

CS/HB 1291 — Domestic Violence Fatality Review Teams

by Public Safety and Domestic Security Policy Committee and Rep. Coley and others (SB 1446 by Senators Detert and Lynn)

The bill provides that information and records acquired by a Domestic Violence Fatality Review Team (FRT) are not subject to discovery or introduction into evidence in any criminal or administrative proceeding, similar to a civil or disciplinary proceeding under current law. However, if the information, documents, or records are otherwise available from other sources, they are not immune from discovery or introduction into evidence at the criminal or administrative proceeding solely because they were presented to or reviewed by the FRT.

The bill also provides that a person who has attended a meeting of the FRT may not testify in a criminal or administrative proceeding regarding certain records or information that were produced or presented by the team, similar to a civil or disciplinary hearing under current law. However, if the person who testifies before the FRT is a member of the FRT, he or she may testify as to matters otherwise within his or her knowledge.

Finally, the bill deletes the requirement that the Governor's Task Force on Domestic Violence provide information and technical assistance to the FRTs. The Governor's Task Force on Domestic Violence was part of an executive order that expired on June 30, 2001.

If approved by the Governor, these provisions take effect July 1, 2010.

Vote: Senate 38-0; House 111-0