

2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 50

BY REPRESENTATIVE JAMES

PUBLIC HEALTH: Provides relative to the collection of comprehensive information concerning an individual who suffered a violent death

1                                       A CONCURRENT RESOLUTION

2       To urge and request the Louisiana Department of Health and the stakeholders listed herein  
3           to identify means by which to enable the collection of comprehensive information,  
4           prepared and compiled in connection with the death of an individual who suffered  
5           a violent death.

6           WHEREAS, a "violent death" means any death listed or classified on a death  
7       certificate or coroner's autopsy report or investigative narrative as a homicide, suicide, death  
8       of an undetermined intent, death due to legal intervention, unintentional firearm death, or  
9       death due to terrorism; and

10          WHEREAS, Louisiana has one of the highest violent death rates in the United States,  
11       has the second highest homicide rate in the United States, and is ranked third in the United  
12       States for women killed by men; and

13          WHEREAS, Louisiana has an almost equal number of suicides and homicides,  
14       although suicides outnumber homicides, suicides and homicides cost Louisiana an estimated  
15       two billion dollars annually in medical and work loss costs; and

16          WHEREAS, violent death surveillance data provides a clearer picture of violent  
17       death and acts as a tool to detect trends and evaluate which policies, programs, and strategies  
18       have the most impact; and

19          WHEREAS, violent death surveillance requires the collection of copies of all  
20       investigative narratives and crime lab data prepared or compiled by law enforcement in  
21       connection with the death of an individual who has suffered a violent death; and

1           WHEREAS, violent death surveillance requires the collection of copies of complete  
2 autopsy reports, toxicology reports, and investigative narratives prepared or compiled by  
3 coroners in connection with the death of an individual who has suffered a violent death; and

4           WHEREAS, the availability of comprehensive surveillance information on violent  
5 deaths will enable access to essential data needed to apply for funding for violence  
6 prevention efforts; and

7           WHEREAS, thirty-nine states, Washington, D.C., and the territory of Puerto Rico  
8 have identified solutions for timely comprehensive data collection for the National Violent  
9 Death Reporting System (NVDRS); and

10           WHEREAS, Louisiana law currently lacks the statutory authority that facilitates the  
11 sharing of violent death information from coroners and law enforcement with the office of  
12 public health; and

13           WHEREAS, in order for Louisiana to comply with federal cooperative endeavor  
14 agreements and have a stronger surveillance system for violent deaths, a solution for sharing  
15 of this information with the office of public health is required; and

16           WHEREAS, any such solution must ensure that violent death information and  
17 records received by the Louisiana Department of Health from coroners, law enforcement  
18 agencies, and others may not be disclosed or released to third parties, nor be discoverable,  
19 subject to subpoena, or deemed admissible in any civil, criminal, administrative, or other  
20 tribunal or court for any reason, allowing publication or disclosure by the department only  
21 of de-identified data or statistical compilations; and

22           WHEREAS, any such solution must ensure that those persons sharing information  
23 or records concerning violent deaths with the Louisiana Department of Health shall not incur  
24 liability or be deemed to have breached or violated any privileged or confidential  
25 relationship in connection with such sharing; and

26           WHEREAS, the Legislature finds that a study is necessary regarding the appropriate  
27 mechanism for sharing of the comprehensive violent death information by coroners, law  
28 enforcement, and others in connection with the death of an individual who has suffered a  
29 violent death with the office of public health.

1           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
2 urge and request that the Louisiana Department of Health, in consultation with the following  
3 stakeholders, study the means by which to allow for the transfer and sharing of  
4 comprehensive information as prepared and compiled by coroners, law enforcement  
5 agencies, and others in connection with the death of an individual who has suffered a violent  
6 death:

7           (1) The superintendent of the Louisiana State Police or his designee.

8           (2) The president of the Louisiana Association of Chiefs of Police or his designee.

9           (3) The executive director of the Louisiana Sheriffs' Association or his designee.

10          (4) The executive director of the Louisiana District Attorney's Association or his  
11 designee.

12          (5) The president of the Louisiana District Judges Association or his designee.

13          (6) The chief justice of the Louisiana Supreme Court or his designee.

14          (7) The chief of the Baton Rouge Police Department or his designee.

15          (8) The district attorney for the parish of East Baton Rouge or his designee.

16          (9) The president of the Louisiana Coroner's Association or his designee.

17          (10) The deputy secretary for the Louisiana Department of Health or his designee.

18          (11) The assistant secretary of the office of public health of the Louisiana  
19 Department of Health or his designee.

20           BE IT FURTHER RESOLVED that in developing the study, the department in  
21 consultation with the stakeholders listed herein may seek to engage, collaborate with, and  
22 obtain information from stakeholder groups or additional parties with appropriate expertise  
23 to provide guidance on this matter.

24           BE IT FURTHER RESOLVED that the department, jointly with the stakeholders  
25 listed herein, shall submit a summary of its findings in the form of a report outlining the  
26 specific procedure or mechanism for sharing information between the office of public health  
27 and coroners, law enforcement agencies, and others in connection with the death of an  
28 individual who has suffered a violent death to the House Committee on Health and Welfare  
29 and the Senate Committee on Health and Welfare on or before December 31, 2018.

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HCR 50 Engrossed

2018 Regular Session

James

Requests that the La. Dept. of Health and the following stakeholders identify means to enable the collection and preparation of information connected with the death of an individual that suffered a violent death:

- (1) The superintendent of the Louisiana State Police or his designee.
- (2) The president of the Louisiana Association of Chiefs of Police or his designee.
- (3) The executive director of the Louisiana Sheriffs' Association or his designee.
- (4) The executive director of the Louisiana District Attorney's Association or his designee.
- (5) The president of the Louisiana District Judges Association or his designee.
- (6) The chief justice of the Louisiana Supreme Court or his designee.
- (7) The chief of the Baton Rouge Police Department or his designee.
- (8) The district attorney for the parish of East Baton Rouge or his designee.
- (9) The president of the Louisiana Coroner's Association or his designee.
- (10) The deputy secretary for the La. Dept. of Health or his designee.
- (11) The assistant secretary of the office of public health of the La. Dept. of Health or his designee.