

April 1, 1999

**H 817. LAW ENF. OFF. DISCIPLINE.** *TO STANDARDIZE THE INVESTIGATION AND DISCIPLINE OF LAW ENFORCEMENT OFFICERS AND TO PROVIDE FOR JUDICIAL REVIEW.* Enacts new GS Ch. 17F ("Investigation and Discipline of Law Enforcement Officers"). Provides that no law enforcement officer may be discharged, suspended, or demoted for disciplinary reasons except for just cause. Requires that each employing agency of law enforcement officers establish minimum procedures to ensure that any officer is afforded due process of law before imposition of any disciplinary action against the officer, including, as a minimum, the right to a hearing before a fair and impartial board or hearing officer, the right to be represented at the officer's expense, the right to examine witnesses and to call witnesses and present evidence, and the right to have all meetings recorded. An agency that currently uses an established civil service system or personnel board that meets these requirements need not develop a new process. Provides that officer may be immediately suspended with pay if his or her continued presence on the job constitutes a substantial and immediate threat to the welfare of the agency or the public, or if the officer refuses to obey a direct order in conformance with the employing agency's rules. Officer is in these cases entitled to a hearing after the suspension has taken effect. Effective Oct. 1, 1999; applies to investigations and disciplinary proceedings on or after that date.

**Intro. by Hensley.**

Ref. to Judiciary II

GS 17F