2017 Regular Session

#### HOUSE BILL NO. 276

### BY REPRESENTATIVE JAMES AND SENATOR BARROW

**ENROLLED** 

**ACT No. 101** 

1	AN ACT
2	To amend and reenact R.S. 40:2531(B)(4)(b), relative to law enforcement officers; to
3	provide for officer-involved incidents; to provide relative to securing representation
4	for officer-involved incident investigations; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 40:2531(B)(4)(b) is hereby amended and reenacted to read as
7	follows:
8	CHAPTER 25. RIGHTS OF LAW ENFORCEMENT OFFICERS
9	WHILE UNDER INVESTIGATION
10	§2531. Applicability; minimum standards during investigation; penalties for failure
11	to comply
12	* * *
13	B. Whenever a police employee or law enforcement officer is under
14	investigation, the following minimum standards shall apply:
15	* * *
16	(4)
17	* * *
18	(b) The (i) Except as otherwise provided in this Subparagraph, the police
19	employee or law enforcement officer shall be granted up to thirty days to secure such
20	representation, during which time all questioning shall be suspended.
21	(ii) If a police employee or law enforcement officer is involved in an officer-
22	involved incident, the police employee or law enforcement officer shall be granted

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	up to fourteen days to secure representation, during which time all questioning shall
2	be suspended. However, if the police employee or law enforcement officer is
3	confined to a medical facility due to injury or illness related to the officer-involved
4	incident, or if two or more police employees or law enforcement officers are
5	involved in the officer-involved incident, the police employees or law enforcement
6	officers shall be granted up to thirty days to secure representation.
7	(iii) For purposes of this Subparagraph, "officer-involved incident" means
8	any incident in which serious bodily injury or death of another individual is caused
9	by any intentional or accidental use of a dangerous or deadly weapon by a police
10	employee or law enforcement officer which results from the efforts of a police
11	employee or law enforcement officer attempting to effectively arrest or otherwise
12	gain control of another or while in police custody.
13	(iv) For purposes of this Subparagraph, "serious bodily injury" means bodily
14	injury which involves unconsciousness, extreme physical pain, protracted or obvious
15	disfigurement, protracted loss or impairment of a bodily member, organ, or mental
16	faculty, or a substantial risk of death.
17	* * *

# SPEAKER OF THE HOUSE OF REPRESENTATIVES

# PRESIDENT OF THE SENATE

## GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_

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