

1 interaction with persons with mental illness and persons with developmental
2 disabilities, for peace officers that consists of classroom or internet instruction, or
3 both.

4 (2) No later than January 1, 2022, the council shall develop and
5 implement curriculum to provide instruction for law enforcement personnel on
6 the duty to intervene which shall include training that consists of classroom or
7 internet instruction, or both.

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9 CHAPTER 25-A. RESPONSIBILITIES OF LAW ENFORCEMENT

10 OFFICERS WHILE INTERACTING WITH THE PUBLIC

11 §2551. Use of body worn cameras

12 No later than January 1, 2022, any law enforcement agency that utilizes
13 body worn cameras shall adopt a policy regarding the activation and
14 deactivation of such cameras by the officer.

15 §2552. Use of motor vehicle dash cameras

16 No later than January 1, 2022, any law enforcement motor vehicle that
17 is equipped with a dash camera that has the technology to automatically record
18 upon the activation of the motor vehicle's police emergency lights shall utilize
19 that technology.

20 §2553. Neck restraint prohibition

21 The use of choke holds and carotid holds are prohibited, except when the
22 officer reasonably believes he or another person is at risk of great bodily harm
23 or when deadly force is authorized.

24 Section 2. Code of Criminal Procedure Article 162.3 is hereby enacted to read as
25 follows:

26 Art. 162.3. No-knock warrant

27 A. No law enforcement officer shall seek, execute, or participate in the
28 execution of a no-knock warrant, except in cases where both of the following
29 apply:

1 **(1) The affidavit supporting the request for the warrant establishes**
2 **probable cause that exigent circumstances exist requiring the warrant to be**
3 **executed in a no-knock manner. For purposes of this Subparagraph, exigent**
4 **circumstances shall include circumstances where the surprise of a no-knock**
5 **entry is necessary to protect life and limb of the law enforcement officers and**
6 **the occupants.**

7 **(2) The copy of the warrant being executed that is in the possession of**
8 **law enforcement officers to be delivered as provided in Paragraph C of this**
9 **Article includes the judge's signature.**

10 **B. A search warrant authorized under this Article shall require that a**
11 **law enforcement officer be recognizable and identifiable as a uniformed law**
12 **enforcement officer and provide audible notice of his authority and purpose**
13 **reasonably expected to be heard by occupants of such place to be searched prior**
14 **to the execution of such search warrant.**

15 **C. After entering and securing the place to be searched and prior to**
16 **undertaking any search or seizure pursuant to the search warrant, the**
17 **executing law enforcement officer shall read and give a copy of the search**
18 **warrant to the person to be searched or the owner of the place to be searched**
19 **or, if the owner is not present, to any occupant of the place to be searched. If the**
20 **place to be searched is unoccupied, the executing law enforcement officer shall**
21 **leave a copy of the search warrant suitably affixed to the place to be searched.**

22 **D. Search warrants authorized under this Article shall be executed only**
23 **in the daytime except in either of the following instances:**

24 **(1) A judge authorizes the execution of such search warrant at another**
25 **time for good cause shown.**

26 **(2) The search warrant is for the withdrawal of blood. A search warrant**
27 **for the withdrawal of blood may be executed at any time of day.**

28 **E. Any evidence obtained from a search warrant in violation of this**
29 **Article shall not be admitted into evidence for prosecution.**

Proposed law provides that after entering and securing the place to be searched and prior to undertaking any search or seizure pursuant to the search warrant, the executing law enforcement officer shall read and give a copy of the search warrant to the person to be searched or the owner of the place to be searched or, if the owner is not present, to any occupant of the place to be searched.

Proposed law provides that if the place to be searched is unoccupied, the executing law enforcement officer shall leave a copy of the search warrant suitably affixed to the place to be searched.

Proposed law requires that search warrants authorized under proposed law be executed only in the daytime except in either of the following instances:

- (1) A judge authorizes the execution of such search warrant at another time for good cause shown.
- (2) The search warrant is for the withdrawal of blood. A search warrant for the withdrawal of blood may be executed at any time of day.

Proposed law prohibits any evidence obtained from a search warrant in violation of proposed law from being admitted into evidence for prosecution.

Proposed law defines "no-knock warrant" as a warrant issued by a judge that allows law enforcement to enter a property without immediate prior notification of the residents, such as by knocking or ringing a doorbell.

Effective August 1, 2021.

(Amends R.S. 40:2404.2(C); adds R.S. 40:2551-2553, and Code of Criminal Procedure Article 162.3)