2021 Regular Session

HOUSE CONCURRENT STUDY REQUEST NO. 4

BY REPRESENTATIVE JAMES

LAW ENFORCE/OFFICERS: Requests a study of the procedures for law enforcement officers under investigation who are required to submit to a polygraph and to study the effects of having a representative present while the polygraph is being conducted

1	A CONCURRENT STUDY REQUEST
2	To the House Committee on Judiciary, or a subcommittee thereof, and the Senate
3	Committee on Judiciary B, or a subcommittee thereof, to meet and to function as a
4	joint committee to study procedures for law enforcement officers under investigation
5	who are required to submit to a polygraph and to study the effects of a representative
6	being present while the law enforcement officer submits to a polygraph.
7	WHEREAS, according to the American Psychological Association, the accuracy of
8	polygraph testing is controversial because there is no evidence that any pattern of
9	physiological reactions is unique to deception; and
10	WHEREAS, Chapter 12, Rule 12.16(c) of the State Police Commission rules,
11	provides that the state police officer's representative or counsel shall not disrupt or interfere
12	with an interview or interrogation, and the state police officer's representative may not
13	instruct the officer how to testify but may confer with the officer as necessary throughout
14	the interrogation and make statements on the record; and
15	WHEREAS, different law enforcement agencies throughout the state of Louisiana
16	have different policies regarding the procedures for having representation in the room while
17	a law enforcement officer renders a compelled statement; and
18	WHEREAS, according to the Federation of American Scientists, the threat of
19	punishment leads an individual to manifest a physiological reaction; and

- 2 to affect the validity of the polygraph test.
- 3 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana requests the
- 4 House Committee on Judiciary, or a subcommittee thereof, and the Senate Committee on
- 5 Judiciary B, or a subcommittee thereof, to meet and to function as a joint committee to study
- 6 procedures for law enforcement officers under investigation who are required to submit to
- 7 a polygraph and to study the effects of a representative being present while the law
- 8 enforcement officer submits to a polygraph.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCSR 4 Original

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Requests the House Committee on Judiciary, or a subcommittee thereof, and the Senate Committee on Judiciary B, or a subcommittee thereof, to study procedures for law enforcement officers under investigation who are required to submit to a polygraph and to study the effects of a representative being present while the law enforcement officer submits to a polygraph.