

Fatalities from police chases climbing, could be higher than records indicate

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People are dying. Here's what you need to know about SC high-speed police chases

One out of three police chases end in death or injury in South Carolina.

By **Ashlen Renner**

The high-speed chase through residential streets in Evansville, Indiana, ended badly, as police pursuits often do.

A Chevy Impala, which police mistakenly thought had been stolen, blasted through a stop sign at 74 mph and smashed into the passenger side of a PT Cruiser crossing the intersection. A young family was inside.

“Oh, Jesus God! I need AMR here now!” a panicked Evansville officer screamed into his radio, asking police dispatch to call an ambulance company, according to [body-camera footage](#) released by Evansville police. “We’ve got a baby hurt bad.”

Seven-month-old Prince Carter had been ejected from the PT Cruiser’s rear passenger-side seat and was lying motionless on the ground. His sister, 2-year-old Princess Carter, was slumped in the seat behind her mother, the driver. Both children were dead. Their father, 26-year-old Terrence Barker, a front-seat passenger, suffered massive head injuries, and died four weeks later.

The crash in November 2017 added to a fast-growing tally of innocent bystanders and others who are killed when police chase drivers at dangerous speeds, usually for minor infractions and often in risky circumstances.

At least 416 people were killed in police chases in 2017, according to an analysis of [federal records](#) by FairWarning. That's the fourth consecutive year when the number of people killed during police pursuits increased – and a 22-percent spike over 2013, when 341 people were killed, FairWarning found by analyzing National Highway Traffic Safety Administration crash records.

Experts say the actual death toll is likely much higher than NHTSA records indicate because the federal safety agency gets its information from local police reports, which don't always mention if a fatal crash resulted from a police chase.

“We still have no idea how many pursuits occur during the year,” said Geoffrey Alpert of the University of South Carolina, a leading researcher on police pursuits who has done studies for the Justice Department.

High-speed pursuits are widely acknowledged to be one of the most dangerous activities police undertake. But some police departments have done little to reduce their danger even as they adopt other safeguards such as de-escalation tactics and restrictions on using deadly force, experts say.

Police chiefs routinely blame fleeing drivers for bystander deaths, yet cities pay millions of dollars in legal settlements and survivors call for restrictions on pursuits.

“There's been an extreme focus in law enforcement on everything but this issue,” said Major Travis Yates of the Tulsa Police Department, who also is training director at lawofficer.com, a company that provides information and training to police.

“We've totally taken our eye off of something that is killing a lot of people each year. And these are truly innocent people being harmed,” he said.

At least 13,100 people were killed in police pursuits from 1979 through 2017, the most recent year for which NHTSA data are available, FairWarning found. That's an average of 336 deaths a year.

More than 2,700 of those killed were innocent bystanders, which includes pedestrians and people in vehicles who were hit by a fleeing suspect or in rare cases by police.

The precise number of bystander deaths is unknown because some NHTSA records are vague about whether a victim was a bystander or a fleeing suspect. FairWarning identified 2,737 pursuit-related deaths of bystanders using NHTSA records.

NHTSA records make clear that the death toll is growing. At least 1,594 deaths in police chases occurred from 2014 through 2017 — an average of 399 a year. That's the largest four-year total since 1979, when NHTSA began tracking fatal vehicle crashes. Nearly 300 of those killed from 2014 through 2017 were bystanders.

“If you had those numbers [of deaths] from any other use of force, there would be congressional hearings. There would be hell to pay in this profession. But because it's a car, because it's not high-profile, it goes on for year after year,” Yates said.

FairWarning's analysis of deadly pursuits in 2017 also found that:

- Fifty-seven people were killed in crashes in which the fleeing driver drove faster than 100 mph, although police departments typically advise officers to avoid excessive speeds.
- *Black people were killed disproportionately, accounting for 36 percent of the deaths of people whose race was recorded. (Black people make up 12 percent of the U.S. population.)

“Possible explanations for the disparity include a tendency of police to spend more time patrolling in black neighborhoods or having a greater propensity to chase black drivers.

- *One quarter of the pursued drivers were drunk despite concerns about chasing drunk drivers. “If they’re not driving well at 40 [mph], they’re certainly not driving well at 90, and they’re always looking in their rearview mirror, so what do you think is going to happen?” Alpert said.

John Whetsel, a retired Oklahoma sheriff and chairman of the traffic safety committee of the National Sheriffs’ Association, said pursuit-related deaths are increasing in part because suspects are more likely to flee police.

“We’ve seen a shift especially in the way some younger offenders feel toward the police. I think that leads to a lot of them not wanting to be caught,” Whetsel said.

Whetsel said a lack of information about the number of pursuits that occur each year “is one of the biggest problems we have.” After the sheriff’s association winter conference in Washington, D.C., in mid-February, Whetsel lobbied members of Congress to make federal money available for better record-keeping about pursuits.

The rising death toll comes as some communities and police are resisting efforts to curb pursuits through policies that limit when officers can chase a driver. Most police departments give officers discretion about whether to pursue a driver, directing them to balance the risk of a chase against letting a suspect go free.

A four-page [model policy](#) written in 2015 by the International Association of Chiefs of Police says: “Pursuit is authorized only if the officer has a reasonable belief that the suspect, if allowed to flee, would present a danger to human life or cause serious injury. In general, pursuits for minor violations are discouraged.”

The policy, which many departments adopt entirely or partially, says police should weigh 13 factors in deciding whether to pursue a suspect, including the seriousness of an offense, the driving and road conditions and the presence of passengers in a fleeing vehicle.

That latitude is unreasonable, says Phil Warshauer of Charlotte, N.C. His daughter Stephanie Warshauer, 32, [was killed in her car](#) along with a friend on Sept. 30, 2017 when a driver ran a red light in Guilford County, N.C., and hit them at 130 mph while being chased by a police officer who thought the car was stolen.

“Police have really, really, really hard jobs. If somebody made their jobs easier by eliminating this decision, my daughter would be alive,” Warshauer said.

“When they’re chasing a car at 130 mph that they think is stolen, that’s not good risk management,” Warshauer added.

Some departments have set strict limitations that prohibit officers from chasing anyone other than suspected violent felons.

Milwaukee gained national attention – and instant backlash – in 2010 when Police Chief Edward Flynn limited officers to chasing only violent felons. Flynn adopted the policy after four bystanders were killed by drivers fleeing police. The city’s police union objected: The restriction would increase crime by signaling to criminals that they could escape law enforcement simply by driving away, union leaders said.

In April 2017, the Milwaukee city council blamed the pursuit policy for what it said was an increase in reckless driving by motorists who were confident they could speed and ignore traffic signals with impunity. Flynn reluctantly changed his policy months later to allow police to chase cars they think are involved in drug dealing or reckless driving. He retired in February 2018.

The number of police pursuits surged in Milwaukee after the new, relaxed policy took effect – as did the number of deaths. On June 7, 2018, Milwaukee police officer Charles Irvine Jr., 23, [was killed](#) when he crashed his police car into a bridge while driving 96 mph in pursuit of a reckless driver.

“They’ve killed a whole bunch of innocent citizens and one of their own,” said Jonathan Farris, who became an advocate for pursuit safety after his son Paul, 23, was killed in Everett, Mass., in 2007 by a motorist being chased for an illegal driving maneuver. “They are literally crowing [in

Milwaukee] about how they pursued 900-plus offenders.”

In Evansville, a city of 120,000 people in the southwest corner of Indiana, police resisted calls from citizens to limit pursuits after the Carter children were killed.

“The concern for that is you’re giving the green flag for anybody who just decides they’re not going to stop,” Evansville Police Sgt. [Jason Cullum said](#) the day after the deadly pursuit.

The pursuing officer, whose name has never been disclosed, acted “within department guidelines,” Cullum said, blaming the fleeing driver, Frederick McFarland. “Last night’s events are on the shoulders of Frederick McFarland,” Cullum said. “The only person that broke the law last night was Frederick McFarland. Even though the officers were involved in the event, all he had to do was stay put.”

McFarland, 28, is awaiting trial on three counts of resisting law enforcement causing death, and one count of resisting law enforcement causing serious injury. Police later determined that the Impala that McFarland drove was not stolen.

Janae Carter, the mother of Prince and Princess, is suing the City of Evansville, which says in court papers that Carter’s “alleged damages may have been caused in whole or in part by Defendant McFarland.” Carter, who was hospitalized after the crash, “suffered serious bodily injuries, as well as pain, suffering, mental anguish and medical bills” and had her children “wrongfully killed,” according to her lawsuit.

Chuck Wexler, executive director of the Police Executive Research Forum, a policy organization, said there is no evidence that restrictions on pursuits lead to increases in crime and lawlessness. Wexler’s organization is a leading research group on policing whose board of directors consists of police chiefs. It has advocated for sharp restrictions on pursuits.

“There are too many cases of people dying needlessly – tragedies that trump whatever the other arguments there are about people perceiving this as getting away with infractions,” Wexler said. “We’re talking about saving lives here. And police have a responsibility to enact policies that are best for the entire community.”

Some state officials have tried to restrict or regulate pursuits but with no success. In Ohio, after a series of pursuits killed bystanders, Attorney General Mike DeWine convened an advisory group in May 2016 to craft a model policy that would improve public safety.

Six months later, the group released a final report that recommended no model policy. Its milquetoast suggestion was that each police department “examine its current pursuit policy, and, when doing so, consider several important topics and issues related to this policing function.”

“The vague policies require the officer to make hundreds of decisions in 20 to 30 seconds and it puts the officer in a horrible position,” said Alpert, the University of South Carolina expert.

The danger of pursuits is amplified by the aggression that takes over many police when they begin to chase someone who has fled from them. “Studies show they almost go into pure tunnel vision when they begin a pursuit. The adrenaline kicks in,” said Farris, the pursuit-safety advocate.

Whetsel, who chairs the safety committee of the National Sheriffs’ Association, said police departments can improve pursuit safety with annual training in vehicle operations.

“While we have them [officers] qualify with a firearm every year, most agencies never have them recertify with a vehicle,” Whetsel said.

Technology and equipment also have fallen short of their promise to help police avoid high-speed chases. As police have spent millions of dollars outfitting officers with body cameras, armor and vehicle computers, pursuit technology remains crude.

The best-known equipment — tire spikes or spike strips — are retractable metal strips lined with spikes that police lay across a road to puncture the tires of an oncoming fleeing car.

[A January 2017 report](#) prepared by Johns Hopkins University Applied Physics Laboratory for the National Institute of Justice concluded that although spike strips are widely supported by police, “deployment of spike strip devices is not without risk.” At least 27 police officers had been killed deploying the strips, usually when they were hit by a fleeing driver, the report found.

A newer technology, developed by StarChase LLC, lets police shoot adhesive GPS tags onto the exterior of fleeing cars and use the readings to track down the car once it stops.

But Johns Hopkins researchers found that police felt the \$5,000 device is “a helpful pursuit management tool, but that it is not a comprehensive solution for avoiding or successfully resolving all possible pursuit scenarios.”

“It’s almost always a money issue,” Farris said of the reluctance to buy technology that would help police avoid pursuits. “It’s just, we can’t afford this, we don’t have it.”

This story was reported by FairWarning (www.fairwarning.org), a nonprofit news organization based in Pasadena, California, that focuses on public health, consumer and environmental issues.



Police wait out a suspect involved in a high-speed chase that ended in a collision with a semi truck on southbound I-5 near Gravelly Lake Drive in Lakewood, Wash., on Tuesday, Feb. 5, 2019. JOSHUA

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