

67C.321 Actions taken by chief against officers -- Written statement -- Pre-disciplinary hearing -- Citizen charges of misconduct.

- (1) Subject to the provisions of this chapter, any officer may be removed, suspended for a period not to exceed thirty (30) days, laid-off, or reduced in grade by the chief. Before the discipline may be issued, the chief shall:
 - (a) Furnish the officer with a written statement describing the charges being made against the officer, the evidence upon which the charges are based, and the discipline the chief intends to issue; and
 - (b) Provide the officer the opportunity for a pre-disciplinary hearing, presided over by the chief or the chief's designee, in which the officer may present evidence and call and cross-examine witnesses in the officer's defense.
- (2) After any pre-disciplinary hearing conducted under subsection (1)(b) of this section, the chief or the chief's designee shall issue a written opinion setting forth the final discipline issued against the officer. The officer may appeal the discipline issued under this section to the board within ten (10) days of the issuance of the written opinion.
- (3) If the officer elects not to proceed with a pre-disciplinary hearing under subsection (1)(b) of this section, the discipline stated in the written statement required by subsection (1)(a) of this section shall become final ten (10) days after that statement is furnished to the officer.
- (4) After any citizen makes a written, sworn complaint of misconduct concerning the actions of any police officer, if the chief of police determines not to file charges against the officer based on that complaint, the citizen may appeal the determination of the chief of police to the board.

Effective: January 1, 2025

History: Amended 2024 Ky. Acts ch. 181, sec. 8, effective January 1, 2025. -- Amended 2003 Ky. Acts ch. 118, sec. 9, effective March 18, 2003. -- Created 2002 Ky. Acts ch. 339, sec. 11, effective July 15, 2002.