduate of Farmington High School.

**GOLF LESSONS** for senior adults begin May 21 and continues every Tuesday and Thursday morning through June 13 at the Silger Golf Range, 39725 Grand River. For \$10 and the purchase of a

bucket of balls for each lesson, seniors can learn the basics of the sport, or improve their skills. Sign-up time is any time until the first day of class in Farmington Hills City Hall, corner of 11 Mile and Orchard Lake Road.

**AIRMAN PAUL SCHNELL**, son of Richard Schnell of Farmington Hills and Margaret Zuber of Georgia, has graduated from the U.S. Air Force communications operations specialist course at Goodfellow Air Force Base, Texas. Schnell is scheduled to serve with the 6917th Electronic Security Squadron at San Vito dei Normanni, Italy. He is a 1983 graduate of Walled Lake Western High School.

**PAMELA FAULKNER** a student at Farmington High School, has been named a 1985 U. S. National Award winner in history and government. She was nominated for this National Award by Mr. Heyek, a history and government teacher. Pamela will appear in the U.S. Achievement Academy Official Yearbook, published nationally. The criteria for selection are a student's academic performance, interest and aptitude, leadership qualities, responsibility, enthusiasm, motivation to learn and improve, citizenship, attitude and cooperative spirit, dependability, and recommendation from a teacher or director.

**TODD STONEMAN**, son of Ronald and Gail Stoneman of Farmington Hills, has one of his poems published in the current April issue of "Chart Your Course," a national magazine for gifted and talented children. Todd, a fifth grade student at Kenbrook Elementary School, is an accomplished writer; he has won first place in the literature division of the Farmington-Farmington Hills PTA Reflections Contest for the past five years, and has won other citywide literary contests. This, however, is his first national publication. Congratulations, Todd.

**JODY HEINTZMAN**, of Farmington Hills, has been named to the dean's list at Northwestern Michigan College.

**GLAN PANOUSHEK**, son of Mr. and Mrs. Donald Panoushek of Farmington Hills, was among 534 University of Evansville students named to the dean's list for outstanding academic achievement during the winter term.

**ARMY CAPT. JAMES BIERWIRTH**, son of William and Charlotte Bierwirth of Farmington Hills, has graduated from the Army's Combined Arms and Services Staff School, Fort Leavenworth, Kan. Bierwirth, a 1978 graduate of Michigan State University, is scheduled to serve at Fort Drum, N.Y.

## WRAPPING UP

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