



PORT ORCHARD POLICE DEPARTMENT  
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**POLICY REVIEW – IR# 19-003**

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DATE: September 3<sup>rd</sup>, 2019

IR# 19-003

SUBJECT: Pursuit D19-002205

BY:   
Dale G Schuster, *Deputy Chief of Police*

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**REQUIRED REPORTING – GENERAL ORDER 1830 – MOTOR VEHICLE PURSUITS**

**Date/Time:** August 23, 2019 @ 1453 hrs.

**Length of Pursuit:** 1.9 miles / 53 seconds

**Involved Units/Officers:** N. Lynch / J. Gapsch

**Initial Reason for the Pursuit:** Criminal Traffic

**Starting Point:** 1400 block Lund Ave.

**Termination Point:** 900 Block Bay St.

**Disposition:** Terminated

**Injuries/Property Damage:** None

**Medical Treatment:** None

**Supervisor:** D. Main

**Preliminary Determination:** Within Policy

**Additional Review/Investigation Needed:** None

**Related Reports:** D19-002205

**BACKGROUND:**

Officers Lynch and Gapsch were travelling E/B on Lund Ave. when they noticed two vehicles racing W/B on Lund Ave. in the 1400 block. Officers turned around, activated their emergency lighting, and attempted to catch up in order to initiate a traffic stop. As the officers caught up, another vehicle swerved into the oncoming lanes and sped off at a high rate of speed also W/B. Officer Lynch called out the pursuit as the vehicle turned N/B onto Sidney Ave. Officer Gapsch was the secondary vehicle and took over calling the pursuit. The vehicle continued N/B on Sidney Ave. turning right onto E/B Bay St. Chief Brown terminated the pursuit and both units



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de-activated their emergency equipment and discontinued the chase. The vehicle was later located in front of 263 Farragut Ave. S. Officers were unable to locate the suspect.

### **ANALYSIS:**

To conduct this policy review, I reviewed all written reports, sergeant's documentation, and all audio files provided by Kitsap 911 related to this incident.

Officer Lynch initiated a vehicle stop and immediately broadcast that the vehicle was fleeing at a high-rate of speed. Officer Lynch broadcast his/her position and then Officer Gapsch took over radio communications. Officer Lynch was able to broadcast a license plate. Officer Gapsch broadcast the vehicle description, location, speed, and traffic. Both Officers remained calm throughout the incident and did not appear to be overwhelmed by the event. Chief Brown was monitoring the radio traffic and terminated the pursuit when it reached Bay St.

POPD policy states, "Officers shall terminate the pursuit... whenever the level of danger created by the pursuit outweighs the necessity for immediate apprehension." POPD policy also states, "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." In this case, there did not appear to be any factors that showed the violator to be an immediate or future threat and the alleged crime was a gross misdemeanor violation of the traffic code. Additionally, the driver of the suspect vehicle increased the risk to the public by driving in oncoming lanes and at a high rate of speed in a residential area. The pursuit continued into the downtown area where there was a much higher likelihood of heavier vehicle and pedestrian traffic.

Officers demonstrated in their radio transmissions that they were actively monitoring speed, road, and driving conditions throughout the event. Chief Brown's decision to discontinue the pursuit as it entered the more crowded downtown area demonstrates that he weighed the importance of apprehending the suspects against the risk factors associated with the pursuit.

### **CONCLUSION**

It is my opinion that based upon the totality of the events, the officer's actions in this incident are within policy.

### **RECOMMENDATION:**

None