

By the Committee on Family Law & Children and
Representatives Pruitt, Sobel, Sanderson, Suarez and Cosgrove

1 A bill to be entitled
2 An act relating to domestic violence; creating
3 s. 741.316, F.S.; providing a definition;
4 providing that domestic violence fatality
5 review teams may be established at a local,
6 regional, or state level in order to review
7 fatal and near fatal incidents of domestic
8 violence; providing what may be included in the
9 review; providing for the purpose of domestic
10 violence fatality review teams; requiring
11 review teams to collect data; requiring the
12 Department of Law Enforcement to prepare an
13 annual report on domestic violence; requiring
14 the Governor's Task Force on Domestic Violence
15 to assist review teams; providing that there is
16 immunity from liability for certain acts
17 performed within the scope of a review team;
18 providing an effective date.

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20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Section 741.316, Florida Statutes, is
23 created to read:

24 741.316 Domestic violence fatality reviews;
25 definition; membership; duties; report by the Department of
26 Law Enforcement.--

27 (1) As used in this section, the term "domestic
28 violence fatality review team" means an organization that
29 includes, but is not limited to, representatives from the
30 following agencies or organizations:

31 (a) Law enforcement.

- 1 (b) The state attorney.
2 (c) The medical examiner.
3 (d) Certified domestic violence centers.
4 (e) Child protection services.
5 (f) Court administration.
6 (g) Clerk of the court.
7 (h) Victim services programs.
8 (i) Child death review teams.
9 (j) The business community.
10 (k) County probation or corrections officers.
11 (l) Any other persons who have knowledge regarding
12 domestic violence fatalities, nonlethal incidents of domestic
13 violence, or suicide, including research, policy, law, and
14 other matters connected with fatal incidents.
15 (m) Other representatives as determined by the review
16 team.
17 (2) A domestic violence fatality review team may be
18 established at a local, regional, or state level in order to
19 review fatal and near fatal incidents of domestic violence,
20 related domestic violence matters, and suicides. The review
21 may include: events leading up to the domestic violence
22 incident, available community resources, current laws and
23 policies, actions taken by systems and individuals related to
24 the incident and the parties, and any information or action
25 deemed relevant by the teams, including review of public
26 records and records for which public records exemptions are
27 granted. The purpose of the teams is to learn how to prevent
28 domestic violence by intervening early and improving
29 individual's and systems' responses to domestic violence. The
30 structure and activities of the team shall be determined on a
31 local level. The team may determine the number and type of

1 incidents it wishes to review and shall make policy and other
2 recommendations as to how domestic violence incidents may be
3 prevented.

4 (3) Each local domestic violence fatality review team
5 shall collect data regarding incidents of domestic violence.
6 This data must be collected in a manner that is consistent
7 statewide and is in a form agreed to by the Department of Law
8 Enforcement. Each team may collect additional data beyond
9 that which is prescribed in the statewide data collection form
10 as such information may assist in the team's review. The
11 Department of Law Enforcement shall use the data submitted to
12 it by the domestic violence fatality review teams to prepare
13 an annual report on domestic violence fatalities. The report
14 shall be submitted by July 1 of each year to the Governor, the
15 President of the Senate, the Speaker of the House of
16 Representatives, and the Chief Justice of the Supreme Court.

17 (4) The Governor's Task Force on Domestic Violence
18 shall provide information and technical assistance to local
19 domestic violence fatality review teams.

20 (5)(a) This section confers immunity from liability on
21 any person who is acting as a member of a domestic violence
22 fatality review team, or as a witness, incident reporter to,
23 or investigator for a domestic violence fatality review team,
24 unless that act is undertaken or performed outside of the
25 scope of the domestic violence fatality review team.

26 (b) This section shall not affect the provisions of s.
27 768.28.

28 (6) The domestic violence fatality review teams are
29 assigned to the Department of Children and Family Services for
30 administrative purposes.

31 Section 2. This act shall take effect July 1, 2000.