



TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum

TO:

Avery L. Moore
Chief of Police

ASB #: 24-011

FROM:

Lieutenant Jeffrey Katz
Internal Affairs Section

DATE: June 11, 2024

THROUGH:

Captain Gretchen Aguirre
Support Services Division Commander

T/Assistant Chief Chris Karl
Administrative Services Bureau Commander

Deputy Chief Paul Junger
Office of the Chief of Police

SUBJECT: 2023 PURSUIT ANALYSIS REPORT

SUMMARY

Tacoma Police Officers may use vehicular pursuits as a method to apprehend individuals suspected of certain violent offenses, sexual offenses, and/or when circumstances present a danger to the community. Vehicular pursuits must be carried out in compliance with RCW 46.61.035, RCW 10.116.060 and Tacoma Police Department Policy. Both State Law and the policies of the Tacoma Police Department place a particular emphasis on the need for officers to weigh the safety risks of a pursuit against the need to immediately apprehend or identify a person.

In 2023, Tacoma Police Officers were involved in 44 pursuits – 39 were found to be within policy, 4 were found to be outside of policy, and 1 is pending review due to an ongoing investigation into an officer-involved shooting, which occurred at the end of the pursuit. In 2022, Tacoma Police Officers were involved in 20 vehicular pursuits. (Note: the 2022 Pursuit Analysis Report refers to a total of 20 pursuits; however, one pursuit was determined to be “unfounded” as a pursuit by the reviewing chain of command, and a second pursuit related to an Officer-involved Shooting was still pending review at the end of 2023.)

Background:

In mid-2021, the State of Washington enacted legislation (House Bill 1054) that placed restrictions on law enforcement vehicular pursuits, among other activities. Engrossed Senate Bill 5352, which updated the relevant legislation once more, passed and was made effective on May 4, 2023. This bill loosened some of the restrictions passed by House Bill 1054, including changing the standard to initiate a pursuit from “probable cause” to believe a person has committed a qualifying offense to “reasonable suspicion.”

RCW 10.116.060 currently reads, in part:

Vehicular pursuit.

(1) A peace officer may not engage in a vehicular pursuit, unless:

“To create a safe and secure environment in which to live, work, and visit by working together with the community, enforcing the law in a fair and impartial manner, preserving the peace and order in our neighborhoods, and safeguarding our constitutional guarantees.”

(a) There is reasonable suspicion to believe that a person in the vehicle has committed or is committing:

(i) A violent offense as defined in RCW 9.94A.030;

(ii) A sex offense as defined in RCW 9.94A.030;

(iii) A vehicular assault offense under RCW 46.61.522;

(iv) An assault in the first, second, third, or fourth degree offense under chapter 9A.36 RCW only if the assault involves domestic violence as defined in RCW 10.99.020;

(v) An escape under chapter 9A.76 RCW; or

(vi) A driving under the influence 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 vehicular pursuit under the circumstances; and

(d)(i) Except as provided in (d)(ii) of this subsection, the pursuing officer notifies a supervising officer immediately upon initiating the vehicular pursuit; there is supervisory oversight of the pursuit; and the pursuing officer, in consultation with the supervising officer, considers alternatives to the vehicular pursuit, the justification for the vehicular pursuit and other safety considerations, including but not limited to speed, weather, traffic, road conditions, and the known presence of minors in the vehicle;

Tacoma Police Department Policy (P3.2.2.A) defines a vehicle pursuit as “*An active attempt by an Officer to apprehend a suspect who willfully fails to immediately bring their vehicle to a stop and drives in an evasive manner while attempting to elude a pursuing police vehicle.*”

An officer may initiate a vehicle pursuit under the following circumstances, as outlined in P3.2.3.A:

A) Initiation Phase

After receiving supervisor approval officers may initiate a vehicular pursuit when there is probable cause to believe that a person in the vehicle has committed or is committing a violent or sex offense as defined in RCW 9.94A.030, or the person poses an imminent threat to the safety of others and the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks of the vehicular pursuit under the circumstances.

The serious risks created during a pursuit require a Police Officer to weigh many factors when deciding whether to pursue the violator. The Officer should consider the overall circumstances in relation to the danger posed to the community and other Officers when deciding to initiate, or terminate, the pursuit of a vehicle.

When a Tacoma Police Officer is involved in a pursuit, a supervisor will compile all related documentation, video footage, and reports into a case file using the IPro/BlueTeam system. The supervisor will then review the pursuit and assess whether the pursuit was within policy. This assessment will then be forwarded in turn to the Lieutenant and Captain of the involved employee(s). Both the Lieutenant and Captain will review the case file and previous assessment, and they will also enter their own assessment as to whether the pursuit complied with Department Policy.

Data review:

The following analysis of the 2023 Vehicle Pursuits is based on information retrieved from the IAPRO database.

The table below contains comparative data pertaining to pursuits which occurred in 2023, 2022, and 2021.

Pursuits	2021	2022	2023
Total Pursuits	1	20	44
Number of officers involved	3	59	110
Most frequent hours (number of pursuits during those hours)	2201-2400 (1)	1401-1600 (5)	2001-2200 (8)
Policy Compliant	1	18	39
Policy Non-Compliant	-	-	4
Pending	-	1	1
Deemed to be Unfounded as a Pursuit	-	1	-
Injuries: Officer	-	-	-
Injuries: Suspects	-	1	-
Injuries: Third Party	-	1	-

Reason for Pursuit Initiation:

Reason	2021		2022		2023	
	Count	% of Total	Count	% of Total	Count	% of Total
Assist outside agency	-	-	1	5%	3	7%
Felony – Person	1	100%	18	90%	39	89%
Felony – Property	-	-	-	-	1	2%
Traffic – Criminal	-	-	1	5%	1	2%
Traffic – Non-Criminal	-	-	-	-	-	-

All pursuits were entered into BlueTeam for tracking and reviewed by department supervisors. Of the 44 pursuits involving Tacoma Police Department personnel which occurred in 2023, 39 were found to be within policy. One is pending review due to the ongoing independent investigation into an officer-involved shooting, which occurred at the end of the pursuit. The remaining 4 pursuits were found to be outside of policy.

The Tacoma Police Department is in the process of deploying in-car video (ICV) camera systems, a transformation and transparency standard set forth in City of Tacoma Resolution #40622. At the time of this writing, there were 154 ICV systems deployed in patrol SUVs. There are 37 patrol SUVs which do not have ICV installed. ICV systems for these vehicles have been ordered but not yet delivered by the vendor. There are also 53 Crown Victoria police vehicles, including pool cars, which are not equipped with ICV and scheduled to be phased out of use. ICV was available in 31 out of 44 pursuits (approximately 70%), and ICV was used in all 31 of these instances.

Event that Concluded a Pursuit:

	2021		2022		2023	
Terminated/Canceled	-	-	4	20%	12	27%
PIT Maneuver	-	-	4	20%	4	9%
Stop Sticks	-	-	1	5%	1	2%
Suspect stopped vehicle	1	100%	2	10%	7	16%
Suspect vehicle crashed	-	-	5	25%	13	30%
Suspect vehicle eluded pursuit	-	-	4	20%	6	14%
Handed over to another agency	-	-	-	-	1	2%

ANALYSIS

Patterns and Trends

In 2023, the total number of pursuits involving Tacoma Police Department personnel rose year over year. In 2021 there was 1, in 2022 there were 20, and in 2023 there were 44.

Pursuits in 2023 occurred during every shift, and on every day of the week. The Tacoma Police Department's Patrol Division operates three shifts, the hours of which are listed below.

- Day Shift: 0500-1500 hours
- Swing Shift: 1300-2300 hours
- Graveyard Shift: 2000-0600 hours

The table below reflects the times of day during which pursuits were initiated in 2021, 2022, and 2023.

Time	2021	2022	2023
0001-0200	-	2	6
0201-0400	-	-	4
0401-0600	-	1	-
0601-0800	-	1	-
0801-1000	-	-	1
1001-1200	-	1	1
1201-1400	-	2	5
1401-1600	-	5	6
1601-1800	-	1	5
1801-2000	-	1	5
2001-2200	-	2	8
2201-2400	1	4	3
Total	1	20	44

Annual Review of the Department's Vehicle Pursuit Policies and Reporting Procedures:

During the annual review of all Vehicle Pursuits, the Department's current Policies and Procedures were reviewed. The Department Vehicle Pursuit Operations Policy (P3.2.2) is in compliance with State Law.

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RECOMMENDATIONS

Practical training regarding emergency vehicle operations should continue into 2024, with a particular emphasis placed on perishable psycho-motor skills such as pursuit driving, critical decision making, pursuit intervention technique (PIT Maneuver), and deployment of spike strips. Furthermore, legislative updates should be monitored and any changes to legislation should be communicated and rolled out in a timely fashion along with appropriate training for department personnel.

JK/man