

**CITY OF BALTIMORE
COUNCIL BILL 05-0084R
(Resolution)**

Introduced by: Councilmembers Conaway, Young, Kraft, Spector, Mitchell, Harris, Welch

Introduced and read first time: August 15, 2005

Assigned to: Public Safety Subcommittee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department

A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Independent Investigation – Police Pursuit Policy and Citizen Safety**

3 FOR the purpose of urging the Superintendent of the Maryland State Police to independently
4 investigate and review current administrative policies and procedures governing high speed
5 responses to emergency calls and other police pursuits; and requesting the Police
6 Superintendent report back to the Council regarding these issues.

7 **Recitals**

8 In the City of Baltimore, there is a growing realization that high speed responses to
9 emergency call as well as high speed pursuits present a serious problem that needs to be
10 addressed. Many citizens are questioning the wisdom of allowing high speed chases and
11 pursuits in urban areas, and are urging that tighter restrictions be placed on hot pursuits by the
12 police. A number of experts are in accord with the public demand for greater restraint in police
13 use of excessive speed when responding to an emergency.

14 Given the public’s heightened concern about street and highway safety, there is a clear
15 need to impose strong controls upon the operations of police vehicles in emergency responses
16 and high speed pursuits if there is to be a reduction in the increasing number of injuries and
17 deaths. Particularly in the case of “silent runs” or the non-use of a siren when responding to
18 burglaries or crimes in progress, current regulations should be scrutinized and necessary
19 adjustments in driving speed and other driving procedures should be prescribed.

20 A growing number of courts have shown an increased willingness to hold police officers
21 liable for injuries or damages resulting from their high speed pursuits which fall below the level
22 of skill, care, and diligence generally expected of police officers. Courts have also shown an
23 increased willingness to extend liability to police supervisors and municipal governments when
24 negligent actions of subordinates in high speed pursuits contribute to injuries or deaths to
25 innocent citizens.

26 A well conceived, clearly defined and comprehensive set of departmental guidelines for
27 pursuit driving, reinforced by training and supervision will reduce the risk involved in this

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

1 inherently dangerous police activity. A comprehensive policy for pursuit will supply an
2 important check against abuse of the police officer's privilege of using high speed to pursue a
3 suspect or response to an emergency call.

4 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this
5 Body urges the Superintendent of the Maryland State Police to independently investigate and
6 review current administrative policies and procedures governing high speed responses to
7 emergency calls and other police pursuits; and requesting the Police Superintendent to report
8 back the Council regarding these issues.

9 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the
10 Commissioner of the Baltimore City Police Department, the Superintendent of the Maryland
11 State Police, the City Solicitor, and the Mayor's Legislative Liaison to the Council.