



## LOUISIANA SENATE

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### **SENATOR MORRELL OUTLINES SEXUAL ASSAULT LEGISLATIVE PACKAGE**

#### **BILLS ADDRESS GENERAL LAW ENFORCEMENT SEXUAL ASSAULT POLICIES & SEXUAL ASSAULTS ON COLLEGE CAMPUSES**

District 3 State Senator JP Morrell (D-New Orleans) is leading the effort this session to eradicate sexual assault on college campuses and reform general law enforcement sexual assault policies. The legislative package addresses uniform policies, climate surveys, law enforcement training, reporting, disciplinary policies and other issues. It collectively represents the work of numerous legislators, the Governor's office and other stakeholders.

Sen. Morrell says that the legislation is a culmination of a yearlong effort to investigate and address sexual assault policies in Louisiana.

"Since this effort began last July, I have been aghast with the discoveries made in regard to the broken sexual assault policy on state campuses as well as the general apathy of numerous law enforcement agencies as to the investigation of sexual assault cases," said Sen. Morrell. "Last fall, I received responses from an inquiry to all higher education systems which illustrated a lack of understanding on how to deal with sexual assault policy as well as a schizophrenic approach to creating Title IX policy."

Joining Sen. Morrell in authoring the bills are Senator Gary Smith, Senator Jody Amedee, Representative Valerie Hodges, Representative Jerry Gisclair and Representative Ted James.

"I am pleased to do my part by authoring legislation that will put proper names for the unspeakable crimes of rape and sexual assault," said Sen. Smith. "There is no such thing as 'simple' when dealing with crimes of a sexual nature."

Sen. Amedee added, "This legislative package, and in particular my bill, will work to address the safety concerns of many sexual assault survivors in an efficient, expedited manner. I look forward to continuing to work with Sen. Morrell as this legislation moves through the process."

“During this year’s session, we will see numerous bills to establish new precedent for sexual assault and domestic abuse cases. My bill is one of many that will help victims escape abusive spouses,” added Rep. James.

Sen. Morrell created a sexual assault study group last October to tackle sexual assault issues on college campuses as well as the deficiencies found in law enforcement investigations. The package was developed in consultation with not only the members of the working group, but also with the LA Foundation Against Sexual Assault (LAFASA), Sexual Assault Trauma Awareness & Response (STAR), LA Progress, LA Association of Independent Colleges & Universities, Department of Children and Family Services, Council on Peace Officers & Training (POST), Sexual Assault Nurse Examiners (SANE), Louisiana University student leaders, and various other law enforcement officials from across the state.

"STAR is pleased that legislators have taken the lead on drafting bills to address sexual violence in our communities," said STAR Executive Director Racheal Hebert, "We know that these bills will have a big impact on our work by creating more streamlined processes to respond to sexual assault cases, and will further our vision of ending sexual violence across Louisiana."

Carrie Wooten, Director of Research and Policy for Louisiana Progress added, "Louisiana has a chance to seize upon the opportunity to be a national leader on this issue. Under Senator Morrell's leadership, student survivors' voices are being heard and their needs are being addressed. The proactive work of the Campus Sexual Assault Working Group has resulted in a slate of meaningful proposed policy changes that should contribute in substantial ways to transforming the sexual assault prevention and response strategies of our higher education institutions."

“LAFASA is excited about the great legislation that Sen. Morrell has introduced for this session and we support all of his efforts to provide better protection for sexual assault victims in Louisiana,” said Ebony Tucker with LAFASA.

The legislative package will be discussed at the upcoming session, which begins on Monday, April 13.

"We have worked diligently with many stakeholders and officials to make sure we are presenting legislation that protects victims of sexual assault, that prosecutes offenders to the fullest extent of the law, and that brings us closer to stamping out sexual assault in Louisiana," said Rep. Hodges.

“It is my hope that this package will be as transformative as the domestic violence package we passed last session and bring Louisiana to the forefront of states tackling this important issue head on,” added Sen. Morrell.

A summary of the legislative package is attached.

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## **SEXUAL ASSAULT RELATED LEGISLATIVE PACKAGE SUMMARY**

**SB 37 – Sen. Morrell - POST** - Requires the Council on Peace Officer Standards and Training (POST) to develop sexual assault awareness training programs in a series of modules to include all of the following:

- The neurobiology of sexual assault and trauma, including victim impact.
- Response to sexual assault, including but not limited to investigative methods, collecting and securing evidence, and interviewing victims.
- Applicable federal and state victims' rights laws.

*POST anticipates training for campus police officers to begin Fall 2015.*

**SB 242 – Sen. Morrell - Sexual Assault Report** - Requires by January fifteenth of each year, each criminal justice agency, including college and university campus police departments, to report all of the following information for the prior calendar year:

- The number of sexually-oriented criminal offenses reported.
- The number of sexually-oriented criminal offenses investigated.
- The number of sexual assault collection kits submitted for analysis.

**SB 255 – Sen. Morrell - Title IX** - Creates the Campus Accountability and Safety Act. Requires a uniform policy on sexual misconduct and anonymous sexual assault climate survey to be conducted at each college, university, and vo-technical institution. Creates and provides relative to a Title IX Coordinating Committee at each public college and university.

- Committee composed of health services, mental health services, campus police, Title IX coordinator, office of student life, local law enforcement and local ADA.
- Requires Confidential Advisors on each campus that shall be victim advocates and legal and Title IX processes guidance.
- Requires each campus to have separate review committees for discipline and for academic/ethical violations.
- Require sexual assault training and Title IX training for campus police.
- Requires student records to be flagged for someone on disciplinary probation so they don't just transfer to another school.
- Provides immunity for drug or alcohol usage for student that self report or for friends that report on victim's behalf.

**SB 117 – Senator Gary Smith / HB 139 – Rep. Valerie Hodges** – Renames the crime of aggravated rape, forcible rape and simple rape to “first degree rape,” “second degree rape,” and “third degree rape” respectively. It also creates the crime of misdemeanor sexual battery. (*Note: Louisiana is the only state in the nation to currently use the term “simple” to describe a rape offense.*)

**SB 36 – Senator Amedee** - Creates Sexual Protection Orders and Sexual Protection Order Registry.

**HB 289 – Representative Gisclair** - Requires law enforcement to pick up sexual assault kits at health care facilities within 7 days. Requires all reported kit cases and kits requested by a prosecutor to be sent for analysis within 30 days of receipt of kit.

**HB 539 – Rep. Ted James** - Provides with respect to grounds for divorce in cases of domestic abuse. Provides for the confirmation of a default judgment and default judgment procedures. Provides for the obligation to pay court costs and attorney fees.

**SLS 214 – Sen. Morrell - Disciplinary Process** - Creates commission to study the higher education disciplinary process for campus sexual assault. (Senate Resolution)

**SLS 312 – Sen. Morrell – Sexual Assault Awareness Month** - Designates April as Sexual Assault Awareness Month. (Senate Resolution)

**SLS 389 – Sen. Morrell - Bartenders** - Requires the Responsible Vendor Program/ATC to provide certain sexual assault training for servers. (Senate Resolution)