
DIGEST

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Hazel

HB No. 442

Abstract: Authorizes the recording of statements of protected persons outside of the courtroom by either local court rule or execution of a written protocol between the court and several agencies.

Present law authorizes the court, on its own motion or on motion of the district attorney, a parish welfare unit or agency, or the Dept. of Children and Family Services, to require that a statement of a protected person be recorded on videotape.

Present law defines "protected person" as any person who is a victim of a crime or a witness in a criminal proceeding and who is either under the age of 17 years or has a developmental disability as defined in present law.

Proposed law amends present law to provide that the court may consent to the taking of videotaped interviews of protected persons by local court rule or by the execution of a written protocol between the court and law enforcement agencies, a parish welfare unit or agency, DCFS, or a Child Advocacy Center or Child Advocacy Program operating in the judicial district.

Proposed law further provides that the adoption of a court rule or the execution of a written protocol by the court pursuant to the provisions of proposed law shall authorize the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case.

(Amends R.S. 15:440.2(A)(1))