



1 or the court of the parish of residence for those convicted under the laws of another  
2 state, or military, territorial, foreign, tribal, or federal law which have been  
3 determined to be comparable to a Louisiana offense requiring a fifteen-year  
4 registration period by the bureau pursuant to the provisions of R.S. 15:542.1.3. **The**  
5 **petition shall be accompanied by a certification from the office of state police**  
6 **of the offender's history of registration in Louisiana.**

7 (2) The lifetime registration period established in Paragraph (B)(2) of this  
8 Section may be reduced to a period of twenty-five years if the offender was  
9 adjudicated delinquent for the offense which requires registration and maintains a  
10 clean record for twenty-five years upon petition to be relieved of the sex offender  
11 registration to the court of adjudication for those adjudicated in Louisiana, or court  
12 of the parish of residence for those adjudicated under the laws of another state, or  
13 military, territorial, foreign, tribal, or federal law. **The petition shall be**  
14 **accompanied by a certification from the office of state police of the offender's**  
15 **history of registration in Louisiana.**

16 (3) For purposes of this Subsection, an offender maintains a "clean record"  
17 by:

18 \* \* \*

19 (e) Complying with all sex offender registration and notification requirements  
20 **in Louisiana for the prescribed period of time** pursuant to the provisions of this  
21 Chapter.

22 (4) The following procedures shall apply to the provisions of Paragraphs (1)  
23 and (2) of this Subsection:

24 (a) The district attorney shall be served with a copy of the petition **and the**  
25 **Louisiana Department of Public Safety and Corrections, office of state police**  
26 **and the Department of Justice shall be given notice of the filing with a copy of**  
27 **the pleading.**

28 (b) The court shall order a contradictory hearing to determine whether the  
29 offender is entitled to be relieved of the registration and notification requirements

1 pursuant to the provisions of Paragraphs (1) and (2) of this Subsection. The  
2 Louisiana Department of Public Safety and Corrections, office of state police  
3 and the Department of Justice shall be given notice of the hearing date.

4 \* \* \*

5 CHAPTER 3-C. LOUISIANA SEXUAL ASSAULT TASK FORCE

6 §555. Sexual Assault Task Force; creation; membership; meetings

7 A. The Louisiana Sexual Assault Task Force is hereby created within the  
8 Department of Justice, office of the attorney general. The task force shall consist  
9 of twenty-five members as follows:

10 (1) The executive director of the Louisiana District Attorneys  
11 Association or his designee.

12 (2) The executive director of the Louisiana Foundation Against Sexual  
13 Assault or her designee.

14 (3) The Sexual Assault Nurse Examiner/Sexual Assault Response Team  
15 (SANE/SART) program coordinator of the Louisiana Foundation Against  
16 Sexual Assault or her designee.

17 (4) The executive director of the Louisiana Sheriffs Association, or his  
18 designee.

19 (5) The executive director of the Louisiana Association of Chiefs of  
20 Police, or his designee.

21 (6) The president of the Louisiana District Judges Association, or his  
22 designee.

23 (7) The executive director of the Louisiana Commission on Law  
24 Enforcement and the Administration of Criminal Justice, or his designee.

25 (8) The president of the Louisiana Coroners Association, or his designee.

26 (9) The director of the Louisiana State Police Crime Laboratory, or his  
27 designee.

28 (10) The president of the Louisiana Association of Forensic Scientists,  
29 or his designee.

1                   (11) The president of the Louisiana Hospitals Association, or her  
2                   designee.

3                   (12) The secretary of the Department of Health and Hospitals, or his  
4                   designee.

5                   (13) The executive director of the Louisiana State Board of Nursing, or  
6                   his designee.

7                   (14) The executive director of the Louisiana CASA Association, or his  
8                   designee.

9                   (15) The president of the Louisiana Children's Advocacy Center, or his  
10                  designee.

11                  (16) The secretary of the Department of Children and Family Services,  
12                  or his designee.

13                  (17) The deputy secretary of programs of the Department of Children  
14                  and Family Services, or his designee.

15                  (18) The medical director of the Child At Risk Evaluation Center at  
16                  Children's Hospital of New Orleans, or his designee.

17                  (19) The attorney general, or his designee.

18                  (20) A member of the Association of Criminal Defense Lawyers selected  
19                  by its chief executive officer, or his designee.

20                  (21) The superintendent of state police, or his designee.

21                  (22) The director of the Louisiana Coalition Against Domestic Violence,  
22                  or his designee.

23                  (23) The president of the Louisiana Juvenile Judges Association, or his  
24                  designee.

25                  (24) A member of the House of Representatives appointed by the  
26                  speaker of the House of Representatives, or his designee.

27                  (25) A member of the Senate appointed by the president of the Senate,  
28                  or his designee.

29                  B. Members of the task force shall serve at the pleasure of the

1 appointing authority. The attorney general shall serve as chairman, and his  
2 duties shall be established by the task force.

3 C. The task force shall fix a time and place for its regular meeting and  
4 shall meet at least once during each calendar month. Additional special or  
5 regular meetings may be held upon the call of the chairman.

6 D. A majority of the membership present shall constitute a quorum and  
7 shall be necessary to take action.

8 §556. Duties of the task force

9 The task force shall examine issues relating to forensic examination of  
10 sexual assault victims and investigation of sexual assault cases, including but not  
11 limited to the following:

12 (1) The task force shall review and analyze all applicable state and  
13 federal laws, rules, regulations, policies, procedures, and practices pertaining  
14 to all of the following:

15 (a) What entities are performing and should perform forensic  
16 examinations of sexual assault victims.

17 (b) What entities are financially responsible and should be financially  
18 responsible for the forensic evidence collection from the victim of a sexual  
19 assault.

20 (c) Which entities are being billed for the forensic examinations and  
21 which entities should be billed for such examinations.

22 (d) What evidence is collected from the victim, how is it preserved, how  
23 is it analyzed, and what are the best practices in these areas.

24 (e) What standards are being followed in the investigation of sexual  
25 assault cases and what standards should be followed.

26 (f) What training is provided and what training should be provided to  
27 law enforcement officers and staff of the Department of Children and Family  
28 Services investigating sexual assault cases or cases of suspected sexual assault.

29 (g) What criteria are used and what criteria should be used in

1 designating cases as unfounded or in reclassifying cases involving completed or  
2 attempted illegal sexual activity.

3 (h) The current reporting requirements and those recommended by the  
4 Department of Children and Family Services regarding the number of  
5 allegations of sexual abuse or assault reported and investigated and the number  
6 of those which are validated or not validated.

7 (i) Reports by teachers, ministers, and other mandatory reporters to the  
8 Department of Children and Family Services and law enforcement agencies,  
9 standards for dual investigations and whether mandatory reporters should  
10 report to both law enforcement agencies and the Department of Children and  
11 Family Services.

12 (j) Given the unusual position of trust and authority that members of  
13 the clergy of all religions enjoy from their congregation and the opportunity  
14 that such an esteemed position gives those few individuals, the task force shall  
15 examine and report on the number of allegations of sexual abuse or assault  
16 reported, investigated, and the number of those which were validated or not  
17 validated and shall propose specific standards to be followed in the  
18 investigation of such cases and shall issue recommendations of enhanced  
19 penalties applicable to those who abuse that trust to perpetrate sexual offenses.

20 (2) The task force shall report its findings and recommendations to the  
21 governor, the president of the Senate, and the speaker of the House of  
22 Representatives not later than December 31, 2012.

23 Section 2. The task force created by this Act shall terminate sixty days after the  
24 report of findings and recommendations has been submitted.

25 Section 3. This Act shall become effective upon signature by the governor or, if not  
26 signed by the governor, upon expiration of the time for bills to become law without signature  
27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
28 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
29 effective on the day following such approval.

---

The original instrument was prepared by Michael Bell. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michelle Broussard-Johnson.

---

#### DIGEST

Cheek (SB 232)

Present law provides for a reduction of the registration period if the offender maintains a clean record for 10 years upon petition to be relieved of the sex offender registration to the court of conviction for those convicted in Louisiana.

Proposed law maintains present law and provides that the petition seeking relief from registration be accompanied by a certification from the office of state police of the offender's history of registration in Louisiana.

Present law provides that the district attorney shall be served with a copy of the petition.

Proposed law maintains present law and provides that the Department of Public Safety and Corrections, office of state police and Department of Justice shall be given notice of the filing with a copy of the pleading.

Proposed law creates the Louisiana Sexual Assault Task Force within the Department of Justice.

Proposed law provides that the task force consists of 25 members and that the attorney general serve as chairman.

Proposed law provides for a listing of issues for study by the task force, including but not limited to investigation issues, procedures used in obtaining and analyzing sexual assault evidence, and training requirements for law enforcement officers and others in sexual assault cases.

Proposed law provides that given the unusual position of trust and authority that members of the clergy of all religions enjoy from their congregation and the opportunity that such an esteemed position give those few individuals, the task force shall examine and report on the number of allegations of sexual abuse or assault reported, investigated, and the number of those which were validated or not validated and shall propose specific standards to be followed in the investigation of such cases and shall issue recommendations of enhanced penalties applicable to those who abuse that trust to perpetrate sexual offenses.

Proposed law requires the task force to report its findings and recommendations to the governor, the president of the Senate, and the speaker of the House of Representatives not later than December 31, 2012.

Proposed law provides that the task force shall terminate 60 days after its report of findings has been submitted.

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

(Amends R.S. 15:544 (D)(1), (2), (3)(e), (4)(a) and (b); adds R.S. 15:555 and 556)

**Summary of Amendments Adopted by Senate****Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill.**

1. Deletes the responsibility of the office of the attorney general to maintain on the State Sex Offender and Child Predator Registry the registration period end date.
2. Deletes the administrative procedure created for offenders who are required to register to request a review of the registration period end date established by the attorney general.
3. Deletes the duties of the sheriff to provide certain information to the offender required to register within the sheriff's jurisdiction.
4. Changes the reporting date for the task force from July 1, 2011 to December 31, 2012.

**Senate Floor Amendments to engrossed bill.**

1. Technical amendments.
2. Adds to duties of the task force regarding allegations against the clergy.