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LDF Launches Toolkit for Community Oversight of Police Union Contracts to Support Advocates in Efforts to Hold Police Accountable for Misconduct

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF) released *Community Oversight of Police Union Contracts*, a comprehensive toolkit to support police accountability advocates and activists in engaging in police union contract discussions. The toolkit can be downloaded [here](#).

Police union contracts frequently contain provisions that shield officers from discipline and create barriers to the timely, thorough investigation of police misconduct complaints. This toolkit will help guide the public through the process of inquiring about the status of police union contracts in their localities, with the goal of promoting transparency and accountability by encouraging the removal of these provisions.

“Understanding how police officers are shielded from accountability for misconduct requires an examination of police union contracts, which often contain provisions that preclude the prompt and thorough investigation of unconstitutional police misconduct. These contracts may also include provisions that discourage officers from reporting misconduct they witness,” said Sherrilyn Ifill, LDF’s President and Director-Counsel.

“We support due process protections for public employees. But union contracts should not be used to advance a regime of impunity for employee misconduct. Identifying and eliminating provisions in police union contracts that undermine the ability to hold officers accountable for serious misconduct is critical to addressing the culture of impunity in policing.”

LDF’s toolkit consists of six sections that we identified as areas of concern after reviewing 112 police union contracts in 82 of the country’s largest cities. Each section describes how its designated area of concern can impede investigations of complaints or shield officers from discipline for misconduct. It also includes a list of questions that individuals can use to help them pinpoint areas where changes are needed in their locality’s police union contracts.

The six areas of concern are: (1) delays in interviewing officers accused of misconduct; (2) limits on time periods for imposing discipline on officers accused of misconduct; (3) requirements that complaints be signed or sworn; (4) removal of disciplinary records from police personnel files; (5) the use and composition of disciplinary hearing boards; and (6) the use of vacation or other leave time in lieu of suspension.

“LDF has worked to end police violence in Black and Brown communities for many years. At this critical moment in time, when protesters and activists across the country are demanding an end to police misconduct that disproportionately impacts communities of color, we want to ensure they have the resources they need to advance police

accountability,” said Monique Dixon, LDF’s Deputy Director of Policy and Director of State Advocacy. “Our toolkit provides the most up-to-date police union contracts available to the public — and allows the public to pinpoint problematic provisions and create a list of terms and conditions they want to change. Many contracts have expired and are currently being negotiated. Therefore, individuals can use this toolkit now to demand that elected officials negotiate contract terms that protect communities from police violence and misconduct.”

In addition to the guided section questions, our toolkit also contains a comprehensive list of recommended changes to police union contract provisions that members of the public can use as a guide as they advocate for changes to their local police union contracts. These recommended contract reforms include:

- Avoid delays in interviewing officers involved in alleged misconduct.
- Eliminate time limits or allow sufficient time for victims of police misconduct to file complaints.
- Eliminate time limits or allow sufficient time for an officer to be disciplined for misconduct.
- Permit the filing of anonymous complaints.
- Maintain disciplinary records long enough to uncover repeated officer misconduct.
- Eliminate trial boards or ensure members are impartial and diverse.
- Prohibit the use of vacation leave in lieu of suspensions.

Finally, our toolkit includes direct links to 112 police union contracts, as well as a chart of Law Enforcement Officers’ Bill of Rights (LEOBOR) by state. LEOBOR laws often mandate the inclusion of certain contract provisions that hinder the investigation of complaints and place restrictions on discipline for officer misconduct. In states with stringent LEOBOR laws, advocates should consider encouraging state legislators to repeal problematic provisions.

LDF published this toolkit with the generous pro bono support of the international law firm, Orrick. “We are proud to partner with LDF in developing this important resource to ensure the public has the information it needs to hold police officers accountable for misconduct,” said Rene Kathawala, Orrick’s Pro Bono Counsel. “As lawyers, we have a profound responsibility to use our skills to fight for racial and social justice. Now is a crucial moment in time to carry out that responsibility.”

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.

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