

SENATE BILL REPORT

SB 5395

As Passed Senate, March 7, 2011

Title: An act relating to domestic violence fatality review panels.

Brief Description: Changing provisions involving domestic violence fatality review panels.

Sponsors: Senators Hargrove and Stevens.

Brief History:

Committee Activity: Human Services & Corrections: 1/28/11, 2/04/11 [DP].
Passed Senate: 3/07/11, 49-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Carrell, Harper and McAuliffe.

Staff: Jennifer Strus (786-7316)

Background: In 1997 Washington received grant funding from the federal Violence Against Women Act to create a model for a statewide domestic violence fatality review mechanism. Three pilot review panels covering five counties (Pierce, Spokane, Chelan, Douglas, and Okanogan) began reviewing deaths in 1998. A fourth panel was formed in Yakima/Kittitas Counties in 1999, and a fifth is being organized in King County. At least four other communities have requested help in forming review panels.

In 2000 the Legislature enacted legislation that established the fatality review process. Subject to the availability of funds, the Department of Social and Health Services must contract with an entity with expertise in domestic violence (DV) policy and education and with a statewide perspective to coordinate review of DV fatalities. The contractor is authorized to convene regional review panels, gather information for the panels' use, provide training and technical assistance to the panels, compile information and issue reports with recommendations, and develop a protocol to be used as a guideline for how a panel should operate and choose cases. The entity may convene a regional DV fatality review panel to review any DV fatality.

Regional DV fatality panels must include the following persons:

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- medical personnel with expertise in DV abuse;
- coroners or medical examiners;
- county prosecuting attorneys and municipal attorneys;
- DV shelter service staff;
- law enforcement;
- local public health staff;
- CPS workers;
- community corrections staff;
- a Perpetrator treatment program provider, and
- judges and/or court commissioners.

The regional review panels may invite other relevant persons to serve on an ad hoc basis and serve as a full panel member for a particular review.

The contractor must issue a biennial statewide report in December of even-numbered years. The reports must contain recommendations on policy changes that would improve program performance, and issues identified through the work of the regional panels.

Summary of Bill: The contracting entity is authorized to convene statewide issue-specific review panels to review any DV fatality, gather information for the use of a statewide review panel, and provide training and technical assistance to a statewide panel. The requirement that the coordinating entity issue biennial reports is removed.

Regional DV review panels may, but are no longer required to, include the statutory list of persons on every DV fatality review panel. School teachers, guidance counselors, and student health services staff are added to the list of persons that may be included on the panel. Statewide specific-issue panels must include persons with particular subject matter expertise helpful to the panel. The statewide issue specific panel must make periodic reports to the contractor and must make a final report to the contractor for every fatality that is reviewed.

The contractor may issue periodic reports. The requirement that the contractor issue biennial reports is removed.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The amendments to the statute are necessary to continue the work of these panels at a reduced cost. The bill will reduce the cost because it eliminates the need to produce biennial reports and makes more flexible the people asked to serve on the panels. The bill is also needed to make sure that the DV panels can continue their work and analyze fatalities without opening themselves up to liability as a result on conducting a DV fatality review.

Persons Testifying: PRO: Grace Huang, Washington State Coalition Against Domestic Violence.