
DIGEST

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Lorusso

HB No. 244

Abstract: Prohibits the release of a law enforcement agency's records regarding personal information without consent of the officer and further provides for the procedures and damages associated with the release of such information.

Present law prohibits any person, agency, or department from releasing to the news media, press, or other public information agency, a law enforcement officer's home address, photograph, or any confidential information without the written consent of the law enforcement officer when the officer is under investigation.

Proposed law prohibits any person, agency, or department having custody or control of a law enforcement agency's records from releasing a law enforcement officer's home address, telephone number, photograph, social security number, or any other confidential information without the written consent of the officer.

Proposed law requires any person, agency, or department to notify the officer prior to the release of any personnel or disciplinary file of an officer and allows the officer at least 72 hours to review the files and determine that protected information will not be released.

Proposed law requires the officer to notify, in writing, the custodian of records within the 72-hour review period that confidential or protected information is proposed to be released.

Proposed law provides that any person who releases records or files that are found to be confidential or protected under proposed law or other provisions of law or local ordinances shall be personally liable for civil damages and liable in solido with the custodian's employing agency or department for payment of the officer's attorney fees and litigation costs.

(Amends R.S. 40:2532)