



## PORT ORCHARD POLICE DEPARTMENT GENERAL ORDERS

**NUMBER:** 1830  
**TOPIC:** MOTOR VEHICLE PURSUITS  
**ISSUED BY:** Geoffrey C. Marti, CHIEF OF POLICE  
**DATE:** 9-1-2018  
**SUPERCEDES:** 7-15-2011  
**REFERENCE:**

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### I. POLICY

The Port Orchard Police Department authorizes officers to engage in motor vehicle pursuits subject to limitations and guidelines intended to maximize public safety and minimize the likelihood that suspects will elude arrest. As a general policy, officers will not engage in or continue pursuits when the risk created by the pursuit outweighs the necessity for immediate apprehension.

### II. PROCEDURE

A. Motor vehicle pursuit is defined as an active attempt by an officer operating a police vehicle to apprehend the driver or occupants of a motor vehicle when the driver is aware of those attempts and is resisting apprehension by fleeing in the motor vehicle

#### B. Initiation and Continuation of Pursuits

1. When a decision is made to pursue a vehicle, the officer initiating the pursuit must have reasonable suspicion to believe that the driver or the occupants of the vehicle have committed or are about to commit a crime, or that the violator poses an immediate or future threat of death or serious bodily injury to officers or the public.
2. Ordinarily, only vehicles equipped with both overhead emergency lights and sirens will enter into pursuits. When a fleeing vehicle constitutes an immediate threat, unmarked vehicles and motorcycles may pursue initially, until a marked unit can undertake direct pursuit. The unmarked vehicle and/or motorcycle shall then withdraw from any active pursuit and will serve in a support role only.
3. Units in Pursuit
  - a. No more than two Port Orchard Police Department vehicles will engage in the direct pursuit of a motor vehicle unless utilizing the Pursuit Immobilization Technique or otherwise approved by a supervisor.
  - b. The second unit is responsible for assisting the primary unit in safely apprehending the suspects, and assisting in communications when necessary.
  - c. Other units should be alert to the progress of the pursuit, but will not engage in direct pursuit without authorization.
  - d. All units involved in a pursuit shall maintain a safe following distance to avoid collisions.
4. Reserve Officers engaged in vehicular pursuits:
  - a. Reserve Officers will engage in pursuits only after receiving approval from a supervisor;
  - b. The supervisor shall take into account the level of experience the reserve officer has attained, including Emergency Vehicle Operation training and the nature of the offense.
  - c. Reserve Officers will not pursue vehicles for minor traffic offenses.
5. Upon initiating a pursuit, the officer shall immediately notify the dispatcher and provide the following information:
  - a. Location, speed, and direction of travel;
  - b. Reason for initiating the pursuit;
  - c. Description of vehicle and occupants.
6. The pursuing officer (or secondary officer, when present) shall advise the dispatcher of the progress of the pursuit, including, when applicable:
  - a. Changes in location, speed, and direction of travel;
  - b. Updated descriptions of vehicle/occupants;
  - c. Relevant traffic and roadway conditions.

7. The supervisor is responsible for the progress of the pursuit, and will:
  - a. Monitor radio transmissions concerning the pursuit, and direct any involvement by other units.
  - b. Order termination of the pursuit when appropriate, pursuant to the guidelines in this General Order.
8. When a supervisor is not on duty, it is the responsibility of the officer involved to ensure compliance with this policy and laws governing pursuits.
9. In determining whether to initiate or continue a pursuit, the officers and supervisor shall consider all relevant factors, including the following:
  - a. Nature of Offense: A serious crime, particularly one involving violence or the potential for danger if apprehension is delayed may justify pursuit in circumstances that a minor offense would not.
  - b. Time of Day: May influence risk created by the pursuit due to the level of activity occurring on or near the roadway, as well as lighting conditions and visibility.
  - c. Traffic Volume: The presence and amount of vehicular and pedestrian traffic affects the level of risk to innocent persons.
  - d. Location of Pursuit: The proximity to business, residences, schools, and other congested areas may increase the risk.
  - e. Weather Conditions: Pursuits are more dangerous during inclement weather such as rain, snow, fog, etc.
  - f. Road Conditions: Road surface, sight distance, roadway width, roadside hazards, etc. must be taken into account.
  - g. Availability of Assistance: Pursuits are more dangerous when other units are not in the vicinity to control traffic and assist in apprehension.
  - h. Traffic Violations: The driving behavior of the fleeing driver may create unacceptable risks when especially high speeds, frequent, or hazardous violations are occurring.
  - i. Barriers to Hearing and Visibility: Other barriers to hearing or visibility such as ambient noise level, foliage, etc. enhance the risk involved in the pursuit.
  - j. Potential for Later Apprehension: Pursuit is more difficult to justify when the suspect is known or can be identified for later apprehension.
  - k. Familiarity with Surroundings: Pursuit is more difficult to justify if the officer pursuing is not familiar with the surroundings or geographic area.

#### C. Termination of Pursuit

1. Officers shall terminate the pursuit or the supervisor will order termination of the pursuit, whenever the level of danger created by the pursuit outweighs the necessity for immediate apprehension.
2. Factors to be considered in terminating a pursuit shall include whether or not the crime is a dangerous felony or the violator poses an immediate or future threat of death or serious bodily injury to officers or the public.
3. Whenever the pursuit has been discontinued, no other unit shall undertake or continue pursuit of the vehicle.

#### D. Driving Guidelines During Pursuit

1. As soon as it is evident that the driver of the pursued vehicle is fleeing, officers shall activate their emergency lights and siren, and shall operate these continuously during the pursuit.
2. The law provides that operators of emergency vehicles are exempt from certain traffic regulations, however, officers are not relieved from the responsibility to drive with due regard for the safety of all persons. Reckless disregard for the safety of others is prohibited.
3. Officers approaching a stop or yield intersection will visually check for cross traffic, proceeding through the intersection only when the way is clear.
4. Officers will not duplicate extremely hazardous speeds or driving maneuvers made by the fleeing vehicle. Officers may not pursue suspects the wrong way on interstate or controlled access highways unless authorized by the supervisor. Officers may drive on the wrong side of divided roadways or the wrong way on one- way roadways only when absolutely necessary.
5. During night time pursuits, officers shall limit the use of wig-wag headlights, take-down lights, spotlights, and high-beam head lights. In any case, these lights shall not be used to blind the vision of the driver of the suspect vehicle.

6. The use of roadblocks must be approved in advance by the supervisor. Any roadblock employed must:
  - a. Be placed in a location that affords sufficient visibility, time and distance for the fleeing vehicle to stop safely;
  - b. Provide the fleeing driver with an adequate opportunity to avoid the roadblock.
  - c. Rolling roadblocks are prohibited.
7. Officers shall not attempt to overtake or pass a fleeing motor vehicle, except in extreme circumstances.
8. Intentional contact between pursuing units and the fleeing vehicle shall be prohibited except in extreme circumstances or when the Pursuit Immobilization Technique (PIT) is being applied, as explained below.
9. The use of a motor vehicle to barricade a roadway or to force another vehicle to go off the roadway is considered use of deadly force. The use of a motor vehicle as deadly force is authorized in the following circumstances:
  - a. In defense of his/her own or another person's life;
  - b. To prevent grievous bodily harm to the officer or civilian;
  - c. The use of deadly force must always be based upon those facts which the officer reasonably believes he has at the time of the use of that force. Facts which are unknown to the officer cannot be considered when later determining whether the use of deadly force was justified.
10. Use of Spike Strips
  - a. When safe to do so, officers will make use of issued spike strips in an attempt to terminate a pursuit.
  - b. A sufficient distance should be placed between the officer administering the spike strips and the vehicle being pursued.
  - c. Spike strips shall be placed on the roadway or thrown under the vehicle tires but at no time shall they be thrown from a vehicle in an attempt to disable the suspect vehicle.
  - d. Officers administering the spike strips shall place themselves in such a position to be out of harms way of the suspect vehicle should that vehicle try to take evasive action to avoid the spike strips.
  - e. When applying spike strips, officers shall be in a position to pull them out of the roadway prior to the spike strip being struck by uninvolved traffic.
  - f. The use of spike strips on motorcycles is strictly prohibited.
11. Use of Pursuit Immobilization Technique (PIT)
  - a. The PIT maneuver shall only be used by authorized personnel who have been through a POPD sponsored PIT training and have been approved by the Chief of Police.
  - b. PIT is authorized at speeds less than 40 mph.
  - c. Conducting the PIT at speeds in excess of 40 mph may be considered deadly force and shall be done only in accordance with the use of force policy.
  - d. Before initiating the PIT maneuver, authorized officers shall consider the following additional factors:
    - 1) Site selection;
    - 2) Other traffic present;
    - 3) Vehicle type;
    - 4) Number of occupants and whether children are present;
    - 5) Type of incident; and
    - 6) Training level and experience of the officer.

#### E. Pursuits Involving Multiple Agencies

1. The initiating agency is responsible for the progress of the pursuit.
2. When outside agency assistance is requested for a POPD pursuit, officers will advise the dispatcher that they are requesting assistance from the respective agency.
3. Officers will actively participate in a pursuit initiated by another agency only when necessary for the safety of the public or law enforcement personnel, and when such assistance has been approved by the supervisor.
4. When engaged in a pursuit initiated by another agency, officers will abide by all the requirements of this General Order.

F. Reports and Review of Pursuits

1. All officers who participate directly in pursuits will submit a Supplementary Report.
2. The supervisor shall review the pursuit with the officer and submit a pursuit report to the chief of police.
3. The chief of police will also review the pursuit and will notify officers of the results of the review.