

**House File 2541 - Introduced**

HOUSE FILE 2541

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 699)

**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:

1 Section 1. BRADY-GIGLIO LIST INTERIM COMMITTEE.

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

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

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

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

20 2. The committee shall consist of three members of the  
21 senate appointed by the majority leader of the senate, two  
22 members of the senate appointed by the minority leader of the  
23 senate, three members of the house of representatives appointed  
24 by the speaker of the house of representatives, and two members  
25 of the house of representatives appointed by the minority  
26 leader of the house of representatives. Additional committee  
27 members shall include the commissioner of the department of  
28 public safety or the commissioner's designee, a district court  
29 judge appointed by the supreme court, and representatives from  
30 all of the following: the Iowa county attorneys association,  
31 the Iowa sheriffs and deputies association, the Iowa police  
32 chiefs association, the Iowa state police association, the  
33 Iowa peace officers association, the Iowa professional fire  
34 fighters, the Iowa state troopers association, and the Iowa  
35 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.

14 EXPLANATION

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

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

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

31 The committee shall consist of 10 legislative members  
32 and 10 members representing various interested stakeholder  
33 organizations, the department of public safety, and the court.  
34 The committee shall issue a report, including findings and  
35 recommendations, to the governor and the general assembly no

1 later than December 16, 2020.

2 The bill defines "Brady-Giglio list" as a list of officers  
3 maintained by the county attorney's office, including officers  
4 who may not have disclosed all impeachment information and  
5 pursuant to Giglio v. U.S., 405 U.S. 150 (1972), and officers  
6 who may have violated the pretrial discovery rule established  
7 by Brady v. Maryland, 373 U.S. 83 (1963), requiring officers  
8 to turn over all evidence that may be used to exonerate a  
9 defendant.

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