

Why It's Important to Keep the Current Law on Vehicular Pursuits Q&A

What is the current law on vehicular pursuits?

[Current law](#) allows vehicular pursuits for violent offenses, sex offenses, escapes, and DUIs.

“Probable cause” is the threshold for everything but DUIs, which is set at “reasonable suspicion.”

What are violent offenses?

Violent offenses are defined at RCW [9.94A.030 \(58\)](#). This includes crimes against persons such as murder, rape, manslaughter, arson, kidnapping, indecent liberties, assault, robbery, car jackings, drive by shootings, vehicular assault, extortion. Pursuing for these offenses is common sense and protects the public.

Why Keep the Law in Place?

It is working, it is saving lives. Vehicular pursuits are very dangerous and the limits were put in place to use the tactic for only the most serious crimes. As a result, fatalities have gone down.

What will happen if the law is rolled back?

We anticipate an increase in passenger and bystander deaths if the law is rolled back: a high cost to pay in lives lost.

Was this law part of the 2021 police reforms?

Yes, the law was part of HB [1054](#), which addressed a number of dangerous law enforcement tactics that led to unintended injuries and deaths, like chokeholds and no knock warrants, military equipment, tear gas, vehicular pursuits, and canine use.

How do we know the law works?

There has been a sharp reduction in fatalities since the law went into effect. In the seventeen months prior to the law's passage, there were at least eleven deaths, eight of which were bystanders and passengers. In the seventeen months since the law went into effect, there have been three deaths of bystanders and passengers.

What is the source of this data?

We monitor fatalities by looking at news reports, doing public records requests, and working with other activists. This underscores the need for a consistent uniform statewide data collection program for vehicular pursuits.

What is the connection between crimes rates and this law?

There is no connection. Crime rates in Washington state [fell](#) by 4% in 2021 (the most recent year with statewide data published by the Washington Statistical Analysis Center). And while motor vehicle thefts in particular have been rising, that rise began in 2020 (18 months before the law changed), and the same increases were seen in Oregon and California, which did not change their statewide pursuit laws.

What are some solutions?

There is legislation introduced to set up a work group to collaborate on a model policy for vehicular pursuits and a report back to the legislature with any recommendations. SB 5533 has been introduced by Senator Lovick and HB 1586 by Rep. Goodman. We support this approach.

Vehicular Pursuits Talking Points

Safety demands that the legislature **keep the vehicular pursuit law in place** until further study takes place.

Pursuits expose the public, the officer, and the suspect to **serious injury or death**.

The Washington State Legislature enacted the vehicular pursuit restrictions because it is well known that pursuits are **inherently dangerous and put innocent people at risk**.

Current law places a **high value on human life**, and weighs the risks from the pursuit against the need to apprehend a suspect.

Our state law reserves vehicular pursuits for the most **serious crimes against persons** such as murder, rape, arson, kidnapping, assault, robbery, car jackings, drive by shootings, vehicular assault, sexual offenses, escapes, and DUI. The immediate apprehension of a suspect is in most cases not more important than the safety of the public and pursuing officers.

The legislature set the correct standard when they limited pursuits to **violent crimes, sex offenses, escapes, and DUIs**.

If this law is rolled back, we risk a sharp increase of fatalities of bystanders and passengers. This law was enacted to protect the public and law enforcement and there is no need to change it.

Our state laws say **preserving life is a fundamental duty** of police, and we support this 100%.

Vehicular pursuits put people in danger, and are **the exact opposite of de-escalation**.

Auto thefts, catalytic converter theft, and other **property crimes are serious** and beyond inconvenient. However, they **do not justify a pursuit** and put officers, passengers, and bystanders at risk.

We have seen **nothing that correlates this law to a rise in crime or to any violence**.

The calculations show a **substantial decrease in deaths** from vehicular pursuits since the law was enacted. There have been 3 deaths since July 25, 2021, and eleven in the same time span before.

The law is working. Not giving chase for low-level crimes appears to be saving lives.

Before we change a law that has resulted in a **73% reduction in deaths**, we need **thoughtful collaboration** and an assessment of the impacts.

WCPA supports HB 1586 and SB 5533, to create a **work group to collaborate on a model policy** for vehicular pursuits, and will be asking that the charge of such work group include recommendations on **data collection**.