



# COLLIN COUNTY

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**To:** Collin County Commissioners Court  
**From:** Jeff May, County Auditor  
**Date:** December 18, 2015  
**Re:** Indemnification of Constable, Precinct 4, for loss of vehicle

The Constable, Precinct 4, experienced the total loss of a patrol vehicle in an accident on August 13, 2015, and has requested indemnification through the replacement of the vehicle. The Constable conducted an investigation of this accident (see attachment) and submitted it to me when it was complete. The policy requires the elected official to receive indemnification from Commissioners Court when an insurance loss is greater than \$20,000. In this case the vehicle replacement will cost approximately \$32,000. After completing my investigation into this matter I have determined that the loss was not the result negligence or criminal action on the part of the Constable himself; therefore, I recommend that you approve the indemnification of the Constable for this incident.

The following are the Commissioners Courts responsibilities in accordance with the policy:

3.3 The Commissioners Court will:

- (a) receive the recommendation of the County Auditor and after review of the recommendation and documentation either approve or deny the request for indemnification by the officer;
- (b) advise both the County Auditor and the requesting officer of its determination;
  - (i) the Commissioners Court's Order approving the officer's indemnification should contain:
    - (A) an explicit, unambiguous, statement stating the specified officer is indemnified against his/her personal liability for the loss of County funds, or loss of or damage to personal property, incurred by the officer in the performance of his or her official duties;
    - (B) a finding that the loss was not the result of the officer's negligence; and
    - (C) a finding that the loss was not the result of the officer's criminal action.