



State of Louisiana
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Governor Jindal Announces Legislation to Crack Down on Crime

BATON ROUGE – Governor Bobby Jindal announced legislative initiatives today to help crack down on crime and increase public safety for Louisiana families. The Governor’s crime package focuses on three areas including increasing penalties for street gangs, continuing to crack down on sex offenders and enhancing penalties for human trafficking.

Governor Jindal said, “When I took office, I said that I wanted to make Louisiana the safest place to raise a family. Since that time we have taken aggressive steps to protect our families and keep crime out of our neighborhoods. We have worked to give law enforcement agencies stronger tools to fight violent criminals and sex predators. The bottom line is that we have been aggressive in our efforts to crack down on crime, but we can never become complacent because criminals will always try to find a new way to game the system and hurt our communities and families. Our crime package will increase penalties for street gangs, continue to crack down on sex predators and enhance penalties for the awful crime of human trafficking.”

Superintendent of the Louisiana State Police Colonel Mike Edmonson said, “Since Governor Jindal has taken office, we have made it a top priority to catch sexual predators through our Operation Child Watch initiative. We will continue to utilize every available resource to prevent and apprehend those individuals who prey on the innocence of our children. We must also protect our communities and citizens from the violence of criminal street gangs. Violence associated with

illegal guns and narcotics affects the quality of life of every Louisiana citizen. We will continue to work with the sheriffs and our other law enforcement partners to make Louisiana the safest place to raise a family, and these proposals will help us continue those efforts.”

Executive Director of the Louisiana District Attorneys Association Pete Adams said, “The districts attorneys continue to work with the governor and his staff to help craft proposals that will enhance public safety, protect innocent victims and ensure we are able to bring criminals to justice.”

Executive Director of the Louisiana Sheriff’s Association Michael Ranatza said, “Louisiana Sheriffs are proud to work with and support Governor Jindal in strengthening Louisiana’s laws enhancing the penalties against violent street gangs and predators that harm our children. With stronger penalties and more tools for law enforcement agencies to protect Louisianians, these bills show that the governor and the sheriffs mean business when it comes to protecting our families.”

1. Increase Penalties For Street Gangs

The Governor said, “It’s no secret that there has been a rash of criminal gang activity in some of our communities. Unfortunately, these gangs are trying to establish their hold on our neighborhoods through intimidation and violence. As the father of three young kids and as Governor, that’s not something I will stand for. We must and we will fight back against these gangs. Our communities belong to us, not them.”

Under current law, if a person directs or assists a gang in certain enumerated crimes, then they will be imprisoned for at least one year and up to one-half the maximum term of imprisonment for that criminal offense. This sentence is in addition and consecutive to any sentence imposed for that criminal offense, which ensures that violent gang members receive extra jail time.

However, this law does not currently cover some of the crimes law enforcement agencies are confronting out in the streets, including assault by drive-by shooting, inciting or participating in a riot, aggravated criminal damage to property, simple burglary and looting. The proposed legislation will add these crimes to the current list in order to strengthen local law enforcement agencies’ ability to combat street gangs.

Senator Bob Kostelka, who will author this legislation, said “Criminals work tirelessly to circumvent our laws, so we need to make sure we keep up and can keep those who prey on our communities behind bars. These proposals will go far in prosecuting sex offenders, human traffickers and gang members – and I applaud

the Governor for putting forward this important legislation.”

2. Continue To Crack Down On Sex Offenders

First, the Governor is proposing legislation that will discourage out-of-state sex offenders from moving to Louisiana. During the course of any given day, the Louisiana Bureau of Criminal Identification and Information receives calls from sex offenders living in other states seeking to determine what their registration time period would be if they moved to Louisiana. The Louisiana State Police recognize these calls as sex offenders shopping for the least restrictive time periods for which they must register for their crime. This is evident in the fact that since 2009, 45 percent of sex offenders relocating to Louisiana from lifetime registration states have received a reduced registration time period.

Fifty-six percent of sex offenders relocating from the neighboring states of Texas, Mississippi and Florida received a reduced registration time period from lifetime to 15 or 25 years depending on the crime they committed.

This proposal will discourage out-of-state sex offenders from moving to Louisiana by providing that sex offenders who are convicted of a sex offense in another state will now be required to register for the time period provided by their state of conviction if that state requires a longer registration period than as provided under Louisiana law.

The Governor said, “One of my top priorities as Governor is to make sure these monsters are far away from our kids and I want sex predators to think twice about moving to Louisiana if they intend to harm a child. This legislation will put Louisiana on par with our neighboring states and discourage out-of-state sex offenders from relocating to Louisiana.”

Rep. Joseph Lopinto will author this legislation. Rep. Lopinto said, “As chairman of the House’s criminal justice committee, I believe that we need to enable the state to continue its efforts at making Louisiana the safest place to raise a family, and these proposals will ensure criminals preying on our communities are properly punished and innocent victims are properly protected.”

Second, the Governor is proposing legislation that will prohibit sex offenders from living within three miles of their victim, knowingly going within 300 feet of their victims or communicating with their victims without their consent.

This proposal will add protections in law that will allow law enforcement agencies to crack down on sex offenders that try to re-target their victim. The Governor said, “Victims of these horrific crimes have already lived a nightmare and they

should never have to be subjected to these torments again.”

Rep. Karen St. Germain will author this legislation. Rep. St. Germain said, “Each year, the Legislature has worked with the Governor to pass bills that crack down on sex offenders, and this year we’ll partner again to better ensure our kids are safe from child predators.”

Third, the Governor will push to enhance protections for victims of child pornography.

Governor Jindal said, “Children depicted in pornographic images and movies are crime victims – not evidence. Period. These types of images and movies are contraband and should not be allowed to be controlled by the person accused of creating the pornography. Our current laws governing the discovery of such contraband do not adequately protect the victims of these crimes. Every time a pornographic image of a child is viewed that child is victimized again.”

This legislation will require that any material that constitutes child pornography will remain in the custody and control of the state. Any motion by the defendant to copy, photograph, duplicate or otherwise reproduce the pornographic material will be denied by the court. Hundreds of federal child pornography cases have been handled in this manner and state controls need to be changed in order to make sure children are protected.

Sen. Jonathan Perry will author this legislation. Senator Perry said, “To make Louisiana the best place in the world to raise a family, we have to make our neighborhoods safer – and I’m proud to team up with the Governor this session to push for legislation that will better protect children from predators, target gang activity and human trafficking.”

Fourth, the Governor will codify in law the Executive Order he issued cracking down on the sexual abuse of children.

The Governor said, “It’s critical that we do everything in our power to protect children and make sure suspected cases of sexual abuse are reported to the proper authorities. This legislation will ensure that individuals responsible for the care of our children will act when they witness sexual abuse. Protecting children is a top priority, and we must strengthen the penalties for failing to report such heinous crimes.”

This legislation will require anyone witnessing sexual abuse to report the abuse to authorities and will toughen penalties for other mandatory reporters of abuse who fail to report.

This legislation will be authored by Senator J.P. Morrell. Senator Morrell said, “I have enjoyed working with the Governor in dealing with this very critical issue of reporting child abuse. This legislation will help ensure our children are protected and make certain law enforcement and child protection authorities are provided the information they need to investigate reports of abuse.”

The fifth piece of legislation will force sex offenders to immediately update changes to their online identifier information.

Currently, sex offenders are required to register and provide certain information to law enforcement agencies, including their address, vehicle license plates, on-line identifiers, etc. Depending on the crime the offender committed, they are supposed to periodically renew and update their information they submitted to law enforcement. On-line identifiers can change rapidly, and, while the offender is supposed to give notice before he uses a new on-line identifier, there is no penalty for not updating this information before the required renewal time.

This proposal will require sex offenders to immediately notify and update such on-line information, and failure to do so will be punished as failure to register, which carries a penalty of up to ten years.

Rep. Lopinto will author this legislation.

The sixth and final piece of legislation regarding sexual predators will strengthen the law that the Governor previously signed to prohibit convicted sex offenders from using social networking websites.

The Governor said, “Last year, we criminalized the use of social networking websites by registered sex offenders. Not surprisingly, the ACLU didn’t like efforts to crack down on sex offenders and they brought us to court. Louisiana families should have the comfort of knowing their children are able to go online without the threat of sex predators and we cannot let a court fight keep us from protecting our kids. That is why we are filing legislation to strengthen our law to keep sex offenders from using the internet websites our children frequent the most.”

A social networking website will be defined as an internet website that has the primary purpose of facilitating social interactions with other users of the website. This legislation will also add a provision explicitly stating what sites are not social networking websites.

The Governor added, “We do not allow sex offenders to enter our playgrounds,

daycares or schools, so we should not allow them to enter our homes through our computers. We know that as technology advances, law enforcement is challenged to stay ahead of criminals that will use whatever means available to them to violate our children. This will give our law enforcement agencies an essential tool to bring these criminals to justice and keep them far away from our kids.”

Rep. Ledricka Thierry, who will author this legislation said, "We know that sexual predators are using social networking sites to prey on our children and that is why this bill is so important. We must let these predators know that we will not give up the fight to protect our children, and that is why I am committed to making sure that the state has the necessary laws in place to prevent sex predators from making more victims of our children."

3. Enhance penalties for the crime of human trafficking.

Shared Hope International, an organization whose purpose is to rescue women and children and prevent and eradicate sex trafficking, recently surveyed the 50 states and issued a report showing gaps in the statutes combating human trafficking and the commercial sexual exploitation of children.

The Governor said, “We are proposing legislation that will change our laws to make sure we are punishing human traffickers to the fullest extent of the law.”

Specifically, this bill will:

- Require a life sentence for traffickers if the offender has a prior sex offense conviction;
- Increase the penalties for commercial sexual exploitation of children crimes and make them registerable offenses;
- Ensure the protected age in prostitution and commercial sexual exploitation of children crimes are equal to the trafficking of children for sexual purposes crime;
- Enable the electronic surveillance of traffickers;
- Extend the statute of limitations for the prosecution of people trafficking and sexually exploiting children;
- Prohibit inappropriate defense motions in trafficking and sexual exploitation crimes; and
- Enhance child protection services and victim rights.

The Governor said, “Our legislation will strengthen the punishments for human traffickers and give our law enforcement agencies and child service agencies the tools they need to protect innocent children. The bottom line is human trafficking is a horrific crime. This isn’t a crime that’s happening in some faraway place.

These monsters are preying in our community right here in Baton Rouge and across our state. In order to better protect our children, we must be vigilant and we must give law enforcement officials the tools to go after these predators. They must be stopped.”

Chairman of the House Committee on Civil Law and Procedure Rep. Neil Abramson, who will author this legislation said, “We’re back this session to refine our laws on the heinous crime of human trafficking. Last term, we enacted the first criminal law in Louisiana dealing with the human trafficking of children, and our bill this session will continue our efforts to provide stiff punishments for offenders and to provide protection to innocent victims. With these proposals, we’ll send a strong signal to those who aim to prey on our children -- that we will not stand for it in Louisiana.”