

SUBJECT: Modifying procedures to change civil service promotions

COMMITTEE: Urban Affairs — favorable, without amendment

VOTE: 7 ayes — Hill, Conley, Bailey, Ehrhardt, Thompson
1 nay — Woolley
3 absent — Davila, Staples, Tillery

SENATE VOTE: On final passage, April 11 — 31-0

WITNESSES: For — Carvel McNeil and S. David Mireles, Houston Police Patrolmen’s Union; Jack Means
Against — Mark Clark, Combined Law Enforcement Associations of Texas (CLEAT)

BACKGROUND: Local Government Code sec. 143.035 creates a mechanism for civil service police departments to institute alternate promotional systems.
Sec. 143.035 allows the Fire Fighters’ and Police Officers’ Civil Service Commission to adopt, on the recommendation of the head of the police department and a majority vote of the sworn police officers, an alternate promotional system to select persons to occupy nonentry level positions other than positions filled by appointment.

DIGEST: SB 1014 would allow the commission to adopt an alternate promotional system on receipt of a petition signed by at least 20 percent of the sworn police officers in the department, and after a simple majority vote of the sworn police officers in an election at which the issue was submitted.
The head of the police department could veto the alternate promotional system proposed in the officers’ petition. The bill would take effect immediately if approved by two-thirds of the membership of each house.

**SUPPORTERS
SAY:**

SB 1014 would provide more police officer input into the promotional system. Under current law only the chief of police can call for an election on a proposed alternate promotional system.

The people affected by the system should have more involvement in the process. For example, examinations for promotions are solely written tests now, and many officers would like the opportunity to propose and put to a vote inclusion of practical application or oral exam.

Even after a favorable vote, the chief of police still would be able to veto a proposed alternate system and retain ultimate control over the system, but a vote would have taken place and the feelings of the officers would be officially known.

**OPPONENTS
SAY:**

SB 1014 would change a system that has been in place, for a very good reason, since 1947. SB 1014 would allow a simple majority vote of only the officers that voted to change the promotion system. A minority faction could change the whole dynamic of promotions to their benefit, to the detriment of a number of officers who did not vote.

It is important that the present requirement of a majority vote of all sworn officers on the issue remain intact. The Chief, because of the extreme political pressure that can be exerted by small groups of people, could not be trusted to protect the interests of all of the officers.