

By Senator Myers

27-734-00

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 for a domestic violence fatality  
5           prevention task force or a domestic violence  
6           fatality review team to review fatal or near  
7           fatal incidents of domestic violence; providing  
8           for membership of a domestic violence fatality  
9           review team; requiring review teams to collect  
10          data; requiring the Department of Law  
11          Enforcement to prepare an annual report on  
12          domestic violence; requiring the Governor's  
13          Task Force on Domestic Violence to assist  
14          review teams; providing that there is no  
15          immunity from liability for certain acts;  
16          providing an effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20           Section 1. Section 741.316, Florida Statutes, is  
21 created to read:

22           741.316 Domestic violence fatality reviews;  
23 definition; membership; duties; report by the Department of  
24 Law Enforcement.--

25           (1) As used in this section, the term "domestic  
26 violence fatality prevention task force" or "domestic violence  
27 fatality review team" means an organization that includes, but  
28 is not limited to:

29           (a) Community contact points for victims of domestic  
30 violence, children, abusers, and others in a community who  
31

1 provide services to and on behalf of families affected by  
2 violence;

3 (b) A medical examiner, or assistant medical examiner;  
4 or

5 (c) Any other persons who have knowledge regarding  
6 domestic violence fatalities, nonlethal incidents of domestic  
7 violence, or suicide, including research, policy, law, and  
8 other matters connected with fatal incidents.

9 (2) A local domestic violence fatality review team  
10 should include representatives from the following agencies and  
11 organizations:

12 1. Law enforcement agencies.

13 2. The state attorney.

14 3. The medical examiner.

15 4. A certified domestic violence center.

16 5. Child protection teams of the Department of  
17 Children and Family Services.

18 6. The office of court administration.

19 7. The clerk of the court.

20 8. Victim services programs.

21 9. Citizens within the community.

22 10. Other representatives as determined by the review  
23 team.

24 (3) A domestic violence fatality prevention task force  
25 or a domestic violence fatality review team may review fatal  
26 and near fatal incidents of domestic violence to evaluate both  
27 the incidents and ways to prevent such incidents.

28 (4) Each local domestic violence fatality review team  
29 shall collect data regarding incidents of domestic violence  
30 and collect this data in a manner that is consistent statewide  
31 and in a form determined by the Department of Law Enforcement.

1 The Department of Law Enforcement shall use such data to  
2 prepare an annual report on domestic violence. The report  
3 shall be submitted by July 1 of each year to the Governor, the  
4 President of the Senate, the Speaker of the House of  
5 Representatives, and the Chief Justice of the Supreme Court.

6 (5) The Governor's Task Force on Domestic Violence  
7 shall provide information and technical assistance to local  
8 fatality review teams.

9 (6)(a) This section does not confer immunity from  
10 liability on any person while performing services other than  
11 as a member of a domestic violence fatality prevention task  
12 force or a domestic violence fatality review team, or upon any  
13 person acting as a witness, incident reporter to, or  
14 investigator for a domestic violence fatality prevention task  
15 force or a domestic violence fatality review team for any act  
16 or proceeding undertaken or performed outside of the scope of  
17 the functions of such organization.

18 (b) This section shall not affect the provisions of s.  
19 768.28.

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

21  
22 \*\*\*\*\*

23 SENATE SUMMARY

24 Provides for a domestic violence fatality prevention task  
25 force or a domestic violence fatality review team to  
26 review fatal and near fatal incidents of domestic  
27 violence and evaluate ways to prevent such incidents.  
28 Provides for the review teams to collect data. Requires  
29 the Department of Law Enforcement to annually report on  
30 domestic violence. (See bill for details.)  
31