
Criminal Justice & Corrections Committee

SSB 6496

Brief Description: Regulating vehicular pursuit.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Kohl-Welles, Kline, McCaslin and Winsley).

Brief Summary of Substitute Bill

- Requires the Washington State Criminal Justice Training Commission (CJTC) and other relevant state organizations to create a written model policy on vehicular pursuits by December 1, 2002.
- Requires every state, county and municipal law enforcement agency to adopt and implement a written vehicular pursuit policy by June 1, 2003.

Hearing Date: 2/28/02

Staff: Ryan Jensen (786-5793).

Background:

The Washington State Patrol (WSP) has guidelines on police pursuits and many police departments base their policies on them. However, the policies differ from department to department with respect to how pursuits are initiated. Some departments, for example, tightly restrict pursuits, while others permit pursuit at an officer's discretion.

A general authority peace officer has authority to enforce the traffic and criminal laws of this state including when the officer is in fresh pursuit. Any peace officer who has authority under Washington law to make an arrest may proceed in fresh pursuit of a person who is reasonably believed to have committed a violation of traffic or criminal laws, or for whom such officer holds a warrant of arrest. "Fresh pursuit" is not necessarily immediate pursuit, but pursuit without unreasonable delay.

Summary of Bill:

By December 1, 2002, the CJTC, the Washington State Patrol, the Washington Association of Sheriffs and Police Chiefs, and organizations representing state and local law enforcement officers must create a written model policy on vehicular pursuits. The policy must provide the following minimum requirements: (1) supervisory control, if available, of the pursuit; (2) procedures for designating the primary pursuit vehicle and for determining the total number of vehicles permitted to participate in a pursuit; (3) procedures for coordinating operations with other jurisdictions; (4) guidelines for determining when the interests of public safety and effective law enforcement justify a vehicular pursuit and when a pursuit should not be initiated or should be terminated.

By June 1, 2003, every state, county, and municipal law enforcement agency is required to adopt and implement a written vehicular pursuit policy. The policy need not be the model policy drafted by the CJTC and other relevant state organizations, but any policy adopted must meet the minimum requirements listed above.

By June 30, 2005, every full-time law enforcement officer employed by a state, county, or municipal law enforcement agency must have received training on vehicular pursuits. After June 30, 2005, every new full-time law enforcement officer employed by a state, county, or municipal law enforcement agency must receive training on vehicular pursuits within six months of employment. Law enforcement officers who are employed as of the effective date of this act are not required to receive new training on vehicular pursuit.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.