
DIGEST

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HB 252 Engrossed

2018 Regular Session

Connick

Abstract: Provides that venue for the prosecution of all crimes involving the death of a human being shall be in the parish where the body of the victim was found if it cannot be determined where the offense occurred, and provides for venue for the prosecution for the crimes of accessory after the fact and obstruction of justice.

Present law provides that if the offender is charged with the crime of first or second degree murder and it cannot be determined where the offense occurred, the offense is deemed to have been committed in the parish where the body of the victim was found.

Proposed law expands the application of present law to all crimes involving the death of a human being.

Proposed law provides that if the offender is charged with the crime of accessory after the fact, the offense is deemed to have been committed either in the parish where the principal felony was committed or in the parish where any act or element constituting the basis for the accessory after the fact prosecution occurred.

Proposed law provides that if the offender is charged with the crime of obstruction of justice, the offense is deemed to have been committed either in the parish of the underlying criminal proceeding or investigation or in the parish where any act or element constituting the basis for the obstruction of justice prosecution occurred.

(Amends C.Cr.P. Art. 611(B); Adds C.Cr.P. Art. 611(D))

Summary of Amendments Adopted by House

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

1. Specify that venue for the crime of accessory after the fact, when based upon the location of any act or element constituting the basis for the offense occurred, shall be in the parish where such act or element occurred.