

FIRST REGULAR SESSION

SENATE BILL NO. 511

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR DIXON.

Read 1st time March 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1262S.03I

AN ACT

To amend chapter 455, RSMo, by adding thereto one new section relating to domestic violence fatality review panels.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 455, RSMo, is amended by adding thereto one new
2 section, to be known as section 455.560, to read as follows:

455.560. 1. The prosecuting attorney or the circuit attorney may
2 **impanel a domestic violence fatality review panel for the county or city**
3 **not within a county in which he or she serves to investigate the deaths**
4 **of victims of homicides determined to be related to domestic violence**
5 **as the term is defined in section 455.010. The panel shall be formed by**
6 **the department of social services.**

7 **2. The panel may include any representative of programs or**
8 **organizations that provide services and responses to victims of**
9 **domestic violence within the county or city not within a county. The**
10 **panel shall include, but shall not be limited to, the following:**

11 **(1) The prosecuting or circuit attorney;**

12 **(2) The coroner or medical examiner for the county or city not**
13 **within a county;**

14 **(3) Law enforcement personnel in the county or city not within**
15 **a county;**

16 **(4) A representative of the department of social services;**

17 **(5) A provider of public health care services;**

18 **(6) A representative of the local office of the department of**
19 **public safety;**

20 **(7) A provider of emergency medical services or other medical**
21 **or health care providers;**

22 (8) A representative of any victim assistant unit for the
23 prosecuting or circuit attorney, law enforcement organization, or court
24 of the county or city not within a county;

25 (9) Representatives of domestic violence shelters, as defined in
26 455.220, and domestic violence services organizations that provide
27 services for victims within the county or city not within a county;

28 (10) Representatives of sexual assault centers and sexual assault
29 services organizations, as defined in 455.003, that provide sexual
30 assault services for victims within the county or city not within a
31 county.

32 3. The prosecuting or circuit attorney shall organize the panel
33 and shall call the first organizational meeting of the panel. The panel
34 shall elect a chairman who shall convene the panel to meet to review
35 all deaths of victims of homicides determined to be related to domestic
36 violence. In addition, the panel may review at its own discretion any
37 homicide reported to it by the medical examiner or coroner, even if it
38 does not meet criteria for review as set forth by the department. The
39 panel shall issue a final report, which shall be a public record, of each
40 investigation, its findings and recommendations for enhanced
41 practices, protocols, and collaborations to address domestic violence
42 and prevent homicides, to the governor, the speaker of the house of
43 representatives, the president pro tempore of the senate, the executive
44 leadership of the government of the political subdivision of the state of
45 Missouri in which the panel operates, and the statewide domestic
46 violence coalition, as such is recognized by the United States
47 Department of Justice and the United States Department of Health and
48 Human Services. The final report shall include a summary. The
49 department of health and senior services shall analyze the domestic
50 violence fatality review panel reports and periodically prepare reports
51 which describe the incidence, causes, location, and other factors
52 pertaining to domestic violence fatalities.

53 4. The domestic violence fatality review panel shall enjoy such
54 official immunity as exists at common law.

55 5. Work products of the domestic violence fatality review panel
56 other than the final report required by subsection 3 of this section,
57 including, but not limited to internal memoranda, summaries or
58 minutes of panel meetings, and written, audio recorded, or electronic

59 records and communications, are not public records as defined by
60 subdivision (6) of section 610.010 and are not available for public
61 examination, reproduction, or disclosure, and are not admissible as
62 evidence in any civil, criminal, or administrative proceeding.

63 6. The executive officer of any municipality or county may
64 request that a domestic violence fatality review panel be convened in
65 response to any fatality which occurs within the boundaries of the
66 municipality or county.

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