S-0978.4

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SUBSTITUTE SENATE BILL 5533**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 68th Legislature 2023 Regular Session**

**By** Senate Law & Justice (originally sponsored by Senators Lovick, Randall, Dhingra, Hunt, Liias, Lovelett, Nguyen, Nobles, Pedersen, Robinson, Saldaña, Shewmake, and Van De Wege)

AN ACT Relating to the creation of a model vehicle pursuit policy for law enforcement agencies and the creation of a vehicle pursuit technology grant program; adding new sections to chapter 43.101 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) It is the intent of the legislature to enact laws pertaining to vehicular pursuits that ensure the safety of communities, police officers, victims, and suspects.

(2) The legislature finds that existing data concerning vehicular pursuits is insufficient to evaluate the effect of pursuit policies on traffic safety and law.

(3) Therefore, the legislature finds and declares that the purpose of this act is to facilitate the creation of an objective, evidence-based model policy for the training and use of vehicle pursuits for peace officers.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

(1) The commission shall convene a work group to develop a model policy for the training and use of vehicular pursuits for peace officers. The commission is encouraged to invite experts to present to the work group including experts in police tactics and academics and researchers in the area of criminal justice.

(2) The commission must ensure that the work group is comprised of community and law enforcement stakeholders, including the following: Washington association of sheriffs and police chiefs; Washington state patrol; Washington fraternal order of police; Washington council of police and sheriffs; Washington state patrol troopers association; teamsters local 117; families who have lost loved ones as a result of violent interactions with law enforcement; families who have lost loved ones as a result of actions by others violating traffic or criminal laws; an organization advocating for civil rights; Washington association of prosecuting attorneys; a national organization advocating for traffic safety; a national organization advocating for policing equity; a statewide organization advocating for Black Americans; a statewide organization advocating for Latinos; a statewide organization advocating for Asian Americans, Pacific Islanders, and Native Hawaiians; a federally recognized tribe located in Washington state; a community organization from eastern Washington working on police accountability; a community organization from western Washington working on police accountability; a community organization serving persons who are unhoused; the faith-based community with advocacy on police accountability; a community organization working on traffic safety issues; and a statewide organization working on police accountability.

(3) The model policy work group shall consider:

(a) Circumstances where vehicle pursuits may not be justified;

(b) Circumstances where vehicle pursuits may be justified;

(c) Circumstances where peace officers should consider the use of tactics other than engaging in a vehicle pursuit;

(d) Procedures and tactics for officers engaged in a pursuit;

(e) Responsibilities of the primary responding unit;

(f) Supervision of pursuit activities;

(g) The responsibilities of dispatch when an officer is engaged in a vehicle pursuit;

(h) Factors influencing the termination of a pursuit;

(i) Factors related to interjurisdictional pursuits;

(j) Care and consideration of victims and injured persons;

(k) Information to be included in reports related to the pursuit;

(l) Peer-reviewed research findings pertaining to pursuit policies, procedures, and training;

(m) Data collected from Washington state law enforcement agencies;

(n) Factors influencing motorist decisions to flee police detention;

(o) Demographics of fleeing subjects;

(p) Pursuit results when officers terminate or pursue to conclusion;

(q) Correlation of results with nationwide review of pursuit police and training practices;

(r) The impact of using technology to address vehicle pursuits;

(s) The benefits of vehicle pursuits including apprehension rates, offenses charged, and frequency of postpursuit apprehension through other means; and

(t) Risks of vehicle pursuits including but not limited to accidents, injuries, fatalities, property damage, and civil claims resulting from vehicle pursuits.

(4) A law enforcement agency may submit to the work group for its review and consideration a preferred policy.

(5) The commission shall present the model policy for the training and use of vehicle pursuits as its recommendation to the appropriate committees of the legislature and publish the model policy on its website no later than October 31, 2024.

NEW SECTION. **Sec.**  A new section is added to chapter 43.101 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall develop and implement a law enforcement technology grant program for the purpose of providing law enforcement with modern vehicle pursuit management technology including but not limited to GPS tracking equipment, automated license plate reading technology, aircraft, and drones.

(2) Grants must be awarded to local law enforcement agencies based on locally developed proposals. The commission shall establish policies for applications under this section in addition to criteria for evaluating and selecting grant recipients. A proposal must include a request for specific technology and a specific plan for the implementation, use, and effectiveness reporting of that technology.

**--- END ---**