

March 2020

## Vehicle Pursuits

### 308.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public and fleeing suspects (RCW 43.101.226(3)).

#### 308.1.1 DEFINITIONS

Definitions related to this policy include:

**Vehicle Pursuit:** An attempt by an officer in a police vehicle to stop a moving vehicle where the officer is signaling the vehicle to stop and the driver is resisting the stop by maintaining or increasing vehicle speed, making evasive maneuvers, or is otherwise ignoring the officer's attempt to stop the vehicle.

**Police Vehicle:** Vehicles assigned to officers for routine patrol and are equipped with emergency lights and siren.

**Supervisor:** The recognized supervisor for the shift.

**Primary Unit:** The police vehicle that is closest to the fleeing vehicle. The primary unit should be a fully marked police vehicle with overhead lights.

**Secondary Unit(s):** Any police vehicle(s) directly assisting the primary unit.

**Terminate:** Discontinuing the active pursuit of a fleeing vehicle.

### 308.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

### 308.3 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law. Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (RCW 46.61.035):

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing parking, direction of movement or turning in specified directions.

The number of units directly involved in the pursuit should be no more than four vehicles unless the circumstances require more units. This number will not include those officers providing traffic control, perimeter or trailing units.

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**INITIATING A PURSUIT:**

When engaging in a pursuit officers should identify the severity of the crime involved, including those crimes occurring during the pursuit. Officers should also determine the immediate threat that the suspect driver is presenting to the public and/or officers.

**TERMINATING A PURSUIT:**

Officers shall terminate a pursuit when the risk to the public or officer(s) outweighs the need for immediate apprehension of the suspect or when directed by a Bellingham Police supervisor.

Officers will not be disciplined or sanctioned if they decide not to enter into a pursuit or if they terminate a pursuit.

**308.4 PURSUIT VEHICLES**

**308.4.1 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES**

The primary officer involved in the pursuit shall notify dispatch of the pursuit as soon as practical. Information to dispatch should include the following:

- (a) Location and direction of travel.
- (b) Description of fleeing vehicle.
- (c) Reason for pursuit.
- (d) Other known or suspected hazards, such as, DUI, armed suspects, possible hostage, or other unusual circumstances.

This information is critical to the supervisor's decision making in allowing the pursuit to continue.

**308.4.2 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES**

The second officer in the pursuit should:

- (a) Notify dispatch they are in the pursuit.
- (b) Take responsibility of broadcasting the pursuit to dispatch if practical.

**308.5 PURSUIT DRIVING**

**308.5.1 OFFICERS NOT INVOLVED IN THE PURSUIT**

Officers not involved in the pursuit should monitor its location and be prepared to assist with the pursuit if needed. They should also be available to handle any collision(s) that result from the pursuit. If needed an officer will coordinate a moving perimeter that will ensure timely assistance to the pursuing officers if needed.

**308.6 SUPERVISORY CONTROL AND RESPONSIBILITIES**

The shift supervisor shall have command over the pursuit and will determine if the pursuit should continue. The shift supervisor will be responsible for the following:

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- (a) Ensuring the primary unit has provided the information on the pursuit as required.
- (b) Evaluate and direct tactics as needed such as: Air Support, K-9, other agency assist, spike strips, road blocks, intentional intervention, and/or pursuit intervention technique.
- (c) Terminating the pursuit if the danger to the public outweighs the need for apprehension of the suspect. A shift supervisor shall not be disciplined for terminating a pursuit.
- (d) Conducting an after-action review with the officers involved in the pursuit to critique the pursuit and address any training issues. If any training issues arise from the review the shift supervisor shall notify the EVOC training group, so these issues can be discussed and handled properly. Ensure the EVOC training group is forwarded the primary Longarm case number involving the pursuit.
- (e) Reviewing all Longarm reports and notifying the Patrol Lieutenant of the pursuit.
- (f) Assessing if any of the patrol vehicles used in the pursuit or intervention are in need of a safety check by fleet.

#### **308.7 DISPATCH**

The radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher. When a pursuit is initiated dispatch will:

- (a) Coordinate involved units and any additionally requested unit's, such as, aircraft, outside agencies, or medical personnel.
- (b) Ensure the shift supervisor is aware of the pursuit and relay the details to the shift supervisor if necessary.
- (c) Restrict the radio traffic for the pursuit units.
- (d) Maintain a detailed log of the pursuit.

#### **308.8 LOSS OF PURSUED VEHICLE**

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

#### **308.9 TRAINING**

All commissioned officers shall participate in the classroom and practical portion of the training.

Patrol personnel shall attend annual FRD or Bulletin classroom training, and biennial practical training.

#### **308.10 INTERJURISDICTIONAL CONSIDERATIONS**

When a pursuit exits the city limits and does not appear to be re-entering the city limits in a short amount of time, the pursuing officer shall obtain permission from the shift supervisor to continue

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the pursuit. The shift supervisor will determine if the pursuit should be handed over to another agency.

If the pursuit is handed off to another agency the shift supervisor will determine how many, if any, Bellingham Officer(s) shall continue in the pursuit.

#### **308.10.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY**

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Bellingham Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.

The roles and responsibilities of officers at the termination point of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local law enforcement agencies, a request for another agency's assistance will mean that its personnel will assume responsibility for the pursuit.

#### **308.10.2 PURSUITS EXTENDING INTO THIS JURISDICTION**

Officer(s) should not join pursuits being conducted by other police agencies, unless the agency requests Bellingham Police assistance or the pursuing agency has only a single unit in the pursuit.

Shift supervisors shall approve the assistance and the number of units that can be directly involved in the pursuit. As soon as practical the shift supervisor shall determine the reason for the pursuit and, using Bellingham Police Policy and training, decide if the pursuit shall be continued or terminated.

### **308.11 PURSUIT INTERVENTION**

#### **308.11.1 USE OF FIREARMS**

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

#### **308.11.2 INTERVENTION STANDARDS**

There are five methods of forcible stop: (1) Pursuit Immobilization Technique; (2) Spike Strips; (3) Intentional Intervention; (4) Roadblocks; (5) Boxing-in.

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- (a) The Pursuit Immobilization Technique (PIT) is a method of forcible stop used to bring pursuits to a conclusion. PIT is a forced rotational vehicle stop of a non-compliant suspect in an effort to end the suspect's flights and to ensure public safety. The PIT shall not be used on motorcycles unless deadly force is justified. The PIT can be used over 40 MPH under the same requirements as stated below, however, it could be considered a use of lethal force. Only those officers trained in the use of the Pursuit Immobilization Technique will be authorized to use this procedure. PIT maneuvers under 40 MPH may be executed by a trained officer driving a fully marked police vehicle. Officers should use the following considerations when considering the use of the Pursuit Immobilization Technique:
  - 1. Officers need to be aware of the environment and should give special consideration to sight assessment. Sight assessment includes: blind curves, bridge abutments, major obstacles or road shoulders, oncoming traffic, and pedestrians and bicyclists.
  - 2. Weather conditions that may negatively affect conducting a successful PIT.
  - 3. The availability of back-up and location of assisting officers.
  - 4. Whether the suspect vehicle has all four tires inflated or if the suspect's vehicle tires have been compromised by the use of the spike strip.
  - 5. The body and frame of the suspect vehicle, relative to the officer's patrol vehicle.
- (b) Spike strips (Stop Sticks) should be used when the officer(s) believe it would be effective in application and can be deployed with limited risk to the officer(s). Officer(s) will only deploy the spike strips when they are in communication by radio with pursuing officers. They will also advise the pursuing units where and when the spike strip is deployed. The shift supervisor will be notified as soon as practical that the spike strips have been deployed.
- (c) Intentional Intervention is the deliberate striking of another vehicle with a patrol vehicle(s) for the purpose of mechanically stopping the fleeing suspect vehicle. In some circumstances, the use of intentional intervention could be considered use of lethal force.
- (d) Roadblocks are the use of vehicles or other roadway obstruction that prevents the escape of a fleeing vehicle. It can only be used after approval is obtained from the shift supervisor. Because roadblocks involve a potential for serious injury, death and serious property damage it should only be used in the following circumstances: when the suspect(s) are involved in a violent felony or when the shift supervisor believes the suspect poses a significant threat of death or serious physical injury to the officer or others.
- (e) Boxing-in- A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop. Boxing-in can be used by officers in situations where they determine it is the best tactic to safely stop a vehicle.

### 308.12 REPORTING REQUIREMENTS

A pursuit will not in itself be considered a Use of Force. Any use of a forcible stop will be considered a use of force and will be reviewed accordingly. A Police Traffic Collision Report (PTCR) will not

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be completed for a forcible stop, unless, the fleeing vehicle collides with other property after the forcible stop.

If a pursuit or forcible stop results in the serious injury or death of anyone involved, mutual aid shall be requested, from the Washington State Patrol, for an investigation of the pursuit or forcible stop.

All officers involved in a pursuit or use of intentional intervention shall complete a Longarm report to include the following:

- (a) The Shift supervisor will ensure that detailed reports are completed, and an "overall" account of the event is included.
- (b) The primary officer shall complete appropriate crime/arrest reports.
- (c) The primary officer shall ensure that the following photograph is taken and submitted with the Longarm Report:
  - 1. Officer will be wearing uniform that was worn during the pursuit; and
  - 2. Officer is standing next to the police vehicle used in the pursuit (emergency lighting equipment should be activated).
- (d) The primary officer shall complete a Report in Longarm which should contain the following detailed Information:
  - 1. The violation(s) that caused the pursuit to be initiated.
  - 2. The conditions of the pursuit, including, but not limited to, all of the following:
    - (a) Duration and route
    - (b) Approximate mileage
    - (c) Number of Officers involved
    - (d) Maximum number of units involved (Cover and Perimeter)
    - (e) Time of day
    - (f) Weather conditions
    - (g) Speeds in relation to speed limits
    - (h) Names of Officers involved
    - (i) Whether the pursuit involved multiple agencies
    - (j) The means or methods used to stop the suspect being pursued.
    - (k) If force was used, what type(s)
    - (l) Whether the pursuit resulted in a collision
    - (m) If injuries, type and seriousness
    - (n) Suspected alcohol/drug use of fleeing driver

### **308.13 TRAINING**

All commissioned officers shall participate in the classroom and practical portion of the training.

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Patrol personnel shall receive annual FRD, Bulletin, classroom training, and biennial practical training. EVOC instructor cadre shall attend annual training relating to emergency vehicle operations.

#### **308.14 POLICY REVIEW & COMMAND STAFF REVIEW**

Officers of this department shall certify in writing that they have received, read and understand this policy initially, upon any amendments and whenever training on the policy is provided.

The Patrol Lieutenants will maintain a log of all pursuits and will review all pursuit reports annually to determine patterns or trends that indicate training needs and/or policy modifications. The annual review shall be provided to the Chief of Police, Command Staff, Training Staff and EVOC instructor cadre.