

THE LIBBY POLICE COMMISSION

PURPOSE: Subject to the powers, duties and limitations of Title 7, Chapter 32, Part 41, 4151 through 4161, and the Libby City Charter, the following establishes the role and authority of the Libby Police Commission.

The role of the Libby Police Commission is not to run the day-to-day operations of the police department. The role of this commission is to ensure:

1. Referred applicants have the ability to fill the position considering age, legal, mental, moral, and physical qualifications, MCA 7-32-4154;
2. Appeals are heard and decided when brought by a member of the police department, MCA 7-32-4155;

AUTHORITY SUPPORTED BY STATUTE AND CITY CHARTER

101. Duties; Powers

It shall be the responsibility of the police commission to hold meetings to fulfill the duties and exercise such powers granted it for civilian oversight of the Libby police department and report the conclusions of such meetings to the Chief of Police and Mayor.

It shall be the duty of the police commission to examine all applicants whose applications have been referred to the commission as to their age, legal, mental, moral, and physical qualifications, and their ability to fill the office as a member of the police force. It shall also be the duty of the police commission, subject to the approval of the mayor, to make such rules regarding such examinations not inconsistent with this part or the laws of the state. It is not the duty of the police commission to interview applicants for the police force. All interactions between an applicant and the commission will be limited to the applicant responding to questions during examinations seeking information that is directly related to certifying whether the applicant is qualified to fill the office only.

The police commission shall hear and decide appeals brought by any member or officer of the police department who has been disciplined, suspended, removed, or discharged by an order of the mayor or chief of police. The police commission shall, at the time set for hearing an appeal of a police officer, hear and determine the appeal according to the rules of evidence applicable to courts of record in the state. The police commission shall, after the conclusion of the hearing, decide the appeal and must have the power, by a decision of a majority of the commission, to sustain, modify, or overrule the disciplinary order of the mayor or chief of police.

102. Compensation

Police commissioners shall serve without compensation except as authorized by the mayor for the purposes of reimbursement for any expenses actually incurred in performance of their official duties.

103. Appointment

The mayor shall nominate and, with the consent of the city council, appoint three residents of such city who shall have the qualifications required by law to hold a municipal office therein and who shall constitute a board to be known by the name of "police commission."

Commissioners shall be appointed to the police commission for a period of three years. The mayor shall stagger each appointment as to cause one commissioner to be reappointed or one new commissioner to be appointed each year.

By: _____
Peggy Williams, Mayor

Attest: _____
Leann Monigold, Clerk/Treasurer

On: _____

Adopted by Resolution ???? on ??/??/????
Yet to be passed – 1/17/2024 S