

## Maryland

FAMILY LAW  
TITLE 4. SPOUSES  
SUBTITLE 7. LOCAL DOMESTIC VIOLENCE FATALITY REVIEW TEAMS

### § 4-701. Definitions

- (a) In general. -- In this subtitle the following words have the meanings indicated.
- (b) Abuse. -- "Abuse" has the meaning stated in § 4-501(b)(1) of this title.
- (c) Domestic violence. -- "Domestic violence" means abuse occurring between:
- (1) current or former spouses or cohabitants;
  - (2) persons who have a child in common; or
  - (3) persons currently or formerly involved in a dating relationship.
- (d) Domestic violence program. -- "Domestic violence program" is a program established in accordance with § 4-515 of this title.
- (e) Local team. -- "Local team" means the multidisciplinary and multiagency domestic violence fatality review team established for a county in accordance with this subtitle.
- (f) Serious physical injury. -- "Serious physical injury" has the meaning stated in § 3-201 of the Criminal Law Article.

**HISTORY:** 2005, ch. 233; 2006, ch. 44, § 6.

### § 4-702. Teams authorized

- (a) Established by county. -- A county is authorized to establish a domestic violence fatality review team.
- (b) Organizers. -- In a county, the State's Attorney, the head of the primary law enforcement agency, or the director of the domestic violence program may organize a local team.

**HISTORY:** 2005, ch. 233.

### § 4-703. Composition of team

- (a) Members. -- The members of a local team shall be drawn from the following persons, organizations, agencies, and areas of expertise, from within the county,

as available:

- (1) domestic violence service providers;
- (2) law enforcement agencies;
- (3) the State's Attorney's office;
- (4) the local health department;
- (5) the local department of social services;
- (6) the domestic violence coordinating council;
- (7) batterer intervention services providers;
- (8) the Division of Parole and Probation;
- (9) hospitals;
- (10) judges of the District Court and circuit courts;
- (11) clerks of the District Court and circuit courts;
- (12) the Chief Medical Examiner's office;
- (13) survivors of domestic violence; and

(14) any other person necessary to the work of the local team, recommended by the local team.

(b) Designees. -- The members described under subsection (a)(1) through (12) of this section may designate representatives from their departments or offices to represent them on the local team.

(c) Chair. -- Each local team shall elect a chair by majority vote from among its members.

**HISTORY:** 2005, ch. 233.

#### § 4-704. Purpose

(a) In general. -- The purpose of a local team is to prevent deaths related to domestic violence by:

(1) promoting cooperation and coordination among agencies involved in:

(i) investigating deaths related to domestic violence; or

(ii) providing services to victims of domestic violence, abusers, or surviving family members;

(2) developing an understanding of the causes and incidence of deaths related to domestic violence in the county; and

(3) developing plans for and recommending changes within the agencies the members represent.

(b) Methodology. -- To achieve its purpose, a local team shall:

(1) establish and implement a protocol for the local team;

(2) as provided in subsection (c) of this section, review fatalities and cases of serious physical injury related to domestic violence that have occurred in the county;

(3) meet on a regular basis as determined by the local team, at least annually, to:

(i) review the status of domestic violence fatality cases in the county;

(ii) recommend actions to improve coordination of services and investigations among member agencies; and

(iii) recommend actions within the member agencies to prevent deaths related to domestic violence; and

(4) provide reports that include recommendations:

(i) to improve coordination of services and investigations;

(ii) to implement changes recommended by the local team within member agencies; and

(iii) on needed changes to State and local law, policy, and practice to prevent deaths related to domestic violence.

(c) Case review. --

(1) In accordance with paragraph (2) of this subsection, a local team shall

determine the number and types of cases the team will review.

(2) A local team may review criminal cases only at the conclusion of the case in trial court or after the investigation of a suicide has been closed.

**HISTORY:** 2005, ch. 233.

#### § 4-705. Access to information

On request of the chair of a local team and as necessary to carry out the local team's purpose and duties under this subtitle, the local team shall be immediately provided:

(1) with access to information and records by a provider of medical care, including dental and mental health care, regarding a person whose death or serious physical injury is being reviewed by the local team; and

(2) access to all information and records maintained by any State or local government agency, including birth certificates, law enforcement investigative information, medical examiner investigative information, parole and probation information and records, and information and records of a social services agency that provided services to the person or the person's family.

**HISTORY:** 2005, ch. 233.

#### § 4-706. Closed and public meetings; violations

(a) Closed meetings. -- Meetings of a local team shall be closed to the public and not subject to Title 10, Subtitle 5 of the State Government Article when the local team is discussing individual cases.

(b) Public meetings. -- Except as provided in subsection (c) of this section, meetings of a local team shall be open to the public and subject to Title 10, Subtitle 5 of the State Government Article when the local team is not discussing individual cases.

(c) Confidentiality. --

(1) Information identifying a deceased person, a family member, or an alleged or suspected perpetrator of abuse may not be disclosed during a public meeting.

(2) Information regarding the involvement of any agency, organization, or person with a deceased person or the person's family may not be disclosed during a public meeting.

(d) Requested attendance. -- This section does not prohibit a local team from

requesting the attendance at a team meeting of a person who has information relevant to the exercise of the team's purpose and duties under this subtitle.

(e) Violations; penalties. -- A violation of this section is a misdemeanor and is punishable by a fine not exceeding \$ 500 or imprisonment not exceeding 90 days or both.

**HISTORY:** 2005, ch. 233.

#### § 4-707. Confidentiality

(a) In general. -- Except as provided in subsections (b) and (c) of this section, all information and records acquired by a local team in the exercise of its purpose and duties under this subtitle:

(1) are confidential;

(2) are exempt from disclosure under Title 10, Subtitle 6 of the State Government Article; and

(3) may only be disclosed as necessary to carry out the local team's duties and purposes.

(b) Statistics open to public. -- Statistical compilations of data that do not contain any information that would permit the identification of any person to be ascertained are public records.

(c) Certain reports deemed public. -- Reports of a local team that do not contain any information that would permit the identification of any person to be ascertained are public information.

(d) Prohibited disclosures by team members and attendees. -- Except as necessary to carry out a local team's purpose and duties under this subtitle, members of a local team and persons attending a local team meeting may not disclose:

(1) what transpired at a meeting closed to the public under § 4-706 of this subtitle; or

(2) any information the disclosure of which is prohibited by this section.

(e) Team information not available in civil or criminal proceedings; exceptions. --

(1) Except as provided in paragraph (2) of this subsection, members of a local team, persons attending a local team meeting, and persons who present information to a local team may not be questioned in any civil or criminal

proceeding regarding information presented in or opinions formed as a result of a meeting.

(2) A person may testify to information obtained independently of the local team or that is public information.

(f) Protected information, documents, and records. --

(1) Except as provided in paragraph (2) of this subsection, information, documents, and records of a local team are not subject to subpoena, discovery, or introduction into evidence in any civil or criminal proceeding.

(2) Information, documents, and records otherwise available from other sources are not immune from subpoena, discovery, or introduction into evidence through those sources solely because they were presented during proceedings of a local team or are maintained by a local team.

(g) Violations; penalties. -- A violation of this section is a misdemeanor and is punishable by a fine not exceeding \$ 500 or imprisonment not exceeding 90 days or both.

**HISTORY:** 2005, ch. 233.