



THE FARGO POLICE DEPARTMENT
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February 6, 2025

North Dakota House of Representatives
House Transportation Committee
Representative Dan Ruby, Chair

RE: Testimony and Support of House Bill 1229

Dear Chair and Members of the North Dakota House of Representatives Transportation Committee,

My name is David Zibolski. I am a 40-year law enforcement professional and Chief of Police for the Fargo Police Department. Prior to taking the position as chief in Fargo, I served in both state and local law enforcement agencies in the state of Wisconsin.

I offer my testimony to you today in strong support for House Bill 1229. This bill addresses a dangerous and growing public safety concern not only in the city of Fargo, but all over North Dakota -- fleeing from an officer. As you are aware, fleeing in a vehicle from a law enforcement officer who is attempting to stop a traffic or other criminal violator is a crime. However, under current law, unless an officer engages in a pursuit and apprehends the offender, they have little prospect of identifying them and making an arrest. The policing profession recognizes that engaging in pursuits, especially high-speed pursuits that may go through populated areas or encounter unwitting motorists, is of great danger to the public and our officers. In deference to that public safety concern, law enforcement agencies, including Fargo PD, do not initiate pursuits for traffic or other minor criminal violations. Unfortunately, this has led to an exponential increase in vehicles that flee during traffic stops. In Fargo, we have seen a steady increase since 2019, which was further exacerbated during the Covid years of 2020 and 2021 and continues to present day.

For context, I have provided the Committee with our 2024 end of year fleeing in a motor vehicle report. Our Intelligence & Analysis Unit, who also gathers data from other law enforcement colleagues, including West Fargo, Cass County and Grand Forks PD, tracks this data. As you can see in the data provided, the number of fleeing vehicles in Fargo alone has drastically increased from 101 in 2019 to a staggering 290 fleeing vehicles in 2024, a tripling of these offenses in 5 years. It is clearly out of control.

Most folks may think that a majority of these vehicles are probably stolen. However, the reverse is actually true. Of the 290 cars that fled from our officers in 2024, 249 (86%) are not stolen. Further, in 173 (60%) of the incidents, as a result of our in-car camera technology, we have the license plate number and know who the registered owner of the vehicle is. In spite of that statistic, an overwhelming 205 (71%) of those fleeing cases go

unprosecuted because law enforcement has no tools to assist in identifying the driver of the fleeing vehicle. House Bill 1229 provides that very important tool.

House Bill 1229 is authored similar to an existing law in the state of Wisconsin. It provides the presumption that the registered owner is the driver, but gives law enforcement an important tool that we currently do not have. The ability to hold the owner of the registered vehicle accountable. Under this bill the owner of the registered vehicle would receive a \$50.00 fee for the first violation, unless one of the exceptions as outlined in the bill applies. For any second or subsequent violation the registered owner would be subject to a fee of \$1,000.00. The \$1,000 fee may be negated if the owner assists or cooperates with the officer in the investigation of the individual who operated the motor vehicle. This would then allow officers to complete an investigation and send the case to the prosecutor's office for review. Similar to the Wisconsin law, this bill contemplates certain circumstances such as the vehicle is stolen, leased, or taken from a dealership, and provides sufficient statutory protections so that unwitting owners are not penalized.

There is likely a variety of reasons why the 249 non-stolen vehicles fled from our officers in 2024. Regardless, as these vehicles flee they often create traffic safety concerns, become involved in hit and run accidents, and otherwise unnecessarily endanger the motoring public. It is equally likely that some of the persons who fled were involved in other criminal activity that our officers simply were unaware of at the time of the stop. As evidenced by the data presented, the lack of a viable tool for law enforcement to identify these drivers not only incentivizes additional fleeing, but likely also negates our ability to solve other crimes. Our officers conducted 10,820 traffic stops in 2024. The 290 fleeing vehicles represent a ratio of one fleeing vehicle per every 37 traffic stops. This is an egregiously high number and continues to get worse. House Bill 1229 will provide law enforcement with an important tool to appropriately follow-up, investigate, identify and arrest those persons who choose to flee from traffic stops.

I thank you for the opportunity to testify before you today and strongly encourage you to motion House Bill 1229 as a "do pass."

Respectfully,

A handwritten signature in blue ink, appearing to read "David B. Zibolski".

David B. Zibolski
Chief of Police

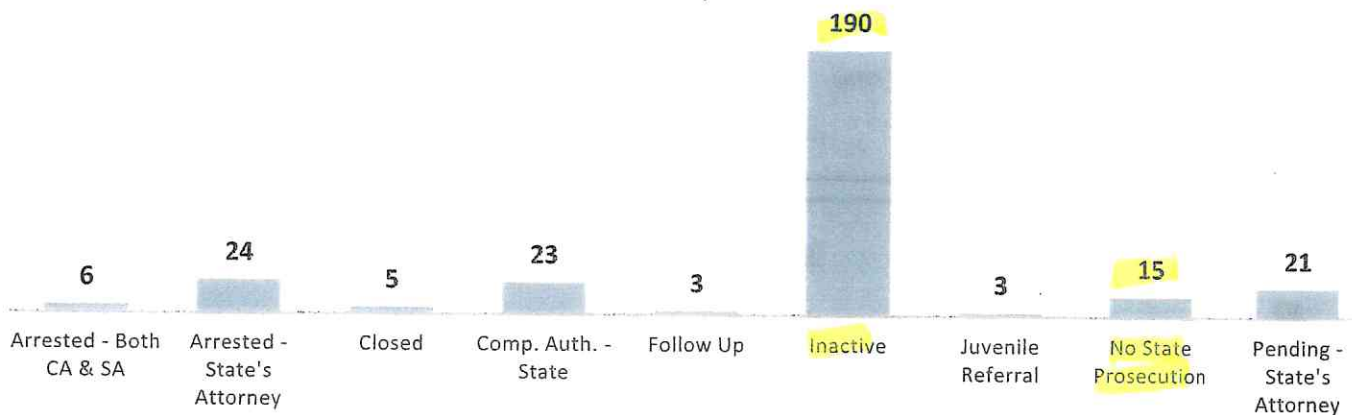
FLEEING IN A MOTOR VEHICLE REPORT

December 2024

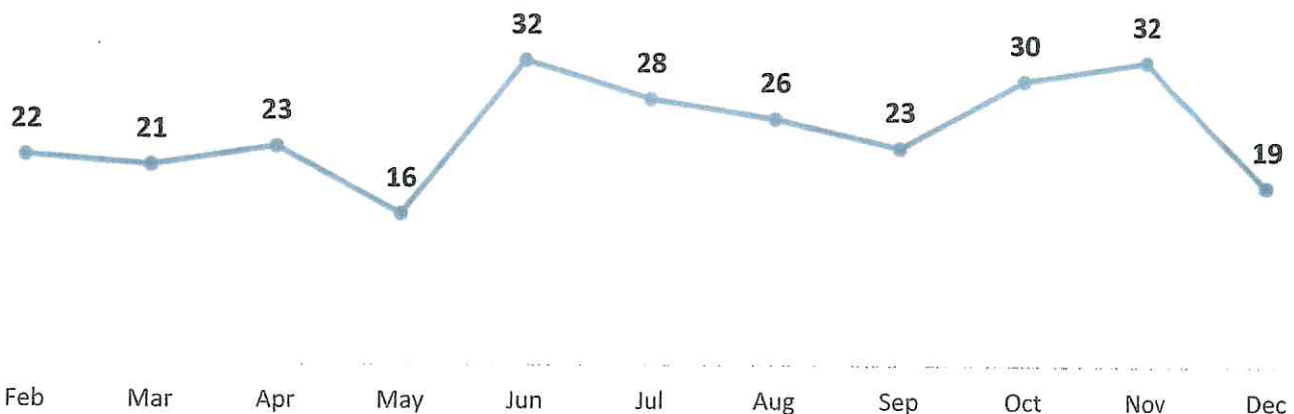


The Fargo Police Department has had a total of **290** fleeing in a motor vehicle cases from 01/01/24 to 12/31/24. Of these cases, 198 have been labeled misdemeanors, and 92 as felonies. 41 cases have been reported as stolen vehicles.

Case Disposition



Monthly



FLEEING IN A MOTOR VEHICLE REPORT

December 2024



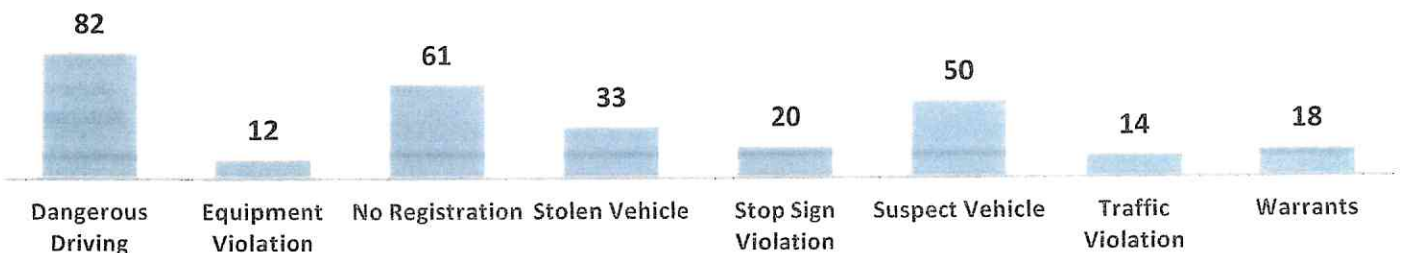
Stolen Vehicle



Mis. Vs. Felony



Reason For Stop



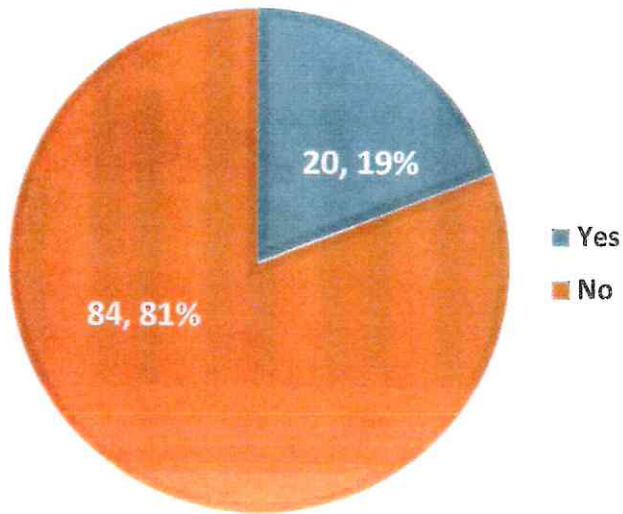
Traffic Stops/Fleeing 2024	TOTAL	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Fleeing Misdemeanor	198	13	13	13	15	8	22	20	19	17	20	25	13
Fleeing Felony	92	5	9	8	8	8	10	8	7	6	10	7	6
Total Fleeing Cases	290	18	22	21	23	16	32	28	26	23	30	32	19
Total Traffic Stops	10820	1000	798	807	913	692	851	1128	588	1061	1145	1034	803
RATIO	1:37	1:56	1:36	1:38	1:40	1:43	1:27	1:40	1:23	1:46	1:38	1:32	1:42

FLEEING IN A MOTOR VEHICLE REPORT

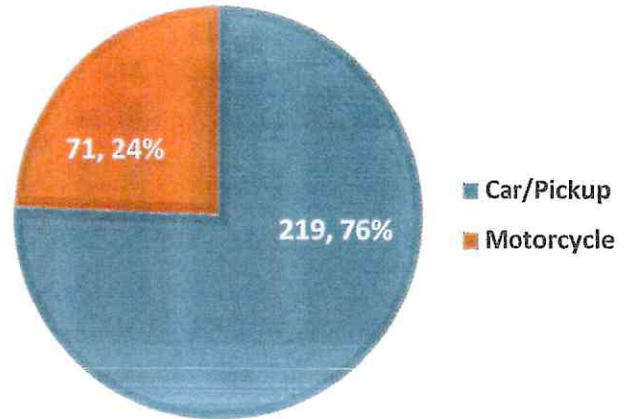
December 2024



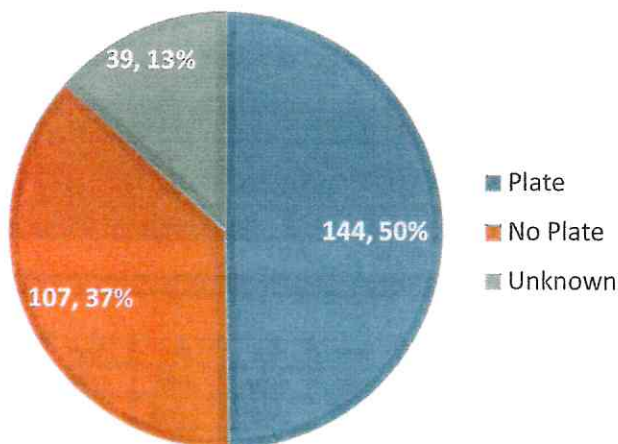
TRAFFIC SAFETY UNIT?



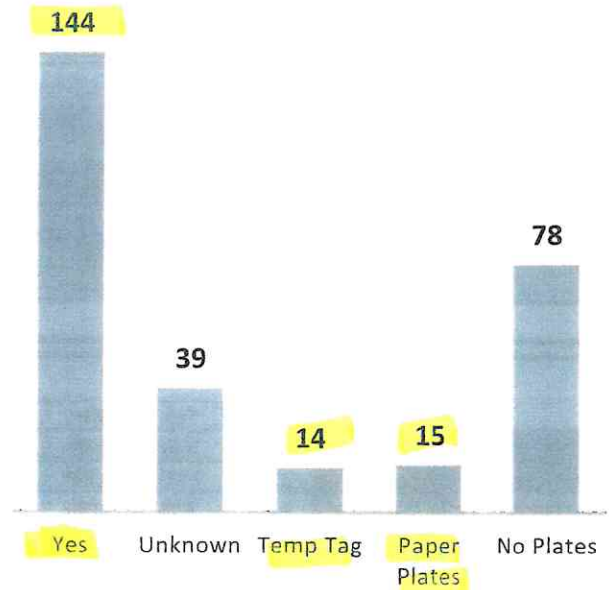
VEHICLE TYPE



VEHICLE PLATE PERCENTAGE



Vehicle Plate Breakdown

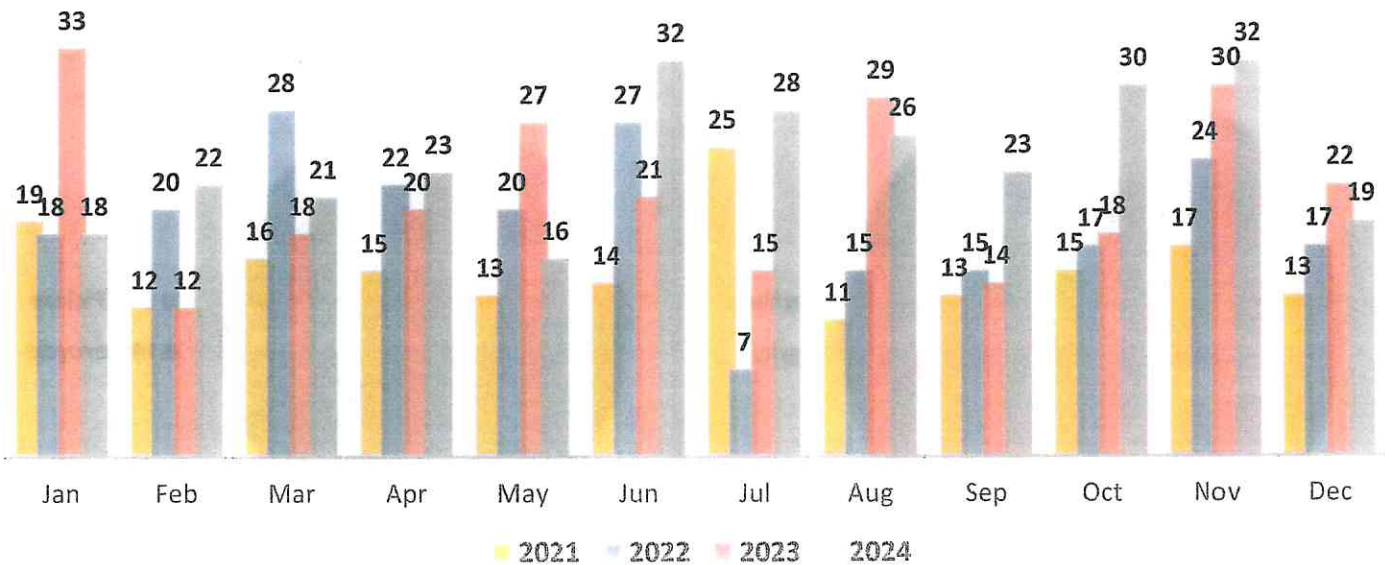


FLEEING IN A MOTOR VEHICLE REPORT

December 2024



Yearly Comparison



	2019	2020	2021	2022	2023	2024
Fleeing	101	175	183	230	259	290
Traffic Stop	15962	10152	9997	7190	8820	10820
Ratio	1:158	1:58	1:55	1:31	1:34	1:37

Fleeing Yearly Comparison	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL	% Change
2019	8	7	8	6	11	3	7	11	12	8	13	7	101	
2020	18	24	7	8	15	12	6	12	23	12	13	25	175	73.27%
2021	19	12	16	15	13	14	25	11	13	15	17	13	183	4.57%
2022	18	20	28	22	20	27	7	15	15	17	24	17	230	25.68%
2023	33	12	18	20	27	21	15	29	14	18	30	22	259	12.61%
2024	18	22	21	23	16	32	28	26	23	30	32	19	290	11.97%

	YTD	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Fargo	1:37	1:56	1:36	1:38	1:40	1:43	1:27	1:40	1:23	1:46	1:38	1:32	1:42
West Fargo	1:102	1:140	1:131	1:283	1:113	1:66	1:87	1:152	1:142	1:75	1:115	1:46	1:126
Cass County	1:335	1:219	N/A	1:188	1:532	1:380	1:106	N/A	1:197	N/A	1:301	N/A	N/A
Grand Forks	1:610	N/A	N/A	1:422	1:432	1:564	1:483	1:295	N/A	1:548	N/A	1:202	N/A