

By: Representative Baker

To: Judiciary A

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 749

1 AN ACT TO CREATE THE "STATEWIDE LAW ENFORCEMENT STRIKE TEAM"
2 ACT; TO PROVIDE DEFINITIONS FOR SUCH ACT; TO CREATE WITHIN THE
3 OFFICE OF THE ATTORNEY GENERAL A STATEWIDE LAW ENFORCEMENT STRIKE
4 TEAM DIVISION; TO PROVIDE THAT THE PURPOSE OF SUCH DIVISION IS TO
5 ASSIST MUNICIPAL, COUNTY AND STATE LAW ENFORCEMENT WITH THE
6 APPREHENSION OF CRIMINALS, THE SEIZURE OF EVIDENCE AND THE
7 EXECUTION OF WARRANTS AND OTHER ACTIONS, UPON REQUEST BY LAW
8 ENFORCEMENT; TO REQUIRE THAT STRIKE TEAMS BE DESIGNATED TO AREAS
9 IN NORTH, CENTRAL AND SOUTH MISSISSIPPI; TO PROVIDE THAT THE
10 ATTORNEY GENERAL SHALL HAVE EXCLUSIVE OVERSIGHT OF THE STRIKE
11 TEAMS; TO PROVIDE THAT THE GOVERNOR AND THE ATTORNEY GENERAL SHALL
12 JOINTLY CHOOSE THE COMMANDERS OF EACH STRIKE TEAM; TO REQUIRE THE
13 ATTORNEY GENERAL TO CREATE RULES AND REGULATIONS UNDER THE
14 ADMINISTRATIVE PROCEDURES ACT TO CARRY OUT CERTAIN DUTIES OF THIS
15 ACT; AND FOR RELATED PURPOSES.

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

17 **SECTION 1.** This act shall be known and cited as the
18 "Statewide Law Enforcement Strike Team" Act.

19 **SECTION 2.** For the purposes of this act, the following words
20 shall have the following meaning, unless the context requires
21 otherwise:

22 (a) "Attorney General" means the Mississippi Office of
23 the Attorney General.



24 (b) "Commander" means each of the three (3) people
25 jointly appointed by the Governor and the Attorney General to
26 manage the north, central and south strike teams.

27 (c) "Division" means the Statewide Law Enforcement
28 Strike Team Division.

29 (d) "Strike team" means each of the twelve (12) or
30 fifteen (15) members of municipal, county and state law
31 enforcement chosen by the Attorney General to be members of the
32 state wide law enforcement strike teams created under the
33 provisions of this act.

34 **SECTION 3.** (1) There is created within the Office of the
35 Attorney General, a Statewide Law Enforcement Strike Team Division
36 whose primary purpose is to assist municipal, county and state law
37 enforcement with the apprehension of criminals, the seizure of
38 evidence, the execution of warrants and other actions, upon
39 request by such law enforcement. Except as otherwise provided in
40 this act, the Attorney General shall have exclusive oversight of
41 the division.

42 (2) There shall be no more than three (3) "strike teams"
43 throughout the state, which shall be located in the northern,
44 central and southern areas of the state. One (1) team shall be
45 located in each of the three (3) Supreme Court districts. These
46 areas shall be referred to as "strike zones." The Attorney
47 General shall designate the geographic boundaries of the "strike
48 zones." Each "strike team" shall be composed of twelve (12) or



49 fifteen (15) members, with the number of members being divided
50 equally, with four (4) or five (5) members representing municipal,
51 county and state law enforcement.

52 (3) Each of the three (3) "strike teams" shall have a
53 separate commander. Each commander shall be chosen jointly by the
54 Office of the Governor and the Attorney General, and shall serve
55 at the will and pleasure of the Governor and the Attorney General.

56 (4) (a) The Attorney General shall establish a budget that
57 will include monies for compensation of all commanders,
58 participants of the strike teams and staff employed to support
59 such teams, equipment, training and reimbursement of members of
60 the strike teams.

61 (b) The Attorney General shall approve the purchase of
62 necessary gear to clearly identify members of the "strike teams"
63 from local law enforcement officers. The Attorney General shall
64 reimburse any municipality, county or state law enforcement agency
65 or division that provides training to members of its law
66 enforcement for the purpose of participating on a strike team.

67 (c) The overtime compensation for any member of the
68 strike team shall be limited to Fifteen Thousand Dollars
69 (\$15,000.00) per person, per state fiscal year.

70 (5) The Attorney General shall promulgate rules and
71 regulations under the Administrative Procedures Act to:

72 (i) To receive and assess requests for assistance
73 from municipal, county and state law enforcement;



74 (ii) To choose the members of the strike team from
75 municipal, county and state law enforcement;

76 (iii) To determine how area law enforcement
77 academies can be used for the operation of strike teams;

78 (iv) To determine how the Mississippi Wireless
79 Integrated Network (MSWIN) radio system can be used to effectively
80 communicate between strike teams, participating law enforcement
81 and the division commander;

82 (v) To create standards, policies and procedures
83 for execution by the strike team, which include goals, strategies,
84 duration of deployment;

85 (vi) To refer major cases for federal prosecution.

86 (6) Participating municipal, county, and state law
87 enforcement agencies shall enter into appropriate interlocal
88 agreements, which shall be approved by the Attorney General
89 pursuant to Section 17-13-1 et seq.

90 (7) The Office of the Attorney General shall reimburse
91 participating municipal, county, and state law enforcement with
92 monies appropriated from the Legislature to the Attorney General
93 specifically for purposes of carrying out the provisions of this
94 act, which shall include, but not be limited to, salaries,
95 equipment, training and reimbursements.

96 (8) The Attorney General shall defend any participating
97 municipal, county or state law enforcement officer of a strike
98 team, and the municipality, county or agency that employs such



99 strike team member who is sued because of an action or inaction in
100 performance of any authorized function within the scope of such
101 officer's appointment as a member of a strike team authorized by
102 this act.

103 (9) The court that has original jurisdiction for prosecution
104 of a case arising from a strike team action shall be in the county
105 in which the alleged crime occurs.

106 **SECTION 4.** Any municipal, county or state law enforcement
107 agency or division that has members of its law enforcement on the
108 "strike team" are hereby authorized to provide motor vehicles,
109 weapons, bullet resistant vests, and other items which may be
110 requested by the Attorney General to fulfill the purposes of this
111 act.

112 **SECTION 5.** This act shall take effect and be in force from
113 and after July 1, 2014.

