

Procedures for the Dorner Investigation Reward

Issuance Date: April 5, 2013

Introduction

The purpose of this document is to create a process for the equitable distribution of the Dorner Investigation reward monies. The funds donated by the entities choosing to participate in this reward offering are being placed into a trust fund account. Claimants will be required to follow the procedures outlined in this document in order to be considered eligible for the reward, or any portion thereof, held within the trust fund account.

Background

Whereas, in February 2013, multiple jurisdictions throughout Southern California came together in an unprecedented manner to collaborate on an investigation of the criminal activities of Christopher Dorner; and

Whereas, in an effort to identify, locate and apprehend Christopher Dorner multiple jurisdictions and private entities came together to offer a reward; and

Whereas, on February 12, 2013, Christopher Dorner, while deceased, was identified and located by law enforcement; and

Whereas, conclusion to this matter requires a recommendation and determination on the distribution of reward funds, should any claimant be eligible and deserving; and

Whereas, the jurisdictions and private entities who are participating in this reward process seek to have a fair process for all claims to be considered and seek to have reward monies distributed, should any claimant be eligible and deserving; and

Whereas, the jurisdictions and private entities who are participating in this reward process seek to have the reward monies distributed collectively and in a manner that is consistent with each other (to the extent individual jurisdictional rules allow); and

Whereas, the jurisdictions and private entities who came forward with donations to support a reward fund did so in an effort to locate and apprehend a suspect, in an effort to support law enforcement, and in an effort to protect public safety in Southern California; and

Therefore, be it resolved that the jurisdictions and private entities who are participating in this process have agreed to place their donated funds in a trust account, and that such funds will be distributed in accordance with the procedures set forth herein; and

Therefore, be it resolved that the jurisdictions and private entities who are participating in this process have agreed that the following procedures will be followed.

Submission of Reward Claims

Any individual who seeks to claim reward money should submit their claim in writing using the following procedures:

1. All claims should be submitted to:
Lieutenant Natalie Cortez
Detective Bureau
Los Angeles Police Department
100 West First Street
Los Angeles, CA 90012
Phone: 213-486-7000
Fax: 213-486-7020
email: 30640@lapd.lacity.org
2. All claims must be in writing.
3. All claimants seeking to be eligible to receive reward money must sign the below Acknowledgement and Waiver form, agreeing to this process.
4. All written claims that have been previously submitted will be considered, provided that the attached Acknowledgement and Waiver form is submitted.
5. The Deadline for submission of reward claims and the Acknowledgement and Waiver form is: April 19, 2013. Any claims for a reward submitted after that date will not be considered. Any claims that fail to include a signed Acknowledgement and Waiver form will not be considered.

While it is generally the intent of the reward donors to create a universal process that is adopted by all private donors and jurisdictions who offered reward money, it must also be recognized that individual Cities and Counties who offered reward money may have their own established reward process that is based on their local ordinances, precedents, or advice of counsel. As a result, claimants need to be aware that they may need to follow the rules, requirements or procedures for each individual jurisdiction that offered a reward in addition to the requirements set forth in this document. Nothing in these procedures should be interpreted as circumventing or superseding the requirements of any City or County that offered a reward during the Dorner investigation. Cities and Counties who offered a reward may choose to participate in these procedures. To the extent they agree, they may submit their reward monies to the trust account that has been established and that has been described herein.

In an effort to offer clarity as to the participants in this process and identify those who have pre-existing established reward procedures with which claimants should also comply, please see Exhibit A to this document. This list is for information purposes only. All claimants are responsible to ensure that they have filed all necessary claims and have followed any rules and procedures established by Cities and Counties who offered a reward.

Evaluation of Claims

All claims submitted following the above process will be considered.

Law enforcement agencies that were assigned to the investigation will be invited to collaborate together in reviewing the reward claims. Law enforcement agencies who will be invited to participate in this process include: the Federal Bureau of Investigation, the United States Marshals Service, the Corona Police Department, the Irvine Police Department, the Los Angeles Police Department, the Riverside Police Department, the Riverside County Sheriff's Department, and the San Bernardino County Sheriff's Department. Any other law enforcement agency that wishes to participate, due to their involvement in the investigation, will be permitted to participate.

On a date following the April 19, 2013 claim submission deadline, law enforcement officers will present information regarding the investigation and the reward claims to a panel of three judges who will hear all relevant information regarding the investigation and the claims. The judges will select the date(s) on which they will hear from the law enforcement agencies. The judges will determine whether or not they need to hear from the claimants, or whether the written claims and evidence presented constitute a sufficient basis upon which to make their recommendation.

The three judges who have agreed to hear this matter are:

Judge Lourdes Baird, United States District Court, Central District of California (ret.);
Judge Robert Bonner, United States District Court, Central District of California (res.);
and
Justice Carlos Moreno, California Supreme Court (ret.).

Claimants and any individuals representing claimants should not directly contact the judges regarding this matter.

The judges will make a recommendation(s) as to whether any claimant or claimants offered information that led to the identification and apprehension of Christopher Dorner, and how the reward money should be distributed, if at all. For purposes of this reward it is irrelevant that Mr. Dorner may have been deceased when "apprehended". For purposes of this reward, it is also irrelevant that Mr. Dorner has not been convicted. This reward is not conditioned on his conviction, and even if it were, satisfaction of that condition would be legally excused. Mr. Dorner's death has made satisfying such a condition impossible.

Eligibility Requirement for Reward

All claims will be considered, but claimants need to be aware of the following eligibility requirements for claiming rewards (the following criteria mirror the legal requirements of many local jurisdictions involved):

- Rewards shall not be paid to any person who is compensated, through employment or otherwise, for acts or findings that would otherwise entitle the person to claim the reward (i.e., members of the news media).
- Rewards shall not be paid to any public officer or employee whose employment includes duties of law enforcement.

- No offer of reward shall be made to anyone who may have acted as an agent for the suspect.
- Rewards shall not be paid to any person who is a government officer or employee, or a dependent of such officer or employee.
- The claimant(s) must provide continued cooperation with all law enforcement entities and representatives regarding any remaining aspect of the investigation.
- All other eligibility criteria that have been established by participating jurisdictions apply, regardless of whether those criteria or jurisdictions are listed herein.

Law Enforcement Responsibilities

The law enforcement entities involved shall:

- Document the date any claim is received, and the name and address of the potential claimant.
- Ensure that all claims submitted are considered by the panel of judges.
- Inform claimants that claims will be processed and presented to the judges.
- If a claimant is ineligible to receive payment, the reason for ineligibility shall be explained to the claimant. All claimants who are advised that they are ineligible will have an opportunity to present information challenging their ineligibility to law enforcement. Law enforcement shall provide the panel of judges with all information regarding individuals believed to be ineligible for the reward, the reasons provided to the claimant, and any information provided by the claimant challenging his or her ineligibility.
- Law enforcement shall offer the panel of judges all evidence and information that may support a reward being given to any individual claimant or claimants.
- Law enforcement entities are encouraged to offer a recommendation supporting or opposing payment of a reward to any claimant, and may include: (1) whether the claimant is eligible or ineligible to receive payment, along with an explanation supporting this recommendation; (2) an explanation as to the value of the claimant's contribution to the investigation (e.g., claimant's contribution was: vital; helpful but not essential; or of no value); and (3) should there be multiple claimants, information as to which claimants should receive a part of the reward, an explanation of the assistance provided by each claimant and an indication of the recommended percentage of the reward each claimant should receive.

Responsibilities of Judges

The judges engaged in this process have agreed to:

- Listen to and review all information presented to them.
- Make any inquiries they deem appropriate and consider any additional information that they see fit.
- Determine the date and location at which they will meet with the law enforcement agencies involved.
- Determine whether, and to what extent, they may wish to hear or consider additional evidence beyond what is provided by the law enforcement officers.
- Make a recommendation, as to whom and at what percentage, the reward money that has been collected should be distributed.
- Establish any additional procedures that they wish to implement in order to ensure a fair proceeding and determination as to the distribution of the reward funds.
- Make all efforts to complete this process in a timely manner.

Reward Monies

Private entities that verbally committed to participating in the reward process are currently submitting their donations to the Dorner Reward Trust Account held for distribution by the law firm of Richards, Watson and Gershon.

After the judicial officers involved in this process offer their recommendation(s):

- The recommendation(s) will be announced publicly.
- The recommendation(s) will be transmitted to the law firm of Richards, Watson and Gershon and the reward money held by the firm will be distributed in accordance with that recommendation. If the judges determine that all or part of the reward money shall not be given to any individual, those monies shall be returned to the reward donors on a pro rata basis.

Claimants should be aware that a number of jurisdictions, to include individual Cities and Counties, offered rewards during the Dorner investigation. To the extent any of these jurisdictions has their own claim procedure, claimants should submit their claims separately to those jurisdictions. All jurisdictions remain free to follow their own procedures and protocols required by their internal processes, but are free to adopt the process outlined herein as well.

EXHIBIT A

This list is an effort to clarify the entities participating in this reward process, and identify those jurisdictions that have pre-existing established reward procedures with which claimants should also comply.

This list is for information purposes only. All claimants are responsible to ensure that they have filed all necessary claims and have followed any rules and procedures established by Cities and Counties who offered a reward. Nothing in these procedures should be interpreted as circumventing or superseding the requirements of any City or County that offered a reward during the Dorner investigation. Cities and Counties who offered a reward may chose to participate in these procedures. To the extent they agree, they may submit their reward monies to the trust account that has been established and that has been described herein.

Entities Who Are Contributing to the Trust Account Fund:

The City of Irvine
The Federal Bureau of Investigation
The United States Marshals Service
AEG
First Watch
Los Angeles Dodgers
University of Southern California
Wells Fargo
Anonymous Donors

Jurisdictions That Have Pre-Existing Established Reward Procedures (and their respective laws, ordinances and procedures should be followed):

The City of Los Angeles
The County of Los Angeles
The County of Riverside

With respect to the jurisdictions who have their own established reward process, the participating law enforcement agencies have agreed that they will advocate that those entities accept the recommendation of the three judge panel described in this process.

ACKNOWLEDGEMENT AND WAIVER FORM

I, _____ (“Claimant”), hereby acknowledge that I have read and understand the document entitled Procedures for the Dorner Investigation Reward, issued on April 5, 2013.

By submitting a claim, I agree to submit to all of the procedures outlined in the document, as well as any other procedure that may be implemented during the process by the judges who have agreed to review this matter. I further agree to accept the recommendation made by the panel of judges. I understand that the decision of the judges is final, and not subject to appeal or further review. I further agree that I will not challenge the decision of the judges in any further proceeding or court of law.

Upon the submission of a claim under the Dorner Reward Fund (“Fund”), the Claimant, on behalf of themselves and their heirs, agents, representatives, successors, and assigns, irrevocably and unconditionally releases and discharges the City of Los Angeles, the City of Irvine, The County of Los Angeles, the County of Riverside, the County of San Bernardino, the U.S. Marshals Service, the Federal Bureau of Investigation, and all private donors to the Dorner Reward Fund whether identified by name or whether listed as anonymous, and all individuals and entities who contributed to or have participated in organizing the Fund (to include, but not be limited to the Judges named in the Procedures for the Dorner Investigation Reward, issued on April 5, 2013, and the law firm that distributes the reward) from any and all claims, charges, complaints, lawsuits, liabilities, claims for relief, obligations, promises, agreements, contracts, interests, controversies, injuries, damages, actions, causes of actions, suits, rights, demands, costs, losses, debts, liens, judgments, indebtedness, and expenses (including attorneys’ fees and costs actually incurred), and all other claims and rights of action of all kinds and descriptions, whether KNOWN OR UNKNOWN, suspected or unsuspected, actual or potential, which the claimant now has, owns, or holds, or claims to have, own, or hold against such individuals, jurisdictions and entities, at common law or under any statute, rule, regulation, order or law, whether federal, state, or local, or on any ground whatsoever, with respect to any act, omission, event, matter, claim, damage, loss, or injury arising out of any activities associated with filing a claim for reward money, or participating in the reward claim process, or arising out of any activities of Mr. Dorner, their investigation, or efforts to identify, locate, or apprehend Mr. Dorner arising up to the date of filing of the claim by the claimant.

Civil Code Section 1542 Waiver. Upon the submission of a claim to the Fund, Claimant, on behalf of themselves and their heirs, agents, representatives, successors, and assigns, hereby waives any and all rights that they may have pursuant to California Civil Code § 1542, which reads as follows:

A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.

Upon submission of a claim to the Fund, Claimant waives any rights that they might have to invoke section 1542 now or in the future with respect to the releases set out in this

Acknowledgement and Waiver. The Claimant also recognizes and acknowledges the factors that would have induced them to submission of a claim may turn out to be incorrect or different from what they had previously anticipated, and by submitting a claim to the Fund, the Claimant expressly assumes all of the risks of this waiver of section 1542.

Dated:

CLAIMANT