

2018 Regular Session

HOUSE RESOLUTION NO. 255

BY REPRESENTATIVE HUNTER

A RESOLUTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES