

Submitted by: ASSEMBLY MEMBERS  
SHAMBERG, JENNINGS,  
SULLIVAN, BAUER, BIRCH,  
COFFEY, OSSIANDER, STARR,  
STOUT, TESCHE, TRAINI

Prepared by: Dept. of Law  
For reading: March 27, 2007

CLERK'S OFFICE  
**AMENDED AND APPROVED**

Date: 4-10-07

ANCHORAGE, ALASKA  
AO No. 2007-55

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 16 TO ADD  
2 A NEW CHAPTER 16.75 CREATING AUTHORITY AND PROCEDURES FOR  
3 DOMESTIC VIOLENCE FATALITY REVIEWS.  
4

5  
6 THE ANCHORAGE ASSEMBLY ORDAINS:  
7

8 **Section 1.** Anchorage Municipal Code title 16 is hereby amended to add a new  
9 chapter 16.75, entitled Domestic Violence Fatality Reviews, to read as follows:  
10

11 **Chapter 16.75**

12 **DOMESTIC VIOLENCE FATALITY REVIEWS**  
13

14 **16.75.010 Intent**

15 **16.75.020 Definitions**

16 **16.75.030 Composition and Duties of Advisory Committee**

17 **16.75.040 Composition and Duties of Fatality Review Teams**

18 **16.75.050 Meetings**

19 **16.75.060 Confidentiality**  
20

21 **16.75.010 Intent.**  
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23 This chapter is authorized under Alaska Statutes 18.66.400, and is designed to  
24 provide the guidelines for a municipal domestic violence fatality review process  
25 pursuant to Alaska law. The purpose is to reduce domestic violence-related injuries  
26 and fatalities by reviewing **fatal incidents of domestic violence and incidents of**  
27 **domestic violence involving serious physical injury** ~~domestic violence-related~~  
28 ~~injuries and fatalities~~ and making recommendations designed to identify prevention  
29 strategies and to strengthen system policies.  
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1            **16.75.020**        **Definitions.**  
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3            *Advisory Committee* means a team co-chaired by a representative of the Anchorage  
4            Police Department and a representative from a domestic violence victim service  
5            agency.  
6

7            *Fatality Review Team* means a team designated by the Advisory Committee to  
8            review specific a domestic-violence related injury or fatality and to report back to  
9            the Advisory Committee as described in this chapter.  
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11            **Serious physical injury has the same meaning as defined in Alaska’s criminal**  
12            **law Title 11 at AS 11.81.900(56).**  
13

14            **16.75.030**        **Composition and Duties of Advisory Committee.**  
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16            A.        *Chairpersons.* The Anchorage Police Department Chief of Police shall  
17            designate one representative as co-chair along with a domestic violence  
18            victim service agency director or his/her designee. The domestic violence  
19            victim service agency director will be designated by the Advisory  
20            Committee to serve a two-year term.  
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22            B.        *Members.* The Advisory Committee shall be comprised of:  
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- 24            1.        Chief of Police, Anchorage Police Department or designee; and
- 25            2.        A domestic violence victim service agency director or designee,  
26            appointed by the Advisory Committee for a two-year term; and
- 27            3.        Municipal Attorney, Municipality of Anchorage, Department of  
28            Law or designee; and
- 29            4.        Director, Municipality of Anchorage Department of Health and  
30            Human Services, or designee; and
- 31            5.        Director, Alaska Office of Victims’ Rights, or designee; and
- 32            6.        Director, Alaska Council on Domestic Violence and Sexual Assault,  
33            or designee; and
- 34            7.        Attorney General, State of Alaska, or designee; and
- 35            8.        Chief Justice or Administrative Director, Alaska Court System, or  
36            designee; and
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1                   9.     At-large members, not to exceed three (3), appointed by the  
2                   Advisory Committee to serve two-year terms, **may include**  
3                   **representation from civil rights and public defense advocacy**  
4                   **groups.**

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6           C.     *Quorum.* A quorum shall consist of a majority of members present and  
7           shall include at least five (5) members.

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9           D.     *Duties.*

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11           1.     Develop and implement appropriate protocols and policies,  
12           according to local needs and resources; and

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14           2.     Meet at least quarterly to choose cases **of fatal incidents of**  
15           **domestic violence and incidents of domestic violence involving**  
16           **serious physical injury** for review, to designate advisory  
17           committee members, to designate participants for individual fatality  
18           review teams, to oversee the fatality review team process, to gather  
19           and disseminate necessary information to team members, and to  
20           destroy confidential information at the close of fatality reviews; and

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22  
23           3.     Collect and maintain data as appropriate; and

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25           4.     Review individual team reports to identify trends and to make  
26           recommendations; and

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28           5.     **Prepare a preliminary report to be Assembly on the work of the**  
29           **Advisory Committee for the first nine months one year after the**  
30           **effective date of this ordinance, the report covering status of**  
31           **work and the overall effectiveness of implementation; and**

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33           6.[5.] Based on these reviews, write and publish a report to the public  
34           every two years; and

35  
36           7.[6.] Distribute the public report to the Office of the Mayor, the  
37           Anchorage Municipal Assembly, and the Anchorage Women's  
38           Commission.

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40           **16.75.040     Composition and Duties of Fatality Review Teams.**

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42           A.     *Composition.* The Advisory Committee shall designate individual fatality  
43           review team membership based upon the circumstances of each injury or  
44           fatality.

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2 B. *Duties.* The Advisory Committee shall determine the duties of the fatality  
3 review teams.  
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5 **16.75.050 Meetings.**  
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7 All meetings held by the Advisory Committee and the individual domestic violence  
8 fatality review teams are closed to the public and are not subject to the open  
9 meetings provisions of A.S. 44.62.310 and A.S. 44.62.312.  
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11 **16.75.060 Confidentiality.**  
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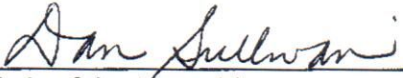
- 13 A. Records or other information collected by the Advisory Committee, any  
14 fatality review team, or member of a committee or review team, related to  
15 duties under this section are confidential and not subject to the public  
16 records disclosure provisions under A.S. 40.25.100 and A.S. 40.25.110,  
17 except a public report issued by the Advisory Committee without  
18 confidential information.  
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- 20 B. The determinations, conclusions, and recommendations of a domestic  
21 violence fatality review process are not admissible in a civil or criminal  
22 proceeding, including:  
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- 24 1. A member may not be compelled to disclose a determination,  
25 conclusion, recommendation, discussion, or thought process through  
26 discovery or testimony in a civil or criminal proceeding; and  
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  - 28 2. Records and information collected by the committee or team are not  
29 subject to discovery or subpoena in connection with a civil or  
30 criminal proceedings.  
31
- 32 C. Notwithstanding subsection B. above, any person or member may testify in  
33 a civil or criminal proceeding concerning cases reviewed by a domestic  
34 violence fatality review team as required by law. However, no person or  
35 member may disclose any information or documents solely obtained  
36 through, or as the result of, participation in a fatality review team.  
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- 38 D. Pursuant to AS 18.66.400, and notwithstanding any provision in chapter  
39 2.60 to the contrary, the records and actions of the Advisory Committee and  
40 individual fatality review teams are not subject to review by the office of the  
41 Ombudsman.  
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- 43 E. Nothing in this chapter supersedes the legal responsibility of any Advisory  
44 Committee or individual fatality review team member with a duty to report,

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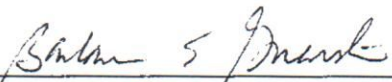
a duty to warn, or a duty to disclose certain types or categories of information to local, state and/or law-related agencies.

**Section 2.** This ordinance shall be effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 10<sup>th</sup> day of April, 2007.

  
Chair of the Assembly

ATTEST:

  
Municipal Clerk