
DIGEST

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HB 550 Original

2020 Regular Session

Duplessis

Abstract: Requires the development of guidelines and training for law enforcement agencies on identifying and ensuring the safety of minor or dependent children upon the arrest of the child's parent or guardian.

Proposed law requires the Council on Peace Officer Standards and Training to develop guidelines and provide training for law enforcement agencies on identifying and ensuring the safety of minor or dependent children upon the arrest of the child's parent or guardian.

Proposed law requires the guidelines and training to include the following:

- (1) Procedures to ensure that law enforcement officers inquire whether an arrested person has minor or dependent children who may be present or at another location at the time of the arrest.
- (2) Procedures for the proper arrangement of temporary care for children to ensure their safety and well-being with a priority on placing children with supportive family members and trusted adults before placing children in foster care.
- (3) Education on how the effects of witnessing a violent crime or other events causes emotional harm to children and how law enforcement can assist in mitigating the long-term effects of the trauma.

Proposed law requires the council to work in conjunction with and receive input from appropriate nongovernmental organizations and other relevant organizations that are invested in the rights of children with incarcerated parents to develop and establish the guidelines and training program.

Proposed law requires state and local law enforcement officers who arrests a person to, at the time of the arrest, inquire whether the person is a parent or guardian or a minor or dependent child who may be at risk as a result of the arrest. Proposed law further requires the officer to make reasonable efforts to ensure the safety of minor or dependent children at risk as a result of an arrest in accordance with guidelines established pursuant to proposed law.

(Adds R.S. 40:2405.9 and C.Cr.P. Art. 223)