



# PORAC LEGAL DEFENSE FUND BENEFIT PLAN 2

## CIVIL - CRIMINAL - SECONDARY EMPLOYMENT

### Coverage is for Acts or Omissions within the Scope of Employment

Generally defined as actions or omissions by a Peace Officer or Public Safety Employee which are typical of or associated with the duties which a Peace Officer or Public Safety Employee is hired, trained, and paid to perform, as determined by the Board of Trustees

### Criminal Coverage (Act or Omission within the Scope of Employment)

FULL representation by an experienced criminal attorney from the outset of the investigation through trial, regardless of which agency does the investigation:

- ❖ FBI
- ❖ State
- ❖ Local

### Civil Coverage (Act or Omission within the Scope of Employment)

When your employing agency defends and indemnifies you pursuant to their obligation under California law, the Plan will provide an experienced attorney to monitor your case. This means that she is available to answer your questions about the case, review the pleadings and discovery, watch for conflicts between you and your employer, and watch for inadequate representation.

If there is:

- ❖ A legal conflict of interest between you and your employer;
- ❖ Inadequate representation by your employer;
- ❖ A considerable likelihood that punitive damages could be awarded against you;
- ❖ If your employer refuses to represent you for an act or omission with the scope of your employment;

You will be provided with independent counsel by the Legal Defense Fund

### Secondary Employment Coverage (Act or Omission within the Scope of Employment)

Available to all Associations enrolled in Benefit Plans I, II, III, IV.

Secondary Employment is defined as "off-duty, non-full-time employment of a Participant by a private sector employer".

Required Conditions:

- ❖ **Approval** - The Department has given approval for the secondary employment; and
- ❖ **Equipment** - The Participant wears his or her uniform and other standard equipment, including weapons, during the secondary employment; and
- ❖ **Supervision** - The Participant remains under Department supervision and in radio contact during the secondary employment; and
- ❖ **Civil** - Department agrees to defend and indemnify the Participant, either primarily or secondarily; and
- ❖ **Standards** - The Participant during the secondary employment is subject to the same Department performance standards and Department discipline.

## ABOUT PORAC LEGAL DEFENSE FUND

- ❖ Providing Representation to Peace Officers since 1974
- ❖ More than 140,000 Participants
- ❖ Panel of Best Attorneys in the Business
- ❖ No Cap on Benefits
- ❖ 24/7 Legal Response
- ❖ Net assets Available: More than 50 Million Dollars
- ❖ Run by Peace Officers for Peace Officers
- ❖ 50 US States and 2 US Territories

## Customary & Usual Services

- ❖ Investigators
- ❖ Expert Witnesses
- ❖ Photographers
- ❖ Court Reporters
- ❖ Court Costs
- ❖ Conflict Coverage - each member gets separate counsel as appropriate

**RATE: \$6**  
**PER MEMBER PER MONTH**

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