

**Resolution 2003-031**

**A RESOLUTION APPROVING THE WASHINGTON COUNTY  
LAW  
ENFORCEMENT INTERAGENCY  
PURSUIT AGREEMENT**

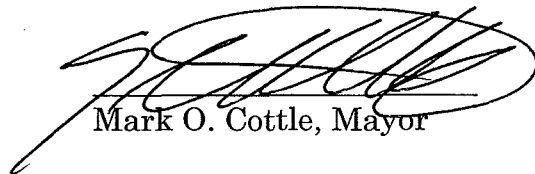
**WHEREAS**, Washington County has crafted and Inter Governmental Agreement (IGA) to provide guidelines and responsibilities for the initiation and termination of a vehicular pursuit with in Washington County; and

**WHEREAS**, this agreement has been reviewed and approved by all of the City Police Agency's in the County;

**NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:**

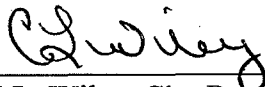
The City Council directs the City Manager to approve the document attached as Exhibit 1.

**Duly passed by the City Council this 22nd day of April 2003.**



Mark O. Cottle, Mayor

**ATTEST:**



C.L. Wiley, City Recorder

# WASHINGTON COUNTY LAW ENFORCEMENT INTERAGENCY PURSUIT AGREEMENT

## I POLICY

The policy of this Agency is to provide guidelines and responsibilities for the initiation and termination of a vehicular pursuit. Vehicle pursuits must be conducted in such a way so as to minimize the risk of injury to officers and citizens and reduce the risk of damage to property. All pursuits may be reviewed to determine the appropriateness of actions taken. Legal constraints for the operation of emergency vehicles are provided in the Oregon Revised Statutes. All members of the Agency shall be familiar with and operate police emergency vehicles in accordance with these statutes, this policy and their own individual agency policy.

### A. Decision Accountability

It is recognized that there is a basic need for pursuit under certain circumstances. Great reliance is placed upon the individual officer and field supervisors in the application of the experience and training. Officers shall not be openly criticized for their decision to terminate rather than continue a pursuit.

Any agency initiating a pursuit or any agency agreeing to take over a pursuit accepts the responsibility for pursuit tactics, and for continuing or terminating the pursuit.

## II DEFINITIONS

“Barricade” / “Roadblock” is the intentional blocking of a roadway, by any means, to stop a vehicle being pursued.

“Boxing in” is the placement of a police vehicle into the path or potential path of a vehicle with the intent of slowing and stopping the vehicle or keeping the vehicle stopped.

“Channelization” is a technique where objects or vehicles are positioned in a manner intended to direct or redirect the path of a fleeing vehicle.

*"Code 3" is defined as driving an emergency vehicle in an emergency situation using emergency lights and siren*

*"Paralleling" is driving police vehicles parallel to the pursuit in a Code "3" response with the intent to keep up with or cut off the fleeing vehicle.*

"Pursuit Driving" is an active attempt by a police officer operating a motor vehicle in a Code "3" condition to apprehend one or more occupants of another moving vehicle, when the driver of the fleeing vehicle is aware of that attempt and is resisting apprehension by maintaining or increasing the vehicle speed, ignoring the officer or attempting to elude the officers while driving at speeds in excess of the legal designated speed.

Pursuit Intervention Technique (PIT) is intentional contact between a police vehicle and a pursued vehicle in such a manner as to cause a 180-degree spin and subsequent stop of the pursued vehicle.

"Ramming" (Deliberate) is using a police vehicle to purposely cause forceful contact with another vehicle in order to bring that vehicle to a stop, where the use of deadly force is justified.

"Stop Sticks" / "Spike Strips" is a strip of belting containing specially designed hollow spikes, which penetrates tires, thereby slowing the fleeing vehicle by deflating the tire(s).

"Supervisor" is any ranking officer with supervisory authority including a temporarily assigned shift OIC (officer in charge)

### **III. PROCEDURES**

#### **A. Officer Considerations:**

1. Oregon Motor Vehicle Code, Section 820.300, outline the privileges and conditions of a driver of an emergency vehicle when in pursuit of an actual violator of the law.
  - a. The section does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all others, nor protect them from the consequences of criminal negligence or reckless conduct.

2. In initiating a pursuit, the officer (s) must carefully consider the facts, seriousness of the offense, the possible consequences, and the safety of citizens.
  
3. The officer shall consider the following factors when making a decision:
  - a. Nature of charges – pursuits of persons suspected of serious crimes are viewed as more justifiable than those of persons suspected of only misdemeanors or traffic violations.
  - b. Time of day.
  - c. Volume of vehicular traffic.
  - d. Location of pursuit.
  - e. Weather conditions.
  - f. Road conditions
  - g. Speeds involved.
  - h. The performance capabilities of the pursuit or pursued vehicle.
  - i. Pedestrian traffic.
  - j. Driving behavior of pursued driver.

B. Communications

1. When a motor vehicle pursuit is initiated, the officer involved shall immediately provide to the dispatcher the following information:
  - a. Unit identifier, and the fact that they are in pursuit.
  - b. The location and direction of travel.
  - c. Description of the vehicle and occupants.
  - d. Reason for the pursuit.
  - e. Speed of both the pursued and the pursuing vehicles.
  - f. Request a supervisor be notified.
  
2. During the pursuit the officer (or back-up officer) shall give periodic updates of:
  - a. Location and direction of travel.
  - b. Speed of both the pursued and pursuing vehicles.

- c. Driving behavior of pursued driver.
- d. Any other pertinent information.

3. The duties and responsibilities of dispatch are outlined in Washington County Consolidated Communications Agency Police Pursuits Operations Directive O-P-9-010803. These include, but are not limited to:

- a. Declaring a "Signal Two" on the radio frequency for the pursuing units.
- b. Record and relay relevant pursuit information.
- c. Confirm that the pursuing agency's supervisor is aware of the pursuit.
- d. Coordinate units to assist the pursuing officer.
- e. Notify adjoining agencies of the pursuit.

4. Upon the termination of the pursuit the officer (or back-up officer) shall give the location of termination, under what circumstances the pursuit was terminated (motor vehicle accident, voluntarily stopped, etc.), and what the status is at the scene of the termination (Situation is Okay, (Code4), more assistance needed, etc.)

C. Supervisory Responsibility

Upon being notified or becoming aware of a pursuit, the field supervisor of the agency initiating the pursuit shall become responsible for the pursuit and has the discretion to order specific units into or out of the pursuit. The field supervisor may at any time order the termination of a pursuit when he believes the necessity of immediate apprehension is outweighed by the level of danger created by the pursuit.

D. General Guidelines

The following are general guidelines concerning a vehicle pursuit:

1. Unless otherwise directed by a supervisor, no more than three police vehicles, regardless of agency, shall become actively involved in a pursuit. Other officers should be alert to the pursuit progress and locations.
2. No police unit involved in a pursuit will pass another police unit, unless it is reasonably safe, the officer has communicated their intentions, and there is a legitimate purpose.

3. Unless specifically authorized by a supervisor, pursuing officers will not drive along side, ram, force off the road or box in the suspect vehicle. Such action may be approved only when authorized by separate department policy.
4. Paralleling of a pursuit is not permitted; however other Agency vehicles in the immediate vicinity of a pursuit may proceed using routine response to designated positions to assist in apprehending the fleeing driver, unless otherwise directed by a supervisor.
5. Officers operating unmarked vehicles equipped with emergency lights and siren may engage in pursuits only when the fleeing vehicle represents an immediate and direct threat to life. Whenever a marked vehicle becomes available to assume the pursuit initiated by an officer in an unmarked vehicle, the unmarked vehicle shall not maintain the lead position.
6. No officer shall become involved in a vehicular pursuit if an arrested person, a suspect, complainant, witness, or civilian observer (unless a waiver is signed), is in the police vehicle.
7. When a pursuit is initiated by any law enforcement agency, and the pursuit enters another jurisdiction, the initiating unit (s) shall notify the other agency. Officers from other agencies shall not become involved in a pursuit unless it is requested by the initiating agency or the agency currently responsible for the pursuit. If the other agency assists in the pursuit it will switch radio frequency to that of the initiating agency. If the other agency is not able to assist in the pursuit, it will advise the pursuing agency and the pursuing agency will maintain the responsibility of the pursuit. If the other agency is asked to take over the pursuit and accepts responsibility for the pursuit, all pursuit units will switch to the radio frequency of the agency accepting responsibility for the pursuit, unless directed otherwise by the on duty supervisor of the agency responsible for the pursuit, or Washington County Consolidated Communications Agency personnel. Units of the agency accepting responsibility for the pursuit will take the lead positions as soon as it is safe to do so. If the pursuit leaves Washington County and an outside agency assumes responsibility for the pursuit, the radio frequency to be utilized will be determined by the agency or their dispatch facility. When an assisting agency chooses to withdraw from a pursuit for any reason they shall immediately notify the agency responsible for the pursuit.
8. Officers shall not pursue suspects the wrong way on any interstate highway, controlled access highway, or any divided roadway unless when absolutely necessary, and when so doing must exercise extreme caution. When an officer is in pursuit of a vehicle that enters a freeway, the Oregon State Police shall be notified and requested to assist in the pursuit.

9. An officer shall not discharge a firearm from a moving vehicle.
10. The use of roadblocks may be authorized by individual department policy.
11. The use of hollow spike strips may be authorized by individual department policy.
12. The use of PIT may be authorized by individual department policy.
13. The use of channelization may be authorized by individual department policy.
14. Officers shall use extreme care when disobeying traffic control devices, even where the statutes specifically permit such conduct. Officers shall make continuous use of all available warning devices to alert other motorists and pedestrians and drive with their windows up. State law also requires the officer to exercise "due regard for the safety of all other persons" (ORS 820.300)
15. "HIGH RISK TRAFFIC STOP" procedures will be employed when the pursued vehicle is apprehended.
16. Any primary or backup unit sustaining failure of essential vehicular or emergency equipment during pursuit shall notify the field supervisor or communications so another unit may be assigned to the pursuit.

E. Terminating a Pursuit

Any officer involved in a pursuit shall terminate the pursuit under any one of the following conditions:

1. When ordered to terminate by a field supervisor or higher authority of the agency currently responsible for the pursuit.
2. When the officer believes the level of danger created by the pursuit outweighs the necessity for immediate apprehension.
3. When an assisting agency chooses to withdraw from a pursuit for any reason they shall immediately notify the agency responsible for the pursuit.

4. When the suspect's identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension.
5. When the pursued vehicle's location is no longer known.
6. When motorists / pedestrians are involved in an accident as a result of the pursuit, immediate assistance must be given. If there is only the primary pursuing vehicle, then this vehicle must stop to provide assistance.
7. The officer will notify the dispatcher the pursuit is being terminated.



**WASHINGTON COUNTY LAW ENFORCEMENT INTERAGENCY PURSUIT AGREEMENT**

We below, agree with the above listed policy and response for the Washington County Interagency Pursuit Agreement.

This agreement does not depend for its value on enforceability in a court of law, but rather on the spirit of cooperation and willingness to work together to make our community a better, safer place to live and work.

This Agreement shall commence and take effect on March 1, 2003, or date of signing, and continue from year to year thereafter. This agreement may be modified at any time by mutual consent of the parties hereto. Any participating agency to the Agreement may withdraw upon the giving thirty (30) days written notice to the other participating agencies.

**PARTICIPANTS:**

**Washington County Sheriff's Office:**

By \_\_\_\_\_  
Sheriff

Date \_\_\_\_\_

**Oregon State Police:**

By \_\_\_\_\_

Date \_\_\_\_\_

**City of Banks:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**City of Beaverton:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**City of Cornelius:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**City of Forest Grove:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**City of Gaston:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**City of Hillsboro:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**City of King City:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**City of North Plains:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**City of Sherwood:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**City of Tigard:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**City of Tualatin:**

By \_\_\_\_\_  
Chief of Police

Date \_\_\_\_\_

**Washington County Consolidated  
Communications Agency:**

By \_\_\_\_\_  
Director

Date \_\_\_\_\_