

RÉSUMÉ DIGEST

ACT 157 (HB 734)

2024 Regular Session

Villio

Existing law (R.S. 14:130.1) provides for the crime of obstruction of justice and provides for penalties.

New law provides that contacting a family member of the victim in a manner that knowingly and intentionally violates the provisions of new law (R.S. 46:1844(Y)) constitutes the crime of obstruction of justice.

New law further provides that when the obstruction of justice is committed as described in new law and involves a criminal proceeding in which the sentence imposed is a sentence of death, the offender shall be fined not more than \$5,000, imprisoned for not more than three years, with or without hard labor, or both.

New law provides that the term "family member" shall have the same meaning and definition as in existing law (R.S. 46:2132).

Existing law (R.S. 46:1844) provides for the basic rights for victims and witnesses.

New law provides that in cases where the sentence is the death penalty and the clemency process has commenced, the victim's family shall have the right to not be contacted by any of the following unless an appointment with the family has been requested, approved, and arranged through a victim service coordinator appointed by either the prosecuting agency or the DPS&C through its La. Victim Outreach Program:

- (1) The offender.
- (2) Any family member or friend of the offender.
- (3) Any legal representative of the offender.
- (4) Any person or group who actually represents or purports to represent the offender or the interests of the offender.

New law provides that upon conviction in cases where the sentence is the death penalty, the victim's family shall be notified by the victim service coordinator of their right to not be contacted by any person, group, or entity who actually represents or purports to represent the offender or the interests of the offender in subsequent clemency procedures, unless an appointment has been requested, approved, and arranged through the victim service coordinator.

New law provides that the victim service coordinator shall provide a form to the victim's family to request that the victim's family not be contacted in any manner by any person, group, or entity who actually represents or purports to represent the offender or the interests of the offender related to clemency procedures. Further provides that the victim service coordinator shall provide notice of this document by U.S. mail to each party in the case.

New law provides that whoever violates the provisions of new law shall be punished in accordance with new law (R.S. 14:130.1(B)(5)).

Effective August 1, 2024.

(Amends R.S. 14:130.1(B)(1) and (3); Adds R.S. 14:130.1(A)(5), (B)(5), and (C) and R.S. 46:1844(Y))