
DIGEST

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St. Germain

HB No. 481

Abstract: Provides relative to firefighters and minimum standards for investigation thereof.

Present law outlines minimum standards for investigation of fire employees.

Present law defines a "fire employee" as anyone employed in a full-time fire department, regardless of his specific duties, who is under investigation. Proposed law retains present law and further defines "interrogation" as including but not limited to any interview, inquiry, or questioning of the fire employee regarding allegations of misconduct or policy violations.

Present law establishes minimum standards for investigation of fire employees, including: reasonable duration of the questioning; recording of the interview; allowing the fire employee to make notes during the interview; providing the identity of the interrogators; providing witnesses for the fire employee; and the inadmissibility of statements by the fire employee in a criminal proceeding. Proposed law retains present law and further provides that:

- (1) Prior to commencing an investigation of a fire employee, the appointing authority shall notify the employee in writing of the nature of the investigation, of the identity and authority of the person conducting the investigation, and of the specific charges or violations being investigated.
- (2) Requires that certain required information be given in writing.
- (3) The fire employee's representative or counsel shall be allowed to be present at any interrogation of the fire employee and offer advice and make statements on the record during such interrogation.

(Amends R.S. 33:2181(A) and (B))