

WHEREAS, Law-enforcement officers in California engage in thousands of vehicular pursuits each year, many at high speeds, and

WHEREAS, A large proportion of vehicular pursuits are occasioned by minor violations by the pursued parties, and

WHEREAS, Vehicular pursuits often result in accidents, property damage, serious injuries, and death, and

WHEREAS, Innocent third parties are often injured or killed as a result of vehicular pursuits, and

WHEREAS, Many municipalities in California either lack an established and comprehensive written policy governing criteria and procedures for vehicular pursuits, or fail to enforce those policies through adequate training and supervision, and

WHEREAS, the people of California are justly dismayed at the cost in safety, lives, and property occasioned by the lack of adequate and enforced policies governing vehicular pursuits, and

WHEREAS, the concern of the people of California about the number of vehicular pursuits, the lack of adequate and enforced policies governing those pursuits, and the harm caused by those pursuits, has profoundly increased during the last five years, and

WHEREAS, in its decision in *Nguyen v. City of Westminster* (2002) 103 Cal.App.3d 1161, Division Three of the Court of Appeal for the Fourth Judicial District has deplored the laxity with which some policies governing vehicular pursuits are written and enforced; now therefore be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature shares the concern of the people of the State that many municipalities in California either lack an established and comprehensive written policy governing criteria and procedures for vehicular pursuits, or fail to enforce those policies through adequate training and supervision; and be it further

Resolved, That the Legislature shares the dismay of the people of the State at the cost in safety, lives, and property occasioned by the lack of adequate and enforced policies, training, and supervision concerning vehicular pursuits; and be it further

Resolved, That the Legislature urges each law-enforcement agency within the State to adopt a comprehensive written policy defining when its officers may engage in a vehicular pursuit and establishing procedures governing vehicular pursuits; and be it further

Resolved, That the Legislature urges each law-enforcement agency within the State to implement those policies through comprehensive training and continuing supervision of its personnel; and be it further

Resolved, That the Legislature declares that protection of the safety, lives, and property of the people of the State from vehicular injury should be a prominent factor in every agency's policy governing vehicular pursuits; and be it further

Resolved, That the Legislature continues to recognize that a vehicular pursuit may be appropriate when the fleeing party poses a serious danger to the community and the pursuing officers have been trained under a comprehensive policy established by the law-enforcement agency governing vehicular pursuits.

ACLU California Legislative Office
1127 Eleventh St. Ste. 534
Sacramento, CA 95814
(916) 442-1036