

work out some difference on the bracket motion so we can move along. In general, though, I think there's a framework that you need to have when you begin to deal with liability issues. One of them is that you've got to balance the rights of that injured third party on one hand, and that they should be compensated for what their losses are. And we do that in the term of economic damages. If they're noneconomic damages, of course, that then depends on who's involved and to what percentage of fault is contributed to, let's say, the officer who was involved in the chase, how much of that was due to the supervision or training he received or, quite frankly, to what the rules and regulations of his particular department are. The other part, though, is that the policy of police chases shouldn't be dictated by money. You're asking police officers to make unreasonable decisions based on now, how much money am I going to subject the city if I take off on this chase through the county? Now those individuals need to be concerned with law enforcement. The people who should be concerned about those are the policy makers of who does the chase, when those occur, and that ought to be set at the department level. And so when you begin to look at these issues, if you're going to begin to place judgement calls on officers that have to make snap decisions on, one, was a law violated; two, their safety; the public safety; you're putting an unreasonable burden on them if you're going to have to make them determine that call by simply some economic decision about laws that really, they've got other things to worry about. The final thing is, obviously, and I...what I have some problem with the bill, and I voted to pull it out of committee, will vote to move it along if that comes to it, but I have a little concern about the collateral source problems here. And that I think we need to rework collateral source, that is where you're going to get some of these damages from, those amounts of damages. And, quite frankly, I think there's a better way, that you should have the city, the county, or the state, whoever, be the ones primarily involved with paying off whatever judgement or settlements are out there, and they being the ones that seek the collateral source at that point in time and perhaps limiting what some of those collateral sources may well be. The other framework that I think is important if you're going to start dealing with the liability issues, are not to make this any more confusing than what our regular standard of law is right now...

PRESIDENT ROBAI. PRESIDING