

SENT VIA EMAIL

MEMORANDUM

February 18, 2021

To: Chief Adrian Diaz, Seattle Police Department
From: Lisa Judge, Inspector General for Public Safety
Re: Potential Life Safety Risks in Seattle Police Department Pursuit Policy

Vehicle pursuits are a high-risk activity that may result in death or serious injury to innocent motorists or bystanders, involved officers, or the subject of the pursuit. Although sometimes necessary to stop a dangerous threat, pursuits should be carefully controlled to minimize potential serious or deadly injury. OIG conducted a preliminary review of the Seattle Police Department (SPD) pursuit policy (POL 13.031) in response to the February 3, 2021, pursuit that culminated in a crash involving multiple bystander vehicles,¹ as well as a previous pursuit in which the pursuit supervisor was the lead pursuer and rammed the suspect vehicle.²

OIG reviewed pursuit policies and guidelines from multiple entities to establish an initial baseline of basic pursuit policy criteria.³ In comparison to this baseline, the SPD policy is missing several factors that may reduce unnecessary pursuits or otherwise mitigate risk. This memo should not be considered an exhaustive or final report on all the discrepancies OIG identified, but rather an initial alert of key risks SPD should address in policy revisions.

First, SPD policy does not require officers to consider if the subject is known and can be apprehended at a later, safer time. All other entities reviewed by OIG include this requirement. Other consideration factors absent from SPD policy include:

- whether there are minors or other persons in the suspect vehicle;
- availability, both in time of and distance, of support units (whether ground or air);
- the population density of the area, such as a residential area, school zone, or business district;
- officer training, experience, or safety; and

¹ <https://komonews.com/news/local/spd-to-investigate-potential-misconduct-in-carjacking-chase-that-ended-in-crash>

² This case occurred on June 1, 2020 and was recently reviewed by the Force Review Board.

³ These entities include the International Association of Chiefs of Police (IACP), the California Commission on Peace Officer Standards and Training (California POST), the Tucson Police Department, and the Portland Bureau of Police.

- officer familiarity with the area of the pursuit.

Without such criteria, officers may not be considering basic elements that are critical in deciding whether the risk to the public outweighs the need to pursue – such as engaging in a high-speed chase in a heavily populated area during hours when the streets are more congested with commuters.

Second, the SPD policy does not include extensive detail regarding supervisory requirements or responsibilities for pursuits, except to note that the supervisor’s responsibility extends “only to the question of whether the pursuit is within policy.” In OIG’s research, commonly prescribed supervisory duties during a pursuit that are not explicitly detailed in SPD’s policy include:

- ensuring the safety of the public, officers, and suspects is being continually assessed;
- ensuring no more than the necessary number of units is involved in a pursuit;⁴
- notifying surrounding jurisdictions of the pursuit and coordinating with air support,⁵ as relevant; and
- ordering termination of the pursuit, if necessary.

Officers in the pursuit are engaged in an adrenaline-fueled activity that requires a high degree of focus. Lack of active supervision and specified supervisory duties during a pursuit may result in missed opportunities to provide guidance and perspective. The Tucson Police Department prohibits the pursuit supervisor from being involved in the pursuit as a primary or secondary unit.

Finally, the SPD vehicle pursuit policy is notable in that it defines pursuit criteria through what is prohibited, rather than positively identifying what qualifies a situation as appropriate for a pursuit. SPD prohibits pursuit for traffic violations, civil infractions, misdemeanors, property crime, and the simple act of eluding. Tucson, in contrast, only authorizes pursuit for violent felony person offenses, while Portland authorizes pursuit for

⁴ Portland and Tucson both restrict pursuits to a maximum of three units without explicit supervisor authorization. The California POST, while not setting an explicit number, writes that “the more law enforcement units actively participating in a pursuit increases the likelihood of a collision. The policy should describe the number and types of law enforcement vehicles authorized to engage in pursuit at any one time. [...] Public safety should be the foremost consideration when determining the number of units permitted.”

⁵ The Tucson Police Department convened critical incident review boards after two separate pursuits ending in death or serious injury. The results of these boards are publicly available. As a result, the department incorporated several changes to its policies concerning air support and pursuits. Although SPD does not have its own air support unit, it works frequently with the King County Sheriff’s Office air support team, and may wish to consider reviewing the Tucson report with an eye towards how SPD should request and manage air support during pursuits. See https://www.tucsonaz.gov/files/police/CIRB/CIRB_RESULT_REPORT_16-0374.pdf



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felony person offenses and situations in which the suspect's driving conduct may reasonably place the public in immediate danger of bodily harm or death. Streamlining decision criteria may help officers determine if pursuit is or is not allowed by policy during a high-pressure, time-limited situation.

OIG will continue to monitor pursuit cases and consider whether additional systemic review is necessary. We would also welcome any opportunity to discuss the issue further and provide any technical assistance that might be helpful.

Thank you for your attention to this issue, and your ongoing partnership with OIG.