

## RESOLUTION NO. 4272-2020

### RESOLUTION OF THE FORT BRAGG CITY COUNCIL ADOPTING A HIRING POLICY FOR POLICE OFFICERS TO DISQUALIFY ANY APPLICANT BASED ON PRIOR ACTS OF MISCONDUCT

**WHEREAS**, the Fort Bragg City Council recognizes that the community is comprised of a diverse population, which is fundamental to the cultural and economic vitality of the City of Fort Bragg; and

**WHEREAS**, the Fort Bragg City Council opposes all discrimination, be it on the basis of skin color, race, gender, sexual orientation, national origin, disability, age, pregnancy, medical background, housing status, religion, or genetic information; and

**WHEREAS**, all Fort Bragg residents equally deserve to feel safe when interacting with police and should be able to trust that the officers tasked with protecting them have no prior history of excessive force, discrimination, racial bias, or other significant misconduct; and

**WHEREAS**, the Fort Bragg City Council condemns all acts of brutality, racial profiling, and the use of excessive force by law enforcement officers, and recognizes the impact of each individual enforcement officer's professionalism and integrity on protecting the community's trust; and

**WHEREAS**, based on all the evidence presented, the City Council finds as follows:

1. That Fort Bragg values should preclude allowing individuals with documented complaints of misconduct from other jurisdictions from serving as police officers for the City.
2. That Fort Bragg police officers shall be held to a higher standard of professionalism; such standards will prevent police officers with a history of misconduct from employment with the City of Fort Bragg.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby adopt and directs the Fort Bragg Police Chief to adopt rules for hiring police officers consistent with the following:

1. A policy that disqualifies applicants for Police Officer who have been the subject of a sustained finding or two unsustained complaints by different complainants against an applicant by any law enforcement agency or oversight agency, following an investigation and opportunity for administrative appeal by the applicant, that the applicant, while employed as a peace officer, engaged in serious misconduct, which includes but is not limited to: use of excessive force, racial bias, sexual assault, discrimination against any person or group based on race, gender, religion, nationality, or sexual orientation, or dishonesty relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by another peace officer, including, but not

limited to any sustained finding of perjury, false statement, filing false reports, destruction, falsifying, or concealing of evidence; or

2. The applicant resigned or retired from employment as a peace officer in any jurisdiction during the pendency of a disciplinary proceeding related to alleged serious misconduct by the applicant while they were employed as a peace officer, and the proceeding was suspended or terminated as a result of the applicant's resignation or retirement, until such a time that the applicant has been exonerated for the pending allegation.

**The above and foregoing Resolution was introduced by Councilmember Peters, seconded by Councilmember Norvell, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 22nd day of June, 2020, by the following vote:**

**AYES:** Councilmembers Albin-Smith, Morsell-Haye, Norvell, Peters and Mayor Lee.  
**NOES:** None.  
**ABSENT:** None.  
**ABSTAIN:** None.  
**RECUSED:** None.

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**WILLIAM V. LEE**  
Mayor

**ATTEST:**

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**June Lemos, CMC**  
City Clerk