

# HOUSE BILL No. 1480

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 10-11-12.

**Synopsis:** Investigations of police officers. Requires the Indiana state police department (department) to investigate when a law enforcement officer uses force in attempting to apprehend or gain physical control of a person resulting in death or serious bodily injury to the person. Requires the law enforcement agency that employs the law enforcement officer to cooperate with the department in its investigation, but not to: (1) participate in the investigation; or (2) conduct an internal administrative investigation, if the internal administrative investigation interferes with the department's investigation. Requires the department to complete its investigation not later than 60 days after the date the department is notified of the incident and provide its findings to the county prosecutor or special prosecutor.

**Effective:** July 1, 2021.

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January 14, 2021, read first time and referred to Committee on Veterans Affairs and Public Safety.

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First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

# HOUSE BILL No. 1480



A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 10-11-12 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2021]:  
4 **Chapter 12. Investigation of Use of Force Resulting in Death or**  
5 **Serious Bodily Injury**  
6 **Sec. 1. As used in this chapter, "chief executive of a law**  
7 **enforcement agency" means a sheriff, a police chief of a city or**  
8 **town police department, or a town marshal.**  
9 **Sec. 2. As used in this chapter, "law enforcement officer" means**  
10 **the following:**  
11 **(1) A city or town police officer.**  
12 **(2) A town marshal or town marshal deputy.**  
13 **(3) A sheriff or county police officer.**  
14 **(4) A school corporation police officer or charter school police**  
15 **officer under IC 20-26-16.**  
16 **(5) A school resource officer under IC 20-26-18.2.**  
17 **(6) A police officer of a public or private postsecondary**



1 educational institution under IC 21-17-5-2 or IC 21-39-4.

2 (7) A hospital police officer under IC 16-18-4.

3 (8) A police officer employed under IC 8-22-3-34 by:

4 (A) a local airport authority; or

5 (B) an operator that enters into an operating agreement  
6 under IC 5-23 for the operation of a public use airport.

7 (9) A reserve officer under IC 36-8-3-20.

8 (10) A special officer whose powers and duties are described  
9 in IC 36-8-3-7 or a special deputy whose powers and duties  
10 are described in IC 36-8-10-10.6.

11 Sec. 3. (a) The department shall investigate a law enforcement  
12 officer's use of force in attempting to apprehend or gain physical  
13 control of a person that results in the person's death or serious  
14 bodily injury (as defined in IC 35-31.5-2-292).

15 (b) The law enforcement agency that employs the officer who is  
16 the subject of the investigation shall cooperate with the department  
17 in its investigation, but not participate in the department's conduct  
18 of the investigation.

19 Sec. 4. Upon receiving notice that a law enforcement officer's  
20 use of force against a person has resulted in the person's death or  
21 serious bodily injury, the chief executive of the law enforcement  
22 agency having jurisdiction where the incident occurs shall  
23 immediately notify:

24 (1) the prosecutor of the county where the incident occurs;  
25 and

26 (2) the superintendent;

27 of the incident. If the chief executive has just cause for not making  
28 the notification immediately the chief executive shall make the  
29 notification within a reasonable period of time, but not later than  
30 twelve (12) hours after the incident occurred.

31 Sec. 5. This chapter does not preclude the law enforcement  
32 agency that employs the officer who is the subject of the  
33 investigation from conducting an internal administrative  
34 investigation of the incident, if the internal investigation does not  
35 interfere with the department's investigation.

36 Sec. 6. The department shall complete its investigation not later  
37 than sixty (60) days after the date of the notification under section  
38 4 of this chapter and submit its findings to the prosecutor of the  
39 county where the incident occurred, or if a special prosecutor has  
40 been appointed, to the special prosecutor.

