

2018 Regular Session

HOUSE BILL NO. 474

BY REPRESENTATIVE SMITH

LAW ENFORCE/OFFICERS: Requires additional training for peace officers

1 AN ACT

2 To amend and reenact R.S. 40:2405.8(E) and (F) and to enact R.S. 40:2405.8(G), relative
3 to peace officer training requirements; to provide for the creation of domestic
4 violence training modules; to provide for the creation of communication with deaf
5 and hard of hearing training modules; to provide relative to communication tools; to
6 provide for the promulgation of rules; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:2405.8(E) and (F) are hereby amended and reenacted and R.S.
9 40:2405.8(G) is hereby enacted to read as follows:

10 §2405.8. Additional peace officer training requirements

11 * * *

12 E.(1) The council shall develop a domestic violence awareness training
13 program in a series of modules to include all of the following:

14 (a) Dynamics of domestic violence.

15 (b) Predominate aggressor determination.

16 (c) Neurobiology of trauma and its implications for victim communication.

17 (d) Strangulation response and investigation methods.

18 (e) Evidence-based investigation methods.

19 (f) Protection order enforcement and the Louisiana Protective Order

20 Registry.

1 (g) Applicable state and federal domestic violence laws.

2 (2) On and after July 1, 2018, each peace officer, as defined in R.S.
3 40:2402(3)(a), shall complete a domestic violence awareness training program as
4 provided by the council.

5 F.(1) The council shall develop a communication with deaf and hard of
6 hearing individuals training program in a series of modules to include all of the
7 following:

8 (a) Recognition of deaf or hard of hearing individual.

9 (b) Communication tips including but not limited to the following:

10 (i) Review of the ADA publication, "Communicating with People Who Are
11 Deaf or Hard of Hearing: ADA Guide for Law Enforcement Officer".

12 (ii) Training with communication cards or other forms of assistance
13 technology for law enforcement officers interacting with deaf or hard of hearing
14 individuals.

15 (c) Information regarding how to access interpreters, TTY, and relay
16 services.

17 (d) Rights of deaf and hard of hearing individuals, including interrogations.

18 (e) Applicable state and federal laws.

19 (2) On and after July 1, 2018, each peace officer, as defined in R.S.
20 40:2402(3)(a), shall complete a training program as provided by the council on
21 communicating with deaf and hard of hearing individuals.

22 (3) The council shall approve communication cards developed by any public
23 or private entity, including nongovernmental advocacy groups, that specializes in
24 working with deaf and hard of hearing individuals for the use by law enforcement
25 officers. The communication cards should be made available in all law enforcement
26 agency headquarters and substations. Additionally, all officers shall have
27 communication cards available in patrol vehicles.

28 E.G.(1) The council shall promulgate rules and regulations in accordance
29 with the Administrative Procedure Act, subject to the oversight of the House

1 Committee on the Administration of Criminal Justice and the Senate Committee on
2 Judiciary B, for the implementation of a homicide investigator training program no
3 later than July 1, 2016.

4 (2)(a) The council shall promulgate rules and regulations in accordance with
5 the Administrative Procedure Act, subject to the oversight of the House Committee
6 on the Administration of Criminal Justice and the Senate Committee on Judiciary B,
7 for the implementation of a sexual assault awareness training program as provided
8 in R.S. 17:1805(H) no later than October 1, 2015.

9 (b) The council shall promulgate rules and regulations in accordance with
10 the Administrative Procedure Act, subject to the oversight of the House Committee
11 on the Administration of Criminal Justice and the Senate Committee on Judiciary B,
12 for the implementation of a sexual assault awareness training program for peace
13 officers as defined in R.S. 40:2402(3)(a) as provided in Paragraph (C)(3) of this
14 Section no later than January 1, 2017.

15 (3)(a) The council shall promulgate rules in accordance with the
16 Administrative Procedures Act for implementation of the following training
17 programs for peace officers as provided in Subsections E and F of this Section:

18 (i) Domestic violence awareness training.

19 (ii) Communication with deaf or hard of hearing individuals.

20 (b) The council shall create and maintain a list of peace officers who have
21 successfully completed the domestic violence awareness training and the training on
22 communication with the deaf or hard of hearing individuals.

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 474 Original

2018 Regular Session

Smith

Abstract: Requires peace officers to attend domestic violence and communicating with deaf and hard of hearing individuals training, and requires the council to develop the training modules.

Present law requires the P.O.S.T. Council to create mandatory training for all peace officers to complete. The council is responsible for keeping track of the officers that attend or complete the training.

Proposed law requires the council to create additional training modules for domestic violence and communicating with deaf and hard of hearing persons. Requires the council to utilize communication cards from a nongovernmental agency that specializes in working with deaf and hard of hearing individuals.

(Amends R.S. 40:2405.8(E) and (F); Adds R.S. 40:2405.8(G))