

Law Enforcement Review Advisory Committee (LERAC)  
27 August 2008, noon  
Conference Room B, County Courthouse,

Attendance: Byrd Lochtie (Acting chair), Sheila Nitzel, Larry Miller, Bonnie Neely, Rick Botzler

At Neal's request, Byrd called the meeting to order. Because of low attendance, approval of the 20 August minutes were delayed to the 3 September meeting.

Those present agreed to consider further some of the remaining items for the Advisory Committee on Law Enforcement, with the understanding that absent committee members also will need to discuss these issues before a consensus can be drawn.

Old item 10. [Advisory Committee on Law Enforcement will] work with the Grand Jury to integrate the Grand Jury's role into any oversight program.

After some discussion, the participants proposed clarifying the proposed relationship between the auditor and the Grand Jury as follows:

**“Proposed 10. The Advisory Committee on Law Enforcement and auditor together may decide to refer a matter to the Grand Jury.”**

Old item 11. Periodically review the criteria justifying recommendation for an independent auditor; criteria should include an officer-caused death of a member of the public

After discussion, the participants that the that present committee (LERAC) should propose the criteria for an independent auditor, and that the criteria should include an officer-caused death of a member of the public. The role of the Advisory Committee on Law Enforcement was proposed to be changed to the following:

**“Proposed 11. The Advisory Committee on Law Enforcement will periodically review criteria for their appropriateness to this community. Both law enforcement agencies and community members will be invited to contribute to this review.”**

Old item 12. Work closely with auditor who will report his/her findings to the committee.

Old item 13. Review the investigations and recommendations of the auditor and summarize and interpret his/her findings to the public.

After discussion, it was proposed to collapse ideas from these two items into the following:

**“Proposed 12. The Advisory Committee on Law Enforcement will review the recommendations of the auditor and summarize and interpret his/her findings to the public. The Committee will not evaluate the findings, but may clarify pertinent laws affecting the auditor’s findings.”**

Old item 14. Develop policies regarding the reports provided by the auditor to governing bodies

After discussion, it was proposed that this item be omitted from the Advisory Committee functions and incorporated into expectations for the auditor (see below).

Another item was proposed as a characteristic of the Advisory Committee:

**“Proposed 13. The Advisory Committee on Law Enforcement will undergo an annual review by the Board of Supervisors, or their designees.”**

Some time was spent on the proposed roles and criteria for the auditor. Changes proposed by the participants are in bold:

Auditor will

Be contracted by the governing body, after consultation with members of the law enforcement community and appropriate public interest groups.

Be a trained, **independent** professional with experience working in similar jurisdictions, **with** a clear understanding of applicable laws, and law enforcement policies and procedures, **and with** the trust of both the public and law enforcement community.

**Conduct an annual review of the policies and procedures of contracted agencies, and report his/her to the law enforcement agency and to the appropriate governing body, if the agency requests it.**

**Recognize that the sheriff/police chief retains all disciplining authority**

Have investigative powers to review all pertinent documents regarding citizen complaints and internal affairs investigations and to make (non-binding) recommendations, **subject to approval by the law enforcement agency**

Be restricted by all personnel confidentiality rules during investigations and when reporting to the Advisory Committee.

**Be available to work** with the Advisory Committee in **educating the public on the results of audits, as needed**

Report findings to the governing body if the audited law enforcement agency requests it, or if it is determined such a report is necessary – subject to all applicable laws and confidentiality restrictions

Byrd has requested that we all review these proposed changes for the next meeting and that we be prepared to construct a revised Committee draft, including the purpose, membership, and process of the Advisory Committee. Hopefully we can address the criteria and characteristics for the Auditor soon after.

The next meeting will be at 12 noon on Wednesday, September 3, in Conference Room B of the County Courthouse.

Rick