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On Saturday, December 20, 2008, at approximately 11:45 p.m., a uniformed officer in an unmarked police vehicle was patrolling a business area near the corner of Old Keene Mill Road and Commerce Street in Springfield, when he observed a man urinating in public next to his vehicle.

The officer approached the man as he entered his vehicle. The officer smelled an odor of alcoholic beverage emanating from the vehicle and requested that the man exit the vehicle. The man refused and further disobeyed the officer's commands to keep his hands on the steering wheel. He started the vehicle and placed it in reverse, striking the officer in the leg. The officer pointed his firearm at the man and commanded him to stop his vehicle, but the man drove away.

The officer pursued the vehicle with his emergency equipment activated. The driver lost control of his vehicle and struck several citizens' vehicles before coming to rest in a ditch. Assuming the vehicle was now disabled, the officer approached with his service weapon drawn and gave commands to the driver to show his hands and exit the vehicle. The man's vehicle lunged in reverse toward the officer, resulting in the officer discharging his service weapon at the driver and striking only the vehicle.

The driver again fled in his vehicle with the officer continuing the pursuit in his police vehicle. The driver lost control of his vehicle and struck a tree. The officer used his police vehicle to block in the vehicle and prevent it from moving, resulting in the successful apprehension of the driver.

There were no injuries as a result of the officer discharging his service weapon.

The driver was subsequently charged with Driving While Intoxicated, Refusal to Submit to a Breath or Blood Test, Assault on a Law Enforcement Officer, Speed to Elude, and Hit and Run.