

MEMORANDUM
Police Department



City of Bothell™

DATE: October 6, 2021
TO: Clint Beck, Deputy Chief
CC: Bryan Keller, Risk Management Captain
FROM: Susy Johnson, Operations Captain
SUBJECT: Pursuit Review Summary 21-18075

[Handwritten signature and date: 10/06/21 2074]

Call Summary

On September 23, 2021, at approximately 0758 hours, the Bothell Police Dispatch Center received a phone call regarding a suspicious vehicle that had front-end damage and was parked in the grass at a church located at NE 195th Street and 100th Avenue NE. That church runs a daycare from that location so children and adults were present at the time. Captain Timpe arrived four minutes later and observed the suspect's vehicle with damage and a driven-over sign nearby. The vehicle was parked in a grass area that meant the driver had to drive over a curb and sidewalk to get where it was physically located. Captain Timpe advised the driver was passed-out/asleep and that drug paraphernalia was observable in the running vehicle. He directed the driver to put the car in park and turn off the engine. The driver's interaction with Captain Timpe and his bloodshot eyes led Captain Timpe to believe the driver was DUI. The driver then drove-off recklessly instead of turning his vehicle off as directed. He struck another fixed object in the lot (a second hit & run in that lot) and then sideswiped an occupied vehicle once it got onto the roadway (observed by Officers Sands and Farr as they arrived in the area).

Captain Timpe remained at the church to identify the property owner/victim and witnesses as Officers Sands and Farr tried to stop the vehicle. Sgt. Martin promptly advised he was monitoring and authorized stop sticks, should the opportunity present itself. With probable cause for DUI, reckless driving, and hit & run known before marked cars began to attempt to pull the driver over, Sgt. Martin authorized the pursuit. The pursuit lasted for approximately six minutes and it was ultimately directed to be terminated by Sgt. Martin, due to increasing public safety risk. The vehicle fled and the driver has not been identified.

See case report 21-18075 for full details of Captain Timpe's observations of the driver, Officers Sands and Farr's actions, Sgt. Martin's decisions, as well as the PFA-212 Pursuit Review form and Sgt. Martin's memorandum for additional pursuit details.

Reason for the Pursuit

The new pursuit standards were met relative to this pursuit. The new standard includes a requirement of at least reasonable suspicion that a driver is under the influence if pursuing for

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DUI. In this case, officers had an even higher level of knowledge because the driver's behavior was on-view, to include reckless driving, hit and run, and driving under the influence. Additionally, as this was a rental car, the driver's identity was not known (later determined to be a stolen rental), and the person posed an imminent threat to the safety of others (driving over sidewalks, into the grass, and into other cars) prior to officers beginning to pursue. There was supervisor permission and consideration was given to tire deflation as a means to stop the vehicle, consistent with our expectations if a supervisor authorizes a pursuit.

Supervision

Sgt. E. Martin was aware of the call, on the radio giving guidance, permitted the pursuit and ultimately terminated the pursuit. He led a crew debrief after the fact and covered tactics and other elements for training purposes. Officers Farr and Sands were complimented by dispatch and others listening to the call for the manner they responded to the incident, calm in providing the radio traffic, and the detail of their reports. Sgt. Martin advised in the future he would be clearer in how he articulates giving his permission over the radio, being mindful of continuing to give the units the majority of radio time (he said he was monitoring and gave direction to the officers that was clearly authorizing the pursuit, but did not specifically say the word "authorized," which would be beneficial in future like-events).

Authorized Pursuit Units

There were two marked patrol units involved in this pursuit, Officers Farr and Sands, consistent with policy.

Recommendation

I reviewed all case reports and the audio recording for this incident. This pursuit was **within policy**. The supervision and actions of the officers were appropriate and all documentation follows the new expectations for vehicle pursuits. The investigation is ongoing to try to identify the driver but expectations are low since it was a rental car stolen from another state.