

HB 880 -- POLICE BEST PRACTICES ACT

SPONSOR: Butler

This bill establishes the Police Best Practices Act which specifies that if a peace officer determines that it is necessary to search a motor vehicle after stopping or contacting a person in the vehicle regarding an alleged violation of law or ordinance, the officer may conduct the search only after reading a written statement to the person with authority to give consent to the search of the vehicle. A peace officer may conduct the requested search only if the person subject to the search consents, knowingly, freely, and voluntarily in writing to the search.

Any report required to be written by a law enforcement officer must include a probable cause statement, in his or her own words, detailing why the officer initiated a traffic stop, involuntary contact with a civilian, or any other incident that required the officer to write the report and prohibits a law enforcement agency from providing its officers any standardized form that provides probable cause language and from accepting standardized form language in any report filed within the agency.

Every law enforcement officer must be assigned an anonymous identification number by his or her law enforcement agency. The number must be a public record and must be reported to the Department of Public Safety to be correlated along with specified data. The correlation between the identification numbers and the names of the officers must not be a public record and must not be disclosed by the agency except when required by a court order. The department must collect, correlate, and maintain the information as specified in the bill. Any agency that does not submit the required information must be ineligible to receive any law enforcement grants available by or through the state until the information which is reasonably available is submitted.

The department must publish and distribute a list by December 1 indicating the officers that will be subject to these provisions in the next year.