

2021 Regular Session

HOUSE BILL NO. 129

BY REPRESENTATIVES BACALA, HUGHES, JAMES, JONES, JORDAN, LANDRY,
MARINO, AND ORGERON AND SENATOR FIELDS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LAW ENFORCE/OFFICERS: Provides relative to peace officers

1 AN ACT

2 To amend and reenact R.S. 40:2404.2(C) and to enact R.S. 15:1212.1(G) and R.S.
3 40:2401.2, 2401.3, 2404(12), and 2555, relative to peace officers; to provide relative
4 to certain reporting requirements; to provide relative to the recruitment of certain
5 peace officer candidates; to provide relative to certain training requirements; to
6 provide for the implementation of disciplinary policies and procedures; to provide
7 relative to investigations into certain peace officer conduct; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:1212.1(G) is hereby enacted to read as follows:

11 §1212.1. Report to the system; duties of persons and agencies

12 * * *

13 G.(1) Failure by a law enforcement agency to provide the data required by
14 R.S. 15:1212(B)(4) within forty-five days of the change in employment status of a
15 law enforcement officer shall result in a civil fine on the agency of up to five
16 hundred dollars per day until the data is provided. Monies collected from such fines
17 shall be directed to the Louisiana Commission on Law Enforcement and
18 Administration of Criminal Justice.

19 (2) Fines proposed pursuant to Paragraph (1) of this Subsection may be
20 waived or reduced by the Louisiana Commission on Law Enforcement and

1 §2404.2. Minimum training requirements; basic curriculum; annual training

2 * * *

3 C.(1) No later than January 1, 2018, the council shall develop and implement
4 curriculum for de-escalation, bias policing recognition, sudden in-death custody, and
5 crisis intervention training, which shall include training for law enforcement
6 interaction with persons with mental illness and persons with developmental
7 disabilities, for peace officers that consists of classroom or internet instruction, or
8 both.

9 (2) No later than January 1, 2022, the council shall develop and implement
10 curriculum to provide instruction for law enforcement personnel on procedural
11 justice and duty-to-intervene matters which shall include training for law
12 enforcement personnel that consists of classroom or internet instruction, or both.

13 * * *

14 §2555. Officer involved shooting

15 A. In the event of an officer-involved shooting which results in death or
16 great bodily harm, the investigators of these incidents shall be accountable only to
17 those agencies which have been certified by the council following the effective date
18 of January 1, 2022.

19 B. In addition to agency certification, there shall be within those agencies at
20 least three certified officer involved investigators who have completed all necessary
21 coursework and subsequent in-service training and law enforcement experience
22 which will establish eligibility for these investigators before training and
23 certification.

24 C. The agencies shall also provide for the personnel to be certified through
25 P.O.S.T. for the processing of all evidence associated officer-involved shootings.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 129 Reengrossed

2021 Regular Session

Bacala

Abstract: Provides relative to the employment, discipline, training, recruitment, and investigation of peace officers.

Proposed law provides for penalties for non-compliance with P.O.S.T. reporting requirements.

Proposed law requires the Council on Peace Officer Standards and Training (council) and all governmental entities that employ a peace officer to develop and implement a policy designed to increase the recruitment of minority candidates for peace officer positions.

Proposed law requires any governmental entity that employs a peace officer to implement an in-service anti-bias training program, as administered by the council, in order to be eligible to receive any state grants administered or procured by the La. Commission on Law Enforcement and Administration of Criminal Justice.

Proposed law requires the P.O.S.T. council to develop and implement policies and procedures to suspend or revoke P.O.S.T. certification for misconduct committed by a peace officer.

Proposed law requires the P.O.S.T. council to develop and implement curriculum to provide instruction for law enforcement personnel on procedural justice and the duty to intervene that consists of classroom or internet instruction, or both, no later than Jan. 1, 2022.

Proposed law requires that law enforcement agencies be certified by the council in order to investigate officer-involved shootings that result in death or great bodily harm.

(Amends R.S. 40:2404.2(C); Adds R.S. 15:1212.1(G), R.S. 40:2401.2, 2401.3, 2404(12), and 2555)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Specify that the council administer an anti-bias training program.