

## Vermont

### **Title 15: Domestic Relations**

#### ***Chapter 21: ABUSE PREVENTION***

#### **15 V.S.A. § 1140. Domestic violence fatality review commission**

##### **§ 1140. Domestic violence fatality review commission**

(a) The domestic violence fatality review commission is established within the office of the attorney general, in consultation with the council on domestic violence, for the following purposes:

(1) To examine the trends and patterns of domestic violence-related fatalities in Vermont.

(2) To identify barriers to safety, the strengths and weaknesses in communities and systemic responses to domestic violence.

(3) To educate the public, service providers and policymakers about domestic violence fatalities and strategies for intervention and prevention.

(4) To recommend policies, practices and services that will encourage collaboration and reduce fatalities due to domestic violence.

(b) The commission shall comprise 17 members, consisting of the following:

(1) the attorney general, or his or her designee;

(2) the commissioner of the department of health, or his or her designee;

(3) the commissioner of social and rehabilitation services, or his or her designee;

(4) the commissioner of the department of corrections, or his or her designee;

(5) the commissioner of the department of public safety, or his or her designee;

- (6) the chief medical examiner, or his or her designee;
- (7) a state's attorney with experience prosecuting domestic violence cases, appointed by the executive director of the Vermont state's attorneys' association;
- (8) the defender general, or his or her designee;
- (9) a member of the Vermont coalition of batterer intervention services;
- (10) a member of the Vermont network against domestic violence and sexual assault;
- (11) a representative of the Vermont council on domestic violence;
- (12) a representative of local law enforcement, appointed by the governor;
- (13) a victim or survivor of domestic violence, appointed by the Vermont network against domestic violence and sexual assault;
- (14) a physician, appointed by the governor;
- (15) the executive director of the Vermont criminal justice training council or his or her designee;
- (16) the commissioner of mental health or his or her designee; and
- (17) one judge, appointed by the chief justice of the Vermont supreme court.

(c) In any case subject to review by the commission, upon written request of the commission, a person who possesses information or records that are necessary and relevant to a domestic violence fatality review shall, as soon as practicable, provide the commission with the information and records. A person who provides information or records upon request of the commission is not criminally or civilly liable for providing information or records in compliance with this section. The commission shall review fatalities which are not under investigation and fatalities in cases that are postadjudication which have received a final judgment.

(d) The proceedings and records of the commission are confidential and are not subject to subpoena, discovery or introduction into evidence in a civil or criminal action. The commission shall disclose conclusions and recommendations upon request, but may not disclose information, records or data that are otherwise confidential, such as autopsy records. The commission shall not use the information, records or data for purposes other than those designated by subsections (a) and (g) of this section.

(e) The commission is authorized to require any person appearing before it to sign a confidentiality agreement created by the commission in order to maintain the confidentiality of the proceedings. In addition, the commission may enter into agreements with nonprofit organizations and private agencies to obtain otherwise confidential information.

(f) Commission meetings are confidential, and shall be exempt from chapter 5, subchapter 2 of Title 1 (open meetings law). Commission records are confidential, and shall be exempt from chapter 5, subchapter 3 of Title 1 (public access to records).

(g) The commission shall report its findings and recommendations to the governor, the general assembly, the chief justice of the Vermont supreme court, and the Vermont council on domestic violence no later than the third Tuesday in January of the first year of the biennial session. The report shall be available to the public through the office of the attorney general. The commission may issue data or other information periodically, in addition to the biennial report. (Added 2001, No. 88 (Adj. Sess.), § 1, eff. May 2, 2002; amended 2009, No. 135 (Adj. Sess.), § 5.)