

Vehicle Pursuits

313.1 PURPOSE AND SCOPE

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

313.1.1 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.

313.2 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.

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313.3 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.

313.3.1 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.

313.3.3 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.

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- (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.
- (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.

313.3.4 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 and broadcast their location for recording purposes.

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 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:

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- (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.

313.4 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.

313.4.1 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.

313.4.2 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 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.

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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.

313.4.3 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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313.5 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.

313.5.1 AIR SUPPORT ASSISTANCE

When available, air support assistance should be requested from King County Guardian One. Officers should not make an overtime call out for King County Guardian One without the permission of the Chief of Police.

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 officers should terminate the pursuit.

313.5.2 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.

313.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

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, 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 Shift Sergeant 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.
- (j) Controlling and managing Black Diamond Police Department officers when a pursuit enters another jurisdiction.

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- (k) Preparing a post-pursuit review and documentation of the pursuit as required.

313.6.1 SUPERVISOR RESPONSIBILITIES

Upon becoming aware that a pursuit has been initiated and approved, the on-duty supervisor shall monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The on-duty supervisor has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The on-duty supervisor shall review all pertinent reports for content and forward them to the Commander.

313.7 DISPATCH

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.

313.7.1 RESPONSIBILITIES

Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for:

- (a) Clearing the radio channel of nonemergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Shift Sergeant as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

313.8 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.

313.9 TIRE DEFLATION DEVICES

313.9.1 PURPOSE/POLICY

The purpose of this policy is to establish guidelines in the use of Tire Deflation Devices when terminating a pursuit or preventing the movement of a vehicle.

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The Black Diamond Police Department is committed to the use of methods that have a reduced chance of injuring persons while achieving a desired law enforcement result. Therefore, Tire Deflation Devices may be used to aid in terminating and preventing vehicle movement.

Tire Deflation Devices must be used in accordance with the manufacturer's instructions, Departmental training, Departmental policy and the directions of supervisory personnel.

313.9.2 DEFINITIONS

Tire Deflation Device- A device that is designed to puncture the pneumatic tire(s) of a vehicle that will result in the controlled deflation of the affected tire(s). The only Tire Deflation Device authorized for use by members of the Department is the StopTech, Ltd. Stop Stick brand.

Static Application-This is the sole recommended deployment method of the device, as it is the safest for deploying members. A static application is characterized by a fixed, predetermined, or stationary placement of the device well in advance of its actual or intended use.

313.9.3 ASSIGNMENT OF TIRE DEFLATION DEVICES AND MEMBER RESPONSIBILITIES

1. RESPONSIBILITIES

- (a) The Commander is responsible for ensuring that officers are trained in the use of the city-issued tire deflation device. The training officer is responsible for approving the applicable lesson plan and any changes to the lesson plan. Training shall include 'hands-on' demonstration.
- (b) The Commander is responsible for the storage, issuance, inventory, documentation, and replacement of City-issued tire deflation devices.

2. PURSUIT SUPERVISORS

- (a) Supervisors are responsible for approving and monitoring the use of the tire deflation device by their subordinates, ensuring that their subordinates are in compliance with this directive, and taking immediate corrective action when necessary.

3. ALL TIRE DEFLATION DEVICE TRAINED MEMBERS

- (a) Members trained in the use and maintenance of the Department-issued tire deflation devices are responsible for the devices maintenance. Each trained member should check the device as part of the start of their shift inspection to ensure it is serviceable.
- (b) Modification or alterations of the Department-issued tire deflation device are prohibited, unless approved by the Chief of Police, based on a recommendation by the Training Officer.

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- (c) Members are prohibited from carrying and using any other tire deflation device that has not been approved for use or issued by the Department.
- (d) For the utmost safety of members, those trained in the use of the tire deflation device are highly encouraged to identify safe potential deployment sites with proper concealment features in the City prior to an actual pursuit situation.

313.9.4 DEPLOYMENT OF THE TIRE DEFLATION DEVICE

- (a) Tire deflation devices may be utilized only by members who have successfully completed training by the training officer in the use of the tire deflation device. Whenever practicable, the officer should seek supervisory approval before deployment.
- (b) Members are authorized to deploy a tire deflation device only when physical force is authorized as defined in the use of force policy.
- (c) Members will be justified in using a tire deflation device when no other available option would be as safe and effective in terminating or preventing the movement of a vehicle.
- (d) Member and citizen safety will be the prime consideration when deploying the tire deflation device and the device should be positioned to minimize the ability of the suspect vehicle to avoid or evade the device. If attempts to deploy the tire deflation device compromise safety, they will not be utilized. Measures will be taken to divert other traffic from the area to prevent unnecessary damage to other vehicles.
- (e) Tire deflation devices can be used as a single unit or in combination of two or more units depending on the width of the roadway to be covered and available time to deploy them. When deployed as multiple units, the tire deflation device will be deployed as recommended by the manufacturer.

NOTE: Members shall never use a police vehicle to conceal themselves. Doing so is extremely dangerous and could result in death.

e. The cord line shall be kept flat to the ground to allow non-suspect vehicles to drive over the cord and to keep the cord from becoming entangled on a vehicle. Additionally, members **MUST NOT** attach the cord reel to themselves, wrap the line around their hands or hold the cord in their hands. Doing so can cause serious injury or death.

f. As the suspect vehicle approaches and when no other vehicles are between the suspect vehicle and the tire deflation device, the member will step backwards to position the device for tire deflation. After the tire deflation device has been struck or in the event the suspect vehicle evades the device, it should be removed immediately from the roadway by pulling it across and out in traffic.

g. Pursuing members should be prepared to take evasive action to avoid contact with the suspect vehicle, as the suspect vehicle will be slowing.

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h. Members will refrain from entering traffic lanes to deploy or to retrieve the tire deflation device. Care should be taken when handling the device after a deflation, as some spikes may now be exposed.

313.9.5 RADIO COMMUNICATIONS

It is imperative that all members involved are aware of the exact location of deployed devices, so they can slow down in time to allow the removal of the device after the suspect vehicle crosses it. Members deploying the tire deflation device must communicate the deployment to the dispatcher to ensure all units know the location of the deployed tire deflation device.

313.9.6 REPORTING OF TIRE DEFLATION DEVICE USE

1. Members will document the use of tire deflation devices in their incident reports or file a supplement to an existing incident report. The incident report should contain justification for using the tire deflation device, the outcome, the serial number of the device, information on damaged property, and any injuries. The reporting member will also file the Pursuit Reporting Form. The form will be faxed to StopTech, Ltd. at the number listed on the form, only after being reviewed and approved by the Commander. **The Pursuit Reporting Form is required by the manufacturer to enact the warrant and subsequent replacement of the tire deflation device.

2. The Commander will forward a copy of the incident report and the pursuit reporting form to the Chief of Police.

313.9.7 UNINTENTIONAL DAMAGE CAUSED BY TIRE DEFLATION DEVICES

If the tire deflation device causes unintentional damage to tires of a citizen's vehicle, the member who deployed the tire deflation device shall file a departmental memorandum detailing the circumstances of the unintentional damage and make reference to the incident which precipitated the unintentional damage.

A supervisor shall take photographs to document any damage and shall provide the citizen with information on how to make a claim to the city for reimbursement.

If the citizen desires assistance, the officer may arrange for private road service or towing. When the vehicle is towed from the scene and the citizen does not go with the tow truck, the officer may transport the victim to the victim's original destination, if within the city limits.

If a tire deflation device causes damage to tires on any patrol vehicle, officers shall immediately report the damage to their supervisor.

313.9.8 ANOTHER AGENCY'S REQUEST FOR TIRE DEFLATION DEVICE USE

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1. Generally, the tire deflation device may be used to assist another agency, either inside or outside the City of Black Diamond jurisdiction; however, the same notification criteria must be met as defined in 313.9.4.

a. If another agency requests assistance, tire deflation device may be utilized only by a Black Diamond Officer trained in the deployment of our device.

313.9.9 REPLACEMENT OF A TIRE DEFLATION DEVICE

The Commander will ensure that the department maintains a supply of replacement devices.

A. REPLACEMENT AFTER USE

1. If a device has been struck by a vehicle, it is no longer functional and must be replaced.
2. Prior to receiving a replacement device, the member requesting the new device must provide the Commander with the used tire deflation device, a copy of the incident report, and a copy of the pursuit reporting form.

B. REPLACEMENT AFTER LOSS OR DAMAGE

1. In the event of a lost or damaged tire deflation device, the officer should bring the device to the training officer for evaluation and replacement, if required. The officer reporting the damage or loss must either file the incident report or have a copy of the incident report detailing the circumstances of the loss or damage.

*NOTE: Each stick has its own unique serial number for tracking purposes. The serial number sticker is attached to each stick enclosed in the sleeve and the number must be reported on the pursuit reporting form.

313.10 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.

313.10.1 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 Black Diamond 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.

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

313.10.2 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 notification to 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 notification, 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 Black Diamond Police Department, the officer shall confirm the following criteria exists (Chapter 320 § 7, 2021 Laws) as outlined in 313.3.1.

- (a) Either:
 - 1. There is probable cause to believe that a person in the vehicle has committed or is committing a violent offense or sex offense as defined in RCW 9.94A.030 or an escape under Chapter 9A.76 RCW; or
 - 2. There is reasonable suspicion that a person in the vehicle has committed or is committing 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 an imminent threat to the safety of others and the safety risks of failing to apprehend or identify the person is considered to be greater than the safety risks of the vehicle pursuit under the circumstances.

The officer requesting authorization and the supervisor shall consider alternatives to initiating a vehicle pursuit as well as safety considerations (Chapter 320 § 7, 2021 Laws).

Supervisors should additionally 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.

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- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Shift Sergeant should review a request for assistance from another agency. The Shift Sergeant 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.

313.11 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.

313.11.1 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 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.

313.11.2 USE OF FIREARMS

An officer may not fire a weapon upon a moving vehicle unless necessary to protect against an imminent threat of serious physical harm resulting from the operator's or a passenger's use of a deadly weapon. For the purposes of this subsection, a vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available to the officer.

313.11.3 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.

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- (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 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) 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

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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.

313.12 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.

313.13 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.

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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.

313.14 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 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).

313.15 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.