SLS 201ES-356

2020 First Extraordinary Session

SENATE CONCURRENT RESOLUTION NO. 25

BY SENATOR REESE

ADMINISTRATION DIVISION. Requests the division of administration to review the eligibility of Louisiana district attorneys to obtain reimbursement under the "public safety" presumption of the CARES Act.

1	A CONCURRENT RESOLUTION
2	To urge and request the division of administration to review the eligibility of Louisiana
3	district attorneys to receive reimbursement under the "public safety" presumption of
4	the CARES Act.
5	WHEREAS, the United States Treasury has opined that "[p]ayroll expenses for
6	public safety, public health, health care, human services, and similar employees whose
7	services are substantially dedicated to mitigating or responding to the COVID-19 public
8	health emergency" are eligible for reimbursement under the CARES Act; and
9	WHEREAS, upon reviewing the descriptions and guidance associated with the
10	"public safety" presumption of the CARES Act, it appears that Louisiana district attorneys
11	should be considered as eligible under the "public safety" presumption; and
12	WHEREAS, during the COVID-19 pandemic, Louisiana's district attorneys have
13	been forced to adapt and overcome obstacles that lend themselves to applicability of the
14	"public safety" presumption; and
15	WHEREAS, with regard to inmate population reduction efforts:
16	(1) Louisiana prosecutors have worked diligently and consistently to support and
17	assist law enforcement with twenty-four hour on-call status with "summons in lieu of arrest"
18	decisions and real-time screening of custodial arrests.

SLS 201ES-356

ORIGINAL SCR NO. 25

- 1 (2) Louisiana district attorneys have participated in all phases of the state's furlough 2 plan by conducting local investigations of the inmate history prior to the panel hearings and 3 participating in the hearings as panel members; and 4 WHEREAS, with regard to victim services, Louisiana district attorneys have embraced the challenges brought about by the pandemic to deliver services to victims of 5 6 crime, including but not limited to: 7 (1) Facilitating the issuance of Uniform Abuse Prevention orders in accordance with 8 R.S. 46: 2136 in domestic violence cases and during bail setting in accordance with C.Cr.P. 9 Art. 320 for victims of crimes of violence, sex offenses, and human trafficking through 10 innovated means such as traveling to the victims with technology in order to participate in 11 the required hearings remotely when victims lacked the requisite technology and the ability 12 to travel. 13 (2) Providing necessary assistance and referral for counseling services, assistance 14 with emergency housing, food, clothing, and other needs, facilitating relocation of victims 15 and witnesses who are in dangerous situations. 16 (3) Participating in the on-site and emergent needs relating to Child in Need of Care
- 17 and Family in Need of Service cases which often involve emergency situations; and
 - WHEREAS, with regard to investigative services:

18

- (1) District attorneys employ in excess of two hundred investigators who are, by
 definition, "peace officers", pursuant to R.S. 16:13.1 and as such are authorized to carry
 firearms in the performance of their duties.
- (2) District attorneys have afforded twenty-four hour on-call response to major and
 complex crimes such as homicide, sexual assaults, and those which are much more prevalent
 during the stay-at-home mandate such as domestic abuse, human trafficking, Medicaid fraud,
 racketeer-influenced and corrupt organizations (RICO) violations, etc.; and
- WHEREAS, with regard to public body representation, district attorneys have had
 to redirect significant resources to assist local government with "open meetings" compliance
 throughout the pandemic.
- THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby urges
 and requests the division of administration to review the eligibility of district attorneys to

SLS 201ES-356

2

- 1 receive reimbursement under the "public safety" presumption of the CARES Act.
 - BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to Jay
- 3 Dardenne, commissioner of administration.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

SCR 25 Original

2020 First Extraordinary Session

Reese

Requests the division of administration to review the eligibility of district attorneys to receive reimbursement under the "public safety" presumption of the CARES Act.