

27 Sec. 4. When any peace officer is under formal
1 investigation by his or her employer for alleged actions that could
2 result in administrative sanctions being levied against the peace
3 officer, the following requirements shall be adhered to:
4 (1) Any interrogation of the peace officer shall be
5 conducted when the peace officer is on duty or during his or her
6 normal waking hours unless the urgency of the formal investigation
7 requires otherwise;
8 (2) Any interrogation of the peace officer shall be
9 conducted at the employer's facility unless the urgency of the
10 formal investigation requires otherwise;
11 (3) Prior to commencement of any interrogation session:
12 (a) If an employer chooses to record the interrogation of
13 the peace officer or any party affiliated with the investigation,
14 the employer shall notify the peace officer in writing;
15 (b) The peace officer shall be informed of the name and
16 rank of the person in charge of the interrogation and all other
17 persons who will be present during the interrogation;
18 (c) The peace officer shall be informed of the nature of
19 the formal investigation, and the names of all known complainants
20 shall be disclosed to the peace officer unless the chief
21 administrator of the peace officer's employer determines that the
22 identification of the complainant should not be disclosed because
23 it is necessary for the protection of an informant or because
24 disclosure would jeopardize or compromise the integrity or security
25 of the formal investigation; and
26 (d) A reasonable attempt shall be made to notify the
27 peace officer's commanding officer of the pending interrogation;
1 (4) A peace officer shall be informed of the nature of
2 the formal investigation and shall receive a copy of the written
3 formal complaint against him or her at least twenty-four hours
4 prior to his or her interrogation by the employer. The
5 twenty-four-hour period may be waived if the complaint alleges
6 intoxication or drug incapacitation during on-duty status. The
7 peace officer shall be permitted to have representation present
8 during the interrogation. If the peace officer is not able to
9 obtain and consult with his or her representation, the peace
10 officer may be granted up to an additional twenty-four hours by the
11 employer. The peace officer being interrogated shall be made aware
12 of the fact that any statement may be used by the employer as part
13 of the formal investigation;
14 (5) The combined duration of a peace officer's work shift
15 and any interrogation session shall not exceed fourteen hours
16 within a twenty-four-hour period unless the urgency of the formal
17 investigation requires otherwise;
18 (6) There shall not be more than two interrogators at any
19 given time;
20 (7) A peace officer shall be allowed time to attend to
21 physical necessities as they occur in the course of an
22 interrogation; and
23 (8) A peace officer shall not be subjected to offensive
24 language or illegal coercion by his or her interrogator in the
25 course of an interrogation.