SLS 16RS-433

ORIGINAL

2016 Regular Session

SENATE BILL NO. 320

BY SENATOR MORRELL

DOMESTIC VIOLENCE. Provides for designated seating in a courtroom. (8/1/16)

| 1 | AN ACT |
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| 2 | To amend and reenact R.S. 46:1844(G), relative to rights of crime victims and witnesses; |
| 3 | to provide for the rights of family of crime victims; to provide for designated |
| 4 | courtroom seating; to provide for separation of certain individuals; and to provide |
| 5 | for related matters. |
| 6 | Be it enacted by the Legislature of Louisiana: |
| 7 | Section 1. R.S. 46:1844(G) is hereby amended and reenacted to read as follows: |
| 8 | §1844. Basic rights for victim and witness |
| 9 | * * * |
| 10 | G. The victim and witness in the court setting. The court shall provide, |
| 11 | whenever possible, a secure waiting area during court proceedings which does not |
| 12 | require victims, witnesses, or homicide victims' families to be in close proximity to |
| 13 | the defendants, or their families or friends, and shall provide a secure waiting area |
| 14 | in cases involving violent crimes. The court shall also provide, whenever possible, |
| 15 | designated seating in a courtroom for victims, victim's family, and witnesses |
| 16 | separate from any defendant, defendant's family, or witness for a defendant. |
| 17 | The designated seating area should be positioned, whenever possible, in the |
| | |

Page 1 of 2 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

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| SB NO. 32 | 0 | |

| 1 | | courtroom in a way that does not require victims, victim's family, and witnesses | | |
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| 2 | | to be in close proximity to any defendant, defendant's family, or witness for a | | |
| 3 | | <u>defendant.</u> | | |
| 4 | | * * * | | |
| 5 | | Section 2. This Act shall be known and may be referred to as "The Jason Fourmy | | |
| 6 | Act". | | | |

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley E. Menou.

| DIGEST | |
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| 2016 Regular Session | Morrell |
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<u>Present law</u> requires courts, when possible, to provide a secure waiting area during court proceedings for victims, witnesses, or homicide victim's families that does not require them to be in close proximity to the defendants, or their families or friends. Provides a court must without exception provide a secure waiting area in cases involving violent crimes.

<u>Proposed law</u> retains <u>present law</u> and provides a court must also, whenever possible, provide designated seating in a courtroom for victims, victims' family, and witnesses that does not require them to be in close proximity to defendants, defendants' family, or witnesses for the defendant.

Effective August 1, 2016.

(Amends R.S. 46:1844(G))