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HOUSE FISCAL AGENCY

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HB5280 SUBSTITUTE

Sponsor: Rep. Gene DeRossett

H-2

Committee: CRIMINAL JUSTICE

Analyst(s): Peterson, Marilyn

Completed: 10/31/01

State Fiscal Impact

Cost: None
Revenues: None

Local Fiscal Impact

Cost: None
Revenues: None

The bill would amend 1978 PA 389, which establishes the Domestic Violence Prevention and Treatment Board, to provide for establishment of state or local interagency domestic violence fatality review teams to review fatal and near-fatal incidents of domestic violence, including suicide. A team could review pertinent information with the purpose of learning how to prevent domestic violence homicides and suicides by improving individual and agency responses to domestic violence. Team members could include individuals from medicine, law, law enforcement, and advocacy groups, as well as others. If reviewing individual cases, fatality review team meetings would be closed to the public and exempt from the Open Meetings Act. Fatality review team documents and records would be confidential and exempt from the Freedom of Information Act. Team members would be barred from disclosing confidential information. Fatality review teams would prepare annual reports of aggregate findings and recommendations; such reports could not include identifying information about victims, their families, or alleged perpetrators of domestic abuse.

Violation of any of the bills various confidentiality provisions would be a misdemeanor, which would be punishable by up to 90 days in jail, a fine of up to \$100, or both. Assuming that very few, if any, misdemeanor convictions would ensue, the bill would have no significant fiscal impact local units of government. Subject to funding availability, certain efforts could be undertaken by the state Domestic Violence Prevention and Treatment Board; language providing for these functions is permissive. The bill would have no significant fiscal impact on the state.