



Seattle Office of Police Accountability

March 15, 2019

Chief Carmen Best
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

Dear Chief Best:

Please see the below Management Action Recommendation.

Case Number

- 2018OPA-0074

Topic

- Emergency Vehicle Operations

Summary

- Named Employees failed to use lights and sirens when involved in emergency vehicle operations.

Analysis

- *SPD Policy 13.030-POL-4* directs that: “Officers will use audible signals when necessary to warn others of the emergency nature of the situation.” The Named Employees were involved in a vehicle takedown and asserted that the use of emergency equipment could have potentially caused the operation to fail, as well as result in the subject car fleeing the scene and an eventual pursuit.
- Even though OPA finds the Named Employees’ explanations both reasonable and convincing, there is no exception in this section of the policy for when the use of emergency equipment would undermine tactical operations. Notably, the policy directs that emergency equipment be used “when necessary” not “when appropriate.” Here, given the Named Employees’ driving at high speeds and quickly merging through traffic, the use of emergency equipment was necessary.

Recommendation(s)

- The Department should amend the language of *SPD Policy 13.030-POL-4* to allow for an exception to the use of lights and sirens during emergency vehicle operations when it would jeopardize an approved tactical operation.
- OPA is reissuing this MAR since action has yet been taken, as referenced in prior case 2018OPA-0997.

Thank you for your consideration of this matter. I look forward to your response.

Sincerely,

AM

Andrew Myerberg
Director, Office of Police Accountability