



GUILFORD COUNTY SHERIFF'S OFFICE
400 W. WASHINGTON STREET - GREENSBORO, NC 27401

BJ BARNES, SHERIFF

PRESS RELEASE

November 29, 2017

I. Update on Motor Vehicle Accident on September 30, 2017:

During the past four weeks, the Guilford County Sheriff's Office ("GCSO") has carefully examined its existing vehicle pursuit policy and pursuit training protocols. These efforts included two group meetings attended by senior GCSO command staff (the Sheriff, Chief Deputy, Patrol Bureau Major, Captains and Lieutenants); receiving input from a number of our Patrol Deputies and their Sergeant supervisors; requesting information concerning the pursuit policies of other law enforcement agencies; informal discussions with a number of Guilford County residents to solicit their perspectives on this issue; and an independent review by the Staff Attorneys for the Sheriff's Office.

Going forward, we will make some changes to our policy and training procedures. These are discussed in more detail below. Before we address those matters, however, we remain, first and foremost, mindful of the loss of Stephanie Warshauer and Alyssa Bolick and the terrible sadness this tragedy has brought to their Families. This is particularly true for those who wear the badge and uniform of this Sheriff's Office because our

primary and most fundamental mission is to protect the lives of the public. In advance of issuing this update to the press and media today, we contacted a representative for both Families yesterday, and shared with them the information contained below.

Based on our internal review over the last month, our conclusions are several-fold. **First and foremost**, we remain certain that Deputy Lineback's decision-making and actions, as well as the policy and training of the Sheriff's Office at the time of the tragedy on September 30th, thoroughly complied with all State statutes and appellate case law.

Second, after carefully considering and weighing the strengths and weaknesses of alternative pursuit policies and the viewpoints provided by County citizens on this issue, we remain convinced that adopting a more restrictive and less aggressive pursuit policy (as some have suggested to us) will not make our streets safer for law-abiding citizens. Instead, a more lenient and permissive pursuit policy that allows law-breakers to flee--comfortable in the knowledge that law enforcement officers will not likely follow—only encourages and emboldens the criminals among us and increasingly jeopardizes and threatens the safety of the good, decent and honest residents and visitors of our County.

As a case in point, we look to the more recent incident on November 10, 2017 that began near High Point and Jamestown. In that event, Guilford County Sheriff's Deputies initially attempted to stop a rented Dodge sedan based on a speeding violation coupled with other suspicious circumstances. The driver of the vehicle stopped the car momentarily, but then sped away in his vehicle attempting to elude our Deputies who chose to pursue him in their patrol cars. The fleeing suspect ultimately drove his car the

wrong way (north) against oncoming traffic in the southbound lane of travel. Because of the danger the suspect presented to the public, our Deputies performed a P.I.T. maneuver, making contact between one of the patrol cars and the rear of the suspect's vehicle forcing the suspect to stop. No members of the public were injured during the incident.

The driver and his passenger were arrested and, after a .45 caliber handgun, drugs and drug distributing paraphernalia were discovered in the car, the driver was charged with multiple offenses including felony speeding to elude, possession of a firearm by a felon, illegally carrying a concealed weapon, felony possession of a controlled substance, and possession of a controlled substance with intent to sell or distribute. The driver (who was already a convicted felon) had a significant prior record of criminal convictions as well as other criminal charges already pending in Court from an earlier, unrelated arrest.

After his arrest, the driver also made several spontaneous statements that he decided to flee in his rented car because *“he heard that police don't chase anymore”* or words to that effect. This incident on November 10, 2017 demonstrates why police vehicle pursuits--that begin when a suspect commits only a non-violent traffic offense and/or a property crime—(1) often lead to arrests of very dangerous criminals; and (2) are a critical law enforcement tool for protecting the safety of the public.

Third, the Sheriff's Office is constantly engaged in reviewing and improving policies, procedures and training methods. That process does not take place only after a tragedy occurs. Based on the internal review and discussions that we conducted over the last month, the Guilford County Sheriff's Office will take the following actions:

A. Our Pursuit Policy: Although the GCSO's pursuit policy that was in place on September 30, 2017, complied fully with North Carolina law, we have revised it in several respects. The revised policy does not, however, (as some have suggested) prohibit Deputies from pursuing offenders suspected of committing property crimes (e.g., car thefts) or traffic offenses. Instead, the revised policy continues to provide Deputies with the discretion to pursue all violators of the law based on a balancing test which weighs (1) the risk of harm to the public resulting from the pursuit itself; versus (2) the risk of harm to the public resulting from not stopping and/or arresting the suspect immediately (i.e., allowing the suspect to escape).

The wording of the revised pursuit policy does, however, strongly and further emphasize the public safety factors a Deputy should consider when performing that balancing test (e.g., severity of the suspected offense, traffic volume and road conditions) and stresses that a Deputy has the discretion to terminate a pursuit at any time he or she feels the risk to the public resulting from the pursuit itself becomes too great. A copy of the revised pursuit policy is attached to this press release.

B. Our Pursuit Training Protocol: In addition, the GCSO is initiating a new vehicle pursuit training program. Attendance will be mandatory for all Deputies who may need to engage in vehicle pursuits. This training will consist of both class-room course work and hands-on instruction on a closed vehicle course for a total of eight (8) hours. The focus will be to expand each Deputy's understanding of the GCSO Pursuit Policy and to emphasize methods of preventing or shortening vehicle pursuits to

minimize risk to the public. A formal, detailed training curriculum is still being prepared, but will include the following elements:

1. What lawful purposes do pursuits serve?
2. Preemptive ways to avoid pursuits from starting in the first place.
3. Techniques to bring an early end to a pursuit that has already started.
4. When does a fleeing vehicle cross the line and become a weapon or tool of deadly force (e.g., what constitutes deadly force to escape?).
5. When are officers lawfully authorized and justified to use deadly force to end a pursuit and what types of deadly force may lawfully be employed?
6. Subsequent investigative actions to be taken to identify the driver if a pursuit is terminated and the suspect escapes.

II. Conclusion and Message from the Sheriff:

Our decision to hold the line against criminals that flee from the law is not intended to add to the sorrow of the grieving Warshauer and Bolick Families. Instead, it is based on our conclusion that changing our existing pursuit policy (as some have suggested) and, instead, adopting an approach that deliberately chooses less action (i.e., choosing not to pursue), will only encourage criminals to commit more crimes. Such is true because that type of policy substantially reduces the chances the criminals will be caught. In fact, it provides criminals with a blue-print for how to commit crimes successfully (i.e., speed away and the law will not follow you). To be clear, that **is not** the policy of the Guilford County Sheriff's Office and **is not** the message that this Sheriff's Office will send to the criminals threatening the safety of our community.

BJ Barnes, Sheriff of Guilford County