

Vehicle Pursuits

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Policy Statement

Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. Factors critical to the successful conclusion of a pursuit are deputies' proper self-discipline, common sense and sound judgment. Deputies must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing deputies.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. No deputy or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit because of the risk involved. This includes circumstances in which Sheriff's Office policy would permit the initiation or continuation of a pursuit.

Deputies' conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable deputy would do under the circumstances. Decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit. An unreasonable individual's desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

This policy provides deputies with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law.

Persons Affected

All law enforcement deputies.

Directives Affected

Definitions

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 deputy operating a pursuing law enforcement vehicle that is equipped with emergency lights and siren ([RCW 46.61.024](#)).

Terminate (a pursuit) - To discontinue a pursuit; to stop chasing the fleeing vehicle.

Vehicle Pursuit - An attempt by a uniformed peace 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.

Pursuit Intervention

Blocking or Vehicle Intercept - A slow speed, coordinated maneuver in which two or more patrol vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary roadblock.

Pursuit Intervention Technique (PIT) - The intentional and forced rotational contact of a non-compliant suspect vehicle by a pursuing police vehicle in an effort to stop the suspect's flight or illegal activity.

Ramming - The deliberate act of impacting a suspect's vehicle with another vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

Spike Strips - Devices that extend across the roadway and are designed to deflate the tires of the suspect vehicle.

Roadblocks - A tactic designed to stop a suspect's vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the suspect's vehicle.

Pursuit Decision-Making

When Deputies May Initiate Pursuits

Deputies may not engage in a vehicle pursuit unless probable cause exists to believe a person in the vehicle has committed or is committing a violent offense or sex offense as defined in RCW 9.94A.030, or an escape under RCW 9A.76, or there is reasonable suspicion that the driver is driving under the influence and poses an immediate threat to the community, and:

1. The pursuit is necessary for the purpose of identifying or apprehending the person, and
2. 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, and
3. The deputy has received authorization to engage in the pursuit from the shift supervisor.

If Deputies Should Initiate a Pursuit

Deputies shall consider the following factors in deciding whether to initiate a pursuit:

Capabilities and Resource Availability

- **Driving capabilities** of pursuing deputies under the conditions of the pursuit.
- **Vehicle performance capabilities** under the conditions of the pursuit.
- **Radio communications quality** between the pursuing units and the dispatcher and supervisor.
- **Other resource availability**, such as aircraft.

Danger to Persons

- **General public/uninvolved persons.**
- **Pursued vehicle occupants** (e.g., minors, co-offenders and hostages).
- **Pursuing vehicle(s) passengers** other than deputies. A deputy shall not undertake or participate in a pursuit when a prisoner is in his or her vehicle.

Environment

- **Area type** (e.g., residential, open highway).
- **Vehicle and pedestrian traffic volume.**
- **Time of day.**
- **Road conditions.**
- **Weather.**

When Deputies Should Terminate a Pursuit

Deputies or supervisors should [terminate](#) a pursuit whenever the totality of the circumstances known or that reasonably ought to be known to the deputy or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks of allowing the suspect to escape.

Deputies and supervisors must objectively and continuously weigh the factors listed in [If Deputies Should Initiate a Pursuit](#) as well as those listed below when considering whether to continue or terminate a pursuit:

- Distance between the pursuing deputies and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/or distance.
- Pursued vehicle's location is no longer definitely known.
- Deputy's pursuit vehicle sustains any type of damage that renders it unsafe to drive.

Deputies shall immediately terminate a pursuit when directed by a supervisor.

Following Fleeing Vehicles

After a decision not to pursue a vehicle or to [terminate](#) a pursuit, deputies may attempt to follow a fleeing vehicle for the purpose of gathering information that may help identify any suspects. When doing so, deputies shall adhere to all traffic regulations including posted speed limits and deactivate all emergency lights and sirens.

Pursuit Driving

Passing a Pursuit

Deputies involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or asked to do so by the primary unit.

Vehicle Spacing

Deputies, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles so that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle and other pursuing vehicles.

Wrong-Way Driving

As a general rule, deputies should not pursue a vehicle driving left of center (wrong way) on a freeway or other divided highway. In the event the pursued vehicle does so, the following tactics should be considered:

- Requesting assistance from an air unit.
- Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
- Asking other units to observe exits available to the pursued vehicle.

Pursuing Units

Number of Units

No more than **three** vehicles should be directly involved in a pursuit. A deputy may ask additional units to join a pursuit if it appears that the number of deputies involved would be insufficient to safely arrest the suspect(s). All other deputies should stay out of the pursuit but remain alert to its progress and opportunities for [pursuit intervention](#).

Responsibilities

See also [Reports](#).

Primary Unit

The deputy who initiates the pursuit will be the primary unit. This unit is responsible for apprehension of the suspect(s) without unreasonable danger to themselves or other persons. In addition, the primary unit is responsible for:

- Notifying dispatch of the pursuit.
- Broadcasting information including, but not limited to and as soon as practical:
 - Reason for the pursuit.
 - Location and direction of travel.
 - Road, traffic and weather conditions.
 - Speed of the fleeing vehicle.
 - Description of the fleeing vehicle and license number.
 - Number of known occupants.
 - The identity or description of the known occupants.
 - Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.
- Broadcasting the pursuit's progress. Whenever possible, the primary unit should relinquish this responsibility to a secondary unit or aircraft in order to concentrate on pursuit driving.

Second Unit

The second deputy in the pursuit is responsible for the following:

- Notifying dispatch of entry into the pursuit.
- Broadcasting the pursuit's progress unless the situation indicates otherwise.
- Remaining a safe distance behind the primary unit unless asked or directed to assume the role of primary unit.

Policy

Third Unit

When available, a third unit may join a pursuit. The third unit's responsibilities are:

- Notifying dispatch of entry into the pursuit.
- Remaining a safe distance behind the pursuit unless asked or directed to assume the role of primary unit.
- Assisting with pursuit interventions (e.g., Pursuit Intervention Technique).
- After the pursuit concludes, assisting with tasks such as taking suspects into custody and traffic control.

Shift Supervisor

Before authorizing a vehicular pursuit, the shift supervisor must consider alternatives to engaging in a pursuit, as well as the justification for the pursuit and other safety considerations, including but not limited to:

- The speed, weather, traffic, and road conditions.
- The known presence of minors in the vehicle

The shift supervisor shall monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The shift supervisor has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The supervisor in direct control of the shift has the primary responsibility for:

- Calling for termination of the pursuit, should pursuing deputies fail to do so when the facts available do not justify its continuance.
- Directing the pursuit, including the involvement of all units and deputies associated with the pursuit.
- Going to the scene of stopped vehicles when the pursuit concludes, when practicable.
- Assuring that appropriate personnel are notified in the event there is a collision involving a Sheriff's Office vehicle resulting in injury or death to any party.
- Coordinating requests for assistance to or from other agencies.
- Designating a primary frequency to be used in multi-agency pursuits.

Emergency Equipment

Sheriff's Office vehicles directly involved in vehicle pursuits shall drive with emergency lights, and sirens as required, activated in accordance with [RCW 46.61.035](#) for exemption from compliance with the rules of the road.

Because exemptions provided by RCW 46.61.035 do not apply to deputies using vehicles without emergency equipment, vehicles not equipped with emergency lights and sirens are generally prohibited from initiating or joining in any pursuit. However, deputies in such vehicles may become involved in emergency activities involving serious crimes or life threatening situations. Such deputies should terminate their involvement in any pursuit immediately upon arrival of a sufficient number of properly-equipped vehicles.

Motorcycles & Specialty Vehicles

Deputies operating sport utility vehicles, unmarked vehicles, or motorcycles shall be cognizant of the limitations and operating specifications of such vehicles and shall operate within such parameters. Uniformed deputies operating patrol vehicles equipped with emergency lights and sirens should replace motorcycles or other specialty vehicles as soon as practicable.

Uniforms

In order to fully support charging suspects with [attempting to elude](#), any deputy who initiates a pursuit while not in uniform should ask to be replaced by a uniformed deputy in a properly equipped patrol vehicle as soon as practicable ([RCW 46.61.024](#)).

Communication

Radio

Deputies should normally conduct pursuits on the primary WCSO radio channel. However, if units from other agencies become involved and/or the pursuit leaves or is about to leave Whatcom County, the unit handling pursuit communications (i.e., the primary or secondary unit) or the supervisor may direct units to switch to a radio channel that is most accessible by participating agencies and units.

Notifications

The unit handling pursuit communications or the supervisor should ensure that dispatch notifies appropriate agencies of the conduct or approach of a pursuit, normally to include the Washington State Patrol.

Inter-Jurisdictional Considerations

When a pursuit enters another agency's jurisdiction, the primary deputy or supervisor, taking into consideration distance traveled, unfamiliarity with the area, and other pertinent facts, should determine whether or not to ask the other agency to assume the pursuit.

Flight into Canada

Deputies may not pursue a fleeing vehicle into Canada. They should, however, report to the port of entry to exchange information with Canadian authorities.

In the event of an extremely serious felony involving the actual infliction of deadly force or violence (e.g. murder), deputies may follow a fleeing suspect's vehicle into Canada for the purposes of keeping it under visual observation for Canadian law enforcement only if they:

- Receive permission from Canadian authorities to enter for this purpose.
- Do not attempt to detain suspects or engage in any confrontation with suspects while in Canada.

Assumption of Pursuit by another Agency

Units originally involved will discontinue a pursuit when advised that another agency has assumed the pursuit and assistance of the Whatcom County Sheriff's Office is no longer needed. The primary unit may proceed to the termination point to assist in the investigation with permission from a supervisor.

Pursuits in WCSO Jurisdiction

Deputies shall not become actively engaged in pursuits initiated by another agency unless specifically asked to do so by the pursuing agency, or there is not time for such a request and it is readily apparent that such assistance is needed in order to protect the pursuing officer or the public (e.g., single officer pursuing a dangerous suspect). Any deputy joining another agency's pursuit shall notify dispatch and the shift supervisor as soon as practicable.

A supervisor shall evaluate requests for assistance and will assign or allow deputies to assist only if the pursuit meets the criteria of this policy. If the pursuit should be discontinued per WCSO policies, the supervisor or participating deputies will advise the primary agency and Sheriff's Office personnel will cease to participate.

Pursuit Intervention

Pursuit intervention is an attempt to terminate the ability of a suspect to flee or continue to flee in a motor vehicle through application of tactics or technology (see [pursuit intervention definitions](#)).

When Authorized

Any pursuit intervention tactic, depending upon the circumstances under which it is used, may present dangers to the public, deputies or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to constitute deadly force. The use of any technique must be consistent with the WCSO Use of Force policy.

In deciding whether to use intervention tactics, deputies and supervisors should balance the risks of allowing the pursuit to continue with the potential hazards. With these risks in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances confronting the deputy at the time of the decision. Deputies must act within the bounds of legality, good judgment and accepted practices.

Use of Firearms

Deputies shall not fire a weapon at a moving vehicle unless necessary to protect against an imminent threat of serious physical harm resulting from the operator's or a passenger's use of a deadly weapon. Nothing in this section shall be construed to prohibit any deputy from using a firearm to stop a suspect from using a vehicle as a deadly weapon where no other reasonable means to avoid potential serious harm are immediately available to the officer.

Intervention Standards

Pursuit Intervention Technique (PIT)

- Only deputies trained in the use of the [Pursuit Intervention Technique](#) (PIT) are authorized to use it.
- Deputies should obtain supervisory approval before using the PIT at speeds above 40 miles per hour, when practicable. This shall not be construed to limit the use of the PIT to protect the lives of the public, deputies or occupants of the pursued vehicle should they be in imminent danger of serious injury or death.
- Deputies must consider the additional risk of rollover when deciding whether or not to employ the PIT on utility vehicles or other vehicles with high suspensions or oversized tires.
- Using PIT on vehicles with less than four wheels (e.g., motorcycles) is normally considered deadly force and should only be done when such force is authorized.

Ramming

[Ramming](#) a vehicle is normally considered deadly force and should only be done when such force is authorized.

Roadblocks

Roadblocks are normally considered deadly force and should only be used when such force is authorized and with prior supervisory approval. Roadblocks may be used only under extraordinary conditions when all other reasonable intervention techniques have failed or would likely be ineffective.

- Roadblocks should be clearly visible to oncoming traffic and include an escape route.
- Under no circumstances will deputies use occupied vehicles as part of a roadblock.

Spike Strips

When a pursuit begins, units that are equipped with spike strips should move to locations that will allow them to intercept the pursuit and safely deploy their spike strips. Spike strips should only be used when the deploying deputy can communicate directly with pursuing units.

- Using spike strips on a motorcycle (two- or three-wheeled) is normally considered deadly force and should only be done when such force is authorized.
- Deputies deciding whether to deploy spike strips should consider the additional risks associated with doing so in areas such as alongside rivers or steep embankments, around blind corners, etc.
- Deputies should not deploy spike strips on two-way roadways when there is oncoming traffic in the immediate vicinity. Any oncoming traffic should be stopped far enough from the planned deployment site so that a deployment would not endanger oncoming traffic if the violator should swerve into the oncoming lane.
- Deputies should make every effort to ensure only the fleeing vehicle runs over the spike strips. However, if the totality of the circumstances, accounting for any danger posed to pursuing or uninvolved vehicles, warrants the use of spike strips, deputies may deploy the spike strips. Deputies shall contact the owner of any uninvolved vehicle affected by the spike strips as soon as practicable and:
 - Explain the situation.
 - Provide information that will allow the owner to seek reimbursement from Whatcom County for any damages.
 - Provide assistance (e.g., arrange for tow at the county's expense when necessary) when affected vehicles are disabled.

Deputies will document damage to uninvolved vehicles in a separate report.

Policy

Reports

The primary pursuing deputy is responsible for completing a Spillman incident report that documents the pursuit. All other deputies directly involved in the pursuit will document their involvement under the same case number.

The primary pursuing deputy is also responsible for completing a pursuit report in [BlueTeam](#). See the [Vehicle Pursuits – Blue Team Entry Job Aid](#) for reference.

The supervisor who reviews and approves the BlueTeam pursuit report shall forward it to their division commander for final review and approval.

Training

All deputy sheriffs will participate in annual training on this policy.