

HR 1789

State and Local Law Enforcement Discipline, Accountability, and Due Process Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: May 5, 2011

Current Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Latest Action: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (Jun 1, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/1789>

Sponsor

Name: Rep. Paulsen, Erik [R-MN-3]

Party: Republican • **State:** MN • **Chamber:** House

Cosponsors (17 total)

Cosponsor	Party / State	Role	Date Joined
Rep. LaTourette, Steven C. [R-OH-14]	R · OH		May 5, 2011
Rep. Pascrell, Bill, Jr. [D-NJ-8]	D · NJ		May 5, 2011
Rep. Sutton, Betty [D-OH-13]	D · OH		May 5, 2011
Rep. Sherman, Brad [D-CA-27]	D · CA		Jun 15, 2011
Rep. Heinrich, Martin [D-NM-1]	D · NM		Jul 15, 2011
Rep. Holden, Tim [D-PA-17]	D · PA		Jul 15, 2011
Rep. Rothman, Steven R. [D-NJ-9]	D · NJ		Feb 28, 2012
Rep. Green, Gene [D-TX-29]	D · TX		Mar 5, 2012
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Mar 5, 2012
Rep. Quigley, Mike [D-IL-5]	D · IL		Mar 5, 2012
Rep. Dent, Charles W. [R-PA-15]	R · PA		Mar 19, 2012
Rep. Sanchez, Loretta [D-CA-47]	D · CA		Mar 19, 2012
Rep. Johnson, Bill [R-OH-6]	R · OH		Mar 21, 2012
Rep. Filner, Bob [D-CA-51]	D · CA		Mar 29, 2012
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		May 18, 2012
Rep. McIntyre, Mike [D-NC-7]	D · NC		Jun 6, 2012
Rep. Chandler, Ben [D-KY-6]	D · KY		Jul 18, 2012

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Jun 1, 2011

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Summary (as of May 5, 2011)

State and Local Law Enforcement Discipline, Accountability, and Due Process Act of 2011 - 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: (1) each state or local law enforcement agency to adopt and comply with a written complaint procedure that meets specified requirements, (2) an investigation based on a complaint from outside the agency about a law enforcement officer to commence not later than 15 days after receipt of the complaint by such agency or by any other agency charged with investigating such complaint, and (3) any officer who is the subject of an investigation to be notified of the investigation 24 hours before the commencement of questioning.

Grants procedural protections to officers subjected to questioning incidental to an investigation that may result in disciplinary action, including: (1) the right to effective counsel, (2) the right to be questioned at a reasonable hour, (3) written notice of investigative findings and disciplinary recommendations and the right to submit a written response, and (4) access to the complete file of the investigation and the right to examine physical evidence. Prohibits an officer from being compelled to submit to the use of a lie detector.

Sets forth requirements and procedures for conducting disciplinary proceedings and for protecting the officer's personnel records.

Actions Timeline

- **Jun 1, 2011:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **May 11, 2011:** Sponsor introductory remarks on measure. (CR H3207)
- **May 5, 2011:** Introduced in House
- **May 5, 2011:** Referred to the House Committee on the Judiciary.

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