**9.00.00 – Emergency Driving/Vehicular Pursuit**

Police officers are expected to stop crimes and apprehend criminals in an expedient manner which, at times, will involve the emergency operation of a police vehicle thereby creating an increased risk. These activities may subject the public, officer, suspect(s), passengers, and pedestrians to a risk of harm. Therefore, police officers have a duty to operate vehicles in a safe and skillful manner. When responding to emergency situations or when in pursuit of violators, officers are expected to comply with all applicable Department procedures, regulations, and applicable law. An officer’s primary concern shall be the safety of the public. The purpose of this chapter, relative to pursuit/emergency driving, is to minimize risks to the safety of officers, citizens, victims, or subject(s) of a pursuit.

Revised 07/21

**9.01.00 – Policy Statement – Emergency Driving**

Officers involved in emergency driving situations shall operate their vehicles in such a manner as to arrive safely at their destination with minimal risk to themselves and others. Extraordinary circumstances may require officers to take greater driving risk in order to provide adequate response. In such cases, all relevant factors shall be considered prior to taking a particular course of action, and shall be constantly adjusted as circumstances change.

Reviewed 07/21

**9.01.01 – Definition**

Emergency Driving – Operating a police vehicle as outlined in RCW 46.61.035 while making use of required emergency equipment (lights and siren).

When operating in emergency mode, officers may exceed stated speed limits, as long as it does not endanger life or property; or safely proceed past a regulatory sign or signal if circumstances deem it necessary.

Reviewed 07/21

**9.01.02 – Emergency Override of Traffic Signals**

An emergency override system for traffic signals is present at many of our controlled intersections. “Opticom” emitters are intended for emergency situations only.

* Opticom shall only be used in cases requiring immediate response, such as injury accidents, silent alarms, crimes against persons, officer assistance calls, etc. Priority three (3) responses do not qualify for Opticom use.
* Officers shall take extra care to cancel the signal once the intersection has been cleared.
* If a traffic signal does not respond to Opticom, officers must take extra care because another emergency vehicle may be approaching from another direction.
* Traffic lights on flash will not respond to Opticom.
* Once officers arrive on scene and the signal is no longer needed, Opticom will be turned off.
* The activation of Opticom does not relieve officers from using care and caution while traversing intersections. There is danger of over running the light if vehicle speed is too great. Pedestrians may still be in the intersection at the time of activation.
* Any Opticom system malfunction shall be immediately reported to the Patrol Division Lieutenant. The Department of Transportation and Fire Department shall be notified of the problem.
* During FTO, and prior to use, officers shall receive Opticom training.Documented acknowledgement of training shall be forwarded to the Administrative Services Lieutenant.

Reviewed 07/21

**9.01.03 – Response Codes**

Priority I Example - Felony in progress (except automatic alarms); injury accident; medical emergency; officer’s call for help.

* Officers may respond with the use of emergency lights and siren, as quickly as is safely possible, while remaining within the statutory requirements for operation of an emergency vehicle.

Priority II Example – Misdemeanor in progress; automatic alarm.

* Officers may respond with use of emergency lights and/or siren when necessary, but will not exceed safe speeds nor proceed through any regulated stop without first coming to a complete halt.

Priority III Example – A call for service that is not listed as either Priority I or Priority II.

* Officers will respond without the use of emergency lights or siren and in compliance with all traffic regulations.

Reviewed 07/21

**9.01.04 – Significant Factors**

When driving in a Priority III or Priority II mode, officers must evaluate their response to any call so as not to unreasonably endanger public safety, and should drive no faster than necessary to safely arrive at their destination.

Revised 07/21

**9.01.05 – Escorts**

Escorts of private vehicles are prohibited. Officers will not authorize the driver of any private vehicle to exceed the speed limit, ignore stop signs or signals, or to otherwise violate traffic regulations.

Officers will not lead or otherwise escort ambulances on emergency runs unless the ambulance operator is unfamiliar with the location of the hospital and has asked for such assistance. This does not prohibit an officer, whose assistance will be necessary at the hospital, from following an ambulance.

Reviewed 07/21

**9.01.06 – Intent of Procedure**

This pursuit/emergency driving policy and procedure is for internal management purposes and shall be used in conjunction with all other relevant Department policies, procedures, and regulations.

Emergency driving shall be conducted only by officers properly trained in emergency driving tactics by this Department or another departmentally approved training agency.

Reviewed 07/21

**9.02.00 – Policy Statement – Pursuit Driving**

A motor vehicle pursuit means 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

A motor vehicle pursuit is justifiable only when:

1. There is reasonable suspicion a person has violated the law.
2. The pursuit is necessary to identify or apprehend the person.
3. The person poses a threat to the safety of others and the safety risks of failing to identify or apprehend or identify the person are considered to be greater than the safety risks of the vehicular pursuit under the circumstances.

Additionally required:

1. The pursuit is necessary to identify or apprehend the person.
2. The person poses serious risk of harm to the safety of others and the safety risks of failing to identify or apprehend or identify the person outweighs the safety risks of the vehicular pursuit under the circumstances.
3. The pursuing officer notifies a supervisor or command level officer immediately upon initiating the vehicular pursuit and there is supervisory oversight of the pursuit.

In instances where immediate apprehension cannot be affected with reasonable safety, an officer shall attempt to obtain sufficient information to affect a subsequent apprehension.

Pursuits shall be conducted only by officers properly trained in pursuit tactics by this Department or another departmentally approved training agency.

When the requirements allowing for vehicular pursuit can no longer be met, the vehicular pursuit must be terminated.

Revised 06/24

**9.02.01 – Definitions**

Pursuit Driving – An active attempt by a uniformed police officer, operating an officially marked patrol vehicle and utilizing emergency warning lights and an audible warning signal, to apprehend one or more occupants of another moving vehicle when the officer reasonably believes the driver of the fleeing vehicle is aware of the officer’s attempt to stop the vehicle and is resisting apprehension by ignoring the officer, increasing vehicle speed, or otherwise attempting to elude the officer.

Caravanning – A continuous line of three or more police vehicles engaged in a pursuit. Caravanning is prohibited.

Paralleling – A tactic designed to anticipate the pursued vehicle’s eventual route of travel. Involved officers may travel a parallel route in an attempt to gain a position advantage over the pursued vehicle. Police vehicles directed to parallel the pursuit route will operate with the same care and caution as expected of pursuing officers.

Ramming (Intentional Intervention) – A deliberate act of hitting another vehicle with the patrol vehicle for the purpose of functionally damaging or forcing the other vehicle off the road.

Ramming can have the same consequences as the application of deadly force. An officer may use his/her vehicle to ram a pursued vehicle only as specified below.

* Only when necessary, to protect against an immediate threat of Serious Physical Injury or death to the officer or another person.
* Officers operating a police motorcycle are prohibited from ramming any pursued vehicle.
* Approval from a supervisor shall be obtained prior to ramming a pursued vehicle.

Road Block – An obstruction, (police vehicle, barricade, cones, flares, etc.) across a roadway to control or restrict traffic from continuing on its intended course.

The use of road blocks during a pursuit will be governed by the following guidelines.

* Barricading a roadway could result in serious injury or death to suspects, officers, or bystanders and shall not be used in misdemeanor offenses.
* Road blocks shall be employed only with prior permission of a supervisor.
* Road blocks shall not consist of occupied vehicles.
* Private vehicles shall not be used as a barricade.
* Only police vehicles with overhead red and blue lights shall be used in a road block.
* Officers will not blind or obstruct the vision of a subject of a pursuit while approaching a police road block.
* Road blocks shall only be established in areas with unobstructed sight distance allowing the subject of the pursuit enough time to come to a safe stop.

Channeling - Deliberately directing the subject of a pursuit to a planned course to restrict alternate escape routes. The practice of channeling is authorized when it is necessary to keep the subject of a pursuit from entering an area likely to create an extreme hazard to bystanders and property.

Following– Trailing a pursuit at a safe speed and distance with the intention of assisting the pursuing units at the point of arrest.

Primary Unit – The officer engaged in the pursuit who is closest in proximity to the fleeing vehicle.

Secondary Unit – The second officer to engage in a pursuit; may be at the request of the primary unit or at the direction of a supervisor.

Revised 04/23

**9.02.02 – Exemptions From Traffic Laws**

The exemptions from complying with traffic laws are granted to operators of emergency vehicles through RCW 46.61.035.

Reviewed 07/21

**9.02.03 – Safety Factors**

Any officer involved, directly or indirectly, in a vehicular pursuit shall consider the following.

1. Initiation, Continuance, Termination Criteria

* Reasonable suspicion a person has violated the law.
* The pursuit is necessary to identify or apprehend the person.
* The person poses a threat to the safety of others and the safety risks of failing to identify or apprehend or identify the person are considered to be greater than the safety risks of the vehicular pursuit under the circumstances.
* Notifies a supervisor or command level officer immediately upon initiating the vehicular pursuit and a reasonable belief there is supervisory control.
* Seriousness of originating crime and its relationship to community safety
* Known presence of minors in the vehicle
* Safety of citizens in area of pursuit
* Safety of pursuing officer(s)
* Speeds involved
* Time of day
* Volume of vehicular traffic
* Volume of pedestrian traffic
* Location of pursuit
* Weather conditions
* Road conditions
* Likelihood of successful apprehension
* Visibility and illumination
* Familiarity of officer or supervisor/commander with area of pursuit
* Quality of radio communications between pursuing unit(s), dispatcher, and supervisor
* Capability of police vehicles and officers involved
* If identity of violator is known and later apprehension is probable
* Distance between fleeing vehicle and pursuing officer(s)

2. Vehicle pursuits of persons suspected of involvement in dangerous felonies are viewed as more justifiable than pursuits of persons suspected of non-dangerous felonies.

3. 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.

4. Pursuits shall be evaluated by the commander or supervisor for continuance in accordance with the standards set forth in this procedure.

5. The fact that a person attempts to elude an officer after being requested or signaled to stop does not, in and of itself, justify a pursuit, even though the person may be committing “felony flight” as a matter of law (RCW 46.61.024).

6. If any person becomes injured during and as a result of the pursuit and no other police or medical personnel are present to render immediate assistance, the pursuing officer will terminate the pursuit and evaluate the need for aid.

7. Officers involved in a vehicular pursuit shall not pursue a fleeing vehicle in the on-coming lanes of a roadway or in the opposite direction of a one-way street. Alternative routes or other means of apprehension shall be considered or the pursuit shall be terminated.

This directive is not intended to prohibit the use of supervisory discretion in cases where the risk to public safety is thought to be minimal and the need to apprehend the fleeing suspect is greater in the balance.

8. The pursuit of a fleeing vehicle in the on-coming lanes of Interstate 5 or other divided highway is prohibited.

9. Whenever possible, a fleeing vehicle entering the City on Interstate 5 shall be denied access to off ramps.

10. While attempting to stop a motorcycle, officers shall not attempt to dislodge the rider by any means.

11. A pursuit shall not be continued under the following criterion.

* The identity of the violator is known
* Later apprehension is probable
* There is no immediate threat to public safety
* The pursued vehicle’s location is no longer definitely known.
* When requirements allowing for a vehicular pursuit can no longer be met

1. An officer or supervisor will not be departmentally sanctioned for not entering into a pursuit or for deciding to terminate a pursuit once they have evaluated the necessary criteria for initiation/termination.

Revised 06/24

**9.02.04 – Initiation of a Pursuit**

**9.02.04.01 - Officer Responsibility/Accountability**

The pursuing officer will notify the supervisor of the circumstances and reasons the pursuit is necessary immediately upon initiation to establish supervisory oversight. The officer, in conjunction with the supervisor, will consider pursuit alternatives and continually reassess while engaged in any pursuit. The officer will immediately activate overhead blue/red lights and siren. The officer will then notify the dispatcher of the pursuit and furnish all pertinent details (description of vehicle, number of occupants, location and direction of travel, nature of original offense) and any other information that would aid in the identification and apprehension of the violator or the determination to either continue or terminate the pursuit.

As soon as practicable after initiating a vehicular pursuit, the pursuing officer, supervisor if applicable, shall develop a plan to end the pursuit through the use of available, department approved, pursuit intervention options. Terminating the pursuit is considered an intervention option and weighed against Safety Factors (9.02.03).

An officer directly involved in a vehicular pursuit will be subject to departmental discipline for the continuation of a pursuit when, on the basis of facts known to the officer and considered in conjunction with the significant factors set forth in this procedure, a person of reasonable caution would be justified in believing that the level of danger to the community created by the pursuit outweighs the necessity of immediate apprehension; or if the pursuit is continued after it has been ordered terminated.

Revised 6/24

**9.02.04.02 - Dispatch Responsibilities**

The pursuing officer will request dispatch notify an on-duty supervisor of the pursuit if unable to communicate directly via radio.

The pursuing officer or supervisor will request dispatch notify affected jurisdictions as expeditiously as possible.

Responsibility for continuing or discontinuing a pursuit rests upon the police supervisor and shall not be delegated to communications center personnel.

Revised 04/23

**9.02.04.03 - Supervisory Responsibilities**

Upon notification of a pursuit,the supervisor will assume command of the pursuit, determine the pursuit is necessary to identify or apprehend the person for approved circumstances, direct pursuit intervention tactics, and order it terminated when all facts known to the supervisor weighed in conjunction with the Safety Factors set forth in this procedure would justify a person of reasonable caution to believe the level of danger to the community created by the pursuit outweighs the necessity of immediate apprehension. The supervisor will be subject to departmental discipline for failure to order the termination of a pursuit under the above circumstances.

Revised 06/24

**9.02.04.04 – Communications and Coordination – Officer Responsibilities**

During a pursuit, clear and concise communication between the pursuing vehicle(s) and the dispatcher, supervisor, and other officers engaged in the pursuit is essential. The pursuing officer(s) will:

* Maintain radio contact with the dispatcher and supervisor.
* Keep radio transmissions as brief as possible.
* Inform the dispatcher when the vehicle being pursued changes direction.
* If a pursuit is terminated, for any reason, provide the location where the vehicle was last seen and its speed and direction of travel.

Revised 04/23

**9.02.05 – Manner of Pursuit**

Only the officer initiating the pursuit (primary unit) and one secondary unit will pursue a fleeing vehicle from the rear. The primary unit may be the initiating officer or his/her replacement. The secondary unit will be selected by the supervisor from those available in the vicinity of the pursuit. The primary officer may request the supervisor to direct additional officers to assist in an arrest if it appears the primary and secondary officers will not be sufficient to safely effect the arrest of the occupants of the pursued vehicle.

Reviewed 07/21

**9.02.06 – Vehicles Authorized to Pursue**

Marked Police Vehicles

Only marked police vehicles (equipped with sirens and red/blue lights permanently attached to the outside roof of the vehicle) operated by a uniformed law enforcement officer will engage in vehicular pursuits. Painted insignia alone do not qualify a vehicle as “marked”. Emergency lights and siren are to be in continuous operation for the duration of a vehicular pursuit.

Reviewed 07/21

**9.02.07 – Vehicles Not Authorized to Pursue**

Unmarked Police Vehicles and Motorcycles

Officers in unmarked vehicles (CID, command) and motorcycles with lights and sirens shall not pursue; however, may follow a fleeing vehicle at a reasonable speed and distance until a marked police vehicle, equipped with red/blue lights and siren arrives to conduct the pursuit.

Non-Police Passengers

Police vehicles containing victims, witnesses, prisoners, complainants, citizen riders, or any other non-police personnel will not become engaged in pursuit situations.

K-9 Units

K-9 Units should not enter into vehicular pursuits. Exceptions may be made by the commander or supervisor as necessary. Risk of injury to the dog must be considered before allowing a K-9 Unit to pursue.

Covert Vehicles

Unmarked vehicles used in covert activities shall not engage in vehicular pursuits.

Reviewed 04/23

**9.02.08 – Pursuits Involving Other Jurisdictions**

**9.02.08.01 - Pursuits from Mount Vernon into Another Jurisdiction**

If a Mount Vernon pursuit enters another jurisdiction, the following procedure will be followed.

Notification – The police agency of the jurisdiction affected by the pursuit will be notified as expeditiously as possible. Mount Vernon Police will maintain the primary position in the pursuit, but may request assistance from the affected jurisdiction at the point the pursuit is terminated. Should the Mount Vernon Officer become unfamiliar with the area, he/she will request an officer from the affected jurisdiction assume primary position in the pursuit.

Assumption/Non-Assumption of Pursuit – If the police agency of the affected jurisdiction assumes the primary position in a pursuit, the MVPD supervisor will order Mount Vernon’s role to become secondary or discontinued. Should the other agency be unable or unwilling to assume the primary position in a pursuit, the supervisor will evaluate the pursuit for continuance in accordance with the significant factors of this procedure.

Termination of Pursuit – The pursuing officers will discontinue pursuit at the point that two-way radio communication with the supervisor, other officers engaged in the pursuit, or communications center becomes unintelligible or the police vehicle experiences equipment failure, e.g., lights or siren.

Revised 04/23

**9.02.08.02 - Pursuits from Other Jurisdiction Entering Mount Vernon**

If a pursuit conducted by the police agency of another jurisdiction enters the City of Mount Vernon, the following procedure will be followed.

Inquiry – The on-duty supervisor will attempt to determine why the vehicle is being pursued and what assistance is requested by the pursuing agency.

Considerations:

1. The public’s safety within this jurisdiction.
2. The safety of pursuing officers
3. Whether the circumstances are serious enough to continue the pursuit.
4. Whether there is adequate staffing to continue the pursuit.
5. The ability to maintain the pursuit.

Assistance – If assistance is requested, one patrol vehicle may be assigned to actively pursue. If there are two or more vehicles from the originating jurisdiction involved in the pursuit, MVPD assistance will be restricted to following and shall not involve active pursuit.

Directing Cessation of Pursuit – If, after evaluating all known facts and significant factors as set forth in this procedure, the on-duty supervisor determines a pursuit into the City of Mount Vernon initiated by another agency (except a pursuit on the interstate freeway) is a detriment to public safety, the agency and the pursuing officer will be so advised and requested to immediately discontinue the pursuit. No pursuit will be conducted by the MVPD under such circumstances. Assistance may be provided at the point where the pursuit has been discontinued or capture has been accomplished.

If the pursuing agency fails to discontinue the pursuit, Mount Vernon Officers will attempt to provide safety to uninvolved pedestrians and motorists who could be endangered by the pursuit.

MVPD Assumption of Pursuit/Evaluation– If the pursuing agency requests MVPD assume the primary position in a pursuit, the supervisor will evaluate the known circumstances, Safety Factors (9.02.03), alternatives to the vehicular pursuit, and then determine the appropriate response.

MVPD Termination/Evaluation – If active MVPD pursuit is authorized, continuance or termination of the pursuit will be determined by the supervisor as set forth in this procedure.

When circumstances warrant, a command level officer may intervene at any point during a pursuit for the purpose of directing tactics or ordering termination.

Revised 06/24

**9.02.09 – Pursuit Reporting**

Any officer(s) involved in a vehicular pursuit, whether or not an apprehension is affected, shall complete an incident report containing all details known to the officer before going off shift. The primary officer involved in the pursuit shall, at the time of reporting, request a copy of the radio recording from the communications center. The tape shall be placed into evidence.

Reviewed 07/21

**9.02.10 – Administrative Review**

All vehicular pursuits will be reviewed administratively to determine compliance with policy, training needs, and quality of service provided.

It is the responsibility of the Patrol Division Lieutenant to review any pursuit and submit a written report to the Chief of Police. In the case of pursuits resulting in accidents or injuries, this responsibility will transfer to the Employee Accountability Board.

The Chief of Police shall conduct an annual analysis of vehicle pursuits in an effort to identify trends or patterns that may indicate training needs and/or policy modifications.

Reviewed 07/21

**9.02.11 – Other Course Of Action**

Officers are not prohibited from taking some other course of action not addressed by these guidelines, if necessary and when reasonable, given all facts and circumstances. All such actions will be reviewed per 9.02.15 above.

Reviewed 07/21

**9.03.00 – Training**

Officers must complete a department approved emergency vehicle operator’s course, the emergency vehicle operator training at least every two years and any department approved intervention techniques. Training curricula will include pursuit risk assessments.

New 4/23