

2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 53

BY REPRESENTATIVE STAGNI

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, public safety services, and the office for citizens with developmental disabilities of the Louisiana Department of Health, jointly, to conduct a study concerning means by which to ensure the safety of persons with autism and other developmental disabilities, including but not limited to the potential use of the National Crime Information Center database for creating a voluntary registry of those persons for use by law enforcement professionals, and to report findings of the study to certain legislative committees.

WHEREAS, the Legislature of Louisiana has a sincere concern for the health and well-being of persons with disabilities and intends that these persons and their families be afforded all opportunities for the best possible quality of life in this state; and

WHEREAS, the Legislature of Louisiana supports our law enforcement agencies and the brave men and women who dedicate their professional lives as law enforcement officers to keeping our communities safe; and

WHEREAS, autism and other developmental disabilities are conditions that can cause problem behaviors and commonly affect a person's ability to communicate, their cognition, or both; and

WHEREAS, while performing their duties in protecting the public, law enforcement professionals may unexpectedly encounter or be asked to locate persons with autism or other developmental disabilities; and

WHEREAS, with respect to such exceptional persons, best practices in law enforcement include training on recognizing and understanding the behavior of those persons, as well as on effective contact approaches that minimize risks to them and to officers during law enforcement encounters; and

WHEREAS, Louisiana law, R.S. 40:2404.2(C), provides for training of law enforcement officers on interacting with persons who have developmental disabilities; and

WHEREAS, a system that facilitates law enforcement professionals easily ascertaining that a person has autism or a developmental disability would support greater overall public safety; and

WHEREAS, House Concurrent Resolution No. 84 of the 2019 Regular Session requested the Louisiana Department of Health to study the feasibility of issuing a special identification card to individuals with an autism spectrum disorder diagnosis; and

WHEREAS, the study that the Louisiana Department of Health produced in accordance with that Resolution indicated it is not feasible for the department to issue such identification cards because it has no processes currently in place within which that function could be included; and

WHEREAS, the National Crime Information Center (NCIC) of the Federal Bureau of Investigation is an electronic clearinghouse of data that nearly all criminal justice agencies nationwide can access twenty-four hours per day, three hundred sixty-five days per year; and

WHEREAS, adding a category in the NCIC database for identifying persons as having autism or other developmental disabilities could be an optimal solution to any challenges that law enforcement agencies may face in interacting with this vulnerable population; and

WHEREAS, a thorough study of this and other means for ensuring the safety of persons with autism and other developmental disabilities would be of great benefit to the legislature.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Department of Public Safety and Corrections, public safety services, and the office for citizens with developmental disabilities of the Louisiana Department of Health, jointly, to conduct a study concerning means by which to ensure the safety of persons with autism and other developmental disabilities, including but not limited to the

potential use of the National Crime Information Center database for creating a voluntary registry of those persons for use by law enforcement professionals.

BE IT FURTHER RESOLVED that the study called for in this Resolution shall include recommendations for the potential membership and scope of work of a future task force on public safety issues affecting persons with autism and other developmental disabilities and their families.

BE IT FURTHER RESOLVED that the Department of Public Safety and Corrections and the Louisiana Department of Health shall submit findings from the study called for in this Resolution in the form of a written report to the House Committee on Administration of Criminal Justice, the Senate Committee on Judiciary B, the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, and the David R. Poynter Legislative Research Library on or before February 1, 2021.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Public Safety and Corrections and the secretary of the Louisiana Department of Health.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE