DIGEST

HB 131 Engrossed   2019 Regular Session   Coussan

Abstract: Requires individuals working on behalf of the defendant to notify the victim or victim's family prior to requesting an interview.

Present law, regarding rights of crime victims, provides the victim or the victim's family with the right to refuse any requests for interviews with individuals working on behalf of the defendant. Additionally, the victim can be subpoenaed, however the defendant shall show good cause at a contradictory hearing with the district attorney as to why the subpoena should be issued.

Proposed law retains present law and requires any individual working on behalf of the defendant to clearly and unambiguously notify the victim or the victim's family of their representation or work on behalf of the defendant and of the right to refuse the interview. This notification must be submitted prior to requesting an interview with the victim or victim's family.

Proposed law further provides that this requirement does not apply when the victim or victim's family member initiates communication with the attorney for the defendant or with any employee or agent working for the attorney for the defendant.

(Amends R.S. 46:1844(C)(3))

Summary of Amendments Adopted by House

   The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1.   Remove the requirement that the proposed law notification given to the victim or victim's family member be in writing.

2.   Provide that the required notification of the attorney's representation of the defendant and the required advisement of the right of the victim or victim's family member to refuse an interview does not apply when the victim initiates the communication.