

the fleeing party, to my understanding, has not met with very great success. So, again, I reiterate Senator Chambers' comments about the reference to the fleeing party, recovery from that party is somewhat misleading. People who engage, it seems like it's only common sense that wealthy, properly insured, economically stable, people with a huge amount of assets aren't commonly the ones... individuals that choose to engage in high-speed chases from law enforcement personnel. So I would encourage you to look at that part of the bill as suspect. I think that the... on page 2, the section (3), it is rather broad as far as any claims by an innocent third party for economic damages under this section; the public entity shall receive credit for collateral sources available to the innocent third party, including, but not even limited to, amounts payable or collectable from uninsured motorist insurance, underinsured motorist insurance, self-insurance plans or bonds, or any publicly or privately funded plan for the payment of medical expenses. These are vehicles, these are instruments that the innocent third party has paid for. So we are putting the burden on either the innocent third party or the company, the business that insures that innocent third party, from an incident that happened in the public domain. When we condemn a building through eminent domain, we take that person's use of that property and the government makes that person whole once again. But if the government, the public entity, takes the use of someone's limbs or cognizance or even their life, we don't want to make that person whole again. It does not seem to be a sound policy to restore someone's property when it's taken, even if for, in the case of eminent domain, it may be for the public good, but we refuse to make that person whole again in the case of an accident occurring through a high-speed chase. Again, I am in favor of high-speed chases when it is judicially used, a wise decision-making process has entered into it, and there's a necessity to pursue. But I would encourage the body to support the wisdom of the committee and do not go along with this motion. Personally, we had a high-speed chase that ended about fifty or sixty yards outside my backdoor. It ended up in someone's property, a neighbor of mine, and he has three young girls. It was late at night, fortunately, and no one was injured, but it really struck home the fact that this is a very dangerous exercise, albeit, it is needed in some instances, but if we are going to engage in that and that this is for the public good, then the public ought to be willing to pay for the consequences of that. I was playing with my switch. But,