

AGENDA

CITY OF LARAMIE, WYOMING

LARAMIE POLICE ADVISORY BOARD REGULAR MEETING

LARAMIE POLICE DEPARTMENT CLASSROOM

620 PLAZA COURT, LARAMIE, WY 82070

WEDNESDAY, JANUARY 3, 2024, 1:30 PM

SPECIAL ACCOMMODATIONS. Laramie Police Advisory Board Meetings are open to the public. Requests for accommodations from persons with disabilities must be made to the City Manager's Office 24 hours in advance of a meeting.

City Clerk is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://cityoflaramie.zoom.us/j/82546309233?pwd=STIIVUZ1SkFic2l0T2hDTzV0dWZaZz09>

Meeting ID: 825 4630 9233

Passcode: 932953

1. Call to Order and Roll Call

2. Public Comment on Items Not on the Agenda

3. Quorum Affirmation

4. Approval and Setting of the Agenda

A. MOTION BY _____, seconded by _____, that the following changes to the Agenda be approved:

MOTION CARRIED/FAILED by voice vote.

B. MOTION BY _____, seconded by _____, that the Agenda be set as submitted or changed.

MOTION CARRIED/FAILED by voice vote.

5. Disclosures by Members of Any Conflicts of Interest and/or Ex-parte Communications

6. Approval of Minutes from November 7, 2023

Recommended Motion:

I move to approve the minutes from November 7, 2023.

Documents:

[Minutes 11-7-23.pdf](#)

7. Business Items

7.A. Resignation of Member Linda Devine

7.B. Presentation and Discussion regarding Laramie Police Department Internal Investigations

Documents:

[Internal Investigations.pdf](#)

7.C. Discussion on Completed Trainings

Time to allow members to reflect on their trainings and share thoughts.

7.D. Scheduling Continued Trainings for 2024

This item will allow the board and trainers an opportunity to discuss how to proceed with the continuing education requirements for 2024.

8. Next Meeting will be March 5, 2024, 1:30 pm

9. Adjournment

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**CITY OF LARAMIE, WYOMING
LARAMIE POLICE ADVISORY BOARD REGULAR MEETING MINUTES**

NOVEMBER 7, 2023

1. CALL TO ORDER

Meeting was called to order by City Clerk Bartholomew at 1:38 p.m.

Members present: Ted Cramer, Mitch Cushman, Linda Devine, Susie Scott, and Bob Sell.

Members absent: none.

Council Liaison: Sharon Cumbie (present)

Staff Present: Janine Jordan, City Manager; Brian Browne, Police Chief; Nancy Bartholomew, City Clerk; Miles Cushman, Police Sergeant; and Gwen Smith, Police Lieutenant.

2. Public Comment on Items Not on the Agenda

None.

3. Quorum Affirmation

There was a quorum present at all times.

4. Approval and Setting of the Agenda

MOTION BY CRAMER, seconded by Cushman, that the agenda be approved as written.

MOTION CARRIED by voice vote.

5. Disclosures by Members of Any Conflicts of Interest and/or Ex-parte Communications

None.

6. Approval of Previous Minutes

None.

7. Business Items

7.A. Open Meeting and Public Records Act Presentation

City Clerk provided presentation.

Devine- Had a questions related to Defense Attorney conflict of interest.

7.B. Laramie Police Advisory Board Roles and Responsibilities

Nancy Bartholomew, City Clerk, reviewed Article 2 of the bylaws.

7.C. Introduction of Members/Team Building

Mitch Cushman

Ted Cramer

Bob Sell

Susie Scott

Linda Devine

Brian Browne, Police Chief

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NOVEMBER 7, 2023

Janine Jordan, City Manager
Sharon Cumbie, Vice Mayor
Miles Cushman, Administrative Sergeant.

7.D. Election of Board Officers

LPAB Bylaws Article 8. Election of Officers

A. The Chairperson and Vice-Chairperson shall be elected at the first meeting of each calendar year for a term of one calendar year and shall serve until their successors are elected.

C. Nominations of officers shall be by oral motion. At the close of nominations, the Board shall vote by voice vote upon the names nominated for the office.

- o Election of Chair
 - o The Chairperson shall have the duties and powers to preside over all deliberations and meetings of the Board; vote on all questions before the Board; and sign all documents memorializing Board action promptly after approval by the Board.

Nominations for Chair: Bob Sell nominated Ted Cramer.

MOTION BY CUSHMAN, seconded by Sell, to elect member Ted Cramer as Chair of the Laramie Police Advisory Board.

MOTION CARRIED by voice vote with 1 abstention by Cramer.

Public Comment: none.

- o Election of Vice-Chair
 - o During the absence, disability or disqualification of the Chairperson, the Vice-Chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the Chairperson.

Nominations for Vice-Chair: Bob Sell nominated Mitch Cushman.

MOTION BY SELL, seconded by Scott, to elect member Mitch Cushman as Vice-Chair of the Laramie Police Advisory Board.

MOTION CARRIED by voice vote with 1 abstention by Cushman.

Public Comment: None.

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NOVEMBER 7, 2023

7.E. Resolution 2023-01, Setting the Date, Time and Location for the Regular Meetings of the Laramie Police Advisory Board

MOTION BY SELL, seconded by Cushman to approve Resolution 2023-01, setting the date, time and location for the regular meetings of the Laramie Police Advisory Board.

MOTION CARRIED by voice vote.

Public Comment: none.

7.F. Training Requirements and Board Members

1. How training will be conducted

40 hours by January 31, 2024.

- ride along's (10 hours)
- case review (5 hours)
- team trainings (20 hours)
 - scenario based training
 - use of force
 - laws and use of force.
- 5 hours left for additional trainings and topics.

2. What times/dates (first 40 and yearly 30)

(4 hours), Team trainings (20 hours)

November 14, 21 (2-6 pm), 28 (1-5 pm), December 5 (1-5 pm), 12 (1-5 pm) and 19 (1-5 pm).

3. Schedule ride along

Contact Miles to set these up.

4. Hours required (First year is 40 hours and annually 30 hours)

7.G. Discussion related to Suggestions for Trainings

(What would board members like to learn?)

Members would like to wait and see what's covered in the set trainings.

7.H. Presentation on Overview of the Laramie Police Department

Sergeant Cushman gave a PowerPoint presentation overview on the Laramie Police Advisory Board.

8. Next Meeting

Regular meeting scheduled January 2, 2024, at 1:30 pm. January 2nd is a city administrative holiday

MOTION BY SELL, seconded by Cushman, to meet on Wednesday, January 3rd at 1:30 pm.

MOTION CARRIED by voice vote.

**CITY OF LARAMIE, WYOMING
LARAMIE POLICE ADVISORY BOARD REGULAR MEETING MINUTES**

NOVEMBER 7, 2023

9. Adjourn

MOTION BY SELL, seconded by Cushman, to adjourn the meeting.

MOTION CARRIED by voice vote.

Meeting adjourned at 4:00 p.m.

APPROVED:

Ted Cramer, Laramie Police Advisory Board Chair

Date

Nancy Bartholomew, City Clerk

Date



LARAMIE POLICE DEPARTMENT INTERNAL INVESTIGATIONS

2023

GENERAL ORDER ADM:10 COMPLAINT ADMINISTRATION

Purpose

- It is necessary to establish a system of responding to and managing complaints and professional standards investigations (PSI) to ensure that the Laramie Police Department is maintaining the highest level of professionalism and accountability to the public.
- The effectiveness of the department is dependent upon community approval and acceptance of police authority. A central ingredient to this acceptance is the community's image of the department, which is determined by the personal integrity and discipline of all department members. The image of the department is maintained by professional response to any allegations of misconduct by the Department or its employees.



OBJECTIVES

- 1. Protection of Department Personnel — Employees of the department must be protected against false allegations of misconduct. This can only be accomplished through a consistently thorough investigative process. Additionally, many complaints are the result of misunderstandings which can be resolved through the intake and investigative process.
- 2. Protection of the Department — The department is often evaluated and judged by the conduct of individual employees. It is imperative that the entire department not be subject to public censure because of the misconduct of a few of its employees.
- 3. Protection of the Community — In order to maintain the community's legitimate expectation of fair and impartial police services, any misconduct by department personnel must be detected, thoroughly investigated, and properly adjudicated.
- 4. Removal of Unfit Personnel - Personnel who engage in serious acts of misconduct or demonstrate that they are unfit for police work must be removed for the protection of the community, the Department, and its members.
- 5. Correction of Procedural Problems - The Department is constantly seeking to improve its efficiency and effectiveness and occasionally personnel investigations reveal faulty procedures that otherwise would have gone undetected. These procedures can then be improved or corrected.



AUTHORITY

- The investigating officer(s) acts directly under the authority of the Chief of Police. The investigating officer(s) has the authority and responsibility to investigate any acts or omissions of an action of any Department personnel which may be in conflict with the duties and obligations of the employees, regardless of rank or position in the Department. Every employee of the Department shall be required to fully disclose his/her actions pertaining to the investigation as follows:
 - 1. Noncriminal Investigation - Employees under investigation shall be advised if the nature of the investigation is noncriminal, in which case the employee must answer any questions, even if the answers may result in departmental sanctions. Failure to answer such questions may be grounds for additional disciplinary action.
 - 2. Criminal Investigations - Employees under investigation shall be advised if the nature of the investigation is criminal. No employee will be required to incriminate himself/ herself but may be required to make statements if immunity is conferred.



PROCEDURES

Receiving Complaints

1. When a complaint or allegation is received, it shall be referred to the on-duty patrol or dispatch supervisor.
2. Generally, complaints will be investigated at the lowest appropriate supervisory level in the Department. If the complaint involves an allegation of serious violation of City or Department policy or an allegation of criminal wrongdoing, the Chief of Police or his/her designee, shall be notified as soon as possible.
3. If necessary, the complainant shall be contacted and informed of the status of the investigation, in writing, when serious allegations are investigated.



INVESTIGATION OF COMPLAINTS

1. The investigation of a complaint may be conducted using any and all standard and accepted investigative procedures.

2. After the investigating officer(s) has received and reviewed all of the investigative reports and information, he/she shall arrive at a final recommendation which shall be classified into one of the following categories:

a. **Substantiated**-Complaint is supported by sufficient evidence

b. **Unsubstantiated**

i. Incident did not occur or member was not involved.

ii. Insufficient evidence to prove or disprove the complaint.

c. **Unfounded**-The complaint is false or not factual.

d. **Exonerated** – The incident occurred but the Department member acted lawfully and / or appropriately.





RIGHTS OF DEPARTMENT PERSONNEL

Whenever a Department employee is under investigation which could lead to disciplinary action, the investigation shall be conducted under the following conditions:

1. The employee under investigation shall be informed of the name of the officer(s) in charge of the investigation.
2. The employee under investigation shall be informed of the nature of the investigation. In cases where, in the investigating officer's opinion, the investigation would be jeopardized by disclosure, the requirements of this and the preceding paragraph may be waived by the Chief of Police.
3. As a general rule, no employee of the Department shall be compelled to make statements, written or oral, against himself/herself in a departmental investigation which may incriminate him/her in a criminal matter. In cases where it is necessary for the member to be compelled to make such statements, such statements shall not be used against him/her in any subsequent criminal prosecution (see Appendix A re: Garrity).



RIGHTS OF DEPARTMENT PERSONNEL continued

4. The employee under investigation shall not have the right to have an attorney present during the interview. Such interviews are at the convenience of the department.

5. The employee's retention of an attorney during any investigation is at the discretion of the Chief of Police.

6. Refusal by an employee to cooperate in any way during a noncriminal investigation shall be grounds for administrative disciplinary action, including termination.

7. Investigations shall be completed in an expeditious manner and, except in extraordinary circumstances; a final resolution shall be reached within 30 days.

EMERGENCY SUSPENSION

Any supervisor has the authority to relieve any employee under his/her command from duty. The employee being relieved from duty shall be required to report to the Assistant Chief of Police at 0830 the following working day, unless otherwise directed by his/her supervisor.

The supervisor relieving any employee of duty shall immediately notify those in the supervisor's chain of command, who shall notify the Chief of Police of such action. The supervisor shall then prepare a written report of the incident and forward it to the Chief of Police no later than the end of the duty shift during which the incident occurred.





INVESTIGATIVE REPORT

At the conclusion of a complaint or investigation, the investigating officer(s) will prepare and submit a report in the current electronic Internal Affairs/complaint tracking system. The report shall include:

1. Allegation
2. Investigation
3. Conclusion
4. Recommendation

Routings on all cases go through chain of command to the Chief.



CLOSING OF A CASE

The Chief of Police shall not be bound by the recommendation of the investigating officer or any other member of the department in deciding on the appropriate disciplinary or remedial action(s). The Chief of Police will be the final authority at disposition. Disciplinary or remedial action may consist of one or a combination of the following:

1. Oral counseling
2. Remedial training
3. Professional counseling/medical treatment - In any case wherein a member of the department is receiving such services or treatment, the Chief of Police may request an assessment of the member's fitness for duty. Such requests shall be limited specifically to the question of fitness for duty.
4. Oral warning
5. Written reprimand
6. Reduction in grade
7. Suspension without pay for up to a maximum of 30 days
8. Termination
9. Other actions as determined suitable by the Chief of Police.



CLOSING OF A CASE continued

Prior to any disciplinary or remedial action, the affected department employee shall be afforded the opportunity to make a written response to the allegation(s) and investigation. Such responses shall be directed to the Chief of Police and will afford the employee the opportunity to present any defense(s) or justification(s) for their action(s).

Any disciplinary action above the level of an oral warning will be forwarded to Human Resources for placement in the involved employee's permanent City of Laramie personnel file.

Department personnel may appeal any appealable disciplinary or remedial action through the appeal process outlined in the City of Laramie Personnel Rules.

The Chief of Police will notify the complainant of the final determination of the investigation and what action if any was taken, without disclosing protected personnel information.

All investigations, discipline and subsequent grievance processes shall be in compliance with Civil Service Rules.



GARRITY

Garrity v. New Jersey, 385 U.S. 493 (1967)

A case in which the Supreme Court of the United States held that law enforcement officers and other public employees have the right to be free from compulsory self-incrimination.

It gave birth to the Garrity warning, which is administered by investigators to suspects in internal and administrative investigations in a similar manner as the Miranda warning is administered to suspects in criminal investigations.



CITY OF LARAMIE HANDBOOK

Pre-Disciplinary Hearing

Prior to a suspension without pay exceeding 2 days, disciplinary demotion, or dismissal, the employee will be afforded the opportunity to present his or her views at a pre-disciplinary hearing. The employee, management, and Human Resources will be present for the pre-disciplinary hearing. The purpose of the hearing is to provide the employee the opportunity to be heard and present additional information concerning the proposed discipline.



CIVIL SERVICE COMMISSION

CHAPTER XIII SUSPENSION

Section 1. Power of Suspension. The Chief of Police, or his representative, after written notice, may suspend any regular employee without pay for disciplinary purposes for any period and on any terms not to exceed 30 days in time. The suspended employee has a right to due process as provided by the City's personnel policies in force at the time of the suspension, and applicable law. The suspended employee may request the Commission to determine if it has authority to review the suspension.



YOUR TURN!

Maine State Trooper
Complaint of Rudeness/Price of ticket



GENERAL ORDER ADM: 7

COMMUNITY RELATIONS

Role of Department Personnel

Personnel must treat people with as much respect as that person will allow and be constantly mindful that the people with whom they are dealing are individuals with emotions and needs. Such conduct is not a duty imposed in addition to their primary responsibilities, it is inherent in them. In dealing with people, all departmental personnel must attempt to make the contact one which creates respect for the police officer as an individual and one which generates the cooperation and approval of the public.

While entitled to personal beliefs, personnel cannot allow individual feelings or prejudices to enter into public contacts. However, since those prejudices may be subconsciously manifested, it is incumbent upon all personnel to strive for the elimination of attitudes which might impair impartiality and effectiveness. Attitude The attitude of all personnel shall be one of service and courtesy. In non-restrictive situations, personnel will be pleasant and personable. On occasions calling for regulation and control, the attitude shall be firm, professional and impersonal, while attempting to avoid even an appearance of rudeness.

