

Regular Session, 2012

SENATE BILL NO. 188

BY SENATOR DORSEY-COLOMB

CRIME/PUNISHMENT. Restricts access to information on LAVNS (Louisiana Automated Victim Notification System) regarding death row inmates to victims only. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 15:1229(B)(2) and to enact R.S. 44:4(45), relative to the
3 Louisiana Automated Victim Notification System; to restrict access to information
4 regarding death row inmates available through the system to the inmate's victims and
5 their families; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:1229(B)(2) is hereby amended and reenacted to read as follows:

8 §1229. Automated victim notification system

9 * * *

10 B. The system, by and through the commission, shall have the following
11 functions, powers, and duties:

12 * * *

13 (2) To develop and implement a system whereby families may initiate
14 inquiries to receive the latest status report on the offender charged or convicted in
15 the crime against that person or his family member. **However, the availability of**
16 **information through the system regarding an offender imprisoned under a**
17 **sentence of death shall be strictly limited to the offender's victims and the**

1 **victims' families via a password protected registration process.**

2 * * *

3 Section 2. R.S. 44:4(45) is hereby enacted to read as follows:

4 §4. Applicability

5 This Chapter shall not apply:

6 * * *

7 **(45) To any information relative to an offender imprisoned under a**
8 **sentence of death that is available through the automated victim notification**
9 **system provided for by R.S. 15:1229.**

10 Section 3. This Act shall become effective upon signature by the governor or, if not
11 signed by the governor, upon expiration of the time for bills to become law without signature
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
14 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Present law provides for an automated victim notification system whereby crime victims and their families may initiate inquiries to receive the latest status report on the offender charged or convicted in the crime against that person or his family member.

Proposed law requires that the availability of information through the system regarding an offender imprisoned under a sentence of death be limited to the offender's victims and the victims' families via a password protected registration process.

Proposed law otherwise retains present law.

Present law provides that all books, records, writings, accounts, letters and letter books, maps, drawings, photographs, cards, tapes, recordings, memoranda, and papers, and all copies, duplicates, photographs, including microfilm, or other reproductions thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment, having been used, being in use, or prepared, possessed, or retained for use in the conduct, transaction, or performance of any business, transaction, work, duty, or function which was conducted, transacted, or performed by or under the authority of the constitution or laws of this state, or by or under the authority of any ordinance, regulation, mandate, or order of any public body or concerning the receipt or payment of any money received or paid by or under the authority of the constitution or the laws of this state, are "public records", except as otherwise provided in present law or present constitution.

Proposed law provides that present law does not apply to any information relative to an

offender imprisoned under a sentence of death that is available through the automated victim notification system provided for by present law.

Proposed law otherwise retains present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 15:1229(B)(2); adds R.S. 44:4(45))