

2018 Regular Session

HOUSE BILL NO. 787

BY REPRESENTATIVE JAMES

CRIME: Prohibits the intentional falsification of reports or records related to criminal investigations or complaints

1 AN ACT

2 To enact R.S. 14:134.2.1, relative to malfeasance in office; to prohibit the intentional
3 falsification of reports or records related to the investigation of a complaint or
4 criminal activity; to provide for definitions; to provide for criminal penalties; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:134.2.1 is hereby enacted to read as follows:

8 §134.2.1. Malfeasance in office; falsifying reports and records

9 A. It shall be unlawful and constitute malfeasance in office for a law
10 enforcement officer to intentionally falsify records or reports related to the
11 investigation of a complaint or criminal activity including but not limited to any
12 documents or reports establishing probable cause to search or arrest an individual.

13 B. For purposes of this Section, "law enforcement officer" shall include
14 commissioned state and municipal police officers, sheriffs, deputy sheriffs, marshals,
15 deputy marshals, correctional officers, constables, wildlife enforcement agents, and
16 probation and parole officers.

17 C. Whoever violates this Section shall be fined not more than ten thousand
18 dollars, imprisoned, with or without hard labor, for not more than three years, or
19 both.

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 787 Original

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Abstract: Prohibits the intentional falsification of reports or records related to the investigation of a complaint or criminal activity and provides criminal penalties for violations of the prohibition.

Proposed law provides that it shall be unlawful and constitute malfeasance in office for a law enforcement officer to intentionally falsify records or reports related to the investigation of a complaint or criminal activity including but not limited to any documents or reports establishing probable cause to search or arrest an individual.

Proposed law provides criminal penalties for violations of proposed law which include a fine of not more than \$10,000, imprisonment, with or without hard labor, for not more than three years, or both.

Proposed law defines "law enforcement officer" as including commissioned state and municipal police officers, sheriffs, deputy sheriffs, marshals, deputy marshals, correctional officers, constables, wildlife enforcement agents, and probation and parole officers.

(Adds R.S. 14:134.2.1)