

2025 Regular Session

HOUSE BILL NO. 479

BY REPRESENTATIVE MANDIE LANDRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIMINAL/VICTIMS: Provides relative to witness or victim notification

1 AN ACT

2 To enact R.S. 46:1847 and 1848, relative to the creation of a comprehensive victim's
3 services system; to provide for a Crime Victim's Bill of Rights; to provide for
4 legislative findings; to provide certain rights to crime victims, witnesses, and family
5 members; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46:1847 and 1848 are hereby enacted to read as follows:

8 §1847. Comprehensive victims' services system; legislative findings; intent; purpose

9 A. The legislature hereby recognizes that the State of Louisiana has created
10 numerous rights and duties to be afforded to crime victims, witnesses, and designated
11 family members. The legislature further recognizes the challenges of fulfilling those
12 rights and duties through numerous law enforcement and other state and local
13 entities.

14 B. Accordingly, the legislature hereby finds and declares that, in order to
15 ensure to the greatest extent possible that the rights and duties afforded to crime
16 victims and witnesses are upheld, the state of Louisiana is committed to the creation,
17 consolidation, and coordination of a comprehensive victims' services system. This
18 system shall provide the information and services described in the Crime Victims'
19 Bill of Rights and R.S. 46:1844 to crime victims and witnesses at all relevant points
20 throughout the life cycle of a case moving through the criminal justice system in a

1 timely, consistent, and easily understandable manner. This system shall be created
2 and administered by the Department of Public Safety and Corrections (the
3 department), which shall coordinate with and provide assistance to prosecutors and
4 law enforcement agencies utilizing the systems, processes, standards, and guidelines
5 implemented by the department. The department shall promulgate rules and
6 regulations in accordance with the Administrative Procedure Act in order to
7 implement the provisions of this Section. The system shall be created and in
8 operation no later than July 1, 2026.

9 C. The legislature recognizes that the creation and implementation of a
10 comprehensive victims' services system requires the input, coordination, and
11 cooperation of relevant stakeholders responsible for providing services to crime
12 victims and witnesses and urges relevant stakeholders to work collaboratively to
13 create and implement this comprehensive victims' services system as expeditiously
14 as possible.

15 §1848. Crime Victims' Bill of Rights

16 A.(1) The legislature hereby finds and declares the urgent need to establish
17 a comprehensive Crime Victims' Bill of Rights. A bill of rights, written in plain
18 language and collected in one place, is vital for crime victims, witnesses, and
19 designated family members to be able to know and understand the rights and duties
20 to which the state of Louisiana affords to them and to ensure that they receive the
21 support, protection, and justice that they deserve.

22 (2) Subsection C of this Section shall be known and may be cited as the
23 "Crime Victims' Bill of Rights".

24 B.(1) Notwithstanding any other provision of law to the contrary, nothing in
25 this Section shall be construed to negate, impair, diminish, or limit any other rights
26 or duties afforded to crime victims, witnesses, and designated family members in any
27 other provision of law.

28 (2) Notwithstanding any other provision of law to the contrary, a defendant
29 or person accused or convicted of a crime for which a crime victim, witness, or

1 designated family member is afforded any rights or duties within this Section does
2 not have standing to seek to have their conviction or sentence set aside for any
3 violation of the Crime Victims' Bill of Rights.

4 C. A crime victim or designated family member, as defined in this Chapter,
5 shall have the following rights:

6 (1) The right to receive emergency, social, or medical services as soon as
7 possible and to receive a Victim Notice and Registration Form from law enforcement
8 as provided in R.S. 46:1844(A)(1).

9 (2) The right to be notified of the following: the defendant's arrest, release
10 on recognizance, posting of bond, release pending charges being filed or due to
11 rejection of charges by the prosecutor, escape, or re-apprehension as provided in R.S.
12 46:1844(A)(3) and (Z).

13 (3) The right to advance notification of and to be present for judicial
14 proceedings or probation hearings as provided in R.S. 46:1844(B).

15 (4) The right, subject to reasonable efforts by the prosecutor prior to trial, to
16 be interviewed by the prosecutor regarding the facts of the case and requests for
17 restitution as provided in R.S. 46:1844(C).

18 (5) The right for such interviews to be conducted in a private setting, with
19 access if requested to a victim advocate, social worker, or psychologist for support
20 as provided in R.S. 46:1844(C).

21 (6) The right to refuse requests for interviews with the defense attorney as
22 provided in R.S. 46:1844(C)(3).

23 (7) The right to retain the victim's or designated family member's own legal
24 counsel for discussions with the district attorney and judicial agencies as provided
25 in R.S. 46:1844(D)(1).

26 (8) The right to request, orally or in writing, a conference with the
27 prosecutor's office to discuss the disposition of the case by dismissal, plea, or trial,
28 the use of sentencing alternatives, and requests for payment of restitution to the
29 victim as provided in R.S. 46:1844(D)(2).

1 (9) The right to assistance in informing employers that the participation of
2 the victim and designated family member in the prosecution of the case may
3 necessitate absence from work as provided in R.S. 46:1844(E).

4 (10) The right to be notified of scheduling changes as provided in R.S.
5 46:1844(F).

6 (11) The right to a secure waiting area during court proceedings away from
7 the defendant or the family of the defendant as provided in R.S. 46:1844(G).

8 (12) The right to review and comment on pre-sentence or post-sentence
9 reports as provided in R.S. 46:1844(H).

10 (13) The right to protection by all rules and laws governing criminal
11 procedure and the admissibility of evidence applicable to criminal proceedings as
12 provided in R.S. 46:1844(I).

13 (14) The right to a speedy disposition and prompt and final conclusion of the
14 case after conviction and sentencing as provided in R.S. 46:1844(J).

15 (15) The right to be present and heard at all critical stages of the proceedings,
16 including the right to make a written or oral victim impact statement as provided in
17 R.S. 46:1844(K)(1).

18 (16) The right to request that the victim impact statement be sealed for
19 privacy concerns as provided in R.S. 46:1844(K)(2).

20 (17) The right to be provided with notice from the court of the minimum and
21 maximum sentence allowed by law and the opportunity to comment on the proposed
22 sentence as provided in R.S. 46:1844(K)(3).

23 (18) The right to have property of the victim returned as provided in R.S.
24 46:1844(L).

25 (19) The right to seek restitution or payment from the defendant to the victim
26 or the family of the victim, with no court filing fees as provided in R.S. 46:1844(M).

27 (20) For death penalty cases, the right to notification of execution details and
28 the right to be present as provided in R.S. 46:1844(N).

1 (21) For death penalty cases, the right to not be contacted by the offender or
2 supporters or representatives of the offender as provided in R.S. 46:1844(Y).

3 (22) The right to be notified of a parole hearing and to make written or oral
4 victim impact statements, including proposed contact and proximity restrictions that
5 may be included as parole conditions, for the protection of the victim as provided in
6 R.S. 46:1844(O).

7 (23) The right to confidentiality, and to prevent the release of the name,
8 address, contact information or identity of the victim, if the victim is a minor, victim
9 of a sex offense, or victim of a human trafficking offense as provided in R.S.
10 46:1844(W).

11 D. A witness or a designated family member, as defined in this Chapter,
12 shall have the following rights:

13 (1) The right to receive emergency, social, or medical services as soon as
14 possible and to receive a Victim Notice and Registration Form from law enforcement
15 as provided in R.S. 46:1844(A)(1).

16 (2) The right to be notified of the following: release, discharge of sentence,
17 escape, or reapprehension as provided in R.S. 46:1844(N)(2) and (3).

18 (3) The right to assistance in informing employers that the participation of
19 the witness or designated family member in the prosecution of the case may
20 necessitate absence from work as provided in R.S. 46:1844(E).

21 (4) The right to be notified of scheduling changes as provided in R.S.
22 46:1844(F).

23 (5) The right to a secure waiting area during court proceedings away from
24 the defendant or the family of the defendant as provided in R.S. 46:1844(G).

25 Section 2. The office of the governor shall prepare a printable version of the Crime
26 Victims' Bill of Rights as set forth above for public consumption.

27 Section 3. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.
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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 479 Original

2025 Regular Session

Mandie Landry

Abstract: Provides for a comprehensive victims' services system and the Victims' Bill of Rights.

Proposed law directs the Dept. of Public Safety and Corrections to create a comprehensive victims' services system to notify victims, witnesses, and designated family members of their rights and to inform them of legal proceedings.

Present law (R.S. 46:1844) provides for the basic rights of victims and witnesses of a crime.

Proposed law creates the Victims' Bill of Rights related to the rights in present law.

Proposed law provides that a defendant shall not have standing to challenge the outcome of a case pursuant to a violation of a victim's rights.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 46:1847 and 1848)