

2019 Regular Session

HOUSE BILL NO. 131

BY REPRESENTATIVE COUSSAN

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

CRIMINAL/VICTIMS: Provides relative to interviewing crime victims and family members

1 AN ACT

2 To amend and reenact R.S. 46:1844(C)(3), relative to the rights of crime victims; to provide
3 relative to interviews by defense counsel or employees or agents of defense counsel;
4 to require written notification; to provide relative to the victim's right to refuse an
5 interview; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 46:1844(C)(3) is hereby amended and reenacted to read as follows:

8 §1844. Basic rights for victim and witness

9 * * *

10 C. Interviewing the victim and witness of a crime.

11 * * *

12 (3)(a)(i) Prior to requesting any interview with a victim or victim's family
13 member, the attorney for the defendant or any employee or agent working for the
14 attorney for the defendant, shall clearly and unambiguously notify the victim or
15 victim's family member of his representation or work on behalf of the defendant, and
16 shall advise the victim or the victim's family member of their right to refuse the
17 interview.

18 (ii) The provisions of this Subparagraph shall not apply when the victim or
19 victim's family member initiates communication with the attorney for the defendant
20 or with any employee or agent working for the attorney for the defendant.

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.