

Office of the Governor
State of Louisiana

JOHN BEL EDWARDS
GOVERNOR



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June 27, 2022

VIA HAND DELIVERY

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 492 of the 2022 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 492 of the Regular Session of 2022.

This bill, in part, provides for an exception to La. C. Cr. P. art. 211 in that an officer may make an arrest for a misdemeanor offense, instead of issuing a summons, if the officer believes the person also committed a felony or has an outstanding felony warrant. I would have signed the bill if it had been limited to this change. However, the bill also contains a provision that provides an immunity, to sheriffs' offices only, for arresting an individual when a written summons was authorized. The effect of this change provides for clear inequitable treatment for law enforcement agencies. If a deputy sheriff, a city police officer, and a state trooper all encountered someone who committed the same offense that required a summons to be issued rather than an arrest, only the deputy sheriff would be immune from suit for making an arrest. While I am generally opposed to providing immunities in law that deny accountability for wrongful conduct, I certainly cannot support a change in law that provides this protection for some law enforcement officers and not others.

Sincerely,

A handwritten signature in black ink, appearing to read "John Bel Edwards".

John Bel Edwards
Governor

enclosure

cc: Honorable Patrick Page Cortez
Louisiana Senate President