

Regular Session, 2009

HOUSE BILL NO. 221

BY REPRESENTATIVE THIBAUT

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

JUSTICE DEPARTMENT: Provides for the maintenance of juvenile fingerprints

1 AN ACT

2 To amend and reenact Children's Code Article 818(C), relative to juvenile identification
3 procedures; to provide for the maintenance of juvenile fingerprints; to delete the
4 provision applicable to the destruction of fingerprint records of certain juveniles
5 upon reaching the age of seventeen; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Children's Code Article 818(C) is hereby amended and reenacted to read
8 as follows:

9 * * *

10 C. Fingerprints and photographs taken pursuant to Paragraph A of this
11 Article shall be maintained and indexed separately from those of adults. They shall
12 be made available only to law enforcement and correctional agencies for purposes
13 related to their official functions. Fingerprints taken pursuant to Paragraph A of this
14 Article shall be submitted to the central fingerprint repository maintained by the
15 Louisiana Bureau of Criminal Identification and Information as specified under R.S.
16 15:590 et seq., and to the fingerprint repository, if any, maintained by the local law
17 enforcement agency. ~~Upon reaching the age of seventeen, if the child does not have~~
18 ~~a felony conviction in adult court and has not been adjudicated for a felony-grade~~
19 ~~delinquent act, the fingerprint card shall be destroyed with the juvenile records in~~
20 ~~accordance with law.~~

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Thibaut

HB No. 221

Abstract: Deletes requirement of destruction of the fingerprint records of a juvenile upon reaching the age of 17 years without a felony conviction in adult court and who has not been adjudicated for a felony-grade delinquent act.

Proposed law retains present law providing that a child may be photographed or fingerprinted in connection with being taken into custody for the commission of either a felony-grade delinquent act or a misdemeanor-grade delinquent act. Also requires that fingerprints and photographs be maintained and indexed separately from those of adults and submitted to the central fingerprint repository of the La. Bureau of Criminal Identification and Information.

Present law provides that upon reaching the age of 17, if the child does not have a felony conviction in adult court and has not been adjudicated for a felony-grade delinquent act, the fingerprint card shall be destroyed with the juvenile records in accordance with law.

Proposed law deletes this provision.

(Amends Ch.C. Art. 818(C))