Wiretap law changes needed, officials testify

By MARSHA SHULER
Capitol news bureau

The Louisiana law that allows wiretaps in drug enforcement cases needs to be overhauled to make it usable, officials testifying before the Governor's Task Force on Drug Enforcement said Wednesday.

The wiretap law has not been used by law enforcement agencies since it went into effect several years ago.

"The statute is worthless," said Jean Bell, Louisiana Sheriffs' Association executive director.

Ms. Bell and others testified that it takes too long under current procedures to get a wiretap approved and that there is resentment that only the State Police can handle the wiretap equipment.

In addition, law enforcement officials said they don't like a provision that requires confidential informants in drug cases to go before a judge when permission for a wiretap is being sought.

The task force, chaired by Rep. Loy Weaver, D-Homer, is reviewing laws to determine if they need to be altered to further help law enforcement deal with the state's drug problem. The wiretap provision is one of the laws being eyed, and the task force asked for suggestions for changes.

"It's a slap in the face to local law enforcement agencies to have to go to someone else to do a job we are capable of doing," said Bossier Parish Sheriff Vol Dooley, president of the Sheriffs' Association. "Quite frankly, we have to go to State Police to do it and I resent it."

Col. Jimmy Miller of the Jefferson Parish Sheriff's Office said his office needs to use wiretaps to get at the source of financing in drug cases.

Current procedures to get permission for the wiretap are too time-consuming, Miller said.

"This is of importance to us," he said.

When the Legislature approved the wiretap law, lawmakers structured it tightly because they feared the wiretap could be used for political purposes. They did not want power to use the equipment in the hands of a lot of people.

Judge Joe Bleich of Ruston, a former state representative and task force member, said he believes whatever changes may be proposed to the wiretap law need sufficient controls built in.

"To remove equipment from the control of the State Police, there would have to be a strong feeling there are sufficient guidelines," he said.

Warren deBreys, another task force member, said he believes there are stringent enough penalties in existing federal law covering wiretaps to stop misuse by any law enforcement agency.

Miller said since the laws entrust law enforcement agencies with the handling of the narcotic once it is seized, it is ridiculous that the same officials are not entrusted with handling their own wiretaps.

"If we abuse that privilege then it could be taken away," he said.

Bleich said he agrees that there are "some snags" in the existing law, including the confidential informant having to appear before a judge, the attorney general's role in the approval process and the question of who should be able to physically control the equipment.