

S 718

State and Local Law Enforcement Discipline, Accountability, and Due Process Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Apr 6, 2005

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3284-

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3284-3288) (Apr 6, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/718>

Sponsor

Name: Sen. Biden, Joseph R., Jr. [D-DE]

Party: Democratic • **State:** DE • **Chamber:** Senate

Cosponsors (11 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cantwell, Maria [D-WA]	D · WA		Apr 6, 2005
Sen. Chambliss, Saxby [R-GA]	R · GA		Apr 6, 2005
Sen. Corzine, Jon S. [D-NJ]	D · NJ		Apr 6, 2005
Sen. Dayton, Mark [D-MN]	D · MN		Apr 6, 2005
Sen. McConnell, Mitch [R-KY]	R · KY		Apr 6, 2005
Sen. Murray, Patty [D-WA]	D · WA		Apr 6, 2005
Sen. Specter, Arlen [R-PA]	R · PA		Apr 6, 2005
Sen. Boxer, Barbara [D-CA]	D · CA		Apr 21, 2005
Sen. Stabenow, Debbie [D-MI]	D · MI		Mar 28, 2006
Sen. Menendez, Robert [D-NJ]	D · NJ		Mar 31, 2006
Sen. Santorum, Rick [R-PA]	R · PA		Jul 11, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Apr 6, 2005

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
109 HR 354	Related bill	Mar 2, 2005: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Summary (as of Apr 6, 2005)

State and Local Law Enforcement Discipline, Accountability, and Due Process Act of 2005 - Amends the Omnibus Crime Control and Safe Streets Act of 1968 to set forth the due process rights, including procedures, that shall be afforded a law enforcement officer (officer) who is the subject of an investigation or disciplinary hearing.

Declares that an officer shall not be: (1) prohibited from engaging in political activity or be denied the right to refrain from engaging in such activity, except when on duty or acting in an official capacity; and (2) prohibited from being a candidate for an elective office or from serving in such elective office solely because of the officer's status as an officer, with exceptions.

Requires that: (1) each agency adopt and thereafter comply with a written complaint procedure that meets specified requirements; and (2) an investigation based on a complaint from outside the agency commence not later than 15 days after receipt of the complaint by the agency employing the officer against whom the complaint has been made, or any other agency charged with investigating such complaint.

Directs that any officer who is the subject of an investigation be notified of the investigation 24 hours before the commencement of questioning. Establishes rights of officers before and during questioning, including the right to counsel. Requires questioning to be conducted at reasonable hours. Prohibits an officer from being compelled to submit to the use of a lie detector.

Actions Timeline

- **Apr 6, 2005:** Introduced in Senate
- **Apr 6, 2005:** Sponsor introductory remarks on measure. (CR S3283-3284)
- **Apr 6, 2005:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S3284-3288)