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SENATE BILL 5395

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Hargrove and Stevens

Read first time 01/24/11. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to domestic violence fatality review panels; and  
2 amending RCW 43.235.020, 43.235.030, and 43.235.800.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.235.020 and 2000 c 50 s 2 are each amended to read  
5 as follows:

6 (1) Subject to the availability of state funds, the department  
7 shall contract with an entity with expertise in domestic violence  
8 policy and education and with a statewide perspective to coordinate  
9 review of domestic violence fatalities. The coordinating entity shall  
10 be authorized to:

11 (a) Convene regional review panels;

12 (b) Convene statewide issue-specific review panels;

13 (c) Gather information for use of regional or statewide issue-  
14 specific review panels;

15 ~~((e))~~ (d) Provide training and technical assistance to regional  
16 or statewide issue-specific review panels;

17 ~~((d))~~ (e) Compile information and issue ~~((biennial))~~ reports with  
18 recommendations; and

1 ((e)) (f) Establish a protocol that may be used as a guideline  
2 for identifying domestic violence related fatalities, forming review  
3 panels, convening reviews, and selecting which cases to review. The  
4 coordinating entity may also establish protocols for data collection  
5 and preservation of confidentiality.

6 (2)(a) The coordinating entity may convene a regional or statewide  
7 issue-specific domestic violence fatality review panel to review any  
8 domestic violence fatality.

9 (b) Private citizens may request a review of a particular death by  
10 submitting a written request to the coordinating entity within two  
11 years of the death. Of these, the appropriate regional review panel  
12 may review those cases which fit the criteria set forth in the protocol  
13 for the project.

14 **Sec. 2.** RCW 43.235.030 and 2000 c 50 s 3 are each amended to read  
15 as follows:

16 (1) Regional domestic violence fatality review panels (~~shall~~) may  
17 include (~~but not be limited to~~), as appropriate, the following:

- 18 (a) Medical personnel with expertise in domestic violence abuse;
- 19 (b) Coroners or medical examiners or others experienced in the  
20 field of forensic pathology, if available;
- 21 (c) County prosecuting attorneys (~~and~~) or municipal attorneys;
- 22 (d) Domestic violence shelter service staff (~~and~~) or domestic  
23 violence victims' advocates;
- 24 (e) Law enforcement personnel;
- 25 (f) Local health department staff;
- 26 (g) Child protective services workers;
- 27 (h) Community corrections professionals;
- 28 (i) Perpetrator treatment program provider; (~~and~~)
- 29 (j) School teachers, guidance counselors, or student health  
30 services staff; and
- 31 (k) Judges, court administrators, and/or their representatives.

32 (2) Regional domestic violence fatality review panels may also  
33 invite other relevant persons to serve on an ad hoc basis and  
34 participate as full members of the review (~~team-panel~~) panel for a  
35 particular review. These persons may include, but are not limited to:

- 36 (a) Individuals with particular expertise helpful to the regional  
37 review panel;

1 (b) Representatives of organizations or agencies that had contact  
2 with or provided services to the homicide victim or to the alleged  
3 perpetrator.

4 (3) The regional review panels shall make periodic reports to the  
5 coordinating entity and shall make a final report to the coordinating  
6 entity with regard to every fatality that is reviewed.

7 (4) Statewide issue-specific panels must include persons with  
8 particular subject matter expertise helpful to the panel. The  
9 statewide issue-specific review panels must make periodic reports to  
10 the coordinating entity and must make a final report to the  
11 coordinating entity for every fatality that is reviewed.

12 **Sec. 3.** RCW 43.235.800 and 2000 c 50 s 7 are each amended to read  
13 as follows:

14 ~~((1))~~ A biennial statewide report shall be issued by the  
15 coordinating entity in December of even-numbered years, ending in 2010.  
16 The coordinating entity may subsequently issue periodic reports  
17 containing recommendations on policy changes that would improve program  
18 performance, and issues identified through the work of the regional  
19 panels. Copies of this report shall be distributed to the governor,  
20 ~~((the house of representatives children and family services and~~  
21 ~~criminal justice and corrections committees, and the senate human~~  
22 ~~services and corrections and judiciary))~~ to the appropriate legislative  
23 committees, and to those agencies involved in the regional domestic  
24 violence fatality review panels.

25 ~~((2) The annual report in December 2010 shall contain a~~  
26 ~~recommendation as to whether or not the domestic violence review~~  
27 ~~process provided for in this chapter should continue or be terminated~~  
28 ~~by the legislature.))~~

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