TACOMA POLICE DEPARTMENT

Intra-Departmental Memorandum



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| **TO:** | Avery Moore  Chief of Police | **ASB #:** 22-001 |
| **FROM:** | Lieutenant Gary J. Roberts  Internal Affairs Section | **DATE:** January 24, 2022 |
| **THROUGH:** | Captain Shawn Stringer  Support Services Division Commander  Assistant Chief Fred Scruggs  Administrative Services Bureau Commander | |
| **SUBJECT:** | **2021 PURSUIT ANALYSIS REPORT** | |

The Tacoma Police Department uses the IAPro/BlueTeam database to track Department incidents, to include Vehicle Pursuits. Each vehicle pursuit is reviewed and evaluated – first by a field Supervisor, then by a Shift Commander, and finally by the respective Division Captain.

The Tacoma Police Department recognizes that under [RCW 46.61.035](http://app.leg.wa.gov/RCW/default.aspx?cite=46.61.035) (see RCW for legislative language in its entirety), officers have the legal right and duty to apprehend offenders who flee from the police and present a threat to the public. Every Department member engaging in a pursuit must be able to articulate what conditions were present that justified the pursuit.

Tacoma Police Policy defines a vehicle pursuit as an active attempt by an officer to apprehend a suspect who willfully fails to immediately bring his or her vehicle to a stop, and drives in a reckless and evasive manner while attempting to elude a pursuing police vehicle.

Our Department Policy limits officers from initiating a pursuit to incidents where there is probable cause to believe that a person in the vehicle has committed, or is committing, a violent or sex offence, or the person poses an imminent threat to the safety of others, and the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks of the vehicular pursuit under the circumstances (see TPD Policy P3.2.3.A for complete language).

Additionally, in mid-2021, the State of Washington enacted legislation (House Bill 1054) that placed restrictions on law enforcement Vehicle Pursuits and other tactics statewide (see House Bill 1054 and [RCW 10.116.060](http://app.leg.wa.gov/RCW/default.aspx?cite=10.116.060) for legislative language in its entirety). At that time, the Department conducted legal update training to ensure Department members were aware of the State’s new legislation.

The following analysis of the 2021 Vehicle Pursuits is based on information retrieved from the IAPro database.

|  |  |  |  |
| --- | --- | --- | --- |
| **Pursuits** | **2019** | **2020** | **2021** |
| Total Pursuits | 12 | 9 | 1 |
| Number of officers involved | 21 | 19 | 3 |
| Most frequent hours | 2001-0800 3 | 0001-0200 2 | 2201-2400 1 |
| Policy Compliant | 10 | 8 | 1 |
| Policy Non-Compliant | 2 | 1 | 0 |
| Pending | 0 | 0 | 0 |
| Accidents during pursuit | 5 | 3 | 0 |
| Injuries: Officer | 0 | 0 | 0 |
| Injuries: Suspects | 0 | 0 | 0 |
| Injuries: Third Party | 0 | 0 | 0 |
| Felony – Person | 10 | 6 | 1 |
| Felony – Property | 1 | 1 | 0 |
| Traffic Offense – Criminal | 1 | 1 | 0 |
| Traffic Offense – Non-Criminal | 0 | 1 | 0 |

The only pursuit in 2021 took place within the City of Tacoma and did not involve any other police agency.

**Reason Initiated:**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **2019** | | **2020** | | **2021** | |
| Assist outside agency | 1 | 8% | 1 | 11% | 0 | 0% |
| Felony – Person | 10 | 74% | 7 | 78% | 1 | 100% |
| Felony – Property | 1 | 8% | 0 | 0% | 0 | 0% |
| Traffic – Criminal | 1 | 8% | 0 | 0% | 0 | 0% |
| Traffic – Non-Criminal | 0 | 0% | 1 | 11% | 0 | 0% |

The 2021 pursuit was entered into BlueTeam and reviewed by Department supervisors. This pursuit was deemed to be within Department Policy.

The vehicle pursuit took place on a rainy night.

There was no in-car camera video available in the pursuit; however, two of the three officers had body worn cameras activated.

The vehicle pursuit took place on June 11, 2021, and occurred prior to the enactment of the State’s new pursuit legislation. This pursuit would have met the State’s law governing pursuits had they been enacted at the time of this pursuit.

**Event that Concluded the Pursuit:**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **2019** | | **2020** | | **2021** | |
| Terminated/Canceled | 1 | 8% | 2 | 22% |  |  |
| PIT Maneuver | 2 | 17% | 3 | 33% |  |  |
| Suspect stopped vehicle | 4 | 33% | 1 | 11% | 1 | 100% |
| Suspect vehicle crashed | 4 | 33% | 2 | 22% |  |  |
| Suspect vehicle eluded pursuit | 1 | 8% | 1 | 11% |  |  |

Of the one vehicle pursuit (100%), the suspect stopped the vehicle on their own accord.

**ANALYSIS**

In 2021, the number of pursuits the Department was involved in went down from the prior two years – 12 in 2019, 9 in 2020, to just 1 in 2021. There is a possibility that the new state legislation that took effect in mid-2021 could be credited with the low number of pursuits; however, TPD policy was already restrictive prior to the State’s legislation, so the State legislation should not be considered as the only factor.

Two of the pursuits in 2020 were terminated by officers compared to one in 2019. The pursuit in 2021 concluded by the suspect stopping on their own.

The only pursuit in 2021 occurred during the Graveyard Shift hours.

* Day Shift: 0600-1600 hours
* Swing Shift: 1300-2300 hours
* Graveyard Shift: 2000-0600 hours

|  |  |  |  |
| --- | --- | --- | --- |
| **Shift** | **2019** | **2020** | **2021** |
| Day Shift | 1 | 1 |  |
| Day/Swing Shift Overlap | \* | 1 |  |
| Swing Shift | 2 | 2 |  |
| Swing/Graveyard Shift overlap | \* | 1 |  |
| Graveyard Shift | 9 | 4 | 1 |
| **Total** | **12** | **9** | **1** |

\*Data for Day/Swing Shift overlap and Swing/Graveyard Shift overlap began its reporting in 2020.

**Annual Review of the Department’s Vehicle Pursuit Policies and Reporting Procedures**

During the annual review of all vehicle pursuits, the Department’s current Policies and Procedures were reviewed and have been updated. At this time, the Department Pursuit Policy (P3.2.2) is in compliance with the newly enacted state law. The Department is seeking to outsource the management of current policies and procedures through a nationally recognized source, Lexipol.

In 2021, annual training needs were addressed to include EVOC (Emergency Vehicle Operations Course) Cadre Development training for EVOC instructors, EVOC training for Non-Operations personnel, and PIT training as needed (typically for newly hired officers).

**RECOMMENDATIONS**

In 2022, the Department will continue to provide departmental training that is required per CALEA and as needed for State legislative changes. The Department will be providing EVOC training to Operations personnel and PIT training as needed. The Department will continue to monitor collisions involving on-duty police employees and address the specific training needs identified with involved Department members as well as with all members, if trends are identified. The Department will continue the process to outsource the management of our policies with Lexipol in order to have our established policies vetted and needed addendums written more timely.

GJR:man