

HIRING AND DISCIPLINE SUBCOMMITTEE MEETING MINUTES

DATES: The subcommittee convened as a virtual meeting via Zoom on January 3, 2021

TIME: The meeting convened at 5:00 p.m.

ATTENDEES: All subcommittee members were present: Nadia Salazar, Eric Sterling, Caroline Frederickson and Alicia Hudson.

SUBJECT: Bill 34-20

AGENDA: There was no written agenda.

MATTERS DISCUSSED:

BILL 34-20

A commissioner stated that she did not personally support it, but as a body would support it and with the warning and caveat that the police union collective bargaining unit is very different from other collective bargaining units of civil servants. The commissioner stated that she was concerned that too much power would be vested in the Police Chief, and that the bill might create possible harm to other CBA entities. She further stated that the bill is some incremental change but stated that this should not have any detrimental change on other public servant collective bargaining bodies.

Another commissioner concurred regarding her concern for collective bargaining. The commissioner expressed general support for the bill, but preferred a full repeal of LEOBR and queried if the state fails to appeal or sufficiently revise, is Bill 34-20 the manner of ensuring that.

Another commissioner stated regarding Bill 34-20, that half of it is about the CBA rights that all the officers have. The commissioner stated that the first half of it guarantees all of those rights: the hearing board has 3 hearing board officers; the police chief may appoint 2 voting public members in excessive force use cases (2 public members and 3 law enforcement officers). The commissioner added that there will always be at least three members of the non-voting public. There must ALWAYS be at least one voting member of the public in ANY incident alleging police misconduct. The commissioner ended by stating, that the public is interested in police accountability in more than solely excessive force matters.

The subcommittee members, having reviewed Bill 34-20, shared comments on the bill. The subcommittee members were in agreement regarding their views on LEOBR and the need to address community concerns regarding LEOBR. The members concurred on the following points regarding Bill 34-20:

- Of primary interest and concern is that LEOBR should be repealed. It impedes the administering of disciplinary measures to address officers' misconduct. It affords officers protections that

no other public worker/civil servant enjoys. The officers may choose a hearing by a board comprised mostly of officers. The Police Chief should have plenary authority. LEOBR prevents that. Officers are entitled to the same rights under the Constitution as all citizens. They are NOT entitled to MORE rights than the very citizens they are charged with protecting AND whose tax dollars pay their salaries!

- The foregoing having been stated, Bill 34-20 addresses some of the concerns of the community: reinstating a traditional hearing board with two voting public members in cases of citizens complaints alleging excessive force; authorizing the Chief of Police to issue a Final Order based on the hearing board's recommendations and to exercise his right as an "employer", meaning the authority to fire the officer. (An ongoing overarching concern has been that the accused officer was able to avoid direct disciplinary decisions by the Chief AND was able to receive a hearing from a hearing board devoid of members of the public who had ANY voting power on the board.)
- The "voting members of the public" should be enough in number that the public (by and through the public voting members) would have a real impact on the final decision in the disciplinary measure to be recommended for an accused officer.

THE MEETING ADJOURNED AT 6:00 PM.

Respectfully submitted,

Hiring & Discipline Subcommittee