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Public Hearing Testimony
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Judiciary Committee
Len Fasano, State Senator, 34th District

S.B. No. 1054 AN ACT CONCERNING THE DISCLOSURE OF AUTOPSY REPORTS.

Good Afternoon, Chairmen Coleman and Fox, Ranking members Kissel and Hetherington, members of the committee. I am Senator Len Fasano from the 34th district, and I come before you today in support of Senate Bill 1054, An Act Concerning the Disclosure of Autopsy Reports.

I strongly support the notion that the autopsy of a minor should be sealed. The horrific last moments of the life of a murdered child should not be fodder for public consumption. I do realize that the public right to know is an important piece of a free society, and that any law infringing on that right should be carefully crafted and scrutinized. However, the public right to know pales in comparison to the added suffering for a murder victim's family faces when private details of their child are aired and publicized.

I recognize that a blanket prohibition on releasing these records may be untenable, but I would urge that the standard that a person requesting release of the report must prove is substantial – that the public purpose and benefit of releasing the information significantly outweigh the right to privacy of the family.

In addition, I would suggest that other safeguards be put in place to assure privacy in such matters. In certain cases, it is not the release of the records themselves that inform the public, it is the testimony in court regarding the content of the records.

Since we already provide certain additional privacy rights for minors in court settings, such as the sentencing of minors in criminal court, or the testifying of minor victims in sexual assault cases, I would urge the committee to extend the closing of courtrooms in cases where private details of the autopsy of a minor victim are presented or discussed. The privacy rights enjoyed by minors when they are alive should not be forfeited after death.

We protect minors in life, why wouldn't we protect them in death.

I thank you for your consideration of this bill, and I would urge passage of this bill to provide privacy and protections to the families of minor victims.