

ACT No. 165

2019 Regular Session

HOUSE BILL NO. 506

BY REPRESENTATIVE DUPLESSIS

1 AN ACT

2 To enact Chapter 36 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 40:2901 and 2902, relative to law enforcement; to provide for data collection
4 by law enforcement agencies; to provide for the creation of a task force; to provide
5 for membership, duties, and meetings of the task force; to provide specific topics for
6 the task force to study; to provide relative to law enforcement policies regarding
7 racial profiling; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 36 of Title 40 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 40:2901 and 2902, is hereby enacted to read as follows:

11 CHAPTER 36. COLLECTION AND SUBMISSION OF DATA

12 RELATED TO LAW ENFORCEMENT ACTIVITIES

13 §2901. Short title

14 This Chapter may be cited as the "Police Data Accountability, Transparency,
15 and Analysis Act" or the "Police DATA Act".

16 §2902. Law Enforcement Data Task Force

17 A. The Louisiana Legislature hereby creates the Law Enforcement Data Task
18 Force to study the collection and analysis of data regarding peace officer interaction
19 with the public.

20 B.(1) The membership of the task force shall be as follows:

21 (a)(i) One member shall be appointed by the Louisiana Commission on Law
22 Enforcement and Administration of Criminal Justice.

1 (ii) This member shall not be a voting member.

2 (iii) This member shall serve as the task force president.

3 (b) One member shall be appointed by the Louisiana Association of Chiefs
4 of Police.

5 (c) One member shall be appointed by the Louisiana Sheriffs' Association.

6 (d) One member shall be appointed by the Department of Public Safety and
7 Corrections, office of state police.

8 (e) One member shall be appointed by Pelican Institute for Public Policy.

9 (f) One member shall be appointed by Southern Poverty Law Center.

10 (g) One member shall be appointed by Public Affairs Research Council.

11 (h) One member shall be appointed by American Civil Liberties Union of
12 Louisiana.

13 (i) One member shall be appointed by the Louisiana American Federation
14 of Labor-Congress of Industrial Organizations (AFL-CIO).

15 (j) One member shall be appointed by the Louisiana Supreme Court.

16 (k) One member shall be appointed by Louisiana Survivors for Reform.

17 (l) One member shall be appointed by the Louisiana District Attorneys
18 Association.

19 (m) One member shall be appointed by the Louisiana Judicial Council.

20 (n) One member shall be appointed by the Council on Peace Officer
21 Standards and Training.

22 (o) One member shall be appointed by Sexual Trauma Awareness and
23 Response (STAR).

24 (p) One member shall be appointed by the Integrated Criminal Justice
25 Information System Policy Board (ICJIS).

26 C. The task force meetings shall be subject to the Open Meetings Law.

27 D. A majority of the members of the task force shall constitute a quorum. A
28 quorum shall be present to transact any business. The task force shall not create any
29 subcommittees, but shall handle all matters before the task force.

1 E. The task force shall meet at least quarterly for one year, and the initial
 2 meeting shall be no later than November 30, 2019. Dates and times for all remaining
 3 task force meetings shall be agreed upon by all appointed members of the task force.

4 F. The task force shall discuss and report on the following topics with
 5 respect to the collection of data and information by law enforcement agencies:

6 (1) Current methods of data collection in the state of Louisiana.

7 (2) Current methods of data collection outside the state of Louisiana.

8 (3) Current methods of reporting data outside the state of Louisiana.

9 (4) Methods of utilizing data collection and reporting to improve public
 10 safety, community engagement, and public confidence in law enforcement.

11 (5) The manner in which rural and small law enforcement agencies currently
 12 comply with data collection requirements in other states.

13 (6) Recommendations on the expansion of data collection and reporting.

14 (7) Possible methods of transmitting collected data by law enforcement
 15 agencies for aggregated presentation.

16 (8) A cost analysis for the collection of extensive data, including but not
 17 limited to the following:

18 (a) Traffic stops.

19 (b) Pedestrian stops.

20 (c) Clearance rates.

21 (d) Execution of no-knock warrants.

22 (e) Use of special weapons and tactics teams.

23 (f) Use of force.

24 (9) Current policies against racial profiling utilized by individual law
 25 enforcement agencies in the state. The task force shall review the policies of each
 26 law enforcement agency to determine whether the agency is excepted from the
 27 reporting requirements as provided in R.S. 32:398.10(E).

28 G. The task force shall accept written or in-person testimony regarding all
 29 matters it considers and shall include all relevant public testimony in its final report
 30 required by Subsection H of this Section.

1 H. The task force shall submit a written report to the Louisiana Commission
 2 on Law Enforcement and Administration of Criminal Justice, the House Committee
 3 on Judiciary, the Senate Committee on Judiciary B, and the Council on Peace
 4 Officers Standards and Training by January thirty-first of each calendar year. The
 5 initial report shall be submitted by the task force on January 31, 2021.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____