

## **Alabama**

### **Section 30-9-1**

#### **Definitions.**

As used in this chapter the term domestic violence fatality review team means an organization that includes, but is not limited to, representatives from the following agencies or organizations:

- (1) Municipal and state law enforcement agencies.
- (2) The Attorney General and the President of the Alabama District Attorney's Association, for state level teams or the district attorney of each judicial circuit for local or regional teams.
- (3) The Alabama Department of Forensic Sciences.
- (4) Certified domestic violence centers.
- (5) Child protection service providers.
- (6) The Administrative Office of Courts.
- (7) The municipal and circuit clerks of the court.
- (8) Victim service programs.
- (9) Providers of civil legal assistance to victims.
- (10) Child death review teams.
- (11) Members of the business community.
- (12) County probation or corrections agencies.
- (13) Any other persons who have knowledge regarding domestic violence fatalities, nonlethal incidents of domestic violence, or suicide, including research, policy, law, and other matters connected with fatal incidents.
- (14) The humane societies or shelters.

- (15) Certified perpetrator intervention programs.
- (16) The Alabama Coalition Against Domestic Violence.
- (17) The coroner or county medical examiner.
- (18) The Department of Human Resources.
- (19) The Alabama Department of Child Abuse and Neglect Prevention or its designee.
- (20) Other representatives as determined by the review team.

***(Act 2009-656, p. 2017, §1.)***

## **Section 30-9-2**

### **Establishment of domestic violence fatality review teams; confidentiality of information.**

(a) A domestic violence fatality review team may be established on the local, regional, or state level to review fatal and near-fatal incidents of domestic violence, related domestic violence matters, and suicides. For domestic violence fatality review teams that service local or regional jurisdictions, the team shall be chaired by the district attorney of that particular jurisdiction. The membership of a domestic violence fatality review team shall be inclusive and reflect the racial,

gender, geographic, urban/rural, and economic diversity of the state. The review may include an examination of events leading up to the domestic violence incident, available community resources, current laws and policies, and actions taken by organizations, agencies, and individuals incident to the events and the parties. Any information or action deemed relevant by the review team, including an assessment of public records and records for which public records exemptions are granted may also be included within the purview of the review.

(b) Domestic violence fatality review teams shall be established for the purpose of learning how to prevent domestic violence through early intervention and improving the quality of the response by individuals and institutions to domestic violence. The specific structure and operating procedures employed by a review team shall be determined at the local level. The review team may determine the number and type of incidents it wishes to review and shall make policy and other recommendations on how the community may more effectively respond to the needs of domestic violence victims.

(c) Information, testimony, records, reports, recommendations, or other evidence obtained, generated, or transmitted by a domestic violence fatality review team shall not be subject to discovery, subpoena, or introduction into evidence in any civil action, or in any disciplinary proceeding by any department or employing agency. However, information, documents, and records otherwise independently discovered and available from other sources shall not be exempt from discovery, subpoena, or introduction into evidence solely because the information, documents, or records were presented to or reviewed by a review team.

(d) A person who attends or participates in a meeting of a domestic violence fatality review team may not testify in any civil or disciplinary proceedings concerning any records or information produced or presented to the review team or the proceedings or deliberations of the review team authorized by this section. This subsection does not preclude or exempt any person who testifies before a review team or who is a member of a review team from testifying to matters otherwise within his or her knowledge.

(e) Any information or records otherwise confidential or privileged in accordance with Alabama law which are obtained by or provided to a review team conducting activities as described pursuant to this chapter shall remain confidential or privileged as otherwise provided by law. Any portion of a report produced by the review team that contains information that is otherwise confidential or privileged in accordance with Alabama law shall remain confidential or privileged as otherwise provided by law.

***(Act 2009-656, p. 2017, §2.)***