

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 338 by Representative Johnson

SEX OFFENSE/REGISTRY: Authorizes the use of truth verification examinations for certain sex offenders

Synopsis of Senate Amendments

1. Adds provision which states that the court may only authorize the use of truth verification examinations pursuant to proposed law if the department has the equipment and appropriately-trained personnel.
2. Makes technical corrections.

Digest of Bill as Finally Passed by Senate

Present law provides for certain conditions of probation and parole imposed upon certain sex offenders.

If the department has the equipment and appropriately trained personnel, proposed law authorizes the use of truth verification examinations for sex offenders convicted of a sex offense where the victim was a minor, if ordered by the court or the Board of Parole, in order to determine whether the offender has violated a condition of his probation or parole.

Proposed law provides that the truth verification examination shall be subsequent to an allegation, or at the discretion of the probation or parole officer who has reason to believe, that the sexual offender has violated a condition of probation or parole.

Proposed law provides that the truth verification examination shall be conducted by a trained and certified polygraphist or voice stress examiner.

Proposed law provides that the results of the truth verification examination shall not be used as evidence in court or by the Board of Parole to prove that a violation of a condition of probation or parole has occurred.

Proposed law authorizes the offender to request a second truth verification examination to be conducted by a trained and certified examiner of the offender's choice and at the offender's cost.

Proposed law provides definitions for the following: "polygraph examination", "truth verification examinations", and "voice stress analysis".

(Amends C.Cr.P. Art. 895(I), (J), (K), (L), and (M); Adds R.S. 15:538(E) and 574.4.3(F) and C.Cr.P. Art. 895(N))