

April 30, 1981

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there is a certain miles per hour number over the limit that the officer should not go. However, if it looks like driving at this reasonable rate would unduly extend the chase or the amount of time needed to overtake the individual, then a greater rate of speed can be used. The purpose for writing in that number is to give a guideline. That is what every one of these amendments will do, offer a guideline or a directive so the officers will have some notion of what the policy of the state is when vehicles by law enforcement officers are used in a way that could convert them into lethal instrumentalities. The portion that is of most concern to me relates to the compensation of innocent third parties who are injured as a result of these chases or the family of those persons who may be killed as a result of them. I gave a handout to you several days ago which documented case after case of needless chases where people were injured, some killed, and an innumerable number of vehicles and other types of property damaged and destroyed. So if a person has no connection whatsoever with this chase and he or she is injured or killed, then in the same way that we are passing bills for victims of crimes, then these victims ought to have some consideration also. The state is willing to give money to those who are victims of crimes right now and there is a board established for that purpose. I think when political subdivisions and the state are going to authorize high speed chases, there should be a provision for the compensation of those innocent third parties who are harmed. Now I believe that I have touched on the things that are most significant in the bill except in the last portion which indicates that where a traffic infraction which is minor or a misdemeanor is involved and a chase has been undertaken, when means are available to identify the driver, then the chase should be broken off and that person apprehended later. I am asking that you adopt this amendment, and if there are portions of it that you have questions about, for the sake of procedure, I would ask that you go ahead and adopt the entire package. Then if there is an individual part of it you want to discuss, fine. But since the bill is on Final Reading, you can offer only a specific amendment which cannot be amended itself. I don't want to go through the alternative of taking each one of these individual sections as a specific amendment alone. If you have any questions about any portion of it, I hope you will ask me but this final thing I have got to say. Most high-speed chases involve very young people. The vast majority of them involve a minor traffic infraction. So if high-speed chases were banned altogether, law enforcement itself in terms of apprehending dangerous criminals would not be touched at all. The State Patrol and no other law enforcement agency has been able to show where murderers, rapists, robbers or those who commit serious crimes have been apprehended

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