



SPONSOR: Rep. Griffith & Rep. Michael Smith & Sen. Cloutier &
Sen. Poore
Reps. Baumbach, Bush, Cooke, Heffernan, Kowalko,
Minor-Brown, Viola; Sens. Hansen, Sturgeon, Wilson

HOUSE OF REPRESENTATIVES
150th GENERAL ASSEMBLY

HOUSE BILL NO. 142

AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE
COORDINATING COUNCIL.

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

CHAPTER 21. DOMESTIC VIOLENCE COORDINATING COUNCIL

§ 2105. Fatal and near death incident reviews.

(b)(1) There shall be a Fatal Incident Review Team that shall consist of 3 co-chairs to be elected by the Council.

In addition to the co-chairs, the Review Team shall consist of:

(1)a. The Attorney General or the Attorney General's ~~designee;designee.~~

(2)b. The Chief Defender or the Chief Defender's ~~designee;designee.~~

(3)c. The Director of the Division of Family Services or the Director's ~~designee;designee.~~

(4)d. The President Judge of the Superior Court, or the President Judge's ~~designee;designee.~~

(5)e. The Chief Judge of the Family Court or the Chief Judge's ~~designee;designee.~~

(6)f. The Chief Magistrate of the Justice of the Peace Courts or the Chief Magistrate's ~~designee;designee.~~

(7)g. The Director of the Division of Substance Abuse and Mental Health, or the Director's ~~designee;~~
~~designee.~~

(8)h. The Commissioner of the Department of Correction or the Commissioner's ~~designee;designee.~~

(9)i. A law-enforcement officer to be appointed by the Delaware Police Chiefs' ~~Council;Council.~~

(10)j. A treatment provider from a certified batterers' intervention program appointed by the
~~Council;Council.~~

(11)k. Two victim advocates appointed by the ~~Council;and,Council.~~

(12)l. A victim or survivor of domestic violence appointed by the ~~Council;Council.~~

m. A licensed health care professional knowledgeable in the screening and identification of domestic
violence cases appointed by the Council.

21 (2) All members of the Review Team, plus other individuals invited to participate, shall be considered part of
22 the review panel for a particular case or incident. The Review Team shall invite other law-enforcement personnel to
23 serve and participate as full members of a review panel in any case in which a law-enforcement agency has
24 investigated the death or near death under review or any prior domestic violence incident involving the decedent or
25 near death victim. The Review Team may also invite other relevant persons to serve on an ad-hoc basis and participate
26 as full members of the review panel for a particular review. Such persons may include, ~~but are not limited to,~~
27 individuals with particular expertise that would be helpful to the review panel, representatives from those organizations
28 or agencies that had contact with or provided services to the individual prior to that individual's own death or near
29 death, that individual's abusive partner or family member, and/or the alleged perpetrator of the death or near death.

SYNOPSIS

 This Act adds one more member, a licensed health care professional knowledgeable in the screening and identification of domestic violence cases appointed by the Council, to the Fatal Incident Review Team of the Domestic Violence Coordinating Council. The Act also updates language regarding victims of domestic violence to include survivors. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.