



State of Louisiana

**RELEASE**

Office of the Governor

2015

**GOVERNOR BOBBY JINDAL**

**FOR IMMEDIATE**

July 25,

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## **Governor Jindal Issues Executive Order Instructing Law Enforcement To Enforce Law To Preserve The Peace in the Days Following the Shooting in Lafayette**

**BATON ROUGE** – Today, Governor Bobby Jindal issued an Executive Order instructing law enforcement to enforce Louisiana law that protects against disturbing the peace at funeral services after reports surfaced that certain groups intend to protest the funerals of the two victims. This order will ensure the law is followed and that families and loved ones have the ability to grieve for the lives lost in this senseless tragedy.

### **EXECUTIVE ORDER NO. BJ 2015 – 16**

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#### **DISTURBING THE PEACE DURING FUNERALS**

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**WHEREAS**, as an expression of respect for the victims of the Lafayette theater attack, on July 24, 2015, I issued Executive Order No. BJ 2015-15, ordering the flags of the United States and the State of Louisiana to be flown at half staff over the State Capitol and all public buildings and institutions of the State of Louisiana until sunset on Friday, July 31, 2015;

**WHEREAS**, Article I, Section 1 of the Louisiana Constitution is titled “Origin and Purpose of Government”, and provides:

*All government, of right, originates with the people, is founded on their will alone, and is instituted to protect the rights of the individual and for the good of the whole. Its only legitimate ends are to secure justice for all, preserve peace, protect the rights, and promote the happiness and general welfare of the people. The rights enumerated in this Article are inalienable by the state and shall be preserved inviolate by the state.*

**WHEREAS**, we are a Nation founded upon religious liberty, free speech, and the right to peaceably assemble, and these fundamental rights are reflected in the First Amendment of the Constitution of the United States of America and in Article 1 of the Constitution of Louisiana;

**WHEREAS**, these fundamental rights are enshrined in our federal and state constitutions to form part of the foundation upon which a rule of law exists to protect, and provide for, a civil society safe for all people;

**WHEREAS**, in times of grief and mourning, the rule of law is especially important to protect the rights of citizens when they are most vulnerable, and any effort to disrupt or interfere with a family's ability to grieve following the loss of a loved one is a reprehensible act;

**WHEREAS**, the Louisiana State Police are charged by La. R.S. 40:1379 to *"prevent and detect crime, apprehend criminals, enforce the criminal and traffic laws of the state, keep the peace and good order in the state in the enforcement of the state's police powers, and perform any other related duties imposed upon them by the legislature."*

**WHEREAS**, the Legislature has enacted criminal laws intended to maintain peace and order for the public, including La. R.S. 14:103 – Disturbing the Peace:

*§103. Disturbing the peace*

*A. Disturbing the peace is the doing of any of the following in such manner as would foreseeably disturb or alarm the public:*

- (1) Engaging in a fistful encounter; or*
  - (2) Addressing any offensive, derisive, or annoying words to any other person who is lawfully in any street, or other public place; or call him by any offensive or derisive name, or make any noise or exclamation in his presence and hearing with the intent to deride, offend, or annoy him, or to prevent him from pursuing his lawful business, occupation, or duty; or*
  - (3) Appearing in an intoxicated condition; or*
  - (4) Engaging in any act in a violent and tumultuous manner by any three or more persons; or*
  - (5) Holding of an unlawful assembly; or*
  - (6) Interruption of any lawful assembly of people; or*
  - (7) Intentionally engaging in any act or any utterance, gesture, or display designed to disrupt a funeral, funeral route, or burial of a deceased person during the period beginning one hundred twenty minutes before and ending one hundred twenty minutes after the funeral or burial, within three hundred feet of the funeral or burial.*
- (8)(a) Intentionally blocking, impeding, inhibiting, or in any other manner obstructing or interfering with a funeral route.*
- (b) Intentionally blocking, impeding, inhibiting, or in any other manner obstructing or interfering, within five hundred feet, with access into or from any building or parking lot of a building in which a funeral or burial is being conducted, or any burial plot or the parking lot of the cemetery in which a funeral or burial is being conducted, during the period beginning one hundred twenty minutes before and ending one hundred twenty minutes after the funeral or burial.*

*B.(1) Whoever commits the crime of disturbing the peace shall be fined not more than one hundred dollars or imprisoned for not more than ninety days, or both.*

*(2) Whoever commits the crime of disturbing the peace as provided for in Paragraphs (A)(7) and (8) of this Section shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.*

*C. For purposes of Paragraphs (A)(7) and (8) of this Section:*

- (1) "Funeral" includes a funeral, funeral home viewing, wake, or memorial service.*
- (2) "Funeral route" means the route of ingress or egress from the location of a funeral or burial,*

*including thirty feet from the outer edge of the outside lane of the route.*

**WHEREAS**, the families, friends, and communities of Mayci Breaux and Jillian Johnson deserve our prayers in the days and weeks ahead as they mourn the loss of these young women killed in the senseless attack at a movie theater in Lafayette, Louisiana;

**WHEREAS**, any action by any individual or group to in any way disrupt, interfere, or cause additional suffering during this time of mourning is unconscionable and morally reprehensible;

**WHEREAS**, the Louisiana State Police should take great care to strictly enforce the rule of law for the protection of our civil society, and specifically for the protection of these families, friends, and communities as they mourn the tragic, senseless loss of these two young women.

**NOW THEREFORE, I, BOBBY JINDAL**, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

**SECTION 1:** The Louisiana State Police, as charged in La. R.S. 40:1379 with the duty to keep the peace and good order in the state, are authorized and directed to strictly enforce La. R.S. 14:103 – Disturbing the Peace, and take swift and immediate action against any who violate this law, or any other law duly adopted to preserve the peace in this state, by intentionally engaging in any act or any utterance, gesture, or display designed to disrupt the funeral, funeral route, or burial of Mayci Breaux or Jillian Johnson, or take any other actions in violation of law.

**SECTION 2:** All departments, commissions, boards, agencies, and political subdivisions of the state are authorized and directed to cooperate with the implementations of the provisions of this Order.

**SECTION 3:** This Order is effective upon signature and shall remain in effect until forty-eight (48) hours past the burials of Mayci Breaux and Jillian Johnson, unless amended, modified, terminated or rescinded prior to that time.

**IN WITNESS WHEREOF**, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 25th day of July, 2015.

**Bobby Jindal**  
**GOVERNOR OF LOUISIANA**

**ATTEST BY**  
**THE GOVERNOR**

**Tom Schedler**  
**SECRETARY OF STATE**

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