

2018 Regular Session

HOUSE RESOLUTION NO. 255

BY REPRESENTATIVE HUNTER

DISTRICT ATTORNEYS: Requests a subcommittee of the House Committee on Judiciary to undertake a study to determine whether a need exists to create a Commission on Prosecutorial Conduct

1 A RESOLUTION

2 To urge and request a subcommittee of the House Committee on Judiciary to conduct a  
3 study to determine whether the Louisiana State Legislature should create a  
4 Commission on Prosecutorial Conduct to strengthen the criminal justice system and  
5 ensure fundamental fairness by reviewing instances of alleged prosecutorial  
6 misconduct.

7 WHEREAS, the vast majority of prosecutor's offices act with the highest level of  
8 integrity and professionalism in upholding their responsibility to the public; and

9 WHEREAS, in order to maintain this integrity and professionalism, it is vital to  
10 consider whether additional transparency measures may be needed; and

11 WHEREAS, transparency is central to good governance and to decisions voters make  
12 about their elected prosecutors; and

13 WHEREAS, prosecutors play a powerful and influential role in our communities  
14 making countless decisions every day affecting the safety of our communities and the lives  
15 of the citizens therein; and

16 WHEREAS, public safety is a priority for all Louisiana citizens and the legislature  
17 has an obligation to continue to develop ways to improve the safety of the residents of this  
18 state; and

19 WHEREAS, a fundamental element of public safety is a community's faith and trust  
20 in the criminal justice system; and

1           WHEREAS, to maintain that trust, the system must remain accountable to all its  
2 participants; and

3           WHEREAS, in 2017 and 2018, the Louisiana Legislature committed to strengthening  
4 the criminal justice system through the passage of the 2017 Justice Reinvestment Act and  
5 numerous other criminal justice reform measures; and

6           WHEREAS, unfortunately, Louisiana continues to have the highest incarceration rate  
7 in the world; and

8           WHEREAS, Louisiana also has the highest rate of exoneration in the world; and

9           WHEREAS, the wrongful incarcerations and exonerations have resulted from  
10 ineffective counsel, absence of counsel, and prosecutorial misconduct; and

11           WHEREAS, in order to facilitate the continued public trust in our criminal justice  
12 system, investigate instances of prosecutorial misconduct, and provide overall transparency  
13 to Louisiana citizens, the Louisiana House of Representatives must gain a deeper  
14 understanding of the issue.

15           THEREFORE, BE IT RESOLVED that the House of Representatives of the  
16 Legislature of Louisiana does hereby urge and request the chairman of the House Committee  
17 on Judiciary to create a subcommittee pursuant to House Rule 14.49(B) to study whether the  
18 Louisiana State Legislature should create a Commission on Prosecutorial Conduct.

19           BE IT FURTHER RESOLVED, that the subcommittee obtain information and  
20 assistance from the Louisiana Judicial Council, the Louisiana Attorney Disciplinary Board,  
21 the Louisiana Supreme Court, the office of the Louisiana Attorney General, the Louisiana  
22 District Attorneys Association, or any other entities the subcommittee determines could  
23 assist the subcommittee in this study.

24           BE IT FURTHER RESOLVED, that the Subcommittee of the House Committee on  
25 Judiciary shall report its findings and any recommendations for legislative changes to the  
26 House of Representatives no later than February 1, 2019.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HR 255 Original

2018 Regular Session

Hunter

Urges and requests that a subcommittee of the House Committee on Judiciary be created to study whether the legislature should create a Commission on Prosecutorial Conduct and report its findings to the House of Representatives by February 1, 2019.