

By: Anchia

H.B. No. 3681

A BILL TO BE ENTITLED

AN ACT

relating to the investigation of deaths involving peace officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.023 to read as follows:

Art. 2.023. INVESTIGATION OF OFFICER-INVOLVED DEATHS. (a)

In this article:

(1) "Law enforcement agency" means an agency of the state or an agency of a political subdivision of the state authorized by law to employ peace officers.

(2) "Officer-involved death" means any death caused by a peace officer acting under the authority of the state or a political subdivision of the state.

(b) Each law enforcement agency shall adopt a written policy detailing the procedure for investigating officer-involved deaths.

The policy must require:

(1) a team of three investigators to investigate the officer-involved death, two of whom must be employed by a law enforcement agency that does not employ a peace officer involved in the death being investigated; and

(2) if the death being investigated is traffic-related, the use of a crash reconstruction unit from a law enforcement agency that does not employ a peace officer involved in the death being investigated.

1 (c) A law enforcement agency may conduct an internal
2 investigation into an officer-involved death if the internal
3 investigation does not interfere with the investigation required
4 under Subsection (b).

5 (d) On conclusion of an investigation under Subsection (b),
6 the investigative team established under that subsection shall
7 submit a report on the officer-involved death to the prosecutor
8 with felony jurisdiction in the county in which the death occurred.

9 (e) Not later than 72 hours after the investigative team's
10 investigation is completed, the office of the attorney general
11 shall post the team's report on the office's Internet website,
12 redacting any information required to be kept confidential by other
13 law.