

§ 2403. LAW ENFORCEMENT AGENCIES; DUTY TO REPORT 9

(a)(1) The executive officer of a law enforcement agency or the chair of the agency's civilian review board shall report to the Council within 10 business days if any of the following occur in regard to a law enforcement officer of the agency:

(A) ~~There is a finding of probable cause that an officer has committed Category A conduct.~~

~~(i) Any decision or findings of fact or verdict, regarding allegations that the officer committed Category A conduct, including a judicial decision or any appeal therefrom.~~

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~~(B) The~~ agency receives a complaint against the officer that, if deemed credible by the executive officer of the agency as a result of a valid investigation, alleges that the officer committed Category B unprofessional conduct.

~~(B)C~~ The agency receives or issues any of the following:

(i) a report or findings of a valid investigation ~~into allegations~~ finding that the officer committed ~~Category A or~~ Category B conduct;

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(ii) any decision or findings, including findings of fact or verdict, regarding allegations that the officer committed ~~Category A or~~ Category B conduct, including a hearing officer decision, arbitration, administrative decision, or judicial decision, and any appeal therefrom; or

~~(iii) a finding of probable cause that the officer committed 3 Category A conduct.~~ ~~(C)D~~ The agency terminates the officer for Category A or Category B conduct.

~~(D)E~~ The officer resigns from the agency while under investigation for unprofessional conduct.

(2) As part of his or her report, the executive officer of the agency or the chair of the civilian review board shall provide to the Council a copy of any relevant documents associated with the report, including any findings, decision, and the agency's investigative report.

(b) The Executive Director of the Council shall report to the Attorney General and the State's Attorney of jurisdiction any allegations that an officer committed Category A conduct.

§ 2406. PERMITTED COUNCIL SANCTIONS

The Council may impose any of the following sanctions on a law enforcement officer's certification upon its finding that a law enforcement officer committed unprofessional conduct:

(a) If the agency retains the officer the Council may issue:

(1) a written warning; or

(2) a suspension, but to run concurrently with the length and time of any suspension imposed by a law enforcement agency with an effective internal affairs program, which shall amount to suspension for time already served if an officer has already served a suspension imposed by his or her agency with such a program;

(b) If the agency does not retain the officer or if the officer resigns, the Council may order:

(3) revocation with the option of recertification at the discretion of the Council; or

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(4) permanent revocation.