

SHB 1054 - H AMD 191

By Representative Robertson

NOT ADOPTED 02/27/2021

1 On page 3, beginning on line 22, after "(a)" strike all material
2 through "(2)" on line 35 and insert "There is reasonable suspicion to
3 believe a person in the vehicle has committed or is committing a
4 criminal offense, and the safety risks of failing to apprehend or
5 identify the person are considered to be greater than the safety risks
6 associated with the vehicular pursuit under the circumstances;

7 (b) The officer notifies a supervising officer immediately upon
8 initiating the vehicular pursuit, informing the supervisor of the
9 justification for the vehicular pursuit and other safety
10 considerations, including but not limited to speed, weather, traffic,
11 road conditions, and the known presence of minors in the vehicle;

12 (c) The officer complies with any agency procedures for
13 designating the primary pursuit vehicle and determining the
14 appropriate number of vehicles permitted to participate in the
15 vehicular pursuit;

16 (d) The officer complies with any agency procedures for
17 coordinating operations with other jurisdictions, including available
18 tribal police departments when applicable; and

19 (e) The officer, in consultation with the supervising officer,
20 considers alternatives to the vehicular pursuit.

21 (2) A supervising officer shall order the termination of any
22 vehicular pursuit not meeting the requirements under subsection (1) of
23 this section.

24 (3)"

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26 On page 4, after line 4, insert the following:

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1 "(4) For the purposes of this section, "vehicular pursuit" means
2 an attempt by a uniformed, law enforcement officer in an officially
3 marked patrol vehicle to stop a moving vehicle where the operator of
4 the moving vehicle appears to be aware that the officer is signaling
5 the operator to stop the vehicle, and the operator of the moving
6 vehicle appears to be resisting or ignoring the officer's attempt to
7 stop the vehicle by increasing vehicle speed, making evasive
8 maneuvers, or operating the vehicle in a manner that endangers the
9 safety of the community or the officer."

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EFFECT: Removes and replaces the restrictions on vehicular
pursuits in the underlying bill, as follows:

- Defines "vehicular pursuit" as an attempt by a uniformed, law enforcement officer in an officially marked patrol vehicle 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 resisting or ignoring the officer's attempt to stop the vehicle by increasing vehicle speed, making evasive maneuvers, or operating the vehicle in a manner that endangers the safety of the community or the officer.
- Provides that a peace officer may not engage in a vehicular pursuit unless: There is reasonable suspicion to believe a person in the vehicle has committed or is committing a criminal offense, 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 notifies a supervising officer immediately upon initiating the vehicular pursuit, informing the supervisor of the justification for the vehicular pursuit and other safety considerations, including but not limited to speed, weather, traffic, road conditions, and the known presence of minors in the vehicle; the officer complies with agency procedures for designating the primary pursuit vehicle and determining the appropriate number of vehicles permitted to participate in the vehicular pursuit; the officer complies with agency procedures for coordinating operations with other jurisdictions, including available tribal police departments when applicable; and the officer, in consultation with the supervising officer, considers alternatives to the vehicular pursuit. Requires the supervising officer to order the termination of any vehicular pursuit not meeting these requirements.

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