

2018 Regular Session

HOUSE BILL NO. 474

BY REPRESENTATIVES SMITH, GARY CARTER, GAINES, HUNTER, JACKSON,
AND ZERINGUE

LAW ENFORCE/OFFICERS: Requires additional training for peace officers

1 AN ACT

2 To amend and reenact R.S. 40:2405.8(E) and to enact R.S. 40:2405.8(F) and (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 a communication training
5 plan; to provide relative to communication tools; to provide for the promulgation of
6 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) is hereby amended and reenacted and R.S. 40:2405.8
9 (F) and (G) are 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) Predominant 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, in collaboration with the community, shall develop a
6 communication training plan. The communication training plan shall use face-to-
7 face techniques with limited use of pre-recorded videos. The training shall cover the
8 following topics:

9 (a) Recognition of deaf or hard of hearing individuals.

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

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

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

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

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

19 (e) Applicable state and federal laws.

20 (2) On and after January 1, 2019, each peace officer, as defined in R.S.
21 40:2402(3)(a), shall complete a training program as provided by the council on
22 communicating with deaf and hard of hearing individuals.

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

1 ~~E.G.~~(1) The council shall promulgate rules and regulations in accordance
2 with the Administrative Procedure Act, subject to the oversight of the House
3 Committee on the Administration of Criminal Justice and the Senate Committee on
4 Judiciary B, for the implementation of a homicide investigator training program no
5 later than July 1, 2016.

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

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

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

20 (i) Domestic violence awareness training.

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

22 (b) The council shall create and maintain a list of peace officers who have
23 successfully completed the domestic violence awareness training and the training on
24 communication with 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 Reengrossed

2018 Regular Session

Smith

Abstract: Requires peace officers to attend domestic violence and communications training.

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 an additional training module for domestic violence. Additionally, proposed law requires that the council work with the deaf community to develop a communication training plan that uses face-to-face techniques with limited pre-recorded videos. Peace officers are required to complete this training program on and after Jan. 1, 2019. 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); Adds R.S. 40:2405.8(F) and (G))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Require the council to work with the community to create a communication training plan that uses face-to-face techniques.
2. Require peace officers to complete the communication training on and after Jan. 1, 2019.

The House Floor Amendments to the engrossed bill:

1. Clarify that the communication training plan shall use face-to-face techniques with limited use of pre-recorded videos.
2. Make technical amendments.