

# FINAL BILL REPORT

## SSB 5165

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Synopsis as Enacted

**Brief Description:** Regulating vehicular pursuit.

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

**Senate Committee on Judiciary**

**House Committee on Criminal Justice & Corrections**

**Background:** National statistics reveal one third of police chases result in crashes and one out of every five result in injuries. The Washington State Patrol (WSP) has produced guidelines on police pursuit. Many local police departments base their policies on the WSP's. Policies differ from department to department, however, with some permitting pursuit at an officer's discretion and others tightly restricting pursuits.

In Washington, a general authority peace officer who possesses a certificate of basic law enforcement training or a certificate of equivalency may enforce the traffic and criminal laws of this state. Enforcement powers include fresh pursuit; any peace officer with authority to make an arrest may proceed in fresh pursuit of a person (1) who is reasonably believed to have committed a traffic or criminal law violation, or (2) for whom the officer holds a warrant of arrest. "Fresh pursuit" does not necessarily imply immediate pursuit, but pursuit without unreasonable delay.

**Summary:** The Washington State Criminal Justice Training Commission, the Washington State Patrol, the Washington Association of Sheriffs and Police Chiefs, and organizations representing local law enforcement officers must work in conjunction to develop a written model policy on vehicular pursuits. At a minimum, the policy must provide for: (a) supervisory control, if available, of the pursuit; (b) procedures for designating the primary pursuit vehicle and the number of vehicles permitted to participate in the pursuit; (c) procedures for coordinating operations with other jurisdictions; and (d) guidelines for determining when the interests of public safety and effective law enforcement justify a pursuit, when a pursuit should not be initiated, and when a pursuit should be terminated.

By June 1, 2004, every state, county, and municipal law enforcement agency must adopt and implement a vehicular pursuit policy. Any policy adopted by local law enforcement must address the same minimum requirements addressed in the model policy.

By June 30, 2006, every new full-time law enforcement officer employed, after the effective date of this act, by a state, county, or municipal law enforcement agency must be trained on the vehicular pursuit policy. After July 1, 2006, every new full-time law enforcement officer must be trained on the vehicular pursuit policy 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 the vehicular pursuit policy.

**Votes on Final Passage:**

Senate 49 0

House 95 0

**Effective:** July 27, 2003