



FOR RELEASE  
January 24, 2023

Statement attribution:  
Steven D. Strachan, Executive Director  
View WASPC's 2023 Public Policy Priorities [here](#)

### **WASPC Statement on Legislation to Revise Vehicle Pursuit Law**

More than 55 legislators from both parties in the House and Senate have sponsored bills to provide balance to the vehicle pursuit law, demonstrating wide, bipartisan support. [SB5352](#) and [HB1363](#) are companion measures and contain the important fix to the 2021 law that severely limited law enforcement's ability to pursue fleeing suspects. The 2021 law has hampered the investigation of crimes and contributed to the rise in auto theft and other offenses. WASPC supports HB 1363 and SB 5352, giving law enforcement clarity to pursue suspects, and will work to see them passed in the 2023 session.

We are concerned by [statements](#) from the Committee Chair that they will refuse to consider the measure. Refusing to allow a vote flouts public expectations and means elected leaders will be required to accept the status quo of emboldened criminals and lawlessness. It's time to focus less on politics and more on victims and fix the problem.

Unfortunately, some legislators and advocates continue to cite a non-peer reviewed study based on a collection of news articles to defend the status quo. This week, the author of the House Bill requested a peer review of the study [Pursuits and Fatalities in WA since 2015](#), and the review (attached) by Mathew J. Hickman, Ph.D., chair of the Department of Criminal Justice, Criminology & Forensics at Seattle University states:

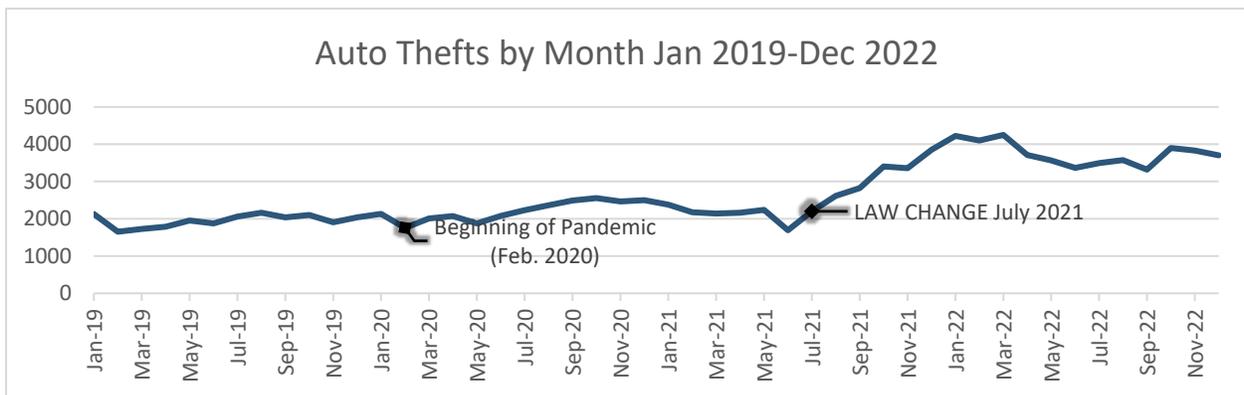
- 1. In sum, the analysis posted on the website lacks sufficient methodological rigor to draw any valid and reliable conclusions about the effectiveness of HB 1054 regarding police pursuit fatalities in Washington State. If this analysis was submitted for peer-review, it would be summarily rejected as it does not satisfy threshold criteria for quantitative scientific work. The analysis should be disregarded in its entirety and should not be used to inform legislative decision-making.*
- 2. Professor Morris knows all this, as her scholarly record reflects a very clear understanding of methodology and statistics with some published work deserving of acclaim. The question is why Professor Morris is not applying the same level of rigorous analysis that she has in her prior academic career to the question of police pursuit fatalities. One could reasonably conclude that Professor Morris is not fulfilling the role of an objective scholar but is instead playing the role of advocate. One could also reasonably question whether it is ethical to produce and publicly display this potentially misleading analysis which may form the basis of legislative decision-making.*

**The core argument against changing the law has been emphatically debunked.**

Meanwhile, real [data](#) exists showing the clear necessity to act now. We need to balance the risks to the public with the need to provide law enforcement the appropriate discretion in engaging in police vehicle pursuits.

Chiefs and Sheriffs across the state report that people driving away from traffic stops and fleeing lawful investigatory stops have become commonplace. As the [Tacoma News Tribune editorial board](#) said *"...two years later, one change — which sets strict limits on when police officers can pursue a suspect — has clearly been a mistake. It's time to fix the error, with lawmakers, advocates and law enforcement setting differences aside and doing what's best for the people of Washington. While parsing crime data is difficult and precise cause-effect conclusions can be dangerous — not to mention fodder for political warfare — the spike in Washington car thefts is illustrative"*. Mayors and other local elected officials are also weighing in with their support: [South King County](#), [Snohomish County](#), [Pierce County](#)

The change in pursuit law has not been the only, but is clearly a contributing, factor in increases in auto theft and violent crime since the law changed. In the 18 months prior to the law change, which included the effects of the pandemic, the data shows that the average monthly number of vehicle thefts has increased 61% since the law was changed in July of 2021. There were 39,305 vehicles stolen, for a monthly average of 2183 in 2021. Since the law went into effect, there have been 63,280 vehicles stolen, for a monthly average of 3515 vehicles stolen per month. In 2022, 45,033 vehicles were stolen in the state, compared to 23,421 in 2019.



We can, and should, fix the pursuit law to fall in line with Washington State's duty of care standards and enable appropriate discretion for police vehicle pursuits. Severe prohibitions on vehicular pursuits need to be amended and balanced. The current proposals in the legislature still provide for strong restrictions on pursuits, and a common-sense balancing test: that the risks of not arresting the suspect outweigh the risk of the pursuit itself. The proposals balance safety and justice for victims and are consistent with the idea that pursuits should be rare and necessary. That is why the proposals have strong bipartisan support. We can't allow offenders the advantage over victims and to just drive away.

##



January 22, 2023

Representative Alicia Rule  
42<sup>nd</sup> Legislative District  
PO Box 40600  
Olympia, WA 98504-0600

Dear Representative Rule,

Your office asked me to evaluate an analysis of police pursuit fatality data that has been posted on the web at the following location: [https://rpubs.com/moxbox/wa\\_pursuits](https://rpubs.com/moxbox/wa_pursuits). This analysis has been referred to in the media and quoted by Legislators as providing evidence that HB 1054 has been effective in reducing police pursuit fatalities. This analysis was produced by retired University of Washington Professor Martina Morris.

The analysis in question states that there were 3 pursuit fatalities in the approximately 1.5 years after the law took effect (July 2021), compared to 11 pursuit fatalities for an equivalent timeframe prior to the law taking effect. This is reported as a “73% reduction” and the statement is made that, “It has been about 1.5 years since the new law took effect, and the initial data suggest that that it has been effective.” The data were drawn from the Fatal Encounters Project, an open-source data collection that draws information from news reports and public records.

In sum, the analysis posted on the website lacks sufficient methodological rigor to draw any valid and reliable conclusions about the effectiveness of HB 1054 regarding police pursuit fatalities in Washington State. If this analysis was submitted for peer-review, it would be summarily rejected as it does not satisfy threshold criteria for quantitative scientific work. The analysis should be disregarded in its entirety and should not be used to inform legislative decision-making.

Simply tallying the number of fatalities for a limited period prior to and after a law goes into effect will not support a meaningful conclusion about the effectiveness of the legal intervention. Professor Morris has essentially presented an extremely crude version of what is generally referred to as interrupted time-series analysis. There are many pitfalls in this type of analysis and the data requirements are far more stringent than what Professor Morris has presented. The effectiveness of HB 1054 is a very complex question to address, and an adequate research design must be able to consider and rule out alternative explanations for observed changes. To Professor Morris’ credit,

**CRIMINAL JUSTICE, CRIMINOLOGY & FORENSICS**

data limitations are acknowledged (such as the problem of not having any data on pursuits that did not result in fatalities). Certainly, an analysis of the effectiveness of HB 1054 would want to also consider pursuit fatalities as a proportion of all pursuits. Since the total number of pursuits also likely declined after July 2021, the pursuit fatality rate may not have changed at all. We just don't know. It could also be that HB 1054 is responsible for observed increases in violent crime since emboldened criminals know that they will not be stopped by police. Again, we just don't know. But these are testable hypotheses that are important to investigate as part of an assessment of the effectiveness of HB 1054.

Professor Morris knows all this, as her scholarly record reflects a very clear understanding of methodology and statistics with some published work deserving of acclaim. The question is why Professor Morris is not applying the same level of rigorous analysis that she has in her prior academic career to the question of police pursuit fatalities. One could reasonably conclude that Professor Morris is not fulfilling the role of an objective scholar but is instead playing the role of advocate. One could also reasonably question whether it is ethical to produce and publicly display this potentially misleading analysis which may form the basis of legislative decision-making.

I understand and applaud the desire of Legislators to make data-informed decisions about law and public policy. In this case, however, the data are inadequate and the analysis insufficient to draw valid and reliable conclusions. Legislators should not rely on a methodologically inadequate analysis of questionable data. Further, decisions should never be based upon a single study. It is the accumulation of peer-reviewed research findings that leads to consensus about the effects of social interventions.

The best way to examine the effectiveness of vehicle pursuit legislation would be to collect the necessary data from Washington State law enforcement agencies. All agencies keep track of and document all their pursuits regardless of whether a fatality occurred. In 2021 the Legislature passed SB 5259 which called for the collection of data on vehicle pursuits as part of a statewide law enforcement data collection program. Unfortunately, the Attorney General's Office has rewritten the scope of work for that project and data on vehicle pursuits is no longer a part of the program.

Thank you for the opportunity to review this study for your office. I hope that this information will be useful in the debate around police pursuits in Washington State.

Sincerely,



Matthew J. Hickman, Ph.D.  
Professor and Department Chair  
Department of Criminal Justice, Criminology & Forensics