

**INTERNAL AFFAIRS INVESTIGATION CLASS**  
**UNDERSTANDING THE PUBLIC SAFETY OFFICERS PROCEDURAL BILL OF**  
**RIGHTS ACT**

**PUBLIC SAFETY OFFICERS PROCEDURAL BILL OF RIGHTS ACT:**

1. When did the POBR become law?
  
  
  
  
  
  
  
  
  
  
2. Where do I find the POBR?
  
  
  
  
  
  
  
  
  
  
3. What is the POBR?
  
  
  
  
  
  
  
  
  
  
4. Who does the POBR apply to?
  
  
  
  
  
  
  
  
  
  
5. Does the POBR apply to criminal investigations?

**POLITICAL ACTIVITY:**

6. Can a peace officer participate in political activity?

**PUNITIVE ACTION:**

7. What is a punitive action?

**DEFINITION:**

8. Is an interrogation the same as an interview?

**SCHEDULING OF INTERROGATIONS:**

9. When can an interview take place?
10. What if I can't wait until they come back from their days off?

**INTERROGATION:**

11. Must I identify myself prior to the interrogation?
12. How many people can ask questions during an interrogation?
13. Do I have to tell the peace officer why I am investigating him?
14. Am I required to give the employee bathroom breaks during the interrogation?
15. Is it o.k. to promise not to discipline an employee if he answers the questions?

**PREINTERROGATION DISCOVERY:**

16. Is the employee entitled to any discovery prior to his interview?

**TAPE RECORDING:**

17. Can an interview be tape recorded?

18. Is a peace officer entitled to a copy of the tape?

19. Can a peace officer bring his own tape recorder?

**SELF INCRIMINATION:**

20. Do I have to admonish the peace officer?

21. What if the peace officer refuses to answer my questions after being admonished?

22. If the peace officer agrees to answer the questions after being admonished, can they be used against him in a criminal case?

**REPRESENTATION:**

23. Is a peace officer entitled to a rep?

24. Can the rep also be an accused in the same case?

25. Can a representative speak during an interrogation?

26. What if the rep is unavailable at the scheduled time?

27. Can a rep who is a peace officer be compelled to tell what the officer has told him? \

28. What if I just want to talk to the peace officer? Is that an interrogation requiring a rep?

**REASSIGNMENT:**

29. Can I reassign the peace officer while the investigation is being conducted?

**COMPLAINT:**

30. What is a complaint?

**LIE DETECTOR TEST:**

31. Can I give the peace officer a lie detector test?

**FINANCIAL RECORDS:**

32. Can I ask about a peace officer's financial records during an investigation?

**SEARCHES:**

33. Can I order a peace officer to consent to a search of his personal car or home?

34. Can I drug test an employee?

35. Can I search a peace officer's locker, desk, or other personal space?

**EVIDENCE TAMPERING:**

36. Is it a crime to tamper with evidence in order to harm a peace officer?

**CONFIDENTIALITY:**

37. Can I disclose my investigation outside of the department?

**TIMELIENESS:**

38. How long do I have to complete my investigation?

39. If the Department is going to impose discipline, when does the employee need to be notified?

**ADMINISTRATIVE APPEAL:**

40. What is the purpose of an administrative appeal?