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

THE ANCHORAGE ASSEMBLY ORDAINS:

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

Chapter 16.75
DOMESTIC VIOLENCE FATALITY REVIEWS

16.75.010 Intent
16.75.020 Definitions
16.75.030 Composition and Duties of Advisory Committee
16.75.040 Composition and Duties of Fatality Review Teams
16.75.050 Meetings
16.75.060 Confidentiality

16.75.010 Intent.

This chapter is authorized under Alaska Statutes 18.66.400, and is designed to
provide the guidelines for a municipal domestic violence fatality review process
pursuant to Alaska law. The purpose is to reduce domestic violence-related injuries
and fatalities by reviewing fatal incidents of domestic violence and incidents of
domestic violence involving serious physical injury domestic violence-related
injuries and fatalities and making recommendations designed to identify prevention
strategies and to strengthen system policies.
16.75.020 Definitions.

Advisory Committee means a team co-chaired by a representative of the Anchorage Police Department and a representative from a domestic violence victim service agency.

Fatality Review Team means a team designated by the Advisory Committee to review specific a domestic-violence related injury or fatality and to report back to the Advisory Committee as described in this chapter.

Serious physical injury has the same meaning as defined in Alaska’s criminal law Title 11 at AS 11.81.900(56).

16.75.030 Composition and Duties of Advisory Committee.

A. Chairpersons. The Anchorage Police Department Chief of Police shall designate one representative as co-chair along with a domestic violence victim service agency director or his/her designee. The domestic violence victim service agency director will be designated by the Advisory Committee to serve a two-year term.

B. Members. The Advisory Committee shall be comprised of:

1. Chief of Police, Anchorage Police Department or designee; and
2. A domestic violence victim service agency director or designee, appointed by the Advisory Committee for a two-year term; and
3. Municipal Attorney, Municipality of Anchorage, Department of Law or designee; and
4. Director, Municipality of Anchorage Department of Health and Human Services, or designee; and
5. Director, Alaska Office of Victims’ Rights, or designee; and
6. Director, Alaska Council on Domestic Violence and Sexual Assault, or designee; and
7. Attorney General, State of Alaska, or designee; and
8. Chief Justice or Administrative Director, Alaska Court System, or designee; and
9. At-large members, not to exceed three (3), appointed by the Advisory Committee to serve two-year terms, may include representation from civil rights and public defense advocacy groups.

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

D. Duties.

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

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

3. Collect and maintain data as appropriate; and

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

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

6. Based on these reviews, write and publish a report to the public every two years; and

7. Distribute the public report to the Office of the Mayor, the Anchorage Municipal Assembly, and the Anchorage Women's Commission.

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

A. Composition. The Advisory Committee shall designate individual fatality review team membership based upon the circumstances of each injury or fatality.
B. **Duties.** The Advisory Committee shall determine the duties of the fatality review teams.

16.75.050  **Meetings.**

All meetings held by the Advisory Committee and the individual domestic violence fatality review teams are closed to the public and are not subject to the open meetings provisions of A.S. 44.62.310 and A.S. 44.62.312.

16.75.060  **Confidentiality.**

A. Records or other information collected by the Advisory Committee, any fatality review team, or member of a committee or review team, related to duties under this section are confidential and not subject to the public records disclosure provisions under A.S. 40.25.100 and A.S. 40.25.110, except a public report issued by the Advisory Committee without confidential information.

B. The determinations, conclusions, and recommendations of a domestic violence fatality review process are not admissible in a civil or criminal proceeding, including:

1. A member may not be compelled to disclose a determination, conclusion, recommendation, discussion, or thought process through discovery or testimony in a civil or criminal proceeding; and

2. Records and information collected by the committee or team are not subject to discovery or subpoena in connection with a civil or criminal proceedings.

C. Notwithstanding subsection B. above, any person or member may testify in a civil or criminal proceeding concerning cases reviewed by a domestic violence fatality review team as required by law. However, no person or member may disclose any information or documents solely obtained through, or as the result of, participation in a fatality review team.

D. Pursuant to AS 18.66.400, and notwithstanding any provision in chapter 2.60 to the contrary, the records and actions of the Advisory Committee and individual fatality review teams are not subject to review by the office of the Ombudsman.

E. Nothing in this chapter supersedes the legal responsibility of any Advisory Committee or individual fatality review team member with a duty to report,
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 14th day of
April, 2007.

Chair of the Assembly

ATTEST:

Municipal Clerk