



PORT ORCHARD POLICE DEPARTMENT
SERVICE * HONOR * INTEGRITY

POLICY REVIEW – IR# 21-013

DATE: May 13, 2021

IR# 21-013

SUBJECT: Pursuit D21-000793

BY: Josh Horsley, Sergeant

[Signature] 731

REQUIRED REPORTING – POPD [PURSUIT POLICY 307]

Date/Time: April 27, 2021 @ 2248 hrs.

Length of Pursuit: 1.1 miles, 64 seconds

Involved Units/Officers: D. Huibregtse

Initial Reason for the Pursuit: Suspect in Theft 2nd from Fred Meyer

Starting Point: Sedgwick at Bethel RD SE

Termination Point: Sedgwick @ Grand Ridge DR SE

Disposition: Vehicle stopped, and driver bailed.

Injuries/Property Damage: None

Medical Treatment: None

Supervisor: Sgt Horsley

Preliminary Determination: Within Policy

Additional Review/Investigation Needed: None

Related Reports: N/A

APPLICABLE POLICY SECTION(S):

Policy 307- Vehicle Pursuits

BACKGROUND:

On April 27, 2021 at approximately 2238 hrs. CENCOM advised of a theft at Fred Meyer located at 1900 SE Sedgwick Rd. The RP reported two black females had stolen three 75 in.



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TV's. CENCOM advised the suspects left in a black Chevy Avalanche, last seen N/B on Bethel Rd.

Officer Huibregtse arrived in the area and observed a dark colored Avalanche approaching the stop sign at Blueberry and Bethel Rd. He observed the vehicle was not displaying a front license plate. Officer Huibregtse continued S/B on Bethel, making a U turn on Piperberry Rd. As He was stopped at the stop sign at the intersection of Piperberry and Bethel Rd. He observed the Avalanche had pulled into a self-storage business on Bethel and was doing a U turn. He observed the vehicle make a left turn and travel W/B on Blueberry.

Officer Huibregtse advised Officer Gapsch via radio that he observed the suspect vehicle and was attempting to catch up to it. The suspect vehicle traveled west bound on Blueberry running the stop sign at the intersection of Blueberry and Ramsey as it made a right-hand turn onto Ramsey. The vehicle continued at a high rate of speed N/B on Ramsey. Officer Huibregtse advised CENCOM of the vehicle description and its direction of travel. He advised that he was not in pursuit, that he was just trying to catch up to the vehicle.

Officer Huibregtse observed the vehicle make a right hand turn on to Salmonberry and as it did this it ran the stop sign at the intersection of Ramsey and Salmonberry. The vehicle traveled east bound on Salmonberry and then ran the stop sign as it made a right turn back onto south bound Bethel Rd. Officer Huibregtse did not observe any other traffic on the roadways while attempting to catch up to the suspect vehicle.

Officer Huibregtse was able to catch up to the vehicle in the area of Piperberry and Bethel RD. He observed there was no license plate on the rear of the vehicle and that it was occupied by two. He activated his emergency lights and siren as they approached the intersection of Piperberry and Bethel, the vehicle made no attempt to stop as it continued S/B on Bethel Rd.

At the intersection of Bethel and Sedgwick Rd., the vehicle had the green light as it made a left-hand turn onto E/B Sedgwick Rd. Officer Huibregtse advised he was in pursuit via radio. He stated in his report that he was following the vehicle at approximately 4 car lengths and he advised CENCOM of the traffic and weather conditions. I monitored the radio traffic and also was aware there was KCSO deputies ahead of the pursuit. I asked via radio if they had spike strips with no answer. As they approached the intersection of Sedgwick and Converse, Officer Huibregtse advised the speed of the vehicle was 90 mph, this speed continued for approximately 3 city blocks. As they approached the intersection of Sedgwick and Brash Rd. the vehicle applied its brakes and slowed to 35 mph. The vehicle then moved to the right and was now traveling on the improved shoulder, but still made no attempt to stop. While on Sedgwick Rd there were 2 vehicles in the same lane of travel as the suspect vehicle. The suspect vehicle remained behind the other two vehicles that were traveling E/B on Sedgwick Rd. and did not attempt to pass on the shoulder.



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They continued east bound on Sedgwick Rd towards the intersection of Sedgwick Rd and Grand Ridge Dr. The suspect vehicle continued to travel on the shoulder of the road at 35 mph. As the vehicle approached the intersection it made a right-hand turn onto Grand Ridge. As soon as the vehicle made the right turn, Officer Huibregtse observed the driver of the vehicle jump from the vehicle. He described her as a black female wearing a pink shirt, pink shorts and pink hat. She ran into the wood line to the East of Grand Ridge.

The vehicle continued to travel south on Grand Ridge until the passenger was able to reach over and press the brake to get the vehicle to stop. Once the vehicle was stopped, Officer Huibregtse approached and observed there was still one person in the vehicle.

The female passenger was detained without incident.

The driver was not located even with the assistance of BPD K9.

ANALYSIS:

To conduct this policy review, I reviewed all written reports, pursuit report, and all audio files provided by Kitsap 911 related to this incident. I was also on duty during this incident and responded to the scene and spoke to the officers involved.

Officer Huibregtse attempted to stop a suspect vehicle of a felony theft 2nd degree. The suspect ignored Officer Huibregtse's emergency lights and siren. Officer Huibregtse advised he was in pursuit, the direction, speeds, and traffic/road conditions. He did not advise the reason for the stop but that was because it was known. Multiple officers were in the area looking for the suspect of a felony theft. Officer Huibregtse continuously broadcast his location, direction of travel, speed, traffic, roadway conditions. Officer Huibregtse remained calm throughout the incident and did not appear to be overwhelmed by the event.

POPD policy states, "Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle. Without specific and articulable facts describing the necessity of the pursuit, officers are strongly discouraged from pursuing vehicles for non-violent criminal activity."

In this case, the initial factors, felony theft 2nd, are compelling to continue the pursuit for a brief amount of time are justified. Other factors to consider the pursuit was at night with no traffic, clear roads and on a wide three-lane straight roadway. Speeds did hit 90 MPH for a few blocks. As this was a property crime policy states that it is strongly discouraged to continue pursuing but



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is does not prohibit it. Officer Huibregtse advised he was about to terminate when the vehicle slowed to the 35 Mph speed limit. This would have been around the 30 second mark of the pursuit that only lasted 64 seconds. As the driver was driving the speed limit on the shoulder of the roadway it is reasonable for Officer Huibregtse to continue following as this is usually a sign that the driver is looking for a spot to stop and bail. Given the factors listed about it is my opinion that this is reasonable.

CONCLUSION

It is my opinion that based upon the totality of the events, Officer Hubregtse's actions in this incident are within policy.

RECOMMENDATION:

None