

## **Article 44 - Disciplinary Action Against State Police Members**

### **Section 44.1 Jurisdiction**

The Board shall hear and make final determination on appeals by State Police members pursuant to 20 V.S.A. §1880(c) from disciplinary action taken by the Commissioner of the Department of Public Safety, provided that such appeal is filed within 30 days after receipt of notice of the Commissioner's action.

### **Section 44.2 Contents of Appeal**

The notice of appeal shall be in writing, signed by the member or his/her representative, and shall contain:

- (A) The full name and address of the person filing the appeal;
- (B) The full name and address of the employer involved;
- (C) A concise statement of the nature of the appeal;
- (D) A copy of the commissioner's notification to the employee of the disciplinary action;
- (E) If applicable, a copy of the report of the hearing panel to the commissioner that charges were proved pursuant to 20 V.S.A. §1880(e); and
- (F) A brief statement of facts concerning the appeal.

### **Section 44.3 Answer, Filing; Service**

The Commissioner of the Department of Public Safety shall have the right to file an answer within 20 days after service of the appeal. Upon application, the Board may extend the time within which the answer shall be filed.

### **Section 44.4 Review of the Facts**

The Board shall conduct a *de novo* review of the facts leading up to the imposition of discipline against members to the extent such *de novo* review is specifically authorized by 20 V.S.A. §1880.