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## DIGEST

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HB 834 Original

2018 Regular Session

Marcelle

**Abstract:** Provides for special prosecution procedures in officer-involved incidents which cause serious bodily injury or death to another individual.

Present law provides for the initiation of criminal proceedings through a bill of information or grand jury indictment at the discretion of the district attorney.

Proposed law provides that in officer-involved incidents, prosecution may only be initiated by grand jury indictment.

Present constitution (Art. IV, §8) authorizes the attorney general to intervene in criminal proceedings in certain circumstances.

Proposed law requires law enforcement agencies to report officer-involved incidents to the district court with jurisdiction within 72 hours of the incident. The court shall refer the matter to the attorney general, and the attorney general shall either: (1) institute, prosecute, or intervene in the criminal proceeding involving an officer-involved incident, or (2) appoint a special prosecutor to perform the duties of the district attorney who would have otherwise had charge of the prosecution.

Proposed law defines "officer-involved incidents" and "serious bodily injury".

(Amends C.Cr.P. Art. 382(A); Adds C.Cr.P. Art. 382(C) and R.S. 49:260)