



Hundredth Legislature - First Session - 2007
Introducer's Statement of Intent
LB 428

Chairperson: Brad Ashford
Committee: Judiciary
Date of Hearing: February 8, 2007

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 428, the Peace Officer Employee-Employer Relations Act, is designed to establish a minimum statewide standard of procedural due process for all Nebraska local law enforcement personnel when they are placed under formal administrative investigation by their employer.

LB 428 would require that such investigation or interrogation:

1. Be conducted when the officer is on duty or during normal duty hours;
2. Be conducted at the employer facilities unless urgent circumstances require otherwise;
3. The officer is given prior written notice of employers proposed interrogation, who will conduct the interrogation and the nature of the investigation and the names of complaining parties if possible and that notice shall go the officers commanding officer;
4. The officer is given a copy of the written formal complaint 24 hours prior to the interrogation unless waived by the officer, or the complaint alleges intoxication or alleged drug use;
5. The officer is permitted to have representation present during the interrogation;
6. The officer is notified that any statement given may be used by the employer as part of the formal investigation; and
7. The interrogation shall not normally exceed 14 hours, (including the officer's work shift) within a 24-hour period and shall be conducted by not more than two interrogators at any given time.

Nothing contained in LB 428 prevents an employer from investigating or making administrative rulings regarding a peace officer's conduct

LB 428 does not apply to any criminal investigation conducted on an officer.

Principal Introducer:

Senator John Synowiecki