

Class and Settlement Notice

NOTICE OF CLASS ACTION, CLASS SETTLEMENT AND HEARING
RE: *Craft v. San Bernardino County, et al.*, Case No. EDCV05-0359 SGL.

Esta Notificación de arreglo colectivo está disponible en español. Llame sin cargo: **1-888-271-6718** o visite el siguiente sitio web: **www.SanBernardinoJailClassAction.com**.

If, on or after May 3, 2003, you were in any San Bernardino County jail facility, and either 1) you were strip searched before being arraigned after being transferred from a local to a main jail, or being transferred from another jail facility to San Bernardino, 2) you were strip searched after being transferred from a federal to a San Bernardino County jail, 3) you appeared in court and the judge ordered you released, and there was no other reason for San Bernardino County to detain you, but you were strip searched before your release, or 4) you were strip searched in a group,

You may be a CLASS MEMBER and entitled to MONEY.

On April 1, 2008, a class action settlement was approved in settlement of a lawsuit filed in the United States District Court, Central District of California. Notice was sent to those Class Members who could be found, and the claims deadline passed. The Court recently agreed to extend the claims deadline for a short period. Claims will now be accepted through May 4, 2009 for this Settlement. **THIS DEADLINE WILL NOT BE EXTENDED AGAIN, SO MAKE CLAIMS NOW.**

San Bernardino County records show that **you may be a CLASS MEMBER**. Therefore, **you may be eligible to receive MONEY**. To receive any money in this approved Settlement, **you must fill out and mail a Claim Form**.

Your Claim Form

must be **postmarked** or received by the Administrator
no later than May 4, 2009.

If you do not submit a Claim Form(s), you will be bound by the Settlement, but will not receive any payment from the settlement fund.

**If You Wish to Claim Money,
Fill Out and Mail the Enclosed Claim Form Today.**

If you receive more than one Claim Form, sign and file all Claim Forms you receive.

Below are questions and answers designed to explain to you information about this lawsuit, including how to proceed to file a claim or otherwise participate in the Settlement process.

1. What Is The Class Action Lawsuit About?

This lawsuit involved the former policy and/or practice of the San Bernardino County Jail of strip searching the following categories of inmates without reasonable suspicion that they possessed weapons, drugs or contraband: 1) arrestees who were transferred from a local jail to a main jail before they were arraigned, 2) federal inmates who were transferred to the San Bernardino County Jail, 3) inmates transferred from another jail to San Bernardino County to be arraigned on charges there, and 4) inmates who had appeared in court and became entitled to release after their appearance. In addition, it involves inmates of the San Bernardino County Jail who do not fit into the above categories but were strip searched in a group rather than individually.

2. Who Is A Member Of The Class?

You are a member of the class if you meet the class definition (summarized above and set forth fully in the judge's orders) and your claim can be verified from the records of the San Bernardino County Sheriff's Department.

San Bernardino County must have a record of your being in custody such that officials can identify you individually by true name and other methods of identification and ascertain that you qualify as someone who is a member of the class. Such records are the sole and final way it is determined who is a member of the class.

3. What Is The Purpose Of This Notice?

You have a right to know about this Settlement. Notices were mailed to all Class Members at the last known address available from the records of the San Bernardino County Sheriff's Department. Although the Settlement has been approved, and you are bound by the Settlement, this Notice is intended to provide you actual notice of this Settlement, and to give you the opportunity to participate by filing a claim.

This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are obtained, who is eligible and how to file a claim.

The Court in charge of the case is the United States District Court for the Central District of California, located in Riverside, California. The case is known as Craft v. San Bernardino County, et al., Case No. EDCV05-0359 SGL. The people who brought the case are called Plaintiffs, and the people they sued are called Defendants.

4. Why Is This A Class Action?

In a class action, one or more persons, called the Class Representative(s), sue on behalf of a group of people who have similar claims – the Class Members. One court then resolves the issues for all Class Members, except for those who exclude themselves from the class.

5. Why Is There A Settlement?

The Court ruled that certain of the claims in this lawsuit are correct. This is a decision that Defendants in the case could have appealed. Some issues have not yet been resolved by the Court. Instead of continuing, both sides agreed to a Settlement, which the Court approved after giving notice to the Class Members who were previously identified. By settlement, both sides are able to avoid the risks and costs of a trial or appeal, the case can be resolved immediately, and the benefits of the Settlement are made immediately available to the Class Members. The Class Representatives and their attorneys believed that the Settlement was fair to the Class Members and the parties in the case and thought that the terms of the Settlement were a fair, reasonable and adequate resolution of this matter. By its order of approval of settlement on April 1, 2008, the Court agreed and approved the Settlement.

6. Were There Lawyers Representing You?

The Court approved lawyers (called "Class Counsel") to collectively represent the class. You are not required to pay your own personal money for the services of these attorneys and their associates and staff in litigating this case and negotiating this Settlement. Instead, the lawyers sought and received payment from the fund obtained on behalf of the class, as is described further below.

7. What Does The Settlement Provide?

The Settlement provided for payment of a total of approximately \$25,500,000. From the \$25,500,000, the following awards were made:

- a) An award of Attorneys' Fees, amounting to 25% of the approximately \$25,500,000 total.
- b) Payment of litigation costs and settlement administration fees.

- c) Payment of a total of \$200,000, a portion of which was paid to each individual who was a Named Plaintiff and Class Representative, and whose individual damages could be assessed prior to Settlement. These Plaintiffs received more under the Settlement than other Class Members because of the role that they played in the litigation, and because of individualized damages determinations made in their cases.
- d) Payment of the remainder, estimated to be approximately in the range of \$17,000,000-\$18,000,000, to the members of the class who file claims for payment.

Because this Settlement covered all possibilities, approximately \$600,000 of the Settlement will be held back to cover possible County defense costs to defend against claims of people who excluded themselves from the Settlement. If funds remain after the County's cost to defend against them, they will be distributed to Class Members who have filed timely claims in a further distribution(s) after such issues are all over, but these later rounds of distribution will be adjusted to the extent necessary so that only Class Members who would receive \$50 or more will receive payments.

The Settlement also states that San Bernardino County Jail no longer engages in the practices being settled (i.e., except where there is reasonable suspicion to do so, will no longer strip search transferees before arraignment, will no longer strip search federal inmates at the time of transfer, will no longer strip search inmates being transferred from another jail to San Bernardino to face charges there, will no longer strip search court returns who are entitled to release, and will no longer strip search in groups).

8. Will I Receive Anything From The Settlement?

If it is verified that you are a Class Member, and you file an approved claim by May 4, 2009, you will be entitled to receive compensation.

The amount you will receive if you do file a claim depends on a variety of factors, including which class you are in, and how many times this occurred to you. The full description of the system to determine how much each Class Member will receive is contained in the Final Order of Approval and Settlement, which is contained on our website (www.SanBernardinoJailClassAction.com).

9. What Do I Do To Get Money?

If you wish to receive money from the Settlement, you must complete and submit the accompanying Claim Form. Read the instructions on the Claim Form carefully. **All Claim Forms must be completed and postmarked (or received by the Administrator) no later than May 4, 2009**, but it is recommended that you complete and mail your Claim Form as soon as possible. **If you do not timely and properly submit your Claim Form, you will not receive any money** from the Settlement. If you need a copy of a Claim Form, please call 1-888-271-6718 (toll free), or write to the *Craft v. San Bernardino County* Settlement Administrator, P.O. Box 6142, Novato, CA 94948-6142, or download the Form from the Internet at www.SanBernardinoJailClassAction.com.

10. What If I Still Don't Know If I Am A Class Member?

Determinations of whether you are or are not a Class Member will be based exclusively on records of the San Bernardino County Sheriff's Department. It is important that you fill out your Claim Form accurately and completely with the required information so that the Settlement Administrator can determine your eligibility in this Settlement.

11. Can I Exclude Myself From The Settlement?

Since the Settlement has already been approved by the Court and adequate Notice provided to the class, you are unable to exclude yourself from this Settlement. The Court ordered that if you are a member of the class, you are bound by the terms of the Settlement. Your options at this point are to do nothing and still be bound by the terms of the Settlement or to file a claim.

Anyone filing an approved claim is guaranteed to receive at least \$50.

12. What Is The Release Of Claims?

As part of the Settlement, you released the claims covered by this lawsuit in exchange for the money you are entitled to receive if you file a claim in this Settlement. The Final Order of Approval and Settlement (which you may view on the website for this lawsuit at www.SanBernardinoJailClassAction.com) describes the legal claims against the Defendants you gave up by staying in the class. The Released Claims include all claims, demands, causes of action, whether class, individual or otherwise in nature, damages whenever incurred, liabilities of any nature whatsoever, including costs, expenses, penalties and Attorneys' Fees that were asserted in the complaint, specifically for the strip searches described earlier. These Released Claims include any other related complaints, grievances, and/or claims, whether judicial or administrative, and whether actually filed or available. Released Claims do not include any other claim(s) that a Plaintiff or member of the class may have against San Bernardino County for conduct not covered by this Settlement, for example, a false arrest or battery by a police officer.

13. What If I Do Not Like The Settlement?

Since the Settlement has already been approved, and the broadest notice available at the time was provided, your choices are to affirmatively participate in the Settlement by sending in your Claim Form, or simply do nothing. If you do not file a claim, you will still be bound by the Settlement but will receive no payment from the settlement fund.

14. What Will Happen If I File A Claim?

Since the Settlement has already been approved by the Court, there will be no further hearing. Instead, the Court has already provided that anyone who files a claim will be paid from the settlement fund based on the point value of each claim and the class funds still available. The Settlement Administrator will not be able to provide you with specific payment information regarding any distribution because a variety of factors contribute to calculating the value of each award.

15. What Happens If I Do Nothing At All?

If you do nothing, your rights will be affected. You will be bound by the terms of the Settlement and you will be agreeing to a release of the claims that are contained in the Settlement. However, because you did not file a claim, you will not be entitled to any money from the Settlement.

16. When Will I Receive Money From The Settlement?

Based on the May 4, 2009 date to file claims, we anticipate that you would receive money by approximately August 3, 2009. If you file a claim and do not receive money within six months after May 4, 2009, which is your last day to mail or file a claim, check the website for this case about when mailings are expected, or contact the Settlement Administrator by either calling 1-888-271-6718 or writing to:

Craft v. San Bernardino County Settlement Administrator
P.O. Box 6142
Novato, CA 94948-6142

We strongly recommend that you keep a copy of your Claim Form. You may want to send the Form in by certified mail so it can be verified, but you are not required to do so.

17. Are There More Details About The Settlement?

This Notice merely summarizes the Settlement. You may go to the website titled www.SanBernardinoJailClassAction.com to see the complete Settlement documents in the case. In the event that any description in this Notice of the terms in the Settlement documents conflict with the actual terms of the Settlement documents, the terms of the Settlement documents control.