

**Florida
Domestic Violence
Fatality Review Team
2007 Annual Report
Executive Summary**



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2007 ANNUAL REPORT

Domestic Violence Fatality Review Teams (FRTs) were first formed in Florida in the mid – 1990’s. These teams began as local initiatives supported with federal grant funds for a process development. On July 1, 2000, Section 741.316, Florida Statutes was enacted which allowed organizations to establish FRTs at a local, regional, or state level. The teams, which are not funded, work independently and may be composed of representatives from municipal, county, state and federal agencies, as well as individuals or organizations that are involved with or affected by a domestic violence fatality. The composition varies from team to team. Their goal is to review fatal and near-fatal incidents of domestic violence, related domestic violence matters, and suicides and identify changes in policy or procedure that might prevent future deaths.

Each team collects data regarding incidents of domestic violence and annually submits a report of this data to the Florida Department of Law Enforcement (FDLE). FDLE’s goal is to accurately report the information provided by the local teams. An annual report is prepared by July 1 of each year concerning domestic violence fatalities and is submitted to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court.

DOMESTIC VIOLENCE IN FLORIDA

According to the Uniform Crime Reports Annual Report, Crime in Florida, a total of 115,170 domestic violence incidents were reported in 2006. Domestic violence accounted for 34% of all comparable reported violent offenses and simple assault.

Domestic violence accounted for 164 (15%) of the State’s 1129 murders during the same reporting period. The spouse or live-in partner was the victim in 51% of these offenses. Children accounted for 19% of the victims.

Although the statistics for the Crime in Florida report are based on statewide participation of all law enforcement agencies and this report is based on a smaller selection of cases, a comparison of the Crime in Florida and FRT data revealed similar values when computing the percentage of fatalities by the victim to offender relationship.

Victim Relationship	Crime in Florida	FRT Statistics
Spouse	30%	31%
Parent (Step-parent)	7%	0%
Child (Step-Child, Child of Boyfriend/Girlfriend)	19%	28%
Other Family/Sibling (Brother-in-law/Sister-in-law, etc.)	13%	0%
Co-habitant (Ex-co-habitant)	21%	41%
Other (Girlfriend/Boyfriend, Ex-girlfriend/boyfriend, etc.)	10%	0%

DOMESTIC VIOLENCE FATALITY REVIEW TEAM DATA

This report is based on the reviews of 24 cases involving 29 decedents (21 adults/8 children) and 25 perpetrators and is not meant to statistically represent all domestic violence deaths in Florida. Four of the 24 cases reported involved multiple victims. Of the 24 cases, sixteen occurred in/at the residence of the decedent and perpetrator. In seventeen of the 24 cases, the parties lived together at time of death. Prior incidents of domestic violence had been reported in 37% of the cases, and in 42% of the cases the parties had experienced a significant change in the relationship. Profiles of the perpetrator and decedent are listed below.

	Perpetrator (25)	Decedent – Adult (21)	Decedent – Child (8)
Male	80%	24%	50%
Female	20%	76%	50%
White	56%	57%	37.5%
Black	36%	38%	37.5%
Asian/Pacific Island	8%	5%	0%
Multi-racial	0%	0%	25%
Average Age	41	40	9

The cases reviewed for this report were independently selected by the FRTs. Due to the differing methods of selecting incidents for review and the changing number of participating FRTs, the data is not provided as a year-to-year comparison. The Domestic Violence Data Resource Center (DVDRC) is working with the teams to enhance and broaden the types of domestic violence incidents that are reviewed and submitted. The data is from nine teams covering only ten counties, and the number of reviews completed by each team varies.

Complainant Information

Twenty-eight telephone calls were received regarding the 24 cases reviewed for the 2007 reporting period. This was due to multiple complainants recorded in four of the reports. Calls received from both a family member of the decedent and family member of the perpetrator were 43% of the calls. Five of the calls were received from a neighbor. Six of the complainant calls were from the perpetrator. The category of “Other” consisted of one passer-by and one police department. Nearly 70% of the complainant calls were received after the event.

Event Information

There were a total of 29 victims in the 24 cases reviewed for the 2007 reporting period. Of the 24 domestic violence fatality reports reviewed, there were four cases with multiple victims. Firearms (17) accounted for 59% of the 29 deaths. Over half of the 29 decedents, 55%, were killed in the decedent and perpetrator’s residence. In 11 of the 24 cases, the perpetrator committed suicide.

Environment Information

Of the 24 domestic violence fatality reports reviewed for the 2007 reporting period, an active injunction was filed on the perpetrator in four of the cases; eleven previous injunctions had been filed on the perpetrator. There were previous injunctions on file at the time of the fatality for two of the decedents.

Relationship Information

Of the 29 domestic fatalities reviewed for the 2007 reporting period, the victim in nine of the fatalities was the spouse or ex-spouse of the perpetrator and in twelve of the fatalities the victim was the co-habitant or ex-cohabitant of the perpetrator. In 27% of the domestic fatalities the victims were children or step-children.

Prior threats to kill the decedent occurred in six of the fatalities. Previous incidents of domestic violence had been reported in nine of the fatalities. A significant change in the relationship between the decedent and perpetrator had occurred in ten of the fatalities.

Regarding the 29 domestic violence fatalities reviewed for the 2007 reporting period, the categories of spouse, ex-spouse, ex-boyfriend, co-habitant and ex-cohabitant made up 21 of the relationships involved in the fatalities.

Contributing Factors To The Incident

The three major contributing factors to the fatalities identified by the FRTs were: 1) Other Factors. 2) Perpetrator had abused drugs. 3) Perpetrator alleged to have committed act to avenge a perceived wrongdoing by the decedent. In 33% of the 24 cases the decedent and perpetrator were in the process of separation or had separated at the time of the fatality.

Escalating Circumstances

The three escalating circumstances that occurred most for the decedent were: 1) Exhibiting signs of depression, anger, low self esteem or suicidal thoughts. 2) Expressing fear of physical danger to themselves and/or child (ren). 3) Having evidence of physical injury. The three escalating circumstances that occurred most for the perpetrator were: 1) Keeping tabs on or stalking the decedent. 2) Smashing objects and destroying property. 3) Using intimidation by instilling fear through looks and gestures.

Services Requested, Ordered or Obtained

Of the four primary categories Domestic Violence Services, Criminal Justice/Legal Assistance, Health Care Provider and Children Services it was found that the decedent requested and received Criminal Justice/Legal Services most frequently. It should be noted that 45% of the decedents requested services under the category of Domestic Violence Services. Of those requests, only 38% received services. Of the four primary categories, it was found that the perpetrator requested and received Criminal Justice/Legal Services most frequently. It should be noted that the perpetrator requested Domestic Violence Services in 12% of the 24 cases and received these services in 17% of the cases.

Lethality Indicators

The three most often lethalties indicated for the decedent were: 1) History of substance abuse. 2a) History of domestic violence. 2b) History of criminal activity. 3) Express concerns that she/he would be killed. The three most often lethalties indicated for the perpetrator were: 1) Obsessiveness about their partner or family. 2) History of domestic violence. 3a) Access to victim and/or family members. 3b) History of substance abuse.

FATALITY REVIEW TEAMS

In January 2006, the following counties had active FRTs: Bay, Brevard, Broward, Columbia (also reporting for Madison, Taylor, Lafayette, Dixie, Hamilton and Suwannee counties), Miami-Dade, Duval, Escambia, Lee, Orange, Palm Beach, Pasco, Pinellas, Polk, Sarasota (also reporting for Manatee and Desoto counties) and Seminole. Of the 164 domestic violence homicides reported statewide in 2006, 57 or nearly 35% of these homicides were committed within the jurisdiction of the reporting teams.

For the first time since the inception of Florida's FRTs, several statewide training meetings were held for the team members to meet and discuss local, statewide, and national domestic violence issues. The meetings were very productive and beneficial to all parties in attendance.

Nine teams submitted 24 case reviews for inclusion in this annual report. Additionally, these teams provided individual case review information and an overview of the critical findings resulting from the reviews conducted for this reporting period. Reports submitted to FDLE must meet the criteria for inclusion in the domestic violence fatality data report, even though each team may review several types of cases during the year.

Bay County	2
Brevard County	1
Broward County	1
Orange County	3
Palm Beach County	4
Pasco County	4
Pinellas County	6
Sarasota County (Manatee)	1
Seminole	2

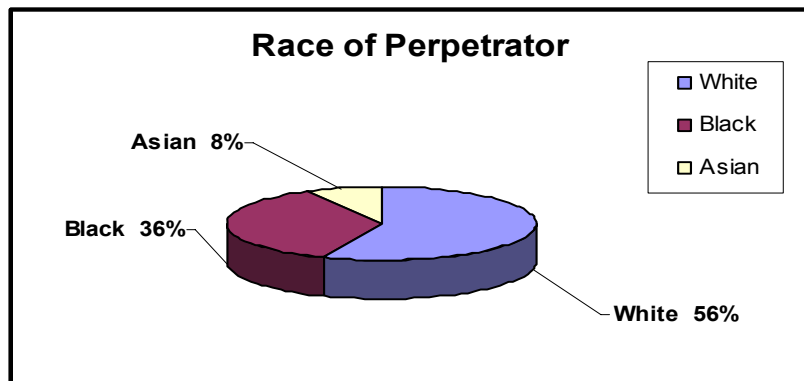
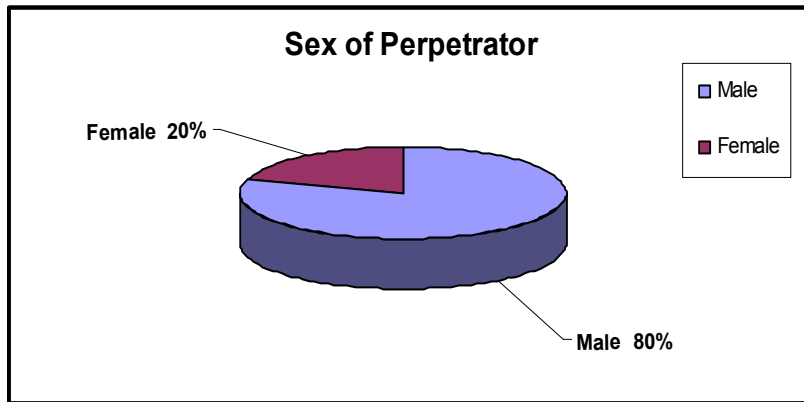
Note: Case reviews were either not submitted and/or not included for FRTs in Columbia, Duval, Escambia, Lee, Miami-Dade, and Polk counties.

FRTs consist of members representing local law enforcement agencies, State Attorney's Office, Clerk of the Court, Court Administrator's Office, Medical Examiner's Office, Domestic Violence Centers, victim services, batterer's intervention program providers, Department of Children and Families, shelters, other state agencies, business entities, county probation and corrections, local animal shelter, local clergy, Department of Health child death review teams and/or other involved parties. The composition varies from team to team.

Appendix 1: DOMESTIC VIOLENCE DATA REVIEW

Perpetrator Information

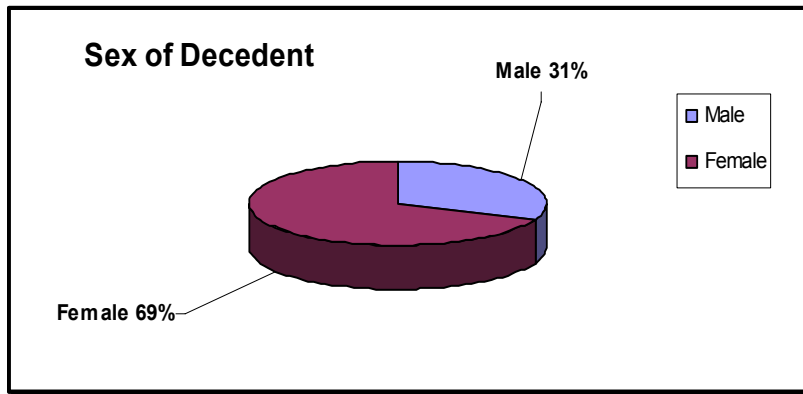
Of the **24** domestic violence fatality reports reviewed for the **2007** reporting period, **twenty** of the perpetrators were male. The marital status indicated that **eight** of the perpetrators were married to the decedent at the time of the fatality. The racial breakdown of the cases reviewed reflected **fourteen** of the perpetrators were white, **nine** were black, and **two** were Asian/Pacific. **Twelve** of the perpetrators were employed at the time of the fatality. The perpetrators had **70** non-violent arrests, **23** domestic violence arrests and **29** arrests for other violent crimes. The perpetrator had a previous domestic violence incident with a different partner in **13** of the **24** cases; in **five** cases, previous domestic violence charges against the perpetrator were dismissed. Known incidents of prior child abuse were reported in **four** cases. In **over half** of the cases either drugs, alcohol or medication were present. In **15** of the **24** cases reviewed, other entities had knowledge of domestic violence in the life of the perpetrator.



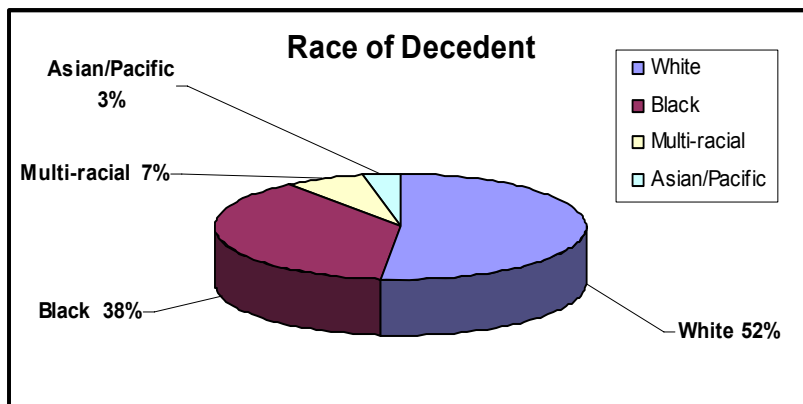
# of Perpetrators for each age group	
21-30 years of age-	4
31-40 years of age-	8
41-50 years of age-	10
51-60 years of age-	2
71-80 years of age-	1

Decedent Information

Of the **24** cases reviewed **four** had multiple victims resulting in a total of **29** domestic violence fatalities reviewed for the **2007** reporting period. **Twenty** of the victims were female and **nine** were male. The marital status indicated that **eight** of the victims were married to the perpetrator and **one** was divorced from the perpetrator. The racial breakdown of the cases reflect that **15** of the victims were white, **11** were black, **2** were multi-racial and **1** was Asian/Pacific. **Over half** of the decedents were employed at the time of their death. The decedents had **71** non-violent arrests, **7** domestic violence arrests and **4** arrests for other violent crimes. (It should be noted that **eight** of the decedents were under age.) **13** of the **29** victims had no arrest record. Police had responded to the residence for some reason in **13** of the cases. The decedent was the victim of another crime **2** times and had been the victim of previous domestic violence with a different partner **5** times. In **12** cases, others had knowledge of domestic violence in the life of the decedent.

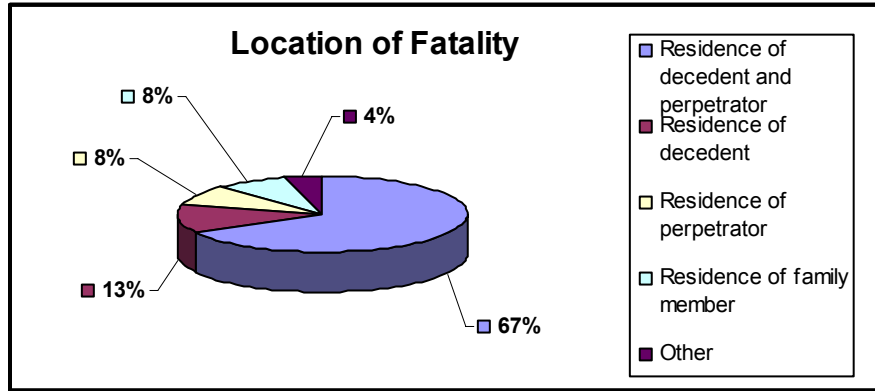


# of Decedents for each age group	
1-10 years of age-	6
11-20 years of age-	2
21-30 years of age-	4
31-40 years of age-	8
41-50 years of age-	7
61-70 years of age-	1
71-80 years of age-	1



Location of Fatality

Regarding the **24** domestic violence fatalities reviewed for the **2007** reporting period, the location “**Other**” comprises the following: location of a beach. **Sixteen** of the **24** cases occurred in or at the residence of the decedent and the perpetrator.

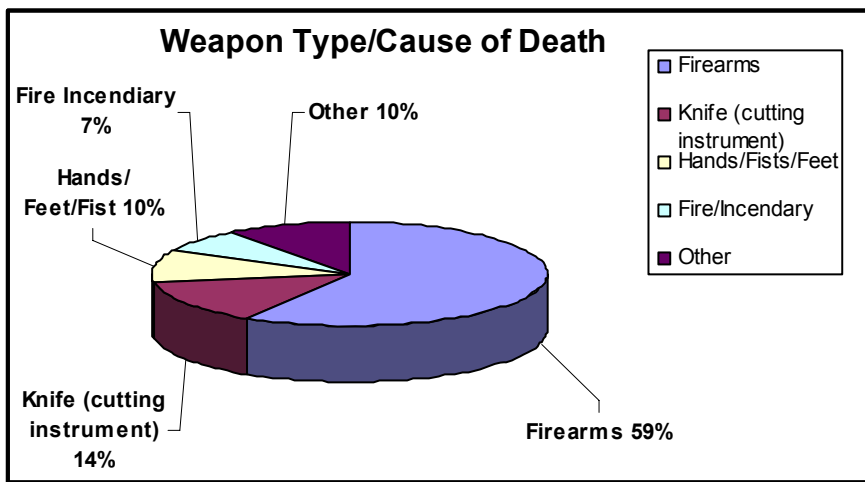


Four (4) of the **24** cases involved multiple victims- three in one case and two in three other cases.

*This chart depicts the location of the fatality in the 24 cases reviewed for the 2007 reporting period.

Weapon Types

Of the weapon types listed, there were **29 weapons** used to carry out the fatality of the **29 victims** reflected in the **24 reports** reviewed for the **2007** reporting period. There were a total of **17** in the “**Firearms**” category.



The actual death of the **three decedents** from the Fire Incendiary Weapon Type, was carbon monoxide toxicity.

* “Other” is comprised of hammer, claw hammer, plastic bag and rope.

*Included in the Firearms category are: handgun, rifle, shotgun and firearm (other/unknown).

Relationship Issues Between Decedent and Perpetrator

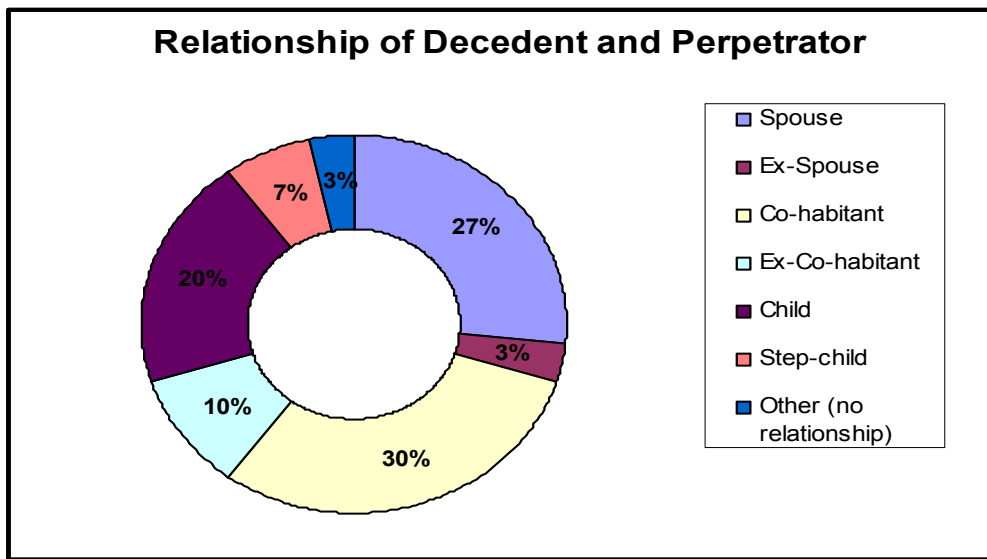
*This chart depicts the distinguishing factors in the relationship issues between the Decedent and Perpetrator.

RELATIONSHIP ISSUES*	2007
They lived together at some point	29
They lived together at the time of the fatality	23
They were intimate prior to the fatality	7
They had a child(ren) in common	7
They had a child(ren) in the household, but not in common	7
They always maintained separate dwellings	0
They had previous reported incidents of domestic violence	9
They had a significant change in the relationship	10

* Note: The “Relationship Issues” category contains multiple selection fields and the review forms may contain more than one response for these categories.

Relationship of Decedent and Perpetrator

*This chart depicts the relationship of the decedent and perpetrator. Of the 24 cases reviewed there were 29 decedents and 30 perpetrators.



* “Other” is comprised of the second perpetrator in one of the cases reviewed.

Contributing Factors to the Incident

This information concerns the factors that may have contributed to the violence escalating to the point where a homicide occurred. **The Factors categories include: Relationship, Employment/Monetary, Criminal Justice Interaction, Substance Abuse, Health/Mental Health and Other category. The factors are given a numerical rating by the review teams, with a rating of one being the major contributing factor; the greater the numerical rating the less it contributed to the fatality.** This information is available through law enforcement investigative reports, possible service agency reports, medical examiner reports, newspaper accounts and interviews with persons that knew the perpetrator and/or decedent.

Major Contributing Factors To The Fatalities were:

	Priority 1	Priority 2	Priority 3
<i>Other Factors</i>			
Perpetrator wanted to remain in the place she lived, but decedent was scheduled for transfer back to Canada. The couple was in debt because perpetrator was a big spender and large insurance funds were paid to the perpetrator after the decedent's death.	1		
In the case with two perpetrators, the second perpetrator was foolishly manipulated by a scheming, greedy, attractive woman.	1		
Perpetrator recently diagnosed with terminal cancer.	1		
Perpetrator killed his children and himself. His estranged wife had filed for divorce and he felt he might lose custody of the children.	1		
Decedent didn't respond to perpetrator's phone calls; purchased a car without agreement of perpetrator. The perpetrator killed his step-children in their beds prior to the arrival of their mother. When she came home he shot her, left scene and shot himself while driving and the car crashed. This crash led police from one county back to his home in another county and the triple homicide.	1		
Perpetrator alleged to have committed act to avenge a perceived wrongdoing by decedent.	3	3	1

<i>Substance Abuse Factors</i>			
Perpetrator abused drugs	4	2	
Decedent abused drugs		3	2
Perpetrator abused alcohol	2	4	2
Decedent abused alcohol	1	1	3

<i>Relationship Factors</i>			
Decedent and perpetrator in the process of separation	2		
Decedent and perpetrator had separated	1	1	2

<i>Health/Mental</i>			
Perpetrator has/had mental health problems			3

***Note: The "Other Factors" category is comprised of factors that would not fit into one of the other categories.**

Appendix 2: HIGHLIGHTS OF THE DOMESTIC VIOLENCE FATALITY REPORTS REVIEWED (2005 – 2007)

Note: There were multiple victims in several cases resulting in more fatalities than reports reviewed.

This chart uses the number of cases reviewed when calculating data.

	2005	2006	2007
<u>Average Age of Perpetrator</u>	42	41	41
<u>Average Age of Decedent</u>			
<u>Adult</u>	43	43	40 (adult)
<u>Child</u>			9 (child)
<u>Sex of Perpetrator</u>	92% male (22) 8% female (2)	89% male (17) 11% female (2)	80% male (20) 20% female (5)
<u>Sex of Decedent</u>	14% male (4) 83% female (24) 3% unknown (1)* *unborn child	26% male (6) 74% female (17)	Adult - 24% male (5) 76% female (16) Child - 50% male (4) 50% female (4)
<u>Race of Perpetrator</u>	50% white (12) 46% black (11) 4% Asian/Pacific (1)	63% white (12) 37% black (7)	56% white (14) 36% black (9) 8% Asian/Pacific (2)
<u>Race of Decedent</u>			Adult - 57% white (12) 38% black (8) 5% Asian/Pacific
Adult	59% white (17) 38% black (11)	70% white (16) 30% black (7)	Child - 37.5% white (3) 37.5% black (3)
Child	3% other (1)		25% multi-racial (2)
<u>Location</u>	58% occurred in/at the residence of the decedent and perpetrator (14 of the 24 cases)	57% occurred in/at the residence of the decedent and perpetrator (11 of the 19 cases)	67% occurred in/at the residence of the decedent and perpetrator (16 of the 24 cases)
<u>Weapons</u>	In 38% of the fatalities a handgun was involved (9 of the 24 cases) In 33% of the fatalities a knife was involved (8 of the 24 cases)	In 95% of the fatalities a handgun was involved (18 of the 19 cases)	In 46% of the fatalities a handgun was involved (11 of the 24 cases) In 17% of the fatalities a knife/cutting instrument was involved (4 of the 24 cases)
<u>Relationship</u>	75% of the parties lived together at the time of the fatality (18 of the 24 cases)	63% of the parties lived together at the time of the fatality (12 of the 19 cases)	75% of the parties lived together at the time of the fatality (18 of the 24 cases)
<u>History</u>	54% of the cases had prior reported incidents of domestic violence (13 of the 24 cases)	42% of the cases had prior reported incidents of domestic violence (8 of the 19 cases)	38% of the cases had prior reported incidents of domestic violence (9 of the 24 cases)

Appendix 3: CASE SUBMISSION

DATA SUBMISSION FORM

Since the enactment of Section 741.316, Florida Statutes, effective July 1, 2000, the FRTs have used the standardized collection form provided by the FDLE to collect and record their findings of reported domestic violence related cases. In 2003 the standardized reporting form was revised and additional forms were created to capture multiple victim and perpetrator information. A bystander form was created to capture secondary fatality victims who are not directly involved with the domestic violence incident.

During the past year, the FDLE Resource Center members traveled throughout the state to visit the Teams during their scheduled meetings. Input was solicited from the members on how to make the reporting forms more user friendly. The form was lengthy, very convoluted, contained many ambiguous questions as well as duplications. To simplify the process, the forms were revised again using their input and suggestions.

The FDLE Resource Center and FRT members spent many hours reviewing and revising the forms. The assistance and input from the team members were very valuable towards making the newly revised primary form a much easier document for the collection of data. FDLE received very positive feedback from the teams on the new form. The original primary form contained 193 questions, whereas the new form now includes 113 questions and collects all the necessary data. The teams will begin using the newly revised forms to record domestic violence fatality review data for the reporting year 2007. FDLE is working towards automating the entire process from the reporting of the data to the preparation of the annual report.

ANNUAL SUMMARY FORM

A FRT Annual Summary Form was provided to each team to ensure that the appropriate findings and recommendations, derived from the reviews that the teams conducted, were provided to the Governor, President of the Senate, Speaker of the House of Representatives and Chief Justice of the Supreme Court. This form provides a mechanism for teams to highlight findings and/or issues that might not come to the forefront when data from all reviews are summarized. Even though a team may not have reviewed reports that fit the criteria for inclusion in the annual report, they are encouraged to submit summary information of their reviews which will be included. As with the revision of the Data Submission Forms, the summary form has also been revised.

Appendix 4:
FATALITY REVIEW TEAM CONTACT INFORMATION

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Appendix 5: RECENT LEGISLATION

2000

The Florida Legislature enacted Section 741.316, Florida Statutes, which recognized the work of these teams and called for FDLE to develop a standard data collection form, to gather information from the local FRTs, and to publish an annual state-level report.

2001

The Florida Legislature approved and Governor Bush signed into law, the “Family Protection Act” which requires a 5-day mandatory jail term for any crime of domestic battery in which the perpetrator deliberately injures the victim. This law also makes a second battery crime a felony offense, which will effectively treat repeat offenders as serious criminals. The Family Protection Act also requires persons convicted of violent crimes to pay a \$201 surcharge to offset the costs of local incarceration and support domestic violence shelters.

2002

The Florida Legislature approved, and Governor Bush signed into law, Senate Bill 716 Section 741.28, F.S.) which clarifies that people who have a child in common, or who are in a dating relationship, are not required to have resided together to be eligible for an injunction for protection against violence. Senate Bill 716 also eliminates the filing fee for protective orders Section 741.30, F.S.) and allows certified domestic violence advocates, prosecution, or law enforcement advocates to be present during injunction hearings.

In the state’s continuing efforts to reduce domestic violence crimes, Governor Bush initiated Violence Free Florida! in 2002. This program is aimed at reducing domestic violence through greater public awareness of this crime, increasing services for its victims, and providing additional public/private partnerships for greater community involvement in these efforts.

2003

The Florida Legislature approved and Governor Bush signed House Bill 1099, relating to Domestic Violence Centers. This bill removes the requirement that the Department of Children and Families approve or reject applications for funding received from domestic violence centers; provides for provision of technical assistance and distribution of funds for said centers by a statewide association whose primary purpose is to provide technical assistance to certified domestic violence centers; and provides requirements for contracts between said association and certified domestic violence centers. Since Fiscal Year 1998-99 funding for domestic violence shelters and their services has increased by nearly eighty percent.

2004

No bills relating to FRTs were passed.

2005

Section 741.3165, F.S., was amended expanding the exemption from public records requirements for confidential or exempt information obtained by FRTs to include information that identifies a victim of domestic violence or the children of a victim;

expanding the exemption from public meetings requirements to exempt those portions of meetings at which confidential or exempt information is discussed; providing for review and repeal; providing a statement of public necessity; removing unnecessary language; making clarifying changes; providing an effective date.

2006

No bills relating to the Domestic Violence Fatality Review Teams were passed. Bills relating to Domestic Violence were passed.

Priority Safe Shelter, House Bill #761 (Chapter 2006-295, Laws of Florida) – an act relating to trespass on the property of a certified domestic violence center; amending Section. 810.09, F.S.

- Increases the penalty for trespassing at a certified domestic violence center from misdemeanor to a third degree felony; and
- Effective July 1, 2006.

Continuing Education, House Bill #699 (Chapter 2006-251), Laws of Florida) – an act relating to health care practitioners; amending s. 456.031, F.S.; revising requirement for instruction of certain health care practitioners concerning domestic violence; amending Section 456.033, F.S.

- Increases domestic violence continuing education for physicians to two-hours at initial licensure and every third renewal period;
- Mandates that the course must consist of information on domestic violence screenings, history, professional practice and methods for screening; and
- Effective July 1, 2006.

Interference with Custody, Committee Substitute for House Bill #7111 (Chapter 2006-114, Laws of Florida) – an act relating to a review under the Open Government Sunset Review Act regarding the offense of interference with custody; amending Section 787.03, F.S.

- Revises an existing defense under statute based on being a victim of domestic violence, a defendant must establish that he or she reasonably believed the action of taking the minor or incompetent person was necessary in order to escape from the violence or preserve the minor or incompetent person from exposure to the violence;
- Broadens an existing exception to statute making the exception available to any person having a legal right to custody of a minor, rather than simply to a spouse; the exception is applicable not only to the taking of a child but also the taking of an incompetent person; and
- Effective October 1, 2006.

Interference with Custody Public Records, House Bill #7113 (Chapter 2006-115, Laws of Florida) – an act relating to a review under the Open Government Sunset Review Act regarding the public records exemption for the interference with custody statute; amending Section 787.03, F.S.

- Reenacts and expands the public records exemption to include the current address and telephone number of the person fleeing with a child, the child, and the incompetent person; and
- Effective October 1, 2006.

Parental relocation with a Child, Committee Substitute for Senate bill 2184 (Chapter 2006-245, Laws of Florida) – an act relating to parental relocation with a child; amending Section 61.13, F.S.

- Requires a primary residential parent who wishes to relocate with a child to provide advance notice to the other parent and/or persons entitled to visitation at least 30 days before the proposed relocation;
- The notice must describe the proposed new residence, its address, the reasons for the proposed relocation, and a proposed visitation schedule;
- The court must evaluate the proposed relocation based on several factors, including domestic violence;
- Provides that the court may enter an order to prevent the disclosure of location information if that information is protected under a public records exemption; and
- Effective October 1, 2006.

Domestic Violence Data Resource Center

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Tallahassee, Florida 32308
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FAX: (850) 410-7124

<http://www.fdle.state.fl.us/CitResCtr/DomesticViolence/index.html>

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