2024 Regular Session

HOUSE BILL NO. 901

BY REPRESENTATIVE MANDIE LANDRY

| 1 | AN ACT |
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| 2 | To amend and reenact R.S. 15:570(E)(1), 574(B)(2), and 574.4(B)(1), R.S. 46:1844(A)(2), |
| 3 | (N)(4), and (O)(2), and 2162(A)(1), and Children's Code Article 725.4, relative to |
| 4 | the Crime Victims Services Bureau within the Department of Public Safety and |
| 5 | Corrections; to provide for a renaming of the bureau; and to provide for related |
| 6 | matters. |
| 7 | Be it enacted by the Legislature of Louisiana: |
| 8 | Section 1. R.S. 15:570(E)(1), 574(B)(2), and 574.4(B)(1) are hereby amended and |
| 9 | reenacted to read as follows: |
| 10 | §570. Execution; officials and witnesses; minors excluded; time of execution; notice |
| 11 | to victim's relatives |
| 12 | * * * |
| 13 | E.(1) The secretary of the Department of Public Safety and Corrections shall, |
| 14 | at least ten days prior to the execution, either give written notice or verbal notice, |
| 15 | followed by written notice placed in the United States mail within five days |
| 16 | thereafter, of the date and time of execution to the victim's parents, or guardian, |
| 17 | spouse, and any adult children who have indicated to the secretary that they desire |
| 18 | such notice by registering with the Crime Victims Services Bureau Louisiana Victim |
| 19 | Outreach of the Department of Public Safety and Corrections. The secretary, in such |
| 20 | notice, shall give the named parties the option of attending the execution. |
| 21 | * * * |

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| 1 | §574. Adoption of rules by Board of Pardons |
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| 2 | * * * |
| 3 | B. |
| 4 | * * * |
| 5 | (2) The board shall not take up any consideration of an application for a |
| 6 | hearing or for a pardon, clemency, or commutation until it has made reasonable |
| 7 | efforts to contact the victim or the surviving family members of the victim, including |
| 8 | correspondence mailed at least thirty days prior to the date of the hearing to the last |
| 9 | known address of the victim or the surviving family members of the victim, and it |
| 10 | has notified the Crime Victims Services Bureau Louisiana Victim Outreach of the |
| 11 | Department of Public Safety and Corrections. |
| 12 | * * * |
| 13 | §574.4. Parole; eligibility; juvenile offenders |
| 14 | * * * |
| 15 | B.(1) Except as provided in Paragraph (2) of this Subsection, and except as |
| 16 | provided in Paragraph (A)(5) and Subsections D, E, and H of this Section, no |
| 17 | prisoner serving a life sentence shall be eligible for parole consideration until his life |
| 18 | sentence has been commuted to a fixed term of years. No prisoner sentenced as a |
| 19 | serial sexual offender shall be eligible for parole. No prisoner may be paroled while |
| 20 | there is pending against him any indictment or information for any crime suspected |
| 21 | of having been committed by him while a prisoner. Notwithstanding any other |
| 22 | provisions of law to the contrary, a person convicted of a crime of violence and not |
| 23 | otherwise ineligible for parole shall serve at least sixty-five percent of the sentence |
| 24 | imposed, before being eligible for parole. The victim or victim's family shall be |
| 25 | notified whenever the offender is to be released provided that the victim or victim's |
| 26 | family has completed a Louisiana victim notice and registration form as provided in |
| 27 | R.S. 46:1841 et seq., or has otherwise provided contact information and has indicated |
| 28 | to the Department of Public Safety and Corrections, Crime Victims Services Bureau |
| 29 | Louisiana Victim Outreach, that they desire such notification. |
| 30 | * * * |

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| 1 | Section 2. R.S. 46:1844(A)(2), (N)(4), and (O)(2) and 2162(A)(1) are hereby |
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| 2 | amended and reenacted to read as follows: |
| 3 | §1844. Basic rights for victim and witness |
| 4 | А. |
| 5 | * * * |
| 6 | (2) The Department of Public Safety and Corrections shall maintain the |
| 7 | Crime Victims Services Bureau Louisiana Victim Outreach presently in operation. |
| 8 | The bureau shall publicize and provide a way for crime victims and their family |
| 9 | members to be kept informed about the following: |
| 10 | * * * |
| 11 | N. Duties of the Department of Public Safety and Corrections. |
| 12 | * * * |
| 13 | (4) When an inmate in physical custody is within three months of his earliest |
| 14 | projected release date, a registered victim may contact the Crime Victims Services |
| 15 | Bureau Louisiana Victim Outreach of the Department of Public Safety and |
| 16 | Corrections, corrections services, to request a current photograph of the inmate. The |
| 17 | department shall take all reasonable steps to provide a photograph to the registered |
| 18 | victim at least ten days prior to the inmate's actual release. |
| 19 | O. Notification of pardon or parole. |
| 20 | * * * |
| 21 | (2) Beginning August 1, 2018, when an inmate in physical custody is within |
| 22 | three months of his earliest projected release date, a registered victim may contact |
| 23 | the Crime Victim Services Bureau Louisiana Victim Outreach to submit a reentry |
| 24 | statement to the committee on parole requesting that the inmate be subject to certain |
| 25 | proximity or contact restrictions, as part of the inmate's parole conditions, that the |
| 26 | victim believes are necessary for the victim's protection. The committee on parole |
| 27 | may consider the victim's reentry statement only for the purpose of determining the |
| 28 | inmate's parole conditions and not for the purpose of determining whether to order |
| 29 | the release of the inmate on parole. A victim's reentry statement is not binding on |
| 30 | the committee on parole, but shall be considered in concert with other relevant |
| 31 | information when setting parole conditions. The provisions of this Paragraph apply |

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| 1 | only to those persons who are to appear at a hearing before the committee on parole |
|----|-----------------------------------------------------------------------------------------|
| 2 | to determine whether the person should be granted parole. |
| 3 | * * * |
| 4 | §2162. Assistance to victims of human trafficking |
| 5 | A. Classification of victims of human trafficking. As soon as practicable |
| 6 | after the initial encounter with a person who reasonably appears to a law |
| 7 | enforcement agency, a district attorney's office, or the office of the attorney general |
| 8 | to be a victim of human trafficking, such agency or office shall: |
| 9 | (1) Notify the Crime Victims Services Bureau Louisiana Victim Outreach |
| 10 | of the Department of Public Safety and Corrections that such person may be eligible |
| 11 | for services under this Chapter. |
| 12 | * * * |
| 13 | Section 3. Children's Code Article 725.4 is hereby amended and reenacted to read |
| 14 | as follows: |
| 15 | Art. 725.4. Duties of law enforcement |
| 16 | The officer shall notify the Crime Victims Services Bureau Louisiana Victim |
| 17 | Outreach of the Department of Public Safety and Corrections that the child may be |
| 18 | eligible for special services and, as a mandatory reporter as required by Children's |
| 19 | Code Article 610, shall notify the Department of Children and Family Services that |
| 20 | the child is in need of protective services. |

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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