

**NORTH CAROLINA
POLICE BENEVOLENT ASSOCIATION, INC.**



The *Law Enforcement Officer Discipline Act* (H.B. 980) should be passed for numerous reasons, some of which are summarized below:

- * Would anyone want to be subject to complete arbitrary discipline by a government bureaucracy without an element of fairness and an opportunity to be heard to contest false allegations?

- * There is a statewide need for a stable and consistent disciplinary procedure for all law enforcement officers similar to the statewide law enforcement standards required of officers under chapter 17C. "The General Assembly finds that the administration of criminal justice is of statewide concern..." N.C.G.S. 17C-1.

- * The General Assembly has recognized the need for statewide disciplinary procedures for school teachers, state legislators and others. For example, when citizens accuse legislators of misconduct, state law affords legislators a right to a hearing to contest the allegations before the legislator can be disciplined. N.C.G.S. 120-104 (b). Officers should have similar rights.

- * The General Assembly has recognized that state law enforcement officers are entitled to a right to be heard and administrative due process as per the State Personnel Act, chapter 126 of the General Statutes. Municipal law enforcement officers are equally as deserving as are state troopers and other state officers.

- * The disciplinary procedures bill provides structure, certainty and fairness for officers, complaining citizens and agencies.

- * The overwhelming majority of law enforcement officers in the United States have been afforded the decency of a right to a hearing before being fired so that honorable police officers cannot be arbitrarily fired based on false allegations or retaliation. Many state statutes enacted elsewhere throughout the country have worked well to fairly administer police personnel systems.

- * This legislation is supported by the vast majority of North Carolina municipal law enforcement officers. Some law enforcement management groups will tell you differently, but many of their own group members support HB 980.

* The bill promotes professionalism, morale and uniformity of treatment in the law enforcement profession.

* The bill will substantially reduce costs by retaining experienced and qualified officers and by reducing the risk of expensive and unnecessary litigation and removing the guesswork from personnel procedures.

* The bill provides for a right to a hearing and allows for the fact finder to fully discipline officers including but not limited to termination.

* Criminal defendants and anti-police organizations have learned that bringing complaints against police officers can be used to pressure district attorneys to reduce or dismiss charges. Frivolous accusations against police officers are at an all-time high.

* Criminals are afforded extensive rights to multiple hearings with state-financed lawyers and elaborate rights. Officers are at least entitled to a minimum basic right to be heard before being fired.

* Law enforcement involves the most dangerous and challenging work, excluding only the military. To require officers to risk their lives on a daily basis without affording officers a simple hearing when accused is inhumane and not representative of modern North Carolina values.

* The more than 10, 000 members of the NCPBA and the NCFOP support HB 980.

