

STEVE BIZZELL
SHERIFF

Johnston County Sheriff's Office

120 SOUTH THIRD STREET
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SMITHFIELD, NC 27577
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To: Christopher Paul Adcock
From: Sheriff Steve Bizzell
Date: September 29, 2023
Re: Notice of Termination of Appointment

I have reviewed information with regard to the internal investigation arising from a vehicle pursuit and flight of suspects in which you were involved. Additionally, I have independently reviewed materials related to the investigation. As a result of the information contained in this investigation and my own review, I have determined that you have violated established policies and procedures of the Johnston County Sheriff's Office and you have failed to comply with applicable law.

Among other things, the internal affairs investigation showed your involvement in the pursuit of an apparently stolen vehicle on the public highways and into rural fields. When the pursuit ended and the suspects exited the vehicle, and without any additional threat to your safety, you discharged your agency issued firearm in an attempt to shoot an apparently unarmed fleeing person, who was not attempting to use physical or deadly force to effect escape.

As you know, a law enforcement officer should use only that degree of force which is reasonably necessary under the totality of the circumstances and should resort to the use of deadly force only if the officer reasonably believes that a lower degree of control is not sufficient, practical, or feasible when the officer reasonably believes that it is necessary to defend him or herself or another person from the use or imminent use of deadly physical force.

As you have been trained, and as you know, N.C. Gen. Stat. § 15A-401, provides:

(2) A law-enforcement officer is justified in using deadly physical force upon another person for a purpose specified in subdivision (1) of this subsection only when it is or appears to be reasonably necessary thereby:

- a. To defend himself or a third person from what he reasonably believes to be the use or imminent use of deadly physical force;
- b. To effect an arrest or to prevent the escape from custody of a person who he reasonably believes is attempting to escape by means of a deadly

weapon, or who by his conduct or any other means indicates that he presents an imminent threat of death or serious physical injury to others unless apprehended without delay; or

c. To prevent the escape of a person from custody imposed upon him as a result of conviction for a felony. Nothing in this subdivision constitutes justification for willful, malicious or criminally negligent conduct by any person which injures or endangers any person or property, nor shall it be construed to excuse or justify the use of unreasonable or excessive force.

Rather than following your training and the directives of the Sheriff's Office to place your vehicle in a position so that you could approach the suspicious vehicle from a position in which you could identify the operator or the registration plate of the vehicle, and from a position of safety, or if you reasonably perceived that to be unachievable, to place your vehicle in a position that you could use your Sheriff's Office vehicle for cover and use protection, without any shots fired, or even a threatening position taken by the suspects, or the use or apparent of a deadly weapon by the suspects, or by his conduct or any other means, an indication that the suspect or suspects indicated that he or they presented an imminent threat of death or serious physical injury to you or others, you did not attempt to apprehend without the use of deadly force. Instead, you simply fired your weapon from a seated position in your vehicle in the direction of the fleeing suspect, even though another law enforcement officer was pursuing them, and you likely could have struck the suspect or your fellow officer with the projectile.

After the initial discharge of your firearm, you fired (4) additional shots at the fleeing suspect who was not a threat to you before exiting your vehicle. You then failed to exercise due circumspection in viewing and analyzing the area and even in recognizing that one of the suspects was, in close proximity, attempting to surrender.

The investigation showed your failure to properly evaluate this situation, to rely on, act in conformity with, and comply with your training, duties and responsibilities, and that you acted in a manner inconsistent with the policies and directives of this Office. The totality of the circumstances revealed that despite having available to you a number of more appropriate options your resolution and actions resulted in an unnecessarily dangerous confrontation and involved occurrences which included the unwarranted discharge of your agency issued weapon and the use of force that far exceeded any justifiable and reasonable use of force under the circumstances.

Your actions clearly demonstrate your failure to comply with the law and with the standards and goals that I have set for the Office of Sheriff. You utterly failed to comply with the policies and training that I have established and directed. Your use of force was clearly excessive and dangerously wanton. Your conduct cannot be condoned in any manner.

Accordingly, in consideration of the appropriate discipline for the violations, which the facts have established, I have concluded that your continued employment is not consistent with the goals and standards that I have established for this office. Based upon that review, I am terminating you from your position as a Sheriff's Deputy, effective immediately.

Notwithstanding the immediate effect of your termination, you are nevertheless hereby granted a period of up to ten days from the date of this termination letter to offer in writing any (written)

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materials that you may wish to submit for my review as a "name clearing" procedure, but no in-person or other hearing other than the submission of such written materials will be received, and if you submit any such materials, I will review them and promptly notify you of my decision.

Please note that we have conferred with legal counsel, and this office will make appropriate notifications to the Office of the District Attorney, the Sheriffs Education Training and Standards Commission, and each appropriate agency of these facts and the actions taken, as is required.

Be advised that all benefits (insurance, retirement, and the like) you are currently receiving or to which you are entitled will cease on this termination's effective date. An appropriate Human Resources representative will discuss these cancellation procedures with you if you desire.

Your signature below is an acknowledgment of having been informed of the termination, not an agreement with the discharge.



Steve Bizzell, Sheriff

Acknowledgment of receipt of notice:



Christopher Paul Adcock

Date: 9/29/2023

Witness:



Chief Deputy Bengie Gaddis

Date: 9/29/23



Captain Robert Runner

Date: 9/29/23