

2015 Regular Session

SENATE BILL NO. 242

BY SENATORS MORRELL AND PETERSON AND REPRESENTATIVES ADAMS,
WESLEY BISHOP, GISCLAIR AND PATRICK WILLIAMS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SEX OFFENSES. Requires criminal justice agencies to annually report certain information concerning sexual assault kits and sexually-oriented criminal offenses. (gov sig)

AN ACT

To enact R.S. 15:623, relative to criminal justice agencies; to require criminal justice agencies to annually submit a report on certain information relative to sexual assault collection kits and sexually-oriented criminal offenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:623 is hereby enacted to read as follows:

§623. Sexually-oriented criminal offense data; reporting

A. By January fifteenth of each year, each criminal justice agency, including college and university campus police departments, shall report all of the following information for the prior calendar year:

(1) The number of sexually-oriented criminal offenses reported.

(2) The number of sexually-oriented criminal offenses investigated.

(3) The number of sexual assault collection kits submitted for analysis.

B. Each municipal criminal justice agency which is a member of the Louisiana Association of Chiefs of Police shall submit the information required in Subsection A of this Section to the Louisiana Association of Chiefs of Police.

1 C. The sheriff of each parish shall submit the information required in
2 Subsection A of this Section to the Louisiana Sheriffs' Association.

3 D. Any criminal justice agency which is not a member of the Louisiana
4 Association of Chiefs of Police or the Louisiana Sheriffs' Association shall
5 submit the information required in Subsection A of this Section to the Louisiana
6 Legislative Auditor.

7 E.(1) By March first of each year, the Louisiana Association of Chiefs
8 of Police, the Louisiana Sheriffs' Association, and the Louisiana Legislative
9 Auditor shall transmit the information required in Subsection A of this Section
10 to the chairman of the Senate Committee on Judiciary B and the chairman of
11 the House Committee on Judiciary.

12 (2) The report shall also include the name and contact information of
13 each criminal justice agency that failed to submit the report required by
14 Subsection A of this Section.

15 (3) The Louisiana Association of Chiefs of Police, the Louisiana Sheriffs'
16 Association, and the Louisiana Legislative Auditor shall collaborate to develop
17 a common reporting templet in order to submit the information to the
18 legislative committees as required in Subsection A of this Section.

19 (F) As used in this Section:

20 (1) "Criminal justice agency" means any government agency or subunit
21 thereof, or private agency that, through statutory authorization or a legal
22 formal agreement with a governmental unit or agency, has the power of
23 investigation, arrest, detention, prosecution, adjudication, treatment,
24 supervision, rehabilitation or release of persons suspected, charged, or
25 convicted of a crime; or that collects, stores, processes, transmits, or
26 disseminates criminal history records or crime information.

27 (2) "Sexual assault collection kit" means a human biological specimen
28 or specimens collected by a health care provider during a forensic medical
29 examination from the victim of a sexually-oriented criminal offense.

1 **(3) "Sexually-oriented criminal offense" includes any sexual assault**
 2 **offense as defined in R.S. 44:51 and any sexual abuse offense as defined in R.S.**
 3 **14:403.**

4 Section 2. This Act shall become effective upon signature by the governor or, if not
 5 signed by the governor, upon expiration of the time for bills to become law without signature
 6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 8 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Cathy Wells.

DIGEST

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Proposed law requires each criminal justice agency, including college and university campus police departments, to report all of the following information for the preceding calendar year no later than January 15th of each year:

- (1) The number of sexually-oriented criminal offenses reported.
- (2) The number of sexually-oriented criminal offenses investigated.
- (3) The number of sexual assault collection kits submitted for analysis.

Proposed law requires each municipal criminal justice agency which is a member of the LA Association of Chiefs of Police to submit their information required in proposed law to the LA Association of Chiefs of Police.

Proposed law requires the sheriff of each parish to submit the information required in proposed law to the LA Sheriffs' Association.

Proposed law requires that any criminal justice agency which is not a member of the LA Association of Chiefs of Police or the LA Sheriffs' Association to submit the information required in proposed law to the legislative auditor.

Proposed law requires the LA Association of Chiefs of Police, the LA Sheriffs' Association, and the legislative auditor to transmit the information required in proposed law to the chairman of the Senate Committee on Judiciary B and the chairman of the House Committee on Judiciary by March 1st of each year. Proposed law further requires the report to include the name and contact information of each criminal justice agency that failed to submit the report required by proposed law.

Proposed law requires the LA Association of Chiefs of Police, the LA Sheriffs Association, and the legislative auditor to collaborate to develop a common reporting templet in order to submit the information to the legislative committees as required by proposed law.

Proposed law defines "criminal justice agency" as any government agency or subunit thereof, or private agency that, through statutory authorization or a legal formal agreement with a governmental unit or agency, has the power of investigation, arrest, detention,

prosecution, adjudication, treatment, supervision, rehabilitation or release of persons suspected, charged, or convicted of a crime; or that collects, stores, processes, transmits, or disseminates criminal history records or crime information.

Proposed law defines "sexual assault collection kit" as a human biological specimen or specimens collected by a health care provider during a forensic medical examination from the victim of a sexually-oriented criminal offense.

Proposed law defines "sexually-oriented criminal offense" as sexual assault offenses and sexual abuse offenses as defined in certain criminal statutes.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Add R.S. 15:623)