

2025 Regular Session

SENATE BILL NO. 128

BY SENATOR CARTER

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

LAW ENFORCEMENT. Requires a written report when any law enforcement officer uses force on a member of the public. (8/1/25)

AN ACT

To enact R.S. 40:2554, relative to law enforcement; to provide for responsibilities of law enforcement officers while interacting with the public; to require mandatory reporting when force is used; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2554 is hereby enacted to read as follows:

§2554. Mandatory reporting when force is used

No later than January 1, 2026, the Council on Peace Officer Standards and Training shall adopt a policy regarding mandatory reporting when a peace officer uses force on a member of the public whether or not the interaction results in an arrest. For purposes of this policy, a use of force report shall be required when the force used is reasonably expected to cause physical injury greater than transitory pain. This report shall be completed by the officer or his immediate supervisor. This policy shall apply to all law enforcement agencies in the state. Nothing in this policy shall prevent an agency from adopting a more strenuous policy. The reports shall be considered a public record and subject to the Public Records Law, R.S. 44:1 et seq.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 128 Engrossed

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Carter

Proposed law requires the Council on Peace Officer Standards and Training to adopt a policy no later than January 1, 2026, regarding mandatory reporting when a peace officer uses force on a member of the public whether or not the interaction results in an arrest.

Proposed law requires a use of force report when the force used is reasonably expected to cause physical injury greater than transitory pain.

Proposed law requires the report to be completed by the peace officer or his immediate supervisor.

Proposed law provides that the policy apply to all law enforcement agencies in the state.

Proposed law authorizes a law enforcement agency to adopt a more strenuous policy.

Proposed law requires that all reports be considered a public record and subject to the Public Records Law.

Effective August 1, 2025.

(Adds R.S. 40:2554)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Removes provision requiring a report when a peace officer uses force on a member of the public whether or not the interaction results in an injury.
2. Adds provision requiring a use of force report when the force used is reasonably expected to cause physical injury greater than transitory pain.
3. Adds provision requiring the report to be completed by the officer or his immediate supervisor.