

2021 Regular Session

HOUSE BILL NO. 129

BY REPRESENTATIVES BACALA, HUGHES, JAMES, JONES, JORDAN, LANDRY,
MARINO, AND ORGERON AND SENATORS FIELDS AND LAMBERT

1 AN ACT

2 To amend and reenact R.S. 40:2404 (introductory paragraph) and 2404.2(C) and to enact
3 R.S. 15:1212.1(G) and R.S. 40:2401.2, 2401.3, 2404(12), and 2555, relative to peace
4 officers; to provide relative to certain reporting requirements; to provide relative to
5 the recruitment of certain peace officer candidates; to provide relative to certain
6 training requirements; to provide for the implementation of disciplinary policies and
7 procedures; to provide relative to investigations into certain peace officer conduct;
8 and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:1212.1(G) is hereby enacted to read as follows:

11 §1212.1. Report to the system; duties of persons and agencies

12 * * *

13 G.(1) Failure by a law enforcement agency to provide the data required by
14 R.S. 15:1212(B)(4) within forty-five days of the change in employment status of a
15 law enforcement officer shall result in a civil fine on the agency of up to five
16 hundred dollars per day until the data is provided. Monies collected from such fines
17 shall be directed to the Louisiana Commission on Law Enforcement and
18 Administration of Criminal Justice.

19 (2) Fines proposed pursuant to Paragraph (1) of this Subsection may be
20 waived or reduced by the Louisiana Commission on Law Enforcement and
21 Administration of Criminal Justice in the event of force majeure or exigent
22 circumstances for good cause shown.

23 Section 2. R.S. 40:2404 (introductory paragraph) and 2404.2(C) are hereby amended
24 and reenacted and R.S. 40:2401.2, 2401.3, 2404(12), and 2555 are hereby enacted to read
25 as follows:

1 §2401.2. Recruitment of minority candidates

2 The council shall develop a policy designed to increase the recruitment of
3 minority candidates for law enforcement positions which may be implemented by
4 governmental entities that employ a peace officer. All governmental entities that
5 employ a peace officer shall either develop and implement a policy designed to
6 increase the recruitment of minority candidates for peace officer positions or adopt
7 and implement the P.O.S.T. recruitment of minority candidate policy referenced in
8 this Section.

9 §2401.3. Requirement for grant applications

10 In order to be eligible to apply for and receive any state grants administered
11 or procured by the Louisiana Commission on Law Enforcement and Administration
12 of Criminal Justice, any governmental entity that employs a peace officer shall
13 implement an in-service anti-bias training program, as administered by the council,
14 including but not limited to topics such as procedural justice, cultural diversity,
15 community relations, and peer intervention.

16 * * *

17 §2404. Powers of the council

18 In addition to any other powers conferred upon the council ~~elsewhere herein~~
19 pursuant to this Chapter or by other law, the council shall have the following powers:

20 * * *

21 (12) To suspend or revoke P.O.S.T. certification and to develop and
22 implement polices and procedures to suspend or revoke P.O.S.T. certification for
23 misconduct committed by a peace officer.

24 * * *

25 §2404.2. Minimum training requirements; basic curriculum; annual training

26 * * *

27 C.(1) No later than January 1, 2018, the council shall develop and implement
28 curriculum for de-escalation, bias policing recognition, sudden in-death custody, and
29 crisis intervention training, which shall include training for law enforcement
30 interaction with persons with mental illness and persons with developmental

1 disabilities, for peace officers that consists of classroom or internet instruction, or
2 both.

3 (2) No later than January 1, 2022, the council shall develop and implement
4 curriculum to provide instruction for law enforcement personnel on procedural
5 justice and duty-to-intervene matters which shall include training for law
6 enforcement personnel that consists of classroom or internet instruction, or both.

7 * * *

8 §2555. Officer involved shooting

9 A. In the event of an officer-involved shooting which results in death or
10 great bodily harm, the investigators of these incidents shall be accountable only to
11 those agencies which have been certified by the council following the effective date
12 of January 1, 2022.

13 B. In addition to agency certification, there shall be within those agencies at
14 least three certified officer-involved investigators who have completed all necessary
15 coursework and subsequent in-service training and law enforcement experience
16 which will establish eligibility for these investigators before training and
17 certification.

18 C. The agencies shall also provide for the personnel to be certified through
19 P.O.S.T. for the processing of all evidence associated officer-involved shootings.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____