



General Assembly

January Session, 2011

Raised Bill No. 1054

LCO No. 3775

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Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THE DISCLOSURE OF AUTOPSY REPORTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-411 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) The Office of the Chief Medical Examiner shall keep full and
4 complete records properly indexed, giving the name, if known, of
5 every person whose death is investigated, the place where the body
6 was found, the date, cause and manner of death and containing all
7 other relevant information concerning the death and a copy of the
8 death certificate. The full report and detailed findings of the autopsy
9 and toxicological and other scientific investigation, if any, shall be a
10 part of the record in each case. The office shall promptly notify the
11 state's attorney having jurisdiction of such death and deliver to the
12 state's attorney copies of all pertinent records relating to every death in
13 which further investigation may be advisable. Any state's attorney,
14 chief of police or other law enforcement official may, upon request,
15 secure copies of such records or other information deemed necessary
16 by such official for the performance of his or her official duties.

17 (b) The report of examinations conducted by the Chief Medical
18 Examiner, Deputy Chief Medical Examiner, an associate medical
19 examiner or an authorized assistant medical examiner, and of the
20 autopsy and other scientific findings may be made available to the
21 public only through the Office of the Chief Medical Examiner and in
22 accordance with this section, section 1-210 and the regulations of the
23 commission. Any person may obtain copies of such records upon such
24 conditions and payment of such fees as may be prescribed by the
25 commission, except that no person with a legitimate interest in the
26 records shall be denied access to such records, and no person may be
27 denied access to records concerning a person in the custody of the state
28 at the time of death. As used in this section, a "person in the custody of
29 the state" is a person committed to the custody of (1) the Commissioner
30 of Correction for confinement in a correctional institution or facility or
31 a community residence, (2) the Commissioner of Children and
32 Families, or (3) the Commissioner of Developmental Services.

33 (c) Upon application by the Chief Medical Examiner or state's
34 attorney to the superior court for the judicial district in which the
35 death occurred, or to any judge of the superior court in such judicial
36 district when said court is not then sitting, said court or such judge
37 may limit such disclosure to the extent that there is a showing by the
38 Chief Medical Examiner or state's attorney of compelling public
39 interest against disclosure of any particular document or documents.

40 (d) Public authorities, professional, medical, legal or scientific
41 bodies or universities or similar research bodies may, in the discretion
42 of the commission, have access to all records upon such conditions and
43 payment of such fees as may be prescribed by the commission. Where
44 such information is made available for scientific or research purposes,
45 such conditions shall include a requirement that the identity of the
46 deceased persons shall remain confidential and shall not be published.

47 (e) Notwithstanding the provisions of subsection (b) of this section,
48 upon the request of a parent or guardian of a child whose death was

49 caused by an apparent homicide, the Office of the Chief Medical
50 Examiner shall not make the records of its investigation and
51 examination of such death, including the autopsy report and other
52 scientific findings, available to the public.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2011	19a-411
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Statement of Purpose:

To allow the parents of a child who was a homicide victim to request that the autopsy report not be publicly disclosed.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]