

10.4 VEHICLE PURSUITS

The term "vehicle pursuit" means an active attempt by an officer operating a vehicle and utilizing emergency warning lights and siren in an authorized emergency vehicle to apprehend one or more occupants of a vehicle that is being driven in an reckless or otherwise dangerous and evasive manner. It is not a "vehicle pursuit" for an officer to use emergency lights and siren to gain a driver's attention. To constitute a "vehicle pursuit" the driver must be fleeing from the officer and driving in a reckless or otherwise dangerous and an evasive manner. A suspect is considered fleeing upon making an overt action intended to avoid arrest or detention.

For the purpose of this policy, violators who follow all traffic regulations after an officer initiates a traffic stop and are merely failing to yield to the authorized emergency vehicle, are not considered to be fleeing from the officer.

An officer may only initiate a vehicle pursuit if:

- The officer reasonably believes, based on all the facts and circumstances, that the driver or another occupant of the vehicle presents an immediate serious threat to the safety of the public or other police officers, and;
- The risk of immediate serious harm presented by the violator substantially outweighs the risk of harm presented to the officer and the public by engaging in the pursuit.

An officer initiating a vehicle pursuit shall immediately announce a "vehicle pursuit" and provide dispatch with the circumstances supporting that decision, including the nature of the immediate serious threat to the safety of the public or other police officers. Officers are also required to broadcast the driver's speed, driving characteristics, and driving conditions in the area as soon as reasonably possible.

Comment [11]: Capt. Fudge eliminated this because it is actually procedure.

An officer may only continue a vehicle pursuit if:

- A supervisor not actively involved in the pursuit promptly authorizes its continuation, and;
- The risk of immediate serious harm presented by the violator continues to substantially outweigh the risk of harm presented to the officer and the public by continuing the pursuit.

Absent emergency circumstances involving an immediate risk of harm to the public or police, the number of Everett Police units involved in the pursuit shall be limited to that number necessary to safely arrest the occupants of the pursued vehicle. The supervisor will determine the number of involved units. Another officer may only join or continue in a vehicle pursuit already in progress only if specifically authorized by a supervisor not actively involved in the pursuit.

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~~Officers operating u~~**Unmarked police vehicles and motorcycles will generally be prohibited from engaging in the pursuits of an offending vehicle. If the u**~~unmarked police vehicles is and motorcycles equipped with emergency lights and siren they may initiate and/or be involved only until fully marked police units arrive. If this involvement creates serious safety concerns, participation will be terminated as soon as possible.~~

~~The department recognizes that there are devices designed for and utilized in an effort to slow or stop an offending vehicle. These devices may be used following established procedures and only after proper training. A supervisor not actively involved in the pursuit must authorize the use of a tire deflation device or any other high-risk maneuver.~~

~~Supervisors will not authorize T~~**hese techniques will not be used when it has been determined by a supervisor that such use if they would create a greater safety concern than that of the pursuit. In the absence of such a of supervisor's approval, no officer shall deliberately cause their vehicle to hit the pursued vehicle unless there are extreme emergency circumstances involving imminent serious harm to the public or any another officer.**

~~Vehicle intervention or and barricading a roadway is are governed in by Chapter 15, Use of Force Policy and EPD Procedure Chapter 18.~~

~~[When a vehicle pursuit is terminated, the supervision officer must clearly announce that fact. Immediately thereafter, all officers involved in the pursuit must turn off their emergency equipment, pull over to the side of the road, and then resume normal patrol.~~

Comment [L2]: Captain Fudge eliminated this because it is actually procedure.

No officer will continue a vehicle pursuit outside of the city limits without express supervisor approval. No officer will join in a vehicle pursuit initiated by another agency, whether inside or outside of city limits, without express supervisor approval.

When approved by a supervisor to enter into or join a pursuit outside of city limits, members of the Everett Police Department will comply with the Snohomish County Multi-agency Pursuit Standard Operating Procedures Memorandum of Understanding. A copy of this MOU can be found in EPD Procedure 18.01.