

By: Representative Dixon

To: Judiciary B

## HOUSE BILL NO. 1048

1 AN ACT TO MAKE IT UNLAWFUL FOR ANY LAW ENFORCEMENT OFFICER,  
2 OFFICER OF THE COURT OR LICENSED LEGAL PROFESSIONAL EMPLOYED BY  
3 THE STATE TO COMMIT ANY ILLEGAL ACT OR ACTS OF PROFESSIONAL  
4 INDISCRETION OR MORAL TURPITUDE WHILE IN THE PERFORMANCE OF HIS OR  
5 HER OFFICIAL DUTIES; TO REQUIRE AN INDEPENDENT INVESTIGATION OF  
6 VIOLATION REPORTED IN GOOD FAITH; TO PROVIDE THE PENALTIES FOR  
7 THOSE INDIVIDUALS FOUND GUILTY OF VIOLATING THIS ACT; AND FOR  
8 RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** (1) It shall be unlawful for any law enforcement  
11 officer, officer of the court or licensed legal professional  
12 employed by the state or its political subdivisions to commit any  
13 illegal act or acts of professional indiscretion or moral  
14 turpitude while in the performance of his or her official duties  
15 within the scope of his or her employment. Such illegal act or  
16 acts of professional indiscretion or moral turpitude shall  
17 include, but not be limited to:

18 (a) Falsifying evidence;

19 (b) Altering court transcripts, witness statements or  
20 police reports;



21 (c) Destroying evidence under the provisions of  
22 Sections 99-9-125 or 99-49-1;  
23 (d) Failing to perform due diligence in conducting  
24 criminal investigations which may lead to the discovery of  
25 relevant evidence;  
26 (e) Obstructing justice under Section 97-9-101 et seq.;  
27 (f) Staging crime scenes; and  
28 (g) Tampering with an impaneled jury under Section  
29 97-9-123.

30 (2) Upon the reporting a violation under the provisions of  
31 subsection (1) made in good faith, the individual against whom the  
32 report is made shall be placed on administrative leave until an  
33 independent investigation has been conducted and completed by the  
34 governing authority which administers the rules and regulations  
35 pertaining to the agency for which the individual works, except  
36 that all investigations of law enforcement officers shall be  
37 conducted by the Mississippi Bureau of Investigation.

38 (3) Upon a finding of wrongdoing by the investigating  
39 agency, any individual found in violation of this section shall be  
40 guilty of a felony, and upon conviction, shall be sentenced in  
41 accordance with Section 99-9-129, in addition to having imposed  
42 the maximum penalty for the crime which gives rise to cause of the  
43 offense for which the individual being investigated acted  
44 illegally.



45           **SECTION 2.** This act shall take effect and be in force from  
46 and after July 1, 2013.

