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## DIGEST

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HB 367 Original

2020 Regular Session

Landry

**Abstract:** Authorizes the court to require that the testimony of seventeen-year-olds be recorded on video tape.

Present law authorizes a court with original criminal jurisdiction or juvenile jurisdiction to require that a statement of a protected person be recorded on videotape by any of the following:

- (1) Motion of the court or motion of the district attorney, a parish welfare unit or agency, the Dept. of Children and Family Services, or a child advocacy center operating in the judicial district.
- (2) Adoption of a local court rule that authorizes the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case.
- (3) Execution of a written protocol between the court and law enforcement agencies, a parish welfare unit or agency, the Dept. of Children and Family Services, or a child advocacy center operating in the judicial district that authorizes the videotaping of any protected person without the necessity of the issuance of an order by the court in any individual case.

Present law defines "protected person" as any person who is a victim of a crime or a witness in a criminal proceeding and who is any of the following:

- (1) Under the age of seventeen years.
- (2) Has a developmental disability as defined in present law (R.S. 28:451.2(12)).
- (3) An adult who is eligible for protective services pursuant to the present law Adult Protective Services Act.

Proposed law amends the definition of "protected person" to include seventeen-year-olds.

(Amends R.S. 15:440.2(C)(1))