

## Vehicle Pursuits: October 2023

This policy has been updated to address Washington Association of Sheriffs & Police Chiefs standards. Changes to this policy include:

- In **DEFINITIONS**, the "vehicle pursuit" definition has been updated to better align with state statute and to address standard 15.4, which requires conformance to Washington State law.
- **REPORTING REQUIREMENTS** has been updated to address standard 4.3, which requires an annual management review and analysis of vehicle pursuits, with a final report approved by the agency head, and a serial comma has been added.

## June 2023

This policy was recently updated in response to 2023 WA SB 5352. Lexipol recognizes that the statutory language was amended to remove the term "authorization." However, Lexipol's interpretation of the primary pursuit vehicle's responsibilities with respect to communication with the supervisor was tantamount to authorization. Based upon the feedback we have received, this approach lacked the desired clarity. We are therefore updating the content for more precise alignment with the controlling statute. Changes to this policy include:

- In **WHEN TO INITIATE A PURSUIT**, content that is no longer required by state law has been removed, and content relating to supervisor consideration of alternatives has been moved to a more appropriate location in **PRIMARY PURSUIT VEHICLE RESPONSIBILITIES**.
- In **PRIMARY PURSUIT VEHICLE RESPONSIBILITIES**, content from **WHEN TO INITIATE A PURSUIT** has been included to address supervisor consideration of alternatives to a pursuit.
- The Guide Sheet has been updated.

## May 2023

This policy has been updated because legislative action impacts its content. The update should be accepted and implemented as soon as possible. 2023 WA SB 5352 amended the vehicle pursuit law to allow for pursuits based on reasonable suspicion rather than probable cause for a larger category of crimes. Additionally, the bill mandates law enforcement officers to immediately contact a supervisor upon commencing a pursuit and requires law enforcement officers engaging in a pursuit to have completed specified training. Lastly, the bill requires a pursuing officer and a supervisor, if available, to develop a plan to terminate the pursuit with available resources as soon as practicable. Changes to this policy include:

- In **WHEN TO INITIATE A PURSUIT**, content has been updated to replace the term "probable cause" to "reasonable suspicion," and additional circumstances have been added to the list of authorized pursuits.

- In **PRIMARY PURSUIT VEHICLE RESPONSIBILITIES**, content has been updated to include notification of a supervisor immediately upon commencement of a pursuit, dispatcher notification has been updated, serial commas have been added, gendered pronouns have been removed, punctuation has been corrected, and the Edit Level has been changed from "Best Practice" to "State."
- In **WHEN USE IS AUTHORIZED**, content has been updated to include a mandate to develop a plan to terminate the pursuit with available resources as soon as practicable, and the Edit Level has been changed from "Best Practice" to "State."
- In **REGULAR AND PERIODIC PURSUIT TRAINING**, content has been updated to include additional training requirements, and the Edit Level has been changed from "Best Practice" to "State."
- The Guide Sheet has been updated.

December 2021

A law referenced in this policy has been codified. Changes to this policy include:

- Citations have been updated in **DEFINITIONS**, **WHEN TO INITIATE A PURSUIT**, **VEHICLE PURSUIT FACTORS**, and **SUPERVISORY CONTROL AND RESPONSIBILITIES**.
- Gendered pronouns have been removed in **SUPERVISORY CONTROL AND RESPONSIBILITIES**.

July 2021

A review of this policy has resulted in an update to one subsection. Changes include:

- **WHEN TO INITIATE A PURSUIT** has been updated to clarify the criteria for initiating a pursuit. Each criterion in the three primary bullet points must be met, though the first bullet is bifurcated into two separate scenarios, at least one of which must be met.

July 2021

This policy has been updated because legislative action impacts its content. 2021 WA HB 1054, effective July 25, 2021, added new law regarding tactics used by peace officers, including new law on vehicle pursuits and when to engage in a pursuit. Changes to this policy include:

- In **PURPOSE AND SCOPE**, a citation has been removed as it was repealed.
- **DEFINITIONS** has been updated to correct a typographical error in blocking or vehicle intercept and to include the bill reference for the definition of vehicle pursuit.
- **WHEN TO INITIATE A PURSUIT** has been updated to include limitation when a pursuit may be initiated, and the Edit Level has been changed from "Best Practice" to "State." Content from this subsection has been moved to **VEHICLE PURSUIT FACTORS**.
- **VEHICLE PURSUIT FACTORS** has been added as a new subsection in **OFFICER RESPONSIBILITIES** (the name may vary depending on how you answered the General Information Questionnaire), and a bill reference has been added. KMS automatically adds all new subsections to the bottom of the section, so as not to alter any agency-specific customization. To move the new subsection to the location Lexipol recommends (above **WHEN TO TERMINATE A PURSUIT**), first, accept all updates. Then, while in the edit mode, hold the cursor over **VEHICLE PURSUIT FACTORS**, right-click for options, and select the option "Move." The subsection titles will appear. Select **WHEN TO TERMINATE A PURSUIT**, and click "Move" once more. You will be prompted to select "Position Above" or "Position Below." Select "Position Below." KMS will refresh and the new subsection will be in the correct location and the other

subsections will be renumbered accordingly. Your agency can also accept all updates without relocating the subsection, but that is not recommended.

- A bill reference has been added to **SUPERVISORY CONTROL AND RESPONSIBILITIES**.
- A policy reference has been added in **USE OF FIREARMS**.
- The Guide Sheet has been updated.

The bill references will be updated once the statutes have been codified.

Unrelated to the legislative update, additional changes include:

- A spacing error has been corrected in **OFFICER RESPONSIBILITIES**. The section name is based on a text entity and may vary depending on how you answered the General Information Questionnaire.
- Spacing errors have been corrected in **PURSUIT VEHICLES, MOTORCYCLES** and **OFFICERS NOT INVOLVED IN THE PURSUIT**.
- A text entity has been corrected in **INTERVENTION STANDARDS**.
- Serial commas have been added in updated sections.

January 2017

- The terms "Department" and "department" have been changed to text entities where appropriate to facilitate the customization of these terms through the General Information Questionnaire.

July 2016

- WASPC accreditation has been updated.

August 2015

- This policy has been completely updated and revised. *Before processing any updates*, you should select the PDF "Compare Current to New Lexipol Update" document for a "strike out" version.
- **PURPOSE AND SCOPE** has been updated and a citation has been added that requires all law enforcement agencies to adopt a written vehicular pursuit policy.
- **DEFINITIONS** has been moved to be a subsection of **PURPOSE AND SCOPE**.
- A **POLICY** statement has been added by renaming **OFFICER RESPONSIBILITIES** and deleting its subsections. Relevant content from these deleted sections has been added back in the revised sections.
- All of the remaining sections have been revised and reorganized. Some have been renamed for clarity and to better reflect the contents. Content that has been deleted as an entire section has generally been revised and added back in a different location.

April 2015

- The policy subsection references in **WHEN TO TERMINATE A PURSUIT** have been changed to reflect a title and not a number.
- Text entities have been corrected in the titles of **[OfficerDeputy] RESPONSIBILITIES** and **[WATCH COMMANDER] RESPONSIBILITY**.