
DIGEST

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Johnson

HB No. 297

Abstract: Limits the release of defendants on their own recognizance in certain circumstances.

Present law provides that any defendant who has been arrested for certain crimes shall not be released by the court on his own recognizance or on the signature of any other person.

Proposed law retains present law and further provides for a rebuttable presumption that any defendant who has previously been released on his own recognizance or on the signature of any other person on a felony charge, who has either been arrested for a new felony offense or has at any time failed to appear in court as ordered, shall not again be released by the court on the defendant's own recognizance or on the signature of any other person.

Proposed law provides for the presumption to be overcome if the judge determines after a contradictory hearing in open court that a review of the relevant factors warrants the release.

(Amends C.Cr.P. Art. 334.4)

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Deleted provisions prohibiting a defendant who has been previously released on his own recognizance from being released on his own recognizance when arrested for a new felony.
2. Added a rebuttable presumption limiting release of a defendant on his own recognizance, and provides for a contradictory hearing.