

Date of Hearing: April 22, 2021

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Ed Chau, Chair

AB 268 (Irwin) – As Amended February 25, 2021

SUBJECT: Courts: sealing records: autopsy reports

SUMMARY: Would require the court, upon the request of a qualifying family member, to seal and not disclose an autopsy report and evidence associated with the examination of a victim who has been killed as a result of a criminal act, as specified. Specifically, **this bill would:**

- 1) Require a court, upon the request of a qualifying family member, to seal and not disclose an autopsy report, and evidence associated with the examination of a victim in possession of a public agency, as defined, when the victim is killed as a result of a criminal act and any of the following apply:
 - A person has been convicted and sentenced for the commission of that act;
 - A person has been found to have committed the offense by the juvenile court and has been adjudged a ward of the juvenile court; or,
 - The prosecution has concluded all persons who could have been prosecuted for the criminal act have died.
- 2) Provide that an autopsy report and evidence associated with the examination of the victim that has been sealed by the court may be disclosed as follows:
 - To law enforcement, prosecutorial agencies and experts hired by those agencies, public social service agencies, child death review teams, or the hospital that treated the person immediately prior to death, to be used solely for investigative, prosecutorial, or review purposes, and may not be disseminated further;
 - To the defendant and the defense team in the course of criminal proceedings or related habeas proceedings, to be used solely for investigative, criminal defense, and review purposes, including review for the purpose of initiating a criminal proceeding or related habeas proceeding, and may not be disseminated further. The “defense team” includes, but is not limited to, all of the following: attorneys, investigators, experts, paralegals, support staff, interns, students, and state and privately funded legal assistance projects hired or consulted for the purposes of investigation, defense, appeal, or writ of habeas corpus on behalf of the person accused of killing the victim; and,
 - To civil litigants in a cause of action related to the victim’s death with a court order and proper legal notice, to be used solely to be used solely to pursue the cause of action.
- 3) State that nothing in this section prohibits the use of autopsy reports and evidence in relation to court proceedings.
- 4) Provide that if an autopsy report and the evidence associated with the examination of the victim has been sealed, a qualifying family member may request that the seal be removed,

and the request shall be adjudicated, as specified.

- 5) Provide that this section does not apply if a public agency has independently determined that under the Public Records Act (PRA) the autopsy report may not be disclosed because it is an investigative file. In that instance a person seeking disclosure may seek injunctive or declaratory relief or a writ of mandate in any incompetent court to enforced his or her right to inspect or receive a copy of the public record he or she is seeking, as specified
- 6) State that this section does not limit the public access to information contained in the death certificate, including name, age, gender, race, date, time and location of death, the name of the physician reporting a death in the hospital, the name of the certifying pathologist, date of certification, burial information, and cause of death.
- 7) Define a “qualifying family member” as the next of kin, personal representative, biological or adoptive parent, grandparent, sibling, spouse, domestic partner, or legal guardian.

EXISTING LAW:

- 1) Provides that the people have the right of access to information concerning the conduct of the people’s business and, therefore, the writings of public officials and agencies shall be open to public scrutiny. The California Constitution also provides that a statute shall be broadly construed if it furthers the people’s right of access and narrowly construed if it limits that right of access. (Cal. Const., art. 1, Sec. 3.)
- 2) Provides that, among other rights, all people have an inalienable right to pursue and obtain privacy. (Cal. Const., art. 1, Sec. 1.)
- 3) Provides that in order to preserve and protect a victim’s rights to justice and due process, a victim shall be entitled to be treated with fairness and respect for his/her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process. (Cal. Const., art. 1, Sec. 28(b)(1).)
- 4) Provides that, when a child under 18 years of age is killed as a result of a criminal act and a person has been convicted and sentenced for committing that criminal act, or a person has been has found to have committed the offense by the juvenile court and adjudged a ward of the juvenile court, upon the request of a qualifying family member of the deceased child, the autopsy report and the evidence associated with the examination of the victim in the possession of a public agency, as defined, shall not be disclosed, except as specified. (Code Civ. Proc. Sec. 130(a).)
- 5) Defines “qualifying family member”, for the purpose of the above provision means the biological or adoptive parent, spouse, or legal guardian. (Code Civ. Proc. Sec. 130 (j)(3).)
- 6) Prohibits any copy or reproduction to be made of any photograph, negative, or print, including video recordings, of the body, or any portion of the body, of a deceased person, taken by or for the coroner at the scene of death or in the course of a post mortem examination or autopsy. This prohibition does not apply to use in a criminal action or proceeding that relates to the death of that person, or except as a court permits, by order after good cause has been shown and after written notification of the request for the court order

has been served to the district attorney, as specified. (Code Civ. Proc. Sec. 129.)

- 7) Provides, under the Public Records Act (PRA), that public records of state and local agencies are open to inspection, unless exempt. (Gov. Code. Sec. 6250 *et seq.*) The PRA provides that it shall not be construed to require disclosure of personnel, medical, or similar files, “the disclosure of which would constitute an unwarranted invasion or personal privacy.” (Gov. Code. Sec. 6254(c).) Records of investigations conducted by any state or local police agency or investigatory files of those agencies are also exempt from disclosure. (Gov. Code. Sec. 6254(f).)
- 8) Provides that public records may be exempt from disclosure by express provisions of state or federal law. (Gov. Code. Sec. 6254(k).) Existing law provides that an agency shall justify withholding any record by demonstrating that it is exempt from disclosure under express provisions of law, as specified, or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure. (Gov. Code Sec. 6255.)
- 9) Under existing case law, provides that the intent of the PRA is to hold government accountable while still protecting individual privacy. (*Rackauckas v. Superior Court* (2002) 104 Cal.App.4th 169; *California State University, Fresno Association v. Superior Court* (2001) 90 Cal.App.4th 810.)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Purpose of this bill:** This bill seeks to ensure families of victims who were killed as the result of a crime may keep the victims’ autopsy records private. This bill is sponsored by the Ventura County Board of Supervisors.
- 2) **Author’s statement:** According to the author:

AB 268 gives the grieving families of victims of crime the ability to maintain basic privacy protections for the autopsy records that result from investigations into their loved one’s cause of death. In California, if someone passes away in an unsuspecting way they will likely not have their death investigated, and their medical information remains confidential forever. However if a person’s death is investigated by law enforcement, the public has the ability to access private information contained in government records that often intrudes on the deceased and surviving family members’ privacy. Existing law addressed this for minors who lost their life to a criminal act, but still leaves exposed the records of adult victims of crime. No victim gets to choose the age at which they are violently murdered, their privacy rights and those of their family should not expire.

Following the Borderline Mass Shooting in Ventura County that claimed 12 lives, the County Medical Examiner was flooded with requests to access the autopsy reports of the many victims. These reports detail sensitive information, including descriptions and drawings of the crime scene including the location of victim’s bodies, a complete medical history, toxicology reports, descriptions and drawings of victim’s bodies, and other pieces of extremely personal information. Many of these requests were filed by individuals

without any connection whatsoever to the victims, following a common tactic of conspiracy theorists or potential ‘copycats’ who may use the information as a blueprint for their own acts of violence. This bill strikes a balance between the public’s right to information and a crime victim’s privacy by allowing families to petition a court to seal the records while preserving access to the coroners’ records for specific requestors with a demonstrated need to know, all while keeping death certificate information like the cause and manner of death available to all.

3) **Bill is narrower than introduced version, but arguably still raises constitutional issues:**

The California Public Records Act (Gov. Code. Sec. 6250 et seq.) provides that all public records of state and local agencies are open to public inspection, unless an express statutory exemption applies. Although the PRA acknowledges that disclosure of public records can sometimes infringe upon personal privacy rights, the PRA generally creates a presumption in favor of disclosure because “access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.” This emphasis was further emphasized when voters approved Proposition 59 in 2004, which amended the California Constitution to provide that the people have the right of access to information concerning the conduct of the people’s business and, therefore, the writings of public officials and agencies (including autopsy reports) shall be open to public scrutiny. Under Proposition 59, a statute shall be broadly construed if it furthers the people’s right of access and narrowly construed if it limits that right. Coroner’s reports have been deemed to be public records within the meaning of the PRA and may be exempted from disclosure in certain instances. (*Dixon v. Superior Court*, 170 Cal.App.4th, 1271; Rev. denied, 2009 Cal. LEXIS 4729 (May 13, 2009).)

As introduced, this bill would have, subject to certain exceptions, prohibited the disclosure of any report of death, autopsy report, investigation summary, toxicology report, coroner’s register, file or other record, working paper, or note relating to a postmortem examination or autopsy of a decedent.

The Ventura County Board of Supervisors, sponsor of this bill, describe the need for this bill as follows:

The County of Ventura affirmatively supports efforts to maintain the privacy of individuals after death by enhancing privacy protections for medical examiner and coroner records. Currently, a person’s privacy rights under state and federal law are inconsistent. The law strongly protects the privacy of living individuals, while privacy protections for those who have died are lacking. When an autopsy is called for, the death investigation records include extensive private information, including an individual’s medical and social history and often contain details about a person’s financial and legal history. Not unlike medical records, a medical examiner or coroner’s death investigation report contain detailed descriptions of the decedent’s body, including scars, tattoos, and genitalia, in addition to the results of various medical tests. Additionally, a death investigation report will detail a person’s social activities, drug use, and psychiatric history, as well as other relevant aspects of a decedent’s private life. While this information is considered confidential and is protected if requested directly from medical records while the person is living, it does not have the same protections when included in a death investigation or autopsy report prepared after a person dies.

The County believes this disparate treatment of records is deserving of closer examination. AB 268 offers a thoughtful yet reasonable expansion to Section 130 by including a new yet narrowly defined group of crime victims for whom a qualifying family member may request that a court seal the associated autopsy report and records. Under current law, the ability of families to request records sealing applies in cases in which the victim is under the age of 18 and where the perpetrator either has been convicted and sentenced in adult court or found to have committed the offense and subsequently adjudged a ward of the juvenile court. Under the provisions of AB 268, the avenue to enhanced privacy protections would be expanded to include cases in which persons who – irrespective of their age – are killed as the result of a criminal act, and the individual or individuals responsible for the criminal act have died.

Autopsy and coroner reports are public records that have long been disclosed in California. They are the official government death record and are typically disclosed to the public upon request. In 2018, the Legislature passed SB 1421 (Skinner, Ch. 998, Stats. 2018), to specifically mandate the disclosure of autopsy reports, and the timing for disclosure, when there is an incident involving a peace officer's use of force. (Pen. Code Sec. 832.7(b)(2).) SB 1421 specifically stated that its provisions applied “notwithstanding any other law,” including the investigatory records exemption in Gov. Code Sec. 6254(f). Previous court cases have recognized that a police agency may withhold an autopsy report as an investigatory record, if the exemption applies. However, the investigatory records exemption does not permit withholding an autopsy report when Penal Code Section 832.7 mandates disclosure.

When the law does not specifically mandate disclosure of records, a public agency has the discretionary power to deny access to, or require redaction of, those records. This includes an autopsy report. An agency can withhold some or all of an autopsy report if nondisclosure is clearly in the public interest. (Gov. Code Secs. 6253 and 6255.) The PRA also provides that it shall not be construed to require the disclosure of personnel, medical, or similar files, “the disclosure of which would constitute an unwarranted invasion or personal privacy.” (Gov. Code, Sec. 6254(c).) While such information may be withheld from disclosure by an agency, the PRA “requires public agencies to use the equivalent of a surgical scalpel to separate those portions of a record subject to disclosure from privileged portions.” (*L.A. Cty. Bd. of Supervisors v. Superior Court*, 2 Cal. 5th 282, 292 (2016).) Thus, if an autopsy report includes information that the agency believes should not be made public, it has the ability to redact those portions of the record, and produce the rest. Wholesale nondisclosure of factual death information, however, likely does not comport with the law.

Seeking to better balance the fundamental right to transparency in government with a decedent's right to privacy, the author amended this bill to instead allow qualifying family members to request that an autopsy report be sealed if the victim was killed by as a result of a criminal act and a person has been convicted and sentenced for the criminal act or the prosecuting agency has concluded that all suspects have died, as specified. The bill would allow law enforcement, prosecutorial agencies, defendants in criminal proceedings, and civil litigants in a cause of action related to a victim's death, as specified, access to the sealed information. While certainly narrower than the bill as introduced, the recently amended bill continues to raise concerns, as discussed in more detail below.

- 4) **Privacy rights for the deceased are limited:** Since 1968, California has limited the reproduction and distribution of death photos taken by a coroner or medical investigator. (Code of Civ. Proc., 129.) The law was passed to protect “individuals and families against unconscionable invasions of their privacy” and that “reproduction, for unrelated and improper purposes, of any photograph of the body of a deceased person taken in the course of a post mortem examination or autopsy is contrary to such a policy.” Legislation in 2013 and 2016 modernized these provisions and specifically prohibited not just the reproduction, but also the distribution, of death images.

The right of privacy is a personal right that extinguishes at death. In narrow circumstances, California law has acknowledged a family member’s right of privacy is implicated by the distribution of death photos. In *Catsouras v. Department of California Highway Patrol* (2010) 181 Cal.App.4th 856, an 18-year old woman was killed in an automobile accident. Images of the scene were taken by two California Highway Patrol officers and posted to the internet. The survivors of the woman filed claims against the officers. A California Court of Appeal determined that the family’s privacy interests were violated by the distribution of the gruesome photos because “there [was] no indication that any issue of public interest...was involved” and that the public dissemination of the photograph was a case of “pure morbidity and sensationalism without legitimate public interest or law enforcement purpose.” (Id. at 874.)

This holding is consistent with longstanding California law limiting distribution of death photos. That is not to say, however, that the written portions of an autopsy report are treated the same as post mortem photos. The written portions of an autopsy report are considered part of the public record, subject to disclosure under the PRA.

Additionally, last year California passed AB 2655 (Gipson), Chapter 219, Statutes of 2020, prohibiting first responders, including peace officers, from capturing images of a deceased person without a legitimate law enforcement purpose. This bill was introduced after news reports that members of the Los Angeles County Sheriff’s Department took and distributed photographs of bodies at the scene of the helicopter crash that killed Kobe Bryant. There was intense public outcry at the capture and distribution of these photos. However, disclosure of the autopsy report was not viewed as a privacy violation, and the reports disclosed important facts about the crash.¹

The Deceased Child Victims’ Protection and Privacy Act (DCVPPA), enacted in 2011, does provide a narrow exception to the rule that autopsy reports be disclosed. It permits the family of a minor victim who is killed to ask a court to seal the minor’s death report. However, after the passage of SB 1421 in 2018, the DCVPPA would not apply in a police use of force incident which resulted in the death of a minor, based on the principle that a later enacted law controls when conflicting with an earlier enacted law.

- 5) **As public servants, courts and agencies are more appropriately situated to balance competing constitutional rights than private individuals:** As discussed above, existing law already gives an investigating agency *discretionary* power to deny a public record

¹ See Nicholas Bogel-Burroughs, *Kobe Bryant Helicopter Crash Autopsies Say Pilot Tested Negative for Drugs*, New York Times, May 15, 2020, available at <https://www.nytimes.com/2020/05/15/us/kobe-bryant-autopsy-report-crash.html>

request for an autopsy report if it fits within one of the existing exemptions under CPRA. In addition to the investigatory exemption, Government Code Section 6254(c) permits an agency to deny a request for "personnel, medical, or similar files" if their disclosure "would constitute an unwarranted invasion of personal privacy." However, existing law leaves the decision to deny access pursuant to a statutory exemption to the discretion of the public agency that holds the record. This bill, on the other hand, would permit a qualified family member – defined as the biological or adoptive parent, spouse, or legal guardian – to shield the autopsy report from public inspection, effectively supplanting the discretion of the public agency.

Writing in opposition, the First Amendment Coalition argues that any law aimed at limiting access to vital public records that keep Californians informed about health and safety issues must be narrowly drawn and include safeguards to prevent unnecessary secrecy, which AB 268 fails to do. FAC writes:

The bill allows courts and agencies to indefinitely withhold autopsy reports and evidence associated with the examination of decedents killed as a result of criminal act and would therefore shield a vast amount of previously accessible information from public view. Public access to such records ensures that coroners and medical examiners, public servants, adequately discharge their duties and remain accountable to the public. Autopsy reports and related records have been the basis of news stories that have revealed bungled homicide investigations, assessed the effectiveness of law enforcement and other public safety systems, and exposed flaws in physician oversight.

Crucially, the bill contains a litany of flaws that run afoul of the First Amendment principles. First, it allows family members who have witnessed or played a role in the decedent's death, but were not prosecuted in the death, to invoke the sealing process. Second, it grants prosecutorial agencies broad and unfettered discretion to make findings that could result in sealing.

Families of victims from the Borderline shooting (Borderline families) write in support of this bill:

Our family members were killed in a mass shooting in Thousand Oaks, California on November 7, 2018. When a loved one is killed through an act of violence, especially a very public act of violence such as a mass shooting, the psychological trauma visited upon the surviving family, friends and other survivors, never ends.

1. Many mass shooters research prior shootings for details gleaned information to strategize more effective results;
2. Conspiracy theorists gain information and speculate on motives, different scenarios and look to blame others. We know the impact of such conspiracy theorists on families of prior mass shootings. Examples include Alex Jones and his ilk relentlessly harassing the families of the Sandy Hook mass shooting, and there are so many others;
3. PTSD is prevalent among families, friends and survivors of mass shootings. Remember the suicides of two young women a year after having survived the

Parkland mass shooting, and the suicide of the father of one of the Sandy Hook victims, years after the fact.

Again, the trauma never ends, and the horrific details of these murders reinforces the trauma. There is NO public benefit to releasing this information.

As this bill specifically relates to deaths caused by a criminal act, and explicitly respects the requests of next of kin when sealing records, it would provide a layer of privacy and protection for those who have been directly impacted by the violent deaths of their loved ones. We understand that there might be occasions when access to these records could be essential for the prosecution of legal cases and, as such, there are provisions for access to those records if necessary.

It should be noted that existing law already generally prohibits copying or reproducing a photograph or other image of a dead body, or any portion thereof, if the image was produced by a coroner or as part of an autopsy, but still allows the *inspection* of those images. (Code Civ. Proc. Sec. 129.) Further, the prohibition on copying or reproducing does not apply to the written text of an autopsy report. This bill would prohibit not only the copying or reproducing of images, but would prohibit the inspection of the entire report if the qualifying family member, subject to the conditions of this bill, has sufficiently requested that the report be sealed and not available for public inspection.

The American Civil Liberties Union, in opposition to this bill, writes:

Further secrecy for government records regarding public officials, particularly law enforcement, contradicts the legislature's efforts to expand access to information of public interest held by public agencies. Among other measures, the ACLU and other police reform organizations fought to increase access to public records of peace officer misconduct with The Right to Know Act (SB 1421, 2018). AB 268 threatens to reduce access to records that could provide information regarding the cause of death of a person due to inappropriate and unlawful conduct by law enforcement. In any event, autopsies are frequently conducted by government officials and are therefore in the public interest regardless of the cause of death. In fact, the legislature specifically rejected confidentiality of autopsy reports in enacting SB 1421. Existing law already provides adequate safeguards to protect any privacy interest of impacted families. Under the Public Records Act, government agencies have permission to withhold sensitive information by balancing the public's right to know and other competing interests. Finally, it is inappropriate to conceal records of government conduct based on a determination by a prosecutor that all persons who could have been prosecuted for the criminal act have died. Prosecutors may have a self-interest in reaching that conclusion wrongly in order to cover up misconduct.

The California State Coroners' Association, in support, argue to the contrary:

In 1968 the Legislature enacted Code of Civil Procedure (CCP) 129 to prevent the copying and dissemination of autopsy photographs. In 2010 The Legislature strengthened the law further by enacting CCP 130, to allow qualified family members to petition a court to seal the autopsy report and evidence associated with the examination of a child who died as a result of a criminal act, but only if a person had been convicted for the

offense. Unfortunately, remedies like autopsy report sealing under CCP 130 only protect minors and in cases where a criminal conviction was secured.

AB 268 strikes a balance between the public's right to information and a crime victim's privacy by allowing families to petition a court to seal the records while keeping death certificate information like the cause and manner of death available to all.

- 6) **Relief under bill would be limited to those who can avail themselves to the court process:** California Rules of Court, Rule 2.550 and 2.551, govern any records sealed or proposed to be sealed by the court and would thus apply to the content of this bill. Those rules require a petitioner to file a motion or application in the court with a memorandum and a declaration of facts sufficient to justify the sealing. The court is then permitted to order that a record be sealed only if the court finds facts that establish the following: 1) that there exists an overriding interest that overcomes the right of public access to the record; 2) the overriding interest supports sealing the record; 3) substantial probability exists that the overriding interest will be prejudiced if the record is not sealed; the proposed sealing is narrowly tailored; and 4) that there is no less restrictive means exist to achieve the overriding interest. An order sealing the record must then be limited to the sealing of only those documents and pages, or, if reasonably practicable, portions of those documents and pages, that contain the material that needs to be placed under seal.

As a practical matter, a qualifying family member seeking to seal all or a portion of a victim's autopsy report pursuant to this bill would need to petition the court *before* the county released the report, and there is no requirement under existing law that the county notify family members in this situation. Further, the burden the existing rules of court place on a petitioner in their application to the court are sufficiently complex enough that most qualifying family members seeking to seal a victim's autopsy report would likely have to hire an attorney to draft and defend the petition. Taken together, the protections this bill seeks to provide, would arguably only be available to individuals with the means to pay for private representation.

In opposition, the California Broadcasters Association writes that "the public interest in disclosure for these types of cases clearly outweighs the benefits of non-disclosure. Public policy should not allow individuals with private agendas to make public record access decision on behalf of the state. While we understand and sympathize with the families of the victims, the justice system must remain open to everyone within the community."

- 7) **Bill would interfere with pending litigation:** In 2018, there was a mass shooting at a bar in Thousand Oaks resulting in 13 deaths, including the gunman and one officer. The autopsy reports of the gunman and officer were disclosed to the public. The County of Ventura prepared to disclose the autopsy reports of the 11 other people to the public, based on requests from local media and other for access. The County said that the records were required to be produced under existing law. Prior to the County's release of the records, the families of the 11 people filed a lawsuit to enjoin disclosure of the autopsy reports, citing a privacy interest as the basis for the lawsuit.

A trial court issued a preliminary injunction, ordering the County to refrain from producing the autopsy reports. The court said it was making its temporary ruling based on the introduction of this bill, AB 268:

Counsel for plaintiffs has represented that Assemblywoman Irwin has introduced legislation that would amend Government Code 6250, et. seq., so as to provide plaintiffs with the relief they are seeking here. If that were to occur, it would provide plaintiffs with a more secure form of the relief they are seeking than would a judicial interpretation of the Government Code in its present form. Furthermore, if the court were to find against plaintiffs and allow the release of the autopsy reports, and then the legislature were to act in their favor, the damage would be done. Privacy once invaded cannot retroactively be again made private.

If the legislature does not act to enact the Irwin legislation, the court will issue a ruling on the merits of the dispute. Legislation enacted by the legislature expresses a legislative intent. Failure to enact legislation does not necessarily express a legislative intent. That, however, is a discussion for another day.

This case has been appealed by the Los Angeles Times and the Ventura County Star, and is currently before the Second District Court of Appeal. (*Los Angeles Times Communications LLC et l. v. Housley et al.*, B310585.) In opposition, CNPA writes:

We understand that the intent of this legislation is to protect the privacy of decedent and their loved ones. However, under the existing structure already provides safeguards to protect those interests. Under the current structure a report that contains information that should be withheld, the holder of those records, such as the coroner, can withhold portions of the report. These types of redactions are common and provide an appropriate balance between the public's right to know and other competing interests.

The request for records of the victims in the Borderline shooting, which are the catalyst for this bill, is making its way through the courts. The Legislature should allow this case to be resolved in the proper forum, a court of law.

Additionally, the Legislature specifically rejected confidentiality of autopsy reports with the enactment of SB 1421, which included the requirement for the release of autopsy reports in officer involved shootings or caused great bodily injury.

- 8) **Prior legislation:** SB 1421 (Skinner, Ch. 998, Stats. 2018) established a right to access specified police records, including video or audio footage of an incident regarding police use of force that includes the discharge of a firearm or results in great bodily injury or death.

SB 5 (Hollingsworth, Ch. 302, Stats. 2010) enacted the Deceased Child Victim's Protection and Privacy Act, providing that the autopsy report and evidence associated with the examination of a minor victim may be sealed upon request of a qualifying family member of the deceased minor.

- 9) **Double referral:** This bill was double referred to the Assembly Committee on Public Safety where it was heard on April 6, 2021 and passed out 7-0.

REGISTERED SUPPORT / OPPOSITION:

Support

Ventura County Board of Supervisors (sponsor)

Borderline Families
Brady Campaign
Brady Campaign California
California State Coroners' Association
California State Sheriffs' Association

Opposition

American Civil Liberties Union/Northern California/Southern California/San Diego and Imperial Counties
California News Publishers Association
California Broadcasters Association
California Public Defenders Association
Californians Aware: The Center for Public Forum Rights
First Amendment Coalition
Northern California Society of Professional Journalists

Analysis Prepared by: Nichole Rocha / P. & C.P. / (916) 319-2200