# POLICY REVIEW – IR# 20-070

DATE: May 29, 2020 IR# 20-070



SUBJECT: Pursuit D20-002000 BY:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dale Schuster, *Deputy Chief of Police*

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

**Date/Time:** October 6, 2020 @ 0348 hrs.

**Length of Pursuit:** 3.3 miles

**Involved Units/Officers:** E. Wofford

**Initial Reason for the Pursuit:** Assist KCSO on DV2

**Starting Point:** Old Clifton Rd. @ Hwy 16

**Termination Point:** Hwy 16 just west of Mullinex Rd.

**Disposition:** Vehicle stopped/suspect arrested.

**Injuries/Property Damage:** None

**Medical Treatment:** None

**Supervisor:** E. Wofford

**Preliminary Determination:** Policy Violation

**Additional Review/Investigation Needed:** None

**Related Reports:** D20-002000/KCSO K20-008250/B20-005897

**APPLICABLE POLICY SECTION(S):**

**307.1  PURPOSE AND SCOPE**

Best Practice

  MODIFIED

WASPC - 15.4, 15.5

Updated: 10/10/2019 6:19pm

﻿.OFFICER SAFETYVehicle pursuits﻿﻿.PURSUITSVehicle﻿﻿.VEHICLESPursuits﻿This policy provides guidelines for vehicle pursuits in order to protect the safety of involved ﻿officers, the public and fleeing suspects (RCW 43.101.226(3)).

307.1.1  DEFINITIONS

Best Practice

  MODIFIED

Updated: 10/10/2019 6:19pm

Definitions related to this policy include:

**Attempting to Elude** - Refers to the actions of a vehicle operator who after being given a visual or audible signal to bring the vehicle to a stop fails or refuses to immediately stop the vehicle and drives in a reckless manner while attempting to elude a uniformed officer operating a pursuing police vehicle that is equipped with emergency lights and siren (RCW 46.61.024).

**Blocking or vehicle intercept** - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary road block.

**Boxing-in** - A tactic designed to stop a suspect’s vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

**Failure to yield** - Refers to a vehicle operator who fails to stop or respond to emergency light(s) and siren of a law enforcement vehicle. Generally, the vehicle operator continues to travel forward, at or below the speed limit, observes the rules of the road critical to public safety, and does not change the direction of travel in an evasive manner. When an officer attempts to stop the vehicle and the violator begins to increase speed, disregard the rules of the road, or drive in an evasive manner, the officer should discontinue following the vehicle unless a pursuit would be authorized under this policy.

**Pursuit Intervention Technique (PIT)** - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

**Ramming** - The deliberate act of contacting a suspect’s vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect’s vehicle to stop.

**Roadblocks** - A tactic designed to stop a suspect’s vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect’s vehicle.

**Terminate** - To discontinue a pursuit or stop chasing fleeing vehicles.

**Tire deflation device** - A device designed to puncture the tires of the pursued vehicle.

**Trail** - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

**Vehicle pursuit** - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer’s emergency signal to stop.

**307.2  POLICY**

Best Practice

  MODIFIED

Updated: 10/10/2019 6:19pm

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.

**307.3  Officer RESPONSIBILITIES**

State

  MODIFIED

WASPC - 15.3

Updated: 10/10/2019 6:19pm

Vehicle pursuits shall only be conducted using authorized ﻿police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law.

﻿Officers shall drive with due regard for the safety of all persons and property. However, ﻿officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (RCW 46.61.035):

1. Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
2. Exceed the speed limit.
3. Disregard regulations governing parking, direction of movement or turning in specified directions.

307.3.1  WHEN TO INITIATE A PURSUIT

Best Practice

  MODIFIED

WASPC - 15.5

Updated: 10/10/2019 6:19pm

﻿Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

1. The seriousness of the known or reasonably suspected crime and its relationship to community safety.
2. The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to ﻿officers, innocent motorists and others.
3. The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
4. The pursuing ﻿officers’ familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and the ﻿dispatcher/supervisor, and the driving capabilities of the pursuing ﻿officers under the conditions of the pursuit.
5. Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect’s escape.
6. Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
7. The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
8. Emergency lighting and siren limitations on unmarked ﻿police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.
9. Vehicle speeds.
10. Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
11. The availability of other resources, such as air support assistance.
12. Whether the pursuing vehicle is carrying passengers other than on-duty ﻿police ﻿officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the arrestee in transport. A vehicle containing more than a single arrestee should not be involved in a pursuit.

307.3.2  WHEN TO TERMINATE A PURSUIT

Best Practice

  MODIFIED

WASPC - 15.5

Updated: 10/10/2019 6:19pm

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the ﻿officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect’s escape.

When a supervisor directs the pursuit to be terminated, ﻿officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. ﻿Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

1. 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.
2. The pursued vehicle’s location is no longer definitely known.
3. The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
4. The pursuing vehicle’s emergency lighting equipment or siren becomes partially or completely inoperable.
5. Hazards to uninvolved bystanders or motorists.
6. The danger that the continued pursuit poses to the public, the ﻿officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
7. The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
8. Extended pursuits of violators for misdemeanors not involving violence or weapons (independent of the pursuit) are generally discouraged.

307.4.2  PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

Best Practice

  MODIFIED

WASPC - 15.5

Updated: 10/10/2019 6:19pm

The initial pursuing ﻿officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close to the suspect’s vehicle. The primary responsibility of the ﻿officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or others.

The primary pursuing ﻿officer should notify the ﻿dispatcher, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

1. The location, direction of travel and estimated speed of the suspect’s vehicle.
2. The description of the suspect’s vehicle including the license plate number, if known.
3. The reason for the pursuit.
4. The use of firearms, threat of force, violence, injuries, hostages or other unusual hazards.
5. The number of occupants and identity or description.
6. The weather, road and traffic conditions.
7. The need for any additional resources or equipment.
8. The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or a secondary pursuing ﻿officer, the ﻿officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing ﻿officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to ﻿an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing ﻿officer to concentrate foremost on safe pursuit tactics.

307.4.3  SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

Best Practice

  MODIFIED

WASPC - 15.5

Updated: 10/10/2019 6:19pm

The second ﻿officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

1. Immediately notifying the ﻿dispatcher of his/her entry into the pursuit.
2. Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
3. Broadcasting information that the primary pursuing ﻿officer is unable to provide.
4. Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
5. Identifying the need for additional resources or equipment as appropriate.
6. Serving as backup to the primary pursuing ﻿officer once the suspect has been stopped.

**307.5  PURSUIT DRIVING**

Best Practice

  MODIFIED

Updated: 10/10/2019 6:19pm

﻿.DRIVINGPursuit tactics﻿The decision to use specific driving tactics requires the same assessment of the factors the ﻿officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for ﻿officers who are involved in the pursuit:

1. ﻿Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
2. Because intersections can present increased risks, the following tactics should be considered:
   1. Available ﻿officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
   2. Pursuing ﻿officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.
3. As a general rule, ﻿officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
   1. Request assistance from available air support.
   2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
   3. Request other ﻿officers to observe exits available to the suspect.
4. Notify the Washington State Patrol or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
5. ﻿Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing ﻿officer and with a clear understanding of the maneuver process between the involved ﻿officers.

307.6.1  SERGEANT RESPONSIBILITIES

Best Practice

  MODIFIED

Updated: 10/10/2019 6:19pm

.REVIEWSPost pursuitUpon becoming aware that a pursuit has been initiated, the sergeant should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The sergeant has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The sergeant shall review all pertinent reports for content and forward them to the Deputy Chief.

307.9.2  PURSUITS EXTENDING INTO THIS JURISDICTION

Best Practice

  MODIFIED

Updated: 10/10/2019 6:19pm

The agency that initiates a pursuit shall be responsible for conducting the pursuit. **﻿Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor.** The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, ﻿an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the ﻿Port Orchard Police Department, the supervisor should consider:

1. The public’s safety within this jurisdiction.
2. The safety of the 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.

As soon as practicable, a supervisor or the ﻿Shift Supervisor should review a request for assistance from another agency. The ﻿Shift Supervisor or supervisor, after considering the above factors, may decline to assist in or assume the other agency’s pursuit.

Assistance to a pursuing agency by ﻿officers of this department will conclude at the ﻿City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, ﻿officers shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

**307.10  PURSUIT INTERVENTION**

Best Practice

  MODIFIED

WASPC - 15.5

Updated: 10/10/2019 6:19pm

Pursuit intervention is an attempt to stop the suspect’s ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming or roadblock procedures.

307.10.1  WHEN USE IS AUTHORIZED

Best Practice

  MODIFIED

WASPC - 15.5

Updated: 10/10/2019 6:19pm

Whenever practicable, an ﻿officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, ﻿officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the ﻿officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the ﻿officer at the time of the decision.

307.10.3  INTERVENTION STANDARDS

Best Practice

  MODIFIED

WASPC - 15.5

Updated: 10/10/2019 6:19pm

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the ﻿officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. ﻿Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

1. Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to the public’s safety, and when ﻿officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained ﻿officers and after giving consideration to the following:
   1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, ﻿officers or others.
   2. All other reasonable intervention tactics have failed or reasonably appear ineffective.
   3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
   4. The suspect vehicle is stopped or traveling at a low speed.
   5. Only law enforcement vehicles should be used in this tactic.
2. The PIT is limited to use by properly trained ﻿officers with the approval of a supervisor and upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to ﻿officers, the public and occupants of the pursued vehicle.
3. Ramming a fleeing vehicle should be done only after other reasonable tactical means at the ﻿officers's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:
   1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
   2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.
4. Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to ﻿officers, the public and occupants of the pursued vehicle. ﻿Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
5. Tire deflation devices should be deployed only after notification of pursuing ﻿officers and the supervisor of the intent and location of the intended deployment, and in a manner that:
   1. Should reasonably only affect the pursued vehicle.
   2. Provides the deploying ﻿officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
   3. Takes into account the limitations of such devices as well as the potential risk to ﻿officers, the public and occupants of the pursued vehicle.
   4. Takes into account whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a school bus transporting children.
6. **Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed** **or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, ﻿officers or the public.**

**307.12  REPORTING REQUIREMENTS**

Best Practice

  MODIFIED

WASPC - 4.3, 15.4

Updated: 10/10/2019 6:20pm

﻿.REVIEWSVehicle pursuits - annual﻿All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

1. The primary pursuing ﻿officer shall complete appropriate crime/arrest reports.
2. The primary pursuing ﻿officer or supervisor shall complete the appropriate pursuit report.
3. After first obtaining the available information, the involved, or if unavailable, on-duty field supervisor shall promptly complete a supervisor's log or interoffice memorandum, briefly summarizing the pursuit to the ﻿Chief of Police or the authorized designee. This log or memorandum should include, at a minimum:
   1. Date and time of the pursuit.
   2. Initial reason and circumstances surrounding the pursuit.
   3. **Length of pursuit in distance and time,** including the starting and termination points.
   4. Involved vehicles and ﻿officers.
   5. Alleged offenses.
   6. Whether a suspect was apprehended, as well as the means and methods used.
      1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
   7. Arrestee information, if applicable.
   8. Any injuries and/or medical treatment.
   9. Any property or equipment damage.
   10. Name of supervisor at the scene or who handled the incident.
   11. A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.
4. After receiving copies of reports, logs and other pertinent information, the ﻿Chief of Police or the authorized designee shall conduct or assign the completion of a post-pursuit review, as appropriate.
5. Annually, the ﻿Chief of Police should direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

**BACKGROUND:**

On October 6, 2020 at 0219 hrs. Kitsap County Sheriff units responded to a report of a DV2 incident at 4484 SE Foss Rd. involving a suspect with a knife. The suspect had fled the scene and a K-9 unit was called to assist. The female victim later left the scene driving a white PT Cruiser WA/AMH1414. At 0316 hrs. the PT Cruiser was spotted on W/B Mile Hill Dr. heading into the city limits of Port Orchard at a high rate of speed. KCSO units advised there was a concern that the suspect may now have custody of the PT Cruiser or be a passenger, so Deputy Andrews #102 attempted to stop it. The vehicle fled from Deputy Andrews through Port Orchard. Sgt. Wofford fell in behind the KCSO unit until Deputy Andrews self terminated the chase at 0320 hrs.

Bremerton PD Renfro #415 located the PT Cruiser near Gorst and began a pursuit at approximately 0345 hrs. The pursuit went from Hwy 16 to S/B Anderson Hill Rd. where KCSO Sgt. Bass #19 fell in behind #415. The pursuit turned onto E/B Old Clifton Rd. where Renfro terminated his involvement approaching Hwy 16 at 0348 hrs. Sgt. Bass did not take the lead but instead alowed to Officer Wofford who was at Old Clifton Rd/Hwy 16.

Officer Wofford took the lead in the pursuit at 0348 hrs. as the PT Cruiser turned onto the on-ramp to E/B Hwy 16 from Old Clifton Rd. Sgt. Bass took the secondary position behind Sgt. Wofford and called out the radio traffic. The PT Cruiser continued E/B on Hwy 16 driving in an erratic manner, swerving from lane to lane, with a speed variance between 70-90 mph in the posted 60 mph zone. At 0350 hrs. Sgt. Wofford advised Sgt. Bass that he would be discontinuing the pursuit at Mullinex Rd. (As they passed Sedgwick Rd) At ¼ mile prior to Mullinex Rd. the PT Cruiser slowed to between 60-70 mph and Sgt. Wofford decided to pass the vehicle. Sgt. Wofford positioned his patrol vehicle in front of the PT Cruiser and began to slow down in an effort to get the the suspect vehicle to stop. Both vehicles came to a stop in approximately 8 seconds. The female victim in the original DV assault case was the driver and was taken into custody by KCSO/WSP at 0351 hrs. She was eventually arrested for DUI. No damage was incurred to any police vehicles or to the PT Cruiser.

**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.

Sgt. Wofford was clearly aware of the initial DV detail KCSO was involved in on Foss Rd. He eventually fell in behind KCSO Deputy Andrews when he attempted to stop the vehicle in downtown Port Orchard. The vehicle fled at a high rate of speed and Deputy Andrews decided to not continue pursuit.

Bremerton PD located the vehicle and attempted another traffic stop in Gorst. The vehicle didn’t yield or stop and led the BPD Sergeant on a 4.7 mile route. During this time period, the vehicle varied speeds between ½ the posted speed limit to almost 15 over the posted speed limit. The Sergeant stated the driving was never hazardous and in fact titled his report “Failure to Yield to Emergency Vehicle-Agency Assist”. The Sergeant terminated his part on Old Clifton Rd. at Hwy 16.

Sgt. Wofford was standing by on Old Clifton Rd. at Hwy 16 and elected to take the lead position as the vehicle entered the on-ramp to E/B Hwy 16. Sgt. Wofford’s report reflects he was “flagged” to take the lead position by KCSO Sgt. Bass. I listened to the Kitsap 911 recordings and at no time did BPD Sgt. Renfro or KCSO Sgt. Bass request Sgt. Wofford take the lead position. I did not hear Sgt. Wofford ask as well. Sgt. Wofford should not have gotten involved in an outside agency vehicle pursuit unless asked, especially since the entire incident stemmed from a KCSO DV 2 case. If he wanted to assist, Sgt. Wofford should have taken the number 2 position behind KCSO Sgt. Bass allowing the original agency to take the lead.

Sgt. Wofford followed the vehicle on Hwy 16 from Old Clifton Rd. to approximately 1/4 mile prior to Mullinex Rd. where he elected to pass the vehicle. After getting in front of the vehicle he began to gradually slow down in an attempt to end the pursuit/chase. Sgt. Wofford did mention that he had no intention having physical contact between them and left an exit for his patrol vehicle. Both vehicles came to a stop after approximately 8 seconds. Sgt. Bass took the driver into custody. She was later arrested by WSP for DUI.

The total distance Sgt. Wofford covered was approximately 3.3 miles. Sgt. Wofford did not provide this measurement in his report and I later had to drive the route in order to obtain this number. Sgt. Wofford referred to this strategy as a “rolling slowdown manuever”. This is not an acceptable strategy and should only be employed in very narrow circumstances. (Example: medical emergency) The correct policy definition is Roadblock: A tactic designed to stop a suspect’s vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect’s vehicle. **Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed** **or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, ﻿officers or the public.**

I would submit that Sgt. Wofford’s decision to become the lead vehicle in the pursuit was an incorrect decision when not requested by the outside agency. The technique described as a “Rolling Slowdown Manuever” is actually a Roadblock and should not have been implemented in this case. Sgt. Wofford also neglected to provide the distance and time. An officer must demonstrate that he/she continually weighs 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, Sgt. Wofford’s actions in this incident are in violation of Policy: VEHICLE PUSUITS: 307.9.2, 307.10.3.f, 307.12,c,3.

**RECOMMENDATION:**

Read Policy 307.

Take the 1 hour Police One Training Course: Pursuit Driving.

Copy to Division File.