

SENATOR BEUTLER: Senator Maurstad, if I could ask you some questions. if I may. And I'm...

PRESIDENT ROBAK: Senator Maurstad.

SENATOR BEUTLER: And although I'm a lawyer, I'm a long ways away from tort damages and that kind of thing. And I wanted to ask you some questions in good faith, not knowing exactly what the answers might be. And in particular not knowing what the answers might be on the green copy, or under your language here. Just to explore...I wanted to just explore with you a little bit ideas of negligence as they might pertain, in this particular type of situation. With respect to the police officer, just the act of giving chase to a fleeing vehicle, I assume under your scenario, that, in and of itself, is not negligent?

SENATOR MAURSTAD: That would...that's correct.

SENATOR BEUTLER: Okay. And the person who is in the fleeing vehicle, even though he or she may not cause any harm, or hit anybody, or cause any property or personal injury, is that person negligent by virtue of the fact simply of fleeing?

SENATOR MAURSTAD: I believe so.

SENATOR BEUTLER: You believe so?

SENATOR MAURSTAD: Um-huh.

SENATOR BEUTLER: Okay. And with respect to...and how do you... Well, okay. And with respect to the pursuing police officer, under the law as I would understand it, they would have the power to, for example, run a red light. Correct?

SENATOR MAURSTAD: Yes.

SENATOR BEUTLER: And that vehicle may be marked, or it may be unmarked. Is that correct?

SENATOR MAURSTAD: That's correct.

SENATOR BEUTLER: If they run a red light in an unmarked vehicle and hit another vehicle, is that police officer negligent?