

- c. Emergency Lights & Siren: During a priority response, emergency lights and siren shall be activated at all times when operating the police vehicle contrary to traffic laws. The police officer must remain cognizant of his/her personal safety and the safety of the general public.
 - d. Other Lighting Equipment: When responding in a priority mode:
 - Headlights: Shall be activated
 - Hazardous Warning Lights: Shall not be activated
 - Spotlight: Shall not be directed at the windshields or vision of oncoming traffic
 - e. Termination of Priority Response: As circumstances dictate, police officers shall terminate their priority response at the earliest possible time. When emergency warning devices are deactivated, the officer shall continue his/her response in a routine manner.
 - i. Emergency warning devices may be deactivated at a distance from the scene (at the discretion of the vehicle operator) so as to not alert suspects in criminal incidents to the proximity of the officer. The police officer shall continue his/her response in a routine manner.
3. Further Safety Concerns: Police officers are not compelled to continue a priority response when roadway or other conditions escalate to a degree which places the safety of the officer or others in extreme jeopardy. Conditions that must be continuously evaluated are:
- The capabilities of the officer to control the operation of the patrol vehicle
 - Vehicle speed in relation to road and weather conditions
 - The degree of emergency, urgency, or threat to others
 - When jurisdictional boundaries are reached due to area unfamiliarity
- C. **Emergency escorts of civilian vehicles:** Refer to 61.3.3 Law Enforcement Escorts
- D. **Supervisory Responsibility:**
- 1. Supervisors have the authority and responsibility to increase or decrease the classification of response of any individual officer or all responding officers.

41.2.2 Vehicle Pursuits

Definitions: The following definitions apply for this standard.

- A. **Pursuit:** An enforcement-related attempt by a ***uniformed (specifically noted in the law now)*** police officer to stop a motor vehicle, the violator vehicle does not stop within a few seconds, and an officer driving a motor vehicle continues following the violator vehicle. It is not a pursuit when the violator vehicle slows down and its driver appears to be looking for a place to stop.
- B. **Emergency Operation:** Emergency operation shall mean the act of driving a marked police vehicle with emergency lights and siren in operation while in pursuit of a violator in accordance with Washington Motor Vehicle Code RCW 46.61.035, or any applicable Federal Way Revised Code.

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- C. **Primary Unit:** The police vehicle in the lead position in a pursuit.
- D. **Secondary Unit:** Secondary units are other police vehicles that become involved in a pursuit.
- E. **Roadblock:** A roadblock is any method, restriction, or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles in order to affect the apprehension of an actual or suspected violator in a motor vehicle.
- F. **Vehicle Disabling Device:** A department approved tire-deflating. Such devices must be deployed consistent with department training.
- G. **“Boxing in”:** Placing patrol vehicles behind, in front of, and alongside the fleeing vehicle. The intent is for police vehicles in unison to gradually reduce their speed, until the suspect vehicle is stopped.
- H. **Overtaking:** Accelerating to catch up to a moving vehicle for the purpose of stopping that vehicle.

Principles: RCW 10.116.060 governs police pursuits. Officers may not engage in a vehicle pursuit unless one or more exceptions in the statute are met. When an exception justifies a vehicle pursuit, police officers must exercise critical and immediate judgment to determine if the continuation of the pursuit is appropriate. Officers must compare the value of apprehending the driver (or other occupant) with the risks of the pursuit. Officers must consider the dangers to the public created by the pursuit and weigh that against the danger created if the pursued driver escapes apprehension. Officers have the responsibility to exercise sound judgment and give due regard for the safety of others. Officers shall become familiar with the limitations provided in RCW 46.61.035.

- A. **Employees Authorized to Pursue:** Only general commission police officers who meet these criteria may engage in a vehicle pursuit:
 - 1) Attend EVOC training within the last 24 months;
 - 2) The training included specific instruction related to ongoing risk analysis and mitigation; and
 - 3) The officer is trained and authorized to perform at least one pursuit intervention technique (such as deploying tire deflation devices or PIT maneuver).
- B. **Authorized Pursuits:** Officers shall not engage in a pursuit unless the officer initiating the pursuit has at least reasonable suspicion to believe that the driver or occupants of the suspect vehicle have committed or are about to commit:
 - 1) a violent felony crime (outlined in RCW 9.94a.030),
 - 2) a sex offense (outlined in RCW 9.94a.030), or
 - 3) driving under the influence (under RCW 46.61.502).

The crime of eluding is not sufficient as the sole reason to initiate, authorize, or continue a pursuit.

- C. **Pursuit Requirements:** Upon initiation of a pursuit, officers must immediately notify a field supervisor/commander and a supervisor/commander must maintain continued oversight of the pursuit. Constant analysis of the safety considerations should be assessed with consideration and planning for alternatives to the continuation of the pursuit which should be implemented when appropriate.

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- D. Termination of the Pursuit:** Police officers must continually question whether the seriousness of the crime justifies continuing the pursuit. When terminating a pursuit the officer(s) shall turn off their vehicle's emergency equipment and obey all the rules of the road.

A pursuit shall be terminated under any of the following circumstances.

1. In the opinion of the primary officer, the field supervisor, or the patrol commander, there is an unreasonable danger to the officer or the community created by the pursuit. The danger of the pursuit outweighs the necessity of apprehension.
2. The suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer a need for immediate apprehension.
3. The prevailing traffic, roadway, or environmental conditions indicate the futility of continued pursuit.
4. The pursued vehicle's location is no longer known.

E. Police Vehicles Authorized to Pursue:

1. All fully marked police vehicles *as defined in Standard 41.2.1*.
2. Police Motorcycles: May initiate pursuits, but will relinquish all involvement in the pursuit to fully marked police vehicles as soon as possible (Dual-sport motorcycles may not pursue... see item 4 below).
3. Fully Equipped Unmarked Police Vehicles: May initiate pursuits, when fully equipped with emergency lights and siren, but will relinquish all involvement in the pursuit to fully marked police vehicles as soon as possible.
4. Police Vehicles NOT Authorized to Pursue: The below listed vehicles shall not initiate or become involved in a pursuit.
 - Prisoner Transport Van
 - Dual-Sport Motorcycles
 - Auxiliary Police Vehicles: Evidence Van, bomb truck, SWAT truck, etc...
 - Animal Services truck(s)
 - Unmarked Vehicles that are not equipped with emergency lights and siren.
 - Any vehicle transporting a prisoner

- F. Number of Police Vehicles Involved:** Normally up to three police vehicles may be engaged in a pursuit. Additional police vehicles may be authorized based on the following criteria:

- The number of suspects
- Reasonable cause to believe the suspect(s) is armed
- The threat to life posed by the suspect(s)
- When PIT is authorized (*refer to 41.2.3 Pursuit Tactics*)

- G. Emergency Lights and Siren:** Emergency lights and siren shall be activated during the entire time any police vehicle is involved in a pursuit or operating in an emergency manner due to a pursuit.

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Practices:**A. Evaluating Circumstances:** When deciding whether to initiate a pursuit, a police officer will consider the following factors.

1. Initial Attempt to Stop: In order to diminish the likelihood of a pursuit, the officer intending to stop a vehicle should be within close proximity to the violator's vehicle before activating the emergency lights and attempting the stop. The preceding practice is an attempt to reduce the violator's temptation to evade police contact. Close proximity may be defined within the confines of a city block.
2. Additional Factors for Evaluation: Once it becomes apparent that a vehicle is attempting to elude the police, the primary officer must evaluate the circumstances and decide whether or not to pursue. If a pursuit is initiated, these factors must be continuously considered as the officer and supervisor evaluate whether or not to continue the pursuit. Factors include, but are not limited to the following:
 - Does the seriousness of the offense justify a pursuit at high speed?
 - Is the violator identified and is their later apprehension likely?
 - Are there other methods of apprehension available to the officer?
 - Where will the pursuit take place? What special hazards exist due to the locale?
 - What are the traffic conditions?
 - What are the weather and roadway conditions?
 - What are the operating capabilities of the police vehicle and the officer operating it?

B. Primary Unit's Responsibilities:

1. Information Required: Once a decision is made to initiate a pursuit, the primary officer shall, **in all cases**, notify the field supervisor/commander and the communications center as soon as reasonably possible of the below listed information. Failure to provide the listed information may be cause for a supervisor to order the termination of the pursuit.
 - a. The officer's unit identifier and that he/she is engaged in a pursuit.
 - b. The specific reason for the pursuit including the type of violation, which initiated the pursuit.
 - c. The location, speed, and direction of travel.
 - d. The description of the vehicle being pursued, including the license number, if known.
 - e. The number of occupants, if known.
 - f. Traffic and roadway conditions.
2. Continuous Radio communication: The primary unit may request the secondary unit to provide radio communications. This may enhance the primary officer's ability to operate the lead vehicle.

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- a. The primary unit, or the secondary if requested to provide communications, shall provide updated information concerning the direction of travel, speed and suspect's actions, as such information develops or changes.

C. Secondary Unit's Responsibilities:

1. Each secondary unit joining a pursuit shall immediately announce their involvement and police identifier on the police radio. If the primary unit is a one-person unit, the assisting unit may assume radio communications responsibility allowing the primary unit to devote full attention to driving.
2. The secondary unit will maintain a safe distance behind the primary unit to render back-up assistance if and when required.
3. Assisting units shall avoid intersecting the path of an oncoming vehicle. *Refer to the practices related to the use of roadblocks contained in this standard.*
4. If the primary unit becomes disabled, the secondary unit will become the primary unit. The Communications Center will advise the field supervisor and other units that a new secondary unit is needed, and the next unit to join the pursuit will be designated the secondary unit.
5. **Other Units Responsibilities:** Except for mission critical information, all other Federal Way Employees shall maintain radio silence on the involved radio frequency and allow the supervisor and primary officer to coordinate the pursuit. All other police units will remain aware of the direction and progress of the pursuit. Uninvolved officers shall not violate rules of the road in an effort to parallel the pursuit on adjacent streets. Additional units are permitted to clear intersections, attempt to deploy an authorized vehicle-disabling device, or respond to the area of the pursuit to assist with any subsequent post pursuit perimeters. Deploying a vehicle-disabling device is mission-critical information appropriate for the radio.

D. Dispatch/Communications Responsibilities: Valley Communications Center will follow the Vehicle Pursuit guidelines as outlined in Valley Communications Standard Operating Procedures. Dispatchers will relay the following information:

- Activate Alert Tones
- Close the air and remain on primary frequency
- Notify surrounding agencies of the direction and reason for the pursuit
- Repeat the pursuit transmissions only when necessary
- Ensure all involved officers acknowledge termination of pursuit should the pursuit be terminated.

E. Supervisor's Responsibilities: Police supervisors shall monitor the progress of all pursuits and will avoid becoming involved in the pursuit, unless the supervisor is the initiating unit. If a supervisor initiates a pursuit, he/she shall terminate active participation in the pursuit as soon as practical. Supervisors are responsible for the following:

1. Immediately acknowledging over the police radio that he/she is monitoring the pursuit, including;
 - a. Deciding whether to allow the pursuit to continue.
 - b. Controlling or limiting the number of units involved in the pursuit.

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- c. Controlling the types of police vehicles involved in the pursuit.
 2. Requesting additional support such as: K-9, air support, outside agency assistance, etc...
 3. Approving the use of alternative tactics within his/her authority.
 4. Terminating the pursuit if it creates an undue hazard to the public or the involved officers have not provided adequate information for evaluation. *Refer to Section H of this Standard.*
 5. Responding to the scene of termination when the vehicle has been stopped.
- F. Interagency Pursuits:** Federal Way police officers shall adhere to the following guidelines for pursuits leaving Federal Way or outside agency pursuits entering Federal Way.
1. Inter-jurisdictional pursuits by other agencies:
 - a. When a police pursuit, originated by another jurisdiction, enters the City of Federal Way, and that jurisdiction requests assistance, the FWPD supervisor will ask or verify the reason for the pursuit, what assistance is to be rendered, and make assignments accordingly. Assistance may be limited to the deployment of tire deflating devices or illuminating intersections to warn citizens.
 - b. Federal Way police officers will not continue pursuits outside of the city when the pursuit was initiated by another jurisdiction, unless directed by the FWPD supervisor.
 - c. Police officers will not take over pursuits by other agencies unless specifically requested by the other agency and the FWPD supervisor approves the request.
 2. Inter-jurisdictional pursuits by Federal Way Police Officers:
 - a. When Federal Way police officers pursue a vehicle into other jurisdictions, the dispatcher will notify the respective jurisdiction.
 - b. Federal Way police officers pursuing vehicles into another jurisdiction shall maintain authority and responsibility for the pursuit, unless the Federal Way supervisor requests the appropriate jurisdiction to take over the pursuit.
 - c. When Federal Way police units continue a pursuit into another jurisdiction, responsibility for their continued involvement rests with the Federal Way supervisor.
- G. Reporting and Administrative Review of Pursuits:**
1. Police Reports: The supervisor will ensure that all reports are complete and contain the appropriate information.
 2. Notification: A Significant Incident notification briefly describing the pursuit including the date, time, location of the pursuit, injuries if any, and reason for the pursuit, shall be completed by the supervisor. *Refer to Standard 12.1.2.*

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3. Pursuit Review: The involved officer's supervisor will be responsible for completing a Pursuit Review with the officer. The review will include a discussion and documentation of the events resulting in the pursuit, the conditions (circumstances) of the pursuit, and applicable Police Department written directives. The Pursuit Review form will be used to document the review session. The session shall occur and the form properly routed within (10) ten calendar days of the incident.
- H. **Annual Pursuit Analysis**: The Professional Standards Unit performs an annual documented analysis of pursuit reports and review of policy and reporting procedures conducted by the Federal Way Police Department in order to reveal patterns, trends, or the need for additional training or modifications to standards.
1. Included in this analysis shall be a review of pursuit policies and the associated procedures to ensure they are functioning correctly and continue to meet our needs as an organization. This analysis will be approved by the Chief of Police.

41.2.3 Pursuit Tactics:

A/B. Circumstances and Implementation:

Practices:

1. Pursuit Immobilization Technique (PIT): PIT is the intentional and forced rotational contact of a suspect vehicle by a pursuing police vehicle in an effort to stop the suspect's flight or illegal activity. It is a discretionary option to control a police pursuit and is a method to reduce risks in bringing pursuits to a conclusion. This technique, when used at speeds 40 MPH and under shall be available to officers who have successfully completed the prescribed training course in the use of the technique. PIT is not a ramming technique and the resulting contact between vehicles will not be considered a collision for documentation purposes. The following factors should be considered before the application of PIT.
 - a. Site Selection: The area selected for the PIT should be as level and free of roadside obstructions as practicable. The PIT may be performed on straight-aways, corners, or non-level roadways, but the exit path from the PIT shall be considered prior to its use.
 - b. Oncoming Traffic and Pedestrians: Every effort to control or limit oncoming traffic into the PIT site shall be made. The PIT should not be attempted in traffic situations where the suspect vehicle shall likely be pushed into oncoming traffic or areas containing pedestrians or occupied vehicles.
 - c. Vehicle Type: Due to the possibility of rollover, vehicles with "over-high" suspensions, oversized tires, and utility-type vehicles such as four wheel drives may have the PIT employed on them only after other methods of pursuit control have been considered.
 - d. Vehicles with Multiple Occupants: If a fleeing vehicle is occupied by more than just a driver, consideration must be given to the makeup of the other occupants before the PIT is employed.
 - e. Use of PIT over 40 MPH: The supervisor monitoring the pursuit must authorize the use of the PIT at speeds above 40 MPH. The PIT may be used when the totality of the circumstances requires immediate intervention to stop a fleeing suspect's vehicle.

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- f. PIT Decision: Officers shall not be disciplined for a decision against using the PIT in a pursuit situation.
2. Boxing-In: This tactic may be used if there is no reason to believe the person fleeing is armed with a firearm. The supervisor or patrol commander must specifically approve boxing-In. Officers shall make no attempts to intentionally cause contact between a police vehicle and the suspect vehicle.
3. Tire Deflating Devices: These devices may be used with supervisor authorization. Every effort should be made to safely deploy the devices by notifying pursuing units of the deployed location.
4. Forcible Stopping: During the course of the pursuit, the below listed actions by a police officer are prohibited unless specifically approved by the supervisor or patrol commander. Such actions shall only be taken in cases involving circumstances justifying the use of deadly force.
- a. Ramming a vehicle and/or forcing a pursued vehicle off the road or into parked cars or other obstacles.
5. Roadblocks: Under certain circumstances, the blocking or barricading of a road by using police vehicles may become necessary. Such actions shall only be taken in cases involving circumstances justifying the use of deadly force and must be approved by a supervisor. If a physical roadblock is authorized, the following practices will be adhered to:
- a. All personnel shall be away from the blocking vehicles at a safe distance.
- b. The roadblock location shall be in an area where it can be seen by approaching traffic and high visibility will be maintained through the use of vehicle emergency lights, flares, cones, etc...
- c. When approaching the roadblock, pursuing police vehicles will give the suspect room to slow down.
6. Other Tactics:
- a. Passing: There shall be no attempt by police officers to pass other police units involved in the pursuit unless the passing police officer receives specific permission from the primary unit or the supervisor.
- b. Spacing: All units in the pursuit shall maintain adequate spacing to ensure proper braking and reaction time in the event of sudden slowing, stops, or turns.
- c. Controlled access Highways: Police officers shall not pursue suspects the wrong way on interstate or other controlled access highways, or on any divided highway.
- d. Traffic Control Devices: Extreme caution must be used whenever police officers disregard traffic signs or signals, even though statutes specifically permit such conduct. Officers will slow in order to ensure an intersection is safe to proceed through – only when approaching vehicles have yielded.

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- C. Training:** Federal Way Police Department conducts training in the use of roadblocks and other agency-authorized pursuit tactics on an as-needed basis.
- D. Supervisory Responsibilities:** *Refer to Item A/B (Circumstances and Implementation) above for each specific technique which details within the description what the supervisory responsibilities are appropriate to that particular tactic.*
- E. Reporting and Administrative Review of Pursuits:**
1. Police Reports: The supervisor will ensure that all reports are complete and contain the appropriate information.
 2. Notification: A Significant Incident notification briefly describing the pursuit including the date, time, location of the pursuit, injuries if any, and reason for the pursuit, shall be completed by the supervisor. *Refer to Standard 12.1.2.*
 3. Pursuit Review: The involved officer's supervisor will be responsible for completing a Pursuit Review with the officer. The review will include a discussion and documentation of the events resulting in the pursuit, the conditions (circumstances) of the pursuit, and applicable Police Department written directives. The Pursuit Review form will be used to document the review session. The session shall occur and the form properly routed within (10) ten calendar days of the incident.

41.2.4 Notification Practice:

Principle: Often the functions of Federal Way Police Department members are interdependent on other agencies and city departments. In order to facilitate the cooperation with these other entities the following practices will apply.

Practices:

- A. Medical Examiner:** Whenever a police officer is investigating a death, the King County Medical Examiners Officer will be notified. The following practices shall be followed during death investigations.
1. Non-Suspicious Unattended Deaths: If the officer has reason to believe the victim was recently under the care of a physician, the officer will attempt to obtain the name of that physician and then notify the Medical Examiners Office. Once the physician has been contacted, the Medical Examiner may issue a release (NJA) number to the officer and select not to respond to the scene. The officer will complete a thorough report regarding the circumstances of the death and insure photographs are taken.
 2. Suspicious/Unattended Deaths and Homicides: The primary officer in these death cases will request the supervisor respond to the scene and that the Criminal Investigations Section (CIS) be notified *per Standard 42.1.1*. The Medical Examiner's Office should be notified as soon as possible, but will not be requested to respond until a CIS representative can be contacted so that a coordinated investigation may occur.
- B. Street/Public Works Departments:** *Refer to Chapter 61 regarding instances when the Public Works Department would be notified.*

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