

**STATEMENT OF THE FREEDOM OF INFORMATION COMMISSION ON
PROPOSED BILL 5421, AN ACT EXEMPTING DEATH CERTIFICATES OF MINORS
FROM PUBLIC DISCLOSURE**

February 11, 2013

The Freedom of Information Commission would like to take this opportunity to comment on Proposed Bill 5421, An Act Exempting Death Certificates of Minors From Public Disclosure.

The FOIC is sympathetic to the desire to protect families of deceased minors. However, the Commission notes that the most sensitive information surrounding a minor's death, or any death, is already exempt from mandatory disclosure. For example, the most explicit and/or graphic medical information surrounding a death is located not in death certificates, but in autopsy reports. Autopsy reports are by and large unavailable to the general public by virtue of the medical examiner's statute, Conn. Gen. Stat. Sec. 19a-411.

Similarly, the legislature has provided that much information on death certificates, specifically, social security numbers, occupation, business or industry, race, Hispanic origin if applicable, and educational level, is not available to the general public, pursuant to Conn. Gen. Stat. Sec. 7-51a(c), for all deaths occurring after July 1, 1997. Moreover, under current law, uncertified copies of death certificates for deaths occurring in the last 100 years are only available to researchers and to state and federal agencies approved by the Department of Public Health under Conn. Gen. Stat. Sec. 7-51a(a). It should be noted, however, that certified copies are available to the public.

The remaining information on a death certificate, including time, place and cause of death, is limited and clear-cut. This basic information has always been publicly available as a vital record. The proposed bill will add a delay of ten years to the public's ability to access this information across the board. Even in situations where the death of a child occurs while the victim is in state custody and under the protective mantle of the state – a governmental failure of the most fundamental kind - there would be no access to the basic information described above for ten years' time.

Current law already provides very broad exemptions to public disclosure of medical examiner findings and limits to the amount of publicly disclosable information on death certificates. The minimal information currently available on death certificates should remain open to the public.

For further information contact: Colleen M. Murphy, Executive Director and General Counsel or Mary Schwind, Managing Director and Associate General Counsel at (860) 566-5682.