

River Bend Police Department
Police Vehicle Response and Pursuit
General Order 16
Updated Date 01/13/2026

16.01

Purpose: The purpose of this directive is to establish policy and procedure for the operation of all department emergency vehicles.

16.02

Policy: Under normal, non-emergency driving conditions, and while responding to routine calls for service, department personnel operating all department emergency vehicles shall strictly adhere to all traffic laws and drive defensively in a safe and courteous manner. This includes the wearing of safety belts at all times while operating any department vehicle. Emergency vehicles may be operated in an emergency mode ("Code 1" or Code2" only by sworn personnel and only under one or more of the following conditions as authorized under specific sections of this policy.

- A. When responding to an emergency.
- B. While engaged in a vehicle pursuit.
- C. To alert the driver of a vehicle being stopped.
- D. When authorized by a supervisor.

16.02.01

The provisions of this general order shall neither relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons, nor protect the driver of an emergency vehicle from the consequences of reckless disregard for the safety of others.

NCGS 20-145 provides that speed limits are not applicable to police vehicles operated in the chase or apprehension of violators or suspected violators of the law when the vehicle is operated with due regard for safety. This exemption, however, does not permit nor justify reckless endangerment of others. **Moreover, this exemption will not relieve the operator of an emergency vehicle from criminal or civil consequences for a reckless disregard for the safety of others.**

NCGS 20-156 provides that drivers of vehicles upon highways shall yield the right-of-way to police who are giving warning signals by the flashing of appropriate emergency lights and audible siren. This provision does not relieve the operator of the police emergency vehicle from due regard for the safety of all persons using the highway nor shall it protect the driver of any such vehicle from the consequences of any arbitrary exercises of such right-of-way.

16.03

Definitions: The following definitions of terms apply throughout this general order:

Boxing In: A deliberate tactic using police vehicles to force a pursued vehicle in a specific direction, or to force a pursued vehicle to stop or reduce speed by the maneuvering of police vehicles in front of, behind, or beside a pursued vehicle.

Caravanning: The following or direct participation in a pursuit by other vehicles not authorized to be involved in the pursuit.

Emergency: A situation either reported or observed, characterized by a need for immediate or urgent police response to assure the safety of persons or property, or to apprehend a criminal suspect. This includes calls for an officer in trouble.

Emergency Modes: The operation of a police vehicle with **all emergency equipment (lights and siren) activated** in order to alert other traffic and pedestrians of the vehicle's approach. It is necessary to use overhead light bars, interior red and blue strobe lights and/or blue dashboard lights; plus flashing headlights during daytime or nighttime hours when in an emergency mode. Also referred to as a "Code 1" response. A "Code 2" response is the activation of all emergency equipment lights to gain access through and intersection or navigate in passing slow moving traffic. "Code 2" Should be used when an urgent response is needed to a call. Once clear from traffic or the negotiation of an intersection is completed, lights and siren will be deactivated and normal response will take place.

Emergency Vehicle: A Town of River Bend Police Department vehicle which is equipped with emergency warning lights and a siren. Vehicles without this equipment are considered non-emergency vehicles.

Marked Emergency Vehicle: An emergency vehicle that is distinguished by exterior reflective panels of "River Bend Police", "Police", "Emergency Call 911", and River Bend Police Patch or combination thereof. Emergency warning light bars are mounted on the roof. All other emergency vehicles that are not visibly identifiable with these items are considered Unmarked Vehicles.

Paralleling: The operation of police vehicles in an emergency mode by following the course of a pursuit along streets parallel to the actual pursuit.

Primary Unit: The officer who initiates a pursuit or the officer who assumes control of the pursuit as the lead vehicle and is the first police vehicle behind the fleeing suspect.

Pursuit: An attempt by an officer in an emergency vehicle operating in emergency mode to stop or apprehend the occupants of another vehicle when the operator fails to stop and willfully or knowingly uses illegal or evasive driving tactics, such as increasing speed, in an effort to avoid detention, apprehension or arrest.

Ram: The deliberate act of striking the suspect's vehicle with a police vehicle in order to cause functional damage or force the suspect's vehicle to stop. **Ramming shall be considered a Use of Deadly Force.**

Reasonable Belief: When facts or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

Roadblock: A barricade, police vehicle or other obstruction across a roadway set up to stop or prevent the escape of a fleeing vehicle.

Secondary Unit: An officer who is involved in a pursuit and follows the primary unit at a safe distance in order to assist the primary unit.

Serious Physical Bodily Injury: Serious physical injury that creates a substantial risk of death, permanent disfigurement, or long-term loss or impairment of the function of any bodily member or organ.

Vehicle Stop: The actions taken by an officer to stop a vehicle in which the driver or occupants are suspected of a traffic violation or other offense.

Violent Crime Against Another Person: Any **violent felony**, as defined by North Carolina General Statutes, and any **misdemeanor** which involves the actual or threatened use of violence or physical force against another person and there is a reasonable belief that such violence or force resulted in, or would have resulted in, serious physical bodily injury or death. As examples of the above, the following offenses shall be defined as violent crime against another person for the purposes of this policy: *Murder, Manslaughter, Death by Vehicle, Rape, Robbery, Kidnapping, Burglary or Breaking and Entering (B&E) (night time), Assault with a deadly weapon, discharging a barreled weapon into occupied property, Assault on a Law Enforcement Officer resulting in injury, and Escapee charged with a violent crime against another person.*

16.04

Disclaimer: The authority to operate an emergency vehicle in a pursuit situation does not protect the officer from criminal prosecution, nor does it shelter the officer from civil liability for acts constituting gross negligence.

16.05

Department Vehicle Crashes: Employees must report immediately to the Chief **all** vehicle crashes involving the employee while on-duty, or while off-duty in a Department vehicle. (Reference GO 11)

16.06

Reporting Damage to City Property (excluding traffic crashes): Employees will follow procedures outlined in policy when reporting damage to Town property, excluding traffic crashes. Any damage involving vehicle repairs are performed by the Town's contracted repair agency. For all other repairs contact the Chief for a vendor or location.

16.07

Response to Calls: Officers are authorized to respond to an emergency, in an emergency mode after informing Communications (if not previously stated on the radio group) of their unit number, present location, type of emergency and intention to respond "Code 1" to the location where the emergency currently exists. Officers who respond "Code 2" will ensure that they note it in the CAD system prior to clearing the call.

16.07.01

Officers who are engaged in an emergency response mode will downgrade their response to routine when they receive information that the emergency no longer exists or when traffic conditions, weather or officers already on scene change and make further priority response dangerous.

16.07.02

When operating a police unit in emergency mode, officers must exercise extreme caution at all times. The safety of the officer and citizens must be of paramount concern. Officers are responsible for maintaining proper control of their vehicle at all times. An officer operating a vehicle in emergency mode may:

1. Exceed the speed limit after weighing the risks of danger to life and property and after considering the condition of the road, traffic, and weather.
2. Proceed past a red or stop signal or stop sign, but only after slowing down or stopping as may be necessary for safe operation. The driver shall ensure that cross-traffic flow has yielded in each lane before attempting to cross that lane.

3. Disregard regulations governing direction or movement or turning in specified directions after considering or weighing the risks of injury to life or damage to property.
4. Disregard the laws governing the parking of vehicles under ordinary circumstances, except that a police vehicle shall neither block access to a fire hydrant at a fire scene, nor obstruct the passage of fire apparatus. Marked police vehicles should be strategically parked in roadways to protect crash scenes, injured persons, or officers directing traffic, when such use is practical, with the emergency lights and four-way flashers activated.

16.08

Pursuit: The primary purpose of a pursuit is to apprehend a suspect with the least amount of force necessary and to minimize the risk of harm to persons and property. A pursuit may be initiated by an officer when:

- A. The officer (primary unit) has emergency equipment activated and is in close proximity to a suspect driving a motor vehicle and the suspect fails to yield; and
- B. Knows or has a reasonable belief that the fleeing suspect has committed, has attempted to commit, or is attempting to commit a violent crime against another person or a crime of burglary or B& E during night time hours; and
- C. Reasonably believes that the immediate danger to the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.

However, pursuits shall not occur or continue when the danger of the pursuit clearly exceeds the necessity of immediate capture. The pursuing officer shall retain the duty to drive with due regard for the safety of all persons and shall not operate any emergency vehicle with reckless disregard for the safety of others.

16.08.01

Factors to be considered in initiating a pursuit - Before initiating a pursuit of a motor vehicle, it shall be the duty of the officer initiating such a pursuit to evaluate the circumstances surrounding the proposed pursuit to include:

1. The seriousness of the originating crime and its relationship to community safety;
2. Danger presented to the public if suspect is not immediately apprehended;
3. Danger to the public caused by the pursuit;
4. Visibility, weather condition, road conditions and the volume of pedestrian and vehicular traffic;
5. Time of day;
6. Location of pursuit;
7. Potential speeds of both vehicles;
8. Familiarity of officer with the area of pursuit;
9. Capability of the police vehicle involved;
10. Quality of radio communications between pursuing vehicle, telecommunication operator, and supervisor;
11. The violator can be identified to the point where later apprehension can be accomplished, and the delayed apprehension or arrest of the violator is not a threat to the public.

16.08.02

Responsibility of Unit/Officer Initiating a Pursuit: The primary officer engaged in a pursuit shall inform the Communications Center of the following:

1. The fact that the officer is in pursuit;
2. Specific law violation which is known or believed to have been committed or attempted (must be a violent crime against another person, burglary or B&D at night);
3. Location, direction, and approximate speed of travel of both vehicles;
4. Vehicle description and tag number, and the name, age, and description of the occupants, if known;
5. Continuous progress of the pursuit and whether it is headed for or enters another jurisdiction;
6. Location where the pursued vehicle is stopped.

16.08.03 After transmitting the above information, the primary officer should be alert for further instructions from the on duty supervisor or Chief regarding the continuation or termination of the pursuit and acknowledge these instructions.

16.08.04 Any officer, who initiates a pursuit, engages in a pursuit, or who assists another agency involved in a pursuit, shall prepare a police report or supplement concerning the incident.

16.08.05 Officers who attempt a vehicle stop for any reason in which the driver commits the crime of fleeing or attempting to elude arrest or apprehension, as defined by North Carolina General Statutes, shall prepare a police report, regardless of whether the suspect driver was arrested or escaped.

16.09 **Secondary Pursuit Unit/Officer Responsibility:** The response of the secondary unit shall be coordinated by the Communications Center.

16.09.01 The secondary unit, upon joining the pursuit, shall immediately notify the Communications Center of his/her identity. If practical, the secondary unit should assume radio communications responsibility for the pursuit.

16.09.02 The secondary unit shall not attempt to pass or overtake the primary unit unless such action is requested by the primary unit or a supervisor. The secondary unit shall not intentionally pass the primary unit until the primary unit has acknowledged such action.

16.09.03 Once a secondary unit has been assigned, no other units shall become actively involved in the pursuit unless specifically authorized by the on duty supervisor or Chief.

16.10 **Conducting the Pursuit:** The responsibility for initiating, continuing and terminating a pursuit rests with **each** engaging officer, except as directed by supervisory personnel. An officer engaged in a pursuit shall operate his/her vehicle in the emergency mode continuously throughout the pursuit.

16.10.01 During a pursuit, no more than two emergency vehicles shall be operated in close pursuit, these being the primary and secondary units. Additionally, a safe distance shall be maintained between vehicles in order to lessen the possibility of a collision should the fleeing vehicle make a sudden stop or change in direction.

16.10.02 Paralleling, as defined in section [16.03](#), is authorized only if supervisory approval is first obtained. However, this does not preclude any unit from moving safely within their assigned area to a location which may be advantageous should the pursuit terminate in that zone.

16.10.03 Caravanning, as defined in section [16.03](#), is prohibited.

16.11 **Restrictions:** The following restrictions apply to all vehicle pursuits.

16.11.01 Officers shall not pursue a law violator the wrong way on an interstate highway, divided highway, or divided roadway. In the event that an officer is in pursuit and the vehicle being pursued enters an interstate highway, divided highway, or divided roadway the wrong way, the pursuing officer must terminate the pursuit unless able to maintain visual contact while remaining on the lawful side of the roadway. Officers engaging in a pursuit shall **exercise extreme caution** when pursuing vehicles the wrong way on secondary roadways or residential streets.

16.11.02 Only sworn personnel in vehicles equipped with emergency lights and siren may engage in a vehicular pursuit. RESERVE OFFICERS may not engage in a pursuit.

16.11.03 Units transporting prisoners, witnesses, explorers, volunteers, or other persons not employed by the Town **shall not** engage in a pursuit.

16.11.04 Recruit Officers assigned to the Field Training Program **shall not** engage in a vehicular pursuit except under the direction of a Field Training Officer who is present in the vehicle and then only in emergency situations where the pursuit cannot be delayed or avoided. The Recruit Officer shall relinquish his/her position in the pursuit when replaced by a veteran officer who arrives to assume the responsibilities of the primary or secondary pursuit unit.

16.12 **Supervisory and Command Responsibility:** Patrol supervisors or Chief of Police shall be responsible, when practical, for monitoring emergency vehicle operations, upgrading or down-grading responses, controlling the number of units responding to an emergency call for service or pursuit and canceling a pursuit at any time.

16.13 **Termination of the Pursuit:** Because of the hazards to both the public and police officers, it may be necessary to abandon pursuit of some violent felony offenders rather than continue.

16.13.01 When the decision is made to terminate the pursuit by the primary unit or a supervisor, the primary and secondary units shall:

1. Immediately turn off all emergency equipment,
2. Pull to the right hand side of the road in a safe location,
3. Exit their vehicles and
4. Perform a cursory inspection of the vehicle to ensure that no damage occurred during the pursuit.

16.13.02 **An officer engaged in a pursuit shall terminate the pursuit when:**

1. The danger of the pursuit clearly exceeds the necessity of immediate capture, or any of the factors in 16.08.01 have changed so as to render the pursuit too hazardous;
2. A supervisor or higher authority orders the pursuit terminated. The officer(s) shall acknowledge this order and advise the Telecommunicator the pursuit is terminated;
3. The pursuing officer **loses visual contact** with the pursued vehicle, other than for a momentary period, or **the distance** between the suspect's vehicle and the primary unit becomes so great that further pursuit is futile;
4. The pursuing officer loses radio contact with the Communications Center or is

otherwise unable to receive and comprehend radio transmissions directed to him/her;

5. When there is an equipment failure involving an emergency signal device, brakes, steering or other essential mechanical equipment, or damage to the police vehicle which creates an unsafe driving condition;
6. A reasonable belief no longer exists that the pursued suspect has committed, has attempted to commit, or is attempting to commit a violent crime against another person.

16.14

Forcible Intervention: The use of forcible intervention techniques such as “**boxing in**” or establishing a “**roadblock or barricade**” in order to stop the suspect’s fleeing vehicle is prohibited as defined in GO 16.16.01. However, an officer is permitted to use his/her vehicle to intentionally ram the suspect’s vehicle if no other reasonably available lesser alternatives are feasible, and only as a last resort in defense of himself/herself or others in order to prevent imminent death or serious physical bodily injury. The use of an emergency vehicle to intentionally strike another vehicle or person is considered a **use of deadly force**, as described in [General Order 15 - Use of Force and Firearms](#), not a motor vehicle crash. In addition, members of the State Highway Patrol or other mutual aid investigating agency will respond to assist in the investigation under the direction of the Chief of Police.

16.14.01

Factors to be considered before Application of Forcible Intervention: The following factors must be considered before a pursuing officer attempts to apply forcible intervention techniques as a use of deadly force to terminate a pursuit;

1. Location where the officer intends to apply forcible intervention techniques;
2. Volume of pedestrian and vehicular traffic;
3. Safety to the general public and the officers involved in the pursuit;
4. Presence of children or other passengers in the pursued vehicle;
5. Size and type of pursued vehicle;
6. Officer’s experience and training in pursuit driving;
7. Necessity for **immediate apprehension** and where the use of **deadly force is authorized**.

16.15

Crashes during Pursuits: A supervisor shall be called to investigate any crash which occurs during the course of a pursuit. For crashes involving serious injury or death, the State Highway Patrol shall be notified and will respond to the scene.

16.15.01

Photographs will be taken of any property damage or injuries incurred as a result of a pursuit.

16.16

Pursuits Across Jurisdictional Lines: North Carolina General Statutes provide that, law enforcement officers, who would normally be restricted to arresting persons within the limits of their jurisdictional boundaries, may arrest outside these boundaries when the person arrested has committed a criminal offense within the jurisdiction of the city and the arrest is made while the person is making an immediate and continuous flight from that jurisdiction.

16.16.01

If a pursuit appears to be headed toward, or has crossed into another jurisdiction, the Communications Center shall

1. Notify the law enforcement agency within that jurisdiction of the pursuit,
 - a. Its progress,
 - b. The call number of the pursuing officer,

- c. Description of the pursuit suspect and/or
- d. Description of vehicle,
- e. Speed of the pursued vehicle, if available,
- f. Whether any type of weapons are involved and
- g. Known charge(s) against the violator.

16.16.02 The supervisor or officer will determine whether the call to the other agency is a formal request for assistance or a courtesy notification with no direct participation desired. The supervisor or officer shall evaluate the pursuit and determine if the pursuit should be continued or terminated. The supervisor's decision will be in accordance with policy and procedure outlined in this directive. While within the boundaries of the surrounding jurisdiction, the pursuit will be terminated at any time if requested by the respective law enforcement agency.

16.16.03 If a law enforcement agency of another jurisdiction assumes active pursuit, the on duty officer will deem their involvement in the pursuit discontinued or cancelled.

16.16.04 As provided by North Carolina General Statutes, when an arrest is made in pursuit by a River Bend officer outside the one mile extra-jurisdictional boundary for charges which originated within the Town limits, the arresting officer shall return the arrestee, without unreasonable delay, to a Magistrate in Craven County.

16.16.05 Pursuits Initiated by Other Law Enforcement Agencies - Officers shall not engage in pursuits initiated by other law enforcement agencies which enter the town limits of River Bend unless assistance is requested and supervisory (if available) approval is obtained. All guidelines and restrictions described in this general order shall be followed.

16.16.06 When a pursuit initiated by another agency enters the town limits of River Bend, officers may assist the outside agency at the termination point, or provide other appropriate assistance during the pursuit which does not violate the guidelines of this general order.

16.16.07 North Carolina State Highway Patrol members will become involved in a chase initiated by another agency only when formally requested by the agency through the Communications Center. Highway Patrol members will assume the secondary position; the only exception will occur when the allied agency's vehicle is an unmarked vehicle, in which case the Highway Patrol member will assume the primary position. If two or more allied agency vehicles are chasing, Highway Patrol members will not become involved nor remain in the chase unless special circumstances dictate otherwise and supervisory approval is obtained.

16.17 **Pursuit Review Process:** Each pursuit shall be reviewed to determine whether it was conducted in compliance with department policy. The pursuit review process will be conducted as follows:

- A. The primary officer shall submit offense/ incident and/or crash report(s) to the Chief of Police on the specifics of the pursuit to include, but not limited to, the following:
 - 1. Specific offense for which the pursuit was initiated and any charges made;
 - 2. Name of the supervisor authorizing the pursuit;
 - 3. Beginning and ending locations and route;
 - 4. Duration of pursuit;
 - 5. Weather and traffic conditions;
 - 6. Approximate speeds;
 - 7. Any property damage or injuries that occurred during the pursuit;
 - 8. A Defensive Tactics Review Form #11, if required;

9. Type of police vehicle used, marked or unmarked;
10. Any unusual circumstances.
11. Audio tape and dispatch log obtained from the Communications Center;
12. All photographs of any damage or injuries copied to CD format;
13. All Mobile Video Recordings from all vehicles involved;
14. All reports submitted by the officers involved;
15. Along with a memorandum with his/her conclusions.

B. The officer must forward this information, along with photographs of any damage or injuries, to the Chief of Police before going off duty.

16.17.01 All other officers who were involved in the pursuit, or who participated in the apprehension of the suspect(s), shall complete a supplemental report outlining the specifics of their involvement and will also submit copies to the supervisor in charge of the pursuit before going off duty. All supplemental reports will be attached to the original report.

16.18 **Pursuit Review:** The Pursuit Review will consist of the Chief of Police. The purpose of the Review shall be to make a final determination as to the pursuit's compliance with department policies.

16.18.01 Officers who were directly engaged in the pursuit will be afforded the opportunity to appear before the Chief of Police to make a statement or answer questions. Prior to answering any questions, the officer shall be advised of his/her administrative rights (GARRITY).

16.18.02 Each Pursuit Review packet will be reviewed by the Pursuit Review to ascertain the need for remedial training and/or policy revision.

16.19 **Investigation:** If the Chief of Police is unavailable for an **immediate** investigation, the INVESTIGATOR will issue "Reverse Garrity Warnings" to all personnel involved in the pursuit. The Pursuit Review packet will be given directly to the Investigator who is conducting the investigation. The CHIEF OF POLICE will determine the appropriate non-disciplinary or disciplinary action based on the outcome of the investigation.

16.19.01 Retention of Files: All Pursuit Review packets will be retained by the Chief of Police.

16.20 **Mandatory Training - Vehicle Pursuit Critique:** It shall be the policy of the River Bend Police Department to critique all vehicle pursuits within fourteen (14) days after the pursuit review process has been completed. The critiques will be conducted as in-service training. Attendance for the critique is mandatory for all sworn and non-sworn personnel involved in the pursuit. The critique shall also include the Chief of Police, supervisors and the involved personnel.

16.20.01 Where possible, the critiques will be conducted using video and/or audio accounts of the pursuit.

16.20.02 During the training session, officers will be asked to critically reflect on the pursuit as it relates to all applicable department policies.

End