

SENATE RESOLUTION NO. 5

BY SENATOR FOIL

A RESOLUTION

To create and provide for the Protective Order Procedure and Records Task Force.

WHEREAS, protective orders have been mainstays in preventing domestic abuse and sexual assault in Louisiana for decades; and

WHEREAS, protective orders are statistically more likely to protect women from becoming victims of abuse and violence committed by male partners, and the FBI estimates that eighty-two percent of partner violence victims are female; and

WHEREAS, the National Crime Victimization Survey indicates that no matter the rate of violence by gender, women are seven to ten times more likely than men to be injured; and

WHEREAS, Louisiana's criminal justice system must protect women and children as swiftly and efficiently as possible; and

WHEREAS, it has been reported that oftentimes charges initiating a protective order are dropped but the order stays in the system, causing confusion as to whether the protective order should be enforced; and

WHEREAS, further study is needed to improve the process of creating and dismissing a protective order to better protect Louisiana families.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby establish and provide for the Protective Order Procedure and Records Task Force to study the best methods to ensure protective order records are kept properly and efficiently, and to propose recommendations, together with specific proposals for legislation, if any proposals or recommendations are deemed necessary by the task force, by written report to the Senate and to the David R. Poynter Legislative Research Library as required by R.S. 24:771 and 772, no later than March 1, 2024.

BE IT FURTHER RESOLVED that the task force shall consist of the following members:

(1) The president of the Louisiana Sheriffs' Association, or his designee, who will serve as chair.

(2) The director of the Louisiana Protective Order Registry, or her designee.

(3) A designee from the Louisiana Supreme Court, appointed by the chief justice.

(4) The president of the Louisiana Clerks of Court Association, or his designee.

(5) A designee from the Louisiana District Attorneys Association, appointed by the executive director.

(6) The director of the Louisiana Coalition Against Domestic Violence, or her designee.

BE IT FURTHER RESOLVED that each designating authority shall submit the names of designees to the task force to the president of the Louisiana Sheriffs' Association no later than July 31, 2023.

BE IT FURTHER RESOLVED that the task force shall convene for its first meeting no later than October 31, 2023, at the call of the chair, and at the first meeting, the members shall elect other officers as the task force may deem appropriate.

BE IT FURTHER RESOLVED that the task force shall receive staff support from the Louisiana Sheriffs' Association.

BE IT FURTHER RESOLVED that a majority of the task force shall constitute a quorum for the transaction of business, and all official actions of the task force shall require the affirmative vote of a majority of the members.

BE IT FURTHER RESOLVED that the members of the task force shall serve without compensation, except per diem or expenses reimbursement to which they may be individually entitled as members of their constituent organizations.

BE IT FURTHER RESOLVED that the task force shall terminate on the date of the submission of its report, if any, or March 1, 2024, whichever occurs first.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana Sheriffs' Association, the Louisiana Protective Order Registry, the Louisiana Supreme Court, the Louisiana Clerks of Court Association, and the Louisiana District Attorneys Association.

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PRESIDENT OF THE SENATE