



Louisiana Legislature

January 29, 2021

The Honorable Patrick Page Cortez
President of the Louisiana Senate
P.O. Box 94183
Baton Rouge, LA 70804

The Honorable Clay Schexnayder
Speaker of the Louisiana House of Representatives
P.O. Box 94062
Baton Rouge, LA 70804

RE: Report of the Police Training, Screening, and De-escalation Task Force

Dear President Cortez and Speaker Schexnayder:

The Police Training, Screening, and De-escalation Task Force held its final meeting on January 14, 2021, in the Senate Chamber. The task force completed its business in accordance to SCR 7 by adopting 18 recommendations. A summary of those recommendations can be found below:

- 1. Reduce the time period that a police employee or law enforcement officer is granted to secure representation from 30 days to 14 days, with certain exceptions.*
- 2. Authorize and request the House Committee on Judiciary, or a subcommittee thereof, and the Senate Committee on Judiciary B, or a subcommittee thereof, to meet and to function as a joint committee to study procedures for law enforcement officers under investigation who are required to submit to a polygraph and to study the effects of a representative being present while the law enforcement officer submits to a polygraph.*
- 3. Extend the time period within which the investigation of a police employee or law enforcement officer is required to be completed from 60 to 75 days and excludes weekends and holidays.*
- 4. Request the State Police Commission, as established by La. Const. Art. X, Sect. 43, to*

adopt similar policies regarding a police officer's right to counsel and investigation of an officer.

5. *Require that sustained complaints regarding a law enforcement officer remain in the officer's file for at least ten years.*
6. *Prohibit the use of choke holds and carotid holds, except when the officer reasonably believes he or another person is at risk of great bodily harm or when deadly force is authorized.*
7. *Prohibit the element of qualified immunity from being available to law enforcement officers as a defense to liability for claims brought under state law for wrongful death, physical injury, or personal injury inflicted by law enforcement officers through any use of physical force in a manner determined to be unreasonable by a finder of fact in a judicial proceeding.*
8. *Provide that the criminal offense of malfeasance in office occurs when a full-time, part-time, or reserve peace officer knowingly or with reckless disregard either refuses or fails to perform any duty lawfully required of him as a peace officer or performs such duty in an unlawful manner.*
9. *Prohibit the use of no-knock warrants under certain circumstances.*
10. *Require any governmental entity that employs a peace officer to implement an in-service anti-bias training program, as administered by P.O.S.T., including but not limited to topics such as procedural justice, cultural diversity, community relations, and peer intervention in order to be eligible to apply for and receive any state grants administered or procured by the Louisiana Commission on Law Enforcement and Administration of Criminal Justice.*
11. *Require the P.O.S.T. council to develop and implement curriculum to provide instruction for law enforcement personnel on procedural justice and the duty to intervene in matters which include training for law enforcement personnel that consists of classroom or internet instruction, or both, no later than January 1, 2022.*
12. *Require any law enforcement automobile that is equipped with a dash camera that has the technology to automatically record upon the activation of the automobile's police emergency lights to utilize that technology, no later than January 1, 2022.*
13. *Require any law enforcement agency that utilizes body worn cameras to have a policy regarding the activation and deactivation of such cameras by the officer, no later than January 1, 2022.*
14. *Require all governmental entities that employ a peace officer to develop and implement*

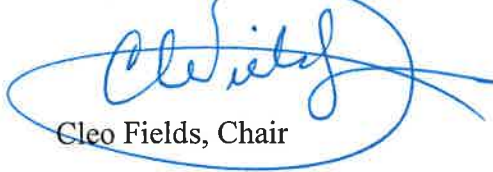
a policy designed to increase the recruitment of minority candidates for peace officer positions.

- 15. Require all law enforcement agencies, correctional agencies, and institutions to disclose to prosecutors any and all information that may be used to impeach the credibility of a prosecution witness, including but not limited to prior statements, prior criminal acts, or other misconduct.*
- 16. Provide for penalties for non-compliance with P.O.S.T. reporting requirements.*
- 17. Require that law enforcement agencies be certified by P.O.S.T. in order to investigate officer-involved shootings that result in death or great bodily harm.*
- 18. Require the P.O.S.T. council to develop and implement policies and procedures to suspend or revoke P.O.S.T. certification for misconduct committed by a peace officer.*

Please accept this letter and the attached exhibits as the report required in SCR 7.

Having completed its business, I respectfully request that the task force be discharged of its duties and terminated.

Respectfully submitted,



Cleo Fields, Chair

cc: All members of the Legislature
All members of the Police Training, Screening, and De-escalation Task Force

Exhibit A: SCR 7, 2020 First Extraordinary Session of the Legislature

Exhibit B: Membership list of the Police Training, Screening, and De-escalation Task Force

Exhibit C: Police Training, Screening, and De-escalation Task Force recommendations