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Attorneys for The People of the State of California, et al.

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN DIEGO

Coordination Proceeding Special Title (Rule 1550(b))	)	JUDICIAL COUNCIL COORDINATION
	)	PROCEEDING NO. 4095
FIREARM CASE	)	
Including actions:	)	
<i>People, et al. v. Arcadia Machine &amp; Tool, Inc., et al.</i>	)	San Francisco Superior Court No. 303753
<i>People, et al. v. Arcadia Machine &amp; Tool, Inc., et al.</i>	)	Los Angeles Superior Court No. BC210894
<i>People, et al. v. Arcadia Machine &amp; Tool, Inc., et al.</i>	)	Los Angeles Superior Court No. BC214794
)		DATE: January 26, 2001
		TIME: 8:30 a.m.
		DEPT: 65
		Hon. Vincent P. DiFiglia

DECLARATION OF BILLIE WEISS IN SUPPORT OF PLAINTIFFS'  
OPPOSITION TO DEFENDANT MANUFACTURERS' MOTION TO COMPEL

1 I, BILLIE WEISS, declare as follows:

2 1. I am an epidemiologist and the Director of the Injury and Violence Prevention  
3 Program for the Los Angeles County Department of Health Services. I have been employed in this  
4 position since 1991 and have been within the Department of Health Services since 1983 as an  
5 epidemiologist. Part of my duties include supervising the compilation of information pertaining to  
6 firearm injuries in the County of Los Angeles, in addition to performing a thorough analysis of the  
7 data. Except as otherwise stated, I have personal knowledge of the facts stated below and if called  
8 to testify, could and would testify to them competently.

9 2. The Injury and Violence Prevention Program receives a nonpublic patient database  
10 from the Office of Statewide Health Planning and Development of the State of California-Health and  
11 Human Services Agency containing data relating to all patients hospitalized for injuries in Los  
12 Angeles County. County-wide inpatient hospital data is not available within the county data systems.  
13 This database contains significant amounts of confidential patient information such as name, address,  
14 and social security number, including information pertaining to and identifying juvenile patients.  
15 In order to receive this database, the Department of Health Services for the County of Los Angeles  
16 must sign a Use Agreement with the Office of Statewide Health Planning and Development agreeing  
17 that the County of Los Angeles will not disclose or release patient-level data. A true and correct  
18 copy of the Use Agreement is attached hereto as Exhibit 1.

19 3. Employees of the Injury and Violence Prevention Program can search electronically  
20 through a database to determine the quantity of accidental firearm shootings resulting in  
21 hospitalizations. The electronic database can also be sufficiently screened so as not to identify the  
22 confidential patient information. Compilation of this database containing the relevant information  
23 would be relatively easy to gather and would take approximately 2 weeks.

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1           4.       I requested that our staff perform a computer search from the State of California  
2 database to determine how many accidental firearm shootings resulting in hospitalization there were  
3 from 1996 to 2000. In Los Angeles County, from the period 1997 to 1998, there were approximately  
4 424 accidental firearm shootings requiring hospitalization. The data from 1999 to 2000 is not  
5 currently available from the State of California at this time. The County of Los Angeles no longer  
6 has the 1996 data in their possession.

7           5.       The Los Angeles County Department of Health Services also tracks and compiles  
8 information from the county-owned hospitals' emergency departments regarding unintentional  
9 firearms injuries. This information is provided to the Injury and Violence Prevention Program on  
10 diskette for various purposes. Also contained within this database is confidential patient  
11 information. This information can be eliminated from a computer generated report to protect the  
12 patient from release of confidential information.

13           6.       The Department of Health Services of the County of Los Angeles also maintains a  
14 trauma center database which contains unintentional firearm injuries treated in trauma centers  
15 located in Los Angeles County. This data is also reported to the State of California and contained  
16 within their database. For 1999, 36 unintentional firearm injuries are reported from Los Angeles  
17 County trauma centers. For 2000, 11 unintentional firearm injuries are reported from Los Angeles  
18 County trauma centers.

19           7.       The County of Los Angeles would only have in their possession the back-up  
20 documentation for those accidental firearm injuries that occurred at one of the county-owned  
21 hospitals. The County of Los Angeles has no back-up documentation in their possession for the  
22 many private hospitals located within the County's jurisdiction.

23           8.       As the Director of Injury and Violence Prevention Program, I am familiar with the  
24 time required to pull back-up documentation for the County of Los Angeles Department of Health  
25 Services. The time required to locate the records, pull the back-up documentation, and abstract the  
26 necessary data for the portion of cases at county-owned hospitals is 7 weeks. This is based on taking  
27 4 weeks to locate the files in county-owned hospitals, many of which are archived, and up to 1 hour  
28 per record to abstract the information requested. This effort would be extremely burdensome for my

1 department, particularly when the computerized database is available, can be reported in a form that  
2 sufficiently eliminates confidential patient information, and can be obtained with relatively little  
3 impact on the resources of the Department of Health Services.

4 I declare under penalty of perjury under the laws of the State of California that the foregoing  
5 is true and correct. Executed this 12th day of January, 2001, at Los Angeles, California.

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7 Billie Weiss  
8 BILLIE WEISS  
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 San Francisco Superior Court No. 303753  
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