A BILL FOR

1 An Act relating to officer disciplinary actions and
2 establishing a legislative interim committee.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6360HV (1) 88
hf/rh
Section 1. BRADY-GIGLIO LIST INTERIM COMMITTEE.

1. The legislative council is requested to establish a Brady-Giglio list interim committee for the 2020 interim. The purpose of the committee shall be to do all of the following:

a. Study the disclosure of information contained in officer personnel files as such information relates to a Brady-Giglio list.

b. Study the efficiency of implementing a statewide system for a Brady-Giglio list, identifying impartial entities to conduct investigations pertaining to an officer's acts or omissions to act, and recommending the appropriate procedures, due process protections, appeal rights, and criteria for the placement and removal of an officer's name on and from a Brady-Giglio list.

c. Study any other issues that the committee determines relevant to its objective. The committee may solicit the advice or testimony of any organization or individual with information or expertise relevant to the purpose of the committee.

2. The committee shall consist of three members of the senate appointed by the majority leader of the senate, two members of the senate appointed by the minority leader of the senate, three members of the house of representatives appointed by the speaker of the house of representatives, and two members of the house of representatives appointed by the minority leader of the house of representatives. Additional committee members shall include the commissioner of the department of public safety or the commissioner's designee, a district court judge appointed by the supreme court, and representatives from all of the following: the Iowa county attorneys association, the Iowa sheriffs and deputies association, the Iowa police chiefs association, the Iowa state police association, the Iowa peace officers association, the Iowa professional fire fighters, the Iowa state troopers association, and the Iowa state patrol supervisors association. The Iowa sheriffs and
1 deputies association member representative shall be an officer
2 who does not hold rank.
3 3. The committee shall elect a chairperson from the members
4 appointed.
5 4. The committee shall issue a report, including findings
6 and recommendations, to the governor and the general assembly
7 no later than December 16, 2020.
8 5. For the purposes of this section, “Brady-Giglio list”
9 means a list of officers maintained by the county attorney’s
10 office, including officers who may not have disclosed all
11 impeachment information and officers who may have violated the
12 pretrial discovery rule requiring officers to turn over all
13 evidence that might be used to exonerate a defendant.

EXPLANATION

The inclusion of this explanation does not constitute agreement with
the explanation’s substance by the members of the general assembly.

This bill establishes a legislative interim committee
relating to officer disciplinary actions.

The bill establishes a legislative interim committee
to study the disclosure of officer personnel files as
such information relates to a Brady-Giglio list, study
the efficiency of implementing a statewide system for a
Brady-Giglio list, identify impartial entities to conduct
investigations pertaining to an officer’s acts and omissions
to act, and recommend appropriate procedures, due process
protections, appeal rights, and criteria for the placement
and removal of an officer’s name on and from a Brady-Giglio
list. The committee may solicit the advice or testimony of
any organization or individual with information or expertise
relevant to its study.

The committee shall consist of 10 legislative members
and 10 members representing various interested stakeholder
organizations, the department of public safety, and the court.

The committee shall issue a report, including findings and
recommendations, to the governor and the general assembly no
The bill defines "Brady-Giglio list" as a list of officers maintained by the county attorney's office, including officers who may not have disclosed all impeachment information and pursuant to Giglio v. U.S., 405 U.S. 150 (1972), and officers who may have violated the pretrial discovery rule established by Brady v. Maryland, 373 U.S. 83 (1963), requiring officers to turn over all evidence that may be used to exonerate a defendant.

Under Code section 80F.1, "officer" means a certified law enforcement officer, fire fighter, emergency medical technician, corrections officer, detention officer, jailer, probation or parole officer, communications officer, or any other law enforcement officer certified by the Iowa law enforcement academy and employed by a municipality, county, or state agency.