

RÉSUMÉ DIGEST

ACT 548 (HB 189)

2024 Regular Session

Willard

Existing 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.

New law retains existing law.

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

New law retains existing law and adds a definition for the term "civilian investigator".

New 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.

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

New law retains existing law.

Existing 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 Dept. of Children and Family Services (DCFS) in order for the videotape to be competent evidence.

New law retains existing 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.

New 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.

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

New law retains existing law and adds a definition for the term "civilian investigator".

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

New law retains existing law.

Existing 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 DCFS in order for the videotape to be competent evidence.

New law retains existing 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.

New 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.

Effective August 1, 2024.

(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))