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**SUBSTITUTE SENATE BILL 5533**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

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

READ FIRST TIME 02/07/23.

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

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

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

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

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

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.101  
17 RCW to read as follows:

18 (1) The commission shall convene a work group to develop a model  
19 policy for the training and use of vehicular pursuits for peace  
20 officers. The commission is encouraged to invite experts to present

1 to the work group including experts in police tactics and academics  
2 and researchers in the area of criminal justice.

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

25 (3) The model policy work group shall consider:

- 26 (a) Circumstances where vehicle pursuits may not be justified;
- 27 (b) Circumstances where vehicle pursuits may be justified;
- 28 (c) Circumstances where peace officers should consider the use of  
29 tactics other than engaging in a vehicle pursuit;
- 30 (d) Procedures and tactics for officers engaged in a pursuit;
- 31 (e) Responsibilities of the primary responding unit;
- 32 (f) Supervision of pursuit activities;
- 33 (g) The responsibilities of dispatch when an officer is engaged  
34 in a vehicle pursuit;
- 35 (h) Factors influencing the termination of a pursuit;
- 36 (i) Factors related to interjurisdictional pursuits;
- 37 (j) Care and consideration of victims and injured persons;
- 38 (k) Information to be included in reports related to the pursuit;
- 39 (l) Peer-reviewed research findings pertaining to pursuit  
40 policies, procedures, and training;

- 1 (m) Data collected from Washington state law enforcement  
2 agencies;
- 3 (n) Factors influencing motorist decisions to flee police  
4 detention;
- 5 (o) Demographics of fleeing subjects;
- 6 (p) Pursuit results when officers terminate or pursue to  
7 conclusion;
- 8 (q) Correlation of results with nationwide review of pursuit  
9 police and training practices;
- 10 (r) The impact of using technology to address vehicle pursuits;
- 11 (s) The benefits of vehicle pursuits including apprehension  
12 rates, offenses charged, and frequency of postpursuit apprehension  
13 through other means; and
- 14 (t) Risks of vehicle pursuits including but not limited to  
15 accidents, injuries, fatalities, property damage, and civil claims  
16 resulting from vehicle pursuits.
- 17 (4) A law enforcement agency may submit to the work group for its  
18 review and consideration a preferred policy.
- 19 (5) The commission shall present the model policy for the  
20 training and use of vehicle pursuits as its recommendation to the  
21 appropriate committees of the legislature and publish the model  
22 policy on its website no later than October 31, 2024.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.101  
24 RCW to read as follows:

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

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

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