

## Search By Case Number

Case No	Date Opened	Date Closed	Subject	Status
1914500511	06/04/2019		Eluding Police	Open
1918500950	07/04/2019		Eluding Police   Possession of Stolen Property   Hit	Open
1924500116	09/02/2019		Eluding Police   Motor Vehicle Theft   Recovery	Open
1934100132	12/07/2019		Eluding Police	Open
2005901119	02/29/2020		Eluding Police   DWLS	Open
2100400643	01/04/2021		Aggravated Assault of a Police Officer   Traffic Offe	Open
2206601180	03/07/2022		Eluding Police   Fel	Open
2219602557	07/16/2022		Aggravated Assault of a Police Officer   Eluding Poli	Open
2220102650	07/23/2022		Eluding Police   Misd	Open
2227401353	10/02/2022		Eluding Police   Reckless Driving   Misd   Arrest	Open
2230201401	10/29/2022		Traffic Offense   Reckless Driving   Reckless Endan	Open
2316100322	06/10/2023		Eluding Police   Trespass Notification   Reckless Dr	Open
2317201604	06/21/2023		Kidnapping / Abduction   Armed Robbery   Eluding	Open
2334500984	12/11/2023		Eluding Police   Traffic Collision / Injury   Vehicle P	Open
2335700807	12/23/2023		Eluding Police   Reckless Driving   Harassm	Open

## Vehicle Pursuits

### 307.1 PURPOSE AND SCOPE

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

#### 307.1.1 DEFINITIONS

Definitions related to this policy include:

**Blocking or vehicle intercept** - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary roadblock.

**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.

**Pursuit Intervention Technique (PIT)** - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall, and come to a stop.

**Ramming** - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

**Roadblocks** - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

**Terminate** - To discontinue a pursuit or stop chasing fleeing vehicles.

**Tire deflation device** - A device designed to puncture the tires of the pursued vehicle.

**Trail** - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

**Vehicle pursuit** - An attempt by a uniformed officer in a vehicle equipped with emergency lights and a siren to stop a moving vehicle where the operator of the moving vehicle appears to be aware that the officer is signaling the operator to stop the vehicle and the operator of the moving vehicle appears to be willfully resisting or ignoring the officer's attempt to stop the vehicle by increasing vehicle speed, making evasive maneuvers, or operating the vehicle in a reckless manner that endangers the safety of the community or the officer.

### 307.2 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, and the crime they are suspected of having committed.

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### **307.3 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.

#### **307.3.1 WHEN TO INITIATE A PURSUIT**

Officers are not authorized to initiate a pursuit unless the following criteria exists (RCW 10.116.060):

- (a) When reasonable suspicion exists 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 9.94A.030.
  - 3. A vehicular assault offense under RCW 46.61.522.
  - 4. A first, second, third, or fourth degree assault offense involving domestic violence as defined in RCW 10.99.020.
  - 5. An escape under Chapter 9A.76 RCW.
  - 6. An impaired driving offense under RCW 46.61.502.
- (b) The pursuit is necessary for the purpose of identifying or apprehending the person.
- (c) The person poses a serious risk of harm to others and the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks of the vehicle pursuit under the circumstances.

#### **307.3.2 WHEN TO TERMINATE A PURSUIT**

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the

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seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) Extended pursuits of violators for misdemeanors not involving violence or weapons (independent of the pursuit) are generally discouraged.

### 307.3.3 VEHICLE PURSUIT FACTORS

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include but are not limited to (RCW 10.116.060):

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists, and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones), and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and the dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic, and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.

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- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment, and concealed or obstructed siren positioning.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., minors, passengers, co-offenders, hostages).
- (k) The availability of other resources, such as air support assistance.
- (l) Whether the pursuing vehicle is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the arrestee in transport. A vehicle containing more than a single arrestee should not be involved in a pursuit.

#### **307.4 PURSUIT VEHICLES**

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable.

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit vehicles and the supervisor vehicle). However, the number of vehicles involved will vary with the circumstances.

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

##### **307.4.1 MOTORCYCLES**

When involved in a pursuit, police department motorcycles should be replaced by marked emergency vehicles as soon as practicable.

##### **307.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT**

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

##### **307.4.3 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES**

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless the officer is unable to remain reasonably close to the

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suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to himself or others.

The primary pursuing officer shall notify a supervisor immediately upon initiating a vehicle pursuit. The officer and the supervisor shall consider alternatives to initiating a vehicle pursuit as well as safety considerations (RCW 10.116.060).

The primary pursuing officer shall notify the dispatcher, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including but not limited to:

- (a) The location, direction of travel, and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit.
- (d) The use of firearms, threat of force, violence, injuries, hostages, or other unusual hazards.
- (e) The number of occupants and identity or description.
- (f) The weather, road, and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

#### **307.4.4 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES**

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

- (a) Immediately notifying the dispatcher of his/her entry into the pursuit.
- (b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.
- (d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
- (e) Identifying the need for additional resources or equipment as appropriate.
- (f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

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### **307.5 PURSUIT DRIVING**

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
  - 1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
  - 2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.
- (c) As a general rule, officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
  - 1. Request assistance from available air support.
  - 2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
  - 3. Request other officers to observe exits available to the suspect.
- (d) Notify the Washington State Patrol or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

#### **307.5.1 PURSUIT TRAILING**

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

#### **307.5.2 AIR SUPPORT ASSISTANCE**

When available, air support assistance should be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants their continued close proximity and/or involvement in the pursuit.

The air support crew should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If officers on the

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ground are not within visual contact of the pursued vehicle and the air support crew determines that it is unsafe to continue the pursuit, the air support crew should recommend terminating the pursuit.

#### **307.5.3 OFFICERS NOT INVOLVED IN THE PURSUIT**

Officers who are not involved in the pursuit should remain in their assigned areas, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police department vehicle.

Non-pursuing members needed at the pursuit termination point should respond in a nonemergency manner, observing the rules of the road.

The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

#### **307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES**

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department (RCW 10.116.060).

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

- (a) Immediately notifying involved officers and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in the field supervisor's judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines, or additional resources is requested, if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the On duty officer is notified of the pursuit, as soon as practicable.
- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.



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- (j) Controlling and managing Ruston Police Department officers when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit as required.

### **307.7 SOUTH SOUND 911**

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved officers should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

### **307.8 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.

### **307.9 INTERJURISDICTIONAL CONSIDERATIONS**

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

#### **307.9.1 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 Ruston 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. For the

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same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

#### 307.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Ruston Police Department, the supervisor should consider:

- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to continue the pursuit.
- (d) Whether there is adequate staffing to continue the pursuit.
- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the On duty officer should review a request for assistance from another agency. The On duty officer or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

#### 307.10 PURSUIT INTERVENTION

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming or roadblock procedures.

##### 307.10.1 WHEN USE IS AUTHORIZED

As soon as practicable after initiating a pursuit, the primary pursuing officer and supervisor, if available, shall develop a plan for the termination of the pursuit using available intervention options (RCW 10.116.060).

In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to

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the public, the officers, and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

#### 307.10.2 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 (see the Use of Force Policy).

#### 307.10.3 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public, or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where, and if an intervention tactic should be employed.

- (a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers and after giving consideration to the following:
  - 1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, officers, or others.
  - 2. All other reasonable intervention tactics have failed or reasonably appear ineffective.
  - 3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
  - 4. The suspect vehicle is stopped or traveling at a low speed.
  - 5. Only law enforcement vehicles should be used in this tactic.
- (b) The PIT is limited to use by properly trained officers with the approval of a supervisor and upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public, and occupants of the pursued vehicle.
- (c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the

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use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:

1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
  2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.
- (d) Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public, and occupants of the pursued vehicle. Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
- (e) Tire deflation devices should be deployed only after notification of pursuing officers and the supervisor of the intent and location of the intended deployment, and in a manner that:
1. Should reasonably only affect the pursued vehicle.
  2. Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
  3. Takes into account the limitations of such devices as well as the potential risk to officers, the public, and occupants of the pursued vehicle.
  4. Takes into account whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children.
- (f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers, or the public.

### 307.11 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

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#### **307.12 REPORTING REQUIREMENTS**

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

- (a) The primary pursuing officer shall complete appropriate crime/arrest reports.
- (b) The primary pursuing officer or supervisor shall complete the appropriate pursuit report.
- (c) After first obtaining the available information, the involved, or if unavailable, on-duty field supervisor shall promptly complete a supervisor's log or interoffice memorandum, briefly summarizing the pursuit to the Chief of Police or the authorized designee. This log or memorandum should include, at a minimum:
  - 1. Date and time of the pursuit.
  - 2. Initial reason and circumstances surrounding the pursuit.
  - 3. Length of pursuit in distance and time, including the starting and termination points.
  - 4. Involved vehicles and officers.
  - 5. Alleged offenses.
  - 6. Whether a suspect was apprehended, as well as the means and methods used.
    - (a) Any use of force shall be reported and documented in compliance with the Use of Force Policy.
  - 7. Arrestee information, if applicable.
  - 8. Any injuries and/or medical treatment.
  - 9. Any property or equipment damage.
  - 10. Name of supervisor at the scene or who handled the incident.
  - 11. A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.
- (d) After receiving copies of reports, logs, and other pertinent information, the Chief of Police or the authorized designee shall conduct or assign the completion of a post-pursuit review, as appropriate.
- (e) Annually, the Chief of Police shall direct a documented management review and analysis of department vehicle pursuits to minimally address policy (including suitability and compliance), procedure, training, and/or personnel issues that are identified during the review process. The Chief of Police shall review and approve the final report.

#### **307.13 REGULAR AND PERIODIC PURSUIT TRAINING**

In addition to initial and supplementary training on pursuits, all officers will participate, no less than annually, in regular and periodic training addressing this policy and the importance of vehicle

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safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

All officers engaging in vehicle pursuits shall have completed an emergency vehicle operator course, refresher training in emergency vehicle operation within two years prior to the pursuit, and be certified in at least one pursuit intervention option (RCW 10.116.060).

### **307.14 POLICY 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.

**21.8.2 Informant Compensation.** Informants may be compensated for their service. It is required that officers get prior approval from the Chief before spending investigative funds. These funds are controlled by the Chief and can be obtained by officers with prior approval.

**21.8.3 Fund Records.** Before investigative funds are spent the informant will be registered with the Investigator. The expenditure of funds will be recorded by the Chief.

## **21.9. RADIO COMMUNICATIONS**

**21.9.1** All officers in this department have the capability of communication within the radio system. Radio communications will be conducted in a clear business like manner using proper procedures and will be kept brief.

**21.9.2** Officers will keep radio dispatchers informed of their location, and "in service", "out of service" status.

**21.9.3** Officers will promptly answer all radio calls from dispatchers and advise when they are responding.

**21.9.4** Officers will advise dispatchers when they arrive and when they clear the location to which they were dispatched.

**21.9.5** Officers will inform dispatchers of their location, the nature of the situation, and other important details in on view situations.

**21.9.6** Car to car and officer to officer radio traffic is permitted during times of service to the public and is restricted for non-emergency use.

## **21.10 PURSUIT DRIVING**

### **21.10.1 Definitions.**

A) "Vehicle Pursuit". As used in Subchapter 21.10, the term "vehicle pursuit" shall mean the use of a properly equipped vehicle at speeds that may be above the posted limit by an officer pursuant to the policies and procedures of this Subchapter (21.10) to attempt to apprehend a person known to be a suspect of or wanted for a felony crime against person(s) when the person takes action in an actual or apparent attempt to elude the officer by using a vehicle to flee. As defined in Subchapter 21.10 "vehicular pursuit" does not include nor does it prohibit the use of an

official vehicle by an officer to make stops of vehicles for other proper law enforcement purposes, such as enforcement of the traffic laws, where the officer follows the suspect when the suspect is making no apparent attempt to elude.

B) "Member Agency". Means a member of the Pierce County Chiefs' of Police Association. Present members are as follows: Ruston P.D.

Pierce County SO	Puyallup PD	Buckley PD	Milton PD
Tacoma PD	Eatonville PD	Fife PD	Roy PD
Steilacoom PD	Bonney Lake PD	Sumner PD	Firecrest PD
Gig Harbor PD	Dupont PD	Orting PD	Wilkeson PD

C) "Rider". An on-duty officer of any rank or on-duty reserve officer riding with the officer driving a pursuit vehicle.

**21.10.2 Authorization for Vehicle Pursuit.** Ruston officers may only initiate or join a vehicle pursuit, including a vehicle pursuit initiated in another jurisdiction, when attempting to apprehend a person, who is known at the time to be a suspect of, or wanted for a felony crime against persons. An officer shall exercise great discretion in weighing the risk of the pursuit against the need to apprehend the suspect. The pursuing officer and supervisor shall continually evaluate the environment, logistics, and any escalating risk to all involved, and shall terminate the pursuit on the side of safety prior to apprehension of the suspect when good judgement dictates same.

NOTE: As an example, "felony crimes against persons", relates to the BAARRK crimes.

**21.10.3 Decision to Initiate, to Continue, and to Discontinue Pursuit.** Vehicle pursuit initiated or joined by Ruston officers within Ruston's jurisdiction shall conform to the following criteria:

A) Vehicle pursuit shall be initiated by an officer only when a known or suspected law violator of a felony crime against person(s) exhibits the intention to avoid apprehension by using a vehicle to flee. Only fully "marked" police vehicles may take part in a pursuit. A fully "marked" police vehicle means a motor vehicle equipped with overhead light bar, siren, police markings and symbols of this department. Unmarked police vehicles, motorcycles, and special purpose vehicles are not authorized pursuit vehicles.

B) Officers shall not initiate or join a pursuit and shall discontinue a pursuit



if they conclude from the nature of the circumstances that the potential risk of the pursuit outweighs the risk of allowing the suspect to escape apprehension. The officer(s) actually involved in the pursuit is accountable and must base continuation/termination decisions on factors including the following: seriousness of the crime; familiarity with the pursuit area; traffic and weather conditions; the presence of pedestrians in the area; the number of police vehicles and personnel engaged in the pursuit; the performance capabilities of police vehicle(s); the skill level of pursuing officer(s); whether existing conditions present unreasonable hazards to human life; whether the identity of the violator is known sufficiently so that later apprehension is probable; whether the pursued vehicle's location is no longer known or the separating distance is so great that further pursuit is futile; or whether a person is injured during the pursuit and no other law enforcement or medical personnel are available in a timely manner to render assistance.

C) As soon as possible after initiating a pursuit, the pursuing officer or rider shall notify dispatch that the pursuit is in progress and all relevant information including suspect and vehicle identification, direction, and speed of pursuit. Upon notification by the pursuing officer, the supervisor/senior duty officer must assess the circumstances and factors involved in the incident. If, in his/her judgement, the risks to persons or property exceed the need to effect an immediate apprehension, it is his/her duty to have the pursuit terminated.

**21.10.4 Mandatory Pursuit Termination Criteria.** In addition to a decision to terminate a pursuit under the criteria set forth in Section 21.10.3, pursuits shall be immediately terminated under the following circumstances:

A) The primary pursuing officer, or his/her rider determines the pursuit poses too great a risk to him/herself, the suspect, or community.

B) A supervisor/senior officer orders the pursuit terminated.

C) The suspect vehicle goes the wrong way on a freeway, freeway ramp, divided highway, or one-way street. However, in such circumstance, the pursuing vehicle may continue to pursue or follow at a reduced speed if this action would provide notice to other vehicles of the approach of a fleeing vehicle from the wrong direction.

D) Pursuit vehicle experiences equipment failure or malfunctions involving: lights (emergency and standard), siren, radio, brakes.

accelerator, steering, or other essential equipment.

In the event that the primary pursuit vehicle experiences such equipment failure, the pursuit itself, need not necessarily be terminated, but the officer involved experiencing vehicle malfunction shall terminate his/her role.

E) The officer is informed that the fleeing person is not a suspect of or wanted for a felony crime against persons.

**21.10.5 Responsibility of Units.** The primary pursuing unit has the responsibility for suspect apprehension.

A) Unless relieved by a supervisor, the senior officer of the primary unit shall be responsible for the control of pursuit tactics, including the continuing decision to pursue.

B) Any secondary unit, after having advised dispatch of joining the pursuit, will be responsible for providing back-up to the primary unit, broadcasting pursuit progress, and providing post-pursuit information.

C) The following guidelines shall be used by officers who are in actual pursuit, unless conditions necessitate a different course of action.

1. Emergency lights and siren shall continue to be activated during the pursuit.

2. Officers in the initial pursuing unit shall, as soon as possible, inform the dispatcher of known information including their location, direction and route of pursuit, reason for the pursuit, and the complete description of the fleeing vehicle, including the number of occupants.

3. No more than two police units shall be operated in direct pursuit of a vehicle unless additional aid is approved by the supervisor or senior officer. All other units shall stay clear of the pursuit, but should remain alert to its progress. Radio traffic should be restricted accordingly.

**21.10.6 Training and Policy Review.**

A) The department shall provide minimally an annual training session reviewing the implementation of the policies and procedures set forth in this section and such additional training for all or selected officers as

determined necessary by the chief.

B) The prior year's pursuit reports, including completed and discontinued pursuits, shall be reviewed by the chief or his/her designee for consideration of whether any department policies/procedures may require modification.

**21.10.7 Inter-Jurisdictional Pursuit--Application of Policies, Procedures and Guidelines to Ruston Police Department.** The policies, procedures and guidelines for inter-jurisdictional pursuit set forth below at Sections 21.10.8 through 21.10.14 shall apply to vehicle pursuits initiated continued, joined or terminated by Ruston Police Department officers, subject to the provisions set forth above at Sections 21.10.1 through 21.10.6.

**21.10.8 Inter-jurisdictional Pursuit--Recommended Policies, Provisions and Guidelines for Member Agencies.** It is the intent of this and the following sections to recommend a set of policies, procedures, and guidelines under which all Law Enforcement Agencies in Pierce County that are Member Agencies of the Pierce County Chiefs' of Police Association will operate in times of inter-jurisdictional vehicle pursuits. These policies, procedures, and guidelines are intended to minimize the risk of injuries to the public, police officers, and suspects. Through this coordinated effort of mutual cooperation efficient and effective decision making and communications will be promoted, and the risks of vehicle pursuits will be minimized. Each officer and supervisor must weigh the risk of personal and public safety against the benefit of immediate apprehension. Every officer engaged in a vehicular pursuit shall comply with RCW 46.61.035.

**21.10.9 Notification of Inter-Jurisdictional Pursuit.** If a pursuit is likely to extend into another law enforcement jurisdiction, the primary pursuing officer shall advise the dispatcher. The dispatcher shall notify the affected jurisdiction(s) of the complete details and progress of the pursuit as follows:

- A) Location and direction of the pursuit
- B) Number of police units involved
- C) Reason for the pursuit (nature and seriousness of the offense)
- D) Pursuit speed
- E) Suspect vehicle license plate (if known) and description
- F) Description and number of occupants (if known)

The dispatcher shall request that a common radio frequency (i.e., LERN), when or if available, be used for the pursuit situation and that all participating units and agencies use that frequency if necessary.

**21.10.10 Inter-Jurisdictional Transfer of Pursuit.**

A) Whenever an officer is engaged in an emergency pursuit of a vehicle entering into another jurisdiction, the primary pursuing officer shall notify the affected agency in the quickest way possible that the pursuit will or has entered their jurisdiction. Notification shall include, whenever possible, notification of their dispatch set forth at Section 21.10.09. As soon as practical, the outside officer will turn over the pursuit to the local officer of that jurisdiction.

B) When local officers have taken over the pursuit, the officer from the outside agency will discontinue further active pursuit. The outside officer will then proceed to the termination point at a reduced (safe) speed in order to provide necessary information for the arrest.

**21.10.11 Inter-Jurisdictional Transfer of Pursuit--Supervisor Decision Making.** Upon notification and based on all available information, the supervisor of the jurisdiction being entered shall make the a determination as to whether to continue the pursuit. Factors to be considered shall include the seriousness of the known/suspected violation, known hazards, potential for serious injuries, and any other extenuating circumstances.

**21.10.12 Inter-Jurisdictional Pursuit--Apprehension of Suspect.** If a vehicle pursuit results in the apprehension of the suspect, preference shall be given to the jurisdiction having the most serious charges to take the suspect into custody. If all jurisdictions have similar charges, the initiating agency will take the suspect into custody. All jurisdictions involved in the pursuit, however, will charge the violator if and when applicable.

**21.10.13 Pursuits entering Pierce County from Non-Member Agencies.**

A) When notified of a pursuit entering a Member Agency jurisdiction from outside Pierce County, the entered jurisdiction's dispatcher will attempt to ascertain the complete details of the pursuit and notify that jurisdiction's units and supervisor of the pursuit.

B) Member Agency officers from Pierce County jurisdictions will not become directly involved in a vehicle pursuit entering their jurisdiction

unless specifically requested by that agency to do so or they take over the vehicle pursuit as part of 21.10.14 below.

C) The supervisor of the Member Agency jurisdiction being entered shall make a determination, based all available information, whether the pursuit should continue. If in his/her opinion the pursuit should be continued, the entered jurisdiction should attempt to take over the pursuit soon as practical and the original pursuing agency shall be advised to drop active pursuit and follow at a safe distance and speed to the termination point of the pursuit. If conversely, in his/her opinion, the vehicle pursuit is a detriment to public safety, the supervisor/senior officer of the jurisdiction being entered will advise the pursuing officer(s) and agency and request that the pursuit be immediately discontinued.

**21.10.14 Pursuits Initiated By Another Agency.** Officers shall not become involved in pursuits initiated by another agency, unless specifically requested to do so by that agency. If assistance is requested, the on-duty supervisor/senior officer shall determine, based on this policy, what assistance is to be rendered and make assignments accordingly. Notification of a pursuit by another agency, in itself, is not a request for assistance.

**21.10.15 Duty to Report.** At the termination of any pursuit an officer superior in rank to all other members involved in the pursuit, shall immediately be called to the culmination point of the pursuit. The superior officer shall conduct an inquiry, and, within 24 hours, submit a written report to the Chief regarding the circumstances of the pursuit including the reporting officer's assessment of the conformity of the participating officers to the policies and procedures in this subsection. This provision shall not preclude a separate inquiry from being conducted by each or any participating agency following inter-jurisdictional pursuits. An officer shall not be censured if a violator is not apprehended because the officer had terminated the pursuit pursuant to the policies set forth in this subchapter.

**21.10.16 Forced Stopping - Deadly Force.** An automobile used to force a vehicle off the road or for barricading a roadway is considered deadly force and should only be used when conditions dictate and justify use of deadly force.(See Chapter 1.2., Lethal Force)

## **21.11 RESPONSE TO ROUTINE AND EMERGENCY SITUATIONS**

**21.11.1** The first and most important function of the individual officer is to give aid at times of emergency. Because of this task, we in law enforcement are granted privileges and responsibilities beyond the average citizen. It is recognized that it is our primary responsibility to arrive safely at the scene of a call for help and that