

2018 Regular Session

HOUSE BILL NO. 307

BY REPRESENTATIVE THOMAS AND SENATOR BARROW

1 AN ACT

2 To amend and reenact R.S. 46:1844(W)(1)(a) and (b) and (3), to enact R.S. 44:3(J) and R.S.  
3 46:1844(W)(5), and to repeal R.S. 44:3(A)(4)(d), relative to privacy of crime  
4 victims; to prohibit the disclosure of contact information; to provide relative to the  
5 duties of certain public officials; to provide for definitions; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 44:3(J) is hereby enacted to read as follows:

9 §3. Records of prosecutive, investigative, and law enforcement agencies and  
10 communications districts

11 \* \* \*

12 J.(1) Nothing in this Chapter shall be construed to require the disclosure of  
13 information which would reveal the name, address, contact information, or identity  
14 of a victim of a sex offense or a human trafficking-related offense as those terms are  
15 defined in R.S. 46:1844.

16 (2) Nothing in this Chapter shall be construed to require the disclosure of  
17 information which would reveal the name, address, contact information, or identity  
18 of a crime victim who at the time of the commission of the offense is a minor under  
19 eighteen years of age.

20 (3) Nothing in this Chapter shall be construed to require the disclosure of  
21 information which would reveal the address or contact information of a victim of a  
22 crime against a family member, household member, or dating partner. "Family





1           (5)(a) In order to provide for the safety and welfare of victims of crimes  
2           against family members, household members, or dating partners, notwithstanding  
3           any provision of law to the contrary, all public officials and officers and public  
4           agencies, including but not limited to all law enforcement agencies, sheriffs, district  
5           attorneys, judicial officers, clerks of court, the Crime Victims Reparations Board,  
6           and the Department of Children and Family Services or any division thereof, shall  
7           not publicly disclose the address or contact information of victims of crimes against  
8           family members, household members, or dating partners. The confidentiality of the  
9           address and contact information of the victim of a crime against a family member,  
10           household member, or dating partner may be waived by the victim.

11           (b) In order to provide for the safety and welfare of victims of crimes against  
12           family members, household members, or dating partners, notwithstanding any  
13           provision of law to the contrary, an attorney for any party shall be prohibited from  
14           publicly disclosing, except during trial, the address and contact information of  
15           victims of crimes against family members, household members, or dating partners.  
16           If the address and contact information of such a crime victim must be disclosed in  
17           a motion or pleading, that motion or pleading shall be filed with the court requesting  
18           that it be kept under seal. Failure to comply with the provisions of this Subparagraph  
19           shall be punishable as contempt of court.

20           (c) Notwithstanding any other provision of law to the contrary, all public  
21           officials, officers, and public agencies, including but not limited to all law  
22           enforcement agencies, sheriffs, district attorneys, judicial officers, clerks of court,  
23           the Crime Victims Reparations Board, and the Department of Children and Family  
24           Services or any division thereof, charged with the responsibility of knowing the  
25           address and contact information of victims of crimes against family members,  
26           household members, or dating partners as a necessary part of their duties shall have  
27           full and complete access to this information regarding a victim of a crime against a  
28           family member, household member, or dating partner. Either prior to or at the time  
29           of a request for information, the public official or officer or public agency shall take

1           measures to prevent the public disclosure of the address and contact information of  
2           a victim of a crime against a family member, household member, or dating partner.

3                   (d) For the purposes of this Section, "family member" and "household  
4           member" shall have the same definitions as in R.S. 46:2132 and "dating partner"  
5           shall have the same definition as in R.S. 46:2151.

6           Section 3. R.S. 44:3(A)(4)(d) is hereby repealed in its entirety.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_