

SENATE BILL NO. 37

BY SENATORS MORRELL, JOHNS, PETERSON AND GARY SMITH AND REPRESENTATIVES ADAMS, WESLEY BISHOP, GISCLAIR AND PATRICK WILLIAMS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

AN ACT

To enact R.S. 17:1805(H) and R.S. 40:2405.8, relative to the Council on Peace Officer Standards and Training; to provide relative to peace officer training and course requirements; to provide relative to sexual assault awareness training for persons employed as full-time college or university police officers; to provide relative to homicide investigator training; to provide relative to sexual assault awareness training for all peace officers; to provide for the promulgation of rules and regulations and the oversight thereof; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1805(H) is hereby enacted to read as follows:

§1805. Authority of university or college police officer

\* \* \*

**H. On and after January 1, 2016, each person who is employed as a full-time college or university police officer shall complete a sexual assault awareness training program as provided by the Council on Peace Officer Standards and Training pursuant to R.S. 40:2405.8.**

Section 2. R.S. 40:2405.8 is hereby enacted to read as follows:

**§2405.8. Additional peace officer training requirements**

**A. The council shall develop and continuously update a Peace Officer Standards and Training (POST) recognized homicide investigator training program and a sexual assault awareness training program for peace officers that shall consist of classroom or Internet instruction, or both. The training programs may include field officer training as prescribed by the council.**

1           **B. Homicide Investigator. The council shall create and maintain a**  
2           **current list of those peace officers who have successfully completed the**  
3           **homicide investigator training program for purposes of coordinating homicide**  
4           **investigations occurring in the state. On and after January 1, 2017, only peace**  
5           **officers who successfully complete the homicide investigator training program**  
6           **or receive a waiver of compliance based on prior training or experience as a**  
7           **homicide investigator shall be assigned to lead investigations in homicide cases.**

8           **C.(1) Sexual Assault. The council shall develop the sexual assault**  
9           **awareness training program in a series of modules to include all of the**  
10           **following:**

11           **(a) The neurobiology of sexual assault and trauma, including victim**  
12           **impact.**

13           **(b) Response to sexual assault, including but not limited to investigative**  
14           **methods, collecting and securing evidence, and interviewing victims.**

15           **(c) Applicable federal and state victims' rights laws.**

16           **(2) The council shall solicit free or no-cost training and technical**  
17           **assistance and may accept gifts, grants, and donations from whatever sources**  
18           **are available for purposes of this Subsection. The council shall consult with**  
19           **appropriate governmental agencies and nongovernmental statewide agencies in**  
20           **the development and presentation of the training required by this Subsection.**  
21           **Regarding nongovernmental agencies, only agencies whose primary purpose is**  
22           **the delivery of sexual assault services to victims are required to be consulted.**

23           **(3) On and after July 1, 2016, each peace officer, as defined in R.S.**  
24           **40:2402(3)(a), shall complete a sexual assault awareness training program as**  
25           **provided by the council.**

26           **D. The council shall create and maintain a current list of those peace**  
27           **officers who have successfully completed the sexual assault awareness training**  
28           **program for purposes of coordinating sexual assault investigations.**

29           **E.(1) The council shall promulgate rules and regulations in accordance**  
30           **with the Administrative Procedure Act, subject to the oversight of the House**

1 Committee on the Administration of Criminal Justice and the Senate  
2 Committee on Judiciary B, for the implementation of a homicide investigator  
3 training program no later than July 1, 2016.

4 (2)(a) The council shall promulgate rules and regulations in accordance  
5 with the Administrative Procedure Act, subject to the oversight of the House  
6 Committee on the Administration of Criminal Justice and the Senate  
7 Committee on Judiciary B, for the implementation of a sexual assault awareness  
8 training program as provided in R.S. 17:1805(H) no later than October 1, 2015.

9 (b) The council shall promulgate rules and regulations in accordance  
10 with the Administrative Procedure Act, subject to the oversight of the House  
11 Committee on the Administration of Criminal Justice and the Senate  
12 Committee on Judiciary B, for the implementation of a sexual assault awareness  
13 training program for peace officers as defined in R.S. 40:2402(3)(a) as provided  
14 in Paragraph (C)(3) of this Section no later than January 1, 2017.

15 Section 3. This Act shall become effective upon signature by the governor or, if not  
16 signed by the governor, upon expiration of the time for bills to become law without signature  
17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
18 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
19 effective on the day following such approval.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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