



# **NORTH CAROLINA POLICE BENEVOLENT ASSOCIATION**

A Division of Southern States Police Benevolent Association

2155 Highway 42 S

McDonough, GA 30252-7636

(770) 389-5391 • (800) 233-3506

Fax: (770) 389-4572 • (866) 337-7722

[www.sspba.org](http://www.sspba.org)

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**To House Select Committee on Community Relations, Law Enforcement and Justice**

Dear Chairpersons Baker, Hunter, and Szoka:

**RE: Public Comment Recommendation to Committee**

As this Committee considers its draft recommendations for final presentation we respectfully request consideration for a due process component for Recommendation 2:

**Create Requirements for Law Enforcement Agencies to Report Discipline Actions,  
Resignations, Terminations and De-Certifications.**

Currently, most municipal and county law enforcement agencies do not provide independent hearing or review processes in determining alleged officer misconduct or adverse employment action. Consequently, rather than a finding of fact and conclusion of law and policy principle, these agencies, whether well intended or not, utilize a process open to abuse, all too often leading to decisions that are politically and personally motivated.

No professional law enforcement officer wants officers in the profession who discredit the job and abuse our citizens. They just want fairness.

In the current administrative system false or misleading information in an officer's personnel file is generally limited from public review.

However, if officer conduct is to be subject to discipline maintained in a public statewide database and disseminated nationally resulting in de-certification, loss of career and public humiliation and ridicule, it would seem that allowing a fair hearing for those officers who want to be heard is certainly not too much to ask.

Further, it is worth noting that our US Supreme Court has long held that police officers are not relegated to a watered-down version of Constitutional rights. It would therefore appear that for the government to publish information that could impact employment, career and personal reputation, some mechanism to ensure citizen rights and the rule of law surely must apply to those who risk their lives daily to uphold the rights of everyone else.

On behalf of all our members, their families and the entire law enforcement community we appreciate your consideration in this request.

Sincerely,

Randy Byrd  
Division President  
North Carolina Police Benevolent Association