

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 189

2024 Regular Session

Willard

CRIMINAL/PROCEDURE: Provides for civilian investigators to oversee taped statements of protected persons

Synopsis of Senate Amendments

1. Specifies that a "civilian investigator" is any person who performs investigative work as a noncertified employee of a law enforcement agency and who has completed training required by that law enforcement agency.
2. Provides that the required training of a "civilian investigator" shall include but not be limited to basic investigative training and specific training on investigation of crimes involving a protected person.

Digest of Bill as Finally Passed by Senate

Present law (R.S. 15:440.2) provides that a court with original criminal jurisdiction or juvenile jurisdiction may require that a statement of a protected person be recorded on videotape by certain methods.

Proposed law retains present law.

Present law defines the terms "videotape" and "protected person".

Proposed law retains present law and adds a definition for the term "civilian investigator".

Proposed law also provides that a civilian investigator shall complete the training required by its law enforcement agency employer and that the required training include but not be limited to basic investigative training and specific training on investigation of crimes involving protected persons.

Present law (R.S. 15:440.4) provides for the method of recording a videotape of a protected person.

Proposed law retains present law.

Present law (R.S. 15:440.4(A)(5)) requires that the videotaping of the protected person's statement be supervised by a physician, a social worker, a law enforcement officer, a licensed psychologist, a medical psychologist, a licensed professional counselor, or an authorized representative of the D.C.F.S. in order for the videotape to be competent evidence.

Proposed law retains present law and adds a civilian investigator as a person who can supervise a videotaping of a protected person's statement in order to render the videotape as competent evidence.

Proposed law shall only apply to a civilian investigator within a parish with a population of not less than 343,000 and not more than 384,000 as provided in the most recent federal decennial census.

Present law (Ch.C. Art. 323) provides for definitions as it relates to videotaped statements of protected persons.

Proposed law retains present law and adds a definition for the term "civilian investigator".

Present law (Ch.C. Art. 326) provides for the method of recording a videotape of a protected person.

Proposed law retains present law.

Present law (Ch.C. Art. 326(A)(7)) requires that the videotaping of the protected person's statement be supervised by a physician, a social worker, a law enforcement officer, a licensed psychologist, a medical psychologist, a licensed professional counselor, or an authorized representative of the D.C.F.S. in order for the videotape to be competent evidence.

Proposed law retains present law and adds a civilian investigator as a person who can supervise a videotaping of a protected person's statement in order to render the videotape as competent evidence.

Proposed law shall only apply to a civilian investigator within a parish with a population of not less than 343,000 and not more than 384,000 as provided in the most recent federal decennial census.

(Amends R.S. 15:440.4(A)(5) and Ch.C. Arts. 323 and 326(A)(7); Adds R.S. 15:440.2(D) and 440.4(C) and Ch.C. Art. 326(C))