



February 15, 2023

Community Police Commission
700 Fifth Avenue, Suite 1640
Seattle, WA 98124

Reverend Patricia Hunter, Reverend Harriet Walden, Joel Merkel - Co-Chairs

Cali Ellis – Interim Director:

Thank you for reaching out with questions regarding this incident– I will do my best to completely and transparently respond within the confines of the ongoing investigation. First and foremost, and from my heart: this collision is a terrible tragedy for all involved, but especially and most importantly, for Ms. Kandula's family. I have reached out to her family and will be working with them as the investigation into this collision proceeds, and among my highest concerns is respecting the family's privacy and their wishes concerning the release of information.

Unlike a Use of Force investigation, which under protocols established through the consent decree begins as an administrative investigation conducted by detectives with extensive training in force analysis, any serious traffic collision on City streets, whether officer-involved or not, is investigated as a potential criminal matter by the Traffic Collision Investigation Squad. We are treating this investigation as we would any fatal collision investigation.

The detectives in this squad are highly trained and certified in areas of physics, human factors, and other specialized matters specific to collision reconstruction. Their investigation includes, for example, calculations as to vehicle operation and speed, lines of sight, lighting, roadway and traffic conditions, witness observations, any camera footage in the area, and any other material factors.

As is the case at the end of any traffic collision investigation, the report will be provided to the King County Prosecutor's Office, who will make any decision regarding charging. On the administrative side, OPA has also opened an investigation as to whether the officer complied with policy and will proceed according to their timelines.

Your characterization of the SPD Operations Manual Section 13.030 – Emergency Vehicle Operations – is accurate. Preservation of life is the greatest priority, and criminal apprehension and preservation of property are secondary. Under the policy, officers are directed to balance the risk of emergency driving against the need to arrive on scene quickly. Of course, in this circumstance, the officer was responding to assist the Seattle Fire Department with an overdose according to established interdepartmental protocols. And while this incident is incredibly tragic – it is also an exceedingly rare happening.



Reverend Patricia Hunter, Reverend Harriet Walden, Joel Merkel - Co-Chairs
Cali Ellis – Interim Director:
February 15, 2023
Page two

1. What training do SPD officers receive related to emergency driving and SPD Operations Manual Section 13.030? How frequently are officers expected to update their training?

Seattle Police Department officers receive initial emergency vehicle operations training at the academy. The training is a 40-hour course provided by the Washington State Patrol. During the training, officers are instructed on the forces exerted on the vehicle during high-speed operations, the limitations of the vehicle, and the environmental factors that affect a vehicle's performance. Also, students are instructed on the legal limitations of engaging in emergency vehicle operations. The course covers the potential adverse outcomes of operating a vehicle outside of normal traffic patterns. After the classroom portion of the instruction, students drive vehicles in a controlled environment with an instructor. The student is encouraged to drive the vehicle to the limits of their ability so that they understand their limit of safely maneuvering at high speed. The instructors teach that an officer should never exceed more than 90% -95% of their skill level.

After the academy, a Seattle Police Officer attends a 3-week post-BLEA training at the Education and Training section. During this training, officers are educated on the policies of the Seattle Police Department, including section 13.30 Emergency Vehicle Operation, and the applicable RCW's governing law enforcement officers during emergency driving.

Once officers successfully complete post-BLEA, they are assigned to a field training officer (FTO). The FTO is responsible for ongoing training of student officers (SO). During field training, SO's are continually assessed on their ability to put into practice the skills taught in the classroom. The FTO completes an evaluation of the SO's performance and provides remedial training when necessary. SO's are graded on their ability to respond to calls for service in an appropriate manner for the type of call. During an emergency response, the FTO monitors the SO's driving to ensure that they are not unduly endangering others and that they drive the vehicle within the limits of their skill. After each response, the FTO provides the SO with feedback detailing skills displayed and the applicable SPD policies and RCW's. If at any point during a response, the FTO observes behavior that places an unacceptable level of risk to the public or the officers, the FTO intervenes and stops the driving. During the FTO phase, SO's are instructed on the different priority calls for service. A Priority 1 call is an in-progress crime or a life-threatening situation that require an immediate response. Priority 2 calls are still important, but the need for an immediate response does not exist or is not known at the time. Priority 3 calls are calls for service not requiring an immediate response or are for documentation purposes for a follow up unit. The only call that would necessitate an emergency response are Priority 1 calls – specifically those that involve violent crime or life-safety.



Reverend, Patricia Hunter, Reverend Harriet Walden, Joel Merkel - Co-Chairs
Cali Ellis – Interim Director:
February 15, 2023
Page three

After successfully completing field training, officers are released to work on their own. Officers receive emergency vehicle operation training every other year. This training covers the basics of vehicle operations, data relating to emergency vehicle operations, legal updates on emergency operations, and policy changes. However, high speed driving is not regularly trained as SPD does not have a driving training facility. In 2018, SPD rented Pacific Raceways for high-speed EVOC training at an approximate cost of \$500,000.

2. What factors are SPD officers instructed to consider when determining when the totality of the circumstances indicates the risk of continuing the emergency driving outweighs the need?

Included in the instruction are factors that must be considered before driving the patrol vehicle in violation of posted traffic regulations, or significantly outside the normal traffic pattern. The first consideration is the type of incident. A life-threatening call or a violent crime in progress would justify an emergency run. SPD emphasizes that the associated risks in emergency driving can result in severe consequences for the public and the officer. In addition, the post-BLEA training covers data related to pursuits such as number of collisions that result in injury or deaths and the number of innocent bystanders that are hurt or killed during pursuits. When weighing the decision to respond using emergency driving, there are several factors to consider. Officers must consider if the incident is life threatening, road conditions, vehicle and pedestrian traffic, weather, speed, lighting, and their own driving abilities. Conditions must be constantly monitored, and the response reevaluated during the response to determine if the risk outweighs the need for emergency vehicle operations.

3. What limits or constraints are imposed on emergency driving? What factors require an officer to slow down during an emergency response, or to operate the vehicle within a normal traffic pattern?

As set forth above, the training reinforces the decision-making process including factors to consider before engaging in emergency driving: speed, weather conditions, risk to vehicles and pedestrians, lighting conditions, visibility and whether the call is life threatening. Overall, the decision-making is based on the totality of the circumstances and as set forth in policy, the core consideration is balancing the risk of emergency driving in the specific and evolving circumstances. This decision-making, like many aspects of police response, does not lend itself to bright line rules.



Reverend Patricia Hunter, Reverend Harriet Walden, Joel Merkel - Co-Chairs
Cali Ellis – Interim Director:
February 15, 2023
Page four

4. Does the priority level of the call for service limit the degree to which an officer may operate a police vehicle in a manner that is substantially outside of a normal traffic pattern? If so, how?

The priority level is a factor to consider but is not generally controlling. While many Priority 1 calls would warrant emergency driving under our current policy and training, not all do and officers are expected to consider the totality of the circumstances.

5. If there is a collision with a pedestrian or motorist during an emergency response, what is the SPD expectation of the officer to stop and perform life saving measures? What is the SPD training and policy on the officer's duty to render aid in this circumstance?

Rendering aid training is covered annually during first aid training and use of force. Officers are consistently made aware of the requirement to render aid and frequently provide aid even beyond first aid. For example, in 2022, SPD Officers controlled bleeding 127 times, used 65 tourniquets, applied combat gauze on 70 occasions, applied chest seals to penetrating wounds 72 times, conducted CPR on 29 occasions, and administered Narcan (Naloxone) 26 times. To be clear, there are likely many more medical applications that have gone unrecorded as officers need to fill out additional forms to produce these statistics, but it is evident that while not primary for medical calls, SPD Officers are a critical part of our health care infrastructure.

I hope this answers your questions and I look forward to further discussions with the Community Police Commission in the future. We truly value our relationship and appreciate the hard work you for Seattle.

Sincerely,

A handwritten signature in blue ink, appearing to read "ADZ".

Adrian Z. Diaz
Chief of Police