

RESOLUTION NO. 91-33

CITY OF LAKE ELMO

WASHINGTON COUNTY, MINNESOTA

**A RESOLUTION OPPOSING "POLICE BILL OF RIGHTS" LEGISLATION
(HR 2946)**

WHEREAS, the U.S. Congress is considering adoption of legislation that would pre-empt state and local laws and require cities to impose federal standards on the conduct of internal investigations of police misconduct by the city while providing police officers subject to such discipline the right to sue cities for monetary and other damages, including full reinstatement;

WHEREAS, these provisions restrict the authority and ability of the Police Chief to investigate allegations of police misconduct or use of excessive force;

WHEREAS, definitions provided in the legislation are so unclear that interpretations could prevent any measures without the need for formal hearings;

WHEREAS, restrictions raise the issue of whether police officers would no longer be subject to normal supervision;

WHEREAS, provisions raise the conduct of such disciplinary investigations to the level of criminal proceedings;

WHEREAS, "Police Officers Bill of Rights" imposes the will of the federal government on matters that are clearly state and local labor relations issues;

WHEREAS, some states, including Minnesota, have adopted similar requirements, while others have rejected such legislation;

WHEREAS, the legislation directly interferes with local processes governing provision of police services;

WHEREAS, provisions appear to disallow local appointment of civilian review boards and require that the entire investigative file be open to the police officer under investigation while not providing personnel file information on such officers to those investigations;

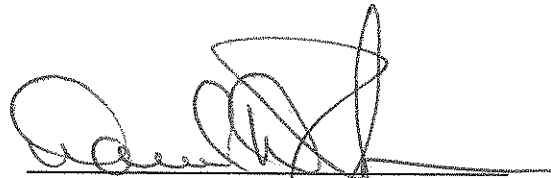
WHEREAS, congress has failed to hold any hearings or to investigate the views of police officials and others who would be adversely affected by such restrictions; and

WHEREAS, this proposal is unrelated to local government efforts to fight crime, control drug abuse and reduce violence, therefore should not be included in federal anti-crime legislation;

NOW, THEREFORE, BE IT RESOLVED, that the City of Lake Elmo opposes the federal imposition of a "Police Officers Bill of Rights" or other similar legislation.

BE IT FURTHER RESOLVED, that the City of Lake Elmo urges Congress to hold hearings on this issue in both the House and Senate to solicit views of city officials charged with ensuring the public safety of our neighborhoods and the responsibility for management of local police department affairs.

Adopted by the City of Lake Elmo, this 15 day of October, 1991.


David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator