

Regular Session, 2017

HOUSE BILL NO. 213

BY REPRESENTATIVE JIMMY HARRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LAW ENFORCE/OFFICERS: Provides relative to the Louisiana Uniform Law Enforcement Statewide Reporting Database

1 AN ACT

2 To amend and reenact R.S. 15:1212(B)(introductory paragraph) and (1) and (4), 1212.1(B),

3 and R.S. 44:3(A)(introductory paragraph) and 4.1(B)(8) and to enact R.S.

4 15:1212.1(C), (D), and (E) and R.S. 44:4(54), relative to law enforcement

5 information; to provide relative to the Louisiana Commission on Law Enforcement

6 and the Administration of Criminal Justice and the Council on Peace Officers

7 Standards and Training; to provide for the Louisiana Uniform Law Enforcement

8 Statewide Reporting Database; to require the reporting of certain information by law

9 enforcement agencies and the P.O.S.T. council to the database; to provide for a

10 limitation of liability; to exempt disclosure of certain records and personal

11 information housed in the database's central depository; and to provide for related

12 matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 15:1212(B)(introductory paragraph) and (1) and (4) and 1212.1(B)

15 are hereby amended and reenacted and R.S. 15:1212.1(C), (D), and (E) are hereby enacted

16 to read as follows:

17 §1212. Creation of database; functions

18 \* \* \*

19 B. The commission shall be the central depository for all information

20 submitted for entry into the database by law enforcement agencies and the Council

1 on Peace Officer Standards and Training and shall have the following functions,  
2 powers, and duties:

3 (1) To establish, through electronic data processing and related procedures,  
4 a database by which relevant information can be collected, coordinated, analyzed,  
5 and made readily available to serve qualified law enforcement agencies concerned  
6 with the hiring practices, P.O.S.T. certifications, disciplinary actions that result in  
7 termination, resignations in lieu of termination, resignations pending an  
8 investigation, final judgments in civil or criminal cases related to the course and  
9 scope of employment as a law enforcement officer, and training of law enforcement  
10 officers located anywhere in the state. The commission shall prescribe the terms and  
11 conditions under which such agencies shall contribute or gain access to information  
12 contained in the database files.

13 \* \* \*

14 (4) To prepare and distribute, to all such persons and agencies, forms to be  
15 used in reporting data to the database. The forms shall provide for information  
16 regarding the name of the law enforcement officer, the designated position, the status  
17 of all P.O.S.T. certifications and decertifications related to training and  
18 qualifications, the hire date, the final disposition of all disciplinary actions that result  
19 in termination, resignations in lieu of termination, resignations pending an  
20 investigation, final judgments in civil or criminal cases related to the course and  
21 scope of employment as a law enforcement officer, and the date of separation from  
22 service.

23 §1212.1. Report to the system; duties of persons and agencies

24 \* \* \*

25 B. ~~Upon the request of the commission, all~~ All law enforcement agencies  
26 shall provide any other such assistance, information, and data which are reasonable  
27 and available to enable the commission to properly carry out its powers and duties.

28 C. Neither the Louisiana Commission on Law Enforcement and the  
29 Administration of Criminal Justice nor any law enforcement agency, correctional

1 agency, or institution shall be held liable for the release or disclosure of information  
2 as defined in R.S. 15:1212(B)(4).

3 D. Personal information including a peace officer's home address, home  
4 telephone number, birth date, social security number, driver's license number, and  
5 username for P.O.S.T. electronic data or training systems contained in the central  
6 depository shall be confidential and exempted from disclosure under the provisions  
7 of R.S. 44:4(54).

8 E. The provisions of Subsection D of this Section shall in no way restrict the  
9 disclosure of any information requested by a law enforcement agency or restrict the  
10 disclosure of information by the Council on Peace Officer Standards and Training  
11 Council to its accredited training academies or other law enforcement agencies  
12 including Councils on Peace Officer Standards and Training outside of the state.

13 Section 2. R.S. 44:3(A)(introductory paragraph) and 4.1(B)(8) are hereby amended  
14 and reenacted and R.S. 44:4(54) is hereby enacted to read as follows:

15 §3. Records of prosecutive, investigative, and law enforcement agencies and  
16 communications districts

17 A. Nothing in this Chapter shall be construed to require disclosures of  
18 records, or the information contained therein, held by the offices of the attorney  
19 general, district attorneys, sheriffs, police departments, Department of Public Safety  
20 and Corrections, marshals, investigators, public health investigators, correctional  
21 agencies, communications districts, intelligence agencies, Council on Peace Officer  
22 Standards and Training, Louisiana Commission on Law Enforcement and  
23 Administration of Criminal Justice, or publicly owned water districts of the state,  
24 which records are:

25 \* \* \*

26 §4. Applicability

27 This Chapter shall not apply:

28 \* \* \*

29 (54) To the personal information of a peace officer as defined in R.S.  
30 15:1212.1 (D) in the custody of the Council on Peace Officer Standards and Training



judgments in civil or criminal cases related to the course and scope of employment as a law enforcement officer to the database for inclusion.

Proposed law limits the liability of the commission, P.O.S.T. Council, a law enforcement agency, correctional agency or institution for the release or reporting of information required in proposed law.

Proposed law exempts personal information of a law enforcement officer held in the database from disclosure by public records request.

(Amends R.S. 15:1212(B)(intro. para.) and (1) and (4), 1212.1(B), and R.S. 44:3(A)(intro. para.), 4.1(B)(8); Adds R.S. 15:1212.1(C), (D), and (E) and R.S. 44:4(54))