

- 1 (1) Contact the individuals, agencies, or organizations to establish member
2 assignments.
- 3 (2) Ensure the development of written operating procedures to govern the
4 Review Team.
- 5 (3) Maintain records of and establish procedures for conducting team
6 meetings, including scheduling meetings, notifying team members of
7 the meetings, locating meeting places, preparing agendas, and
8 recording meeting minutes.
- 9 (4) Designate cases for review.
- 10 (5) Collect, distribute, and maintain records and data used by team
11 members related to domestic violence fatalities in the county.
- 12 (6) Distribute case records to team members, after redacting all identifying
13 information from the records and data.
- 14 (7) Provide structured training and education for team members on
15 domestic violence related topics.
- 16 (8) Compile and submit reports of Review Team activities as required by
17 the Governor's Commission on Domestic Violence.

18 **SECTION 1.(e)** Responsibilities of Review Team. – The Review Team

19 shall:

- 20 (1) Assist the lead agency in developing the written operating procedures
21 that shall govern the Review Team.
- 22 (2) Identify methods to collect, analyze, and maintain data related to
23 domestic violence fatalities in the county.
- 24 (3) Develop an understanding of the causes and effects of domestic
25 violence and a familiarity with the services currently available in the
26 community that address domestic violence issues.
- 27 (4) Identify areas where local government, law enforcement agencies,
28 medical and mental health providers, and other local advocacy
29 agencies may increase victim safety, increase public awareness, and
30 provide the public with education and training in domestic violence
31 related issues.
- 32 (5) Recommend action to the appropriate agencies for the prevention of
33 future domestic violence fatalities.

34 **SECTION 1.(f)** Responsibilities of Team Members. – Individual team
35 members are responsible for reviewing the facts and circumstances of fatalities that
36 occur as a result of domestic violence. The team member shall review domestic violence
37 fatalities of victims who were 18 years of age or older and all relevant historical data of
38 the victim during the course of the victim's intimate relationship with the perpetrator of
39 the crime. After reviewing a case, the team member shall share his or her findings with
40 other team members to enable the Review Team to recommend the appropriate action to
41 the local agencies or organizations. However, no member of the Review Team shall
42 review a domestic violence fatality case while the case is under investigation by law
43 enforcement personnel or an action is pending in criminal or civil court. A team
44 member may review a domestic violence fatality case only after a local district attorney

1 has signed off on the case ensuring that any investigation or court action involving the
2 case has been completed.

3 **SECTION 1.(g)** Access to Records. – The Review Team, during its
4 existence, shall have access to all medical records, hospital records, and records
5 maintained by the county or any local agency as necessary to carry out the purposes of
6 this act, including police investigations data, medical examiner investigative data, health
7 records, mental health records, and social services records. All of these records shall be
8 released to the lead agency, who shall redact all identifying information from the
9 records before distributing copies to the team members. The lead agency shall maintain
10 one complete set of un-redacted records in each case file. The Review Team shall not,
11 as part of the reviews authorized under this act, contact, question, or interview the
12 parent of the victim or the alleged perpetrator or any other family member of the victim
13 or alleged perpetrator whose record is being reviewed.

14 **SECTION 1.(h)** Meetings. – The Review Team may hold periodic public
15 meetings to discuss, in a general manner without revealing confidential information
16 about victims and their families, the findings of their reviews and their
17 recommendations for preventive actions. Minutes of all public meetings, excluding
18 those of executive sessions, shall be kept in compliance with Article 33C of Chapter
19 143 of the General Statutes. Any minutes or any other information generated during any
20 closed session shall be sealed from public inspection.

21 **SECTION 1.(i)** Confidentiality; Immunity. – All otherwise confidential
22 information and records acquired by the Review Team, during its existence and in the
23 exercise of its duties, shall: (i) be confidential; (ii) not be subject to discovery or
24 introduction into evidence in any proceedings; and (iii) only be disclosed as necessary
25 to carry out the purposes of the Review Team. This section shall not prohibit a person
26 from testifying in a civil or criminal action about matters within that person's
27 independent knowledge.

28 Each member of the Review Team and any invited participants shall sign a
29 statement indicating an understanding of and adherence to confidentiality requirements,
30 including the possible civil or criminal consequences of any breach of confidentiality.

31 Access to criminal investigative reports and criminal intelligence information
32 of public law enforcement agencies and confidential information in the possession of
33 the Review Team shall be governed by G.S. 132-1.4 and Section 1(g) of this act
34 respectively. Nothing herein shall be deemed to require the disclosure or release of any
35 information in the possession of a district attorney.

36 **SECTION 2.** Counties establishing review teams pursuant to this act shall
37 operate for a period of five years from the date this act becomes effective.

38 **SECTION 3.** Each Review Team established pursuant to this act shall issue
39 an interim report to the Governor's Commission on Domestic Violence summarizing its
40 findings and activities by June 15, 2003, and a final report with recommendations for
41 action by June 15, 2006. The reports shall not identify the specific cases or case reviews
42 that led to the individual Review Team's findings and recommendations.

43 **SECTION 4.** This act shall not be construed to obligate the General
44 Assembly to appropriate funds to implement the provisions of this act.

1 **SECTION 5.** This act applies to Mecklenburg County and one rural county
2 with a population of 75,000 or less, to be selected by the Governor's Commission on
3 Domestic Violence, only.

4 **SECTION 6.** This act is effective when it becomes law.