

Senate bill aims to curb high-speed chases

By Tim Richard
staff writer

State Sen. Rudy Nichols thinks there may be a way out of the dilemma caused by high-speed police pursuits.

"Police officers have a Catch-22 situation," he said. "When an officer is in a high-speed chase, society says, 'Catch this person — but if you cause any harm you can be prosecuted.'"

Two bills passed last week by the Senate provide tougher penalties both for reckless police pursuers and for drivers who try to elude them.

But they also require prosecutors to produce a higher standard of proof that the officer was reckless.

The 35-3 vote was along racial lines, with the Senate's three black members opposed.

In the last year, seven people have been killed and others injured in Detroit, Birmingham and Southfield during police chases, leading officials to wonder if high-speed chases aren't more dangerous than they're worth.

THE TWIN bills — by Nichols, R-Waterford, and Richard Fesler, R-West Bloomfield — provide:

- It would be a felony, not a misdemeanor, for a uniformed officer in an identified police vehicle during a chase to cause a death by driving "in willful or wanton disregard for the safety of persons or property." Top penalties: five years in prison or \$5,000 fine.

- A driver who attempts to elude police either by speeding or turning out lights can be jailed up to two years and charged the costs of prosecution. Previous top sentence was one year.

- It would be a felony, not a misdemeanor, to assault or injure a police officer.

- A driver who repeats the offense within 10 years faces up to

three years in prison and a fine of \$10,000 plus prosecution costs.

- A fleeing driver who causes bodily injury can be convicted of a felony, faces a mandatory year in prison, can be sentenced for up to three years, can be fined \$10,000 and costs, and lose his driver's license for 1-3 years. For a second offense within 10 years, the loss of license can be permanent.

- The State Police director is required to report in two years with recommendations on new techniques to alert drivers to emergency vehicles.

The bill now goes to the House.

NICHOLS CITED a Michigan

State University professor's report for evidence that police pursuits can be dangerous.

Dr. Erik Beckman of MSU's School of Criminal Justice concluded after studying 424 pursuits by 75 agencies that:

- "No pursuit speed . . . is particularly safe.

- "Pursuits with high speeds, long distances and intoxicated drivers occur primarily at night.

- "A fleeing driver is usually not a dangerous felon . . .

- "The ratio of property damage accidents to pursuits is one per approximately five pursuits.

- "Injuries, one per approximately seven pursuits.

"Deaths, one per approximately 35 pursuits."

WHILE POLICE usually had had some pursuit training, "the effects of training or policy on the pursuits were not detected," Beckman concluded.

Beckman's report, made last October, recommended written pursuit policies and training with restrictions placed on pursuits and "special attention to possible use of ramming and roadblocks."

Roadblocks and ramming had been considered hazardous, but Beckman's study said they "increase capture rates while reducing overall injury rates."

Blanchard signs 'chop shop' law

Gov. James J. Blanchard has signed into law a bill requiring that vehicle parts dealers make available to police their purchase records of used parts. The bill was sponsored by state Sen. Doug Cruce, R-Troy.

The law is intended to control operation of "chop shops" where stolen vehicles are dismantled and their parts sold to repair shops and used parts stores.

Blanchard also signed into law a bill prohibiting teaching, demonstration and construction of a firearm, explosive or incendiary device for use in a civil disorder. The sponsor, Rep. David Honigman, R-West Bloomfield, said it should deter groups from setting up paramilitary camps in Michigan.

The governor recently signed a bill designed to offer an improved, more competitive horse racing industry.

The law reduces the state tax from 6.6 to 4.5 percent on each dollar wagered to increase money for purses, promotion and track improvements.

The legislation, which was sponsored by state Sen. Nick Smith, R-Addison, also authorizes simulcast betting at Michigan tracks on major out-of-state races. It particularly benefits the Ladbroke DRC track in Livonia.

The law requires intensified alcohol and drug testing of racing participants and officials, providing safeguards against race tampering.

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