

CHAPTER 309
FORMERLY
SENATE BILL NO. 200

AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FATAL INCIDENT REVIEW TEAM.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend §2105(b), Title 13 of the Delaware Code by making deletions as shown by strike through and additions as shown by underlining as follows:

(b) There shall be a Fatal Incident Review Team that will be co-chaired by 3 members of the Coordinating Council to be elected by the Council. In addition to the co-chairs, the Review Team shall consist of 8 other core members: the Attorney General or the Attorney General's designee, the Director of the Division of Family Services or the Director's designee, a victim advocate appointed by the Council, the Chief Judge of the Family Court or the Chief Judge's designee, the Chief Magistrate of the Justice of the Peace Courts or the Chief Magistrate's designee, ~~the Secretary of the Department of Education or the Secretary's designee~~, the Director of the Division of Substance Abuse and Mental Health, or the Director's designee and a law-enforcement officer to be appointed by the Delaware Chiefs of Police Council. All members of the Review Team, plus other individuals invited to participate, shall be considered part of the review panel for a particular case or incident. The Review Team shall invite other law-enforcement personnel to serve and participate as full members of a review panel in any case in which a law-enforcement agency has investigated the death or near death under review or any prior domestic violence incident involving the decedent or near death victim. The Review Team may also invite other relevant persons to serve on an ad-hoc basis and participate as full members of the review panel for a particular review. Such persons may include, but are not limited to, individuals with particular expertise that would be helpful to the review panel, representatives from those organizations or agencies that had contact with or provided services to the individual prior to that individual's own death or near death, that individual's abusive partner or family member and/or the alleged perpetrator of the death or near death.

Approved July 05, 2012