

RÉSUMÉ DIGEST

ACT 230 (HB 1141)

2016 Regular Session

Hazel

Prior law excluded the following defendants from participation in the Veterans Court program:

- (1) Defendants with a prior felony conviction for a crime of violence as defined in R.S. 14.2(B).
- (2) Defendants whose pending charge before the court was a crime of violence.
- (3) Defendants with other pending proceedings alleging commission of a crime of violence.

New law expands the scope of those defendants eligible to participate in the Veterans Court program by prohibiting only those defendants with a conviction of a homicide or sex offense, as well as defendants with a pending criminal charge of a homicide or sex offense. New law retains the existing law prohibition for defendants with a pending charge of driving under the influence of alcohol or drugs that results in the death of a person.

New law also provides that if the crime before the court is domestic abuse battery or domestic abuse aggravated assault, the defendant shall comply with the following additional requirements as conditions of eligibility in the Veterans Court program:

- (1) Completion of a court-monitored domestic abuse intervention program as defined by existing law (R.S. 14:35.3).
- (2) No ownership or possession of a firearm while under the supervision of the Veterans Court program or court-ordered probation.

Prior law provided that a defendant previously convicted or adjudicated for the offense of simple battery shall not be deemed ineligible for Veterans Court program.

New law removed this provision of prior law and provides that a defendant may be considered for participation in the Veterans Court program even if the defendant is not otherwise eligible for probation due to the defendant's criminal history.

Effective August 1, 2016.

(Amends R.S. 13:5366(B)(9) and (10))