

RESOLUTION 2014-0923

Town of La Pointe Law Enforcement Review Panel

The Town Board Supervisors of the Town of La Pointe do hereby resolve to rescind Resolution #2014-0812A dated September 9, 2014 and replace with this resolution.

WHEREAS: The Town of La Pointe acknowledges that the oversight of law enforcement officers is a vitally important part of maintaining a community in which residents are safe, comfortable and cooperative, and:

WHEREAS: The Town is dedicated to ensuring that concerns and complaints related to the conduct of law enforcement officers are important and should be made without fear of bias or retribution and a clear understanding that they will receive a fair and objective evaluation and determination, and;

WHEREAS: The Town understands that the oversight and discipline of law enforcement officers, including the Chief of Police is prescribed by Wisconsin State Statute, 60.56 (am) (1 and 2).

NOW THEREFORE LET IT BE RESOLVED BY THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF LA POINTE: That a Law Enforcement Review Panel is established by the Town Board established pursuant to Wis. Stat., 60.56 (am) (1) which states:

(am) If a town board establishes a police department under par. (a) 1. or 2. And does not create a board of police commissioners singly or in combination with another town, village or city, or if a town board establishes a combined protective services department under s. 60.553 and does not create a board of police and fire commissioners, the town may not suspend, reduce, suspend and reduce, or remove any police chief, chief of a combined services department, or other law enforcement officer who is not probationary, and for whom there is no valid and enforceable contract of employment or collective bargaining agreement which provides for a fair review prior to suspension, reduction, suspension and reduction or removal, unless the town board does one of the following:

1. Establishes a committee of not less than 3 members, none of whom may be an elected or appointed official of the town or be employed by the town. The committee shall act under s. 62.13 (5) in place of a board of police and fire commissioners. The town board may provide for some payment to each member for the member's cost of serving on the committee at a rate established by the town board.

LET IT FURTHER BE RESOLVED THAT: The Law Enforcement Review Panel (hereafter Panel) shall be constituted, organized, empowered and indemnified as follows:

Appointment of Committee Members: the Panel shall be composed of five (5) members, appointed by the Town Board from a list of qualified residents who have signed up for service on the Panel.

Membership and Term of Office: The members shall serve terms of three (3) years except that initial appointments shall be for staggered terms of: two (2) members – one (1) year; two (2) members – two (2) years; and one (1) member – three (3) years.

Removal: All members of the Panel shall serve at the pleasure of the Town Board. A member or members may be removed by the Town Board only on a vote of a super-majority of 66% or four (4) Board members.

Agency: All members of the Panel are appointed as, and will act as, agents of the Town of La Pointe at all times during which they are conducting the business of and doing the work of the Panel. The Panel shall supersede the disciplinary provisions of the Town of La Pointe Personnel Policy in matters involving law enforcement officers. The procedures adopted from s. 62.13(5) shall not in all cases supersede the personnel policies of the Town of LaPointe, but where a complaint is made to the Panel or other review is sought before the Panel, the procedures and criteria in s. 62.13(5) only shall apply.

Authority: The Panel shall have the authority to hear citizen, chief of police or panel complaints, gather information, hear testimony, make rulings as to the substance and validity of complaints and impose disciplinary measures, including: suspension, reduction and removal of law enforcement officers, including the chief of police. Sec. 62.13(5) shall apply to all officers, including the chief. The Panel shall operate under the procedures and criteria set forth in §62.13(5) or its successor statute and shall be entitled to consult with the town's legal counsel regarding conduct of hearings and other necessary matters. Time deadlines provided in §62.13(5) may be waived upon agreement of the Panel and the law enforcement officer complained against.

In adopting the provisions of s. 62.13(5), the town is specifically not adopting the provisions of s. 62.13(3) or 62.13(4).

The Panel shall also adopt rules for its operation pursuant to s. 62.13(5)(g).

Review: Any review of the actions of the Panel will be limited to either certiorari or statutory review in the circuit court which will be initiated within 10 days of the Panel filing its decision and otherwise in accordance with s. 62.13(5)(i).

Indemnification: The Town of La Pointe hereby agrees to indemnify and hold harmless all members of the Panel for any acts done in their official capacity as members of the Panel.

Open Meetings - - Open Records: It is the intent of the Town Board that this Panel shall, to the same degree as any other committee of the Town of La Pointe, be subject to the open records and open meetings laws and exemption from same and that their proceedings and records shall be treated as any other meeting or record of the township.

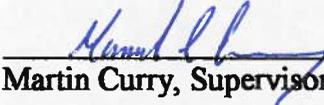
Date Passed: September 23, 2014

Date Posted: 9/25/14

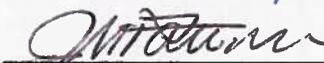
Greg Nelson, Chair



Michael Childers, Supervisor



Martin Curry, Supervisor



James Patterson, Supervisor



Hamilton Ross, Supervisor

ATTEST: 

Micaela Montagne, Town Clerk