

2025 Regular Session

# ACT No. 370

HOUSE BILL NO. 479

BY REPRESENTATIVES MANDIE LANDRY, BACALA, BOYD, BOYER, BRASS, BRAUD, BRYANT, BUTLER, CARLSON, COATES, COX, DEWITT, DOMANGUE, EDMONSTON, EGAN, FREEMAN, FREIBERG, HILFERTY, HORTON, HUGHES, JORDAN, KERNER, KNOX, LAFLEUR, LARVADAIN, LYONS, MACK, MARCELLE, MELERINE, MOORE, NEWELL, OWEN, PHELPS, ROMERO, SPELL, STAGNI, TAYLOR, THOMPSON, VILLIO, WALTERS, WYBLE, AND ZERINGUE

1 AN ACT

2 To enact R.S. 15:715 and R.S. 46:1847 and 1848, relative to the creation of a comprehensive  
3 victims' services system; to provide for a Crime Victims' Bill of Rights; to provide  
4 for victim notification; to provide for definitions; to provide for legislative findings;  
5 to provide certain rights to crime victims, witnesses, and family members; to provide  
6 for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:715 is hereby enacted to read as follows:

9 §715. Reporting of escapes from parish prison facilities and jails

10 A. The sheriff, the highest ranking employee of the sheriff's office, or the  
11 person acting on behalf of the sheriff who is physically present at and in charge of  
12 the parish prison or jail at the time of an escape from that facility shall immediately  
13 notify or take necessary steps to ensure that notification is provided to every law  
14 enforcement agency and local media outlet after receiving notification that an inmate  
15 has escaped from or left the premises of the facility without authority. Such notice  
16 shall be provided by the most reasonable and expedient means available.

1           B.(1) The sheriff, his designee, or the highest ranking employee of the  
2           sheriff's office shall immediately notify any known witnesses and the victim of the  
3           crime for which the escaped inmate was imprisoned. Such notice shall be provided  
4           by the most reasonable and expedient means available.

5           (2) If the inmate is recaptured, the sheriff, his designee, or the highest  
6           ranking employee of the sheriff's office shall send notice to the persons and entities  
7           designated in this Section as soon as possible but in no event not later than one  
8           working day after the sheriff learns of such recapture.

9           C. As used in this Section, the following terms shall have the following  
10          meanings:

11          (1) "Law enforcement agency" means the Department of Public Safety and  
12          Corrections, office of public safety services and office of state police, and all police  
13          departments in the parish.

14          (2) "Local media outlet" means a local news service, including but not  
15          limited to a print, broadcast, or online platform.

16          Section 2. R.S. 46:1847 and 1848 are hereby enacted to read as follows:

17          §1847. Comprehensive victims' services system; legislative findings; intent; purpose

18          A. The legislature hereby recognizes that the State of Louisiana has created  
19          numerous rights and duties to be afforded to crime victims, witnesses, and designated  
20          family members. The legislature further recognizes the challenges of fulfilling those  
21          rights and duties through numerous law enforcement and other state and local  
22          entities.

23          B. Accordingly, the legislature hereby finds and declares that, in order to  
24          ensure to the greatest extent possible that the rights and duties afforded to crime  
25          victims and witnesses are upheld, the state of Louisiana is committed to the creation,  
26          consolidation, and coordination of a comprehensive victims' services system. This  
27          system shall provide the information and services described in the Crime Victims'  
28          Bill of Rights and R.S. 46:1844 to crime victims and witnesses at all relevant points  
29          throughout the life cycle of a case moving through the criminal justice system in a  
30          timely, consistent, and easily understandable manner. This system shall be created

1        and administered by the Department of Public Safety and Corrections (the  
2        department), which shall coordinate with and provide assistance to prosecutors and  
3        law enforcement agencies utilizing the systems, processes, standards, and guidelines  
4        implemented by the department. The department shall create this system in  
5        conjunction with the Integrated Criminal Justice Information System Policy Board  
6        (ICJIS) and all such component parts of this system shall be created in conformity  
7        with the requirements set forth in R.S. 15:1228.10. The system shall be created and  
8        in 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  
30        designated family member is afforded any rights or duties within this Section does

1        not have standing to seek to have their conviction or sentence set aside for any  
2        violation of the Crime Victims' Bill of Rights.

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

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

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

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

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

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

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

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

25               (8) The right to request, orally or in writing, a conference with the  
26       prosecutor's office to discuss the disposition of the case by dismissal, plea, or trial,  
27       the use of sentencing alternatives, and requests for payment of restitution to the  
28       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).

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

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

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

9                   (24) For all victims of violent crime, the right to request and obtain a copy  
10                  of their initial police report at no cost to them as provided in R.S. 46:1844(X).

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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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_