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Safety quest

'Kristie's Law' gets first hearing today

By LARRY MITCHELL Staff Writer

"Kristie is dead, just like many other crime victims, yet the police and local politicians did not surround our family with support," she said. "One local politician told us, 'Well, you sued the city.' We did not file our suit for six months. I think that was plenty of time for the police and local politicians to come to us and explain truthfully what happened and why."

Tuesday, April 13, 2004 -- It's been a long wait, but Mark and Candy Priano finally have their day in the Capitol.

Today, the Chico couple are to testify when the state Senate Public Safety Committee holds a hearing on Kristie's Law, Senate Bill 1866, which would restrict police pursuits in California.

The measure, authored by Sen. Sam Aanestad, R-Grass Valley, bears the name of Kristie Priano, the Prianos' 15-year-old daughter, who died in January of 2002 after a vehicle Chico police were chasing crashed into the side of the Priano family's van.

The Prianos hope the committee will pass the bill today, beginning the measure's journey through the Legislature.

Aanestad's bill would, in effect, allow police only to pursue suspects who posed an immediate peril to the public. Car thieves, burglars and people who had violated traffic laws typically would not be pursued under his measure.

Police groups are lining up to testify against the measure.

The Prianos are counting on the growing momentum of a trend across the nation toward stricter rules governing police pursuits.

On Monday, a story in the Los Angeles Times noted law enforcement's strong opposition to SB 1866. Los Angeles County Sheriff Lee Baca; state Attorney General Bill Lockyer; Santa Barbara Police Chief Camerino Sanchez (who heads the California Police Chiefs Association); and Redding police detective Aaron Maready, who leads the union representing officers in his department, were quoted as opposing the measure.

They said the bill would hinder police in their primary task of catching criminals, expose them unfairly to lawsuits and result in the state's micro-managing police work on the streets.

Their views, however, only show how some police officers feel about the bill. Others in law enforcement are much more receptive to it.

"I think we've been operating with one mindset for so long," said Capt. Travis Yates, a team leader with the driver training program of the Tulsa, Okla., police department. "Not every bad guy is worth chasing," he told *The Enterprise-Record* in a phone interview.

Attitudes about pursuits are changing, said Yates, who in his spare time operates a Web site ([policedriving.com](#)) offering information on police training and pursuit policies.

Recognition is growing that pursuits are one of the most dangerous activities officers engage in, Yates said. As a

In 1997, San Francisco's police department put a ban on officers' pursuing nonviolent suspects. How that policy has been implemented is now under review after a 45-year-old woman was killed early in March when her vehicle was hit by a suspected auto thief police were chasing.

On the evening of Jan. 22, 2002, Kristie Priano, who was being driven to a high school basketball game she was to play in, sustained fatal injuries when her family's van was struck broadside by an SUV at the intersection of Fifth and Palm avenues.

The driver of the SUV, a 15-year-old Chico girl, had run a stop sign, causing the crash. She had taken the SUV, which belonged to her mother.

The Prianos maintain Chico police should not have begun the pursuit since they knew the girl's name and address and should have been able to safely apprehend her later. Also, they claim police failed to follow their department's pursuit policy in various ways. The area and conditions did not permit a safe pursuit, they said.

Six months after Kristie died, the family sued the city of Chico. The suit was thrown out of court, however. Under California law, cities and counties are immune from lawsuits over deaths, injuries or property damage resulting from pursuits as long as their police departments have written policies on pursuits. Officers don't need to follow the policies for the agencies to be immune. All that's required is the existence of a written policy.

Some time after that, the Prianos approached Aanestad about changing the law. Early in 2003, the senator introduced a bill, but withdrew it several months later, saying he needed to do more research on the issue.

The present bill was introduced Feb. 22. The bill provides that immunity from litigation would apply only if police involved in a pursuit followed their department's written policy. Also, written policies would have to stipulate that pursuits could only be conducted if a suspect posed an "imminent peril" to the public.

Over the last two years, the Prianos and their son, Steve, have campaigned for change in police pursuit practices.

In March, the couple went to Sunnyvale, in the Bay Area, to talk to patrol officers from the Sunnyvale Police Department about their experience. Sunnyvale Police Capt. Chuck Eaneff said the Prianos were invited to speak in part to "put a human face" on the public concern that has been voiced about pursuits.

Candy Priano read the Sunnyvale officers a lengthy account she has written of the events of Jan. 22, 2002.

One thing she didn't talk about in Sunnyvale was the bitterness she and her husband still feel at the way they were

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...result, "the trend nationally is to make policies more restrictive."

The policy change appeared to result in more than 30 percent fewer pursuits and fewer injuries to officers and suspects. However, statistics showed an increase in injuries to third parties, according to Jason Lee, public information officer for LAPD.

A number of large agencies have limited officers to pursuing "violent felons" only, said Geoffrey Alpert, a professor at the University of South Carolina, who has studied pursuit policies and practices for 20 years. Among these agencies are departments in Boston and Miami, as well as the Illinois State Police. He said, "Most progressive departments don't chase stolen cars."

Starting last June, the Los Angeles Police Department began a pilot program that prohibited officers from pursuing people who fled after committing minor traffic offenses. Such crimes had made up a significant percentage of the department's pursuits.

...treated by Chico police and city officials, she said Monday.

"Kristie is dead, just like many other crime victims, yet the police and local politicians did not surround our family with support," she said. "One local politician told us, 'Well, you sued the city.' We did not file our suit for six months. I think that was plenty of time for the police and local politicians to come to us and explain truthfully what happened and why.

"After deadly pursuits, many departments review their pursuit policies and make changes so these tragedies are not repeated. This did not happen in Chico. In fact, last month, we were supposed to have an update on our request to tighten the city's pursuit policy. No one from the Chico police or the (city) has contacted us. They just don't care."

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