
CIVIL SERVICE - ALABAMA

Bates v. Crane

Court of Civil Appeals of Alabama - April 11, 2014 - So.3d - 2014 WL 1407239

Complainant, the niece of a murder victim, sought judicial review of disciplinary sanction imposed upon police chief by the Civil Service Board, claiming the sanction was too lenient in light of finding that the chief had maintained inappropriate communication with the defendant during pendency of the murder prosecution in violation of Board rules. The Circuit Court dismissed appeal upon finding that complainant lacked standing to appeal the decision. Complainant appealed.

The Court of Civil Appeals held that Civil Service Board's rules afforded complainant standing to appeal Board's decision.

Civil Service Board's rules clearly contemplated that a party who files a complaint against a member of the police department is entitled to appeal from a decision of the Board if that party "feels aggrieved" and thus afforded complainant, the niece of a murder victim and a participant in the hearing before the Board, standing to appeal Board's decision to impose, what claimant considered to be, a lenient disciplinary sanction upon police chief for maintaining personal communication with the defendant, who chief knew through his son, and allegedly involving himself in the prosecutorial decision making process.

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