
DIGEST

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HB 1141 Engrossed

2016 Regular Session

Hazel

Abstract: Expands the scope of defendants who are eligible to participate in the Veterans Court program and provides additional requirements for certain participants.

Present law excludes from participation in the Veterans Court program:

- (1) Defendants with a prior felony conviction for a crime of violence as defined in present law.
- (2) Defendants who have a pending charge before the court for a crime of violence.
- (3) Defendants with other pending proceedings alleging commission of a crime of violence.
- (4) Defendants who have a pending charge of driving under the influence of alcohol or drugs that resulted in the death of a person.

Proposed law expands the scope of those defendants eligible to participate in the program by prohibiting only those defendants with a conviction of a homicide or sex offense, as well as defendants with a pending criminal charge of a homicide or sex offense. Retains the present law prohibition for defendants with a pending charge of driving under the influence of alcohol or drugs that results in the death of a person. Provides that a defendant may be considered for participation in the Veterans Court program even if the defendant is not otherwise eligible for probation due to the defendant's criminal history.

Proposed law provides that if the crime before the court is domestic abuse battery or domestic abuse aggravated assault, the defendant shall comply with the following additional requirements as conditions of eligibility in the Veterans Court program:

- (1) Completion of a court-monitored domestic abuse intervention program as defined by R.S. 14:35.3.
- (2) No ownership or possession of a firearm while under the supervision of the Veterans Court program or court-ordered probation.

(Amends R.S. 13:5366(B)(9) and (10))