



Memorandum

TO: Chief Fisher *af*
FROM: Assistant Chief Gardner
DATE: 4/26/2023
SUBJECT: Annual Vehicle Pursuit Report for 2022

Chief Fisher,

Introduction:

The Fife Police Department encountered two (2) vehicle pursuit incidents in 2022. Of the two vehicle pursuit incidents, one pursuit involving two (2) Fife Police Officers fell within department policy and one (1) pursuit involving a single Fife Police Officer was found to be outside of policy.

Analysis of Findings:

Police pursuits of fleeing subjects can present a danger to the lives of the public, officers and suspects involved in the pursuit. Tactics used to stop a fleeing vehicle might be considered a use of force. It is the policy of the Fife Police Department to regulate the manner in which vehicular pursuits are initiated, continued and terminated.

A review of all pursuit incidents in 2022 were conducted in adherence with all departmental policies (policy 307) and WASPC Accreditation Standard 4.3 for annual reviews. Decisions to pursue should be based on training, department policy, traffic conditions, state law, severity of the alleged crime and risk to the public. At the conclusion of each pursuit, the initiating and each participating officer is required to complete a pursuit report. The Fife Police Department reviews each pursuit from the first level supervisor to the Assistant Chief of Administrative Services. The administrative review process is to evaluate decisions to pursue, department policy, traffic conditions, the severity of the crime, fleeing driver's actions, and risk to the public. Each pursuit is reviewed for department policy and continuing education training for our officers. This information is passed along to our Fife Police Department EVOC training cadre for review and incorporation into their training plan.

The Pursuit Policy of the Fife Police Department is consistently reviewed internally to meet State standards, best practices, and current laws. Our pursuit policy remains stringent, limiting pursuits to violent felony crimes. In addition, our current policy goes beyond the limitations outlined in RCW 10.116.060 (vehicle pursuit) by not allowing for pursuits where there is a reasonable suspicion that a person in a vehicle has committed or is committing an act driving under the influence offense under RCW 46.61.502.

The Fife Police Department pursuit policy is compliant with RCW 10.116.060 which limits vehicle pursuits to the following circumstances:

- There is probable cause to believe that a person in the vehicle has committed or is committing a violent offense, sex offense, or escape.
- The pursuit is necessary for the purpose of identifying or apprehending the person.
- The officer has received authorization to engage in the pursuit from a supervisor and must consider alternatives to the pursuit.
- The supervisor authoring the pursuit must consider the justification of the pursuit, safety considerations to include speed, weather, traffic, road conditions, known presence of minors, and the pursuit must be terminated if any requirements are not met.

Each pursuit initiated in 2022 did not result in any reported injuries or property damage. There was also no force utilized in either of the pursuits. One pursuit was cancelled by the officer after losing sight of the suspect and the second was terminated by a supervisor just after it started.

The two (2) pursuits in 2022 are four (4) less than occurred in 2021. 2021 held two sets of standards, based on state laws in effect at the time, to initiate a pursuit per Fife Police Department policy. For the first half of 2021, officers were allowed to pursue violent offenders based on reasonable suspicion. On July 25, 2021, legislative changes required probable cause to initiate a pursuit. During 2022, both pursuits fell under the restrictions listed under RCW 10.116.060 Vehicle Pursuits. The two pursuits were reviewed in a variety of categories, including the following:

- Initiating factors for the pursuit
 - One (1) pursuit began as attempting to stop a vehicle operator involved in a class A Robbery violent crime.
 - One (1) pursuit began as attempting to stop a stolen vehicle that had rammed a patrol unit after the officer initiated contact with the suspect.
- Day of the week, time of day
 - One (1) pursuit occurred on a Tuesday at 1814hrs and one (1) occurred on a Monday at 1825hrs.
- Roadway conditions
 - One (1) pursuit occurred during light/medium traffic conditions
 - One (1) pursuit occurred during medium traffic conditions
- Weather conditions
 - One (1) pursuit occurred during rain/sleet/snow conditions
 - One (1) pursuit occurred during dry conditions
- Locations
 - One (1) pursuit was initiated on Freeman Rd E and Valley Ave E.
 - One (1) pursuit was initiated on 6600blk of 20th St E.
- Fleeing driver's actions
 - In both (2) pursuits, the fleeing driver eluded with excessive speed.
- Officer decision to continue, supervisor authorization
 - One (1) pursuit ended after the pursuing officer cancelled after losing sight of the suspect vehicle.
 - One (1) pursuit ended after a supervisor cancelled/terminated it.
- Injuries, property damage.
 - One (1) pursuit did not have any injuries or property damage reported.
 - One (1) pursuit resulted in damage to a patrol car due to an intentional ramming of the vehicle. The officer also attempted to initiate a pursuit intervention technique (PIT) on the suspect vehicle when it began to flee. Each of these events occurred prior to a pursuit being initiated and the suspect and suspect vehicle were not located after the pursuit was cancelled/terminated by the supervisor.

In one (1) of the two (2) pursuits, Fife Officers used sound judgement when faced with a fleeing vehicle. Officers' knowledge of policies, the severity of the crime, on-view of drivers' actions, risks to

the motoring public, and the immediacy of taking the subject into custody were taken into consideration.

One (1) pursuit was deemed outside of policy. This incident involved an officer locating a parked occupied stolen vehicle. When the officer initiated contact with the driver, who at the time was asleep, it resulted in the suspect intentionally ramming the officers patrol vehicle while fleeing. The officer initiated a PIT maneuver which failed to stop the fleeing vehicle. The officer then initiated a short pursuit, lasting approximately 200 feet, prior to a patrol supervisor cancelling/terminating the pursuit. The officer did receive a coach/counseling as a result of the review.

In previous years, all pursuits were entered into the national database through IAPC Pursuits.com. I have discovered that this database no longer exists. Fife Police Department pursuit data is maintained in our internal LEFTA Systems tracking system.

Recommendations:

The Fife Police Department participates in the biennial Emergency Vehicle Operators Course (EVOC) with a cooperative cities coalition to provide the highest level of training with the lowest impact on the department. The cooperative cities coalition is comprised of Pierce County agencies with similar policies on pursuit driving. Each year, the instructor cadre reviews legislation, past police collisions and police pursuits. Although the training has the basic driving techniques, training is based on realistic training scenarios and officer decision-making. Staples of the training include PIT, pursuit driving, skills course to include backing, stop stick safety review, and application.

The Fife Police Department has a Sergeant or Officer-In-Charge on shifts monitoring potential pursuit situations. Once a pursuit is initiated, the officer is required to complete a pursuit report. This report is reviewed by the Sergeant, the Assistant Chief of Operations, and the Assistant Chief of Administrative Services.

Any future legislative changes will be reviewed and implemented into policy and training.

Based upon the incidents described, I recommend continuing the biennial EVOC training program with the cooperative cities coalition. I also recommend, on a case by case basis, implementing remedial training through our EVOC cadre as needs dictate it.

Respectfully submitted,



Assistant Chief Gardner