

RÉSUMÉ DIGEST

ACT 196 (HB 110)

2017 Regular Session

Billiot

Existing law (R.S. 14:2(B)) provides that certain offenses can be defined as, or are specifically enumerated as, a crime of violence. New law retains existing law.

Existing law authorizes the court, upon the written recommendation of the district attorney, to designate in the court minutes that an offense is a crime of violence only for the purpose of determining whether the defendant is eligible for suspension or deferral of sentence or for participation in a drug division probation program.

New law clarifies existing law to provide that in the absence of the written recommendation by the district attorney to the court, the crime in question will be designated in the court minutes as a crime of violence as a matter of law.

Existing law provides for a list of crimes always designated by the court as crimes of violence in the court minutes and thus are not eligible for suspension or deferral of sentence or participation in a drug division probation program. New law retains existing law.

Effective August 1, 2017.

(Amends C.Cr.P. Art. 890.3)