

2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 50

BY REPRESENTATIVE JAMES

A CONCURRENT RESOLUTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request that the Louisiana Department of Health, in consultation with the following stakeholders, study the means by which to allow for the transfer and sharing of comprehensive information as prepared and compiled by coroners, law enforcement

agencies, and others in connection with the death of an individual who has 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 Louisiana Department of Health or his designee.
- (11) The assistant secretary of the office of public health of the Louisiana Department of Health or his designee.

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE