
DIGEST

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HB 922 Original

2022 Regular Session

Marcelle

Abstract: Creates a uniform data collection requirement for law enforcement agencies and makes such data public.

Proposed law requires the collection of information from peace officers by certain law enforcement agencies involved in the following incidents:

- (1) Use of force by a peace officer.
- (2) Use of a no-knock search warrant.
- (3) Deployment of special weapons and tactics (S.W.A.T.) teams.
- (4) Traffic stops.
- (5) Pedestrian and bicycle stops.
- (6) Complaints against peace officers.
- (7) 911 emergency calls.

Proposed law requires peace officers to report identifying information regarding individuals involved in these proposed law incidents including but not limited to sex, age, race, state of residence, English proficiency, and presence of disabilities.

Proposed law requires peace officers to report information regarding their interactions with individuals including specific information about whether they were on duty, used force, discharged a weapon, or gave any commands.

Proposed law also requires the collection of information specific to peace officers of each law enforcement agency.

Proposed law allows for the collection of data to be phased in to law enforcement agencies across the state. Larger agencies are required to make their first submission of collected information no later than April 1, 2023. Smaller agencies are required to make their submission by April 1, 2025. Provides for an alternative method of compliance with proposed law in certain cases where a law enforcement agency is already collecting this information for accreditation purposes.

Proposed law requires data collected pursuant to proposed law to be public record.

Proposed law provides that if law enforcement agencies fail to comply, the La. Commission on Law Enforcement and the Administration of Criminal Justice has the ability to withhold all federal or state funds that would otherwise be disbursed to them, including funds from the Edward Byne Memorial Justice Assistant Grant Program. Law enforcement agencies may be forced to pay civil penalties for intentionally being non-compliant. Additionally, organizations with tax-exempt status can seek injunctive relief in a civil action if the law enforcement agencies fail to comply with the submission of data or publishing of annual reports.

Proposed law requires all law enforcement agencies to report all data requested by the FBI to the La. Uniform Crime Reporting System. Additionally, it requires the commission to create standards and technical specifications to ensure that all data submissions are uniform.

Proposed law requires the commission to report on clearance rates that include statistics on all crimes reported to the system.

Present law (R.S. 22:398.10) requires peace officers to collect information on the number of persons stopped for traffic violations made and the demographics of those persons, the nature of the stop, and whether a citation or warrant was issued, an arrest made, or a search conducted. Present law provides that present law is inapplicable if the department adopts a written policy against racial profiling. Proposed law repeals present law.

(Amends R.S. 15:1204.2(A) and (B)(1) and (8)(c), 1204.5, 1212(B)(4) and 1212.1(F); Adds R.S. 15:1204.2(B)(8)(d) and R.S. 40:2903-2912; Repeals R.S. 32:398.10)