

February 12, 2007

Dear Sheriff:

[Entity Name] obtains Professional Law Enforcement Liability coverage for the Sheriff's Department and its employees from the Texas Association of Counties County Government Risk Management Pool ("the Pool"). The Pool was created to provide liability coverage to participating county members, and is managed by a board of elected or appointed county officials from participating counties.

The Pool obtains reinsurance in order to protect its members from large and unexpected financial losses from claims and keep member costs down. The Pool's reinsurer is County Reinsurance, Limited (CRL), a company formed by participating county association risk pools from around the nation.

CRL experienced several "class-action" law suits in the past year that involved illegal/unconstitutional prisoner strip searches, and had to pay-out several million dollars to resolve each of these suits. In order to prevent such large losses in the future, CRL is now requiring each participating pool, including the TAC Risk Management Pool, to certify that its member county sheriffs have a constitutional strip search policy and are complying with that policy. To satisfy our reinsurer and protect the funds of our members, we are requesting that you submit a copy of your strip search policy for our evaluation. It will also be necessary for you to certify that your department follows your approved policy.

TAC's staff law enforcement specialists, working with Mr. Robert Davis, a Tyler, TX attorney with considerable experience in law enforcement constitutional law, have developed a Strip Search Policy and prisoner in-take form that we believe will be acceptable to most Sheriffs in Texas and satisfy the reinsurer's requirement that you have a constitutional policy. If your department does not have a strip search policy, or you are not sure your policy is adequate, you are encouraged to adopt this sample policy as your department's policy. You would then submit this new policy and your certification to us for our records. I have included a copy of the policy and form developed by our staff for your information. You can also obtain a copy

of these documents at <http://www.county.org/cms/field/law/resources.asp>. The on-line copy will allow you to modify the policy for your department's use.

Please send us your strip search policy and certification as soon as possible. If we cannot verify that you have a constitutional policy by May 1, 2007, the reinsurer will require us to issue an endorsement to your law enforcement liability coverage document at renewal to exclude coverage for any future claim that arises from or is the result of any strip search. The Risk Management Pool is not taking this action lightly, but we must protect the Pool and your county.

If you have any questions please feel free to call me at 1-800-456-5974. If you have any technical questions of a law enforcement nature I would encourage you to contact our law enforcement staff specialists at this same number.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Jean". The signature is stylized with a large initial "J" and a long horizontal stroke extending to the right.

James W. Jean, ARM
Director, Program Administration

Attachments: (1) Sample Strip Search Policy
(2) Prisoner In-Take Form
(3) Certificate of Compliance

Cc: Commissioners' Court
Cc: Pool Coordinator