

Existing law authorizes each district court to create a drug division probation program and further provides for participation, eligibility, notification, and reporting requirements.

Prior law prohibited the following defendants from participating in the drug division probation program:

- (1) A defendant who has prior felony convictions for any offenses defined as crimes of violence pursuant to existing law (R.S. 14:2(B)).
- (2) A defendant whose current charge is for a crime of violence as defined by existing law or an offense that involves domestic violence.

Existing law defines homicide as the killing of a human being by the act, procurement, or culpable omission of another and includes first degree murder, second degree murder, manslaughter, negligent homicide, and vehicular homicide.

New law amends prior law to provide for the following:

- (1) A defendant who has a prior felony conviction for any offense defined as a crime of violence pursuant to existing law, except for any homicide offense as defined by existing law, shall be eligible to participate in a drug division probation program.
- (2) A defendant whose current charge before the court is a crime of violence as defined by existing law or a felony offense of domestic abuse battery as defined by existing law shall not be eligible to participate in a drug division probation program.

Existing law requires each drug division to develop a method of evaluation to be compiled annually and transmitted to the judicial administrator of the La. Supreme Court.

New law retains existing law and further requires that the evaluations shall include information on recidivism reduction on the participants in the program.

Effective Aug. 1, 2014.

(Amends R.S. 13:5304(B)(10) and (K))