

2020 Regular Session

HOUSE BILL NO. 204

BY REPRESENTATIVE JAMES

CRIMINAL/RECORDS: Authorizes CASA to receive FBI records on potential CASA volunteers

1 AN ACT

2 To amend and reenact R.S. 15:587.1(J), relative to providing of information to protect
3 children; to provide relative to the criminal history record information requested by
4 and provided to a Court Appointed Special Advocate program; to provide relative
5 to the duty of the Louisiana Bureau of Criminal Identification and Information with
6 respect to federal criminal history record information; to provide relative to the
7 program's authority to receive federal criminal history record information; and to
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:587.1(J) is hereby amended and reenacted to read as follows:

11 §587.1. Provision of information to protect children

12 * * *

13 J.(1) Any Court Appointed Special Advocate program as defined in
14 Children's Code Article 116(2.1) shall be entitled to information from the bureau to
15 ascertain whether a person being considered for involvement with the CASA
16 program has been arrested for, or convicted of, or pled guilty or nolo contendere to,
17 any criminal offense. The bureau shall, upon request and after receipt of fingerprint
18 cards or other identifying information from the CASA program, survey its criminal
19 history records and identification files. ~~The Court Appointed Special Advocate~~
20 ~~program may request the bureau to make a simultaneous request of the Federal~~

1 ~~Bureau of Investigation for like information from other jurisdictions.~~ The Louisiana
2 ~~Bureau of Criminal Identification and Information~~ bureau shall provide a report
3 promptly and in writing, but provide only such information as is necessary to specify
4 whether or not that person has been arrested for or convicted of or pled guilty or nolo
5 contendere to any crime or crimes, the crime or crimes of which he has been arrested
6 for or convicted or to which he has pled guilty or nolo contendere, and the date or
7 dates on which they occurred. The report provided pursuant to the provisions of this
8 Subsection shall include arrests, convictions, or other dispositions, including
9 convictions dismissed pursuant to Code of Criminal Procedure Articles 893 and 894.

10 (2) When a criminal history records check is requested pursuant to this
11 Subsection, in addition to the requirements set forth in Paragraph (1) of this
12 Subsection, the bureau shall forward the fingerprints of the individual who is the
13 subject of the inquiry to the Federal Bureau of Investigation for a national criminal
14 history records check and shall provide the CASA program with the national
15 criminal history record information of the individual who is the subject of the
16 inquiry.

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)]

HB 204 Engrossed

2020 Regular Session

James

Abstract: Requires the criminal history record information provided to a CASA program by the La. Bureau of Criminal Identification and Information to include national criminal history record information provided by the Federal Bureau of Investigation.

Present law provides that a Court Appointed Special Advocate (CASA) program is entitled to information from the Louisiana Bureau of Criminal Identification and Information to ascertain whether a person being considered for involvement with the CASA program has been arrested for, or convicted of, or pled guilty or nolo contendere to, any criminal offense.

Present law further provides that the bureau shall, upon request and after receipt of fingerprint cards or other identifying information from the CASA program, survey its criminal history records and identification files and provide a report promptly and in writing, providing only such information as is necessary to specify whether or not that person has been arrested for or convicted of or pled guilty or nolo contendere to any crime or crimes, the crime or crimes of which he has been arrested for or convicted or to which he has pled guilty or nolo contendere, and the date or dates on which they occurred.

Proposed law retains present law.

Present law provides that the CASA program may request the bureau to make a simultaneous request of the Federal Bureau of Investigation for similar criminal history information from other jurisdictions.

Proposed law amends present law to provide when a criminal history records check is requested by a CASA program pursuant to present law, the bureau shall also forward the fingerprints of the individual who is the subject of the inquiry to the Federal Bureau of Investigation for a national criminal history records check and shall provide the CASA program with the national criminal history record information of the individual who is the subject of the inquiry.

(Amends R.S. 15:587.1(J))