

February 14, 1996 LB 952

The committee hearing, for anybody who was present, was very telling. The committee vote was very strong, and that's because what occurred at that committee hearing. If anybody on this floor had heard Rose Cappiello speak from her wheelchair, to which she's confined for the rest of her life, because she had the audacity to go to the grocery store, they would have voted the same way. She sat at a light in Omaha in her car, the next thing she remembers is two weeks later and she could not move her limbs. And she is not alone in this. We heard testimony from others. We heard from Donna Brizendine, who had been finally, finally, after going through a childhood of arthritic, painful arthritis, had received treatment and finally got her medication to the point where she was...didn't have that pain, but she made the mistake of going out with some kids from the YMCA, which again got in the way of a police car in a high-speed chase. We heard from Beverly Churchill, whose husband was disabled, who she was going to support because of his disability, but three weeks later their life had to change, and they had to figure out, her words, I think, whoever feels better in the morning takes care of the other. Each of these three individuals did nothing wrong but to travel the streets of our city. That's the only thing they did wrong, and what occurred? High-speed chases which benefit the entire city, and what would occur with the passage of LB 952 would be to shift the burden of that benefit to the city, to shift that burden onto the shoulders of these people who cannot...cannot afford to take care of themselves because of what has occurred. Don't kid yourself that there's not going to be...that we're not going to have to pay any taxpayer's money if we pass this bill. These people who are disabled and can no longer work, who do you think is going to foot that bill? If it is not the city of Omaha, it is going to be the state of Nebraska. One of the things one of these witnesses said was thank you for at least leaving me my dignity. Taxpayers are going to pay for it, but she would have been on welfare, but at least we left dignity. This bill, and without getting into the specifics of it, I think very cruelly takes and puts that burden onto the people who are injured. This bill, with some of the provisions of it, would require that their insurance proceeds that they are paying for be used to...to diminish what the liability of the city is. And let's look at the people who are injured, what can they do to stop a high-speed chase? I tell you they cannot do a thing. The city, who is liable, what can they do to stop a high-speed chase? Tom Mumgaard, who is the city attorney, who appeared at the hearing,

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