

2019 Regular Session

SENATE RESOLUTION NO. 218

BY SENATOR MORRELL

DISTRICT ATTORNEYS. Requests that district attorneys report certain data to the legislature.

1 A RESOLUTION

2 To urge and request the district attorneys to report certain data related to the operation of the  
3 district attorney offices and its diversion programs to the legislature.

4 WHEREAS, district attorneys are the most powerful actors in the criminal justice  
5 system, controlling investigations, plea bargaining, and vested with formal charging  
6 discretion and bond-request decisions; and

7 WHEREAS, district attorneys' discretionary power drives major trends in our  
8 criminal justice system; and

9 WHEREAS, district attorneys are vested with great discretion to multi-bill offenders  
10 with prior felony convictions; and

11 WHEREAS, no data on district attorneys exercise of their power and discretion on  
12 collection and expenditure of criminal justice fines and fees is currently collected and made  
13 available to the public and legislators; and

14 WHEREAS, informing the public and legislators about the essential functioning of  
15 the district attorneys office is vital to ensuring accountability, fiscal responsibility, and  
16 ethical oversight; and

17 WHEREAS, all public offices function more effectively, with greater integrity, and  
18 with greater public trust when subjected to public scrutiny.

1           THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana  
2 does hereby urge and request the district attorneys to collect certain data related to the  
3 financial state of its operation including disclosure of funds received from statutory fines,  
4 forfeitures, fees, court costs, pretrial diversion programs, and restitution proceedings in the  
5 prior fiscal year.

6           BE IT FURTHER RESOLVED that the Senate of the Legislature of Louisiana does  
7 hereby urge and request the district attorneys to collect annual workload data identifying  
8 during the prior fiscal year the total number of misdemeanor and felony cases opened, the  
9 total number of active criminal court cases at the end of the year, the total number of multi-  
10 bills filed, the total number of offenders sentenced under the habitual offender law, the total  
11 number of cases resolved by plea, the total number of cases dismissed by declaration of nolle  
12 prosequi, any sentencing recommendations made by prosecutors, the demographic data of  
13 participants in diversion programs operated by the district attorney, the total number of  
14 individuals who enroll in and successfully complete pretrial diversion programs within a  
15 twelve-month period, and the total number of participants who fail to complete the diversion  
16 program within a twelve-month period.

17           BE IT FURTHER RESOLVED that the Senate of the Legislature of Louisiana does  
18 hereby urge and request the district attorneys to compile a report of the data collected and  
19 submit a written report of its findings to the legislature not later than January 15th each year.

20           BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
21 Louisiana District Attorneys Association and district attorneys.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Yoursheka D. George.

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DIGEST

SR 218 Original                      2019 Regular Session                      Morrell

Requests the district attorneys to make an annual report to the Senate regarding the financial state of its operations. Provides that the report include revenue received from statutory fines, forfeiture, fees, court costs, and pretrial diversion program and restitution proceedings during the prior fiscal year.

Requests each district attorney office to collect annual workload data indenting during the prior fiscal year on the following statistics:

- (1) Total number of felony cases opened and the total number of misdemeanor cases opened.

- (2) Total number of active criminal cases at the end of the year.
- (3) Total number of multi-bills filed.
- (4) Total number of offenders sentenced under the habitual offender law.
- (5) Total number of cases resolved by plea.
- (6) Total number of cases dismissed by declaration of nolle prosequi.
- (7) Any sentencing recommendations made by prosecutors.
- (8) Demographic data of participants in diversion programs operated by the district attorney.
- (9) Total number of individuals enrolled in and successfully completing the diversion program within a twelve-month period.
- (10) Total number of individuals who fail to complete the diversion program within the same twelve-month period.

Requests the district attorney to compile a report of the data collected and submit a written report of its findings not later than January 15th each year.

Provides for a copy of this Resolution to be sent to the Louisiana District Attorneys Association and district attorneys.