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## DIGEST

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Smith

HB No. 215

**Abstract:** Provides relative to circumstances in which an offender and a victim may communicate.

Present law provides that a person who has been charged with a crime of violence shall be prohibited from communicating with a victim of the offense for which the person has been convicted or for which the disposition of the case is pending.

Proposed law amends present law to provide that the offender charged with a crime of violence shall be prohibited from communicating with a victim of the offense for which he is charged.

Present law provides that a victim and offender who has been charged with a crime of violence may only communicate if the victim consents to the communication through the local prosecuting agency and either of the following are satisfied:

- (1) The victim and the offender have consented to participating in a restorative justice program administered through DPS&C.
- (2) The communication is made through the counsel of the offender or the offender himself if he is representing himself at trial.

Proposed law amends present law and provides that a victim and offender who has been charged with a crime of violence may only communicate if the victim consents to the communication through the local prosecuting agency, and the communication is made through the counsel of the offender or the offender if he is representing himself at trial.

Proposed law provides that a person who has been sentenced for a crime of violence as shall be prohibited from communicating with a victim of the offense unless the victim initiates the communication through DPS&C, and it is agreed that the victim and the offender participate in a formally defined restorative justice program administered through the department.

(Amends R.S. 46:1846)