

1 providing for a stronger defense against civil lawsuits, and increased support and confidence
2 from government officials and the community; and

3 WHEREAS, state and local governments are often sued and held liable for actions
4 committed by public employees, including public safety and law enforcement personnel,
5 especially those agencies that are operating under out-dated or non-existent policies and
6 procedures; and

7 WHEREAS, according to a 2010 article about the correlation between the
8 accreditation program and civil liability, research has shown that these national accreditation
9 programs can potentially reduce law enforcement civil liability by making it difficult for
10 plaintiffs to sustain their claims by establishing, within the agency, a self-documenting
11 system of accountability and independent verification; and

12 WHEREAS, according to the same article, the principles of these national
13 accreditation programs, which include professional standards, documentation, and
14 accountability, help to supply the documentary evidence and persuasive authority necessary
15 to demonstrate in these civil claims that the officer did, in fact, act within the bounds of his
16 lawful authority; and

17 WHEREAS, this same article further states that positive effects of national
18 accreditation on insurance costs are well documented, and studies suggest a causal link
19 between law enforcement accreditation and liability reduction; and

20 WHEREAS, in order to receive national accreditation, an agency is required to
21 develop a comprehensive, uniform set of written directives, which is shown to be one of the
22 most successful methods for reaching administrative and operational goals, while also
23 providing direction to personnel; and

24 WHEREAS, the standards set forth in a national accreditation program provide the
25 agency with the necessary reports and analyses needed to make fact-based, informed
26 management decisions; and

27 WHEREAS, a national law enforcement accredited program requires that a
28 preparedness program be put in place to help the agency to address unusual occurrences,
29 whether natural or man-made; and

1 WHEREAS, a law enforcement's participation in a national accreditation program
2 offers the agency a means for developing or improving upon an agency's relationship with
3 the community, and strengthens the agency's accountability to the community, through a
4 continuum of standards that clearly define authority, performance, and responsibilities of the
5 agency; and

6 WHEREAS, research shows that law enforcement agencies that participate in a
7 national accreditation program have received numerous benefits including but not limited
8 to the following:

9 (1) Greater accountability within the agency. This is achieved through the
10 accreditation standards which provide a proven management system of written directives,
11 sound training, clearly defined lines of authority, and routine reports that support
12 decision-making and resource allocation.

13 (2) Reduced risk and liability exposure. Many agencies who participate in these
14 accreditation programs report a reduction in its liability insurance costs or reimbursement
15 of accreditation fees. Furthermore, studies suggest that accreditation works to reduce the
16 costs of insuring law enforcement operations because agencies which are accredited can
17 experience fewer claims.

18 (3) Stronger defense against civil lawsuits. Many agencies have stated that the
19 accreditation process enables the agency to better defend themselves against civil lawsuits,
20 with some agencies reporting a decline in legal actions against them after having become
21 accredited.

22 (4) Increased support from government officials. Accredited agencies have stated
23 that the program provides them with objective evidence of an agency's commitment to
24 excellence in leadership, resource management, and service-delivery, and therefore,
25 government officials are more confident in the agency's ability to operate efficiently and
26 meet community needs.

27 (5) Increased community advocacy. Accredited agencies have stated that the
28 accreditation embodies the precepts of community-oriented policing, creating a forum in
29 which law enforcement agencies and citizens work together to prevent and control

1 challenges confronting law enforcement and provides clear direction about community
2 expectations.

3 THEREFORE, the House of Representatives of the Legislature of Louisiana requests
4 the House Committee on the Administration of Criminal Justice to study the impact of a law
5 enforcement agency's participation in a national law enforcement accreditation program as
6 it relates to crime prevention, the administration of public safety services, and the agency's
7 relationship with the community, and to report its findings to the House of Representatives
8 prior to the convening of the 2013 Regular Session.

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)]

Hunter

HSR No. 1

Requests the House Committee on the Administration of Criminal Justice to study the impact of a law enforcement agency's participation in a national law enforcement accreditation program as it relates to crime prevention, the administration of public safety services, and the agency's relationship with the community, and to report its findings to the House of Representatives prior to the convening of the 2013 Regular Session.