# POLICY REVIEW – IR# 20-080

DATE: November 19, 2020 IR# 20-080

SUBJECT: Pursuit D20-002214 BY: Josh Horsley, *Sergeant*

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**REQUIRED REPORTING – POPD [PURSUIT POLICY 307]**

**Date/Time:** November 07, 2020 @ 0146 hrs.

**Length of Pursuit:** 2.09 miles, Approximately 3 minutes

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

**Initial Reason for the Pursuit:** Suspected stolen vehicle

**Starting Point:** Cathie Ave @ Lund Ave

**Termination Point:** Navigation Ln @ Compass Ln

**Disposition:** Terminated

**Injuries/Property Damage:** None

**Medical Treatment:** None

**Supervisor:** None on duty

**Preliminary Determination:** Within Policy

**Additional Review/Investigation Needed:** None

**Related Reports:** D20-002213/D20-002214

**APPLICABLE POLICY SECTION(S):**

Policy 307- Vehicle Pursuits Updated: 10/10/2019 6:19pm

**BACKGROUND:**

On 11-07-2020 at approximately 0146 hours, Officer J. Gapsch was in uniform driving a marked black and white patrol vehicle. He was in the parking lot of Wal-Mart (3497 Bethel Rd Se) looking for a stolen vehicle, a maroon 1998 Toyota Corolla with a light-colored hood, D20-2213. A vehicle matching this description was involved in a terminated pursuit with KCSO approximately 44 minutes earlier in the area.

As Officer Gapsch drove through the parking lot checking for the vehicle, he observed a maroon Toyota Corolla, with a light-colored hood travelling E/B through the parking lot.

Based on the above vehicle information, Officer Gapsch attempt to follow the vehicle and possibly verify the license plate. The vehicle exited the parking lot and began to pick up speed toward SE Lund Ave. Officer Gapsch followed the vehicle N/B on Cathie Ave and activated his patrol vehicle`s emergency overhead lights as the vehicle turned E/B onto SE Lund Ave.

As Officer Gapsch approached the intersection of Cathie Ave and SE Lund Ave., He activated His patrol vehicle`s audible siren and turned E/B onto SE Lund Ave. Officer Gapsch advised CENCOM that he was in pursuit of the vehicle. It was clear at that time the driver of the vehicle was willfully attempting to elude upon being given both a visual and audible signal to stop.

Officer Gapsch pursued the suspected stolen Toyota as it continued E/B on Lund. The Toyota continued E/B after passing Jackson Ave until it turned E/B onto SE Conifer Park Dr. It then went S/B onto Buckingham Dr. which turns W/B and leads back to SE Lund Ave. The Toyota again turned E/B onto Lund Ave, then W/B onto Navigation Ln, which is the parking lot for Mariner`s Glen apartments.

The vehicle continued into the parking lot at which point Officer Gapsch lost visual contact with the vehicle. He then terminated the pursuit.

**ANALYSIS:**

To conduct this policy review, I reviewed all written reports, pursuit report, and all audio files provided by Kitsap 911 related to this incident.

Officer Gapsch initiated a vehicle stop on a suspected stole vehicle that had been chased in the area previously in the shift by another agency. He immediately broadcast that the vehicle wasn’t yielding and a description of the vehicle. Officer Gapsch advised he was in pursuit and the direction, speeds and traffic/road conditions. Officer Gapsch continuously broadcast his location, direction of travel, speed, traffic, roadway conditions, and number of occupants. Officer Gapsch remained calm throughout the incident and did not appear to be overwhelmed by the event.

POPD policy states, “It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits”. It also states, to terminate a pursuit when “The pursued vehicle location is no longer definitely known.”

In this case, the initial factors are compelling to continue the pursuit for a brief amount a time are justified. Officer Gapsch self-terminated the pursuit after only 2.09 miles using the above criteria.

Officer Gapsch demonstrated in his radio transmissions that he was actively monitoring speed, road, and driving conditions throughout the event. While he did not give out the reason for the stop/contact as policy states this was reasonable as he gave out the description of the vehicle that matched the suspect vehicle that was already know by CenCom and others on shift because of the earlier pursuit and stolen vehicle report. I would submit that Officer Gapsch decision to discontinue the pursuit further demonstrates that he continually 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, Officer Gapsch’s actions in this incident are within policy.

**RECOMMENDATION:**

None