

2023 Regular Session

HOUSE RESOLUTION NO. 143

BY REPRESENTATIVE MARCELLE

LAW ENFORCE/CRIM JUS COM: Requests the House Committee on the Administration of Criminal Justice to study and make recommendations concerning the policies and procedures of high-speed pursuits by law enforcement officers

1 A RESOLUTION

2 To authorize and request the House Committee on Administration of Criminal Justice, or a  
3 subcommittee thereof, to study and make recommendations concerning the policies  
4 and procedures of high-speed pursuits by law enforcement officers and to report its  
5 findings prior to the convening of the 2024 Regular Session of the Legislature of  
6 Louisiana.

7 WHEREAS, in order to safeguard the public and peace officers of this state, it is vital  
8 for peace officers and the communities they protect to have strong, collaborative  
9 relationships; and

10 WHEREAS, trust between law enforcement agencies and the citizens they serve is  
11 essential to the stability of communities, the integrity of the criminal justice system, and the  
12 safe and effective delivery of public safety services; and

13 WHEREAS, high-speed pursuits can pose many risks to both law enforcement  
14 officers and the communities they protect due to factors regarding the length or distance of  
15 the pursuit, the number of law enforcement officers involved in the pursuit, the time of day  
16 the pursuit takes place, the traffic laws that may need to be circumvented to end the pursuit,  
17 and other unpredictable variables; and

18 WHEREAS, a review and reassessment of high-speed police pursuits by all law  
19 enforcement agencies may assist in pursuing and apprehending suspects in a manner which  
20 protects both the lives of law enforcement officers and the public at large, may strengthen

1 law enforcement transparency, performance, and accountability, and may improve the  
2 documentation of evidence; and

3 WHEREAS, the United States Department of Justice categorizes pursuit policies into  
4 three types as follows:

5 (1) Discretionary policies, which are the least restrictive and allow a law  
6 enforcement officer to make all decisions, including when to initiate a pursuit and when to  
7 stop it.

8 (2) Restrictive policies, which allow a law enforcement officer to seek advice from  
9 his commanding officer or supervisor on whether or not to pursue.

10 (3) Discouraging policies, which are extremely cautious of any pursuits and only  
11 recommend pursuits when there is no other solution, or the situation is so extreme as to  
12 endanger the lives of others; and

13 WHEREAS, R.S. 32:24(B) permits the driver of an emergency vehicle, when in the  
14 pursuit of an actual or suspected violator of the law, to do any of the following:

15 (1) Park or stand.

16 (2) Proceed past a red or stop signal or stop sign, but only after slowing down or  
17 stopping as may be necessary for safe operation.

18 (3) Exceed the maximum speed limits so long as the driver does not endanger life  
19 or property.

20 (4) Disregard regulations governing the direction of movement or turning in  
21 specified directions; and

22 WHEREAS, revised high-speed pursuit policies may assist law enforcement agencies  
23 in pursuing and apprehending suspects in a manner which ensures the safety of both law  
24 enforcement officers and the communities they protect.

25 THEREFORE, BE IT RESOLVED that the House of Representatives of the  
26 Legislature of Louisiana does hereby authorize and request the House Committee on the  
27 Administration of Criminal Justice, or a subcommittee thereof, to study and make  
28 recommendations concerning the policies and procedures of high-speed pursuits by law  
29 enforcement officers and to report its findings to the House of Representatives prior to the  
30 convening of the 2024 Regular Session of the Legislature of Louisiana.

1 BE IT FURTHER RESOLVED, in undertaking the study, that the House Committee  
2 on the Administration of Criminal Justice, or a subcommittee thereof, may seek input from  
3 all of the following:

- 4 (1) The chief of police of the Baton Rouge Police Department, or his designee.
- 5 (2) The sheriff of East Baton Rouge Parish, or his designee.
- 6 (3) The sheriff of West Baton Rouge Parish, or his designee.
- 7 (4) Any other interested stakeholders.

8 BE IT FURTHER RESOLVED, in undertaking the study, that the House Committee  
9 on the Administration of Criminal Justice, or a subcommittee thereof, may request research,  
10 documents, or data, conduct public hearings, and take any other actions it deems necessary  
11 to carry out its functions.

12 BE IT FURTHER RESOLVED that the House Committee on the Administration of  
13 Criminal Justice shall prepare and submit a final report that contains a detailed statement of  
14 the findings and policy recommendations to the House of Representatives prior to the  
15 convening of the 2024 Regular Session of the Legislature of Louisiana, and that such  
16 recommendations shall include but not be limited to those relative to the following:

- 17 (1) General guidelines regarding the discretion of law enforcement officers to be  
18 used before and during high-speed pursuits.
- 19 (2) Any limitations on the situations in which law enforcement officers are permitted  
20 to engage in high-speed pursuits.
- 21 (3) General guidelines regarding law enforcement training relative to each law  
22 enforcement agency's policies and procedures on high-speed pursuits.
- 23 (4) Legislation needed, if any, to address high-speed pursuits initiated by law  
24 enforcement officers in this state.

25 BE IT FURTHER RESOLVED that one print copy and one electronic copy of any  
26 report produced pursuant to this Resolution shall be submitted to the David R. Poynter  
27 Legislative Research Library as required by R.S. 24:772.

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)]

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HR 143 Original

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Marcelle

Authorizes the House Committee on Administration of Criminal Justice, or a subcommittee thereof, to study and make recommendations concerning the policies and procedures of high-speed pursuits by law enforcement officers and to report its findings prior to the convening of the 2024 Regular Session of the Legislature.