

2016 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 117

BY REPRESENTATIVE HUNTER

LAW ENFORCE/OFFICERS: Creates a task force to study and make recommendations for law enforcement officers involved in certain incidents

1                                      A CONCURRENT RESOLUTION

2 To create the Louisiana Law Enforcement Officer-Involved Incident Task Force to study  
3            and make recommendations regarding the implementation and development of  
4            guidelines for investigating officer-involved incidents by law enforcement agencies  
5            in this state, and to provide for a written report of its recommendations and findings  
6            no later than sixty days prior to the 2017 Regular Session of the Louisiana  
7            Legislature.

8            WHEREAS, in order to safeguard the public and law enforcement officers of this  
9 state, it is vital for law enforcement officers and the communities that they serve to have  
10 strong, collaborative relationships; and

11           WHEREAS, trust between law enforcement officers and the public is essential to the  
12 stability of communities, the integrity of the criminal justice system, and the safe and  
13 effective delivery of public safety services; and

14           WHEREAS, every precaution must be taken to ensure that the duties of law  
15 enforcement officers are performed at the highest level available; and

16           WHEREAS, it is essential for law enforcement officers to demonstrate accountability  
17 to the community through an impartial, transparent, timely, and systematic investigative  
18 process; and

19           WHEREAS, an "officer-involved incident" means any incident which the death of  
20 another individual is caused by a law enforcement officer acting under the authority of the  
21 state or a political subdivision of the state; and

1           WHEREAS, investigations pertaining to officer-involved incidents are frequently  
2 more complex and demanding than other incidents involving law enforcement officers; and

3           WHEREAS, questions arise about the propriety of a law enforcement agency  
4 conducting an investigation wherein one of its own officers is involved; and

5           WHEREAS, officer-involved incidents should be performed in a manner that  
6 provides for a thorough and credible investigation free from conflicts; and

7           WHEREAS, investigations of officer-involved incidents should commence as  
8 promptly as practicable after the occurrence; and

9           WHEREAS, investigations of officer-involved incidents may uncover deficiencies  
10 that lead to necessary changes in policy, training, and legislation.

11           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
12 create the Louisiana Law Enforcement Officer-Involved Incident Task Force to study and  
13 make recommendations regarding the efficiency and timeliness of investigations pertaining  
14 to officer-involved incidents.

15           BE IT FURTHER RESOLVED that this task force shall consist of nineteen members  
16 and be composed of the following:

- 17           (1) The chair of the House Committee on Judiciary.
- 18           (2) The chair of the Senate Committee on Judiciary B.
- 19           (3) The attorney general or his designee.
- 20           (4) The state public defender or his designee.
- 21           (5) The president of the Louisiana District Attorney's Association or his designee.
- 22           (6) The executive director of the Louisiana Sheriff's Association or his designee.
- 23           (7) The president of the Louisiana Association of Chiefs of Police or his designee.
- 24           (8) The president of the Louisiana Fraternal Order of Police or his designee.
- 25           (9) A representative of the American Civil Liberties Union of Louisiana.
- 26           (10) A district court judge designated by the chief justice of the Louisiana Supreme  
27 Court.
- 28           (11) A representative of the Louisiana State University Police Department.
- 29           (12) A representative of the Southern University Police Department.

1 (13) A representative of the National Association of the Advancement of Colored  
2 People.

3 (14) A member of the Louisiana House of Representatives representing district  
4 seventeen or his designee.

5 (15) A mayor or city-parish president representing an urban municipality as  
6 designated by the Louisiana Municipal Association.

7 (16) A mayor or city-parish president representing a suburban municipality as  
8 designated by the Louisiana Municipal Association.

9 (17) The superintendent of Louisiana State Police or his designee.

10 (18) The president of the Louisiana Association of Broadcasters or his designee.

11 (19) The president of the Louisiana Press Association or his designee.

12 BE IT FURTHER RESOLVED that all appointments to the task force shall be made  
13 within thirty days after adjournment of this legislature in the 2016 Regular Session.  
14 Vacancies shall be filled in the same manner as the original appointments. The members of  
15 the task force shall serve without compensation.

16 BE IT FURTHER RESOLVED that a majority of the membership of the task force  
17 shall constitute a quorum and shall elect the chair of the task force at its first meeting. The  
18 task force shall meet at the call of the chair or upon an affirmative vote of a majority of the  
19 task force. All members must be notified in writing of all meetings at least five days before  
20 the date on which a meeting of the task force is scheduled.

21 BE IT FURTHER RESOLVED that the chair shall call an initial meeting of the task  
22 force no later than October 1, 2016, and hold meetings at the times and in the places it may  
23 deem appropriate and necessary to fulfill its charge. The task force may avail itself of the  
24 services of the employees of any state or municipal department, agency, or board as it may  
25 require and as may be available to it for its purposes.

26 BE IT FURTHER RESOLVED that the task force shall meet no less than two times.

27 BE IT FURTHER RESOLVED that the task force may seek the advice of experts as  
28 deemed appropriate by the membership of the task force.

29 BE IT FURTHER RESOLVED that the task force shall prepare and submit a final  
30 report that contains a detailed statement of the findings and policy recommendations of the

1 task force to the governor, the president of the Senate, the speaker of the House of  
2 Representatives, the chairman of the House Committee on Judiciary, the chairman of the  
3 Senate Committee on Judiciary B, and the chief justice of the Louisiana Supreme Court not  
4 later than sixty days prior to the beginning of the 2017 Regular Session of the Legislature  
5 of Louisiana and that such recommendations shall include but not be limited to the  
6 following:

7 (1) General guidelines to ensure that officer-involved incidents are thoroughly,  
8 fairly, and timely investigated.

9 (2) General guidelines to ensure that proper dispositions of officer-involved  
10 incidents are based upon all legally available and relevant evidence.

11 (3) Legislation needed, if any, to provide for new protocols for investigations related  
12 to officer-involved incidents.

13 BE IT FURTHER RESOLVED that the task force shall be abolished upon  
14 submission of the report.

15 BE IT FURTHER RESOLVED that copies of this Resolution be transmitted to the  
16 appointing entities named in this Resolution.

---

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)]

---

HCR 117 Engrossed

2016 Regular Session

Hunter

Creates the Louisiana Law Enforcement Officer-Involved Incident Task Force to study and make recommendations regarding the implementation and development of guidelines for officer-involved incident investigations, and provides for a written report of its recommendations and findings no later than sixty days prior to the 2017 R.S.