
**Community Safety, Justice, & Reentry
Committee**

HB 1586

Brief Description: Requiring the criminal justice training commission to establish a work group and grant program related to vehicular pursuits.

Sponsors: Representatives Goodman, Doglio, Lekanoff and Pollet.

Brief Summary of Bill

- Requires the Criminal Justice Training Commission (CJTC) to convene a work group by June 30, 2023, to develop legislative policy recommendations related to vehicular pursuits by law enforcement.
- Requires the CJTC to develop and implement a vehicular pursuit technology grant program by October 31, 2023, for the purpose of providing modern vehicular pursuit management technology to local law enforcement agencies.

Hearing Date: 1/31/23

Staff: Corey Patton (786-7388).

Background:

A "vehicular pursuit" is an attempt by a uniformed peace officer in a vehicle equipped with emergency lights and a siren to stop a moving vehicle where the operator of the moving vehicle appears to be aware that the officer is signaling the operator to stop the vehicle and the operator of the moving vehicle appears to be willfully resisting or ignoring the officer's attempt to stop the vehicle by increasing vehicle speed, making evasive maneuvers, or operating the vehicle in a reckless manner that endangers the safety of the community or the officer. When engaging in a

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vehicular pursuit, the officer may violate certain rules of the road including, for example, stop signals, speed limits, and parking restrictions.

An officer may not engage in a vehicular pursuit unless:

- there is probable cause to believe that a person in the vehicle has committed or is committing a violent offense, sex offense, or an escape offense, or there is reasonable suspicion that a person in the vehicle has committed or is committing a driving under the influence offense;
- the vehicular pursuit is necessary for the purpose of identifying or apprehending the person;
- the person poses an imminent threat to the safety of others; and
- the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks associated with the vehicular pursuit under the circumstances.

The officer must receive authorization from a supervisor to engage in the vehicular pursuit and there must be supervisory control, or, in jurisdictions with fewer than 10 commissioned officers, the officer must request the on-call supervisor be notified if a supervisor is not on duty at the time. The officer and supervisor (when applicable) must consider alternatives to the vehicular pursuit, the justification for the vehicular pursuit, and other safety considerations. The officer must terminate the vehicular pursuit if any of these requirements are not met.

The officer must also comply with any agency procedures for designating the primary pursuit vehicle and determining the appropriate number of vehicles permitted to participate in the vehicular pursuit and comply with any agency procedures for coordinating operations with other jurisdictions, including available tribal police departments when applicable.

Summary of Bill:

Vehicular Pursuits Work Group.

The Criminal Justice Training Commission (CJTC) must convene a work group by June 30, 2023, to develop legislative policy recommendations related to vehicular pursuits by law enforcement. The work group must be comprised of stakeholders representing specific entities and interests. The work group must consider the following factors when developing its recommendations:

- circumstances where vehicular pursuits should be justified;
- circumstances where peace officers should consider the use of tactics other than engaging in a vehicular pursuit;
- procedures and tactics for officers engaged in a vehicular pursuit;
- technology that may aid in effectively managing vehicular pursuits;
- responsibilities of the primary responding unit;
- supervision of vehicular pursuits;
- the threshold for terminating a vehicular pursuit;
- communication and coordination during interjurisdictional vehicular pursuits; and
- attention and response to injured persons.

The CJTC must submit a report containing its recommendations to the Legislature and publish the report on its website by December 1, 2023.

Vehicular Pursuits Technology Grant Program.

The CJTC must, subject to appropriation, develop and implement a vehicular pursuit technology grant program by October 31, 2023, for the purpose of providing modern vehicular pursuit management technology to local law enforcement agencies including, but not limited to, the following:

- global positioning system tracking technology;
- automated license plate reading technology; and
- nonarmed and nonarmored drone technology.

The CJTC must establish policies for applications and criteria for evaluating and selecting grant recipients. Grants must be awarded to local law enforcement agencies based on locally developed proposals. A proposal must include a request for specific technology and a specific plan for the implementation and use of that technology.

Appropriation: None.

Fiscal Note: Requested on January 25, 2023.

Effective Date: The bill takes effect on June 30, 2023.