CONCORD POLICE DEPARTMENT
GENERAL ORDER

FRESH PURSUIT OF A VEHICLE

GENERAL ORDER: 09.03	**CREATED:** May 10, 2004	**ISSUE DATE:** November 5, 2025
CALEA STANDARD: 41.2.2, 41.2.3		**EFFECTIVE DATE:** November 10, 2025
ACTION: Amends general order dated April 29, 2025.		

09.03.0 PURPOSE

This general order establishes guidelines and procedures for pursuing fleeing vehicles and vehicles that refuse to pull over and stop.

09.03.1 POLICY

Officers operating department vehicles shall exercise due regard for the safety of all persons. There are no assignments or tasks of such importance that they justify the reckless disregard of the officer's safety or the safety of other persons. Officers must be mindful of the balance between achieving the goals of law enforcement while maintaining the public's safety.

09.03.2 DEFINITIONS

A. VEHICLE PURSUIT TYPES

1. **Speeding to elude arrest**: An active attempt by one or more officers to stop a motor vehicle by the use of emergency lights and siren, to apprehend a suspect who is the operator or occupant of a motor vehicle, during which time the operator of the motor vehicle is attempting to avoid capture by using high speed driving or other evasive tactics such as driving off the roadway, making sudden or unexpected maneuvers, or driving in a reckless manner.

2. **Refusal to stop**: An active attempt by one or more officers to stop a motor vehicle by use of emergency lights and siren, during which time the operator of the motor vehicle is driving at a reasonable speed, but willfully refusing to pull over and stop.

B. PRIMARY PURSUING UNIT

The police unit that initiates a pursuit or any unit that actively assumes control of a pursuit by placing their vehicle in a "primary unit position" in relation to the suspect vehicle.

C. STATIONARY ROADBLOCK

A roadblock that is established in a single fixed location for the purpose of stopping a motorist attempting to evade police. Such roadblock may utilize barricades and/or police vehicles.

D. SECONDARY PURSUING UNIT

The police unit that actively participates in a pursuit and is positioned behind the primary unit. A vehicle will only be considered a "secondary unit" once acknowledged by the dispatcher as such. Additional secondary units may be approved by a field supervisor.

E. PROBABLE CAUSE

Probable cause exists when the facts and circumstances within the arresting officer's knowledge are sufficient to warrant a prudent person to believe that a suspect has committed, is committing, or is about to commit a crime. Probable cause is more than a hunch or reasonable suspicion.

F. DUE REGARD

Due regard is the degree of care that a reasonably careful person, performing similar duties and acting under similar circumstances, would show. There is no exception to the requirement that officer's demonstrate due regard for the safety of others. Failing to drive with due regard may subject an officer to civil and/or criminal liability in addition to other administrative consequences.

G. OFFICER

For purposes of this general order, the term "officer" includes sworn law enforcement personnel of any rank who initiates or engages in a vehicle pursuit as a primary or secondary unit.

09.03.3 VEHICLE PURSUITS

A. Justification for initiating and continuing a vehicle pursuit must be based upon facts known by the officer when the decision is made to initiate a pursuit. Information not established as fact at the time the pursuit was initiated cannot be considered later in determining whether the pursuit was justified. In all instances of vehicle pursuits, the initiating officer must be able to clearly articulate the reason(s) why a pursuit was initiated.

B. Vehicle pursuits are justified only when the officer knows or has probable cause to believe:

1. The occupant (s) has committed, is committing, or is about to commit a violent felony (e.g., armed robbery and other crimes against a person in which violence is an element to the felony offense); or

2. The occupant (s) presents a clear and immediate threat to the safety of others and therefore the necessity of immediate apprehension outweighs the level of danger created by the vehicle pursuit.

3. A "refusal to stop" pursuit, as previously defined within this policy, may be initiated and maintained for a lesser offense than described above. However, once the "refusal to stop" pursuit becomes a "speeding to elude arrest" pursuit, as previously defined within this policy, justification for the pursuit must meet at least one of the criteria above (subsection 1 or 2).

Note: "Speeding to elude arrest" pursuits are not authorized solely for traffic infractions, ordinance violations, misdemeanors, or non-violent felonies. For the purpose of this general order, speeding to elude arrest (NC GS 20-141.5) is not considered a violent felony; therefore, pursuits are not authorized based solely on the fact that the vehicle is speeding to elude arrest.

"Speeding to elude arrest" pursuits are not authorized when an occupant has a valid arrest warrant for a violent felony unless 09.03.3(B)(2) applies.

C. VIOLENT FELONY EXCEPTION

1. In situations where an occupant(s) is suspected in a **series** of property crimes (i.e., multiple burglaries, vehicle breaking and entering, etc.), the Chief of Police may authorize a temporary exception to the violent felony requirement of the "speeding to elude arrest" pursuit.

2. Such exceptions shall only be granted by the Chief of Police after a request, recommendation, and concurring opinion of the patrol and operations bureau commanders is presented to the Chief of Police.

3. A violent felony exception shall be expressly communicated to operational staff in writing by the Chief of Police. Such exception shall be limited to a specific vehicle(s) and/or specific occupant(s) that is known or suspected to be involved in an identified series of criminal activity.

4. For purposes of a violent felony exception, all other aspects of this general order remain in effect.

NOTE: A lieutenant or higher may temporarily approve a violent felony exception contemporaneously to a series of crimes that are linked to a particular vehicle or individual suspect. In the absence of an on-duty lieutenant or higher, the District Commander may approve the exception request. For example, multiple vehicle break-ins that just occurred during non-business hours, where it is impractical to obtain permission from the Chief of Police. A lieutenant or higher may temporarily approve the exception while referring the matter to the Chief of Police for consideration the following business day.

D. DECISION TO INITIATE VEHICLE PURSUITS

The decision to initiate a vehicle pursuit, which is limited by this policy, rests in the sole discretion of the individual officer. In order to diminish the likelihood of a pursuit, officers intending to stop a vehicle should, when practical, be within close proximity to the vehicle prior to activating the emergency lights and siren.

E. PURSUIT PROCEDURES

1. The officer initiating a pursuit shall notify the dispatcher, as soon as reasonably possible, that a pursuit is underway and provide the following information:

   a. Police unit identification;

b. Location, speed, and direction of travel;

c. Reason for the pursuit;

d. Description of pursued vehicle;

e. Occupant information;

f. Traffic density.

2. Failure to provide the above information may be cause for the field supervisor to order termination of the pursuit.

3. Officers shall, as often as practicable, provide updated information to the dispatcher such as the speed and direction of the suspect vehicle and the police vehicle, traffic density, and any other pertinent information.

4. A field supervisor or higher authority must acknowledge that he/she is aware of and monitoring the pursuit as soon as practicable after a pursuit is initiated.

5. If a supervisor fails to acknowledge the pursuit within a reasonable period of time after initiation, the officer shall terminate the pursuit.

6. The primary unit shall bear operational responsibility for the pursuit unless relieved by a supervisor.

7. No pursuits may be undertaken by a civilian operator or by a department vehicle containing a citizen occupant, including but not limited to: arrestees, victims, witnesses, or civilian department members.

8. Unmarked police vehicles (provided the vehicle is equipped with emergency light(s) and siren) may initiate a vehicle pursuit. However, when a marked vehicle becomes available to take over as the primary unit, the unmarked vehicle shall become the secondary unit until relieved by another marked vehicle at which time the unmarked vehicle shall withdraw from active pursuit.

9. Police motorcycles may initiate a vehicle pursuit. Whenever a marked vehicle becomes available to take over as the primary unit, the motorcycle shall become the secondary unit until relieved by another marked vehicle at which time the motorcycle shall withdraw from active pursuit.

F. DECISION TO CONTINUE THE PURSUIT

1. The primary unit may maintain pursuit as long as it is safe to do so; until the primary unit determines to terminate the pursuit; until directed to terminate the pursuit by a supervisor; or until the suspect vehicle is stopped.

2. An officer who is engaged in a pursuit involving excessive emergency speed (e.g., generally more than 25 MPH over the established speed limit) and emergency driving tactics or techniques shall consider the following risk assessment criteria:

a. Danger created by the high-speed pursuit;

b. Nature of the violation;

c. Likelihood of successful apprehension;

d. Volume, type, speed and direction of traffic;

e. Area traveled (e.g., residential, commercial, school zone, etc.);

f. Population density;

g. Familiarity with the roads;

h. Weather and road conditions;

i. Officer's driving skills and condition of the police vehicle.

G. DECISION TO TERMINATE THE PURSUIT

1. Officers who are engaged in a pursuit, and the field supervisor responsible for monitoring the pursuit, must continually evaluate the risk assessment criteria and determine whether the seriousness of the incident justifies continuing the pursuit.

2. A vehicle pursuit shall be terminated by the pursuing officer or supervisor under any of the following circumstances:

a. If the reason(s) for the pursuit do not meet the established criteria of this policy.

b. If the suspect's identity has been established to the point that later apprehension can be accomplished and there is no longer any exigent need for immediate apprehension.

c. If the prevailing traffic, roadway, or environmental conditions so enhance the risk involved in continuing the pursuit that termination iswarranted.

d. If the pursued vehicle's location is no longer known or the distance between the officer(s) and suspect is such that, in order to continue the pursuit, it would require exceptional speeds that would place the officer and public in serious danger.

e. If the pursuing officer knows that the fleeing vehicle is being operated by a juvenile who is driving in such an unsafe manner that it is obvious the juvenile does not have the maturity to deal with the dangerinvolved.

f. If the pursuing police vehicle's emergency equipment malfunctions.

g. If radio range has been exceeded and radio contact cannot be maintained between the pursuing unit(s) and the field supervisor.

h. If it is necessary to stop and render aid to one or more injured persons and no other unit is available to do so.

i. If directed to terminate the pursuit by an officer of higher rank.

3. When a decision is made to terminate a pursuit, officers shall:

a. Immediately pull over, turn off their emergency lights and siren, radio their position to the dispatcher, and verbally acknowledge the order to terminate the pursuit.

Note: The officer shall not turn off the in-car video recording equipment or body-worn camera until the responding field supervisor arrives and authorizes the recording devices to be turned off.

b. No longer follow the suspect vehicle, nor violate any traffic laws in an effort to catch up to or parallel the suspect vehicle.

c. Remain at the termination point for the responding field supervisor.

i. The field supervisor shall review the in car video recording. If the field supervisor determines no pursuit occurred, then the officer may clear the call with the Communications Center (24V). No additional paperwork is required.

ii. If the field supervisor determines a pursuit occurred as defined in this general order, the field supervisor shall collect the necessary information in order to complete a pursuit report.

H. SECONDARY UNIT RESPONSIBILITY

1. Assistance will be coordinated by the dispatcher. The field supervisor and primary unit will be advised of the identity and location of the secondary unit(s) who can assist.

2. The active pursuit will normally involve no more than two units, the primary unit and one secondary unit. If more assistance is specifically requested, the amount will be determined by:

a. The nature of the offense;

b. The number of suspects;

c. Other articulated facts that would warrant additional units.

3. A supervisor may authorize more than two units to be in active pursuit. All other available units shall remain aware of the direction and progress of the pursuit but shall not actively participate, and shall not respond to or parallel the pursuit on adjacent streets unless specifically authorized to do so.

4. The secondary unit, upon joining the pursuit, shall as soon as practicable notify the dispatcher. If the primary unit is a one-officer unit, the secondary unit should assume radio communications responsibility, allowing the primary unit to devote full attention to driving.

5. The secondary unit(s) shall maintain a safe distance behind the primary unit, but be close enough to render backup assistance if required.

6. The secondary unit(s) shall avoid intersecting the path of a high-speedvehicle.

7. If the primary unit becomes disabled, the secondary unit shall become the primary unit. The dispatcher shall advise the field supervisor and other approved units that a new secondary unit is needed and the next unit to join the pursuit will be designated the secondary unit.

I. LIMITATIONS ON PURSUIT TACTICS

1. In the course of a vehicle pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, or the use of stationary roadblocks is the functional equivalent of using deadly force. Such tactics shall only be implemented when the use of deadly force would otherwise be justified.

   a. Upon notification of a situation that may require a roadblock, and after determining the roadblock is warranted, the supervisor shall order the use of a roadblock, assign the necessary officers, and ensure that the appropriate emergency equipment is utilized.

   b. Officers assigned to the roadblock shall take all reasonable steps to ensure both motorist and officer safety.

   c. Only marked patrol vehicles are allowed to actively participate in roadblocks.

2. Passing of police units involved in the pursuit is prohibited unless the operator of the passing vehicle receives specific permission from the primary unit or the field supervisor.

3. Officers shall not attempt to pass a fleeing vehicle. To do so places the officer in a highly vulnerable position.

4. Spacing, whether the vehicle in front of the unit is the suspect vehicle or another police vehicle, shall be at a distance that will allow for proper braking and reaction time in the event the lead vehicle stops, slows, or turns.

5. Officers shall not pursue suspects the wrong way on interstate or other controlled access highways or divided roadways unless specifically authorized by the field supervisor or higher authority.

6. Reckless or hazardous driving maneuvers by the suspect vehicle shall not be duplicated by any pursuing vehicle.

09.03.4 FIELD SUPERVISOR RESPONSIBILITIES

A. The primary responsibility of the field supervisor is to direct the primary and secondary unit(s) in a pursuit and, most importantly, in the decision whether or not to terminate the pursuit.

B. The field supervisor shall assess the necessity of the pursuit in progress. The supervisor should give strong and continuing consideration to terminating the pursuit, if, in his/her judgment, the necessity of apprehension is outweighed by the level of danger created by the pursuit.

C. Upon being notified of the pursuit, the field supervisor shall verify that no more than the required or necessary units are involved in the pursuit.

D. The field supervisor shall continue to direct the pursuit, approve, or order those alternative tactics that he/she is authorized to approve, and maintain operational control until the pursuit is terminated. In the absence of adequate information from the primary or secondary unit, the field supervisor should order termination of the pursuit.

E. The field supervisor shall promptly proceed to the termination point to provide guidance and necessary scene supervision.

F. The field supervisor shall investigate the pursuit for purposes of administrative reporting as outlined in this policy.

G. Roadblocks shall not be implemented nor cancelled without the approval of a supervisor.

09.03.5 COMMUNICATIONS RESPONSIBILITIES

A. Upon receiving notification of a pursuit in progress, communications personnel shall immediately:

1. Advise all units to stand-by unless 10-18, and identify the unit in pursuit;

2. Dispatch the nearest secondary unit, or as directed by a field supervisor;

3. Notify the senior field supervisor.

B. Communications personnel shall be responsible for coordinating radio traffic between pursuing units and relaying information as necessary or requested. All non-emergency radio communications should be deferred until the pursuit is resolved. Communications personnel must exercise strict control over the use of airtime so as to allow maximum opportunity for the pursuing units and the supervisor to communicate.

C. If the pursuing unit is able to provide a vehicle license number, communications personnel shall query the license to determine the owner, address, and stolen or wanted status. Such information should be broadcast to the primary unit at the earliest appropriate opportunity in an abbreviated manner to conserve airtime.

D. Upon the abandonment or termination of a pursuit for any reason, communications personnel shall broadcast this information to all units.

E. If the pursuit continues outside the city limits, communications personnel shall initiate contact with the proper jurisdiction and provide them with relevant information. Whenever practical, communications personnel should maintain contact with the outside agency to inform them of any change in direction or status of the pursuit until one of their own units has visual contact.

F. If an outside agency communicates that they are setting up a roadblock maneuver, communications personnel must immediately broadcast the location and type of roadblock to be attempted to the pursuing units. Immediate notification is vital so that the officers may reduce speed as necessary for their safety.

09.03.6 PURSUITS INITIATED BY OUTSIDE AGENCY

A. When directed by a field supervisor, units may become actively involved in a pursuit initiated by outside agencies that enter the City of Concord. All rules in this policy shall be followed just as if the pursuit had been initiated in Concord.

B. Units should terminate involvement in a pursuit by an outside agency when the pursuit leaves the city limits of Concord. A supervisor may authorize continuation in the pursuit if, for officer safety, the outside agency requires our assistance as a secondary unit.

09.03.7 PURSUIT REPORTING

A. A pursuit report shall be completed by a supervisory officer of a higher rank than the officer engaged in the pursuit. In the event a sergeant initiates and maintains primary unit status in a pursuit, then the watch commander or most senior sergeant not involved in the pursuit, will complete the administrative pursuit report.

B. Pursuit reports shall be entered into the department approved software system as soon as practicable.

C. The investigating supervisor shall enter all required information, including a brief summary of the incident. The summary should include information obtained from the officer(s) involved (primary and secondary officers), and any relevant information obtained from citizen eyewitnesses and suspect(s). If the officer utilized a forcible stopping technique to include a tire deflation device, it shall be thoroughly documented.

D. Upon completion, an administrative review shall be conducted of the pursuit report and should be tracked as follows:

1. To the initiating officer's captain. The captain shall review the report for thoroughness and accuracy. The captain shall include comments and offer a recommendation as to whether the pursuit was in compliance with department policy and procedure.

2. To the initiating officer's bureau commander. The major shall review the report for thoroughness and accuracy. The major shall also include comments and make a determination as to whether the pursuit was in compliance with department policy and procedure.

3. If the major determines that the pursuit was in compliance with department policy and procedure, the report will be closed and retained in RMS in accordance with record retention schedules.

4. If the major determines that the pursuit was not in compliance with department policy and procedure, the report will be tracked to the Chief of Police including comments and a recommendation for further action.

NOTE: Pursuit reports are administrative in nature and are not meant to support or supplant criminal investigative reports. Pursuit reports will be completed by supervisory personnel only. The summary of the incident will be limited to that information necessary to determine compliance with department policy and procedure. The summary will paraphrase officer and citizen statements. Pursuit reports will only be released in accordance with open records laws, or by authority of the Chief of Police.

09.03.8 ACCOUNTABILITY

A. Great reliance is placed upon the individual officer and the field supervisor in the application of their experience, common sense, and training.

B. Officers involved in vehicular pursuits are accountable for their decision to continue a pursuit when circumstances indicate that it should have been discontinued.

C. Although the individual officer can discontinue a pursuit at any time, the field supervisor in charge of the pursuit shall have primary responsibility for terminating pursuits that do not meet the criteria of this policy, or when circumstances exist that require termination pursuant to this policy.

09.03.9 TRAINING & ANNUAL REQUIREMENTS

A. TRAINING

1. All newly hired officers shall receive documented initial training on this general order as part of the department's Field Training Program.

2. All officers shall receive documented training in the use of agency-authorized roadblocks and forcible stopping techniques.

B. ANNUAL REQUIREMENTS

1. A documented annual review of the department's Fresh Pursuit of a Vehicle general order shall be covered with all officers.

2. On an annual basis the administration bureau commander shall complete a documented annual analysis of pursuit reports, to include a review of policy and reporting procedures. This report shall be approved by the Chief of Police.

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CHIEF OF POLICE