

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 159 By Senator Morrell**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

LAW ENFORCEMENT. Provides for paid detail or secondary employment of law enforcement officers administered or managed by the city of New Orleans. (gov sig)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Removes provisions that require OPSE to be responsible for workers' compensation and all related insurance costs of officers on detail or secondary employment.
2. Removes provisions that require the city of New Orleans to be responsible for the funding and payment of social security and Medicare employer and employee contributions for all detail or secondary employment.
3. Adds provisions concerning the office of the independent police monitor, its authority, and responsibilities.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Proposed law prohibits the managing director and employees of the Office of Police and Secondary Employment (OPSE) from communicating with the New Orleans Police Department, its staff, officers, or superintendent, except for communications concerning paid detail or secondary employment assignments. or communications with the Public Integrity Bureau. Proposed law applies to any other entity which may be created or which supercedes OPSE to oversee or manage paid details or secondary employment of New Orleans city police officers.

Proposed law requires that the office of the independent police monitor investigate any complaint concerning any detail or secondary employment of a New Orleans police officer and may examine, review, audit, inspect, and investigate the records, books, reports, documents, papers, correspondence, accounts, audits, inspections, reviews, recommendations, plans, films, tapes, pictures, computer hard drives, software data, hardware data, e-mails, instant messages, text messages, and any other data and material relevant to any detail or secondary employment complaint and may issue an administrative subpoena duces tecum to require the production of books, records, documents, or other evidence deemed relevant or material to an investigation.

Requires that any subpoena duces tecum be served by certified mail, return receipt requested, at the addressee's residence or business address and that the recipient of the subpoena may file a motion with the Civil District Court for the parish of Orleans to amend or quash the subpoena. Authorizes the office of independent police monitor to apply for a court order compelling compliance with the subpoena. Provides that costs and attorney's fees incurred by the office of the independent police monitor are to be taxed against the person who failed or refused to comply with the subpoena.

Proposed law authorizes the office of the independent police monitor to apply for an order protecting materials if it has reason to believe that an attempt will be made to conceal or destroy the materials.

Proposed law authorizes the office of the independent police monitor to examine the accounts and books of OPSE, or any other entity created or which supercedes OPSE.

Proposed law prohibits the head of the Office of Police and Secondary Employment (OPSE) from being within the chain of command of the New Orleans Police Department but is bound by the Police Officers Bill of Rights and is prohibited from disciplining an officer. and from disciplining an officer.

Proposed law requires the chief management officer for the OPSE to refer all complaints of unprofessional conduct to the Public Integrity Bureau.

Proposed law restricts the maximum administrative fee on hourly detail or secondary employment to five dollars per hour.

Proposed law requires that all communications of OPSE regarding references to police officers, employees of NOPD, and businesses and other contracting entities regarding details or secondary employment be subject to a public records request and the information is considered a public record and shall be available under the Freedom of Information Act request.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 33:2339)

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