PRIMA'S 2016 RISK MANAGEMENT
WEBINAR SERIES

Coverage and Exclusions for Law Enforcement

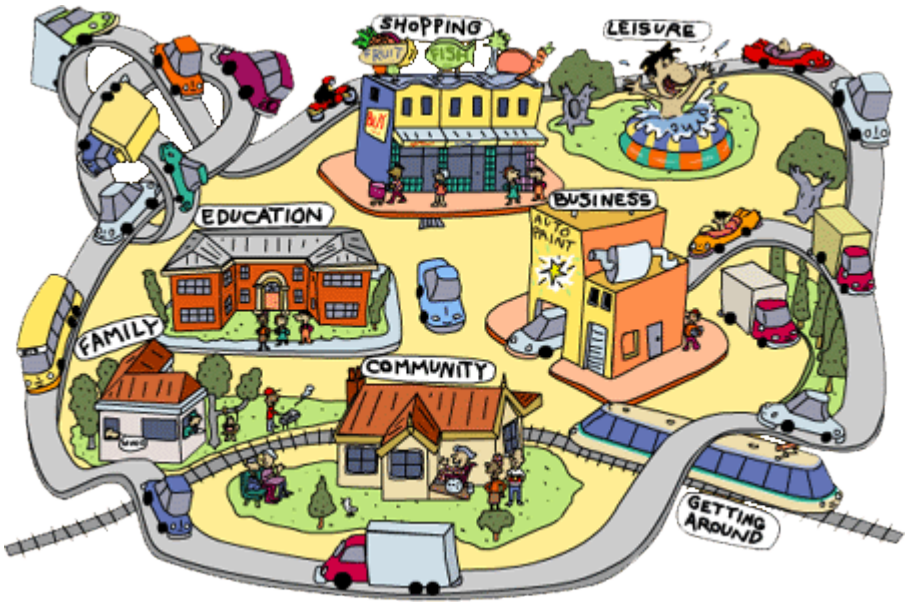
A Dialogue in Common Sense Risk Management Principles

Law Enforcement's Current Climate

"You could have Mother Teresa running a police department-and you're still going to have lawyers out there saying she's not to be trusted and we're going to sue."

(William Johnson, Executive Director of the National Association of Police Organizations)

Who is your community?



Global Law Enforcement Issues





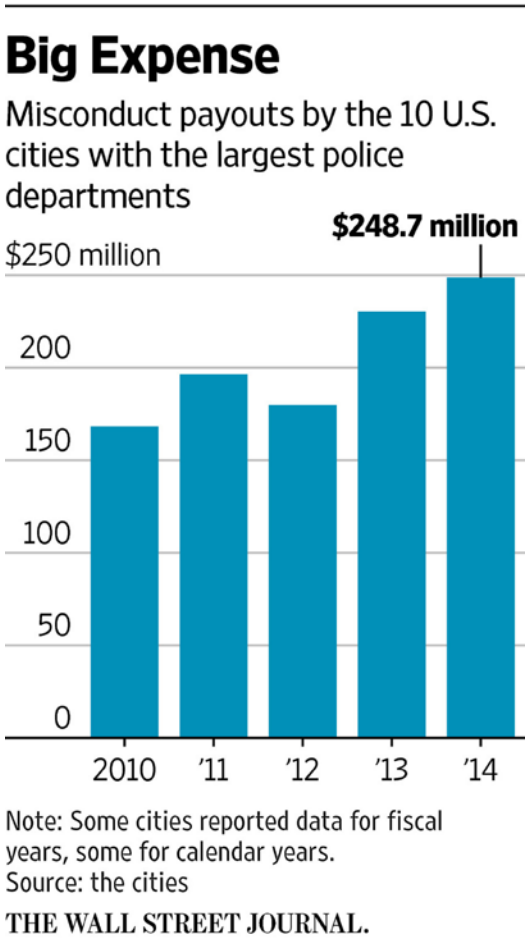
Your Local Events Trigger National Headlines

- Missouri
- New York
- Maryland
- California
- You



A picture is worth a thousand words.

Five Year Window of Law Enforcement Claims Payments



Public Perception of Keeping the Peace

Law enforcement agencies struggle with:

- Negative media coverage
- Public's perception of the law as a whole
- Microcosmic view of law enforcement errors
- Public's exercise of free speech
- Struggle of balancing civil rights and the law
- Increased pressures of global threats

Critical Issues Facing Law Enforcement

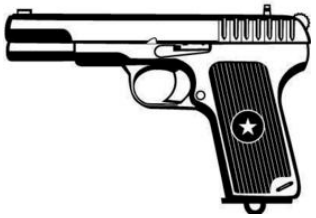
- Evolving technology
- Instant communication and transparency
- Drone technology
- Changing socioeconomics of our populations
- Use of force
- Ourselves



Law Enforcement Coverage Issues

A cop, a car and a weapon went to the scene of an incident…what are you covering?

- Your policies and procedures
- Weapons
- Vehicles
- The cop
- Your human
- Your risk management program







Let's Talk About Your "Cop"

Key factors in assessing your professional:

- Good communication
- Willingness to participate in joint exercise
- Education and training
- Proficiency in mandated skills
- Ability to follow chain of command
- Respect for the community



Let's Talk About Your "Human"

- Home
- Socioeconomic background
- Family
- Finances
- Personal interests and hobbies
- Personality



Let's Talk About You

- How do you communicate with your paramilitary organizations?
- What interaction occurs between your law enforcement agencies and yourself?
- How are your entity's risk mitigation efforts designed and deployed?
- When do you engage with law enforcement in managing a incident, claim or litigation?

Common Law Enforcement Liability Exclusions

- Coverage available under your state's workers compensation, disability benefits, unemployment or similar laws
- Liability assumed under contract except mutual aid agreements
- Wrongful Acts
- Criminal, dishonest, bad faith or fraud
- Punitive damages

Politics of Law Enforcement

Political pressures effect law enforcement

- Community leadership demands
- Good of the many versus the good of the few
- Honorary badges and their “officers”
- Independent hires for community events
- Political “ride-alongs”
- Calls for independent investigations

Bridging the Communication Gap



- Listen
- Make yourself known
- Earn your respect
- Understand the delicacy of the command structure within your entity
- Participate in volunteer efforts
- Don’t judge

Questions?

Thank you!

Janet Hayes
Operational Risk Manager
Orange County Sheriff, Orange County, CA

Marilyn Rivers, CPCU ARM AIC
Director Risk and Safety
City Saratoga Springs, NY