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# Memorandum

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TO: Chief Fisher *[Signature]*  
FROM: Assistant Chief Gardner  
DATE: 1/25/2024  
SUBJECT: Annual Vehicle Pursuit Report for 2023

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Chief Fisher,

**Introduction:**

The Fife Police Department encountered twelve (12) vehicle pursuit incidents in 2023. Of the twelve (12) vehicle pursuits, eleven (11) pursuits were found to fall within Fife Police Department Policy (307 Vehicle Pursuits) and applicable state laws (RCW 10.116.060). One (1) pursuit was found to be outside of policy.

The Fife Police Department experienced a large uptick in vehicle pursuits. In 2022 we experienced two (2) pursuits versus the twelve (12) reported in 2023. At least five (5) of these pursuits were directly related to a problematic apartment complex in the 2300blk of 62<sup>nd</sup> Ave E that produced a high amount of violent crime activity.

**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 2023 were conducted in adherence with all departmental policies 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 in our LEFTA Systems report software. 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 also did not adopt the recent legislative changes to the pursuit law for violent felonies which replaced "probable cause" to "reasonable suspicion" standard for the authorized pursuit offenses. The Fife Police Department has retained the **probable cause** standard for violent crimes and limits vehicle pursuits to the following circumstances:

- There is probable cause to believe that a person in the vehicle has committed or is committing:
  1. A violent offense as defined in RCW 9.94A.030
  2. A sex offense as defined in RCW 9.99A.030.
  3. A vehicular assault offense under RCW 46.61.522.
  4. A first or second degree assault offense involving domestic violence as defined in RCW 10.99.020.
  5. An escape under 9A.76 RCW.
- The pursuit is necessary for the purpose of identifying or apprehending the person.
- Officers 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. These same factors are monitored by supervisors and when a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit.

In analyzing the pursuit data for 2023 there were three (3) reported injuries to suspects involved in the pursuit. In one pursuit of an armed carjacking suspect a pursuit intervention technique was utilized and the suspect was taken into custody following a foot pursuit and a Taser deployment. The suspect reported lower back injuries as a result of the incident. A second incident involving a suspect colliding the stolen truck he was fleeing into a large metal pole. That second suspect also fled on foot and was taken into custody a short time later. This suspect reported potential head injuries. And finally, a third suspect was involved in a collision with another law enforcement vehicle after stealing a Fife patrol car. This suspect reported a lower back injury. All three suspects were treated by medical aid and hospital personnel prior to being booked into jail. Each of the claimed injuries by each suspect was non-incapacitating and were not serious in nature.

There was one (1) officer related injury and two (2) third party injuries reported in the pursuit data. The Fife Police officer was struck by a stolen vehicle while initiating contact with the suspect vehicle occupants. The officer reported non-incapacitating injuries. The vehicle was pursued by other Fife Police Department personnel after the assault occurred and later located abandoned. The data was included since the officer who was assaulted was also the supervisor who authorized his units to pursue the suspect vehicle. The third party injuries were the result of a stolen Fife Police patrol car striking a marked Washington State Patrol vehicle during a pursuit incident. The Trooper who was operating the vehicle, based on follow up report information, did not sustain significant disabling injuries. The Trooper had a front seat passenger, who was reported to be a Washington State Patrol dispatcher on an observation ride along. This passenger was reported to have sustained significant injuries to include broken bones as a result of being struck by the Fife Police Department that was being driven by the suspect. These injuries, however, were not life threatening.



There were several incidents that involved Fife Officers utilizing some measure of force when taking a suspect from a pursuit into custody. These force responses encompassed the following:

1. After suspect abandoned a carjacked vehicle and fled on foot two (2) Fife Police officers were able to locate the suspect and take him into custody. Both officers utilized their department handgun for a draw and direct technique. In addition, one officer also transitioned to physical controls during the arrest.
2. A sex offense suspect abandoned his vehicle after a pursuit intervention technique (PIT) was utilized by the one (1) pursuing Fife PD officer and he then fled the vehicle on foot. The pursuing officer assisted with taking the suspect into custody a short distance away by utilizing a draw and direct technique with his Taser.
3. One (1) Fife Police officer assisted an adjoining law enforcement agency at the conclusion of a pursuit by utilizing a draw and direct technique with his department issued handgun.
4. Two (2) Fife Police officers assisted a neighboring law enforcement agency with the pursuit of a homicide suspect and at the conclusion of a pursuit utilized a draw and direct technique with their department issued rifles as the suspect was taken into custody.
5. Three (3) Fife Police officers located and arrested a suspect at the conclusion of a pursuit for felony assault and possession of a stolen motor vehicle. The suspect collided into a large metal pole, totaling the stolen vehicle he was attempting to flee in, and subsequently attempted to flee the area on foot. The suspect was located and taken into custody with two (2) officers utilizing handgun draw and direct, one (1) utilizing rifle draw and direct, and all three (3) utilizing physical control tactics.

The number of Fife Police officers involved in each pursuit in 2023 were broken down to the following:

1. Three (3) officers.
2. One (1) officer.
3. Three (3) officers.
4. One (1) officer.
5. One (1) officer.
6. Three (3) officers.
7. Five (5) officers.
8. One (1) officer.
9. Three (3) officers.
10. Two (2) officers.
11. One (1) officer.
12. Six (6) officers.

It should also be noted that the above number of officers involved in each pursuit accounted for several officers engaged in the pursuit and subsequently disengaging where another officer would pick the pursuit back up with authorization from a supervisor. I found this to be the case where the above listed numbers noted several officers involved in the pursuit.

Pursuit termination was broken down to the following categories:

1. Pursuit terminated by officer = zero (0).
2. Pursuit terminated by supervisor = two (2).
3. Pursuit terminated after loss of sight of suspect vehicle = one (1).
4. Pursuit ended after suspect abandoned suspect vehicle = two (2).
5. Pursuit ended with suspect taken into custody = seven (7).

The twelve (12) pursuits were reviewed in a variety of additional categories, including the following:

- Initiating factors for the pursuit
  - Seven (7) pursuits began as attempting to stop a vehicle operator involved in a robbery.
  - One (1) pursuit began as attempting to stop a vehicle operated by felony rape suspect.
  - One (1) pursuit began as attempting to stop a vehicle being operated in a reckless manner during a street racing emphasis.
  - One (1) pursuit began as attempting to stop a vehicle operated by a homicide suspect.
  - One (1) pursuit began as attempting to stop a vehicle operated by an assault 1<sup>st</sup> degree and drive by shooting suspect.
  - One (1) pursuit began as attempting to stop a vehicle operated by an assault 1<sup>st</sup> degree suspect.
  
- Day of the week, time of day
  - Two (2) pursuits occurred on Monday.
  - One (1) pursuit occurred on Tuesday.
  - Three (3) pursuits occurred on Wednesday.
  - Three (3) pursuits occurred on Thursday.
  - Two (2) pursuits occurred on Friday.
  - One (1) pursuit occurred on Sunday.
  - Four (4) pursuits occurred during day time hours.
  - Eight (8) pursuits occurred during nighttime hours.
- Roadway conditions
  - One (8) pursuits occurred during light traffic conditions.
  - One (1) pursuit occurred during medium traffic conditions.
  - Three (3) pursuits occurred during heavy traffic conditions.
- Weather conditions
  - One (1) pursuit occurred during rainy conditions.
  - One (1) pursuit occurred during snow/sleet conditions.
  - Nine (9) pursuits occurred during dry conditions.
  - One (1) pursuit occurred during cloudy conditions.
- Locations
  - Two (2) pursuits were initiated at 54<sup>th</sup> Ave E and Pacific Highway E, Fife.
  - One (1) pursuit was initiated at Valley Ave E and 54<sup>th</sup> Ave E, Fife.
  - One (1) pursuit was initiated in the 2900blk of 56<sup>th</sup> Ave E, Fife Heights.
  - One (1) pursuit was initiated in the 2400blk of Alexander Ave, Tacoma.
  - One (1) pursuit was initiated along State Route 509, Tacoma.
  - One (1) pursuit was initiated 70<sup>th</sup> Ave E and N. Levee Rd, Fife.
  - One (1) pursuit was initiated in the 2300blk of 62<sup>nd</sup> Ave E, Fife.
  - One (1) pursuit was initiated in the 2400blk of 62<sup>nd</sup> Ave E, Fife.
  - One (1) pursuit was initiated in the 1800blk of 62<sup>nd</sup> Ave E., Fife.
  - One (1) pursuit was initiated in the 5400blk of 20<sup>th</sup> St E, Fife.
  - One (1) pursuit was initiated in the area of 20<sup>th</sup> St E and Milton Way, Fife.
- Fleeing driver's actions
  - In all twelve (12) pursuits, the fleeing driver eluded with excessive speed and reckless driving.
- Additional pursuit resources utilized during the pursuits where broken down with the following:
  - \*K-9 was requested to assist on four (4) pursuits.
  - \*Outside agency air unit assets were requested to assist on four (4) pursuits.
  - \*Outside agency personnel were requested to assist on eight (8) pursuits.

Duration, distance, and the highest speed reached during the pursuits were broken down with the

following statistics from 2023:

1. Time = one (1) minute duration, one (1) mile distance, top speed of 55mph.
2. Time = two (2) minute duration, two and half (2.5) mile distance, top speed of 60mph.
3. Time = one (1) minute duration, a little over one (1.16) mile distance, top speed of 70mph.
4. Time = two (2) minute duration, two (2) mile distance, top speed of 50mph.
5. Time = four (4) minute duration, four (4) mile distance, top speed of 104mph.
6. Time = four (4) minute duration, two (2) mile distance, top speed of 95mph.
7. Time = eight (8) minute duration, two (2) mile distance, top speed of 65mph.
8. Time = four (4) minute duration, eight (8) mile distance, top speed of 95mph.
9. Time = thirteen (13) minute duration, nearly thirteen (12.86) mile distance, top speed of 99mph.
10. Time = one (1) minute duration, half (.5) mile distance, top speed of 45mph.
11. Time = four (4) minute duration, a little over six (6.20) mile distance, top speed of 115mph.
12. Time = twenty one (21) minute duration, ten (10) mile distance, top speed of 90mph.

In (10) of the twelve (12) 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 found to fall within policy but was cancelled by the supervisor after consideration of the danger to the public because of the excessive speed the suspect was traveling at (115mph) and that the pursuit was heading into another county where radio communications would have been impacted. In addition, supervisory control of the pursuit would have been a concern along with the coordination of any additional pursuit resources.

One (1) pursuit was deemed outside of policy. This incident involved an officer assisting a neighboring agency that was in pursuit of a suspect vehicle involved with street racing activity. Probable cause was established for reckless driving. The Fife Officer engaged in the pursuit outside of Fife Police Department policy.

### **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.

In 2024, I have been advised that the cooperative cities coalition for EVOC will no longer be able to utilize the Washington State Patrol EVOC training course. Alternative plans are being made now to identify another facility and coordinate the 2024 EVOC training logistics.

New case law (RCW 10.116.060 e) requires any pursuing officer must have completed an emergency vehicle operator's course in the previous two years. In addition, the pursuing officer must be certified in at least one pursuit intervention option such as pursuit intervention technique (PIT) or stop stick deployment. We have implemented a tracking system to ensure compliance with these requirements for our personnel. If there is a commissioned officer who does not currently qualify to engage in a vehicle pursuits, they are provided notice that they are unable to pursue with field supervisors also being made aware of the prohibition. At this time, we currently have four (4) commissioned staff who are unable to engage in a vehicle pursuit because of these new requirements.

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

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.

Based upon the incidents described, I recommend continuing the biennial EVOC training program with the cooperative cities coalition, emphasizing qualification standards outlined in the new law, and focus training efforts on pursuit intervention options. I also recommend, on a case by case basis, implementing remedial training through our EVOC cadre as needs dictate it.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'C. Gardner', written over a horizontal line.

Assistant Chief Gardner