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ROSA JUNQUEIRO, CLERK

Small Claims Judgment

By SHALOM FRIEDMAN
DEPUTY

Francis B. McVey v. City of Stockton (257154)

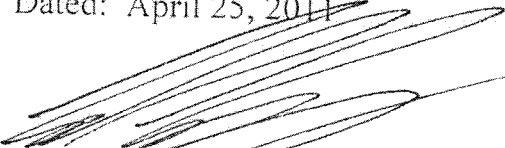
Vehicle Code section 17004.7 (b) (1) provides:

A public agency employing peace officers that adopts and promulgates a written policy on, and provides regular and periodic training on an annual basis for vehicular pursuits complying with subdivisions (c) and (d) is immune from liability for civil damages for personal injury to or death of any person or damage to property resulting from the collision of a vehicle being operated by an actual suspected violator of the law who is being, has been, or believes he or she is being pursued in a motor vehicle by a peace officer employed by the public entity.

Having listened to the testimony provided by the parties at the trial of March 8, 2011 and having read and considered the papers and documents provided by the parties, in light of the applicable law, the court finds the Stockton Police Department has (and had on the date of the incident – July 22, 2010) a written policy on vehicular pursuits and that the Stockton Police Department provides regular and periodic training on vehicular pursuits that meets the requirements of the aforementioned statute. The City of Stockton is therefore immune from liability for damages to Mr. McVey's property, stemming from the vehicular pursuit on July 22, 2010.

The court enters judgment for the City of Stockton.

Dated: April 25, 2011


Erik Lundeberg
Commissioner of the Superior Court