

MEMORANDUM
Police Department



City of Bothell™

DATE: April 4th, 2022

TO: Clint Beck, Deputy Chief, Bothell Police Department

FROM: Kendall Smith, Acting Captain, Bothell Police Department, Operations

SUBJECT: Pursuit Review Summary for case 2022-2635

Call Summary:

On February 15th, 2022 at about 0210 hours, Master Patrol Officer (MPO) M. McCabe was at the Main intersection (SR 522 & Bothell Way NE) in Bothell (King County), and observed a vehicle that was stopped for a green light.

MPO McCabe pulled in behind it to investigate and saw that the car was running and the driver appeared to be 'slumped over' or looking down. The officer noted that the brake lights were on, there were no obstructions for the driver to make the turn. MPO McCabe noted that he could see the silhouette of the driver, but was unable to make positive identification of the driver, or determine their sex. While behind the car, the lights cycled between red and green three times. Based on his training and experience, MPO McCabe believed that the driver was driving under the influence and he initiated his emergency lights for a traffic stop. There was a delayed response from the driver, who then started to drive off at a low speed, going east bound on SR 522. Initially, MPO McCabe thought the driver was going to pull over. When it became apparent that wasn't the case, he obtained approval for the pursuit from the on-duty patrol supervisor MPO H. LaFavers. Shortly after, MPO McCabe was joined by Officer C. Russell.

The suspect vehicle continued east bound on SR 522, heading towards Woodinville. MPO McCabe stated that the top speed for the entirety of the pursuit was about 80-85 mph, in a 60 mph zone, but it quickly dropped as they exited SR 522 to Woodinville. The suspect vehicle continued to run stop lights and stop signs, but would slow down before entering each intersection. Throughout the pursuit, traffic was minimal and the suspect vehicle did not escalate to dangerous level of driving, nor pose and imminent threat to the safety of others.

The pursuit ended at about the 20400 block of Redmond-Fall City Rd. NE, with no injuries or property damage.

Using Google Maps, the pursuit was determined to last about 14.5 miles, and according to the Computer Aided Dispatch (CAD) notes, it lasted about 17 minutes.

Reason for the Pursuit:

Based on the facts and the totality of the circumstances, the officers had reasonable suspicion to believe that the driver was driving under the influence of drugs and or alcohol. MPO McCabe watched the suspect's vehicle sit through several cycles of lights without moving, and Officer Russell also stated that the vehicle had been in the same place prior to MPO McCabe's attempted stop. The officers attempted to stop the driver before he/she could endanger the community, but their attempt was not successful. The officers were dressed in their full patrol uniforms, including Bothell Police Department shoulder patches, external vests with police patches and badges displayed. Their vehicles were marked patrol vehicles with lights and sirens, so it is reasonable to conclude that the suspect driver knew they were police officers.

Supervision:

MPO LaFavers was the on-duty patrol supervisor that night. He gave permission for the initial pursuit, and monitored the situation on the air. He also gave the command to terminate the pursuit when it was not proving fruitful to continue.

Authorized Pursuit Units:

As the suspect vehicle took off from the initial scene, Officer McCabe requested permission to continue, which was granted. Officer Russell was in the area, and joined in behind MPO McCabe. Due to the low speeds Officer C. Stevie was able to make it to the area to set up spike strips, although he did not deploy them. Officers C. Duque and his Field Training Officer (FTO) Officer J. Rainey were also in the area, but did not participate.

Recommendation:

I reviewed all case reports and CAD for this incident (attached). I found that the Officers and patrol supervisor's actions were reasonable and in compliance with Bothell Police Department Policy BPD-0212. I recommend no further action be taken.

This report is submitted for your perusal.

Kendall Smith / Acting Captain
Bothell Police Department / Operations