

Internal Investigation  
Pursuit Summary  
Lowell PD Case #20-1364  
August 29, 2020 at 02:02 am

**Officer:** Jason Diaz  
Radio #8442

**Cruiser:** 838

**Pursuit time:** 02:02:12 – 02:05:59  
Approximately 8 miles (see Google map)

**Weather/Traffic/Road Conditions:** Temperature unknown, Severe Thunderstorm watch in effect until 2am (see Mlive article), reports of power outages and trees down. From the in-car video, road way appeared damp from previous rain but otherwise clear. There was no other traffic or pedestrians on the roadway. The gravel roadway on Whitesbridge road was wet with scattered mud puddles.

**Applicable Policy:** Operation of Motor Vehicles, Policy #6

**Applicable Law:** MCL 257.700 (b) Fail to Dim – Civil Infraction  
MCL 257.255 (1) No Registration Plate – Civil Infraction  
MCL 257.602a (1) Flee & Elude Police Officer - Felony

**Prepared by:** Christopher Hurst, Chief of Police

The below listed events were documented from the in-car video from Lowell PD cruiser #838:

ETS Time	Description
02:02:12	Officer Diaz is westbound in the 2500 block of W Main St. A vehicle (SV) is eastbound with its bright lights activated. Office Diaz makes a U-turn on the SV to close and conduct a stop for the violation.
02:02:23	SV appears to accelerate from Officer Diaz after he is now traveling eastbound
02:02:39	Officer Diaz is traveling at 80MPH passing the Napa store to close with the SV. The SV is passing the Key Vista Trailer Park
02:02:47	Officer Diaz is traveling at 94MPH passing the Admiral Gas Station (2001 W main). It appears Officer Diaz is not closing the gap between him and the SV. SV is at W Main and Valley Vista.
02:02:58	Officer Diaz is at W Main and Valley Vista traveling at 85MPH. The SV is passing the Speedway Gas Station.
02:03:00	Lights and Siren are activated
02:03:14	Officer Diaz is traveling at 90 MPH passing Pleasant and W Main. The SV has crossed the RR Tracks

02:03:25	Officer Diaz is traveling 90MPH passing Hudson St. The SV is crossing the Flat River on E Main St.
02:03:36	Officer Diaz is traveling 95MPH passing Monroe St
02:03:48	Officer Diaz is traveling 102MPH at Grove St. The SV is east bound on E Main entering the curve to leave the city (past James St)
02:04:07	Officer Diaz is traveling 90MPH at the city limit on E Main/M-21. The SV is several hundred yards ahead of him
02:04:24	Officer Diaz is traveling 102MPH at the Kent/Ionia county line. SV is maintaining a large gap ahead of Officer Diaz.
02:04:56	The SV turns north onto Whitesbridge Rd in Ionia County
02:05:04	Officer Diaz turns north onto Whitesbridge Rd
02:05:29	Officer Diaz and SV are north bound on Whitesbridge Rd. SV is approximately 75 yards ahead of Officer Diaz. Speed is 50MPH
02:05:35	Officer Diaz passes Centerline Rd at 56MPH. SV vehicle is approximately 50 yards ahead of Officer Diaz
02:05:59	The SV is stopped by a downed tree in the roadway. Brake lights activate and the SV stops. Officer Diaz stops approximately 25-30 feet behind the SV. SV brake lights go out.
02:06:00	On video it can be seen there is no plate attached to the SV
02:06:02	SV brake lights activate
02:06:03	SV begins backing up at angle towards Officer Diaz's cruiser (back up lights are on)
02:06:06	SV strikes the driver front corner of police cruiser and then disappears from the camera view
02:06:07	SV headlight beams sweep left to right, then out of view
02:06:28	Officer Diaz begins backing up in the cruiser and appears to strike something (tree?)
02:06:44	Officer Diaz is south bound on Whitesbridge Rd. 30mph up to 60mph. SV is not visible
02:07:40	Officer Diaz reaches the intersection of Whitesbridge Rd and M-21. No vehicles seen
02:07:49	Officer Diaz is west bound on M-21
02:08:37	Officer Diaz arrives at the SV crash site at M-21 and Firefly (Ionia County)

### Conclusion:

Officer Jason Diaz in my opinion has complied with Lowell PD Operations of Motor Vehicles Policy in regards to vehicle pursuits in the following areas:

1. At the time of the incident, Officer Diaz was on duty, in full uniform, using a fully marked cruiser.
2. He utilized his emergency equipment (lights and siren) in order to signal the violating vehicle to stop.
3. He used due care and caution, using the center of the roadway to pursue the suspect vehicle, giving himself a buffer zone for some unforeseen occurrence.
4. The pursuit took place at 2am, on empty city streets, no traffic or pedestrians seen on the roadway, the roadway was clear of obstructions.
5. Weather at the time was calm with no precipitation or noticeable wind.
6. Officer Diaz maintained contact with dispatch via radio.
7. During the pursuit Officer Diaz maintained a "buffer zone" between him and the suspect vehicle. This buffer zone would allow for evasive maneuver in the event the suspect vehicle would suddenly brake or take other action to cause a traffic crash.

8. Officer Diaz did contact command staff as soon as it was practical and safe to inform of his actions.

Therefore, Officer Diaz is exonerated and has not violated any policy, rule, or directive of this department.