

RÉSUMÉ DIGEST

ACT 237 (HB 489)

2019 Regular Session

DuBuisson

Existing law provides that certain prior statements by a witness are not hearsay if the declarant testifies at trial or hearing and is subject to cross-examination concerning the statement, and the statement is any of the following:

- (1) Inconsistent with his testimony in criminal cases provided that the witness has been given the opportunity to admit the fact.
- (2) Consistent with his testimony and offered to rebut charges against him of fabrication, improper influence, or motive.
- (3) One of identification of a person made after perceiving the person.
- (4) Consistent with declarant's testimony and is one of initial complaint of sexually assaultive behavior.

New law adds to the existing law list of hearsay exceptions statements made by the victim of a sexually-oriented criminal offense to a healthcare provider during the course of a forensic medical examination if the healthcare provider has documented that statement in writing during the course of the forensic medical examination.

Effective August 1, 2019.

(Adds C.E. Art. 801(D)(1)(e))