

HB 3045 -- ADMINISTRATIVE INVESTIGATIONS OF LAW ENFORCEMENT OFFICERS

SPONSOR: Irwin

This bill modifies provisions related to administrative investigations of law enforcement officers by:

- (1) Adding a definition for "law enforcement agency";
- (2) Amending the definition of "law enforcement officer" to include a commissioned peace officer who was employed by any of the entities specified in the definition;
- (3) Specifying that a transfer of employment as disciplinary action is a transfer that results in economic loss;
- (4) Requiring the law enforcement officer who is the subject of the investigation to be made aware of the existence of the investigation and the specific rules or provisions of policy allegedly violated and to receive a complete and unredacted copy of the complaint;
- (5) Specifying that the person filing the complaint will be considered the complainant and prohibiting an agency from taking and investigating the complaint if the complainant refuses to be identified;
- (6) Requiring the questioning to be conducted by up to two commissioned personnel of the investigating agency;
- (7) Requiring the date the complaint was received to be stated in the complaint;
- (8) Allowing an officer's representative to make a written request for the complete record of the administrative investigation;
- (9) Ensuring the officer under investigation receives full due process before receiving disciplinary action, including requiring the hearing to be conducted by a neutral person or body and giving the officer 10 days from the date written notice of the recommended disciplinary action is given to request a hearing;
- (10) Amending the components of a hearing;

(11) Authorizing law enforcement officers to appeal the final decision of an investigation to the proper circuit court; and

(12) Providing a three-year statute of limitation from the date the officer is given written notice of a final decision to file an appeal.