

Louisiana



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The letter grades reflect Polaris' evaluation of existing laws designed to provide survivors of human trafficking with a realistic pathway to clear their criminal records. For more information on the criteria graded, please read [here](#) and examples of model legislation for each criteria can be found [here](#). If you have any questions or issues, please contact policy@polarisproject.org.

GOOD FOR SURVIVORS:

Trafficking Nexus:

The nexus or connection to trafficking the survivor must prove in Louisiana is currently "as a result" of trafficking. This is less restrictive than other states and will allow more survivors to access relief.

Offenses Covered:

Louisiana covers a wide range of offenses, including more "serious crimes," i.e. violent crimes, sex crimes, and serious felonies. This is critical as many survivors are arrested and convicted for various offenses resulting from their trafficking experience. Ideally, all offenses would be eligible for relief.

Not Charging to Apply for Relief:

It can be financially challenging for survivors to apply for criminal record relief as they may have to hire an attorney, get documentation, travel for hearings, etc. Louisiana explicitly requires that survivors are not charged fees to apply for and access record relief and are not charged fees to clear their records with agencies and departments after being granted record relief by the courts. This removes at least one financial burden that could prevent survivors from accessing record relief.

NEEDS IMPROVEMENT:

Satisfaction of Sentence Imposed:

Louisiana requires that a survivor complete the full sentence imposed for any offense before they can apply for relief to clear that offense from their record, as incarcerated individuals are not allowed to file for relief. This condition ignores that the conviction should not have happened in the first place.

Procedural Confidentiality:

The statute in Louisiana is silent on the confidentiality of the petition for relief or records of the proceeding. Applying for record relief under these statutes can indicate a survivor's status as a trafficking victim and give information on their location, trafficking experience, and other sensitive details. Survivors should not have to choose between the safety risk of their victimization being exposed and applying for and accessing criminal record relief. Ideally, there should be an automatic process with clear confidentiality provisions in the statute to protect survivors applying for record relief.

Records Protection:

While Louisiana does not completely eliminate a survivor's record once they gain criminal record relief, the records are not publicly accessible and are typically only available to law enforcement, certain government agencies, or pursuant to a court order.



Statute: [La Procedure Art. 983](#)