

2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 53

BY REPRESENTATIVE STAGNI

EXCEPTIONAL PERSONS: Requests a study concerning a voluntary registry of persons with autism and other developmental disabilities for use by law enforcement professionals

1 A CONCURRENT RESOLUTION

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

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

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

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

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

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

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

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

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

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

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

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

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

27 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
28 urge and request the Department of Public Safety and Corrections, public safety services,
29 and the office for citizens with developmental disabilities of the Louisiana Department of
30 Health, jointly, to conduct a study concerning means by which to ensure the safety of

1 persons with autism and other developmental disabilities, including but not limited to the
2 potential use of the National Crime Information Center database for creating a voluntary
3 registry of those persons for use by law enforcement professionals.

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

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

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

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)]

HCR 53 Reengrossed

2020 Regular Session

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Requests the Dept. of Public Safety and Corrections, public safety services, and the office for citizens with developmental disabilities of the La. Dept. 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.

Requires the two departments to submit findings from the study in a report to the House Committee on Administration of Criminal Justice, the Senate Committee on Judiciary B, and the legislative committees on health and welfare on or before Feb. 1, 2021.

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Specify that the Dept. of Public Safety and Corrections, public safety services, and the office for citizens with developmental disabilities of the La. Dept. of Health shall conduct the study called for in the Resolution jointly.

2. Provide that the study called for in the Resolution shall be on 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 to create a voluntary registry of those persons.
3. Stipulate that the study called for in the 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.