

# **Bond Case Briefs**

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## **IMMUNITY - CALIFORNIA**

### **Flores v. City of San Diego**

**Court of Appeal, Fourth District, Division 1, California - September 15, 2022 - Cal.Rptr.3d - 2022 WL 4244284 - 2022 Daily Journal D.A.R. 9981**

Mother and girlfriend of motorcyclist, who died during police vehicle pursuit when his motorcycle crashed, brought actions against city for wrongful death and negligence. Actions were consolidated.

The Superior Court granted city's motion for summary judgment based on statutory immunity. Mother and girlfriend appealed.

The Court of Appeal held that:

- Commission on Peace Officer Standards and Training (POST) regulation specifying minimum standards for legislatively-mandated training courses applied to annual trainings;
- Vehicular pursuit training requirements specified in immunity statute were "legislatively mandated" within meaning of POST regulation;
- Term "guidelines" in immunity statute referred to "standards" in vehicle pursuit training statute;
- POST regulation setting forth standard of one year of annual vehicular pursuit training did not exceed statutory authority; and
- Triable issue existed as to whether city provided at least one hour in annual vehicular pursuit training.